

OIL CONSERVATION COMMISSION

P. O. BOX 871

SANTA FE, NEW MEXICO

November 18, 1958

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Mr. Garrett C. Whitworth
El Paso Natural Gas Company
P.O. Box 1492
El Paso, Texas

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Dear Mr. Whitworth:

We enclose two copies of Order R-586-D, Order of Dismissal, issued November 18, 1958, by the Oil Conservation Commission in Case 728.

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Very truly yours,

A. L. Porter, Jr.
Secretary - Director

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El Paso Natural Gas Company

El Paso, Texas

November 6, 1958

Case file

Mr. A. L. Porter, Director
New Mexico Oil Conservation Commission
P. O. Box 871
Santa Fe, New Mexico

Re: Case No. 728 - Regular
Hearing November 13, 1958

Dear Mr. Porter:

This case is our application to extend the vertical limits of the Justis Gas Pool to a datum 270 feet below the top of the Glorieta Formation. Our geologists are now of the opinion that this description of the proposed vertical limits is inadequate. In view of that, I hereby request that this case be dismissed without prejudice. El Paso Natural Gas Company will refile this application to extend the vertical limits of the Justis Gas Pool when an adequate description of such vertical limits has been determined.

Yours very truly,

Garrett C. Whitworth
Garrett C. Whitworth
Attorney

GCW:hsw

El Paso Natural Gas Company

El Paso, Texas. 799 1-10

October 13, 1958

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Mr. A. L. Porter, Director
New Mexico Oil Conservation Commission
P. O. Box 871
Santa Fe, New Mexico

Dear Mr. Porter:

I have enclosed three copies of El Paso Natural Gas Company's application for an order revising and amending Order No. R-586 to provide for an extension of the vertical limits of the Justis Gas Pool, Lea County, New Mexico. We request that this matter be filed with the Commission and set for hearing.

Very truly yours,

Garrett C. Whitworth
Garrett C. Whitworth
Attorney

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Encl.

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at request of E.P.N.C.*

*Docket 8
11-3-58
BP*

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. 728
Order No. R-586

THE APPLICATION OF THE OIL
CONSERVATION COMMISSION UPON
ITS OWN MOTION FOR AN ORDER
AMENDING, REVISING OR ABROGATING
EXISTING RULES AND REGULATIONS OF
THE OIL CONSERVATION COMMISSION,
AND/OR PROMULGATING RULES AND
REGULATIONS, RELATING TO GAS POOL
DELINEATION, GAS PRORATION, AND
OTHER RELATED MATTERS, AFFECTING
OR CONCERNING THE TUBB, BYERS-
QUEEN, AND JUSTIS GAS POOLS, LEA
COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 o'clock a. m. on June 16, 1954, July 15, 1954, August 18, 1954 and September 16, 1954, at Santa Fe, New Mexico, and on October 20, 1954 at Hobbs, New Mexico, before the Oil Conservation Commission, hereinafter referred to as the "Commission".

NOW, on this 11th. day of April, 1955, the Commission, a quorum being present, having considered the records, evidence and testimony adduced and being fully advised in the premises,

FINDS:

(1) That due notice of the time and place of hearing and the purpose thereof having been given as required by law, the Commission has jurisdiction of this case and the subject matter thereof.

(2) That under date of January 1, 1950, the Commission issued its Order No. 850 creating the Justis Gas Pool, and that said Order No. 850 defined the horizontal and vertical limits thereof. That on February 17, 1953, the Commission issued Order No. R-264 creating the Tubb and Byers-Queen Gas Pools, and defining the horizontal and vertical limits of said gas pools. That by Order No. R-264 and subsequent orders the Commission extended the horizontal and vertical limits of the Justis Gas Pool. That by Order R-407 the vertical limits of the Tubb Gas Pool were extended.

(3) That under date of September 28, 1953, the Commission issued its Orders Nos. R-373, R-375, and R-376 and under date of November 10, 1953, the Commission issued its Orders Nos. R-373-A, R-375-A and R-376-A, providing rules, definitions and procedures to be followed in prorating gas in the Tubb, Justis, and Byers-Queen gas pools, respectively; and by subsequent orders issued after due notice and hearing, the Commission allocated production of gas in said pools commencing January 1, 1954.

(4) That the Tubb, Byers-Queen and Justis Gas Pools are separate gas reservoirs and should be defined vertically and horizontally as set forth in this order.

(5) That the producing capacity of the gas wells in the Tubb, Byers-Queen and Justis Gas Pools is greater than the market demand for gas from each of such pools.

(6) That in order to prevent waste it is necessary to allocate and prorate the gas production among the gas wells in the Tubb, Byers-Queen, and Justis Gas Pools in accordance with provisions of this order.

(7) That the protection and proper recognition of correlative rights as such rights are defined by Section 26 (h) Chapter 168, New Mexico Session Laws of 1949, require that the gas production from the Tubb, Byers-Queen and Justis Gas Pools be prorated, in accordance with the terms and provisions of this order.

(8) That the Rules and Regulations hereinafter set forth in this order are in all respects in the interests of conservation and provide for the allocation of the allowable production among the gas wells in the Tubb, Byers-Queen and Justis Gas Pools upon a reasonable basis and give appropriate recognition to correlative rights.

(9) That no evidence was presented to justify a change in the size of the standard gas well unit in the Tubb, Byers-Queen, or Justis Gas Pools from 160-acres.

