

*Entered September 21, 1972*  
*A. J. 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. 4733  
Order No. R-4409

APPLICATION OF DAVID FASKEN FOR  
POOL CONTRACTION AND CREATION  
OF A NEW GAS POOL, EDDY COUNTY,  
NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on June 7, 1972,  
at Santa Fe, New Mexico, before Examiner Daniel S. Nutter.

NOW, on this 27th day of September, 1972, 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 the applicant, David Fasken, seeks the contraction  
of the horizontal limits of the Indian Basin-Morrow Gas Pool,  
by the deletion therefrom of all of Sections 4 and 5, Town-  
ship 21 South, Range 24 East, NMPM, Eddy County, New Mexico.

(3) That the applicant further seeks the creation of a  
new non-prorated gas pool comprising all of said Sections 4  
and 5 for the production of gas from the Morrow formation.

(4) That by Order No. R-2441, dated February 28, 1963,  
the Commission created the Indian Basin-Morrow Gas Pool, Eddy  
County, New Mexico, for the production of gas from the Morrow  
formation.

(5) That the horizontal limits of the Indian Basin-Morrow  
Gas Pool have been extended from time to time by order of the  
Commission.

(6) That while the evidence presented does indicate the  
presence of a trough existing in the area of the proposed  
separation, the evidence does not indicate that it is an effec-  
tive barrier.

-2-

CASE NO. 4733  
Order No. R-4409

(7) That there is substantial evidence that there is communication between the areas to the north and south of the trough.

(8) That the areas proposed to be separated constitute a single source of supply and should not be separated.

(9) That the applicant has failed to prove that the Indian Basin-Morrow Gas Pool should be contracted and that a new Morrow Gas Pool should be created.

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

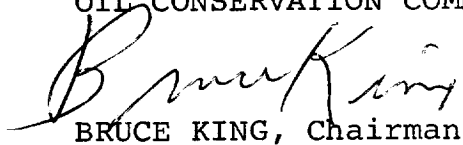
IT IS THEREFORE ORDERED:

(1) That the application of David Fasken for the contraction of the Indian Basin-Morrow Gas Pool and for the creation of a new gas pool for Morrow production 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

S E A L

dr/