

STATE OF NEW MEXICO  
ENERGY AND MINERALS DEPARTMENT  
OIL CONSERVATION DIVISION  
STATE LAND OFFICE BUILDING  
SANTA FE, NEW MEXICO

27 February 1985

EXAMINER HEARING

IN THE MATTER OF:

Hearing called by the Oil Conservation	CASES
Division on its own motion to permit	8485
certain wells to be plugged and aban-	8486
doned in San Juan County, New Mexico.	8487
	8488
	8489
	8490

BEFORE: Michael E. Stogner, Examiner

TRANSCRIPT OF HEARING

A P P E A R A N C E S

For the Oil Conservation  
Division:

Jeff Taylor  
Attorney at Law  
Legal Counsel to the Division  
State Land Office Bldg.  
Santa Fe, New Mexico 87501

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ERNIE BUSH

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2 MR. STOGNER: At the  
3 applicant's request, Cases 8485 through 8491 will be  
4 consolidated.

5 Are there any objections?

6 MR. JENNINGS: Yes. On 8491 I  
7 don't believe we're plugging it.

8 MR. STOGNER: Okay. In that  
9 case then, we will consolidate Cases 8485 through 8490.

10 Are there any objections to  
11 that?

12 Okay. Therefore, I will call  
13 Cases No. 8485, 8486, 8487, 8488, 8489, and 8490, which are  
14 all in the matter of the hearing called by the Oil  
15 Conservation Division on its own motion to show just cause  
16 why certain wells in San Juan County, New Mexico, should not  
17 be plugged and abandoned accordingly.

18 We will now call for appear-  
19 ances in this matter.

20 MR. TAYLOR: Mr. Examiner, my  
21 name is Jeff Taylor. I'm counsel for the Oil Conservation  
22 Commission. And I have one witness to be sworn.

23 MR. STOGNER: Are there any  
24 other appearances?

25 Will the witness please stand?

(Witness sworn.)

MR. STOGNER: Please continue,  
Mr. Taylor.

ERNIE BUSH,  
being called as a witness and having been duly sworn upon  
his oath, testified as follows, to-wit:

DIRECT EXAMINATION

BY MR. TAYLOR:

Q: For the record, would you please state  
your name, by whom you are employed, and your job title?

A My name is Ernie Bush. I'm employed by  
the New Mexico Oil Conservation Division. And I'm the dis-  
trict geologist for District Three.

Q: How long have you held your present  
position?

A A year and a half.

Q: Have you previously testified before the  
Commission and had your credentials made a matter of record?

A Yes, I have.

MR. TAYLOR: Mr. Examiner, is  
the witness qualified to address the subject?

MR. STOGNER: He is so quali-  
fied.

Q: Mr. Bush, does District Three include

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that part of San Juan County involved in these cases?

A Yes, it does.

Q ✓ And do your duties as District Three geologist include making recommendations to the Commission for its hearing officers as to when wells should be plugged and abandoned?

A Yes, they do.

Q ✓ Would you then please state the purpose of this case?

A To show cause--to show cause why the wells in the following cases should not be plugged and abandoned, according to Division approved plugging programs.

Q ✓ Would you please list the wells in each case for us?

A Yes.

Palmer No. 1. Operator, J. Warren Miller. Located in Unit A, Section 17, 29 North, 13 West.

Umbenhour No. 1. Operator, J. Warren Miller. Unit N, Section 9, 29 North, 13 West.

MR. STOGNER: Is this considered in Case No. 8486, and the well previously identified is considered in Case No. 8485? Is that correct?

A Yes, Mr. Examiner.

MR. STOGNER: Okay. Would you please--

A I certainly will.

MR. STOGNER: Thank you.

1  
2 A Case No. 8487. Culpepper No. 1. Opera-  
3 tor, J. Warren Miller. Unit M, Section 16, 29 North, 13  
4 West.

5 Case 8488. The Vergie Schenck No. 1, al-  
6 so known as Schencklands No. 1, in Unit A, Sec--excuse me--  
7 the operator, Amenda. Unit A, Section 14, 29 North, 13  
8 West.

9 Case 8489. The John C. Sutton No. 1.  
10 Operator, Animas Oil Company. Unit C, Section 12, 29 North,  
11 13 West.

12 And Case 8490. The Blake No. 1. Farm-  
13 ington Syndicate as the operator. Unit O, Section 16, 29  
14 North, 13 West.

