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Application, Transcript, Small Exhibits, Etc. Z

Case 251 App. proposed prora Devonian pool.

App. of Amerada - Pooling wind proration unit - Bagley-Silur

AFFIDAVIT OF PUBLICATION

State of New Mexico,
County of Lea
1. Land Leumine
ralisher
Of the Habbs Daily News-Sun, a
daily newspaper published at
Hobbs, New Mexico, do solemnly
swear that the clipping attached
hereto was published once a week
in the regular and entire issue of said paper, and not in a supple-
said paper, and not in a supple-
ment thereof for a period of
ne ume
-weeks.
beginning with the issue dated
January 9, 195/
and ending with the issue dated
January 9 105/
1 0 1 6 11 1
Robert L. Summer
Nobert L. Summer
Sworn and subscribed to before
subscribed to belore
me this day of
Manual -1
January, 190
Notary Public.
Detter Deal
My/ commission expires

This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937, and payment of fees for said publication has been made.

LEGAL NOTICE January 9, 1951 NOTICE FOR PUBLICATION STATE OF NEW MEXICO

OIL CONSERVATION
COMMISSION
The State of New Mexico by its
Oil Conservation Commission hereby gives notice pursuant to law
and the Rules and Regulations of
said 'Commission promulgated
thereunder, of the following public hearing to be held January 25,
1951,' beginning at 10:00 o'clock
A. M. on that day in the City of
Santa Fe, New Mexico, in the
Capitol. Capitol.

Capitol.

STATE OF NEW MEXICO TO:
The United States of America
c/o The United States
Geological Survey
P. O. Box 997
Roswell. New Mexico;
W. E. Mathers
Caprock, New Mexico;
Susie Lee Mathers
Caprock, New Mexico

Tuesday, Jan. 9, 1951 - Page 5

and all other parties having an interest in the matter.

CASE 251

In the matter of the application of Amerada Petroleum Corporation for the pooling of separately owned royalty or minoral interest in the E% of the NE% of Section 3, in Township 12 south, Range 33 east, within a proposed proration unit in the Bagley-Siluro-Devonian pool, in Lea County, New Mexico.

Given under the seal of the Oil

Lea County, New Mexico.

Given under the seal of the Oil
Conservation Commission of New
Mexico, at Santa Fe, New Mexico,
on January 5, 1951.

STATE OF NEW MEXICO
OIL CONSERVATION
COMMISSION
SEAL

SEAL R. R. SPURRIER, Secretary

(Seal)

LAW OFFICES OF

HEIDEL & SWARTHOUT

LEA COUNTY STATE BANK BUILDING

F. L. HEIDEL

A. M. SWARTHOUT

January 12, 1951

Mr. R. R. Spurrier, Secretary Oil Conservation Commission Santa Fe, New Mexico

Re: Case 251, Application of Amerada Petroleum Corporation

Dear Mr. Spurrier:

Mr. W. E. Mathers has referred to us the notice dated January 5, 1951, stating that a public hearing on the captioned matter was to be held in Santa Fe on January 25, 1951.

Mr. Mathers will not be able to be in Santa Fe on that date due to a conflict with another business matter, and inasmuch as he is directly interested in any proposed pooling and desires to be present at such hearing, he hereby requests that the hearing be postponed until the latter part of February.

We shall also appreciate your mailing us at your earliest convenience a copy of the application filed by Amerada Petroleum Corporation.

Very truly yours,

a. M. Swarthout

of Heidel & Swarthout

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Declared value Surcharge paid, \$
ANY CONTRACTOR OF THE PROPERTY
Delivery restricted to the paid. In person or order will place his initials in space of the paid of t
Indicating restricted delivery. NOTICE TO SENDER—Eater below name and address of pedressee as an identification. Property and submit this receipt in case of inquiry or application for indemnity.
(P. O. and State of address)
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indicating restricted delivery. NOTICE TO SENDER—Eater below name and address of addressee as an Mentification. Preserve Ref House this receipt in case of inquiry or application for indemnity.
(Name of addressee) (P. O. and State of address)
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Accepting employed delivery. indicating restricted delivery. Indicating restricted delivery. NOTICE TO SENDIR—Enter below name and address of addressee as an identification. Prestrict and submit this receipt in case of inquiry or application for indemnity.
(P. O. and State of address)
(Name of addressee)

Registered Mail-Fees for indemnity limited to:

	\$5	25¢	\$200	60¢	\$700	\$1.20
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	50	40 €	400	85¢	900	1.40
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Domestic registered mail is subject to surcharges when the declared value exceeds the maximum indemnity covered by the registry fee paid. Fees on domestic registered O. O. D. mail range from 55 cents to \$1.55. Indemnity claims must be filed within 1 year (C. O. D., 6 months) from date of mailing.

