

STATE OF NEW MEXICO

COUNTY OF UNION

IN THE DISTRICT COURT

NEW MEXICO OIL CONSERVATION
DIVISION,

Plaintiff,

vs.

TRAMPEROS LIVESTOCK CORPORATION,
INC.,

Defendant.

No. CV 78-64

CERTIFICATE AS TO THE STATE OF THE RECORD

I, the undersigned Clerk of the District Court of the Eighth Judicial District of the State of New Mexico, within and for the County of Union, do hereby certify that a Complaint and Motion for Preliminary Injunction in the above-entitled cause were filed in my office on the 4th day of October, 1978; that process was issued on the same day; that it appears from the Return made by Frank Garcia, process server, that the process was served on the Defendant Tramperos Livestock Corporation, Inc., by serving the wife of its statutory agent, J. W. Irwin, at his usual place of abode on October 25, 1978.

I certify that no appearance for the said Defendant has been filed in my office or of record.

WITNESS MY HAND AND THE SEAL

OF THIS COURT THIS 22nd

DAY OF February, 1979.

Lina J. Maileris
CLERK

BY Sally V. Sanchez
DEPUTY

FILED IN MY OFFICE
UNION COUNTY, NEW MEXICO

FEB 22 1979

Sally V. Sanchez
DEPUTY DISTRICT COURT CLERK

STATE OF NEW MEXICO

COUNTY OF UNION

IN THE DISTRICT COURT

NEW MEXICO OIL CONSERVATION
DIVISION,

Plaintiff,

vs.

TRAMPEROS LIVESTOCK CORPORATION,
INC.,

Defendant.

No. CV 78-64

JUDGMENT

This matter having come before the Court for hearing, the Plaintiff appearing by its Attorney, Lynn Teschendorf, and the Defendant appearing not, and it appearing to the Court that Defendant has been duly and properly served and has failed to enter an Answer herein in the time provided by law, and is in default, as more particularly appears from the Certificate as to the State of the Record prepared by the Clerk of this Court, the Court proceeded to hear the evidence, and being fully advised in the premises, FINDS:

1. That the Court has jurisdiction over the parties and the subject matter herein.

2. That the allegations contained in the Complaint are true and are hereby adopted as the finding of this Court.

IT IS THEREFORE ORDERED that the Defendant Tramperos Livestock Corporation, its agents, employees and assigns be permanently enjoined from preventing the entry of the Division, its employees, agents and independent contractors upon its lands for the purpose of plugging the Irwin Well No. 1 and the

FILED IN MY OFFICE
UNION COUNTY, NEW MEXICO

FEB 22 1979

Deputy U. S. Clerk
DEPUTY DISTRICT COURT CLERK

Irwin "A" Well No. 1 located in the NW/4 NW/4 of Section 29,
Township 21 North, Range 36 East, Union County, New Mexico.

IT IS FURTHER ORDERED that the Defendant give right of
ingress and egress upon its land for the same purpose.

151 John B. Wright
DISTRICT JUDGE



STATE OF NEW MEXICO
ENERGY AND MINERALS DEPARTMENT
OIL CONSERVATION DIVISION

BRUCE KING
GOVERNOR
LARRY KEHOE
SECRETARY

February 15, 1979

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87501
(505) 827-2434

Clerk of the District Court
for Union County
Union County Courthouse
P. O. Box 430
Clayton, New Mexico 88415

Re: Union County Cause
No. CV 78-64

Dear Madam:

I would appreciate your executing the enclosed Certificate as to the State of the Record and submitting it along with the enclosed Judgment to the District Judge when he is next in Clayton. Please return endorsed copies of these completed documents to my office.

If there are any problems, I would appreciate your advising me as soon as possible.

Very truly yours,

(Ms.) LYNN TESCHENDORF
General Counsel

LT/dr

enc.

*Feb. 28
Default signed and
filed.*

STATE OF NEW MEXICO

COUNTY OF UNION

IN THE DISTRICT COURT

NEW MEXICO OIL CONSERVATION
DIVISION,

Plaintiff,

vs.

