

Case No.

31

Application, Transcript,  
Small Exhibits, Etc.

September 26, 1941

The Santa Fe New Mexican  
Santa Fe, New Mexico

Artesia Advocate  
Artesia, New Mexico

Re: Case # 31. Notice for Publication

Gentlemen:

Please publish the enclosed notice once,  
immediately. Please proof read the notice carefully  
and send a copy of the paper carrying such notice.

UPON COMPLETION OF THE PUBLICATION, PLEASE  
SEND PUBLISHER'S AFFIDAVIT.

For payment, please submit statement in  
duplicate accompanied by voucher executed in duplicate.  
The necessary voucher blanks are enclosed.

Very truly yours,

Oil Conservation Commission

By

Carl B. Livingston  
Chief Clerk & Legal Advisor

CBL:MS

# PROOF OF PUBLICATION

STATE OF NEW MEXICO }  
County of Eddy ss.

A. L. Bert editor  
~~XXXXXXXX~~ being duly sworn deposes and says that he is the ~~publisher~~  
of THE ARTESIA ADVOCATE, a newspaper published in Artesia, Eddy  
County, New Mexico, that the notice of Publication of  
Case No. 31

a copy of which is hereto attached was first published in said newspaper  
in its issue dated October 2, 1941  
and was published in the weekly issue of said newspaper, and not in  
any supplement, thereafter for the full period of one con-  
secutive weeks, the last publication thereof being in the issue dated

*A. L. Bert*

Subscribed and sworn to before me on October 6, 1941

*Notary Public*  
Notary Public

Publishers Fees \$3.36

My Commission Expires December 31, 1941

## NOTICE FOR PUBLICATION STATE OF NEW MEXICO OIL CONSERVATION COMMISSION

The Oil Conservation Commis-  
sion, by law invested with jurisdic-  
tion as the oil and gas regula-  
tory body of the State of New  
Mexico, hereby gives notice of the  
following public hearing to be held  
at the Capitol, Santa Fe, New  
Mexico:

### Case No. 31

The matter of adopting an  
Eddy County Proration Order  
and to cancel Order No. 27,  
the Present Proration Plan for  
the Artesia-Grayburg-Jackson-  
Maljamar Area, Eddy and Lea  
Counties. This hearing is in-  
stituted upon the Commission's  
own motion and is set for 2  
o'clock P. M., October 24,  
1941.

Any person having any interest  
in the subject of said hearing shall  
be entitled to be heard.

The foregoing Notice of publi-  
cation was made pursuant to the  
direction of the Commission at its  
Executive Meeting September 26,  
1941.

Given under the seal of said  
Commission at Santa Fe, New  
Mexico, on September 26, 1941.

OIL CONSERVATION  
COMMISSION

By (SGD) John M. Kelly,  
Secretary.

(SEAL)

40-ltc

Hearing not held because Commission was  
unable to meet at time set in publication.

LEGAL ADVERTISING

NOTICE FOR PUBLICATION  
STATE OF NEW MEXICO  
OIL CONSERVATION  
COMMISSION

The Oil Conservation Commission, by law invested with jurisdiction as the oil and gas regulatory body of the State of New Mexico, hereby gives notice of the following public hearing to be held at the Capitol, Santa Fe, New Mexico: Case No. 31

The matter of adopting an Eddy County Proration Order and to cancel Order No. 27, the Present Proration Plan for the Artesia - Grayburg - Jackson-Maljammar Area, Eddy and Lea Counties. This hearing is initiated upon the Commission's own motion and is set for 2 o'clock P. M., October 24, 1941.

Any person having any interest in the subject of said hearing shall be entitled to be heard.

The foregoing Notice of Publication was made pursuant to the direction of the Commission at its Executive Meeting September 25, 1941.

Given under the seal of said Commission at Santa Fe, New Mexico, on September 26, 1941.

OIL CONSERVATION COMMISSION,  
By (Sgd.) JOHN M. KELLY,  
Secretary.

(SEAL)

(Publish Sept. 29, 1941.)

Affidavit of Publication

State of New Mexico, }  
County of Santa Fe } ss.

