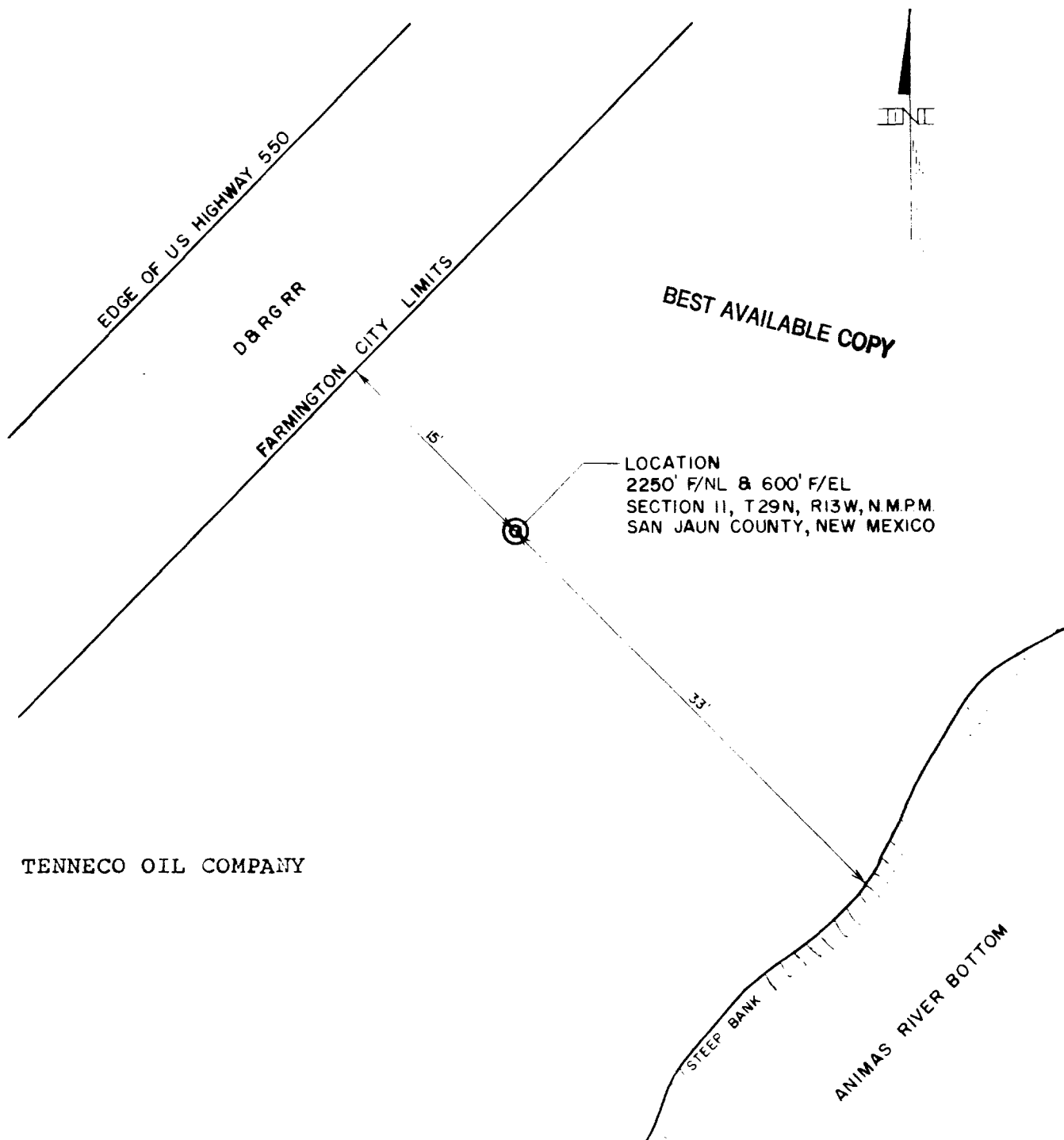


ERNST ENGINEERING CO.

