

70-2-1. Short title.

Sections 70-2-1 through 70-2-36 NMSA 1978 may be cited as the "Oil and Gas Act."

History: 1953 Comp., § 65-3-1.1, enacted by Laws 1977, ch. 237, § 1.

Law reviews. — For article, "New Mexican

Nationalism' and the Evolution of Energy Policy in New Mexico," see 17 Nat. Resources J. 283 (1977).

70-2-2. [Waste prohibited.]

The production or handling of crude petroleum oil or natural gas of any type or in any form, or the handling of products thereof, in such manner or under such conditions or in such amounts as to constitute or result in waste is each hereby prohibited.

History: Laws 1935, ch. 72, § 1; 1941 Comp., § 69-202; Laws 1949, ch. 168, § 1; 1953 Comp., § 65-3-2.

Cross-references. — As to regulation and conservation of carbon dioxide gas, see 70-2-34 NMSA 1978.

Legislative intent. — Primary concern of oil and gas legislation is eliminating and preventing waste in the pool so far as it can practicably be done, and also the protection of correlative rights of producers from the pool. *El Paso Natural Gas Co. v. Oil Conservation Comm'n*, 76 N.M. 268, 414 P.2d 496 (1966).

Two fundamental powers and duties of commission are prevention of waste and protection of correlative rights. *Continental Oil Co. v. Oil Conservation Comm'n*, 70 N.M. 310, 373 P.2d 809 (1962).

Elements of property rights of natural gas owners. — The legislature has stated definitively the elements contained in property rights of natural gas owners. Such right is not absolute or unconditional. It consists of merely (1) an opportunity to produce, (2) only insofar as it is practicable to do so, (3) without waste, (4) a proportion, (5) insofar as it can be practically determined and obtained without waste, (6) of gas in the pool. *Continental Oil Co. v. Oil Conservation Comm'n*, 70 N.M. 310, 373 P.2d 809 (1962).

Protection of correlative rights. — Although subservient to prevention of waste and perhaps to practicalities of the situation, the protection of correlative rights must depend upon the commission's findings as to the extent and limitations of the right. This the commission is required to do under legislative mandate. *Continental Oil Co. v. Oil Conservation Comm'n*, 70 N.M. 310, 373 P.2d 809 (1962).

Keeping of false records actionable offense. — The Connally Hot Oil Act (15 U.S.C. § 715 et seq.) applies only to those states which have in effect proration statutes for the purpose of preventing waste of oil and gas resources, encouraging conservation of oil and gas deposits, etc., and New Mexico is among those states which has enacted a valid comprehensive

oil conservation law; since Connally Act applies to this state, keeping of false records, though not in violation of any New Mexico proration order, constitutes an actionable offense under Connally Act. *Humble Oil & Ref. Co. v. United States*, 198 F.2d 753 (10th Cir.), cert. denied, 344 U.S. 909, 73 S. Ct. 328, 97 L. Ed. 701 (1952).

Forfeiture of lease denied. — Lessors of oil and gas lease could not declare balance of 40-acre tract (i.e., all except 10-acre tract a producing well was on) retained after selling interests without reservation in another undrilled 40-acre area included in the original lease, as forfeited because of lease provision that lessee was to drill or start to drill a second well or forfeit the lease, in view of order promulgated pursuant to this act which prevented drilling of second well on the retained 40-acre tract. *Thompson v. Greer*, 55 N.M. 335, 233 P.2d 204 (1951).

Law reviews. — For article, "Compulsory Pooling of Oil and Gas Interests in New Mexico," see 3 Nat. Resources J. 316 (1963).

For article, "New Mexican Nationalism' and the Evolution of Energy Policy in New Mexico," see 17 Nat. Resources J. 283 (1977).

Am. Jur. 2d, A.L.R. and C.J.S. references. — 38 Am. Jur. 2d Gas and Oil §§ 157, 158.

Constitutionality of statute limiting or controlling exploitation or waste of oil and gas, 24 A.L.R. 307; 78 A.L.R. 834.

Constitutionality of statute or ordinance limiting production and preventing waste, 67 A.L.R. 1347; 99 A.L.R. 1119.

Constitutionality of statute regulating petroleum production, 86 A.L.R. 418.

Construction, application, and effect of statutes regulating production of oil or gas in a manner or under conditions constituting waste, 86 A.L.R. 431.

Rights and remedies of owner or lessee of oil or gas land on mineral or royalty interest therein, in respect of waste of oil or gas through operations on other lands, 4 A.L.R.2d 198.

58 C.J.S. Mines and Minerals § 234.

70-2-3. Waste; definitions.

As used in this act the term "waste," in addition to its ordinary meaning, shall include:

A. "underground waste" as those words are generally understood in the oil and gas business, and in any event to embrace the inefficient, excessive or improper, use or dissipation of the reservoir energy, including gas energy and water drive, of any pool, and the locating, spacing, drilling, equipping, operating or producing, of any well or wells in a manner to reduce or tend to reduce the total quantity of crude petroleum oil or natural gas ultimately recovered from any pool, and the use of inefficient underground storage of natural gas;

(3) to require reports showing locations of all oil or gas wells and for the filing of logs and drilling records or reports;

* (4) to prevent the drowning by water of any stratum or part thereof capable of producing oil or gas or both oil and gas in paying quantities and to prevent the premature and irregular encroachment of water or any other kind of water encroachment which reduces or tends to reduce the total ultimate recovery of crude petroleum oil or gas or both oil and gas from any pool;

(5) to prevent fires;

(6) to prevent "blow-ups" and "caving" in the sense that the conditions indicated by such terms are generally understood in the oil and gas business;

(7) to require wells to be drilled, operated and produced in such manner as to prevent injury to neighboring leases or properties;

(8) to identify the ownership of oil or gas producing leases, properties, wells, tanks, refineries, pipelines, plants, structures and all transportation equipment and facilities;

* (9) to require the operation of wells with efficient gas-oil ratios and to fix such ratios;

(10) to fix the spacing of wells;

(11) to determine whether a particular well or pool is a gas or oil well or a gas or oil pool, as the case may be, and from time to time to classify and reclassify wells and pools accordingly;

(12) to determine the limits of any pool producing crude petroleum oil or natural gas or both and from time to time redetermine the limits;

(13) to regulate the methods and devices employed for storage in this state of oil or natural gas or any product of either, including subsurface storage;

(14) to permit the injection of natural gas or of any other substance into any pool in this state for the purpose of repressuring, cycling, pressure maintenance, secondary or any other enhanced recovery operations;

(15) to regulate the disposition of water produced or used in connection with the drilling for or producing of oil or gas or both and to direct surface or subsurface disposal of the water in a manner that will afford reasonable protection against contamination of fresh water supplies designated by the state engineer;