I, L. B. Floyd, being first duly sworn, declare and say that I am the (Business Manager) (~~Editor~~) of the Santa Fe New Mexican, a daily newspaper, published in the English Language, and having a general circulation in the City and County of Santa Fe, State of New Mexico, and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 of the Session Laws of 1937; that the publication, a copy which is hereto attached, was published in said paper once each week for 1 consecutive weeks, and on the same day of each week in the regular issue of the paper during the time of publication, and that the notice was published in the newspaper proper, and not in any supplement, once each week for 1 weeks consecutively, the first publication being on the 29th day of Sept, 1941, and the last publication on the    day of   , 19  ; that payment for said advertisement has been (duly made), or (assessed as court costs); that the undersigned has personal knowledge of the matters and things set forth in this affidavit.

[Signature]

Manager.

Subscribed and sworn to before me, this 29th day of September, A. D., 1941.

Anna K. Ormsbee

Notary Public.

My Commission expires

June 11, 1945

Received payment,

By   

39 lines, one time at \$ 3.12  
lines,    times, \$     
Tax \$     
Total    \$ 3.12

NOTICE FOR PUBLICATION  
STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

The Oil Conservation Commission, by law invested with jurisdiction as the oil and gas regulatory body of the State of New Mexico, hereby gives notice of the following public hearing to be held at the Capitol, Santa Fe, New Mexico:

Case No. 31

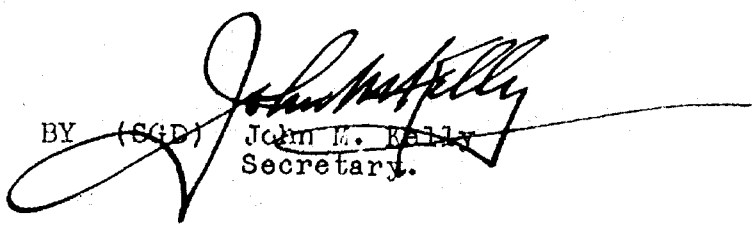
The matter of adopting an Eddy County Proration Order and to cancel Order No. 27, the Present Proration Plan for the Artesia-Grayburg-Jackson-Maljamar Area, Eddy and Lea Counties. This hearing is initiated upon the Commission's own motion and is set for 2 o'clock P.M., October 24, 1941.

Any person having any interest in the subject of said hearing shall be entitled to be heard.

The foregoing Notice of Publication was made pursuant to the direction of the Commission at its Executive Meeting September 25, 1941.

Given under the seal of said Commission at Santa Fe, New Mexico, on September 26, 1941.

OIL CONSERVATION COMMISSION

BY (SGD)  John E. Kelly  
Secretary.

SEAL

PAGE 31-B

PROBATION ORDER EDDY CO.

Case No.

31-B

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Application, Transcript,  
Small Exhibits, Etc.



1. Commission in quasi-judicial session to set a Proration Order for the Eddy County Fields.
2. Bureau of Mines recommendation for month~~ly~~ of December is 116,100 barrels of oil per day. It is recommended to the Commission that they set the allowable at 117,200 barrels per day. ✓
3. Application of Phillips Petroleum Company to operate a gasoline plant in the Vacuum Field, Lea County, New Mexico.
4. Request of Sun Oil Company for an exemption from the temporary gas-oil ratio order for their Maveety #5 Well, Monument Field, Lea County, New Mexico
5. Approve minutes of last meeting.
6. Next open meeting of the Commission in January.

November 3, 1941

The Santa Fe New Mexican  
Santa Fe, New Mexico

The Artesia Advocate  
Artesia, New Mexico

Re: Case No. 31-B. Notice for Publication

Gentlemen:

Please publish the enclosed notice once,  
immediately. Please proof read the notice carefully  
and send a copy of the paper carrying such notice.

UPON COMPLETION OF THE PUBLICATION, PLEASE  
SEND PUBLISHER'S AFFIDAVIT.

For payment, please submit statement in  
duplicate accompanied by voucher executed in  
duplicate. The necessary voucher blanks are  
enclosed.

Very truly yours,  
Oil Conservation Commission

By

Carl B. Livingston  
Chief Clerk & Legal Advisor

CBL:MS

Those attending Meeting of oil Conservation Commission  
November 25, 1941

NAME	COMPANY	ADDRESS
D. R. McKeithan	Phillips Pet Co.	Bartlesville, Okla.
C. H. Dargie's	Phillips Pet Co	Artesville Tex
N. F. Chapman	Phillips Pet. Co.	Odessa Texas.
E. H. Foster	Phillips Pet. Co.	Amelia, Tex.
Edw. Raus	H. C. Lumber Co.	Carlsbad, N. M.
Henry Miller	Producers Office	Hobbs, N. M.
H. D. Redford	Gulf Oil Corp	Roswell, N. M.
Leo R. Manning	Little Rock Office	
J. B. Briggs	Summit & R Co	Rosewell, N. M.