REGISTERED PROFESSIONAL ENGINEERING, LAND SURVEYING, CONSULTING MATERIAL TESTING

NEW MEXICO & COLORADO

P. O. BOX 177 DURANGO, COLORADO 81302



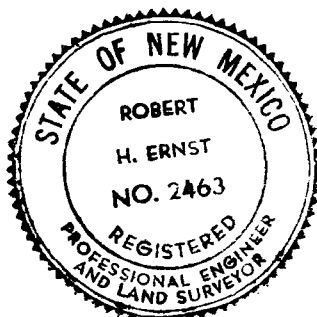
TENNECO OIL COMPANY

This is to certify that the above plat was prepared from field notes of actual surveys made by me or under my supervision and that the same is true and correct to the best of my knowledge and belief.

Robert H. Ernst
Robert H. Ernst
N. Mex. PE & LS 2463

5 May 1967

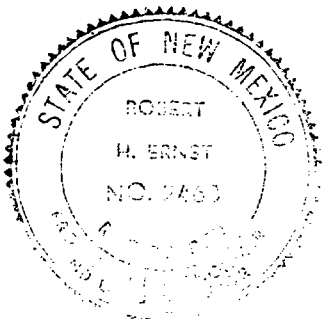
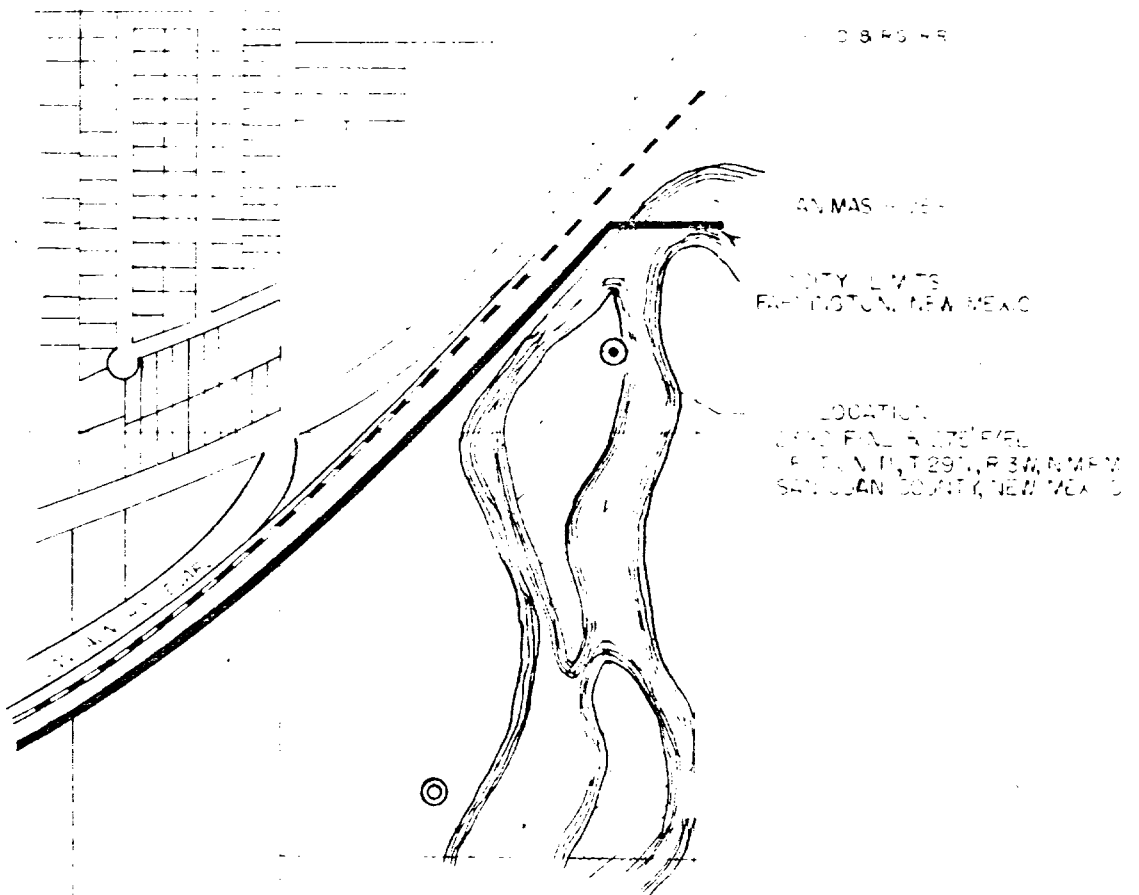
Ernst Engineering Co.
Durango, Colorado



