

STATE LAND OFFICE
Santa Fe, New Mexico

*Terminated
8/11/47*

July 1, 1947

Continental Oil Company
Ponca City, Oklahoma

Gentlemen:

In the month of February of this year, there was received in this office 5 copies of an Application to Terminate the Alston Unit Agreement, County of Roosevelt, New Mexico. This office has lately been provided with a copy of the Department of the Interior Plugging Order signed by the District Superintendent of the U. S. G. S. and has no further objection to the termination of said unit agreement.

This letter is to be considered as the consent of the Commissioner of Public Lands of the State of New Mexico to the final termination of the Alston Unit Agreement covering lands in Township 7 South, Range 35 East, N.M.P.M.

The delay in this matter was a result of this office's desire to have its files reflect the fact of proper plugging.

Please find herewith 4 copies of approved application for termination; 2 copies are retained in this office.

Yours very truly,

JOHN E. MITCHELL
Commissioner of Public Lands

enclosures

PUBLIC LANDS OFFICE

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ALBANY, N. M.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
WASHINGTON, D. C.

FEB 17 1 09 PM '47

IN RE UNIT PLAN, ALSTON
UNIT AREA, NEW MEXICO
I-SEC. NO. 451

} APPLICATION FOR
TERMINATION OF UNIT PLAN

TO THE SECRETARY OF THE INTERIOR,
THE COMMISSIONER OF PUBLIC LANDS, STATE OF NEW MEXICO

Comes now CONTINENTAL OIL COMPANY, a Delaware corporation, and COOPERATIVE REFINERY ASSOCIATION, a Kansas corporation, hereinafter referred to as "Applicants," and respectfully request that the Secretary of the Interior, and the Commissioner of Public Lands of the State of New Mexico, terminate that certain Unit Plan, Alston Unit Agreement, Roosevelt County, New Mexico, executed by C. Girard Davidson, the Assistant Secretary of the Interior, under date of August 22, 1946, executed by John E. Miles, Commissioner of Public Lands of the State of New Mexico, under date of May 26, 1945, and executed by John J. Dempsey, Chairman, and John E. Miles, Chairman, Oil Conservation Commission of the State of New Mexico, under date of May 14, 1945, and in support of this application make the following showing:

I. Said Unit Plan, Alston Unit Agreement, New Mexico, hereinafter referred to as "Unit Plan," in Section 19 thereof, provides in part as follows:

"This agreement shall terminate on December 31, 1949, unless... (3) it is proved at an earlier date that the Unit Area is incapable of production of unitized substances in paying quantities, and with approval of the Secretary and the Commissioner, notice of termination is given by Unit Operator to all parties in interest by letter addressed to them at their last known places of address; or (4)...., provided that this agreement may be terminated at any time with the consent of the owners of 75%, on an acreage basis, of the Working Interest Owners signatory hereto with the approval of the Secretary and the Commissioner."

II. On October 31, 1946, said Continental Oil Company, as Unit Operator under said Unit Plan in compliance with Section 8

thereof, commenced the drilling of a well located 660 feet north of the South line and 660 feet west of the East line of Section 20, Township 7 South, Range 35 East, and thereafter diligently prosecuted the drilling of said well until the same was completed on January 29, 1947, at a total depth of 5,225 feet. In drilling said well, Unit Operator carefully cored each prospective horizon penetrated and failed to discover oil or gas in either paying or commercial quantities in any of the horizons so tested and therefore by said well proved the lands committed to said Unit Plan incapable of commercial production of oil or gas.

III. Said Continental Oil Company now holds the following described United States oil and gas leases committed to said Unit Plan:

Oil and Gas Leases identified by Las Cruces, New Mexico, Land Office Serial Numbers 059804, 060502, and 061093.

Said Cooperative Refinery Association now holds the following described United States oil and gas leases committed to said Unit Plan:

Oil and gas leases identified by Las Cruces, New Mexico, Land Office Serial Numbers 062446 and 063500.

Said Continental Oil Company now holds the following described State of New Mexico oil and gas leases all or a portion of which are committed to said Unit Plan:

Oil and gas leases covering University, Common School, and Penitentiary lands identified by Serial Numbers B-8979, B-9021, B-9067, B-9068, B-9291, B-9332, B-9379, B-9430, B-9469, B-9500, B-9721, and B-10429.

Said Continental Oil Company and Cooperative Refinery Association now hold an oil and gas lease executed by H. T. Dean, et al covering the following described patented lands:

SE $\frac{1}{4}$ of Section 29, Township 7 South, Range 35 East.

Said Continental Oil Company now holds an oil and gas lease executed by H. T. Dean, et al covering the following described patented land:

N $\frac{1}{2}$ of Section 29, Township 7 South, Range 35 East

By virtue of said above listed holdings, Applicants are the owners of all of the operating rights subject to said Unit Plan.

WHEREFORE, As the lands committed to said Unit Plan have been proved incapable of commercial production, Applicants, as the owners of all of the operating rights subject to said Unit Plan, respectfully request the Secretary of the Interior and the Commissioner of Public Lands of the State of New Mexico to terminate said Unit Plan.

Dated this 6th day of February, 1947.

CONTINENTAL OIL COMPANY

By W. E. Haygood
Attorney in Fact

ATTEST:

By Clifford Miller
Secretary

COOPERATIVE REFINERY ASSOCIATION

By Howard Abner
President

Approved July 1st 1947
John E. Miller.

VERIFICATION

STATE OF Texas }
COUNTY OF Tarrant } ss

Comes now W. C. Stout and, after being duly sworn upon oath, deposes and says: That he is Superintendent of the Land Department for the Texas-New Mexico Division of the CONTINENTAL OIL COMPANY, Unit Operator under that certain Unit Plan, Alston Unit Agreement, New Mexico, and that he has read the statements and representations made in the above set forth Application to the Secretary of the Interior and the Commissioner of Public Lands of the State of New Mexico, and that the same are true and correct to the best of his knowledge, information, and belief.

W. C. Stout
W. C. Stout

Subscribed and sworn to before me this 13th day of February, 1947.

My Commission expires June 1, 1947.

Viola McClanahan
Notary Public
VIOLA McCLANAHAN