(10) That in order to prevent waste and protect correlative rights, the special rules contained in this order should be adopted to govern the production from wells completed or recompleted in such a manner that the bore hole of the well is open in more than one common source of supply.

(11) That in order to prevent waste a "no-flare" rule should be adopted to prohibit the flaring, venting, or wasting of natural gas or any other type of gas in any of the gas pools referred to and affected by this order.

IT IS THEREFORE ORDERED:

(1) That the Tubb Gas Pool heretofore created, shall have vertical limits which extend from a point 100 feet above the "Tubb Marker" to a point 225 feet below the "Tubb Marker", as said marker is designated in Order R-464. The horizontal limits of the Tubb Gas Pool shall be the area as described in Exhibit "A", attached hereto and made a part hereof.

(2) That the Byers-Queen Gas Pool, heretofore created, shall have vertical limits which include all of the Queen formation. The horizontal limits of the Byers-Queen Gas Pool shall be the area as described in Exhibit "B", attached hereto and made a part hereof.

(3) That the Justis Gas Pool, heretofore created, shall have vertical limits which extend from the top of the Glorieta formation to a point 200 feet immediately below the Glorieta datum. The horizontal limits of the Justis Gas Pool shall be the area as described in Exhibit "C", attached hereto and made a part hereof.

(4) That special pool rules applicable to the Tubb Gas Pool be, and the same hereby are promulgated as follows:

SPECIAL RULES AND REGULATIONS
FOR THE TUBB GAS POOL

Well Spacing and Acreage Requirements for Drilling Tracts.

RULE 1. Any well drilled a distance of one mile or more outside the boundary of the Tubb Gas Pool shall be classified as a wildcat well. Any well drilled less than one mile outside the boundary of the Tubb Gas Pool shall be spaced, drilled, operated and prorated in accordance with the regulations in effect in the Tubb Gas Pool.

RULE 2. Each well drilled or recompleted within the Tubb Gas Pool on a standard proration unit after the effective date of this rule shall be drilled not closer than 660 feet to any boundary line of the tract nor closer than 330 feet to a quarter-quarter section line or subdivision inner boundary line. Any well drilled to and producing from the Tubb Gas Pool prior to the effective date of this order at a location conforming to the spacing requirements effective at the time said well was drilled shall be considered to be located in conformance with this rule.

RULE 3. The Secretary-Director of the Commission shall have authority to grant exception to the requirements of Rule 2 without notice and hearing where a verified application therefor has been filed in due form and the necessity for the unorthodox location is based on topographical conditions or is occasioned by the recompletion of a well previously drilled to another horizon.

Applicants shall furnish all operators within a 1980-foot radius of the subject well a copy of the application to the Commission, and applicant shall include with his application a list of names and addresses of all operators within such radius, together with a stipulation that proper notice has been given said operators at the addresses given. The Secretary-Director of the Commission shall wait at least 20 days before approving any such unorthodox location, and shall approve such unorthodox location only in the absence of objection of any offset operators. In the event an operator objects to the unorthodox location the Commission shall consider the matter only after proper notice and hearing.

RULE 4. The provisions of Statewide Rule 104, Paragraph (k), shall not apply to the Tubb Gas Pool located in Lea County, New Mexico.

GAS PRORATION

RULE 5. (a) The acreage allocated to a gas well for proration purposes shall be known as the gas proration unit for that well. For the purpose of gas allocation in the Tubb Gas Pool, a standard proration unit shall consist of between 158 and 162 contiguous surface acres substantially in the form of a square which shall be a legal subdivision (quarter-section) of the U. S. Public Land Surveys with a well located at least 660 feet from the nearest property lines;

(b) The allowable production from any non-standard gas proration unit as compared with the allowable production therefrom if such tract were a standard unit shall be in the ratio of the area of such non-standard proration unit expressed in acres to the area of 160 acres. Any gas proration unit containing between 158 and 162 acres shall be considered to contain 160 acres for the purpose of computing allowables.

(c) A non-standard gas proration unit of less than 160 acres may be formed after notice and hearing by the Commission, or by administrative approval under the provisions of Paragraph (d) of this Rule. Non-standard gas proration units of more than 160 acres may be formed only after notice and hearing by the Commission.

(d) The Secretary-Director of the Commission shall have authority to grant an exception to Rule 5 (a) without Notice and Hearing where a verified application has been filed in due form and where the following facts exist and the following provisions are complied with;

1. The non-standard gas proration unit consists of contiguous quarter-quarter sections and/or lots.

2. The non-standard gas proration unit lies wholly within a single governmental section.

3. The entire non-standard gas proration unit may reasonably be presumed to be productive of gas from the Tubb Gas Pool.

4. The length or width of the non-standard gas proration unit does not exceed 2640 feet.

5. The applicant presents written consent in the form of waivers from (a) all operators owning interests in the quarter section in which any part of the non-standard gas proration unit is situated and which acreage is not included in said non-standard gas proration unit, and (b) all operators owning interests within 1500 feet of the well to which such gas proration unit is proposed to be allocated.

6. In lieu of sub-paragraph 5 of this rule, the applicant may furnish proof of the fact that said offset operators were notified by registered mail of his intent to form such non-standard gas proration unit. The Secretary-Director of the Commission may approve the application if, after a period of 30 days following the mailing of said notice, no operator has made objection to formation of such non-standard gas proration unit.

RULE 6. (a) The Commission after notice and hearing, shall consider the nominations of gas purchasers from the Tubb Gas Pool and other relevant data and shall fix the allowable production of the Tubb Gas Pool.