(16) to determine the limits of any area containing commercial potash deposits and from time to time redetermine the limits;

(17) to regulate and, where necessary, prohibit drilling or producing operations for oil or gas within any area containing commercial deposits of potash where the operations would have the effect unduly to reduce the total quantity of the commercial deposits of potash which may reasonably be recovered in commercial quantities or where the operations would interfere unduly with the orderly commercial development of the potash deposits;

(18) to spend the oil and gas reclamation fund and do all acts necessary and proper to plug dry and abandoned oil and gas wells in accordance with the provisions of the Oil and Gas Act and the Procurement Code [13-1-28 to 13-1-199 NMSA 1978], including disposing of salvageable equipment and material removed from oil and gas wells being plugged by the state;

(19) to make well price category determinations pursuant to the provisions of the Natural Gas Policy Act of 1978 or any successor act and, by regulation, to adopt fees for such determinations, which fees shall not exceed twenty-five dollars (\$25.00) per filing. Such fees shall be credited to the account of the oil conservation division by the state treasurer and may be expended as authorized by the legislature; and

(20) to regulate the construction and operation of oil treating plants and to require the posting of bonds for the reclamation of treating plant sites after cessation of operations.

History: 1953 Comp., § 65-3-11, enacted by Laws 1978, ch. 71, § 1; 1986, ch. 76, § 1; 1987, ch. 234, § 61.

Cross-references. — For filing rules and regula-

tions, see 14-4-1 NMSA 1978. As to public utilities commission's lack of power to regulate sale price at well head, see 62-6-4 NMSA 1978.

Repeals and reenactments. — Laws 1978, ch. 71,

For the purpose of taking under further advisement, the Commission reserves herein for a supplemental order the matters in this case in so far as they relate to the transportation of oil and the products thereof by means other than by pipe line.

DONE at Santa Fe, New Mexico, this 13th day of January, 1940.

NEW MEXICO OIL CONSERVATION COMMISSION

By FRANK WORDEN, Commissioner of
Public Lands

(SEAL)

By A. ANDREAS, State Geologist

With regard to Case No. 19, the Commission having had the matters therein under advisement after having held a hearing thereon with notice as provided by law, the Commission adopted the following orders:

BEFORE THE OIL CONSERVATION
COMMISSION OF THE STATE OF
NEW MEXICO

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

CASE NO. 19.

THE ADOPTION OF REGULATIONS GOVERNING
GAS-OIL RATIOS IN THE VARIOUS PRODUCING
FIELDS IN NEW MEXICO.

ORDER NO. 236.

ORDER OF THE COMMISSION SETTING A TIME FOR
THE PURPOSE OF PRESENTING OBJECTIONS TO THE
COMMISSION AS TO ORDER NO. 238 OF THE COMMISSION
(REGULATING AND PRESCRIBING MAXIMUM GAS-OIL
RATIOS FOR THE VARIOUS FIELDS OF THE STATE OF
NEW MEXICO) AND AS TO ORDER NO. 237 OF THE
COMMISSION (PRESCRIBING RULES AND REGULATIONS
FOR GAS-OIL RATIO SURVEYS IN NEW MEXICO).

BY THE COMMISSION:

This cause came on for hearing at ten o'clock A. M. on the 9th day of December, 1939, in the chamber of the House of Representatives, in the State Capitol, Santa Fe, New Mexico.

NOW, on this 13th day of January, 1940, the Commission having before it for consideration the evidence adduced at the hearing in said case and being fully advised in the premises, the Commission adopted the following order simultaneously with the adoption of the two orders named hereinbelow:

This case is continued to Monday, March 4, 1940, at ten o'clock A. M., at the State Capitol, Santa Fe, New Mexico, for the purpose of presenting to the Commission the objections which any party in interest may have as to the orders of the Commission described hereinbelow in order that said orders may be respectively revised as the exigencies may require:

Order No. 238 of the Commission, regulating and prescribing maximum gas-oil ratios for the various fields of the State of New Mexico.

Order No. 237 of the Commission, prescribing rules and regulations for gas-oil ratio surveys in New Mexico.

DONE at Santa Fe, New Mexico, this 13th day of January, 1940.

NEW MEXICO OIL CONSERVATION COMMISSION

(SEAL) By FRANK WORDEN, Commissioner of Public Lands
By A. ANDREAS, State Geologist.

BEFORE THE OIL CONSERVATION
COMMISSION OF THE STATE
OF NEW MEXICO

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

CASE NO. 19.

THE ADOPTION OF REGULATIONS GOVERNING
GAS-OIL RATIOS IN THE VARIOUS PRODUCING
FIELDS IN NEW MEXICO.

ORDER NO. 237.

ORDER OF THE COMMISSION PRESCRIBING
RULES AND REGULATIONS FOR GAS-OIL
RATIO SURVEYS IN NEW MEXICO.

BY THE COMMISSION:

This cause came on for hearing at ten o'clock A. M. on the 9th day of December, 1939, in the chamber of the House of Representatives, in the State Capitol, Santa Fe, New Mexico.

NOW, on this 13th day of January, 1940, the Commission having before it for consideration the evidence adduced at the hearing in said case and being fully advised in the premises, the Commission adopted the order herein simultaneously with the adoption of:

Order No. 236 of the Commission, setting a time for the purpose of presenting objections to the Commission as to Order No. 238 of the Commission (Regulating and prescribing maximum gas-oil ratios for the various fields of the State of New Mexico) and as to Order No. 237 of the Commission (prescribing rules and regulations for gas-oil ratio surveys in New Mexico.)

Order No. 238 of the Commission, regulating and prescribing maximum oil-gas ratios for the various fields of the State of New Mexico.

The rules and regulations set out hereinbelow shall govern gas-oil ratio surveys in New Mexico:

All operating gas-oil ratio tests shall be taken under the supervision of the Oil Conservation Commission of New Mexico.

DUTIES OF THE OIL CONSERVATION COMMISSION:

(1) Assemble the information supplied by the operators as recommended in Section 3 herein, and arrange test schedule; (2) to assign engineers to supervise tests except that such engineer shall not be in charge of the test on his employers property; (3) to properly instruct all engineers in the proper operation of measuring equipment and procedure in conducting the tests; (4) to calibrate and maintain all metering equipment in first-class condition; (5) to furnish, calculate, record and file all gas measurement charts and records; (6) compute all gas-oil ratios; (7) determine whether the test was properly conducted, and if necessary schedule retests.

