#### PCMER OF ATTORNEY

THE STATE OF TEXAS )
HUTCHINSON COUNTY )

YECT ALL MEN BY THESE PRESENTS, that I, W.A.Miller of the County Of Potter,
State Of Texas, have made constituted and appointed, and by these presents
do make, constitute and appoint, J.W. Fead of Hutchinson County, State of
Texas my true and lawful EAttorney, for me in my name, place and stead, to
settle and adjust all partnership demands, accounts and claims now existing
between myself and J.W. Fead, and to submit the same to and decide them by
and adjustment
arbitration, and in all matters appertaining to the settlement/of the affairs
of said partnership, in all respects to do and act as by him shall be deemed
beet; giving and granting unto my said Attorney full power and authority to
do and perform all and every act and thing whatsoever requisite and necessary
to be done in and about the premises, as fully, to all intents and purposes,
as I might or could do if personally present; hereby notifying and confirming whatsoever my said Attorney shall and may do by virtue hereof in the
premises.

In witness whereof I have hereunto set my hand and seal this that a seal this that and seal this that and seal this that and seal this that are seal that are seal this think are seal think are

STATE OF TEXAS

COUNTY OF HUTCHINSON

Before me, a notary public in and for the county of Mutchicson, State of Texas, on this day personally appeared W.A. Miller known to me to be the person whose name is subscribed to the foregoing instrument, and actionally appeared to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this

May of

\_,A.D. 1937

MOTARY FUELIC IN AND FOR HUTCHINSON COUNTY, TEXAS

My commission expires June 1st, 1937.

### power of attorney

THE STATE OF TEXAS

COUNTY OF HUTCHINSON

KNOW ALL MEN BY THESE PRESENTS: That I, J.L.Head, of the County of Tarrant, State of Texas have made constituted and appointed J. W' Head of the County of Hutchinson, State of Texas, as my true and lawful attorney in fact, for me and in my name, place and stead to manage and control all of my affairs with reference to that certain oil, gas and mineral leasehold estate rights, which I may own in the entire State of New

Mexico, consisting of various tracts; hereby giving and granting to my said attorney full power, right and authority to do everything in and about said property as fully, as I could do if personally present, with reference to assignment, contracts etc, hereby ratifying and confirming everything that my attorney has or may do in the premises.

In Witness whereof, I have hereunto set my hand and seal this 31st day of May, A.D., 1937.

THE STATE OF TEXAS

COUNTY OF HUTCHINSON

Before me, a notary public in and for the County of Hutch inson, State of Texas, on this day personally appeared J.L. Head, to me known to be the personswhose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given Under my hand and seal of office this 31st day of May, 1937.

HUTCHINSON COUNTY,

CANON CLIY, COLORADO. August 2nd. 1944

OF THE STATE OF NEW MEXICO, Santa Fe, New Mexico.

Re HEAD-MILLER CO2 GAS WELL, NW1 NE1 Sec. 31, Twp. 20N. R 31E. Harding County, New Hexico.

Sirs; our attention had been called to the fact, (by John P. Healy of 333 Don Casper Street, Santa Fe, New Mexico,) That a hearing has been called for the purpose of determining whether the Bond furnished by HEAD & MILLER, given to secure the proper plugging and cementing of the well in accordance with the RULES and REGULATIONS of the OIL CONSERVATION COMMISSION, of the STATE of NEW MEXICO, may now be canceled and Head & Miller relieved of any further responsibility.

This well was completer early in 1938 and cemented according to the regulations of the State Cil Conservation Commission, by the State Engineer as in good condition.

The well was tested and found to be of commercial value and capable of producing approximately 5,000,000 feet of pure CARBON DIOXIDE CO2 Cas, of a purity of better than 99/100 per cent pure, with no water at all.

The Well is securely cased and controlled with Valves which conform with the requirements of the Commission, and it has been carefully looked after and preserved with the hopes of getting a plant on it for the purpose of manifacturing CO2 products. There has been difficulties of different nature that has prevented our securing a plant or being to sub lease to some consern who might secure a plant. The war condition has made it impossible to secure new machinery.