RULE 7. At least 30 days prior to the beginning of each gas proration period the Commission shall hold a hearing after due notice has been given. The Commission shall cause to be submitted by each gas purchaser its "Preliminary Nominations" of the amount of gas which each in good faith actually desires to purchase within the ensuing proration period, by months, from the Tubb Gas Pool. The Commission shall consider the "Preliminary Nominations" of purchasers, actual production, and such other factors as may be deemed applicable in determining the amount of gas that may be produced without waste within the ensuing proration period. "Preliminary Nominations" shall be submitted on a form prescribed by the Commission.

RULE 8. In the event a gas purchaser's market shall have increased or decreased, he may file with the Commission prior to the 10th day of the month a "supplemental" nomination, showing the amount of gas he actually in good faith desires to purchase during the ensuing proration month from the Tubb Gas Pool. The Commission shall hold a public hearing between the 13th and 20th days of each month to determine the reasonable market demand for gas for the ensuing proration month, and shall issue a proration schedule setting out the amount of gas which each well may produce during the ensuing proration month.

"Supplemental Nominations" shall be submitted on a form prescribed by the Commission.

Included in the monthly proration schedule shall be:

- (a) A summary of the total pool allocation for that month showing nominations, and adjustments made for underage or overage applied from a previous month,
- (b) A tabulation of the net allowable, and production for the second preceding month together with a cumulative overage or underage computation,
- (c) A tabulation of the current and net allowables for the preceding month,

- (d) A tabulation of current monthly allowables for the ensuing proration month,
- (e) A tabulation of the acreage assigned each well together with a tabulation of the acreage factor assigned each well. For the purpose of allocation a proration unit of 160 acres shall be assigned an acreage factor of 1.00; a proration unit of 80 acres a factor of 0.50, etc.

The allowable assigned to any well capable of producing its normal gas allowable in the Tubb Gas Pool shall be the same proportion of the total remaining allowable allocated to said pool after deducting allowables of marginal wells that the number of acres contained in the gas proration unit for that well bears to the acreage contained in all gas proration units assigned to non-marginal wells in the Tubb Gas Pool.

The Commission shall include in the proration schedule the gas wells in the Tubb Gas Pool delivering to a gas transportation facility, or lease gathering system, and shall include in the proration schedule of the Tubb Gas Pool any well which it finds is being unreasonably discriminated against through denial of access to a gas transportation facility, which is reasonably capable of handling the type of gas produced by such well. The total allowable to be allocated to the pool each month shall be equal to the sum of the preliminary or supplemental nominations (whichever is applicable), together with any adjustment which the Commission deems advisable.

If during a proration month the acreage assigned a well is increased by Commission order or as otherwise provided in this order the increased allowable assigned the gas proration unit for the well shall be effective on the first day of the month following approval of such increase by the Commission.

BALANCING OF PRODUCTION

RULE 9. Underproduction: The dates 7:00 a. m. , January 1, and 7:00 a. m. , July 1, shall be known as balancing dates and the periods of time bounded by these dates shall be known as gas proration periods. The amount of current gas allowable remaining unproduced at the end of each proration period shall be carried forward to and may be produced during the next succeeding proration period in addition to the normal gas allowable for such succeeding period; but whatever amount thereof is not made up within the first succeeding proration period shall be cancelled.

If it appears that such continued underproduction has resulted from inability of the well to produce its allowable, it may be classified as a marginal well and its allowable reduced to the well's ability to produce.

If at the end of a proration period a marginal well has produced more than the total allowable assigned a non-marginal unit of corresponding size, the marginal

well shall be reclassified as a non-marginal well and its allowable adjusted accordingly.

If during a proration period a marginal well is reworked or recompleted in such a manner that its productive capacity is increased to the extent that it should be reclassified as a non-marginal well, the reclassification shall be effective on the first day of the proration month following the date of recompletion.

The Proration Manager may reclassify a well at any time if production data or deliverability tests reflect the need for such a reclassification.

RULE 10. Overproduction: A well which has produced a greater amount of gas than was allowed during a given proration period shall have its allowable for the first succeeding proration period reduced by the amount of such overproduction and such overproduction shall be made up within the first succeeding proration period. If, at any time, a well is overproduced an amount equaling six times its current monthly allowable, it shall be shut-in until it is in balance.

The Commission may allow overproduction to be made up at a lesser rate than would be the case if the well were completely shut-in upon a showing at public hearing after due notice that complete shut-in of the well would result in material damage to the well.

GRANTING OF ALLOWABLES

RULE 11. No gas well shall be given an allowable until Form C-104 and Form C-110 have been filed together with a plat showing acreage attributed to said well and the locations of all wells on the lease.

RULE 12. Allowables to newly completed gas wells shall commence on the date of connection to a gas transportation facility, as determined from an affidavit furnished to the Commission (Box 2045, Hobbs, New Mexico) by the purchaser, or the date of filing of Form C-104, Form C-110 and the plat described above, or the date of application for a non-standard gas proration unit as provided in Rule 5, whichever date is the later.

RULE 13. The monthly gas production from each well shall be metered separately and the gas production therefrom shall be reported to the Commission on Form C-115 so as to reach the Commission on or before the 20th day of the month next succeeding the month in which the gas was produced. The operator shall show on such report what disposition has been made of the gas produced.

Each purchaser or taker of gas in the Tubb Gas Pool shall submit a report to the Commission so as to reach the Commission on or before the 20th day of the month next succeeding the month in which the gas was purchased or taken.