TRAMPEROS LIVESTOCK CORPORATION,
INC.,

Defendant.

No. CV 78-64

CERTIFICATE AS TO THE STATE OF THE RECORD

I, the undersigned Clerk of the District Court of the Eighth Judicial District of the State of New Mexico, within and for the County of Union, do hereby certify that a Complaint and Motion for Preliminary Injunction in the above-entitled cause were filed in my office on the 4th day of October, 1978; that process was issued on the same day; that it appears from the Return made by Frank Garcia, process server, that the process was served on the Defendant Tramperos Livestock Corporation, Inc., by serving the wife of its statutory agent, J. W. Irwin, at his usual place of abode on October 25, 1978.

I certify that no appearance for the said Defendant has been filed in my office or of record.

WITNESS MY HAND AND THE SEAL

OF THIS COURT THIS _____

DAY OF _____, 1979.

CLERK

By _____
DEPUTY

STATE OF NEW MEXICO

COUNTY OF UNION

IN THE DISTRICT COURT

NEW MEXICO OIL CONSERVATION
DIVISION,

Plaintiff,

vs.

TRAMPEROS LIVESTOCK CORPORATION,
INC.,

Defendant.

No. CV 78-64

JUDGMENT

This matter having come before the Court for hearing, the Plaintiff appearing by its Attorney, Lynn Teschendorf, and the Defendant appearing not, and it appearing to the Court that Defendant has been duly and properly served and has failed to enter an Answer herein in the time provided by law, and is in default, as more particularly appears from the Certificate as to the State of the Record prepared by the Clerk of this Court, the Court proceeded to hear the evidence, and being fully advised in the premises, FINDS:

1. That the Court has jurisdiction over the parties and the subject matter herein.

2. That the allegations contained in the Complaint are true and are hereby adopted as the finding of this Court.

IT IS THEREFORE ORDERED that the Defendant Tramperos Livestock Corporation, its agents, employees and assigns be permanently enjoined from preventing the entry of the Division, its employees, agents and independent contractors upon its lands for the purpose of plugging the Irwin Well No. 1 and the

Irwin "A" Well No. 1 located in the NW/4 NW/4 of Section 29,
Township 21 North, Range 36 East, Union County, New Mexico.

IT IS FURTHER ORDERED that the Defendant give right of
ingress and egress upon its land for the same purpose.

DISTRICT JUDGE

P.O. Box 350

Western Production
Credit Assoc.

April, 1978

foreclosed + sold it

Guyman, Oklahoma

405-338-8581

73942

Mr.

~~Jim~~ Newman James W.

Tom Harden

Clavis 762-3795

Unim City Sheriff - Clayton

374 - 2761



STATE OF NEW MEXICO
ENERGY AND MINERALS DEPARTMENT
OIL CONSERVATION DIVISION

JERRY APODACA
GOVERNOR

NICK FRANKLIN
SECRETARY

October 30, 1978

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87501
(505) 827-2434

Clerk of the District Court
for Union County
Union County Court House
P. O. Box 430
Clayton, New Mexico 88415

Re: New Mexico Oil Conservation
Division vs. Tramperos Livestock
Corporation, Inc.
Cause No. 78-64

Dear Madam:

Please file the enclosed Summons in the above-captioned cause.

Thank you.

Very truly yours,

LYNN TESCHENDORF
General Counsel

LT/dr

for ret

SUMMONS

IN THE DISTRICT COURT OF THE EIGHTH JUDICIAL DISTRICT,
SITTING WITHIN AND FOR THE COUNTY OF UNION,
STATE OF NEW MEXICO

NEW MEXICO OIL CONSERVATION
DIVISION,

Cause No. **78-64**
Civil Docket

Plaintiff(s),

vs.

TRAMPEROS' LIVESTOCK CORPORATION,
INC.,

Defendant(s).

THE STATE OF NEW MEXICO

To J. W. Irwin,
Statutory Agent for Tramperos Livestock Corp.
1601 N. Prince
Clovis, New Mexico

Defendant(s), Greeting:

You are hereby directed to serve a pleading or motion in response to the Complaint within 30 days after service of this Summons, and file the same, all as provided by law.

