

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

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

**CASE NO. 814
Order No. R-630**

**THE MATTER OF THE APPLICATION
OF THE COMMISSION UPON ITS OWN
MOTION FOR AN ORDER DIRECTED TO
ROY E. TIMMONS, DOING BUSINESS AS
THE TIMMONS CARBONIC COMPANY,
AND TO FIDELITY AND DEPOSIT COMPANY
OF MARYLAND TO APPEAR AND SHOW
CAUSE WHY THE TIXIER NO. 1 WELL (HOLE)
IN THE SW/4 NE/4 OF SECTION 2, TOWNSHIP
20 NORTH, RANGE 30 EAST, NMPM, HARDING
COUNTY, NEW MEXICO SHOULD NOT BE
ORDERED PLUGGED.**

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 o'clock a. m. on March 16, 1955, at Santa Fe, New Mexico, having been successively continued from the original hearing date of January 13, 1955, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission".

NOW, on this 2nd day of May, 1955, the Commission, a quorum being present, having considered the testimony adduced and the exhibits received at said hearing, and being fully advised in the premises,

FINDS:

(1) That due public notice having been given as required by law, the Commission has jurisdiction of this cause and the subject matter thereof.

(2) That the Tixier No. 1 well (hole) located in the SW/4 NE/4 of Section 2, Township 20 North, Range 30 East, NMPM, Harding County, New Mexico, was last operated by Roy E. Timmons, doing business as the Timmons Carbonic Company of Denver, Colorado.

(3) That Roy E. Timmons is responsible for the operation and maintenance of this well (hole) and the facilities necessary to the drilling and operation thereof.

(4) That the Tixier No. 1 well (hole) was spudded during the month of August, 1938.

(5) That the Fidelity and Deposit Company of Maryland did, on May 5, 1938, act as surety on a \$2,500.00 one-well plugging bond covering operations on the Tixier No. 1 well (hole) and that said bond is in full force and effect as of this date.

(6) That two abandoned wells (holes) are located in the SW/4 NE/4 of Section 2, Township 20 North, Range 30 East, NMPM, Harding County, New Mexico.

(7) That the two abandoned wells (holes) are situated at a distance of approximately 150 feet on a north-south trending line.

(8) That the northernmost of these two abandoned wells (holes) is the Tixier No. 1 well (hole).

(9) That the southernmost of these two abandoned wells (holes) shall be called the John Doe No. 1 well (hole) for the purposes of this order.

(10) That no bond has been filed with the Commission to cover operations on the John Doe No. 1 well (hole).

(11) That it is reasonable to assume, and is assumed and found by the Commission, that operations on the John Doe No. 1 well (hole) were conducted in behalf of Roy E. Timmons, doing business as the Timmons Carbonic Company.

(12) That both abandoned wells (holes) are standing open to the atmosphere and that neither location has been properly levelled and cleared of junk.

(13) That both abandoned wells (holes) constitute a threat to the well-being of individuals and properties in the vicinity.

(14) That the present condition of the two abandoned wells (holes) is prima facie evidence of gross negligence and an infraction of Commission rules and regulations by Roy E. Timmons, operator.

(15) That this condition can be rectified only by the proper plugging of these wells (holes).

IT IS THEREFORE ORDERED:

(1) That Roy E. Timmons and Fidelity and Deposit Company of Maryland cause the Tixier No. 1 well (hole), defined as the northernmost of two wells (holes) in the SW/4 NE/4 of Section 2, Township 20 North, Range 30 East, NMPM, Harding County, New Mexico, to be plugged within 60 days following the effective date of this order.

(2) That such plugging be accomplished by setting ten (10) sacks neat cement at total depth, and spotting an additional ten (10) sacks neat cement at a depth of 700 feet, provided the well (hole) was drilled to that depth or greater. Further, a plug consisting of ten (10) sacks neat cement shall be set at the surface and a regulation marker placed therein. Intervals between plugs will be filled with heavy mud. The location shall be levelled and cleared of junk.

(3) Upon completion of plugging operations, the Commission shall be notified of such completion, and an authorized representative of the

Commission shall inspect the plugged hole and the location. Pertinent information concerning the plugging operation shall be filed with the Commission on Form C-103.

(4) That Roy E. Timmons cause the John Doe No. 1 well (hole), defined as the southernmost of two wells (holes) in the SW/4 NE/4 of Section 2, Township 20 North, Range 30 East, NMPM, Harding County, New Mexico, to be plugged within 60 days following the effective date of this order, or to appear before the Commission within that time to show cause why this provision should not be amended. No extension of time in which to appear shall be granted.

(5) That such plugging shall be accomplished by setting ten (10) sacks neat cement at total depth, and spotting an additional ten (10) sacks neat cement at a depth of 700 feet, provided the well (hole) was drilled to that depth or greater. Further, a plug consisting of ten (10) sacks neat cement shall be set at the surface and a regulation marker placed therein. Intervals between plugs shall be filled with heavy mud. The location shall be levelled and cleared of junk.

(6) Upon completion of plugging operations, the Commission shall be notified of such completion and an authorized representative of the Commission shall inspect the plugged hole and the location. Pertinent information concerning the plugging operation shall be filed with the Commission on Commission Form C-103.

PROVIDED FURTHER, That failure to comply with this order within the 60 days allotted for compliance shall render said Fidelity and Deposit Company of Maryland and/or Roy E. Timmons liable to prosecution under Section 24, (b) of the Conservation Act (Chapter 168 of the Laws of 1949).

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

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

John F. Simms
JOHN F. SIMMS, Chairman

E. S. Walker
E. S. WALKER, Member

W. B. Macey
W. B. MACEY, Member and Secretary