Such report shall be filed on either Form C-111 or Form C-114 (whichever is applicable) with the wells being listed in approximately the same order as they are listed on the proration schedule.

Forms C-111 and C-114 referred to herein shall be submitted in duplicate, the original being sent to the Commission at Box 871, Santa Fe, New Mexico, the other copy being sent to Box 2045, Hobbs, New Mexico.

Form C-115 shall be submitted in accordance with Rule 1114 of the Commission's Rules and Regulations.

The full production of gas from each well shall be charged against the well's allowable regardless of what disposition has been made of the gas; provided, however, that gas used on the lease for consumption in lease houses, treaters, compressors, combustion engines and other similar lease equipment shall not be charged against the well's allowable; further, the production of intermediate or low-pressure gas derived from the staging of the well fluids need not be charged against the wells gas allowable, provided that said intermediate or low-pressure gas is utilized in accordance with the provisions of Order R-464.

RULE 14. The term "gas purchaser" as used in these rules, shall mean any "taker" of gas either at the wellhead or at any point on the lease where connection is made for gas transportation or utilization. It shall be the responsibility of said "taker" to submit a nomination.

RULE 15. No gas, either dry gas or casinghead gas, produced from the Tubb Gas Pool shall be flared or vented.

PROVIDED FURTHER, After the effective date of this order no well shall be completed or recompleted in such a manner that the producing zone of the Tubb Gas Pool and the producing zone of any other common source of supply are both open in the same well bore unless specifically authorized by order of the Commission after notice and hearing. Dual completions may be effected in accordance with the provisions of Rule 112-A of the Commission's Rules and Regulations.

Any well presently completed in such a manner that the well bore is open to more than one common source of supply shall be assigned to the applicable pool by the Commission staff. Any operator of any well completed in such a manner shall submit to the Commission office at Hobbs, New Mexico, all pertinent well completion data on Form C-105, together with electric logs, sample logs, drill stem test records, etc. All data shall be submitted in duplicate on or before May 15, 1955. Failure of any operator to submit the required data will result in cancellation of Form C-110 and subsequent cancellation of allowables.

If the operator is not satisfied with the well's assignment he may apply for a hearing on the matter in accordance with Commission Rule 1203.

PROVIDED FURTHER, That in filing Form C-101 "Notice of Intention to Drill or Recomplete" all operators shall strictly comply with the provisions of Rule 104, paragraph (e).

PROVIDED FURTHER, That failure to comply with the provisions of this order or the rules contained herein shall result in the cancellation of allowable assigned to the affected well. No further allowable shall be assigned to the affected well until all rules and regulations are complied with. The Proration Manager shall notify the operator of the well and the purchaser in writing of the date of allowable cancellation and the reason therefor.

PROVIDED FURTHER, That special pool rules applicable to the Byers-Queen Gas Pool be, and the same hereby are promulgated as follows:

SPECIAL RULES AND REGULATIONS
FOR THE BYERS-QUEEN GAS POOL

Well Spacing and Acreage Requirements for Drilling Tracts.

RULE 1. Any well drilled a distance of one mile or more outside the boundary of the Byers-Queen Gas Pool shall be classified as a wildcat well. Any well drilled less than one mile outside the boundary of the Byers-Queen Gas Pool shall be spaced, drilled, operated and prorated in accordance with the regulations in effect in the Byers-Queen Gas Pool.

RULE 2. Each well drilled or recompleted within the Byers-Queen Gas Pool on a standard proration unit after the effective date of this rule shall be drilled not closer than 660 feet to any boundary line of the tract nor closer than 330 feet to a quarter-quarter section line or sub-division inner boundary line. Any well drilled to and producing from the Byers-Queen Gas Pool prior to the effective date of this order at a location conforming to the spacing requirements effective at the time said well was drilled shall be considered to be located in conformance with this rule.

RULE 3. The Secretary-Director of the Commission shall have authority to grant exception to the requirements of Rule 2 without notice and hearing where a verified application therefor has been filed in due form and the necessity for the unorthodox location is based on topographical conditions or is occasioned by the recompletion of a well previously drilled to another horizon.

Applicants shall furnish all operators within a 1980-foot radius of the subject well a copy of the application to the Commission, and applicant shall include with his application a list of names and addresses of all operators within such radius, together with a stipulation that proper notice has been given said operators at the addresses given. The Secretary-Director of the Commission shall wait at least 20 days before approving any such unorthodox location, and shall approve such unorthodox location only in the absence of objection of any offset operators. In the event an operator objects to the unorthodox location the Commission shall consider the matter only after proper notice and hearing.

RULE 4. The provisions of Statewide Rule 104, Paragraph (k), shall not apply to the Byers-Queen Gas Pool located in Lea County, New Mexico.

GAS PRORATION

RULE 5. (a) The acreage allocated to a gas well for proration purposes shall be known as the gas proration unit for that well. For the purpose of gas allocation in the Byers-Queen Gas Pool, a standard proration unit shall consist of between 158 and 162 contiguous surface acres substantially in the form of a square which shall be a legal subdivision (quarter section) of the U. S. Public Land Surveys with a well located at least 660 feet from the nearest property lines;

(b) The allowable production from any non-standard gas proration unit as compared with the allowable production therefrom if such tract were a standard unit shall be in the ratio of the area of such non-standard proration unit expressed in acres to the area of 160 acres. Any gas proration unit containing between 158 and 162 acres shall be considered to contain 160 acres for the purpose of computing allowables.