You are notified that, unless you so serve and file a responsive pleading or motion, the Plaintiff(s) will apply to the Court for the relief demanded in the Complaint.

Attorney or Attorneys For Plaintiff: Lynn Teschendorf
Address: P. O. Box 2088
Santa Fe, New Mexico 87501

COURT
SEAL

WITNESS the Honorable John B. Wright,
District Judge of the Eighth Judicial District
Court of the State of New Mexico, and the
Seal of the District Court of Union County,

this 4th day of Oct, 1978.

TINA V. MARTINEZ
District Court Clerk

by Lally V. Sanchez
Deputy Clerk

(Sheriff's return when service is made personally on Defendant.)

STATE OF NEW MEXICO

County of _____

ss.

I, _____, Sheriff of _____ County, State of New Mexico, do hereby certify that I served the within summons on the _____ day of _____, 19____, by delivering a copy thereof, with a copy of complaint attached, in the county aforesaid, in person to Defendant _____.

Dated: _____

Sheriff

Fees: _____

By _____

Deputy

(Sheriff's return when service is made on Defendant by serving copy at usual place of abode.)

STATE OF NEW MEXICO

County of _____

ss.

I, _____, Sheriff of _____ County, State of New Mexico, do hereby certify that I served the within summons on the _____ day of _____, 19____, by delivering a copy thereof, with a copy of complaint attached, in the county aforesaid, to _____

_____ a person over fifteen years of age residing at the usual place of abode of Defendant _____

_____, who at the time of such service was absent therefrom.

Dated: _____

Sheriff

Fees: _____

By _____

Deputy

(Return when service is made personally on Defendant by other than Sheriff.)

STATE OF NEW MEXICO

County of _____

ss.

I, _____, being duly sworn, upon my oath, say I am over the age of eighteen years; I served the within summons on the _____ day of _____, 19____, by delivering a copy thereof, with a copy of complaint attached, in the county aforesaid to Defendant _____

Fees: _____

Subscribed and sworn to before me this _____ day of _____, 19____.

Notary Public

My commission expires _____

(Return when service is made on Defendant by other than Sheriff by serving copy at usual place of abode.)

STATE OF NEW MEXICO

County of Carriz

ss.

I, Frank Garcia Process Server being duly sworn, upon my oath, say I am over the age of eighteen years; I served the within summons on the 25th day of Oct., 1978, by delivering a copy thereof, with a copy of complaint attached, in the county aforesaid to _____

Jean Ierin Wife, a person over fifteen years of age residing at the usual place of abode of Defendant J.W. Ierin, who at the time of such service was absent therefrom.

Fees: 6.00

26th

October

78

Subscribed and sworn to before me this _____ day of _____, 19____.

Notary Public

My commission expires 12/10/81

10-12-78

Jim Driven was in
my office. No progress
was made towards
amicability.



STATE OF NEW MEXICO
ENERGY AND MINERALS DEPARTMENT
OIL CONSERVATION DIVISION

JERRY APODACA
GOVERNOR

NICK FRANKLIN
SECRETARY

October 2, 1978

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87501
(505) 827-2434

Clerk of the District Court
for Union County
Union County Court House
P. O. Box 430
Clayton, New Mexico 88415

Re: Oil Conservation Division
vs. Tramperos Livestock
Corporation

Dear Madam:

I am submitting the enclosed Complaint and Motion for Preliminary Injunction for filing in the above-captioned cause. Since I am filing this action on behalf of the State of New Mexico, no filing fee is required. I would appreciate your forwarding one copy of the Complaint, Motion for Preliminary Injunction and Summonses to the Curry County Sheriff, Curry County Court House, Clovis, New Mexico, for service.

Thank you for your assistance.

Very truly yours,

(Ms.) LYNN TESCHENDORF
General Counsel

LT/dr

enc.