DUTIES OF THE ENGINEER IN CHARGE OF TESTS:

The duties of the engineer are restricted to: (1) The supervision of the installation of the gas measuring equipment; (2) the proper operation of the equipment; (3) the proper gauging of the lease tanks to accurately determine the production of oil and water; (4) the proper recording of the pertinent data required; (5) the supervision of the placing of seals or locking devices.

DUTIES OF THE OPERATOR:

The operator shall: (1) in accordance with existing rules and regulations of the Conservation Commission, each well shall be equipped to conveniently make a gas-oil ratio test; (2) furnish the Oil Conservation Commission a complete list of his wells showing the type of metering equipment best adaptable for accurate gas measurement in accordance with rules contained herein; such information shall include the size of vent line, size of orifice flange or connection available, and if possible, the desirable size of orifice in the orifice plate; (3) furnish sufficient and qualified lease labor to install and manipulate all lease equipment, including the installation and/or changing orifice, raising or lowering vent lines, etc.

MANNER OF TESTING:

1. For the purpose of stabilization, each well shall be produced for a period of 24 hours at a rate as nearly as possible to the normal manner of operation but not less than the daily allowable.
2. Lease tanks shall be gauged by the supervisor at the beginning and end of this stabilization period.
3. No change shall be made which affects the rate of production during the last 18 hours of stabilization period.
4. The test period shall consist of 24 hours. Oil shall be gauged for the full period and gas shall be measured for a period of at least six hours.

5. In case of a heading or stop-cocked well the gas shall be measured for the full 24 hour period.

6. If for any reason should gas be withdrawn from the casing, this volume of gas shall be added to that produced through tubing in computing the gas-oil ratio and such gas shall be measured for the full 48 hours of stabilization and test periods, and the largest volume whether the first or second 24 hour period, shall be used in computing the gas-oil ratio.

7. For gas-lift or jetted wells the total volume of gas to be used in computing the operating gas-oil ratio is the total output volume minus the total input volume.

LIQUID MEASUREMENTS:

1. All tanks shall be gauged to the nearest 1/8 inch. Care should be exercised to keep the gauge line taut and in case there are ripples or foam on the oil surface the tank should be allowed to stand until the fluid reaches equilibrium and the foam can be brushed aside.

2. Tanks shall be thieved immediately before and after the test and water percentage determined in accordance with the A.P.I. specifications.

3. The total volume of liquid produced shall be calculated in accordance with the latest pipeline strapping tables of the tanks.

4. The net volume of oil shall be the total volume of fluid less the volume of B.S. and W. as determined by Paragraph 2 above.

5. Fluid level must be maintained relatively constant, such that the oil dump valve is covered at all times by at least 12 inches of liquid.

6. If it is necessary to use a flow tank for the separation of water the water-oil level must be the same at the beginning and end of the test and the water removed from the flow tank must be measured or metered.

7. All liquid measurements shall be in barrels of 42 gallons and shall be carried to the second decimal.

GAS MEASUREMENT:

1. A calibrated pressure gauge shall be installed on each separator and readings taken periodically. In the event the operator chooses to conduct the test at abnormally high pressures, a recording pressure gauge will be installed on the separator and the measured gas-oil ratio may be increased by the measured or estimated volume of gas going to the tanks. Estimated volume shall be based on the gas-solubility vs. pressure curves for the field or area in which the well is located.

2. For computing the volume of all gas produced the standard of pressure shall be 10 oz. above an atmospheric pressure of 14.4 lbs/sq. in., the standard temperature shall be 60° F. and the standard of specific gravity shall be 0.85 as compared to air. All measurements of gas shall be adjusted by computation to these standards. In case the gas measurement is made at an abnormally high pressure the measurement may be adjusted in accordance to deviation from Boyles Law. Gas volumes will be computed in cubic feet and gas-oil ratios in cubic feet per barrel of oil.

3. Only recording type gas measuring devices may be used.

4. Orifice well testers, orifice meters and side pressure test nipples are approved as measuring devices and the side pressure test nipples are approved only when it is necessary to measure volumes larger than can conveniently be measured by orifice meter.

ANY WELL THAT CANNOT BE TESTED UNDER THE PRECEDING RULES SHALL BE REFERRED TO THE OIL CONSERVATION COMMISSION FOR SPECIAL CONSIDERATION AND RULES.

ALL WELLS MUST BE TESTED.

Done at Santa Fe, New Mexico, this 13th day of January, 1940.

NEW MEXICO OIL CONSERVATION COMMISSION

By FRANK WORDEN
Commissioner of Public Lands

(SEAL)

By A. ANDREAS
State Geologist

BEFORE THE OIL CONSERVATION
COMMISSION OF THE STATE
OF NEW MEXICO

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

CASE NO. 19.

ORDER NO. 238.

THE ADOPTION OF REGULATIONS GOVERNING
GAS-OIL RATIOS IN THE VARIOUS PRODUCING
FIELDS IN NEW MEXICO.

ORDER OF THE COMMISSION
REGULATING AND PRESCRIBING MAXIMUM
GAS-OIL RATIOS FOR THE VARIOUS FIELDS
OF THE STATE OF NEW MEXICO

BY THE COMMISSION:

This cause came on for hearing at ten o'clock A. M. on the 9th day of December, 1939, in the chamber of the House of Representatives, in the State Capitol, Santa Fe, New Mexico.

NOW, on this 13th day of January, 1940, the Commission having before it for consideration the evidence adduced at the hearing in said case and being fully advised in the premises, the Commission adopted the following regulations governing gas-oil ratios in the various producing fields in New Mexico, as follows:

The system of gas-oil ratio control in the State of New Mexico shall be known as that of volumetric control, which penalizes the unit of production for exceeding the maximum gas volume established for each field by decreasing its monthly allowable in accordance with the formula as provided hereinafter.

The maximum gas-oil ratio assigned to each field in New Mexico is listed below:

FIELD	RATIOS
Cooper	10,000
Eaves	4,000
Eunice	7,000
West Eunice	1,000
Halfway	1,000
Hardy	5,000
Hobbs	3,500
Jal	10,000
Langlie	5,000
Lynch	1,000
Lynn	3,000
Mattix	5,000
Monument	5,000
N. Lynch	1,000
Penrose	7,000
Rhodes	1,000
Skaggs	1,000
Skelly	5,000
S. Eunice	5,000
S. Lovington	1,500
Vacuum	2,000
Artesia	1,000
Grayburg-Jackson	1,000
High Lonesome	1,000
Leonard	1,000
Loco Hills	1,000
Maljamar	1,000
N. Maljamar	1,000
Red Lakes	1,000
Robinson	1,000
Shugart	1,000
Barber	1,000
Getty	1,000

1. Any oil producing unit with a net gas-oil ratio in excess of the assigned maximum for the field in which it is situated as listed in the table above shall be allowed to produce daily a total volume of oil which, when multiplied by the gas-oil ratio of the unit will result in a total gas volume that does not exceed the allowance per top allowable unit as fixed in the current monthly proration schedule of the Commission for the field in which the unit is situated times the gas-oil ratio for said field. Provided, that nothing herein contained shall have the effect of increasing the oil allowable of any unit above that fixed in the current proration schedule.