(c) A non-standard gas proration unit of less than 160 acres may be formed after notice and hearing by the Commission, or by administrative approval under the provisions of Paragraph (b) of this Rule. Non-standard gas proration units of more than 160 acres may be formed only after notice and hearing by the Commission.

(d) The Secretary-Director of the Commission shall have authority to grant an exception to Rule 5 (a) without Notice and Hearing where a verified application has been filed in due form and where the following facts exist and the following provisions are complied with;

1. The non-standard gas proration unit consists of contiguous quarter-quarter sections and/or lots.

2. The non-standard gas proration unit lies wholly within a single governmental section.

3. The entire non-standard gas proration unit may reasonably be presumed to be productive of gas from the Byers-Queen Gas Pool.

4. The length or width of the non-standard gas proration unit does not exceed 2640 feet.

5. The applicant presents written consent in the form of waivers from (a) all operators owning interests in the quarter section in which any part of the non-standard gas proration unit is situated and which acreage is not included in said non-standard gas proration unit, and (b) all operators owning interests within 1500 feet of the well to which such gas proration unit is proposed to be allocated.

6. In lieu of sub-paragraph 5 of this rule, the applicant may furnish proof of the fact that said offset operators were notified by registered mail of his intent to form such non-standard gas proration unit. The Secretary-Director of the Commission may approve the application if, after a period of 30 days following the mailing of said notice, no operator has made objection to formation of such non-standard gas proration unit.

RULE 6. (a) The Commission after notice and hearing, shall consider the nominations of gas purchasers from the Byers-Queen Gas Pool and other relevant data and shall fix the allowable production of the Byers-Queen Gas Pool.

RULE 7. At least 30 days prior to the beginning of each gas proration period the Commission shall hold a hearing after due notice has been given. The Commission shall cause to be submitted by each gas purchaser its "Preliminary Nominations" of the amount of gas which each in good faith actually desires to purchase within the ensuing proration period, by months, from the Byers-Queen Gas Pool. The Commission shall consider the "Preliminary Nominations" of purchasers, actual production, and such other factors as may be deemed applicable in determining the amount of gas that may be produced without waste within the ensuing proration period. "Preliminary Nominations" shall be submitted on a form prescribed by the Commission.

RULE 8. In the event a gas purchaser's market shall have increased or decreased, he may file with the Commission prior to the 10th day of the month a "supplemental" nomination, showing the amount of gas he actually in good faith desires to purchase during the ensuing proration month from the Byers-Queen Gas Pool. The Commission shall hold a public hearing between the 13th and 20th days of each month to determine the reasonable market demand for gas for the ensuing proration month, and shall issue a proration schedule setting out the amount of gas which each well may produce during the ensuing proration month.

"Supplemental Nominations" shall be submitted on a form prescribed by the Commission.

Included in the monthly proration schedule shall be:

- (a) A summary of the total pool allocation for that month showing nominations, and adjustments made for underage or overage applied from a previous month,
- (b) A tabulation of the net allowable, and production for the second preceding month together with a cumulative overage or underage computation,
- (c) A tabulation of the current and net allowables for the preceding month,

- (d) A tabulation of current monthly allowables for the ensuing proration month,
- (e) A tabulation of the acreage assigned each well together with a tabulation of the acreage factor assigned each well. For the purpose of allocation a proration unit of 160 acres shall be assigned an acreage factor of 1.00; a proration unit of 80 acres a factor of 0.50, etc.

The allowable assigned to any well capable of producing its normal gas allowable in the Byers-Queen Gas Pool shall be the same proportion of the total remaining allowable allocated to said pool after deducting allowables of marginal wells that the number of acres contained in the gas proration unit for that well bears to the acreage contained in all gas proration units assigned to non-marginal wells in the Byers-Queen Gas Pool.

The Commission shall include in the proration schedule the gas wells in the Byers-Queen Gas Pool delivering to a gas transportation facility, or lease gathering system, and shall include in the proration schedule of the Byers-Queen Gas Pool any well which it finds is being unreasonably discriminated against through denial of access to a gas transportation facility, which is reasonably capable of handling the type of gas produced by such well. The total allowable to be allocated to the pool each month shall be equal to the sum of the preliminary or supplemental nominations (whichever is applicable), together with any adjustment which the Commission deems advisable.

If during a proration month the acreage assigned a well is increased by Commission order or as otherwise provided in this order the increased allowable assigned the gas proration unit for the well shall be effective on the first day of the month following approval of such increase by the Commission.

BALANCING OF PRODUCTION

RULE 9. Underproduction: The dates 7:00 a. m. , January 1, and 7:00 a. m. , July 1, shall be known as balancing dates and the periods of time bounded by these dates shall be known as gas proration periods. The amount of current gas allowable remaining unproduced at the end of each proration period shall be carried forward to and may be produced during the next succeeding proration period in addition to the normal gas allowable for such succeeding period; but whatever amount thereof is not made up within the first succeeding proration period shall be cancelled.

If it appears that such continued underproduction has resulted from inability of the well to produce its allowable, it may be classified as a marginal well and its allowable reduced to the well's ability to produce.

If at the end of a proration period a marginal well has produced more than the total allowable assigned a non-marginal unit of corresponding size, the marginal well shall be reclassified as a non-marginal well and its allowable adjusted accordingly.