Consult postmaster as to the registry fees chargeable on registered parcel post packages for foreign countries.

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Registered Mail-Fees for indemnity limited to:

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The fee on domestic registered matter without intrinsic value and for which indemnity is not paid is 25 cents.

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NOTICE OF PUBLICATION STATE OF NEW MEXICO OIL CONSERVATION COMMISSION

The State of New Mexico by its Oil Conservation Commission hereby gives notice pursuant to law and the Rules and Regulations of said Commission promulgated thereunder, of the following public hearing to be held January 25, 1951, beginning at 10:00 o'clock A.M. on that day in the City of Santa Fe, New Mexico, in the Capitol.

STATE OF NEW MEXICO TO:

The United States of America c/o The United States Geological Survey P. O. Box 997 Roswell, New Mexico; W. E. Mathers Caprock, New Mexico; Susie Lee Mathers Caprock, New Mexico; and all other parties having an interest in the matter.

Case 251

In the matter of the application of Amerada Petroleum Corporation for the pooling of separately owned royalty or mineral interest in the E_2^1 of the NET of Section 3, in Township 12 south, Range 33 east, within a proposed proration unit in the Bagley-Siluro-Devonian pool, in Lea County, New Mexico.

Given under the seal of the Oil Conservation Commission of New Mexico, at Santa Fe, New Mexico, on January 5, 1951.

> STATE OF NEW MEXICO OIL CONSERVATION COMMISSION

SECRETARY

OIL CONSERVATION COMMISSION
SANTA FE, NEW MEXICO.

MAY 18 1951

BEFORE THE OIL CONSERVATION COMMISSION

April 24, 1951

1

MR. SPURRIER: Someone has asked me to announce that the cases, 269 and 270, which are applications by Phillips for 80-acre spacing in the Denton area will be continued until the regular May hearing by agreement. They will be heard on May 22nd.

I think Mr. Morrell wanted to make an announcement.

(Announcement by Mr. Morrell.)

MR. SPURRIER: Is Amerada ready to proceed in Case 249?
MR. KELLOUGH: Yes.

MR. GRAHAM: The application of Amerada Petroleum Corporation for a temporary order establishing proration units and uniform spacing of wells for the Bagley-Siluro-Devonian pool, comprising SE/4 sec. 34, S/2 sec. 35, SW/4 sec. 36, T.11 S, R. 33 E; and W/2 sec. 1, all sec. 2, E/2 sec. 3, E/2 sec. 10, all sec. 11, W/2 sec. 12, T.12 S, R.33 E continued to April 24.

MR. KELLOUGH: If the Commission please, Amerada is

ready to proceed in case 249. That is a spacing case.

At this time I would like to call attention to the Case 251 which is the next one set on the docket. That is the application for pooling. We would like to request a continuance of the pooling application until the July hearing.

I have discussed that with Mr. Morrell: and also with Mr. Swarthout who represents Mr. Manders and I understand there is no objection to the continuance.

We hope that in the meantime we might be able to work out some arrangements where we can satisfy everybody on the pooling. That is Case 251.

Getting back to 249, we are ready to proceed on that.

MR. SPURRIER: Without objection then, Case 251 will be continued to the regular July hearing.

You may proceed in Case 249.

CERT IE ICATE

STATE OF NEW MEXICO)

SS

COUNTY OF BERNALILLO)

I HEREBY CERTIFY that the foregoing and attached transcript of hearing in Case 251 before the Oil Conservation Commission on April 24, 1951, at Santa Fe is a true record of the same to the best of my knowledge, skill and ability.