2. All units to which gas-oil ratio corrections are applied shall be set up in the proration schedule first and the remaining oil equitably reallocated to the other producing units in the state.

3. A marginal well shall be permitted to produce the same total volume of gas which it would be permitted to produce if it were a non-marginal well.

4. In the event that gas-oil ratios are not reported for any unit, then that unit will be omitted from the proration schedule.

5. The gas-oil ratio used in calculating penalties for any producing unit shall be those reported immediately prior to the beginning of the proration period on form C-104A or those measured under the supervision of the Oil Conservation Commission.

DONE at Santa Fe, New Mexico, this 13th day of January, 1940.

NEW MEXICO OIL CONSERVATION COMMISSION

By FRANK WORDEN
Commissioner of Public Lands

(SEAL)

By A. ANDREAS
State Geologist

There being no further business the meeting adjourned.

OIL CONSERVATION COMMISSION

FRANK WORDEN, Commissioner of Public Lands

A. ANDREAS, State Geologist


Secretary

MINUTES OF THE MEETING OF THE
OIL CONSERVATION COMMISSION
HELD ON WEDNESDAY, MARCH 27, 1940.

The Commission met in the office of the Oil Conservation Commission on Wednesday, March 27, 1940.

Present:

Frank Worden, Commissioner of Public Lands,
Secretary

A. Andreas, State Geologist.

The Minutes of the meeting of March 26, 1940, as recorded in the Minutes Book of the Commission, were approved.

In Case No. 19, the Commission adopted, as an order of temporary nature, pending the adoption of a final order, pursuant to the recessed hearing in said case held on March 5, 1940, Order No. 250 regulating and prescribing maximum gas-oil ratios for the various fields of the State of New Mexico and vacating Gas-Oil Ratio Order No. 238, which order No. 250 is set out in full as follows:

BEFORE THE OIL CONSERVATION
COMMISSION OF THE STATE
OF NEW MEXICO

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

CASE NO. 19.

THE ADOPTION OF REGULATIONS GOVERNING
GAS-OIL RATIOS IN THE VARIOUS PRODUCING
FIELDS IN NEW MEXICO.

ORDER NO. 250.

ORDER OF THE COMMISSION
REGULATING AND PRESCRIBING MAXIMUM
GAS-OIL RATIOS FOR THE VARIOUS FIELDS
OF THE STATE OF NEW MEXICO, AND VACATING
GAS-OIL RATIO ORDER NO. 238.

BY THE COMMISSION:

WHEREAS, pursuant to the hearing in this cause held on the 9th day of December, 1939, in the Chamber of the House of Representatives in the Capitol, Santa Fe, New Mexico, the Commission on the 13th day of January, 1940, adopted gas-oil ratio order No. 238 of a temporary nature in this, to-wit: Simultaneously with the adoption of said order, the Commission adopted Order No. 236 continuing this cause to Monday, March 4, 1940, at ten o'clock A. M. at the Capitol, Santa Fe, New Mexico, for the purpose of presenting to the Commission the objections which any party in interest may have as to said Order, in order that it may be revised as the exigencies may require.

WHEREAS, said continued hearing was opened on March 4 at the hour and place as indicated hereinabove, and upon oral motion presented to the Commission said hearing was further continued to ten o'clock A. M., Tuesday, March 5,

1940, and was accordingly held on said date and at said hour in the Chamber of the House of Representatives.

NOW, on this 27th day of March, 1940, the Commission having before it for consideration the evidence adduced at said recessed hearing in said case and being fully advised in the premises, the Commission finds that before promulgating a final order governing gas-oil ratios, a further order of temporary nature is advisable, pending the completion of the gas-oil ratio survey now in progress under the supervision of the Commission pursuant to Order No. 237 prescribing rules and regulations for gas-oil ratio surveys promulgated in this cause, and the securing of additional field data incident to such gas-oil ratio survey, and therefore makes reservation herein for the issuance of a final order in this cause and promulgates as such further temporary order the following regulations governing gas-oil ratios in the various producing fields of the State of New Mexico, as follows:

1. This order is effective from April 1, 1940, until a final order in this cause is adopted and on April 1, 1940, the order herein vacates and sets aside said gas-oil ratio order No. 238.

2. The system of gas-oil ratio control in the State of New Mexico shall be known as that of volumetric control, which penalizes the unit of production for exceeding the maximum gas volume established for each field by decreasing its monthly allowable in accordance with the formula as provided hereinafter.

3. The maximum gas-oil ratio assigned to each field in New Mexico is listed below:

<u>FIELD</u>	<u>RATIOS</u>
Arrowhead	5,000
Cooper	10,000
Eaves	7,000
Eunice.	7,000
West Eunice	2,000
Halfway	2,000
Hardy	5,000
Hobbs	4,000
Jal.	10,000
Langlie	7,000
Lynch	2,000
Lynn.	5,000
Mattix.	7,000
Monument.	6,000
N. Lynch.	2,000
N. Penrose.	7,000
Rhodes.	2,000
Skaggs.	5,000
Skelly.	7,000
S. Eunice	7,000
S. Lovington.	2,000
S. Penrose.	7,000
Vacuum.	2,000
Artesia	2,000

<u>FIELD</u>	<u>RATIOS</u>
Grayburg-Jackson	4,000
High-Lonesome.	2,000
Leonard.	2,000
Loco Hills	2,000
Maljamar	4,000
N. Maljamar.	4,000
Red Lakes.	2,000
Robinson	2,000
Shugart.	2,000
Barber	2,000
Getty.	2,000

4. Any oil producing unit with a net gas-oil ratio in excess of the assigned maximum for the field in which it is situated as listed in the table above shall be allowed to produce daily a total volume of oil which, when multiplied by the gas-oil ratio of the unit will result in a total gas volume that does not exceed the allowance per top allowable unit as fixed in the current monthly proration schedule of the Commission for the field in which the unit is situated times the gas-oil ratio for said field. Provided, that nothing herein contained shall have the effect of increasing the oil allowable of any unit above that fixed in the current proration schedule.

5. All units to which gas-oil ratio corrections are applied shall be so indicated in the proration schedule.

6. A marginal well shall be permitted to produce the same total volume of gas which it would be permitted to produce if it were a non-marginal well.

7. In the event that gas-oil ratios are not reported for any unit, then that unit will be omitted from the proration schedule.