The lease on the land on which this well is located is owned by John P. Healy, L.M. Appel, J. J. Donnelly and various interest holders who hold interests of assignment by Head & Milley. The COLO-MEX GAS COMPANY, is a NON-PROFITS organization, organized for the purpose of looking after the interest of the various interest holders, with power to act for them in every capasity, sell the Gas, mortgage the products and transact any and all buisness matters for the various interest holder.

It seems that it is understood that a BOND is to be requider, and if such is nessary the COLO-MEX GAS COMPANY, is willing and ready to enter in to securing such a bond along with the others interested.

The form of Bond Sent us doesent seem to conform whit our situation. We are owners of Lease from a private land owner and not from the STATE of NEW MEXICO, nor from anyone who owns land upon which the State of New Mexico has reserved the minerals, Oil or Gas.

The Statute refered to in the Bond deals entirely with State Lands and leases on State Lands. Reference, Sections 132-423 NEW MEXICO STATUTES Annotated, 1929. We have a copy of that Statute and have read it very carefully. We also have a copy of RULES AND REGULATIONS, Refered to as form C-101, "Notice of intention to drill". Since we have a Producing well which has met all requirements, and it doesent come under the interest of the STATE of NEW MEXICO, or the STATUTE governing the same, we dont see that we should be required to furnish a bond at this time, however, it is not our intention to be arbitrary in this or any other matters.

Thanking you, we remain, Very truly,

COLO-MEX GAS COMPANY

### BEFORE THE OIL CONSERVATION COMMISSION OF THE STATE OF NEW MEXICO

IN THE MATTER OF:
THE APPLICATION OF J. L. HEAD AND
W. A. MILLER FOR AN ORDER DETERMINING AS
ABANDONED THE CARBON DIOXIDE WELL SOMETIMES
KNOWN AS THE J. L. HEAD & W. A. MILLER
CARBON DIOXIDE WELL, NENE (SOMETIMES
DESCRIBED AS NENW) 31-20N-31E, HARDING
COUNTY, NEW MEXICO, AND TO GRANT LEAVE TO
PLUG SAID WELL IN ACCORDANCE WITH THE LAWS,
RULES AND REGULATIONS OF THE COMMISSION.

CASE NO. 53
ORDER NO. 587

### EMERGENCY ORDER NO. 617

It having been made to appear to the Commission that an order herein issued on the 29th day of January, 1945, providing that the carbon dioxide well in Section 31, Twp. 20 N., R. 31 E., be plugged, all upon application of J. L. Head and W. A. Miller, in accordance with the bond heretofore furnished, and that said well be plugged within six months from the effective date of said order, which effective date was on or about August 13, 1945, and that permit herein has issued to said J. L. Head and W. A. Miller to plug said well under supervision of the State Oil and Gas Inspector, Roy O. Yarbrough, and that said well has not, as of the date hereof, been plugged, and it further appearing that Colo-Mex Gas Company has filed herein a proper bond for the plugging of said well, in accordance with the program approved by the Commission, when dry or when abandoned, and the motion having been filed by said Colo-Mex Gas Company for the cancellation of said order heretofore issued on the 29th day of January, 1945, and the cancellation of said permit to plug said well, and it further appearing that Colo-Mex Gas Company is a party interested in said well, and that as to said Colo-Mex Gas Company, there is question whether said well has been abandoned, and it further appearing to the Commission that said J. L. Head and W. A. Miller, and their surety, may be fully and completely discharged from their obligations under the bond heretofore given by them by the bond herein filed by said Colo-Mex Gas Company, and it further appearing to the Commission that an emergency exists by reason of insufficient time in which to hold a hearing without the issuance of the order which follows;