15 Q Thank you, Mr. Bush.

16 Have you reviewed the well files main-  
17 tained by the Commission on each of these wells, including  
18 all the reports filed with the Commission concerning the  
19 wells?

20 A Yes, I have.

21 Q And have you brought copies of these  
22 documents with you?

23 A Yes, I have.

24 Q At this time I would ask you to refer to  
25 the files and the documents you've got and the records in  
your possession, and outline for us the history of each of  
these wells.

A Case 8485, the Palmer No. 1, and Case



8487, the Culpepper No. 1. There is a discrepancy between the ad and the actual location of the well.

Q Would you state that discrepancy for us?

A Yes. the Palmer No. 1 was indicated to be in--excuse me--300 feet from the north line, 300 feet from the east line of Unit A, Section 17, 29 North, 13 West. However, the well has been proven to be in another location. It's still in the same unit, or in the north--the northeast quarter of Section--

Q Have you measured that--

A --17.

Q --location precisely or--

A No, it has not been--

Q --it has not?

A --it has not been measured yet.

Q But you know it's not 300 feet from the north and east line?

A That's correct.

Q Okay.

A In Case 8487, the Culpepper No. 1 was shown to be 694 feet from the south line, 996 feet from the west line of Unit M, Section 16, 29 North, 13 West. It is not at that location.

Q But it is in Section 16, 29 North, 13 West?

A That is correct.

Q And you do not know the precise location

1  
2 then, from the south and the west lines?

3 A No.

4 Q Okay. Thank you.

5 A Those locations will be--will be surveyed  
6 in by the City of Farmington, in that all of these wells  
7 within this--within the cases 8485 through 8490 and--well,  
8 8490, are within the municipality of Farmington,--

9 Q Okay.

10 A --New Mexico.

11 Q Now would you continue and go through the  
12 record, the file--

13 A Yes.

14 Q --the well files?

15 A Referring to Case 8485, Exhibit Number  
16 One--referring to Exhibit One, which is a map plotting the  
17 well location of the Palmer No. 1 within the municipality of  
18 Farmington.

19 Exhibit Number Two is a 3x5--is a copy of  
20 a 3x5 index card that we have in our files that shows some  
21 information on the well.

22 How accurate this is is not known. It  
23 shows the inaccurate location, the 300 feet from the north,  
24 300 feet from the east, which is incorrect.

25 The San Juan Petroleum Company, which is  
incorrect. The operator is actually J. Warren Miller.

It shows a TD of--excuse me, that the  
well was spudded 10-20, 1926, and completed February of '28.

1  
2 We don't know what date. And we don't have any reason to  
3 dispute that. The total depth is shown at 1290 feet, and  
4 again, no reason to dispute that.

5 The IP was shown at 300,000 cubic foot of  
6 gas. And then in the remarks section it shows that it was  
7 plugged and abandoned. What date is not known, at least is  
8 not shown on that.

9 Exhibit Number Three is also another copy  
10 of a form in our files showing that the--that the surface  
11 formation is the Kirtland, and that the lowest formation  
12 penetrated by the well was the Pictured Cliff sandstone.

13 Exhibit Number Four is a rehash of  
14 Exhibit Number Two. It shows the same information with the  
15 exception of productive depth or interval 1065 feet to 1232  
16 feet, and indicates that it was P&A'd in August of 1935,  
17 and respudded 10-14-51.

18 Exhibit Number Five is a copy of the bond  
19 which may still be in effect. It was a \$1000 bond issued by  
20 the National Surety Company of New York.

21 Exhibit Number Six is a copy of a certi-  
22 fied letter sent to the National Surety Corporation of--and  
23 with an address of San Francisco, California.

24 And Exhibit Number Seven is a copy of the  
25 Division approved plugging program, which I devised to--as a  
26 recommendation for plugging the well--procedures for plug-  
27 ging the well.

28 Q This plugging program that you prepared

1  
2 was based primarily upon the information in the file and  
3 therefore may be somewhat tentative, depending on what's ac-  
4 tually found?