If during a proration period a marginal well is reworked or recompleted in such a manner that its productive capacity is increased to the extent that it should be reclassified as a non-marginal well, the reclassification shall be effective on the first day of the proration month following the date of recompletion.

The Proration Manager may reclassify a well at any time if production data or deliverability tests reflect the need for such a reclassification.

RULE 10. Overproduction: A well which has produced a greater amount of gas than was allowed during a given proration period shall have its allowable for the first succeeding proration period reduced by the amount of such overproduction and such overproduction shall be made up within the first succeeding proration period. If, at any time, a well is overproduced an amount equaling six times its current monthly allowable, it shall be shut-in until it is in balance.

The Commission may allow overproduction to be made up at a lesser rate than would be the case if the well were completely shut-in upon a showing at public hearing after due notice that complete shut-in of the well would result in material damage to the well.

GRANTING OF ALLOWABLES

RULE 11. No gas well shall be given an allowable until Form C-104 and Form C-110 have been filed together with a plat showing acreage attributed to said well and the locations of all wells on the lease.

RULE 12. Allowables to newly completed gas wells shall commence on the date of connection to a gas transportation facility, as determined from an affidavit furnished to the Commission (Box 2045, Hobbs, New Mexico) by the purchaser, or the date of filing of Form C-104, Form C-110 and the plat described above, or the date of application for a non-standard gas proration unit as provided in Rule 5.

RULE 13. The monthly gas production from each well shall be metered separately and the gas production therefrom shall be reported to the Commission on Form C-115 so as to reach the Commission on or before the 20th day of the month next succeeding the month in which the gas was produced. The operator shall show on such report what disposition has been made of the gas produced.

Each purchaser or taker of gas in the Byers-Queen Gas Pool shall submit a report to the Commission so as to reach the Commission on or before the 20th day of the month next succeeding the month in which the gas was purchased or taken.

Such report shall be filed on either Form C-111 or Form C-114 (whichever is applicable) with the wells being listed in approximately the same order as they are listed on the proration schedule.

Forms C-111 and C-114 referred to herein shall be submitted in duplicate, the original being sent to the Commission at Box 871, Santa Fe, New Mexico, the other copy being sent to Box 2045, Hobbs, New Mexico.

Form C-115 shall be submitted in accordance with Rule 1114 of the Commission's Rules and Regulations.

The full production of gas from each well shall be charged against the well's allowable regardless of what disposition has been made of the gas; provided, however, that gas used in the lease for consumption in lease houses, treaters, compressors, combustion engines and other similar lease equipment shall not be charged against the well's allowable.

DEFINITIONS

RULE 14. The term "gas purchaser" as used in these rules, shall mean any "taker" of gas either at the wellhead or at any point on the lease where connection is made for gas transportation or utilization. It shall be the responsibility of said "taker" to submit a nomination.

RULE 15. No gas, either dry gas or casinghead gas, produced from the Byers-Queen Gas Pool shall be flared or vented.

PROVIDED FURTHER, After the effective date of this order no well shall be completed or recompleted in such a manner that the producing zone of the Byers-Queen Gas Pool and the producing zone of any other common source of supply are both open in the same well bore unless specifically authorized by order of the Commission after notice and hearing. Dual completions may be effected in accordance with the provisions of Rule 112-A of the Commission's Rules and Regulations.

Any well presently completed in such a manner that the well bore is open to more than one common source of supply shall be assigned to the applicable pool by the Commission staff. Any operator of any well completed in such a manner shall submit to the Commission office at Hobbs, New Mexico, all pertinent well completion data on Form C-105, together with electric logs, sample logs, drill stem test records, etc. All data shall be submitted in duplicate on or before May 15, 1955. Failure of any operator to submit the required data will result in cancellation of Form C-110 and subsequent cancellation of allowables.

If the operator is not satisfied with the well's assignment he may apply for a hearing on the matter in accordance with Commission Rule 1203.

PROVIDED FURTHER, That in filing Form C-101 "Notice of Intention to Drill or Recomplete" all operators shall strictly comply with the provisions of Rule 104, paragraph (e).

PROVIDED FURTHER, That failure to comply with the provisions of this order or the rules contained herein shall result in the cancellation of allowable assigned to the affected well. No further allowable shall be assigned to the affected well until all rules and regulations are complied with. The Proration Manager shall notify the operator of the well and the purchaser in writing of the date of allowable cancellation and the reason therefor.

PROVIDED FURTHER, That special pool rules applicable to the Justis Gas Pool be, and the same hereby are promulgated as follows:

SPECIAL RULES AND REGULATIONS
FOR THE JUSTIS GAS POOL

Well Spacing and Acreage Requirements for Drilling Tracts.

RULE 1. Any well drilled a distance of one mile or more outside the boundary of the Justis Gas Pool shall be classified as a wildcat well. Any well drilled less than one mile outside the boundary of the Justis Gas Pool shall be spaced, drilled, operated and prorated in accordance with the regulations in effect in the Justis Gas Pool.

RULE 2. Each well drilled or recompleted within the Justis Gas Pool on a standard proration unit after the effective date of this rule shall be drilled not closer than 660 feet to any boundary line of the tract nor closer than 330 feet to a quarter-quarter section line or subdivision inner boundary line. Any well drilled to and producing from the Justis Gas Pool prior to the effective date of this order at a location conforming to the spacing requirements effective at the time said well was drilled shall be considered to be located in conformance with this rule.

