

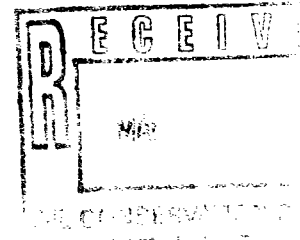
STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

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

CASE NO. 11,486

IN THE MATTER OF THE HEARING CALLED BY)
THE OIL CONSERVATION DIVISION ON ITS OWN)
MOTION TO PERMIT THE OPERATOR, WALTER J.)
CAMBERN, d/b/a CAMBERN & ASSOCIATES OIL)
AND GAS, SUNWEST BANK OF RIO ARRIBA,)
N.A., AND ALL OTHER INTERESTED PARTIES)
TO APPEAR AND SHOW CAUSE WHY A CERTAIN)
WELL IN RIO ARRIBA COUNTY, NEW MEXICO,)
SHOULD NOT BE PROPERLY PLUGGED AND)
ABANDONED)

ORIGINAL



REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: MICHAEL E. STOGNER, Hearing Examiner

March 7th, 1996

Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, MICHAEL E. STOGNER, Hearing Examiner, on Thursday, March 7th, 1996, at the New Mexico Energy, Minerals and Natural Resources Department, Porter Hall, 2040 South Pacheco, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

* * *

I N D E X

March 7th, 1996
 Examiner Hearing
 CASE NO. 11,486

PAGE

DIVISION WITNESS:

JOHNNY ROBINSON (Present by telephone)

Direct Examination by Mr. Carroll

4

REPORTER'S CERTIFICATE

10

* * *

E X H I B I T S

Applicant's

Identified

Admitted

Exhibit 1

5

9

Exhibit 2

7

9

Exhibit 3

8

9

* * *

A P P E A R A N C E S

FOR THE DIVISION:

RAND L. CARROLL
 Attorney at Law
 Legal Counsel to the Division
 2040 South Pacheco
 Santa Fe, New Mexico 87505

* * *

1 WHEREUPON, the following proceedings were had at
2 11:42 a.m.:

3
4
5
6 EXAMINER STOGNER: At this time I'll call the
7 next case, Number 11,486, which is in the matter of the
8 hearing called by the Oil Conservation Division on our own
9 motion to permit the operator, Walter J. Cambern, doing
10 business as Cambern and Associates Oil and Gas, Sunwest
11 Bank of Rio Arriba, N.A., and all other interested parties
12 to appear and show cause why a certain well in Rio Arriba
13 County, New Mexico, should not be properly plugged and
14 abandoned.

15 At this time I'll call for appearances.

16 MR. CARROLL: Rand Carroll on behalf of the Oil
17 Conservation Division.

18 I have one witness to be sworn.

19 EXAMINER STOGNER: Are there any other
20 appearances?

21 There being, none, at this time, Mr. Robinson,
22 I'm going to have you sworn in.

23 (Thereupon, the witness was sworn.)

24 EXAMINER STOGNER: Okay, Mr. Carroll?

25 MR. CARROLL: Thank you.

1 JOHNNY ROBINSON (Present by telephone),
2 the witness herein, after having been first duly sworn upon
3 his oath, was examined and testified as follows:

4 DIRECT EXAMINATION

5 BY MR. CARROLL

6 Q. Mr. Robinson, will you please state your name
7 for the record?

8 A. My name is Johnny Robinson.

9 Q. And where do you live?

10 A. I live in Aztec, New Mexico.

11 Q. And who do you work for, and what is your
12 position with your employer?

13 A. I've held the position of Field Rep II for
14 approximately six years with the Oil Conservation Division
15 in the Aztec District.

16 Q. Okay, and have you had a chance on prior
17 occasions to testify as to the plugging of wells in the
18 State of New Mexico?

19 A. Yes, I have.

20 Q. And have your qualifications been accepted as an
21 expert witness in plugging matters?

22 A. Yes, sir.

23 MR. CARROLL: Mr. Examiner, I offer Mr. Robinson
24 as an expert witness in plugging matters.

25 EXAMINER STOGNER: Mr. Robinson is so qualified.

1 Q. (By Mr. Carroll) Mr. Robinson, will you please
2 look at what is marked OCD Exhibit Number 1 --

3 A. Okay.

4 Q. -- and could you -- We do have a summary on the
5 very first page of Exhibit Number 1. Could you go through
6 the summary and reference any pages in Exhibit 1 which may
7 help the Examiner, and just go through the history of the
8 Smith Number 1 well?

9 A. Okay. In the exhibit there's several letters
10 that I've sent out to Cambern and Associates, wanting the
11 well to be brought into compliance, and these wells were
12 never -- never returned anything back to us from the
13 operator. All we got was a bad address.

14 I called the Texas Railroad Commission and also
15 the Colorado Oil Commission, and neither one of those had
16 any Cambern and Associates.

17 And then further on in the exhibit there's a
18 permit to drill where the well was approved.

19 And then on further back is a schematic of the
20 wellbore showing what -- as far as our records, what has
21 been done to the hole, and there's a map showing where it's
22 located and a picture of the existing well.

23 And the last page is a plugging procedure that's
24 been approved by the Aztec OCD.

25 Q. Okay, Mr. Robinson, this well was drilled in

1 1987?