5 A That's correct. That is correct.

6 MR. STOGNER: Mr. Taylor, is  
7 this all the testimony that you are going to present on this  
8 well for 8485?

9 MR. TAYLOR: Mr. Examiner,  
10 we're going to go through file by file on the exhibits on  
11 each case and then I have a couple of questions  
12 on them all.

13 MR. STOGNER: All right. Thank  
14 you.

15 MR. TAYLOR: That's all the  
16 documents I have.

17 Q Mr. Bush, would you next go to the  
18 exhibits for Case 8486?

19 A Yes, sir. In referring to Case 8486, the  
20 Umbenhour No. 1, the first exhibit is again a map of the  
21 well location, as best we can determine, as the well loca-  
22 tion was indicated simply in the southeast of the southwest  
23 of Section 9, 29 North, 13 West.

24 Exhibit Number Two again is a 3x5--a copy  
25 of a 3x5 card which we have in our files at the Division  
office, indicating that the company was San Juan Petroleum  
Company, which is incorrect. J. Warren Miller is the opera-  
tor, as shown in the last case by the bond and also in this

case by a bond which we believe is still in effect.

This well was spudded 12-2-27, completed in May of 1928.

The other information on the card indicates that the TD was 3005 feet, which we dispute because it was drilled by a cable tool and that's pretty, pretty deep for a cable tool.

Other information on the card indicates that it was abandoned. No date given.

Exhibit Number Three is a copy of the bond--is, is a copy of a form--a New Mexico form which the bonding company or the operator had to fill out to satisfy us in the bonding procedure, and indicates that the bonding company is the Maryland Casualty Company of Baltimore, Maryland, for a sum of \$2000.

Exhibit Number Four is a copy of a certified letter which the Division sent to the Maryland Casualty Company.

And, again, Exhibit Number Five is a copy of the Division approved plugging program.

Q And again this plugging program was prepared by you based upon the information in the file?

A That is correct.

Q Okay. And you found no other official communication from the owner or the operator of the well to the Oil Conservation Division other than what you outlined in your exhibits.

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A That is correct.

Q Okay. Would you please go to the exhibits for Case 8487?

A Yes. Case 8487, the Culpepper No. 1, Exhibit One is again a map showing the well location as we believe the well location to be.

Q Mr. Bush, is this well also located within the city limits of Farmington?

A Yes, that is correct.

Exhibit Number Two, 3x5 card out of our files indicating that the operator is J. Warren Miller.

The incorrect footage. No spud date. No completion date. TD of 1285 feet.

Exhibit Number Three is another copy of one of our forms indicating that the field was the Farmington, that the well was spudded 10-22, 1927. Drilling ceased 11-27-27 with a TD of 1285. IP dry; P&A January 1932.

Exhibit Number Four indicates that there is a copy of a form out of our records indicating that the surface formation is the Kirtland, that the lowest formation penetrated was the Lewis shale.

Exhibit Number Five is a copy of Division approved plugging program for this well.

Q Again the plugging program was prepared by you?

A That is correct.

Q Okay. Would you then go to the exhibits

1  
2 for Case 8488?

3 A Yes. Referring to Case 8488, the Vergie  
4 Schenck No. 1, also known as the Schenckland No. 1 as indi-  
5 cated by some sundry forms that we came across, Exhibit Num-  
6 ber One again is a map locating the well according to the  
7 footage shown on the sundries and on the 3x5 card which was  
8 in our file.

9 Exhibit Number Two is a copy of that 3x5  
10 card indicating that it is the--the well name is the Vergie  
11 Schenck No. 1, spudded 7-20, 1938. Total depth of 625 feet.  
12 Temporarily abandoned.

13 Exhibit Number Three is a copy of the  
14 sundry or miscellaneous notice received by us April 21,  
15 1942, indicating that the well name is Schenkland No. 1,  
16 with the following information: that it was drilled to ap-  
17 proximately 630 feet; no oil or gas encountered; no log  
18 was available as operator died and his records not obtained.

19 The mortgage-age on Sparrow with a first  
20 lean on the property--on the well--obtained the casing.

21 It is proposed to abandon and plug the  
22 well following the rules and regulations of the Oil Conser-  
23 vation Commission which will include filling the well in a  
24 compact manner with well mixed shale and erection of a  
25 marker.

