

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

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IN THE MATTER OF THE APPLICATION OF )  
EL PASO NATURAL GAS COMPANY FOR )  
COMPULSORY COMMUNITIZATION OF LOTS )  
3 AND 4, E½ SW¼, SE¼ (S½) OF SECTION )  
31, TOWNSHIP 31 NORTH, RANGE 11 WEST, )  
N.M.P.M., SAN JUAN COUNTY, NEW MEXICO )

Case No. 707

APPLICATION FOR REHEARING

Come now Applicants, Saul A. Yager, Marian Yager,  
M. E. Gimp, Morris Mizel and wife Flora Mizel, and Sam Mizel,  
by their attorney, and state:

(a) Applicants are the owners of Lot 4, Section 31,  
Township 31 North, Range 11 West, N.M.P.M., San Juan County,  
New Mexico and are parties affected by Order No. R-546 entered  
by the Commission on December 17, 1954.

(b) Order No. R-546 is erroneous in the following  
respects:

1. The order neither grants nor denies the relief sought and is therefore not within the call of the hearing.
2. Findings No. 7, 8 and 9 are contrary to law.
3. The order is contrary to Section 1(a) of Order No. R-110 heretofore issued by the Commission.
4. The order is contrary to Section 13(b) of Chapter 168, Laws of 1949, as amended.
5. The order is an unreasonable and arbitrary interpretation of the Commission's rules and deprives Applicants of their correlative rights.
6. The Order deprives Applicants of their property without due process of law.
7. The order impairs the obligations of valid contract between Applicants and El Paso Natural Gas Company.
8. The order bears no relation to prevention of waste.

9. The order renders meaningless pooling clauses in leases referred to in the original application and the testimony and renders meaningless the application in the instant case.

WHEREFORE, Applicants request a rehearing in Case No. 707 before the Commission.

Respectfully submitted,

Saul A. Yager, Marian Yager,  
M. E. Gimp, Morris Mizel and  
wife Flora Mizel, and Sam  
Mizel

1-4-55

By Jack M. Campbell  
Jack M. Campbell  
their attorney