BEFORE EXAMINER UTZ
OIL CONSERVATION COMMISSION
EXHIBIT NO. 1
CASE NO. 4349

BEST AVAILABLE COPY

ERNST ENGINEERING CO.



24 September 1969

Terneco Oil Company
Suite 1200, Lincoln Tower Building
Denver, Colorado 80202

WELL AND TANK BATTERY LOCATION:

Section 11, T 29 N, R 13 W, S 1 N 1 N, San Juan County, New Mexico

This is to certify that the above plat was prepared from field notes of actual surveys made by me or under my supervision and that the same are true and correct to the best of my knowledge and belief.

Robert H. Ernst
Robert H. Ernst, R.P.E. & L.S.
New Mexico Reg. No. 2463

Exhibit "E"

ILLEGIBLE

2

| | |
|-----------------------------|------|
| BEFORE EXAMINER UTZ | |
| OIL CONSERVATION COMMISSION | |
| EXHIBIT NO. | 2 |
| CASE NO. | 4349 |

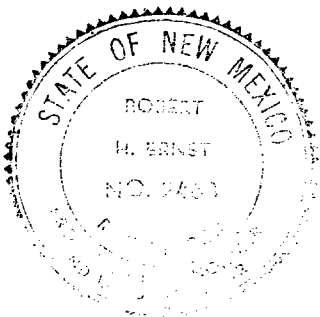
Case 4249

ERNST ENGINEERING CO.

P.O. BOX 107, DENVER, COLORADO 80202



SCALE 600'



24 September 1969

Tenneco Oil Company
Suite 1200, Lincoln Tower Building
Denver, Colorado 80202

WELL AND TANK BATTERY LOCATION:

Section 11, T 29 N, R 13 W., N.M.P.M., San Juan County, New Mexico

This is to certify that the above plat was prepared from field notes of actual surveys made by me or under my supervision and that the same are true and correct to the best of my knowledge and belief.