STATE OF NEW MEXICO
ENERGY AND MINERALS DEPARTMENT
OIL CONSERVATION DIVISION

JERRY APODACA
GOVERNOR

NICK FRANKLIN
SECRETARY

September 28, 1978

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87501
(505) 827-2434

The Honorable Toney Anaya
Attorney General for the
State of New Mexico
Bataan Memorial Building
Santa Fe, New Mexico 87501

Re: Oil Conservation Division vs.
Tramperos Livestock Corporation

Dear Mr. Anaya:

Enclosed please find a copy of the Complaint I have
filed in the above-captioned matter approved by the
Oil Conservation Division. This is a routine enforce-
ment action of the Division's rules, regulations and
orders.

Should you wish further information, do not hesitate
to contact me.

Very truly yours,

LYNN TESCHENDORF
General Counsel

LT/dr

enc.

STATE OF NEW MEXICO

COUNTY OF UNION

IN THE DISTRICT COURT

NEW MEXICO OIL CONSERVATION
DIVISION,

Plaintiff,

v.

TRAMPEROS LIVESTOCK CORPORATION,
INC.,

Defendant.

No. CV 78-64

Filed 10-4-78

MOTION FOR PRELIMINARY INJUNCTION

Comes now Plaintiff New Mexico Oil Conservation Division and requests the Court pursuant to Rules 65 and 66 of the New Mexico Rules of Civil Procedure to issue a preliminary injunction against Defendant Tramperos Livestock Corporation and as grounds therefor states:

1. Plaintiff New Mexico Oil Conservation Division is the duly organized agency of the State of New Mexico charged with the conservation of oil and gas, including carbon dioxide, the protection against contamination of fresh water supplies, and the plugging of abandoned wells.

2. Defendant Tramperos Livestock Corporation is the owner of property on which the Irwin Well No. 1 and the Irwin "A" Well No. 1 located in the NW/4 NW/4 of Section 29, Township 21 North, Range 36 East, Union County, New Mexico, were drilled.

3. The Division, formerly the Oil Conservation Commission, ordered these wells to be plugged on or before June 15, 1975, unless satisfactory proof that the wells were already adequately plugged was furnished. A copy of said Order is attached hereto as Exhibit A and by this reference incorporated.

4. The wells have not been adequately plugged, and Defendant has furnished no proof that they were adequately plugged.

5. Pursuant to Sections 65-3-11 and 65-3-38, N.M.S.A. 1953 Compilation, the Division desires to accomplish its statutory duty to reclaim and properly plug these abandoned wells.

6. The Division has sought permission from Defendant to enter upon its lands for this purpose, which permission has been denied, as reflected by the letters dated August 18, 1978, August 22, 1978, August 25, 1978, August 30, 1978, September 6, 1978, September 12, 1978, September 14, 1978 and September 22, 1978, attached hereto as Exhibits B through I and by this reference incorporated.

7. Pursuant to Section 65-3-5, N.M.S.A. 1953 Compilation and its police power, the Division has the right to enter upon Defendant's lands for the purposes above-described.

8. Plaintiff believes and therefore alleges that unless a preliminary and thereafter a permanent injunction is issued by this Court, the Defendant, its agents, employees or assigns will prevent its entry upon the lands of Defendant for the purpose of performing its official duties in the administration and enforcement of the laws of New Mexico.

9. Plaintiff believes and therefore alleges that unless a preliminary and thereafter a permanent injunction is issued by this Court, irreparable harm will be caused in that the Division will be unable to hire a contractor to perform the necessary work involved in plugging these wells, fresh waters may be contaminated, and gas or fluids may migrate to strata other than those in which they are found, or to the surface.

10. The requirement of security should be waived by reason of the fact that the State is the real party interested in procuring the injunction.

11. The Plaintiff has no plain, adequate and speedy remedy at law.

WHEREFORE, Plaintiff asks the Court to issue a preliminary injunction restraining the Defendant, its agents, employees and assigns from preventing the entry of the Division, its employees, agents and independent contractors upon its lands for the purpose of plugging two abandoned wells.