IT IS NOW DECLARED that an emergency be and is hereby declared to exist in this cause, and that the order heretofore entered on the 29th day of January, 1945, and the permit for the plugging of said well heretofore issued, be and the same is hereby held in abeyance for a period of 15 days from the date hereof, and pending the hearing on said motion filed by said Colo-Mex Gas Company;

IT IS FURTHER ORDERED that said J. L. Head and W. A. Miller show cause, if any they have, on or before the \_\_\_\_\_\_ day of October, 1945, at the hour of 10:00 A.M. in the office of the Commission at Santa Fe, New Mexico, why said order herein mentioned dated January 29, 1945, and the permit to plug said well heretofore issued in pursuance of said order, be cancelled and held for naught;

IT IS FURTHER ORDERED that proper notice of said hearing and of the entry of said order be given to said J. L. Head and W.A.Miller in accordance with the provisions of the regulations of the Commission.

Dated and Done at Santa Fe, New Mexico, this 22 day of September, 1945.

OIL CONSERVATION COMMISSION

Chairman

Member

# BEFORE THE OIL CONSERVATION COMMISSION OF THE STATE OF NEW MEXICO

### MOTION

Colo-Mex Gas Company, by its attorneys Kiker & Sanchez, moves the Commission to accept the surety bond tendered herewith as executed by movant as principal and National Surety Corporation as surety, for the purpose for which such bonds are required; and,

Movant further asks the Commission to cite Head and Miller to show cause why the permit heretofore issued to them for the plugging of the carbon dioxide well in Section 31, Twp. 20 N., R. 31 E., should not be cancelled and held for naught, since the bond submitted by movant offers full assurance that any appropriate order made by the Commission will be carried out; and further movant requests the Commission that in consideration of the filing of the bond tendered herewith by Colo-Mex Gas Company, Head and Miller and their surety be fully and completely discharged from their obligations under the bond heretofore given by them at the time when the permit to plug is cancelled.

KIKER & SANCHEZ

By William

Santa Fe, New Mexico

Attorneys for Colo-Mex Gas Co.

### J. WESLEY HEAD, M. D.

BORGER, TEXAS

September 20,1945

Mr. Carl Livingston
New Mexico State Oil & Gas Conservation Commission
State Building
Santa Fe. New Mexico

My Dear Carl:

I wired you sunday advising that you nor the Commission accept a bond from anyone proposing to put up a bond on the Head, willer well in Harding County, New Mexico. I have a plugging permit signed by the State Inspector at Hobbs New Mexico, giving me full authority to plug said well the same to be plugged acording to his instructions and under his supervision.

As I advised you some weeks ago, that I had gone to considerable expense in arranging to plug this well and his equipment is now in Mosquero. New mexico.

But after communicating with you I found that the time limit set by the commission had not expired and would not expire until the 13th of August 1945. As soon as the time limit set by the commission expired, I made application to the inspector at Bobbs New Aexico to whom you referred me in your letter, thereupon I received a legal order to plug the well as above stated.

I felt it would be advisable to notify you.

I have gone to considerable expense in getting a man to plug the well, he has mooved his equipment to mosquero some weeks ago and for that reason I would not want anyone to put a monkey wrench in the machinery. Assuring you of my very best regards and hoping to see you in the very near future. I am,

yours very truly,

JTE:db

## C CONSERVATION COMMISSION SANTA FE, NEW MEXICO

Hobbs, New Mexico

J. W. Head, M.D. 115 East Fifth Street Borger, Texas

Re: Head & Miller Well - F. C. DeBaca Lease - Well no. 1 31-20N-31E. Bueyeros Field.

Dear Dr. Head:

Please find enclosed Oil Conservation Commission
Form C-102, which you sent me for approval. From the information
I gathered from the log of the well and Form C-102, approved by Mr.
Andreas on January 3, 1937, I am enclosing a revised form C-102 for
your signature. Please return this to me at your earliest convenience and notify me also when you are ready to start plugging
operations as I am required to be on the job when the plugging is
done.

Very truly yours,

Roy O. Yarbrough State Oil and Gas Inspector.