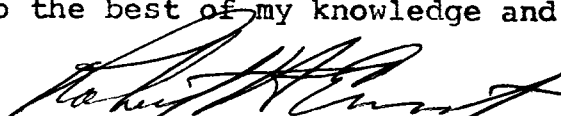
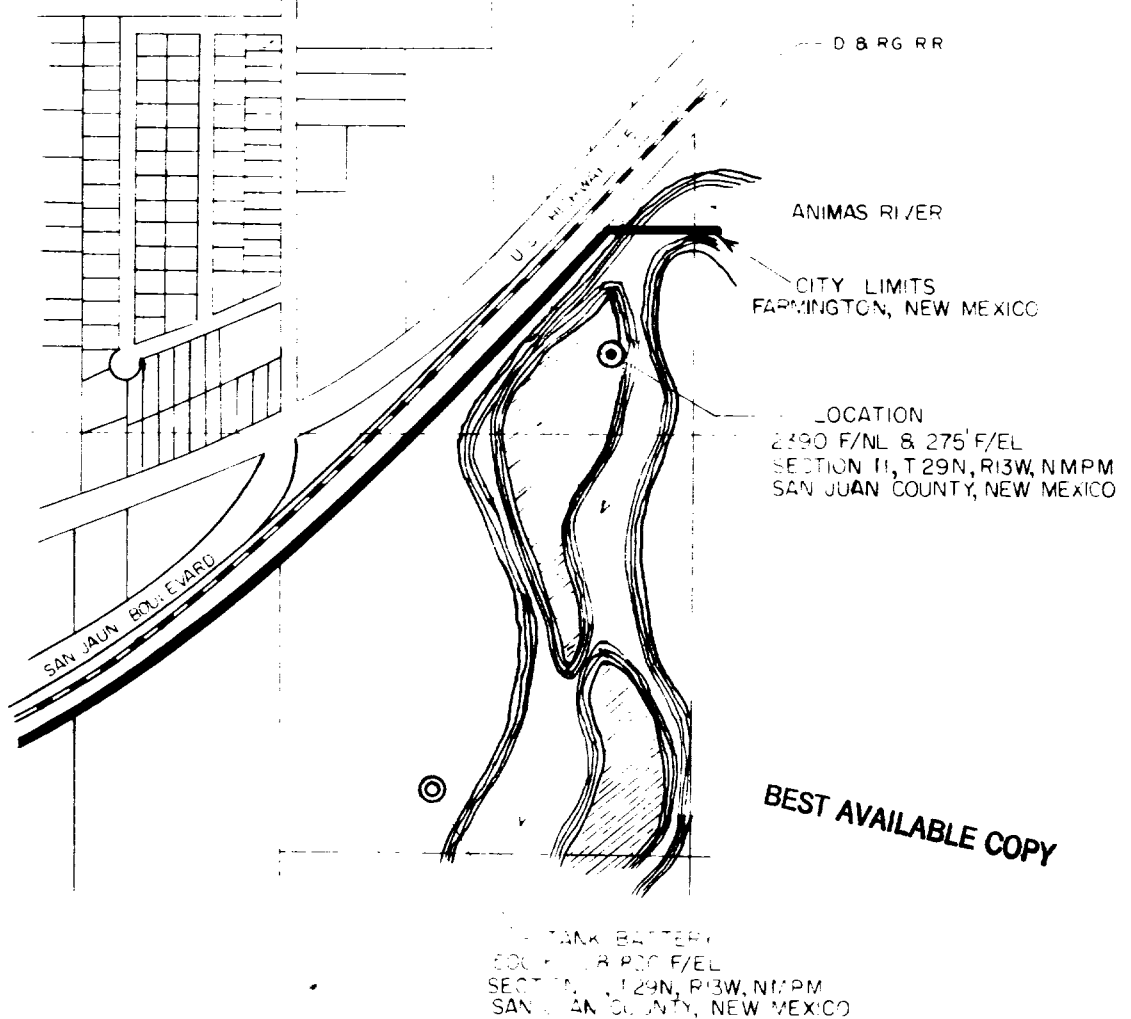

Robert H. Ernst, R.P.E. & L.S.

Exhibit "B"



BEST AVAILABLE COPY

1885-C

Case 4249

February 26, 1969

CITY OF FARMINGTON
800 Municipal Drive
Farmington, New Mexico 87401

Attention: Mr. Morris Franks

Gentlemen:

Our client, Tenneco Oil Company, is preparing to drill an exploratory well for oil and gas, which well will be located in that portion of the SE/4 of the NE/4 of Section 11, Township 29 North, Range 13 West, N.M.P.M., which lies south and east of the Denver & Rio Grande Railroad right-of-way.

Please advise whether that portion of the SE/4 of the NE/4 of Section 11 which lies south and east of the railroad right-of-way is located within the city limits of the City of Farmington, New Mexico, and further advise whether it is necessary to obtain permission from the city zoning commission prior to drilling the proposed well.

Very truly yours,

BURR & COOLEY

By

William J. Cooley

WJC:jjh

City Council:

WILLIAM A. HALL
J. B. RATCLIFF
FRANCIS A. REILLY
MARLO WEBB



BOYD F. SCOTT
Mayor

File 4249

City of Farmington

Energy Capital of the Southwest

P. O. BOX 900
FARMINGTON, NEW MEXICO 87401

February 27, 1969

Burr & Cooley
Attorneys and Counselors at Law
Suite 152
Petroleum Center Building
Farmington, New Mexico 87401

Gentlemen:

In answer to your letter of February 26 concerning proposed drilling by Tenneco in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 29 North, Range 13 West, the area South and East of the Denver & Rio Grande Western Railroad right of way lies outside the corporate limits of the City of Farmington. Due to this location no permits are required from the City.