NEW MEXICO OIL CONSERVATION DIVISION

Lynn Teschendorf

By

LYNN TESCHENDORF
Assistant Attorney General
P. O. Box 2088
Santa Fe, New Mexico 87501

VERIFICATION

STATE OF NEW MEXICO

COUNTY OF SANTA FE

JOE D. RAMEY, being first duly sworn upon his oath, states that he is the Director of the New Mexico Oil Conservation Division; that he has read the foregoing Motion and knows the contents thereof; and that the same is true and correct to the best of his knowledge and belief.



JOE D. RAMEY

Subscribed and sworn to before me this 28th day of

Sept., 1978.



NOTARY PUBLIC

My Commission Expires:

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW ME 20

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

CASE NO. 5406
Order No. R-4986

IN THE MATTER OF THE HEARING CALLED BY THE
OIL CONSERVATION COMMISSION ON ITS OWN MOTION
TO PERMIT OIL EXPLORATION, INC., GENERAL CASUALTY
COMPANY OF AMERICA AND ALL OTHER INTERESTED PARTIES
TO APPEAR AND SHOW CAUSE WHY THE IRWIN WELL NO. 1,
LOCATED IN UNIT D OF SECTION 29, TOWNSHIP 21 NORTH,
RANGE 36 EAST, UNION COUNTY, NEW MEXICO, AND THE
IRWIN "A" WELL LOCATED IN UNIT D OF SECTION 29,
TOWNSHIP 21 NORTH, RANGE 36 EAST, UNION COUNTY,
NEW MEXICO, SHOULD NOT BE PLUGGED AND ABANDONED
IN ACCORDANCE WITH A COMMISSION-APPROVED PLUGGING
PROGRAM.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on February 5,
1975, at Santa Fe, New Mexico, before Examiner Richard L.
Stamets.

NOW, on this 25th day of March, 1975, the Commission,
a quorum being present, having considered the testimony, the
record, and the recommendations of the Examiner, 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 Oil Exploration, Inc., is the owner and operator
of the Irwin Well No. 1 and Irwin "A" Well, both located in
Unit D of Section 29, Township 21 North, Range 36 East, NMPM,
Union County, New Mexico.
- (3) That both of said wells were drilled and abandoned
prior to 1960.
- (4) That the Commission records of said wells do not
demonstrate that they were plugged and abandoned in such a
manner as to confine any oil, gas, or water in said wells
in the strata in which they were originally found.

Ex. A

(5) That the owner of the lands upon which the subject wells were drilled contends that said wells were properly plugged and abandoned, and that no further plugging operations are necessary.

(6) That the surface around said wells has been restored and that there is now no surface indication of the location or condition of said wells.

(7) That in order to prevent waste and protect fresh waters said Irwin Well No. 1 and Irwin "A" Well should be plugged and abandoned in accordance with a program approved by the Santa Fe District Office of the New Mexico Oil Conservation Commission on or before June 15, 1975, or any interested party should furnish proof that said wells have been properly plugged and abandoned.

IT IS THEREFORE ORDERED:

(1) That Oil Exploration, Inc. and General Casualty Company of America are hereby ordered to plug and abandon the Irwin Well No. 1 and Irwin "A" Well, both located in Unit D of Section 29, Township 21 North, Range 36 East, NMPM, Union County, New Mexico, on or before June 15, 1975, provided however, that the Secretary-Director of the Commission may rescind this order upon a satisfactory showing of proof that said wells have been adequately plugged.

(2) That Oil Exploration, Inc. and General Casualty Company of America, prior to plugging and abandoning the above-described wells, shall obtain from the Santa Fe Office of the Commission, a Commission-approved program for said plugging and abandoning, and shall notify said Santa Fe Office of the date and hour said work is to be commenced whereupon the Commission may, at its option, witness such work.


(3) That jurisdiction of this cause is retained for the entry of such further orders as the Commission may deem necessary.