8. The gas-oil ratio used in calculating penalties for any producing unit shall be those reported immediately prior to the beginning of the proration period on form C-104A or those measured under the supervision of the Oil Conservation Commission.

9. For the purpose of establishing limiting gas-oil ratios the pool designation and boundaries now used by the Commission and Proration Office shall be continued, except: That a new pool area, ARROWHEAD, is designated comprising parts of the former Eunice, South Eunice and Penrose pools and described as follows: E/2 Sec. 34; all Sec. 35 and 36, T. 21S., R. 36E; also E/2 Sec. 3 and 14 and all Sec. 1, 2, 11, 12, 13 and 24, T. 22 S., R. 36 E; and NW/4 and S/2 Sec. 7, W/2 Sec. 17 and 20; all Secs. 18 and 19, T. 22 S., R. 37 E., and that a SOUTH PENROSE and NORTH PENROSE pool be formed by dividing the present Penrose Pool, the limits of each being described as follows: NORTH PENROSE All Sec. 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15 and 16 and NE/4 Sec. 7; also E/2 Sec. 17, T. 22 S., R. 37 E. SOUTH PENROSE All Sec. 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 and E/2 Sec. 20, T. 22 S., R. 37 E., all in Lea County, New Mexico.

10. Within the discretion of the Commission, exceptions may be granted to gas-oil ratio order No. 250 where in particular instances palpable inequities are apparent under the provisions of said order, or where actual waste is not being committed so as to warrant the application of said order. Within the

discretion of the Commission, relief may be granted from absurd, unreasonable and unintended effects resulting in definite instances in carrying out the provisions of said order. Any such exception or relief granted may continue until modified or rescinded as may appear advisable in the discretion of the Commission.

11. Any such exception or reliefs granted by the Commission prior to the effective date of this order are hereby ratified, confirmed and continued until otherwise modified or rescinded as provided herein.

DONE at Santa Fe, New Mexico, on the date hereinabove indicated.

NEW MEXICO OIL CONSERVATION COMMISSION

By FRANK WORDEN, Commissioner of Public Lands

(SEAL) By A. ANDREAS, State Geologist

The Commission adopted Order No. 251 allocating 114,000 barrels of oil per day for domestic markets for the period of April 1 to 15, 1940, and Order No. 252, allocating 114,000 barrels of oil per day for domestic markets for period of April 16 to 30, 1940.

With regard to the Artesia-Grayburg-Jackson-Maljamar Area, the Commission issued Emergency Order No. 253, which is for a continuance of Emergency Order No. 98 for the period of April 1 to 15, 1940.

The Commission considered the petition of the National Surety Corporation to have determined the status of the well known as the Winston Marks well located upon the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, Twp. 25 South, Range 24 East, Colfax County, as an abandoned well and to withdraw casing therefrom and plug said well in accordance with the requirements of the Commission. The Commission granted a hearing upon said petition and set the date for such hearing as April 15, 1940, ten o'clock A. M., at the Capitol, Santa Fe, New Mexico, and ordered and directed the publication of a notice of said hearing as provided by law, which said original notice, executed by a majority of the Commission, is contained in the file of this case which is assigned No. 20.

There being no further business the meeting adjourned.

OIL CONSERVATION COMMISSION

FRANK WORDEN, Commissioner of Public Lands

A. ANDREAS, State Geologist


Secretary

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3. Fields in counties, other than Lea and Eddy, shall be permitted to produce their market demand as long as such can be done without waste.

4. The Order herein replaces Order No. 1, General Proration Order, its amendatory Order No. 45, and Order No. 413, Eddy County Fields Proration Order. Order 235, the Proration Schedule Order, is retained as supplemental to the order herein.

5. Reservation of jurisdiction of this case is made herein for the purpose of promulgating a further order authorizing and directing any common purchaser to take or purchase 100% from wells which produce only 10 barrels or less daily of crude petroleum, in lieu of ratable purchases or takings, in order to preclude premature abandonment of such wells.

That this order shall become effective on the first day of the proration month next succeeding the month in which said Order is adopted.

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

OIL CONSERVATION COMMISSION

Sgd. JOHN J. DEMPSEY, Chairman

Sgd. JOHN M. KELLY, Secretary

SEAL

EXHIBIT B

BEFORE THE OIL CONSERVATION COMMISSION OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION COMMISSION OF
THE STATE OF NEW MEXICO FOR THE PUR-
POSE OF CONSIDERING:

CASE NO. 42
ORDER NO. 545

THE APPLICATION OF THE LEA COUNTY
OPERATORS COMMITTEE FOR A GAS-OIL
RATIO ORDER FOR THE VARIOUS FIELDS
LOCATED IN LEA COUNTY .

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at ten o'clock A.M., April 27, 1943, at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission."

NOW, on this 27th day of July, 1943, the Commission having before it for consideration the testimony adduced at the hearing of said case and being fully advised in the premises, the Commission finds:

FINDINGS

I. That the order herein is reasonable and necessary in the material curtailment of avoidable underground and surface forms of waste affording the owner of each property in a pool the opportunity to produce his just and equitable share of the oil and gas by using his just and equitable share of the reservoir energy of the pool, within the meaning of the basic oil and gas Conservation Law, Chapter 72, Laws of New Mexico 1935, taking into consideration all pertinent factors applicable to the various fields; such as age, state of depletion, character of producing formations, water and gas drive, application of gas to beneficial use, and the returning of the gas to the formation for storage, repressuring and pressure maintenance projects.

IT IS THEREFORE ORDERED:

That the Order herein shall be applicable to the fields in Lea County and shall be known as the:

LEA COUNTY GAS-OIL RATIO ORDER

- 1. (a) The proration unit shall be the unit of proration as defined by the State-wide Proration Order.
- (b) A marginal unit is: for fields having no special proration plan, a proration unit that will not produce the unit top allowable as in the State-wide Proration Order; and for fields having such plans, a proration unit that will not produce the acreage factor allowable thereunder—both during the Gas-Oil Ratio Test.
- (c) A non-marginal unit is: for fields having no special proration plans, a proration unit that will produce the unit top allowable as in the State-wide Proration Order; and for fields having such plans, a proration unit that will produce the acreage factor allowable—both during the Gas-Oil Ratio Test.
- (d) The top unit allowable shall be as in the State-wide Proration Order.
- (e) The gas-oil ratio of a proration unit shall be the total net formation gas produced with the oil from such unit divided by the total net barrels of oil so produced during the Gas-Oil Ratio Test.