ROIMS cc Carl Livingston

P. S. To refresh your memory and for your convenience, enclosed please find copy of Form C-102, approved January 3, 1937, by A. Andreas, which matter is referred to in the letter above.

### NEW MEX O OIL CONSERVATION COMMISS N

Santa Fe, New Mexico

#### MISCELLANEOUS NOTICES

Submit this notice in triplicate to the Oil Conservation Commission or its proper agent before the work specified is to begin. A copy will be returned to the sender on which will be given the approval, with any modifications considered advisable, or the rejection by the Commission or agent, of the plan submitted. The plan as approved should be followed, and work should not begin until approval is obtained. See additional instructions in the Rules and Regulations of the Commission.

Indicate nature of notice	by checking below:
NOTICE OF INTENTION TO TEST CASING SHUT-OFF	NOTICE OF INTENTION TO SHOOT OR CHEMICALLY TREAT WELL
NOTICE OF INTENTION TO CHANGE PLANS	NOTICE OF INTENTION TO PULL OR OTHERWISE ALTER CASING
NOTICE OF INTENTION TO REPAIR WELL	NOTICE OF INTENTION TO PLUG WELL
NOTICE OF INTENTION TO DEEPEN WELL	
OIL CONSERVATION COMMISSION, Santa Fe, New Mexico.	Place Date
Gentlemen:	
Following is a notice of intention to do certain work as described F. C. DeBaca	ibed below at the Head and Hiller Well lease Well Noin
Company or Operator Lease	Well Noin
of Sec. 31 , T. 20N , R. 31E , N	N. M. P. M., Bueyeros Field,
County.	
cement at 1950. Fill hole with heav at 885 with 15 sacks cement. Fill w	t bridge and cement plug with 10 sacks y mud to 885; set bridge and cement plug ith heavy mud to 270; set bridge and ent. Fill with mud to surface and set
Approved	re By
Title	

### 'L CONSERVATION COMMISSIO' SANTA FE, NEW MEXICO

January 30, 1945



REGISTERED RETURN RECEIPT



Mr. J. W. Landon, Secretary Colo-Mex Gas Company Canon City, Colorado

Re: Case No. 53 - Order No. 587

Head & Miller - Carbon Dioxide well



Dear Mr. Landon:

Enclosed please find a copy of Order No. 587 of the Commission which gives parties in interest an opportunity to file bond assuring plugging when ultimately dry or abandoned as to the well noted in the caption but authorizes the principals of the present plugging bond to plug well in accordance with the the obligations of their bond in the event of failure of interested parties to supply plugging bond so as to permit the cancellation of the present bond.

Very truly yours,

Chief Clerk & Legal Adviser

CBL:MS

## L CONSERVATION COMMISSION SANTA FE, NEW MEXICO



January 30, 1945



J. Wesley Head, M. D. 110 East Fifth Street Borger, Texas

Re: Case No. 53 - Order No. 587

Dear Doctor Head:

Enclosed is copy of order No. 587 in the above Captioned case.

Very truly yours,

Chief Clerk & Legal Adviser

CBL:M9

## NEW MEXICO OIL CONSERVATION COMMISSION

GOVERNOR JOHN J. DEMPSEY CHAIRMAN

LAND COMMISSIONER H. R. RODGERS

STATE GEOLOGIST JOHN M. KELLY

BECRETARY



DIRECTOR JOHN M. KELLY

ADDRESS ALL COMMUNICATIONS TO THE DIRECTOR

Santa Je, New Mexico Hobbs, New Mexico August 20, 1944

Oil Conservation Commission Box 871 Santa Fe, New Mexico

Attn: Mr. John Kelly

Re: J. L. Head & ". L. Miller Well No. 1 NE NE Sec. 31-20N-31E, Harding County

Dear John:

On August 22, 1944, I checked the above captioned well and found no gas leaks that would amount to anything of interest. There were absolutely no leaks on the outside string of pipe. Also, no leaks between the 6" and 8". There was, however, a small leak around the valve stem on the 6" master gate, which could be very easily stopped by re-packing the stuffing box around the valve stem. While there, I took the gas pressure and found it to be 510 pounds. I could not tell about the volume, but there seemed to be quite a lot of gas. I opened up the well and let it blow for about five minutes, then, shat the gate valve and the pressure was up to 510 pounds by the time I got the valve closed.