Very truly yours,


Morris W. Franks
City Planner

MWF:ew

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1
C
4249
BEST AVAILABLE COPY

September 2, 1969

Mr. Lavor Burnham, Esq.
City Attorney
City Hall, 800 Municipal Drive
Farmington, New Mexico

Dear Mr. Burnham:

Our firm represents Tenneco Oil Company, which is immediately prepared to drill an exploratory well for oil and gas 2250 feet from the north line and 600 feet from the east line of Section 11, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico. The above mentioned well location is immediately south and east of the Denver & Rio Grande Western Railroad right-of-way.

On February 26, 1969, we addressed a letter to Mr. Morris Franks in the City Engineering Department advising him that our client was preparing to drill the subject well and inquiring as to whether it would be necessary to obtain permission from the City Zoning Commission prior to doing so. On February 27, 1969, Mr. Franks replied to our letter advising us that the proposed well site is outside the corporate limits of the City of Farmington and that no location permits would be required from the City of Farmington.

As a result of recent telephone conversations with you, I gained the impression that you at least had some doubt as to whether the Farmington ordinances might possibly have some extra territorial application inasmuch as the proposed well location is less than 200 feet from an existing building situated within the limits of the City of Farmington.

Our client will be spending between \$80,000.00 and \$100,000.00 in the drilling and completion of the subject well, which once drilled of course cannot be moved, and they certainly want to avoid any possible conflict with the City of Farmington concerning the same. Accordingly, we would appreciate a statement of the City's position with respect to this matter before proceeding further with the drilling of said well.

Very truly yours,

BURR & COOLEY

By

William J. Cooley

cc: Mayor Boyd F. Scott

cc: City Manager C. M. Woodbury Exhibit "C"

LA VOR W. BURNHAM
CITY ATTORNEY AND COUNSELLOR AT LAW
ROOM 101, MUNICIPAL BUILDING
FARMINGTON, NEW MEXICO
87401

TELEPHONE 325-1981

September 4, 1969

POST OFFICE BOX 900

See 4249

Burr and Cooley,
Attorneys at Law,
Suite 152, Petroleum Center Bldg.,
Farmington, N. M. 87401.

Attn: Mr. Jack Cooley, Attorney

Gentlemen:

Re: Tenneco Oil Company Drilling Location

In reply to your letter of September 2nd, 1969, I concur with Mr. Franks' former opinion that since the location of the drilling site is outside of the corporate limits that no drilling permit is required from the City, nor would any zoning change be required. I do not contend that either the zoning ordinance or the drilling ordinance have extra territorial jurisdiction.

There is, however, another problem involved in the location. As I understand it, the drilling location is on the railroad right-of-way but it is outside of the City. However, it is within 200 feet of a building which is located within the City. Since the drilling will effect property within the City, I believe the City does have some interest in seeing that the safety provisions contained in the ordinance are complied with. This is on the basis of the fact that the ordinance is merely a re-statement of general good drilling practices rather than a matter of extra territorial jurisdiction as might be applied to an interpretation of the ordinance and in the event that the safety provisions are ignored, the City may wish to join the landowner in seeking to enjoin the drilling and operation of the well.

Such action would be one in the nature of abating a nuisance, rather than strict enforcement of the ordinance. Whether such action might, or would be contemplated on the part of the City, would be a policy decision and could only be made by the Mayor and City Council on the recommendation of the City Manager. This is not strictly a purely legal matter, action on which would be taken solely by this office.