DATED at albuquerque, this 14th day of May, 1951

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

> CASE NO. 251 ORDER NO. R-50A

THE MATTER OF THE APPLICATION OF AMERADA PETROLEUM CORPORATION FOR THE POOLING OF SEPARATELY OWNED ROYALTY OR MINERAL INTERESTS IN THE E 1/2 NE/4, SECTION 3, TOWNSHIP 12 S, R 33 E, WITHIN A PROPOSED PRORATION UNIT IN THE BAGLEY-SILURO-DEVONIAN POOL, IN LEA COUNTY, NEW MEXICO.

ORDER OF DISMISSAL

BY THE COMMISSION:

This matter coming before the Commission this day upon motion for dismissal duly filed by the Applicant, and no reason appearing contrary to said motion,

IT IS THEREFORE ORDERED, That the application herein filed be, and the same hereby is dismissed without prejudice.

DONE AT SANTA FE, NEW MEXICO, this 29th day of June, 1951.

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

EDWIN L. MECHEM, Chairman

GUY SHEPARD, Member

R. R. SPURRIER, Secretary

SEAL

IN THE MATTER OF THE APPLICATION OF AMERADA PETROLEUM CORPORATION FOR THE POOLING OF SEPARATELY OWNED ROYALTY OR MINERAL INTERESTS IN THE B/2 NE/4 SECTION 3, TOWN-SHIP 12-SOUTH, RANGE 33-EAST, WITHIN A PROPOSED PRORATION UNITIN THE BAGLEY-SILURO-DEVONIAN POOL IN LEA COUNTY, NEW MEXICO

CASE NO. 251

APPLICATION FOR DISMISSAL

Comes now Amerada Petroleum Corporation and hereby respectfully requests the Oil Conservation Commission to dismiss without prejudice the Application heretofore filed by Applicant in the above styled case, which was continued by Order No. R-50 to April 24, 1951, for the reason that Applicant has filed its Application in Case No. 249 for a modification of the Spacing Order No. R-69, entered in said Case No. 249 which, if granted, renders the Application filed in the above styled case unnecessary.

Dated this 15 day of June, 1951.

HERVEY, DOW & HINKLE

HARRY D. PAGE AND BOOTH KELLOUGH

By Booth Kellough

ATTORNEYS FOR

AMERADA PETROLEUM CORPORATION

OIL CONSERVATION COMMISSION
SANTA FE, NEW MEDICO.

JUN 19 1951



MEXICO

CONSERVATION OIL COMMISSION S T A T E

NEW

of

TRANSCRIPT OF PROCEEDINGS CASE NO. 251 April 24, 1951

E. E. GREESON

COURT REPORTER

UNITED STATES COURT HOUSE

TELEPHONE 2:0822 2-4547

ALBUQUERQUE, NEW MEXICO

BEFORE THE OIL CONSERVATION COMMISSION

April 24, 1951

MR. SPURRIER: Someone has asked me to announce that the cases, 269 and 270, which are applications by Phillips for 80-acre spacing in the Denton area will be continued until the regular May hearing by agreement. They will be heard on May 22nd.

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(Announcement by Mr. Morrell.)

MR. SPURRIER: Is Amerada ready to proceed in Case 249?
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MR. GRAHAM: The application of Amerada Petroleum Corporation for a temporary order establishing proration units and uniform spacing of wells for the Bagley-Siluro-Devonian pool, comprising SE/4 sec. 34, S/2 sec. 35, SW/4 sec. 36, T.ll S, R. 33 E; and W/2 sec. 1, all sec. 2, E/2 sec. 3, E/2 sec. 10, all sec. 11, W/2 sec. 12, T.l2 S, R.33 E continued to April 24.

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You may proceed in Case 249.

CRETTIFE I CATE

STATE OF NEW MEXICO)

SS

COUNTY OF BERNALILLO)

I HEREBY CERTIFY that the foregoing and attached transcript of hearing in Case 251 before the Oil Conservation Commission on April 24, 1951, at Santa Fe is a true record of the same to the best of my knowledge, skill and ability.

DATED at albuquerque, this 14th day of May, 1951

Ada Dearnley.

