

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**CASE NO. 13190
ORDER NO. R-12107**

IN THE MATTER OF THE HEARING CALLED BY THE NEW MEXICO OIL CONSERVATION DIVISION ("DIVISION") ON ITS OWN MOTION FOR AN ORDER REQUIRING GORDON M. CONE TO PROPERLY PLUG AND ABANDON ONE (1) CERTAIN WELL IN LEA COUNTY, NEW MEXICO.

ORDER OF THE DIVISION

BY THE DIVISION:

This case came on for hearing at 8:15 a.m. on December 4, 2003, at Santa Fe, New Mexico, before Examiner Michael E. Stogner.

NOW, on this 24th day of February, 2004, the Division Director, having considered the testimony, the record, and the recommendations of the Examiner,

FINDS THAT:

(1) Due public notice has been given, and the Division has jurisdiction of this case and its subject matter.

(2) Gordon M. Cone of Lovington, New Mexico was the last known owner and operator of a well identified as the Beery-State Well No. 1-A (API No. 30-025-05514) located 1980 feet from the South line and 2080 feet from the West line, which is within the NE/4 SW/4 (Unit K) of Section 30, Township 18 South, Range 37 East, NMPM, Lea County, New Mexico.

(3) A representative of the Division's district office in Hobbs (District I) presented evidence and testimony supporting the Division's position that the subject well should be plugged and abandoned.

(4) Evidence indicates that, between November, 1943 and February, 1944, this well was drilled with rotary tools from the surface to 2,788 feet and cable-tool drilled to a total depth of 4,609 feet. There is further evidence from the Division's well records indicating this well was temporarily abandoned either on February 15, 1944 or July 25, 1944, and the last written entry on record was on December 12, 1944 showing the well was "SDO" (shut down for orders). No production from this well has ever been reported to the Division.

(5) Evidence indicates this well was drilled on a state lease issued by the New Mexico State Land Office (State lease No. B-9828) to Joe A. Beery and Addison Beery of Houston, Texas.

(6) The Division has no further information concerning the identity or whereabouts of the operator. At this time the subject well is not covered by a plugging bond.

(7) This well is presumed to have been abandoned by the operator.

(8) The current condition of this well is such that a hazardous situation exists, waste will probably occur, correlative rights will also be violated, livestock and wildlife may be subject to harmful contaminants, and fresh waters may be in danger of contamination.

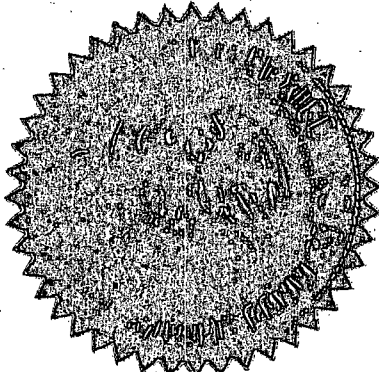
IT IS THEREFORE ORDERED THAT:

(1) The New Mexico Oil Conservation Division is hereby authorized to take such action as is deemed necessary to properly plug and abandon the Beery-State Well No. 1-A (API No. 30-025-05514) located 1980 feet from the South line and 2080 feet from the West line, which is within the NE/4 SW/4 (Unit K) of Section 30, Township 18 South, Range 37 East, NMPM, Lea County, New Mexico.

(2) Jurisdiction of this cause is retained for the entry of such further orders as the Division may deem necessary.

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DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.



SEAL

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

Lori Wrotenbery
LORI WROTENBERY
Director