2 A. Yes, sir.

3 Q. And the total depth is only 300 feet?

4 A. Right. The well was spudded, and the surface
5 pipe was fed, and they continued to drill until they got to
6 300 feet, and at that time they discontinued drilling, and
7 it was never completed.

8 Q. Okay. So your recommended plugging procedure is
9 page 13 of Exhibit Number 1? The last page?

10 A. Right.

11 Q. What is the current condition of this well?

12 A. The current condition of the well is, it's
13 standing open, and there has been -- on several different
14 inspections, we've noticed gas bubbling up in the water.
15 The fluid level is about a foot from the surface.

16 Q. Okay. So in your opinion, the plugging of this
17 well is necessary at this point to protect public health
18 and the environment?

19 A. Considering where the well, is and it's only
20 about 200 yards from a dwelling, and it could cause a
21 problem with the water well.

22 Q. Okay. Mr. Robinson, is there a bond covering
23 this well?

24 A. Yes, sir, there is a bond.

25 Q. And is the information concerning that bond

1 listed and set forth in Exhibit Number 2?

2 A. Yes, sir, there is. I would point out that
3 there's a discrepancy on the location of the well, due to
4 the -- to different surveys.

5 Q. Okay. Actually, I saw -- I'm glad you brought
6 that up. I've seen three different unit letters used to
7 describe the location of this well. Which is the correct
8 unit letter?

9 A. On page 1, that location, when it was originally
10 applied for, was used by the Martin Border Survey, and now
11 the one on page 5 --

12 Q. Which exhibit are you referring to?

13 A. On Exhibit 2 --

14 Q. Okay.

15 A. -- on the bond. You'll notice on page 1 it's the
16 original bond, and at that time they were using the Martin
17 Border Survey.

18 Q. Okay. And on page 5 --

19 A. Right. Then on page 5, in 1987 it was
20 resurveyed, and now they use the Projected New Mexico
21 Primary Meridian Survey.

22 Q. Well, it looks like the same location to me on
23 page 1 and page 5 of Exhibit Number 2.

24 A. Let's see. Let me find the right one.

25 Okay, yeah. Yeah, on the bond, all these bonds

1 were in 1987, and the survey took place in 1992. So the --
2 Where you would find the correct location is in the sundry
3 notices themselves.

4 Q. Okay. And so that's Unit Letter J; is that
5 correct? The correct location is 1550 from the west line
6 and 660 from the south line? No, 660 from the west line
7 and 1550 from the south?

8 A. Right, which would be Unit Letter L, Section 21,
9 31 North and 3 East.

10 MR. CARROLL: Okay. Mr. Examiner, I'll bring
11 this to your attention now. The advertisement lists Unit
12 Letter I rather than Unit Letter L. I think there was a
13 mistake in transcription.

14 EXAMINER STOGNER: Okay, since the unit letter is
15 really not a recognizable or a lawful definition for
16 survey, only for our purposes and legal locations, then we
17 can overlook that.

18 MR. CARROLL: Okay.

19 Q. (By Mr. Carroll) Mr. Robinson, is there anything
20 further in this case you would like to add?

21 A. I can't think of anything else.

22 MR. CARROLL: Mr. Examiner, I also offer what has
23 been -- or refer you to what has been marked OCD Exhibit
24 Number 3, which is a copy of the notice, and I've also
25 submitted an affidavit regarding the sending of notice to

1 Sunwest Bank of Rio Arriba and Walter J. Cambern.

2 The Cambern letter was returned as undeliverable,
3 and Sunwest Bank did sign for the receipt of notice, and
4 they have that \$5000 cash bond deposited in a CD in their
5 bank.

6 At this point I offer what has been marked OCD
7 Exhibits 1 through 3 into the record.

8 EXAMINER STOGNER: Exhibits 1 through 3 will be
9 admitted into evidence at this time.

10 MR. CARROLL: And that's all I have.

11 EXAMINER STOGNER: I have no questions of this
12 witness.

13 Thank you, Mr. Robinson. You may be excused, and
14 nice talking with you.

15 THE WITNESS: Thank you.

16 MR. CARROLL: Thanks, Johnny.

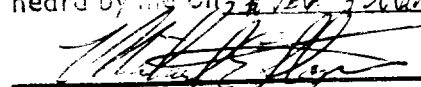
17 THE WITNESS: Thank you.

18 EXAMINER STOGNER: If nobody else has anything
19 further in Case Number 11,486, this case will be taken
20 under advisement.

21 (Thereupon, these proceedings were concluded at
22 11:54 a.m.)

23 * * *

I do hereby certify that the foregoing is
a complete record of the proceedings in
the Examiner hearing of Case No. 11486.
heard by me on 22nd March 1998.

 , Examiner
Oil Conservation Division

CERTIFICATE OF REPORTER

STATE OF NEW MEXICO)
) SS.
COUNTY OF SANTA FE)

I, Steven T. Brenner, Certified Court Reporter and Notary Public, HEREBY CERTIFY that the foregoing transcript of proceedings before the Oil Conservation Division was reported by me; that I transcribed my notes; and that the foregoing is a true and accurate record of the proceedings.

I FURTHER CERTIFY that I am not a relative or employee of any of the parties or attorneys involved in this matter and that I have no personal interest in the final disposition of this matter.

WITNESS MY HAND AND SEAL March 11th, 1996.

STEVEN T. BRENNER
CCR No. 7

My commission expires: October 14, 1998