RULE 3. The Secretary-Director of the Commission shall have authority to grant exception to the requirements of Rule 2 without notice and hearing where a verified application therefor has been filed in due form and the necessity for the unorthodox location is based on topographical conditions or is occasioned by the recompletion of a well previously drilled to another horizon.

Applicants shall furnish all operators within a 1980-foot radius of the subject well a copy of the application to the Commission, and applicant shall include with his application a list of names and addresses of all operators within such radius, together with a stipulation that proper notice has been given said operators at the addresses given. The Secretary-Director of the Commission shall wait at least 20 days before approving any such unorthodox location, and shall approve such unorthodox location only in the absence of objection of any offset operators. In the event an operator objects to the unorthodox location the Commission shall consider the matter only after proper notice and hearing.

RULE 4. The provisions of Statewide Rule 104, Paragraph (k), shall not apply to the Justis Gas Pool located in Lea County, New Mexico.

GAS PRORATION

RULE 5. (a) The acreage allocated to a gas well for proration purposes shall be known as the gas proration unit for that well. For the purpose of gas allocation in the Justis Gas Pool, a standard proration unit shall consist of between 158 and 162 contiguous surface acres substantially in the form of a square which shall be a legal subdivision (quarter section) of the U. S. Public Land Surveys with a well located at least 660 feet from the nearest property lines;

(b) The allowable production from any non-standard gas proration unit as compared with the allowable production therefrom if such tract were a standard unit shall be in the ratio of the area of such non-standard proration unit expressed in acres to the area of 160 acres. Any gas proration unit containing between 158 and 162 acres shall be considered to contain 160 acres for the purpose of computing allowables.

(c) A non-standard gas proration unit of less than 160 acres may be formed after notice and hearing by the Commission, or by administrative approval under the provisions of Paragraph (d) of this Rule. Non-standard gas proration units of more than 160 acres may be formed after notice and hearing by the Commission.

(d) The Secretary-Director of the Commission shall have authority to grant an exception to Rule 5 (a) without Notice and Hearing where a verified application has been filed in due form and where the following facts exist and the following provisions are complied with;

1. The non-standard gas proration unit consists of contiguous quarter-quarter sections and/or lots.

2. The non-standard gas proration unit lies wholly within a single governmental section.

3. The entire non-standard gas proration unit may reasonably be presumed to be productive of gas from the Justis Gas Pool.

4. The length or width of the non-standard gas proration unit does not exceed 2640 feet.

5. The applicant presents written consent in the form of waivers from (a) all operators owning interests in the quarter-section in which any part of the non-standard gas proration unit is situated and which acreage is not included in said non-standard gas proration unit, and (b) all operators owning interests within 1500 feet of the well to which such gas proration unit is proposed to be allocated.

6. In lieu of sub-paragraph 5 of this rule, the applicant may furnish proof of the fact that said offset operators were notified by registered mail of his intent to form such non-standard gas proration unit. The Secretary of the Commission may approve the application if, after a period of 30 days following the mailing of said notice, no operator has made objection to formation of such non-standard gas proration unit.

RULE 6. (a) The Commission after notice and hearing, shall consider the nominations of gas purchasers from the Justis Gas Pool and other relevant data and shall fix the allowable production of the Justis Gas Pool.

RULE 7. At least 30 days prior to the beginning of each gas proration period the Commission shall hold a hearing after due notice has been given. The Commission shall cause to be submitted by each gas purchaser its "Preliminary Nominations" of the amount of gas which each in good faith actually desires to purchase within the ensuing proration period, by months, from the Justis Gas Pool. The Commission shall consider the "Preliminary Nominations" of purchasers, actual production, and such other factors as may be deemed applicable in determining the amount of gas that may be produced without waste within the ensuing proration period. "Preliminary Nominations" shall be submitted on a form prescribed by the Commission.

RULE 8. In the event a gas purchaser's market shall have increased or decreased, he may file with the Commission prior to the 10th day of the month a supplemental nomination, showing the amount of gas he actually in good faith desires to purchase during the ensuing proration month from the Justis Gas Pool. The Commission shall hold a public hearing between the 13th and 20th days of each month to determine the reasonable market demand for gas for the ensuing proration month, and shall issue a proration schedule setting out the amount of gas which each well may produce during the ensuing proration month.

"Supplemental Nominations" shall be submitted on a form prescribed by the Commission.

Included in the monthly proration schedule shall be:

- (a) A summary of the total pool allocation for that month showing nominations, and adjustments made for under-
age or overage applied from a previous month,
- (b) A tabulation of the net allowable, and production for
the second preceding month together with a cumulative
overage or underage computation,
- (c) A tabulation of the current and net allowables for the
preceding month,

- (d) A tabulation of current monthly allowables for the ensuing proration month,
- (e) A tabulation of the acreage assigned each well together with a tabulation of the acreage factor assigned each well. For the purpose of allocation a proration unit of 160 acres shall be assigned an acreage factor of 1.00; a proration unit of 80 acres a factor of 0.50, etc.

The allowable assigned to any well capable of producing its normal gas allowable in the Justis Gas Pool shall be the same proportion of the total remaining allowable allocated to said pool after deducting allowables of marginal wells that the number of acres contained in the gas proration unit for that well bears to the acreage contained in all gas proration units assigned to non-marginal wells in the Justis Gas Pool.