- (f) The limiting gas-oil ratios for various fields shall be as in Section 2 hereinbelow.
- (g) A high gas-oil ratio unit shall be a proration unit that exceeds the limiting gas-oil ratio prescribed for the field in which such unit is located.
- (h) A low gas-oil ratio unit shall be a proration unit that does not exceed the limiting gas-oil ratio prescribed for the field in which it is located.
- (i) The gas-oil ratio adjustment shall be as in Section 3 hereinbelow.
- (j) The unadjusted allowable shall be the allowable a proration unit would receive before the gas-oil ratio adjustment is applied.
- (k) The adjusted allowable shall be the allowable a proration unit receives after the gas-oil ratio adjustment is applied.

2. (a) The limiting gas-oil ratios in cubic feet per barrel for the following fields shall be, to wit:

Pool or Area	Gas-Oil Ratio Limit
Arrowhead	3500
Corbin	2000
Eaves	4000
Euunice	6000
Halfway	2000
Hobbs	3500
Lynch	2000
Maljamar	3000
Monument	4000
North Lynch	2000
North Maljamar	2000
Skaggs	5000
South Euunice	6000
South Lovington	2000
South Maljamar	2000
Vacuum	2500
West Euunice	2000
New and undesignated pools	2000

(b) No limiting gas-oil ratio shall be applied in: Hardy, Penrose, Skelly, Maddix, Langlie, Rhodes, Lynn, Cooper and Jal Fields.

3. The system of gas-oil ratio control shall be that of volumetric control, whereby the current oil allowable for a proration unit, under the provisions of the State-wide Proration Order, is adjusted by reason of exceeding the corresponding limiting ratio hereinabove described, in accordance with the following formula:

(a) Any proration unit with a gas-oil ratio in excess of the limiting ratio for the field in which it is located shall be permitted to produce daily that total volume of oil, which, when multiplied by the gas-oil ratio of that unit will result in a total gas volume that does not exceed the current top unit allowable times the limiting gas-oil ratio for such field;

(b) A marginal unit shall be permitted to produce the same total volume of gas which it would be permitted to produce if it were a non-marginal unit.

(c) From the field allocation shall be deducted the amount of oil allocated to marginal units and high gas-oil ratio units, then the remaining oil shall be distributed to the low gas-oil ratio units within the same field in accordance with the field proration plan.

4. No proration units within a repressuring or pressure maintenance project area, where 85% of the total gas withdrawal is returned to the formation shall be effected by the limiting ratios of this order. Such areas shall be those set out by the Commission by order upon hearing as provided by law.

5. All proration units to which gas-oil ratio adjustments are applied shall be so indicated in the Proration Schedule with adjusted allowables stated.

6. The Order herein repeals Order No. 250, except for fields in Eddy County until a further gas-oil ratio order for said county is adopted; and supersedes any other order or part thereof with which this order is in conflict.

7. Reservation of jurisdiction of this case is made herein for the purpose of promulgating the Transfer of Allowables For The Prevention Of Underground Waste Order.

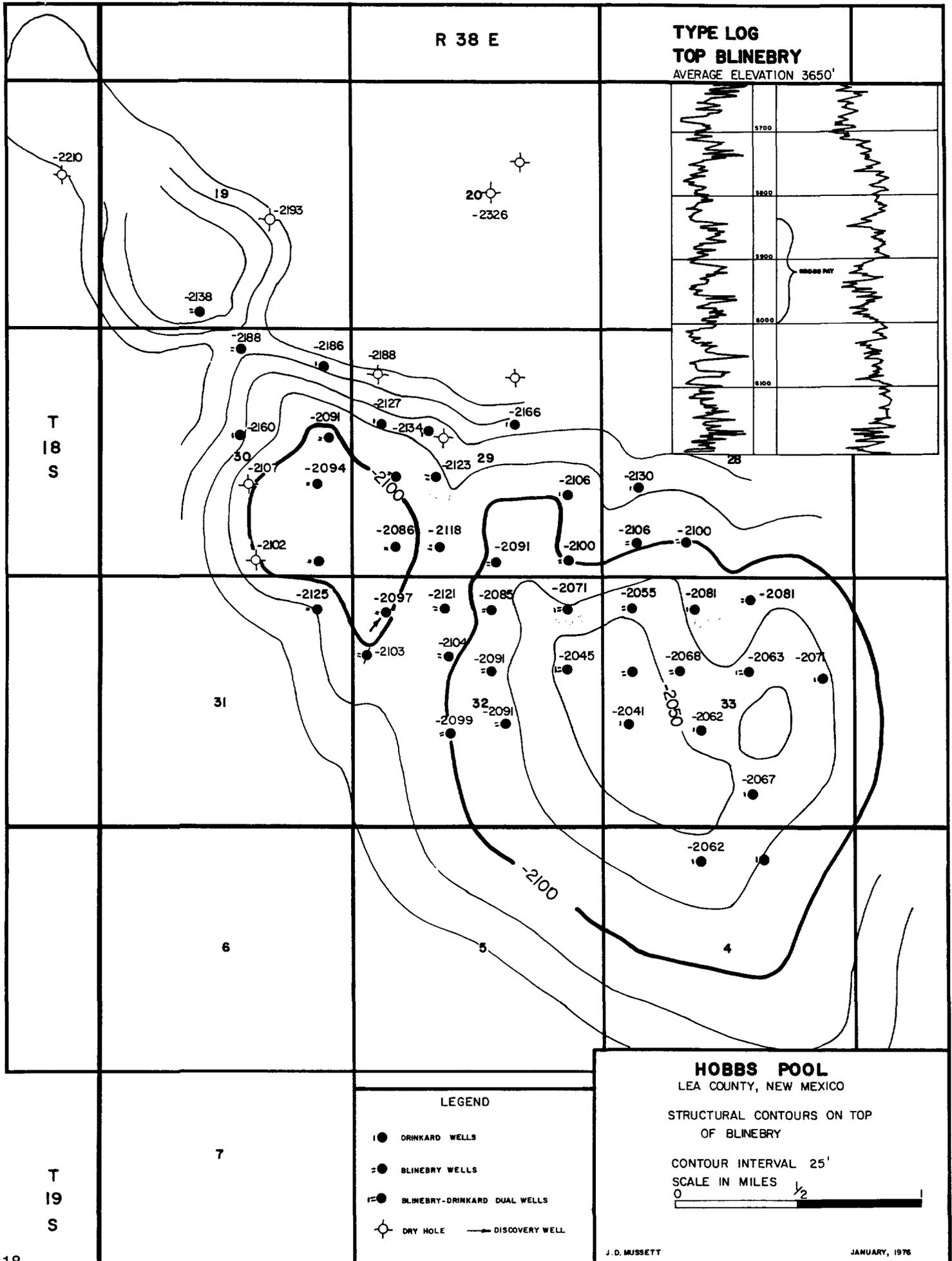
That this Order shall become effective on the first day of the proration month next succeeding the month in which said Order is adopted.