Ç. E. E. GREESON
COURT REPORTER
UNITED STATES COURT HOUSE
TELEPHONE 20022 2 - 4547
ALBUQUERQUE, NEW MEXICO

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

> Case No. 251 Order No. R-50

IN THE MATTER OF THE APPLICATION OF AMERADA PETROLEUM CORPORATION FOR THE POOLING OF SEPARATELY OWNED ROYALTY OR MINERAL INTEREST IN THE E 1/2 of the NE 1/4 SECTION 3, T.12 S, R.33 E, WITHIN A PROPOSED PRORATION UNIT IN THE BAGLEY SILURO-DEVONIAN POOL, IN LEA COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This matter came on for hearing at 10:00 o'clock a.m. on January 25, 1951, at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, and the Commission, taking cognizance of W. E. Mathers' (one of the interested parties) request for continuance and upon motion of Booth Kellough, attorney for the applicant, for continuance, it is therefore ordered that this case be continued until the regularly set April 24, 1951 hearing of the Commission in Santa Fe, New Mexico.

DONE at Santa Fe, New Mexico, on this 25th day of January, 1951.

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

EDWIN I MECHEM Chairman

GUY SHEPARD, Member

R. R. SPURRIER, Secretary

January 18, 1951

Mr. A. M. Swarthout Heidel & Swarthout Lee County State Bank Duilding Lovington, New Moxico

Rev Case 251, Application of America Petroleum Corporation

Dear Mr. Swarthout:

This is in reply to your letter of January 12, in which you advise that Mr. W. E. Mathers requests that we postpone the hearing of the above mentioned case, now scheduled for January 25.

Please be advised that it is routine that we hear this case on the appointed date, since it has been legally advertised and some 690 operators have been notified.

We suggest that Mr. Mathers have a representative appear for him at the January 25 hearing, and make a request at that time for continuance of the case, if he so desires.

We enclose herewith, copy of the application filed by Amerada Petroleum Corporation, as par your request of January 12.

Very truly yours,

STATE OF NEW MEXICO OIL CONSERVATION COMMISSION

R. R. Spurrier Secretary-Director

RRS:by

IN THE MATTER OF THE APPLICATION OF AMERADA PETROLEUM CORPORATION FOR THE POOLING OF SEPARATELY OWNED ROYALTY OR MINERAL INTERESTS WITHIN A PRORATION UNIT IN THE BAGLEY-SILURO-DEVONIAN POOL, LEA COUNTY, NEW MEXICO

CASE NO.	
----------	--

APPLICATION

COMES NOW Amerada Petroleum Corporation and alleges and states:

- 1. That it has filed its application for a temporary order for the establishment for a period of one year 80-acre proration units and the uniform spacing of wells covering the Bagley-Siluro-Devonian Pool, Lea County, New Mexico.
- 2. That one of the 80-acre proration units requested in said application will comprise the E/2 NE/4 of Section 3, Township 12-South, Range 33-East, Lea County, New Mexico. Applicant is the owner of the full oil and gas leasehold estate covering all of said proration unit. The royalty or mineral ownership comprising said unit subject to oil and gas leases owned by Applicant is as follows:

NE/4 NE/4 Section 3, Township 12-South, Range 33-East, United States of America - All;

SE/4 NE/4 Section 3, Township 12-South, Range 33-East, W. E. Mathers - All.

- 3. That a well is now being drilled to the Bagley-Siluro-Devonian Pool, located in the center of SE/4 NE/4 Section 3, Township 12-South, Range 33-East, which is the authorized well for the proration unit comprising the E/2 of NE/4 of Section 3, T-12-S, R-33-E, as requested in said application.
- 4. That in order for each royalty or mineral owner to receive his just and equitable share of the oil and gas in said pool, it is necessary that the royalty or mineral interests of the owners of the separate tracts comprising said 80-acre proration unit be pooled and combined and that the royalty payable under the oil and gas leases covering said proration unit be apportioned among said owners in the proportion that their interest in the separate tracts comprising said unit bears to the entire royalty interest in the unit.
- 5. That the pooling of the royalty interests under separately owned tracts, as herein requested, cannot be avoided by any rearrangement of the location of the proration units requested in said application and is the only method whereby waste can be prevented, the drilling of unnecessary wells be avoided and, at the same time, the correlative rights of the owners of each tract within said proration unit be protected.
- 6. That the owners of the separate tracts within said proration unit have not agreed upon the pooling of their royalty interests and Applicant is entitled to an order as herein requested under the provisions of Sec. $69-213\frac{1}{2}(c)$ of 1949 Cumulative Pocket Supplement to 1941 New Mexico Statutes Annotated.