Very truly yours,

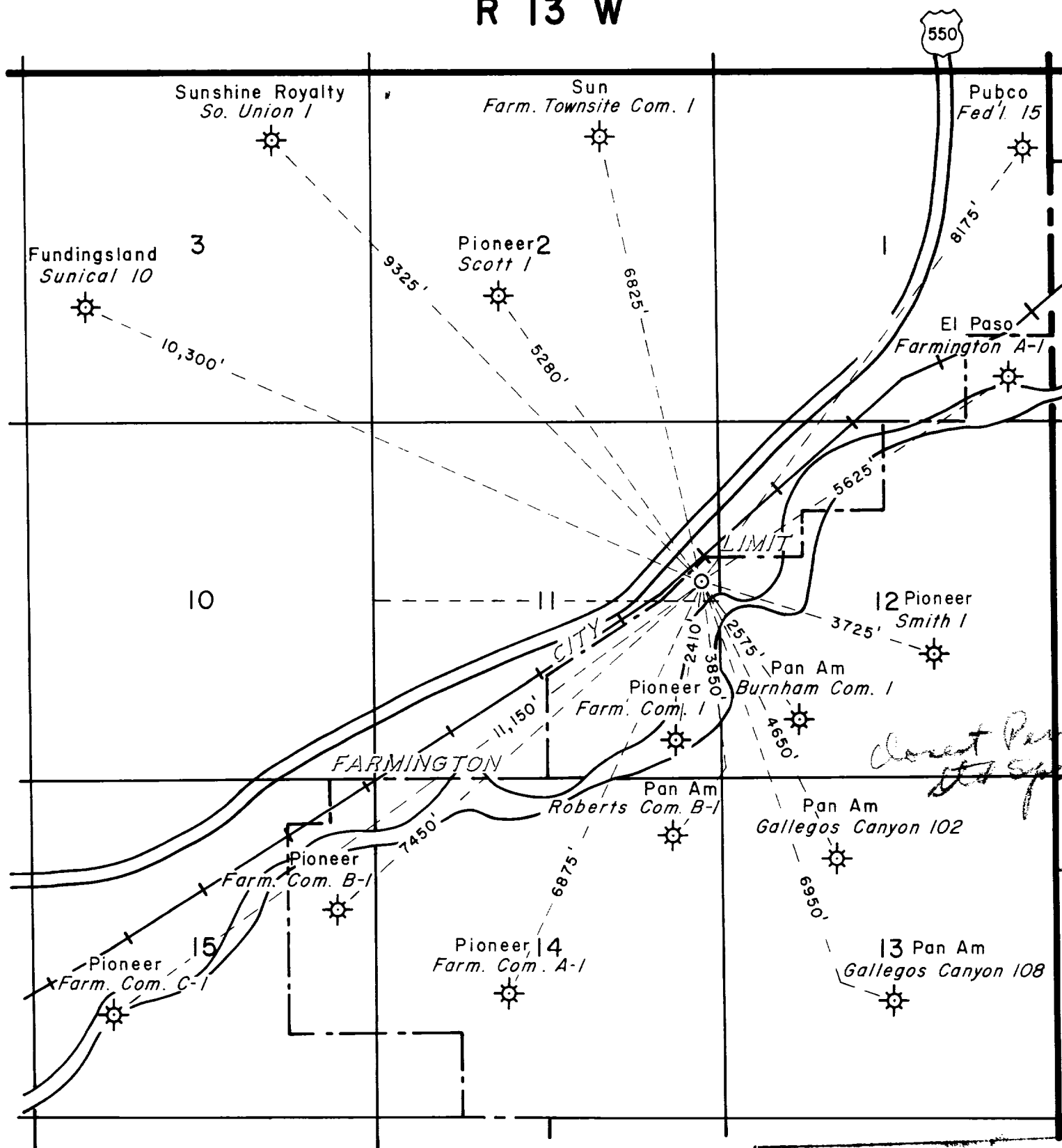
LaVor W. Burnham
LaVor W. Burnham,
City Attorney.

LWB:RS

cc: Mayor, City Manager and City Engineer
Mr. C. R. Irvin

Exhibit "D"

R 13 W



T
29
N

TENNECO OIL COMPANY
DENVER, COLORADO

FARMINGTON AREA
SAN JUAN CO., NEW MEXICO

BEFORE EXAMINER UTZ

OIL CONSERVATION COMMISSION

EXHIBIT NO. 33

CASE NO. 4248

LOCATION PLAT SHOWING APPROX. DISTANCE FROM PROPOSED LOCATION
TO NEAREST PRODUCING DAKOTA WELLS

SCALE: 1"=2000'

NOV. 4, 1969