

MAIN OFFICE 000

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF )  
EL PASO NATURAL GAS COMPANY FOR )  
COMPULSORY COMMUNITIZATION OF THE )  
W $\frac{1}{2}$  OF SECTION 15, TOWNSHIP 31 NORTH, )  
RANGE 11 WEST, N.M.P.M., SAN JUAN )  
COUNTY, NEW MEXICO )

Case No. 708

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 interests in the E $\frac{1}{2}$ SW $\frac{1}{4}$   
of Section 15, Township 31 North, Range 11 West, San Juan County,  
New Mexico and are parties affected by Order No. R-547 entered by  
the Commission on December 17, 1954.

(b) Order No. R-547 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. 708 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

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:

THE APPLICATION OF EL PASO  
NATURAL GAS COMPANY FOR  
COMPULSORY COMMUNITIZATION  
OF W/2 OF SECTION 15, TOWNSHIP  
31 NORTH, RANGE 11 WEST, NMPM,  
SAN JUAN COUNTY, NEW MEXICO.

CASE NO. 708) Consolidated  
CASE NO. 848)

THE APPLICATION OF EL PASO  
NATURAL GAS COMPANY FOR  
DETERMINATION AND RATIFICATION  
OF COMMUNITIZATION OF W/2 OF  
SECTION 15, TOWNSHIP 31 NORTH,  
RANGE 11 WEST, NMPM, SAN JUAN  
COUNTY, NEW MEXICO.

APPLICATION FOR REHEARING

Come now Saul A. Yager, Marian Yager, M. E. Gimp,  
Morris Mizel and wife, Flora Mizel, and Sam Mizel, by their  
attorneys, Campbell & Russell, and make application to the  
Commission for rehearing upon Order No. R-547-B, and as a basis  
for the application state:

(a) Applicants are the owners of interests in the  
E/2 SW/4 of Section 15, Township 31 North, Range 11 West, N.M.P.M.  
San Juan County, New Mexico and are parties affected by Order  
No. R-547-B entered by the Commission on January 12, 1956.

(b) Order No. R-547-B is erroneous in the following  
respects:

1. Finding No. 10 is erroneous in that Order  
No. R-110 was not complied with in the establishment of the  
drilling unit.

2. Finding No. 11 is erroneous in that all interests within said unit were not consolidated by pooling agreement or otherwise as required by Order No. R-110.

3. Order No. R-547-B is contrary to Section 1(a) of Order No. R-110 of the Commission.

4. Order No. R-547-B is contrary to Section 13(b) of Chapter 168, Laws of 1949, as amended.

5. Order No. R-547-B is an unreasonable and arbitrary interpretation of the Commission's rules and regulations and deprives Applicants of their correlative rights.

6. Order No. R-547-B deprives Applicants of their property without due process of law.

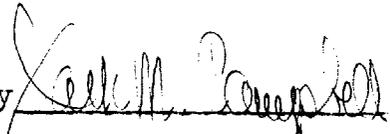
7. Order No. R-547-B impairs the obligations of a valid lease contract between Applicants and El Paso Natural Gas Company.

WHEREFORE, Applicants request a rehearing in Case No. 708 - 848 Consolidated on Order No. R-547-B.

Respectfully submitted,

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

By

  
for CAMPBELL & RUSSELL  
their attorneys