GCR	Pool
4000	Blunbury Oil + Gas
c	Eunice Blunbury - Tubbs - Drunkard
2000	Hardy Blunbury
2000	Hobbs Blunbury
2000	South House Blunbury
6000	Justin's Blunbury
2000	West Lovington Blunbury
2000	Monument Blunbury
7000	Nadine Blunbury
4000	West Nadine Blunbury
4000	Old Center Blunbury
6000	Teauge Blunbury
2000	East Terry Blunbury
2000	Vacuum Blunbury
c	Warren Blunbury - Tubbs Oil + Gas
2000	Wen Blunbury
2000	East Wen Blunbury

17 total

2000/1	-	9
4000/1	-	2
6000/1	-	2
7000/1	-	2
unlimited	-	2

ROSWELL GEOLOGICAL SOCIETY SYMPOSIUM



ROSWELL GEOLOGICAL SOCIETY SYMPOSIUM

Author: G. A. Foltz and W. A. Siruta Field Name: Hobbs Blinebry
 Affiliation: Gulf Energy & Mineral Co. - US Location: T-18-S, R-38-E
 Date: August 1976 County & State: Lea County, New Mexico

Discovery Well: Gulf #16 W. E. Grimes (NCT-A) NW/4 NW/4 Section 32, T-18-S, R-38-E.
 IPF 209 BOPD. Completed 11-168.

Exploration Method Leading to Discovery:

Subsurface geology

Pay Zone:

Formation Name: Blinebry Depth & Datum Discovery Well: Top pay 5870 (-2221)
 Lithology Description: Dolomite, brown fine crystalline to granular with frequent anhydrite nodules and gypsum (selenite) inclusions. Occasional thin black stylolitic shale partings often with a layered gilsonite residue. Many vertical planes of weakness and some fracturing. Fair to good intergranular, solution and vuggy porosity throughout.
 Approximate average pay: 178 gross 67 net Productive Area 1600 acres

Type Trap: Anticline

Reservoir Data:

5-20 % Porosity, 5-28 Md Permeability, 20-42 % Sw, 6-20 % So
 Oil: 37.4 corrected
 Gas: GOR 29.5
 Water: 51,560 Na+K, 1100 Ca, 800 Mg, 82,715 Cl, 2040 SO₄, 820 CO₂, or HCO₃, _____ Fe
 Specific Gravity 1.102 Resistivity 0.176 ohms @ 72 °F
 Initial Field Pressure: _____ psi @ _____ datum Reservoir Temp. 107 °F
 Type of Drive:

Solution gas and partial water drive.

Normal Completion Practices:

Set casing through pay zone, selectively perforate and acidize.

Type completion:

Normal Well Spacing 40 Acres

Flow short while, then on pump

Deepest Horizon Penetrated & Depth:

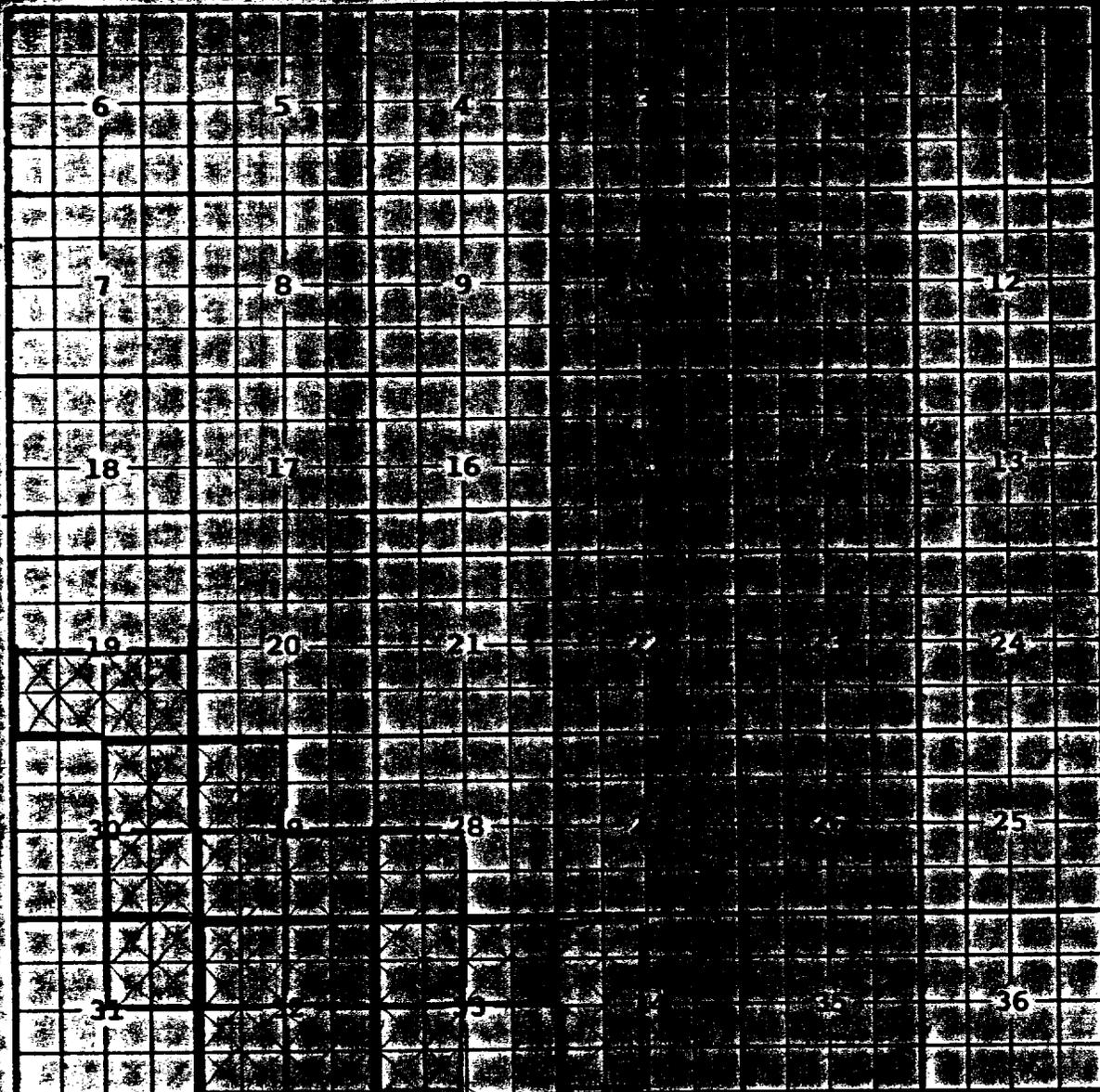
Granite penetrated (-5714) on Shell #1 McKinley "A-19" NW/4 SW/4 Sec. 19, T18S-R38E.