Exhibit Number Four is also a copy of a  
miscellaneous report, our office, dated December 24, 1942,

1  
2 with the following information: filled this hole from bottom  
3 approximately 630 feet with well mixed shale; pulled 497  
4 feet 10-inch, and I'm not sure exactly what that refers to;  
5 6-5/8-inch casing; put up 5-inch OD pipe marker which pro-  
6 trudes four feet above surface and set in two sacks of ce-  
7 ment. This marker is no longer there.

8 Exhibit Number Five is a schematic of the  
9 well, that I have drawn, indicating that it was originally  
10 set with two sacks of cement and a 5-inch by four foot  
11 marker was protruding from the ground.

12 It also indicates that at approximately  
13 498 feet the 6-5/8 casing was shot off. The original cement  
14 history is not known and the well may have been filled with  
15 shale.

16 And a total depth at 630 feet with  
17 approximately 133 feet of 6-5/8 casing.

18 And again, Exhibit Number Six is a copy  
19 of the Division approved plugging program.

20 Q Again the plugging program was prepared  
21 by you?

22 A That is correct.

23 Q Thank you. And now would you give us the  
24 exhibits for Case 8489?

25 A Yes, I will. Case 8489, the John C. Sut-  
ton No. 1.

Exhibit Number One again is a map that I  
put together showing the well location within the munici-



1  
2 pality of Farmington.

3 Case--excuse me, Exhibit Number Two is a  
4 copy of a 3x5 card in our files indicating that the pool was  
5 the Kutz-Fulcher Pictured Cliffs.

6 Spudded 6-27, 1925; completed 1-18, 1926  
7 for the TD of 512 feet.

8 And in the remarks section, P&A. We  
9 don't know that means.

10 Exhibit Number Three is a copy of a form  
11 out of our files disputing the well location, showing it 304  
12 feet from the south and 224 feet from the west of the  
13 northwest of the northeast of the southwest of Section 12,  
14 29 North, 13 West. However, the well has been located as  
15 given in the advertisement.

16 In the remarks section: IP dry; P&A 1931.  
17 January.

18 Exhibit Number Four is a copy of the--of  
19 a form of the Division's showing that the Ojo Alamo is on  
20 the surface and the Farmington sandstone was the lowest for-  
21 mation penetrated.

22 Exhibit Number Five again is a copy of  
23 the Division approved plugging program.

24 Q And as in the other cases, you've pre-  
25 pared the plugging program for this one?

A That is correct.

Q Would you now go through the exhibits for  
Case 8490?

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2           A           Yes.    In Case 8490, the Blake No. 1,  
3 again the Exhibit Number One is a map of the well location  
4 within the municipality of Farmington, with an accompanying  
5 photograph showing the actual well.

6                   Exhibit Number Two is a copy of a 3x5  
7 card showing that the well was spudded November 1906,  
8 completed April 1907, which we dispute. A later exhibit  
9 will show why.

10                   Showing a total depth of 2730 feet with a  
11 casing record, 8-inch at 1100 feet, 6-inch at question mark,  
12 6-5/8 at 2400 feet. And in the remarks section, abandoned.

13                   We believe that the 8-inch casing has  
14 been pulled because of the improbability of the 6-5/8 being  
15 run through the 8-inch.

16                   Exhibit Number Three is a copy of our  
17 record indicating that the pool was the Farmington,  
18 essentially the same information.

19                   The producing formation was the Menafee.  
20 Productive depth or interval was 2610 to 2730.

21                   And then over here on the side: artesian  
22 water. Abandoned January 1932. P&A, question mark, January  
23 1939.

24                   Exhibit Number Four is a copy of a form  
25 out of our files indicating that the surface formation was  
the Kirtland and that the lowest formation penetrated was  
the Menafee.

Exhibit Number Five is a schematic that I

1  
2 prepared showing 8-inch set at 1100 feet, presumed pulled  
3 prior running a 6-5/8. 6-5/8 set at 2400 feet. Cementing  
4 history is not known. And with a total depth of the well at  
5 2730 and an open hole of 330 feet.

6 Exhibit Number Six is a copy of a  
7 newspaper article which I obtained, dated February--excuse  
8 me, Friday, October 16, 1896, talking about "Farmington has  
9 a burning well at 300 feet in depth. Mr. S. S. Blake, sink-  
10 ing an artesian well on his ranch adjoining Farmington,  
11 several months ago at a depth of 300 feet struck natural gas  
12 which when lighted at the mouth of the well flames up a foot  
13 or more in height. The force is but little at present, but  
14 were the well to be bored 200 or possibly 100 feet deeper it  
15 would undoubtedly be greatly increased." And the article is  
16 in the same vein all the way through.

