

*Entered December 6, 1972*  
*A.S.P.*

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

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

CASE NO. 4865  
Order No. R-4444

APPLICATION OF DAVID FASKEN  
FOR SPECIAL ALLOWABLES, EDDY  
COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on November 21, 1972, at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission."

NOW, on this 6th day of December, 1972, the Commission, a quorum being present, having considered the testimony presented and the exhibits received at said hearing, and being fully advised in the premises,

FINDS:

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

(2) That the applicant, David Fasken, seeks an exception to the general rules and regulations governing prorated gas pools in Southeast New Mexico, promulgated by Order No. R-1670, as amended, to permit the production of his Ross Federal Well No. 1, located 1980 feet from the South line and 1980 feet from the West line of Section 4, and his Shell Federal Well No. 1, located 1980 feet from the South line and 1980 feet from the West line of Section 5, both in Township 21 South, Range 24 East, Indian Basin-Morrow Gas Pool, Eddy County, New Mexico, at the capacity of the wells to produce, or in the alternative, to permit the production of said wells at a rate in excess of the allowables assigned to said wells.

(3) That the applicant contends that a pressure differential exists between the area in which the above-described two wells are located and that area of the Indian Basin-Morrow Gas Pool to the south, and that unless his wells are permitted to be produced at a rate in excess of the current allowable assigned to them, gas will migrate to the south away from the aforesaid two wells.

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(4) That the north area, in which the aforesaid two wells are located, contains a substantial amount of productive acreage not dedicated to any well.

(5) That while the aforesaid pressure differential may be present, it appears that the applicant may be able to provide his own relief to the aforesaid gas migration situation by further development of the gas reserves in the area to the north.

(6) That the applicant's Ross Federal Well No. 1 and Shell Federal Well No. 1, located as described in Finding No. (2) above, are producing from the same single common source of supply as other wells in the Indian Basin-Morrow Gas Pool.

(7) That to permit applicant's aforesaid two wells to produce in excess of the allowables assigned to said wells would afford said wells an undue share of the recoverable gas reserves in the pool and would result in unratable take and would violate the correlative rights of other mineral interest owners in the pool.

(8) That in order to prevent unratable take and protect correlative rights and prevent waste, the application should be denied.

IT IS THEREFORE ORDERED:

(1) That the application of David Fasken for special allowables for his Ross Federal Well No. 1 and his Shell Federal Well No. 1, both in the Indian Basin-Morrow Gas Pool, Eddy County, New Mexico, be and the same is hereby denied.

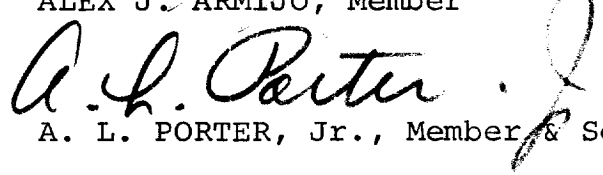
(2) That jurisdiction of this cause is retained for the entry of such further orders as the Commission may deem necessary.

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

STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

  
BRUCE KING, Chairman

  
ALEX J. ARMIJO, Member

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

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