Other Producing Formations in Field:

Seven Rivers, Queen, Grayburg, San Andres and Drinkard.

Production Data:

YEAR	TYPE	No. of wells @ yr. end		PRODUCTION OIL IN BARRELS GAS IN M M C F		YEAR	TYPE	No. of wells @ yr. end		PRODUCTION OIL IN BARRELS GAS IN M M C F	
		Prod.	S.I. or Abd.	ANNUAL	CUMULATIVE			Prod.	S.I. or Abd.	ANNUAL	CUMULATIVE
68	OIL	2		9,837	9,837	72	OIL	32		578,586	2,330,223
	GAS			3	3		GAS			505	1,363
69	OIL	28		432,789	442,626	73	OIL	29	3	497,983	2,828,811
	GAS			123	128		GAS			396	1,760
70	OIL	31		695,064	1,137,690	74	OIL	28	4	452,141	3,280,952
	GAS			346	474		GAS			384	2,144
71	OIL	32		617,313	1,755,003	75	OIL	28	4	431,011	3,711,963
	GAS			385	859		GAS			380	2,524



Description: ^{NW} 1/4 Sec 32 (R-355) ^{SW} 1/4 Sec 33 (R-356) ^{SE} 1/4 Sec 34 (R-357) ^{NE} 1/4 Sec 35 (R-358)
 Ext. ^{SW} 1/4 Sec 29 (R-382) ^{SW} 1/4 Sec 30 (R-383) ^{SW} 1/4 Sec 31 (R-384) ^{SW} 1/4 Sec 32 (R-385) ^{SW} 1/4 Sec 33 (R-386) ^{SW} 1/4 Sec 34 (R-387) ^{SW} 1/4 Sec 35 (R-388)
^{SE} 1/4 Sec 29, ^{NE} 1/4 Sec 30, ^{SE} 1/4 Sec 31 (R-389) ^{SE} 1/4 Sec 32, ^{NE} 1/4 Sec 33 (R-390) ^{SW} 1/4 Sec 34 (R-391) ^{NE} 1/4 Sec 35 (R-392) ^{SE} 1/4 Sec 36 (R-393)
^{NW} 1/4 Sec 33 (R-383) ^{SW} 1/4 Sec 34 (R-384) ^{NE} 1/4 Sec 35 (R-385) ^{SE} 1/4 Sec 36 (R-386)
 - 1/2 Sec 19 (R-404) ^{SW} 1/4 Sec 20 (R-405) ^{SW} 1/4 Sec 21 (R-406) ^{SW} 1/4 Sec 22 (R-407) ^{SW} 1/4 Sec 23 (R-408) ^{SW} 1/4 Sec 24 (R-409) ^{SW} 1/4 Sec 25 (R-410) ^{SW} 1/4 Sec 26 (R-411) ^{SW} 1/4 Sec 27 (R-412) ^{SW} 1/4 Sec 28 (R-413) ^{SW} 1/4 Sec 29 (R-414) ^{SW} 1/4 Sec 30 (R-415) ^{SW} 1/4 Sec 31 (R-416) ^{SW} 1/4 Sec 32 (R-417) ^{SW} 1/4 Sec 33 (R-418) ^{SW} 1/4 Sec 34 (R-419) ^{SW} 1/4 Sec 35 (R-420) ^{SW} 1/4 Sec 36 (R-421)
 (R-6923, 3-9-82) Ext. 1/4 Sec 33 (R-384)

ILLEGIBLE

COUNTY *Lee* Twp. *Blacks*

TOWNSHIP *19 South* Range *38 East* NMPM

Ext: NW 1/4 sec 3 (R-6923, 3-9-82)

ILLEGIBLE

EAST DENTON-WOLFCAMP POOL
Lea County, New Mexico

Order No. R-3530, November 1, 1968, Establishing Pool.

T-15-S, R-38-E NW/4 Sec. 5.

SOUTH PRAIRIE-DEVONIAN POOL
Roosevelt County, New Mexico

Order No. R-3533, October 23, 1968, Establishing Pool, as Amended by Order No. R-3731, May 1, 1969.

T-8-S, R-36-E NE/4 Sec. 20.

HOBBS-BLINEBRY POOL
Lea County, New Mexico

Order No. R-3530, November 1, 1968, Establishing Pool, as Amended by Order No. R-3731, May 1, 1969; Order No. R-3780, July 1, 1969; Order No. R-3818, September 1, 1969; Order No. R-3853, November 1, 1969; Order No. R-3895, January 1, 1970; Order No. R-3964, June 1, 1970; Order No. R-4014, September 1, 1970; Order No. R-6923, April 1, 1982; Order No. R-8603, March 1, 1988.

T-18-S, R-38-E S/2 Sec. 19; SW/4 Sec. 28; S/2, NW/4 Sec. 29; E/2 Sec. 30; NE/4 Sec. 31; Sec. 32; N/2, SW/4 Sec. 33; W/2 Sec. 34.
T-19-S, R-38-E NW/4 Sec. 3.

CINTA ROJA-MORROW GAS POOL
Lea County, New Mexico

Order No. R-2985, November 1, 1965, Establishing Pool, as Amended by Order No. R-3161, December 6, 1966; Order No. R-6211, January 1, 1980; Order No. R-6368, July 1, 1980; Order No. R-6890, February 1, 1982.

T-24-S, R-35-E Secs. 4, 8, 9, 10.

HOBBS-PADDOCK POOL
Lea County, New Mexico

Order No. R-3530, November 1, 1968, Establishing Pool, as Amended by Order No. R-4937, February 1, 1975.

T-18-S, R-38-E N/2 Sec. 32; NW/4 Sec. 33.

ALLISON-SAN ANDRES POOL
Roosevelt County, New Mexico

Order No. R-2692, May 1, 1964, Establishing Pool.

T-8-S, R-37-E NE/4 Sec. 31.

WEST MILNESAND-PENNSYLVANIAN POOL
(BOUGH C)
Chaves County, New Mexico

Order No. R-3530, November 1, 1968, Establishing Pool, as Amended by Order No. R-7076, October 1, 1982; Order No. R-9615, December 1, 1991; Order No. R-9615-A, December 1, 1991.

T-8-S, R-33-E NE/4 Sec. 24.
T-8-S, R-34-E SE/4, W/2 Sec. 19.

VACUUM-LOWER PENNSYLVANIAN POOL
Lea County, New Mexico

Order No. R-2677, April 1, 1964, Establishing Pool.

T-17-S, R-34-E E/2 Sec. 26.