WHEREFORE, Applicant respectfully requests that the Commission set this application for hearing and that due and proper notice be given as required by law, and that in the event the Commission establishes 80-acre proration units and uniform spacing of wells for the Bagley-Siluro-Devonian Pool, as requested by Applicant in its application filed herein, the Commission enter an order combining and pooling all royalty interests within the 80-acre proration unit comprising the E/2 NE/4 Section 3, 12-South, 33-East, so that the royalty payable under the oil and gas leases covering said unit shall be apportioned among said royalty owners on a surface acreage basis in the proportion that the interest of each royalty owner bears to the total royalty interest in said unit, and for such other relief to which Applicant may be entitled.

Dated this 28th day of December, 1950.

Seth & Montgomery

By Claim Let

Harry D. Page and Booth Kellough

By Booth Kellough

Attorneys for Amerada Petroleum Corporation

IN THE MATTER OF THE APPLICATION OF AMERADA PETROLEUM CORPORATION FOR THE POOLING OF SEPARATELY OWNED ROYALTY OR MINERAL INTERESTS WITHIN A PRORATION UNIT IN THE BAGLEY-SILURO-DEVONIAN POOL, LEA COUNTY, NEW MEXICO.

APPLICATION

COMES NOW Amerada Petroleum Corporation and alleges and states:

- 1. That it has filed its application for a temporary order for the establishment for a period of one year 80-acre proration units and the uniform spacing of wells covering the Bagley-Siluro-Devonian pool, Lea County, New Mexico.
- 2. That one of the 80-acre proration units requested in said application will comprise the E/2 NE/4 of Section 3, Township 12-South, Range 33-East, Lea County, New Mexico. Applicant is the owner of the full oil and gas leasehold estate covering all of said proration unit. The royalty or mineral ownership comprising said unit subject to oil and gas leases owned by Applicant is as follows:

NE/4 NE/4 Section 3, Township 12-South, Range 33-East, United States of America - All;

SE/4 NE/4 Section 3, Township 12-South, Range 33-East, W. E. Mathers - All.

- 3. That a well is now being drilled to the Bagley-Siluro-Devonian Pool, located in the center of SE/4 NE/4 Section 3, Township 12-South, Range 33-East, which is the authorized well for the proration unit comprising the E/2 of NE/4 of Section 3, T. 12-S, R-33-E, as requested in said application.
- 4. That in order for each royalty or mineral owner to receive his just and equitable share of the oil and gas in said pool, it is necessary that the royalty or mineral interests of the owners of the separate tracts comprising said 80-acre proration unit be pooled and combined and that the royalty payable under the oil and gas leases covering said proration unit be apportioned among said owners in the proportion that their interest in the separate tracts comprising said unit bears to the entire royalty interest in the unit.
- 5. That the pooling of the royalty interests under separately owned tracts, as herein requested, cannot be avoided by any rearrangement of the location of the proration units requested in said application and is the only method whereby waste can be prevented, the drilling of unnecessary wells be avoided and, at the same time, the correlative rights of the owners of each tract within said proration unit be protected.

6. That the owners of the separate tracts within said proration unit have not agreed upon the pooling of their royalty interests and Applicant is entitled to an order as herein requested under the provisions of Sec. 69-213-1/2(c) of 1949 Cumulative Pocket Supplement to 1941 New Mexico Statutes Annotated.