CASE NO. 31-B

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

THE MATTER OF ADOPTING A PRORATION ORDER FOR EDDY  
COUNTY FIELDS AND TO CANCEL ORDER No. 27, THE PRESENT  
PRORATION PLAN FOR THE ARTESIA-GRAYBURG-JACKSON-HALJAMAR  
AREA, EDDY AND LRA COUNTIES.

TRANSCRIPT OF PROCEEDINGS AT THE HEARING  
LA FONDA, SANTA FE, NEW MEXICO  
NOVEMBER 25, 1941.

Pursuant to order of the Commission, duly made and  
entered, setting November 25, 1941, at two o'clock in the  
afternoon, for hearing in the above entitled matter, said  
hearing was convened at two o'clock, P. M. of November 25,  
1941, at La Fonda, Santa Fe, New Mexico, the Commission  
sitting as follows:

HON. JOHN E. MILES, Governor of New Mexico, Chairman  
HON. JOHN M. KELLY, State Geologist, Secretary  
HON. CARL B. LIVINGSTON, Chief Clerk and Legal Advisor.

APPEARANCES:

D. R. McKeithan	Phillips Pet. Co.	Bartlesville, Okla.
C. A. Daniels	" " "	Amarillo, Texas
H. F. Chapman	" " "	Odessa, Texas
E. H. Foster	" " "	Amarillo, Texas
Edgar Kraus	Atlantic Rfg.	Carlsbad, N. M.
Glenn Staley	Proration Office	Hobbs, N. M.
H. D. Bedford	Gulf Oil Corp.	Roswell, N. M.
Leo Granning	State Land Office	
J. S. Griffith	Humble O. & R. Co.	Roswell, N. M.

The meeting was called to order by Governor Miles, who  
requested Mr. Livingston to read the call of the hearing, as  
follows:

"NOTICE FOR PUBLICATION  
STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

The Oil Conservation Commission, by law invested  
with jurisdiction as the oil and gas regulatory body of  
the State of New Mexico, hereby gives notice of the  
following public hearing to be held at the Capitol, Santa  
Fe, New Mexico:

Case No. 31-B

The matter of adopting a Proration Order

for Eddy County fields and to cancel Order No. 27, the present Proration Plan for the Artesia-Grayburg-Jackson-Maljamar Area, Eddy and Lea Counties. This hearing is initiated upon the Commission's own motion and is set for 2 o'clock P. M., November 25, 1941.

Any person having any interest in the subject of said hearing shall be entitled to be heard.

The foregoing Notice of Publication was made pursuant to the direction of the Commission at its Executive Meeting November 3, 1941.

Given under the seal of said Commission at Santa Fe, New Mexico, on November 3, 1941.

OIL CONSERVATION COMMISSION

BY (Signed) JOHN M. KELLY  
SECRETARY."

BY MR. LIVINGSTON: The Commission is now ready to proceed, and inasmuch as this hearing is initiated upon the Commission's own motion, I now offer myself to be sworn.

CARL B. LIVINGSTON,

being first duly sworn to tell the truth, the whole truth, and nothing but the truth, testified as follows:

BY MR. LIVINGSTON: If the Commission please, the fundamental purpose of this hearing is to do, in effect, with a permanent order what the Commission has been doing for the last two or three years with emergency orders.

With respect to Order No. 27, which is the Artesia-Grayburg-Jackson-Maljamar proration order: That order was promulgated April 27, 1936, and became effective May 16, 1936. After that order had been in effect a few months, it was discovered that some parts of it, perhaps, were not desirable, and in order to offset those undesirable parts, the Commission promulgated various emergency orders of a temporary nature, in order to see if the desired results would be accomplished.

Order No. 27 contained, among other things, a potential factor, and it was desired that the Artesia-Grayburg-Jackson-

Maljamar Area be placed on the same basis as the rest of the state.