17 And of course that disputes the spud date  
18 in our records.

19 Exhibit Number Seven again is a copy of  
20 the Division approved plugging program.

21 Q I assume the plugging program was pre-  
22 pared by you.

23 A That is correct.

24 Q Mr. Bush, as to each of these wells which  
25 you've gone through the exhibits for in Cases 8485 through  
8490, is it your opinion that a failure to plug these wells  
could cause waste, contaminate fresh water resources, or  
otherwise present a safety hazard?

1  
2           A           Yes, indeed.

3           Q           As to any particular ones, would you  
4 elaborate for the Examiner your professional opinion as to  
5 how you believe such wells might either cause waste,  
6 contaminate fresh water resources, or present a hazard?

7           A           Yes, certainly. Since many of these  
8 wells it's not known exactly what we do have. The waste can  
9 come from contamination of other productive intervals or  
10 that the productive interval may filter off into the zone  
that is open within this well.

11                   As to the second, which was hazard.  
12 Certainly these could be hazardous within the municipality  
13 of Farmington. Every one of them is located within the  
14 Farmington city limits and one, the Umbenhour No. 1, is  
15 located right next to an elementary school.

16                   The Blake No. 1 is bubbling gas.

17                   Well, generally, they certainly could  
18 create a hazard to life and limb and livestock and that type  
of thing.

19           Q           Mr. Bush, even though you've testified  
20 that our records indicate that some of these wells have been  
21 plugged, you also indicated that they were plugged with  
22 shale. I assume that that is no longer an acceptable  
23 plugging process?

24           A           That's right. That's right and at the  
25 onset of the Commission it was--our limited knowledge of the  
industry and the ramifications and also the extent of the

1  
2 gas production in the San Juan Basin. We didn't know what  
3 the results would be.

4 Q And as to each of these wells your recom-  
5 mended plugging program was contained as an exhibit for each  
6 of the cases?

7 A That's correct.

8 MR. TAYLOR: That's all the  
9 questions I believe I have, Mr. Examiner.

10 And I'd like to move the admis-  
11 sion of the exhibits for each of these cases.

12 MR. STOGNER: All the exhibits  
13 presented will be admitted into evidence at this time.

14 CROSS EXAMINATION

15 BY MR. STOGNER:

16 Q Mr. Bush, I'd like to ask questions now  
17 on Case 8485. That would be the Palmer Well No. 1?

18 A Yes, sir.

19 Q (Tape turned and some words lost  
20 here)...located at the wellbore itself?

21 A No, it has not, Mr. Examiner.

22 Q But you do know that it's not 300 foot  
23 from the north line and 300 foot from the east line?

24 A That's correct. We know this because the  
25 landowner indicated approximately where it is.

Q But the 300 foot distance was the last  
known purported location on our well file?

A Yes, sir. That is correct.

1  
2 Q But you believe it could be in the quar-  
3 ter quarter section known as Unit A?

4 A That's correct. We believe it to be ap-  
5 proximately 300 feet from Airport Drive--or excuse me, from  
6 the east line of Section 17, and--let's see--the only other  
7 footage I have is 50 feet from the south of the Glade  
8 Arroyo.

9 Q Mr. Bush, this--

10 A Yes, sir.

11 Q --land tract that this well is on, is  
12 that a motel, or a Putt-Putt golf course, if I remember  
13 right.

14 A Now, the well was originally believed un-  
15 derneath the--to be underneath the motel. However, we now  
16 believe it to be under the trailer park.

17 Q Okay. You mentioned also that J. Warren  
18 Miller was the operator?

19 A Yes, sir.

20 Q Where did you get that information?

21 A That information, Mr. Examiner, is on the  
22 copy of the plugging bond, I believe. Maybe I'm not cor-  
23 rect.

24 Q I show that plugging bond that you refer  
25 to dated 1927?

A Yes.

Q San Juan Petroleum Corporation as the  
operator. But I don't see Mr.--

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A --J. Warren Miller's name on there.

Oh, I'm sorry. This is my error. It was the operator--the landowner that indicated that--

Q Okay.