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

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION


I. R. TRUJILLO, Chairman


PHIL R. LUCERO, Member


A. L. PORTER, Jr., Member & Secretary

S E A L

dr/



STATE OF NEW MEXICO
ENERGY AND MINERALS DEPARTMENT
OIL CONSERVATION DIVISION

JERRY APODACA
GOVERNOR

NICK FRANKLIN
SECRETARY

August 18, 1978

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87501
(505) 827-2434

Tramperos Livestock Corp.
1601 N. Prince Street
Clovis, New Mexico 88101

Re: Order No. R-4986
Irwin Well No. 1 and Irwin "A"
Well No. 1, Unit D, Sec. 29,
T-21-N, R-36-E, Union County

Gentlemen:

The above-referenced wells were drilled by Oil Exploration, Inc., in 1955 and 1956, and were never properly plugged. Until they are, there is the possibility that fresh waters will be contaminated and that gas or fluids will migrate to other strata or to the surface. The Division has attempted to locate this company with no success.

I am therefore considering hiring a contractor at the State's expense to plug these wells. If this is acceptable to you, I would appreciate written permission to enter your property for this purpose. Or, if you have already performed the work yourself, I would appreciate having a detailed account of the plugging program you followed.

As you may be aware, in March of 1975 the Oil Conservation Commission issued its Order No. R-4986 requiring these wells to be plugged on or before June 15, 1975, unless satisfactory proof was submitted that the wells were adequately plugged. Such proof has not been offered by either the operator or yourselves. A considerable period of time has elapsed, and I'm sure you are as anxious as we are to have the matter resolved.

I hope to hear from you as soon as is convenient.

Very truly yours,

(Ms.) LYNN TESCHENDORF
General Counsel

LT/dr

cc: Carl Ulvog

Ex. B



LARIAT

REALTY, Inc.

Ray Ballard, Qualifying Broker

Jim Irwin
BROKER

Farm and Ranch Properties
Financial Consultants
Ranch Management

Office: 505 769-1957
Branch: 505 762-3701

August 22, 1978

Lynn Teschendorf, General Counsel
Energy and Minerals Department
Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico
87501

AUG 28 1978

Dear Ms. Teschendorf,

Referring to your letter addressed to Tramperos Livestock Corporation dated August 18, 1978, in which you refer to Irwin Well No. #1 and Irwin "A" Well No. #1, Unit D, Sec. 29, T-21-N, R-36-E, Union County. The statement that you make that these wells were never properly plugged arouses my curiosity.

May I please be advised by a detailed account, of the kind of plugging program which would be considered proper for these wells?

You mention also that an order was issued by Oil Conservation Commission requiring satisfactory proof to be submitted that the wells were adequately plugged, please explain what you consider satisfactory proof.

Please be assured Ms. Teschendorf, that I have every intention and desire to co-operate with you in this matter and bring it to a desirable conclusion.. Also, please be advised that in my best judgement the wells were capped in a proper manner and are safe and there is no existing danger that the fresh waters would be contaminated in any way from and by these wells. I will gladly furnish you any documentation that I might be able to scare up if you will explain to me what is needed.

Sincerely yours,

Jim Irwin
Jim Irwin

cc
pr/JI



1601 N. PRINCE

CLOVIS, NEW MEXICO 88101

Ex. C



STATE OF NEW MEXICO
ENERGY AND MINERALS DEPARTMENT
OIL CONSERVATION DIVISION

JERRY APODACA
GOVERNOR

NICK FRANKLIN
SECRETARY

August 25, 1978

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87500
(505) 827-2434

Mr. Jim Irwin
Lariat Realty, Inc.
1601 N. Prince
Clovis, New Mexico 88101

Dear Mr. Irwin:

.Thank you for your prompt response to my letter.
I appreciate your offer to furnish any documentation
you have relating to the plugging of these wells,
and would like to have the following information:
any materials pulled from the wells, and the depth
and length of any cement plugs set. Can you tell
me where the fresh water zones were in these wells?