The history of the emergency orders is as follows:

Emergency Order No. 87, effective from November 16th to 30th, 1937. This emergency order was actually effective up to and including December 31, 1937. Thereupon it was discovered that the producing area down in Eddy County had expanded, and that emergency order was renewed at each half monthly proration period. Thereafter the Commission promulgated Emergency Order No. 98, effective from January 1, 1938 to January 15, 1938, and continued it at each half monthly proration period, on each of the successive half months, including April, 1940. Then the Commission had had time to study the matter further, and it became necessary to modify that particular emergency order; so the Commission adopted Emergency Order No. 258, effective for the half month proration period from May 1st to 15th, 1940. This emergency order was renewed each successive half monthly proration period to November 30, 1941, the present half monthly proration period.

That particular temporary order seems to have worked.

Now, a proposed order, to become effective, does, in effect, with a permanent order, what the temporary order, or emergency orders, or series of them, have done over a period of the last two or three years, and to that end the following order is submitted to the Commission.

BY THE SECRETARY: Will you read that order?

Whereupon Mr. Livingston read the proposed order.

BY MR. LIVINGSTON: In other words, the effect of this order is to do away with the old Grayburg proration plan, Order No. 27, and to put Eddy County on the same basis as the state in general, and put it under the general State Proration Order No. 1 and Order No. 45, which modified Order No. 1.

Any questions any of you gentlemen desire to ask?

(No answer)

If not, I presume the witness is excused.

Witness excused.

BY THE SECRETARY: Any further testimony or questions? If not,  
the Commission will take this under consideration.

(After consultation, the Secretary announced the  
following:

The Commission adopts Order No. 413, replacing Order No. 27,  
and succeeding emergency orders, and adopts Order No. 413,  
a proration order for the Eddy County Field.

Whereupon the Commission adjourned the hearing.

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C E R T I F I C A T E

I hereby certify that the foregoing and attached three  
and a fraction pages of typewritten matter are a true,  
correct and complete transcript of the shorthand notes taken  
by me in Case No. 31-B, at the hearing before the Oil  
Conservation Commission of New Mexico, on the 25th day of  
November, 1941, and by me extended into typewriting.

Witness my hand this 28th day of November, 1941.

*Esther Barton*  
Esther Barton

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO FOR THE  
PURPOSE OF CONSIDERING:

CASE NO. 31-B

ORDER NO. 413

THE MATTER OF ADOPTING A PRORATION  
ORDER FOR EDDY COUNTY FIELDS AND TO  
CANCEL ORDER NO. 27, THE PRESENT  
PRORATION PLAN FOR THE ARTESIA-  
GRAYBURG-JACKSON-MALJAMAN AREA,  
EDDY AND LEA COUNTIES.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at two o'clock P.M.,  
November 25, 1941, at Santa Fe, New Mexico.

NOW, on the same said date the Commission having  
before it for consideration the testimony adduced at the  
hearing of said case and being fully advised in the  
premises, it is therefore ordered by the Commission that  
the Order herein be and it is hereby promulgated and is  
designated:

THE PRORATION ORDER FOR EDDY COUNTY FIELDS

Section 1. The allowable production of oil to the  
various fields in Eddy County shall be allocated to the  
productive units in the respective fields in accordance  
with the provisions of Order No. 1 of the Commission,  
General State Proration Order, adopted June 29, 1935, as  
modified by Order no. 45 of the Commission, Revision of  
Order No. 1, General State Proration Order, adopted  
October 13, 1936, subject, however, to the following  
provisions:

Section 2. No well shall be drilled closer to any  
unit boundary line than 330 feet or less than 660 feet  
from any other well except upon petition, notice and  
hearing as provided by law, provided such unorthodox  
well location will create neither waste nor hazards  
conducive to waste.

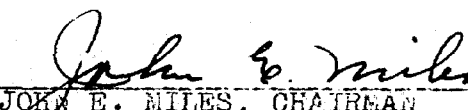


Section 3. Order No. 27 of the Commission, Proration Plan for the Artesia-Grayburg-Jackson-Maljamar Area, Eddy and Lea Counties, adopted April 27, 1936 is hereby revoked.


Section 4. The Order herein shall become effective on the first day of January 1942.

Section 5. The Commission retains jurisdiction of this case for three calendar months after the effective date of this order, for the purpose of modifying or revising said order as may to the Commission seem necessary.

OIL CONSERVATION COMMISSION

  
JOHN E. MILES, CHAIRMAN

H. R. RODGERS, MEMBER

  
JOHN M. KELLY, SECRETARY.

(SEAL)

# PROOF OF PUBLICATION

STATE OF NEW MEXICO }  
County of Eddy } ss.