WHEREFORE, Applicant respectfully requests that the Commission set this application for hearing and that due and proper notice be given as required by law, and that in the event the Commission establishes 80-acre proration units and uniform spacing of wells for the Bagley-Siluro-Devonian Pool, as requested by Applicant in its application filed herein, the Commission enter an order combining and pooling all royalty interests within the 80-acre proration unit comprising the E/2 NE/4 Section 3, 12-South, 33-East, so that the royalty payable under the oil and gas leases covering said unit shall be apportioned among said royalty owners on a surface acreage basis in the proportion that the interest of each royalty owner bears to the total royalty interest in said unit, and for such other relief to which Applicant may be entitled.

Dated this 28th day of December, 1950.

Seth & Montgomery

By (s) Oliver Seth

Harry D. Page and Booth Kellough

By (s) Booth Kellough

Attorneys for Amerada Petroleum Corp.

MINERAL OWNERSHIP INCLUDING OVERRIDING ROYALTY INTERESTS AND PRODUCTION PAYMENT INTERESTS BAGLEY SILURO-DEVONIAN POOL LEA COUNTY, NEW MEXICO

AS SHOWN BY ABSTRACTS, TOGETHER WITH INSTRUMENTS SUBMITTED TO AMERADA PETROLEUM CORPORATION AS OF JANUARY 4, 1951

State of New Mexico

United States of America

G.M. McGarr

W.H. McGarr

W.L. Moody III

Jean Simmons Graves

J.E. Simmons

Mineral Investment Corporation

C.H. Davis

A.N. Etz

United States Smelting Refining & Mining Company

F.J. Danglade

Charles R. Turner

Roy G. Barton

Ray Livesay

H. Dillard Schenck

A.C. Edwards and Edith Edwards

Roxa Newton and W.J. Newton Richard Englander and Ruth Englander

F.R. Priddy and Gertrude Priddy

Minnie Lewis Whitlock and J.B. Whitlock

B.H. Nolen

Georgene Reed

S.E. Cone

R.H. Fulton

Texas Pacific Coal and Oil Company % Commissioner of Public Lands, Santa Fe, New Mexico % U.S.G.S. P.O. Box 997 Roswell, New Mexico P.O. Box 92 Midland, Texas P.O. Box 1206 San Angelo, Texas % American National Insurance Company Galveston, Texas P.O. Box 548 Lovington, New Mexico P.O. Box 548 Lovington, New Mexico P.O. Box 340 New Orleans, Louisiana Room 14, McClintic Building Midland, Texas P.O. Box 992 Roswell, New Mexico

607 Midland Tower
Midland, Texas
P.O. Box 675
Lovington, New Mexico
P.O. Box 1516
Hobbs, New Mexico
P.O. Box 968
Hobbs, New Mexico
611 North "D" Street
Midland, Texas
P.O. Box 593
Lovington, New Mexico
917½ Pueblo Street
Boise, Idaho
Knickerbocker, Texas

917 Commerce Street Dallas, Texas 2506 24th St. Lubbock, Texas

P.O. Box 39
Sweeny, Texas
P.O. Box 326
Hobbs, New Mexico
624 South Caranchua
Corpus Christi, Texas
First National Building
Lubbock, Texas
P.O. Box 1526
Lubbock, Texas

Fort Worth National Bank Building Fort Worth, Texas

Curtis Norman
J.T. Caudle and
Katherine R. Caudle

Ruby Crosby

Harvey E. Yates

Lillie M. Yates

Olen F. Featherstone II

W.E. Mathers and Susie Lee Mathers Marshall & Winston, Inc. F.A. Andrews & Selma E. Andrews

L.H. Chambers and Addielene Chambers

E.A. Obering

Helen Bailey Obering

Joseph Bailey Obering

William Murphy Obering

Brady, Texas

P.O. Box 37
Artesia, New Mexico
200 East Deming Street
Roswell, New Mexico
303 Booker Building
Artesia, New Mexico
P.O. Box 397
Artesia, New Mexico
% Olen F. Featherstone
666 Moreno Avenue
Los Angeles 49, California

Cap Rock, New Mexico Roswell, New Mexico 10475 Bellagio Road Los Angeles 24, California

P.O. Box 65 Lovington, New Mexico P.O. Box 533 Mt. Vernon, Illinois P.O. Box 533 Mt. Vernon, Illinois P.O. Box 533 Mt. Vernon, Illinois P.O. Box 533 Mt. Vernon, Illinois