Very truly yours,

(Ms.) LYNN TESCHENDORF
General Counsel

LT/dr

cc: Carl Ulvog

Ex. D


LARIAT**REALTY, Inc.**

Ray Ballard, Qualifying Broker

Jim Irwin
BROKERFarm and Ranch Properties
Financial Consultants
Ranch ManagementOffice: 505 769-1957
Branch: 505 762-3701

August 30, 1978

Lynn Teschendorf, General Counsel
Energy and Minerals Department
Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico
87501

Dear Ms. Teschendorf,

The documentation that you state in your reply to me of August 25, 1978, that you would like to have can be quoted from me only by memory.

As I remember and I was present when these wells were drilled and was present when these wells were capped, all of the fresh water was cemented off at a depth of approximately 800 feet when these wells were drilled. Subsequent to that, the wells were finally bottomed out at about 8,000 feet. My remembrance is that there was considerable amount of cement pumped into the well in the depth zone of about 6,000 feet and then drilled through. There were numerous samples of material extracted from the well but all of the logs and all of the analysis of this material was never made available to me and was kept in the hands and the files of the oil exploration company.

The fresh water zone that you refer to in these wells would be from a depth of about 125 feet to a maximum of about 600 feet. When these wells were abandoned, they were fixed in the following manner; I believe some ten feet below the surface the casing was cut off and a steel cap welded on top of the casings to these wells, then a cap of cement was poured over this in the depth of one or two feet, then the surface was recovered. My belief at this time, is that it would be next to impossible to find the exact location of these wells except from memory or from an exact map which I have no record of. At the time that these wells were capped, I was satisfied in my mind as were other officials present, that the capping was done in an official manner and in a safe manner and there, in my opinion, at this time, is no risk to the pollution of any fresh water from these wells.



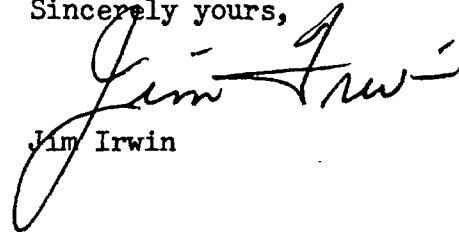
1601 N. PRINCE

CLOVIS, NEW MEXICO 88101

Ex. E

My hope is that the above information will be useful to you in your efforts to finalize your files concerning these wells. If in the future I may be of any further help, please feel free to solicit.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Jim Irwin". The signature is written in dark ink and is positioned above the printed name "Jim Irwin".

Jim Irwin

cc
pr/JI



STATE OF NEW MEXICO
ENERGY AND MINERALS DEPARTMENT
OIL CONSERVATION DIVISION

JERRY APODACA
GOVERNOR

NICK FRANKLIN
SECRETARY

September 6, 1978

POST OFFICE BOX 2088
STATE LAND OFFICE BUILD
SANTA FE, NEW MEXICO 877
(505) 827-2434

Mr. Jim Irwin
Lariat Realty, Inc.
1601 N. Prince
Clovis, New Mexico 88101

Dear Mr. Irwin:

We are unable to close our files on the basis of the information you were able to give us. We appreciate your efforts in detailing what was done to "cap" the wells, but in the interests of conservation and the protection of fresh waters, the wells should have been plugged as follows:

1. Irwin Well No. 1:

100 foot cement plug at total depth;
100 " " " from 775' to 675';
100 " " " " 475' to 375';
10 sack plug at the surface with a marker.

2. Irwin "A" Well No. 1:

100 foot cement plug at total depth;
100 " " " from 7250' to 7150';
100 " " " " 7000' to 6900';
100 " " " " 1400' to 1300';
100 " " " " 200' to 100';
10 Sack plug at the surface with a marker.

We will therefore have to hire a contractor to perform this work, and would appreciate any direction you could give us as to the location of these wells. We would also appreciate having the permission of Trampers Livestock Corporation to enter its property for this purpose.

Very truly yours,

LYNN TESCHENDORF
General Counsel

LT/dr
cc: Carl Ulvog

Ex. F



LARIAT REALTY, Inc.