*SW*  
~~SW~~ BLOCKER, being duly sworn deposes and says that he is the <sup>60-</sup>publisher of THE ARTESIA ADVOCATE, a newspaper published in Artesia, Eddy County, New Mexico, that the notice of publication of Case No. 31-B

a copy of which is hereto attached was first published in said newspaper in its issue dated November 6, 1941 and was published in the weekly issue of said newspaper, and not in any supplement, thereafter for the full period of one consecutive weeks, the last publication thereof being in the issue dated November 6, 1941

*SW Blocker*

Subscribed and sworn to before me on 11-7-41

*Leathie Blocker*  
Notary Public

Publishers Fees 3<sup>28</sup> My Commission Expires 11-7-41

## NOTICE FOR PUBLICATION

### STATE OF NEW MEXICO OIL CONSERVATION COMMISSION

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Case No. 31-B

The matter of adopting a Proration Order for Eddy County Fields and to amend Order No. 27, the present Proration Plan for the Artesia-Grayburg-Jackson-Malje-mar Area, Eddy and Lea Counties. This hearing is initiated upon the Commission's own motion and is set for 2 o'clock P. M., November 25, 1941.

Any person having any interest in the subject of said hearing shall be entitled to be heard.

The foregoing Notice of Publication was made pursuant to the direction of the Commission at its Executive Meeting November 3, 1941.

Given under the seal of said Commission at Santa Fe, New Mexico, on November 3, 1941.

OIL CONSERVATION  
COMMISSION,

By (SGD) JOHN M. KELLY,

Secretary.

(SEAL)

45-110

LEGAL ADVERTISING

NOTICE FOR PUBLICATION  
STATE OF NEW MEXICO  
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COMMISSION

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Case No. 31-B

The matter of adopting a Proration Order for Eddy County Fields and to cancel Order No. 27, the present Proration Plan for the Artesia-Grayburg-Jackson-Malja-mar Area, Eddy and Lea Counties. This hearing is initiated upon the Commission's own motion and is set for 2 o'clock P. M., November 28, 1941.

Any person having any interest in the subject of said hearing shall be entitled to be heard.

The foregoing Notice of Publication was made pursuant to the direction of the Commission at its Executive Meeting November 3, 1941.

Given under the seal of said Commission at Santa Fe, New Mexico, on November 3, 1941.

OIL CONSERVATION  
COMMISSION

By (Sgd.) JOHN M. KELLY  
Secretary.

SEAL

Publ. Nov. 4 1941.

40 lines, one time at \$ 3.20  
lines, times, \$  
Tax \$  
Total . . . . . \$ 3.20

Received payment,

By.....

Affidavit of Publication

State of New Mexico, }  
County of Santa Fe } ss.

I, C. B. Floyd, being first duly sworn, declare and say that I am the (Business Manager) (~~Editor~~) of the Santa Fe New Mexican, a daily newspaper, published in the English Language, and having a general circulation in the City and County of Santa Fe, State of New Mexico, and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 of the Session Laws of 1937; that the publication, a copy which is hereto attached, was published in said paper once each week for 1 consecutive weeks, and on the same day of each week in the regular issue of the paper during the time of publication, and that the notice was published in the newspaper proper, and not in any supplement, once each week for 1 weeks consecutively, the first publication being on the 4th day of November, 1941, and the last publication on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_; that payment for said advertisement has been (duly made), or (assessed as court costs); that the undersigned has personal knowledge of the matters and things set forth in this affidavit.

[Signature]

Manager.

Subscribed and sworn to before me, this 5th day of November, A. D., 1941.

Anna K. Ormsby

Notary Public.

My Commission expires

June 11, 1945

NOTICE FOR PUBLICATION  
STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

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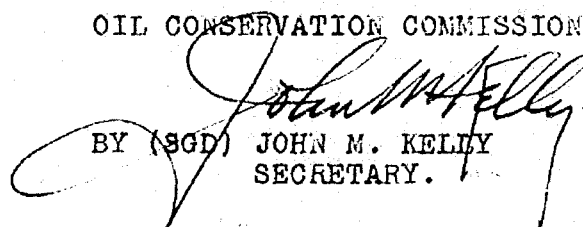
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OIL CONSERVATION COMMISSION

  
BY (SGD) JOHN M. KELLY  
SECRETARY.

SEAL

*Case 32*

CASE 32

CONSOLIDATION OF FORMS

PRMS