Hoping that this information meets with your approval, I am,

Yours very truly,

Roy D. Warbrough.
Roy Farbrough
Oli and Gas Inspector



September Of, 1945.

Kiker & Sanchez Salmon Building Santa Fe, New Mexico

Gentlemen:

The within papers handed to Dairx Mane Doctor J.". Head by Dale Lane, has been called to my attention. Dr. Head is accepting service by virtue of his full and general power of Attorney from J.L. Head, and the writer as attorney for J.L. Head, is writing this letter so that the matter may be fully understood by you. We will accept service, and make proper appearance.

Very truly yours,

#### PROOF OF SERVICE

STATE OF NEW MEXICO )
: ss.
COUNTY OF COLFAX )

I hereby certify that on the 25 day of September, 1945, within the County of Colfax, State of New Mexico, I delivered personally to W. A. Miller a true copy of the Order and the Motion to which this certificate is attached.

Sherlii ax County, New

 $\mathcal{M}$ 

### PROOF OF SERVICE

	STATE OF TEXAS
	county of hutchinson )
	Dale Sane being first duly sworn, upon oath
	deposes and says: that he is the Sheriff of Hutchinson
	County, Texas, and over the age of 21 years; that on the 36 thay
a	of September, 1945, affiant delivered personally to J. L. Head at cting Power of attorney for J. A. Jeas.  Borger, Hutchinson County, Texas, a true copy of the Order and the
	Motion to which this affidavit is attached.
	Dale Pane Sherif
	Subsdribed and sworn to before me this 26 day of
	September, 1945.  Notary Public
	My commission expires:

## STATE BUREAU OF MINES & MINERAL RESOL 72:ES Box 871

Santa Fe, New Mexico

JOHN M. KELLY

May 3, 1946

Mr. Manuel Sanchez Attorney-at-Law Santa Fe, New Mexico

Dear Mr. Sanchez:

Since you are attorney for the Colo-Mex Company, which is interested in a carbon dioxide well, Section 31, Township 20 N., Range 31 E. in Harding County, I am taking this opportunity to remind the Colo-Mex Company that the well in the above-named location is still improperly connected; that is to say where they should have a high-pressure gate installed on the well head (500 pounds or over), they have a two-inch gate installed, which is decidedly dangerous, because it is not a high-pressure gate.

You will recall the hearing before the Oil Conservation Commission with reference to this well on October 6, 1945. It is in the interest of safety, and it is a regulation with the Commission that the proper type of gate be installed on this well head.

Please be advised that this letter is an order requiring Colo-Mex Company to make the necessary changes at the well in question or be liable to suffer the consequences of not complying with a rule or order of the New Mexico Oil Conservation Commission.

Very truly yours,

RRS : mem

October 16, 1945

Kiker & Sanchez

Attention: Manuel Sanches, Esquire

Santa Fe, New Mexico

K. H. Dally, Esquire

Borger, Texas.

Re: Case 53, Order 621 - revoking Order 587 and the plugging

permit issued pursuant thereto.

Re: Colo-Mex Gas Company - \$5000 bond - NENE (NENW) Carbon

dioxide well - 31-20N-31E. National Surety Corp.

Filed 10-15-45.

Re: Head & Miller bond - MENE (NEW) 31-20N-31E. Maryland

Casualty Co. Cancelled 10-16-45.

Gentlemen:

Enclosed please find copy of the Commission's order revoking Order No. 587, and the plugging permit issued pursuant thereto.

The Colo-Mex Gas Company's bond noted in the caption and heretofore filed is accepted and the Head and Miller bond noted in the caption is cancelled.