Ray Ballard, Qualifying Broker

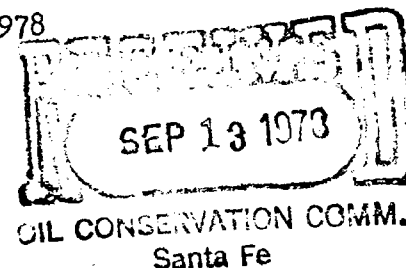
Jim Irwin
BROKER

Farm and Ranch Properties
Financial Consultants
Ranch Management

Office: 505 769-1957
Branch: 505 762-3701

September 12, 1978

Ms. Lynn Teschendorf, General Counsel
Energy and Minerals Department
Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico
87501



Dear Ms. Teschendorf,

In response to your latest communication September 6, 1978, apparently you have information available to you relating to the logs of the well which I do not have in my possession at this time. You outline the method in which the wells should have been plugged and I'm going to say from my remembrance that probably this procedure was followed relatively closely at the time of abandoning the wells. You realize of course that I have no way of knowing whether or not this information would be accurate.

Because of financial difficulties involved with Tramperos Livestock, Inc. I am not at this time in possession of that property. Negotiations are now on going which more than likely will return the possession of that property to me within the near future, in the event that this happens I shall be most happy to co-operate with you in any undertaking which you may desire. In the event possession of the property is not restored to me then if you must hire a contractor to perform the work as outlined quite possibly I can be instrumental in helping you to acquire such a contractor. The idea even crosses my mind that I might become a contractor under your direction. In any event I shall be glad to maintain communication with you and help in any manner which I may.

Sincerely yours,



Jim Irwin

cc
pr/JI



1601 N. PRINCE

•

CLOVIS, NEW MEXICO 88101

Ex. G



STATE OF NEW MEXICO
ENERGY AND MINERALS DEPARTMENT
OIL CONSERVATION DIVISION

JERRY APODACA
GOVERNOR

NICK FRANKLIN
SECRETARY

September 14, 1978

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87501
(505) 827-2434

Ms. Lora Lee Irwin, President
Tramperos Livestock Corp.
Grenville, New Mexico 88424

Re: Irwin Well No. 1 and Irwin "A"
Well No. 1, Unit D, Sec. 29,
T-21-N, R-36-E, Union County

Dear Ms. Irwin:

According to the records of the tax assessor in Union County, the property upon which the above-referenced wells are located belongs to Tramperos Livestock Corporation. I have asked permission of Mr. Jim Irwin of Clovis to enter the property for the purpose of plugging these old wells, but he has told me that he is not in possession of it at this time. Since you are the president of the company, perhaps you are in a position to give me permission, or could at least give me the name and address of someone who can. The wells will be plugged at the State's expense, so there will be no effect on your company at all.

I look forward to hearing from you at your earliest convenience.

Very truly yours,

(Ms.) LYNN TESCHENDORF
General Counsel

LT/dr

Ex. H



LARIAT

REALTY, Inc.
Santa Fe

Ray Ballard, Qualifying Broker

Jim Irwin
BROKER

RECEIVED
SEP 25 1978

Farm and Ranch Properties
Financial Consultants
Ranch Management

Office: 505 769-1957
Branch: 505 762-3701

September 22, 1978

Lynn Teschendorf, General Counsel
State of New Mexico Energy and Minerals Department
Oil Conservation Division
P.O. Box 2088
State Land Office Building
Santa Fe, New Mexico
87501

Dear Ms. Teschendorf,

Of any virtues you might possess persistence and perseverance has to be number #1 as reflected by the latest communication from you to Tramperos Livestock, Inc., addressed to Lora Lee Irwin, President, Grenville, New Mexico. Ms. Teschendorf, in my last letter to you I thought I exhibited a sufficient amount of courtesy to at least have gained a response from you. Instead you took the liberty of "going around me" instead of responding directly to me.

In my confused state of understanding of your exact purposes I am inclined to withdraw my offer of co-operation with your office. As much as you have offered no compensation to me whatever, I herewith respectfully deny my permission for you to enter any lands owned by Tramperos Livestock Corporation.

Very truly yours,

Jim Irwin
Jim Irwin

cc
pr/JI



1601 N. PRINCE

CLOVIS, NEW MEXICO 88101

Ex. I