A --that it was J. Warren Miller. I neglected to show that as an exhibit.

Q Okay. Has the bonding corporation out of San Francisco replied to the letter dated February 18th?

A Not to my knowledge.

Q Okay. Thank you, Mr. Bush.

Now, let's go to Case No. 8486. You said--has this well been actually located?

A No, it has not.

Q And you say it's next to an elementary school?

A Yes, it is.

Q Hopefully the elementary school is not over the well.

A That's right. It's right next to the playground.

Q But you still believe this to be in the quarter quarter section, the southeast of the southwest?

A Yes.

Q Okay. Now then, in this particular well we show Warren J. Miller as an operator and also we have some other documents that show San Juan Petroleum Company as an operator, is that correct?

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A That's correct.

Q Has the bonding company replied to the February 18th letter?

A Not to my knowledge.

Q Case No. 8487. Has this well been actually located?

A I've not physically seen the well. The landowner pointed right to the spot, said, "dig there."

Q Okay. Is this a vacant lot?

A It's right in front of an apartment building.

Q How close to the apartment building did this man say, "dig here?"

A About 10 feet.

Q Okay. Let's go to 8488. Has this well been located?

A Again, again no. Again, the landowner pointed to the spot.

Q Now, this looks like it's on the outskirts of town. Is this one out in a vacant lot?

A No, the City of Farmington has just erected a municipal operations center right next to it.

Q How close?

A About 50 feet.

Q Better. 8489. Has this well been located? I believe you said that the location was correct on this one.



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A Yes.

Q Okay.

A However, the well is not visible. The landowner simply said, "I used to light matches that light a little fire down here when I was a youth, to stay warm."

Q What's on top of this well?

A A field.

Q Oh, good. Okay, let's go to 8490.

On Exhibit One you have a photograph.

A Yes.

Q Is this well actually bubbling water?

A Yes, it is.

Q About what rate, approximately?

A Actually--actually it's quite deceiving. The--it's not bubbling that much water, Mr. Examiner. The gas gives the illusion that it is. We've been monitoring it and a very very slow rate of issuance. I'm sorry, I have not measured the issuance of the water.

Q Okay. Just approximate.

So there is a little gas mixed with the water coming up?

A Yes.

Q Is that ignitable?

A Yes, it is.

Q Hm. All right. Let's see, if I remember right, Drake Well Servicing Yard is around this area.

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2           A           Well, yes. It's not that close, however.  
3 The closest--let's see--the closest building would be  
4 probably 200 feet. It's out--the problem with this well,  
5 however, is that the county is going to put a highway  
6 through there and also a bridge across the river right  
7 through that well.

8           Q           Well, Farmington needs another bridge  
9 across the river there.

10                   Obviously, this well has been located.

11           A           That's correct.

12           Q           Okay. I have no further questions of  
13 this witness.

14                   MR. STOGNER: Is there anything  
15 further in this case, in this witness, Mr. Taylor?

16                   MR. TAYLOR: Mr. Examiner, I'd  
17 just like to point out that because most of these wells have  
18 not been located, that we need to provide in the order that  
19 in addition to plugging, the servicing company needs to lo-  
20 cate the well. And I recommend that because of the danger  
21 posed by some of these wells that a minimum time be allowed  
22 for the operators or owners to show cause before we actually  
23 have the wells plugged.

24                   MR. STOGNER: Thank you, Mr.  
25 Taylor. That will be noted.

                  Okay, I have no further ques-  
tions of this witness. He may be excused.

                  Is there anything further in

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any of the cases between 8485 and 8490 at this time?

If not, these cases will be taken under advisement.

(Hearing concluded.)

## C E R T I F I C A T E

I, SALLY W. BOYD, C.S.R., DO HEREBY  
CERTIFY that the foregoing Transcript of Hearing before the  
Oil Conservation Division was reported by me; that the said  
transcript is a full, true, and correct record of the  
hearing, prepared by me to the best of my ability.

Sally W. Boyd CSR

I do hereby certify that the foregoing is  
a complete and correct transcript of the proceedings in  
the Examiner hearing of case nos. 8485, 8486, 8487,  
8488, 8489, + 8490 heard by me on 27 February 1985.  
Michael S. Haynes Examiner  
Oil Conservation Division