Mr. Roy G. Yarbrough, Gil and Gas Inspector, recommended on October 6, as shown by the record, a stronger valve be installed at said well. For details of the type and character of valve it is suggested that communications be made directly with Mr. Yarbrough at Hobbs, New Mexico.

Very truly yours,

Chief Clerk & Legal Adviser

CBL:MS
cc Roy Yarbrough
Ray Miller.

### BEFORE THE OIL CONSERVATION COMMISSION OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE MOTION OF COLO-MEX GAS COMPANY TO VACATE AND SET ASIDE ORDER NO. 587 AND THE PERMIT ISSUED THEREUNDER TO J. L. HEAD AND W. A. MILLER TO PLUG THE CARBON DIOXIDE WELL UPON SECTION 31, TOWNSHIP 2CN, RANGE 3LE; TO ACCEPT THE PLUGGING BOND SUBMITTED BY COLO-MEX GAS COMPANY TO COVER SAID WELL; AND TO CANCEL THE PLUGGING BOND OF J. L. HEAD AND W. A. MILLER.

CASE NO. 53

ORDER NO. 621

#### ORDER OF THE COMMISSION

#### BY THE COMMISSION:

This matter came on through the motion of Colo-Mex Gas Company by its attorneys, Kiker and Sanchez, and the citation by the Commission directed to J. L. Head and W. A. Miller to show cause before the Commission on or before October 6, 1945, at 10 A.M., why Order 587 and the permit issued pursuant thereto, permitting said parties to plug the carbon dioxide well upon Section 31, Township 20N, Range 31E, Harding County, should not be revoked and held for naught. Said parties having been served with copy of citation and having accepted service thereof and having failed to appear;

NOW, on this /5 day of October, 1945, the Commission having considered the evidence taken before John E. Miles for the Commission on October 6, 1945, 10 A.M., and being fully advised in the premises;

#### IT IS THEREFORE ORDERED:

SECTION 1. That Order 587 and the plugging permit issued pursuant thereto be and is hereby revoked.

SECTION 2. That the plugging bond of Colo-Mex Gas Company to cover said well, now filed with the Commission, be accepted and the plugging bond of J. L. Head and W. A. Miller for same said well be cancelled.

SECTION 3. That the order herein be effective upon its execution.

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

OTT. CONSERVATION COMMISSION

JOHN J. DEMPSEY, CHATRMAN

OHN E. MILES, MEMBER

SEAL

### OIL CONSERVATION COMMISS!

October 9, 1945

MEMORAHDUM TO GOVERNOR JOHN J. DEMPSEY:

Attached hereto is a copy of the record taken before John E. Miles for the Commission on October 6, in connection with the citation of Head and Miller, on the motion of Colo-Mex Gas Company, through Kiker and Sanchez, to show cause why Order 587 and the plugging permit issued pursuant thereto to Head and Miller to plug the carbon dioxide well on the F. C. Baca lease in Harding County, should not be revoked and the plugging bond of J. L. Head and M. A. Miller be cancelled.

As the record shows, Head and Miller accepted service but failed to appear.

The plugging bond filed by Colo-Mex Cas Company is in good order. Assuming that it is the Commission's desire to cancel Order 587 and the plugging permit issued thereunder to Mead and Miller, a suggested order is attached for your Commission's consideration.

OIL CONSERVATION CONTAINSION

Ву

Chief Clerk & Legal Adviser

CBL:MS

### OIL CONSERVATION COMMISSIC SANTA FE, NEW MEXICO

October 9, 1945

MEMORARDAM TO COMMISSIONER OF PUBLIC LANDS JOHN E. MILES:

A copy of the record in the carbon dioxide well matter taken before you for the Commission on October 6th has been transmitted to Governor Dempsey for his study, accompanied by a suggested order for consideration of the Commission.

Attached is a copy of the record for your files.

OLE CONSERVATION COUNTSSICE

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Chief Clerk & Legal Adviser