The Commission shall include in the proration schedule the gas wells in the Justis Gas Pool delivering to a gas transportation facility, or lease gathering system, and shall include in the proration schedule of the Justis Gas Pool any well which it finds is being unreasonably discriminated against through denial of access to a gas transportation facility, which is reasonably capable of handling the type of gas produced by such well. The total allowable to be allocated to the pool each month shall be equal to the sum of the preliminary or supplemental nominations (whichever is applicable), together with any adjustment which the Commission deems advisable.

If during a proration month the acreage assigned a well is increased by Commission order or as otherwise provided in this order the increased allowable assigned the gas proration unit for the well shall be effective on the first day of the month following approval of such increase by the Commission.

BALANCING OF PRODUCTION

RULE 9. Underproduction: The dates 7:00 a. m., January 1, and 7:00 a. m., July 1, shall be known as balancing dates and the periods of time bounded by these dates shall be known as gas proration periods. The amount of current gas allowable remaining unproduced at the end of each proration period shall be carried forward to and may be produced during the next succeeding proration period in addition to the normal gas allowable for such succeeding period; but whatever amount thereof is not made up within the first succeeding proration period shall be cancelled.

If it appears that such continued underproduction has resulted from inability of the well to produce its allowable, it may be classified as a marginal well and its allowable reduced to the well's ability to produce.

If at the end of a proration period a marginal well has produced more than the total allowable assigned a non-marginal unit of corresponding size, the marginal well shall be reclassified as a non-marginal well and its allowable adjusted accordingly.

If during a proration period a marginal well is reworked or recompleted in such a manner that its productive capacity is increased to the extent that it should be reclassified as a non-marginal well, the reclassification shall be effective on the first day of the proration month following the date of recompletion.

The Proration Manager may reclassify a well at any time if production data or deliverability tests reflect the need for such a reclassification.

RULE 10. Overproduction: A well which has produced a greater amount of gas than was allowed during a given proration period shall have its allowable for the first succeeding proration period reduced by the amount of such overproduction and such overproduction shall be made up within the first succeeding proration period. If, at any time, a well is overproduced an amount equaling six times its current monthly allowable, it shall be shut-in until it is in balance.

The Commission may allow overproduction to be made up at a lesser rate than would be the case if the well were completely shut-in upon a showing at public hearing after due notice that complete shut-in of the well would result in material damage to the well.

GRANTING OF ALLOWABLES

RULE 11. No gas well shall be given an allowable until Form C-104 and Form C-110 have been filed together with a plat showing acreage attributed to said well and the locations of all wells on the lease.

RULE 12. Allowables to newly completed gas wells shall commence on the date of connection to a gas transportation facility, as determined from an affidavit furnished to the Commission (Box 2045, Hobbs, New Mexico) by the purchaser, or the date of filing of Form C-104, Form C-110 and the plat described above, or the date of application for a non-standard gas proration unit as provided in Rule 5.

RULE 13. The monthly gas production from each well shall be metered separately and the gas production therefrom shall be reported to the Commission on Form C-115 so as to reach the Commission on or before the 20th day of the month next succeeding the month in which the gas was produced. The operator shall show on such report what disposition has been made of the gas produced.

Each purchaser or taker of gas in the Justis Gas Pool shall submit a report to the Commission so as to reach the Commission on or before the 20th day of the month next succeeding the month in which the gas was purchased or taken.

Such report shall be filed on either Form C-111 or Form C-114 (whichever is applicable) with the wells being listed in approximately the same order as they are listed on the proration schedule.

Forms C-111 and C-114 referred to herein shall be submitted in duplicate, the original being sent to the Commission at Box 871, Santa Fe, New Mexico, the other copy being sent to Box 2045, Hobbs, New Mexico.

Form C-115 shall be submitted in accordance with Rule 1114 of the Commission's Rules and Regulations.

The full production of gas from each well shall be charged against the well's allowable regardless of what disposition has been made of the gas; provided, however, that gas used on the lease for consumption in lease houses, treaters, compressors, combustion engines and other similar lease equipment shall not be charged against the well's allowable.

RULE 14. The term "gas purchaser" as used in these rules, shall mean any "taker" of gas either at the wellhead or at any point on the lease where connection is made for gas transportation or utilization. It shall be the responsibility of said "taker" to submit a nomination.

RULE 15. No gas, either dry gas or casinghead gas, produced from the Justis Gas Pool shall be flared or vented.

PROVIDED FURTHER, After the effective date of this order no well shall be completed or recompleted in such a manner that the producing zone of the Justis Gas Pool and the producing zone of any other common source of supply are both open in the same well bore unless specifically authorized by order of the Commission after notice and hearing. Dual completions may be effected in accordance with the provisions of Rule 112-A of the Commission's Rules and Regulations.

Any well presently completed in such a manner that the well bore is open to more than one common source of supply shall be assigned to the applicable pool by the Commission staff. Any operator of any well completed in such a manner shall submit to the Commission office at Hobbs, New Mexico, all pertinent well completion data on Form C-105, together with electric logs, sample logs, drill stem test records, etc. All data shall be submitted in duplicate on or before May 15, 1955. Failure of any operator to submit the required data will result in cancellation of Form C-110 and subsequent cancellation of allowables.

If the operator is not satisfied with the well's assignment he may apply for a hearing on the matter in accordance with Commission Rule 1203.

PROVIDED FURTHER, That in filing Form C-101 "Notice of Intention to Drill or Recomplete" all operators shall strictly comply with the provisions of Rule 104, paragraph (e).

PROVIDED FURTHER, That failure to comply with the provisions of this order or the rules contained herein shall result in the cancellation of allowable assigned to the affected well. No further allowable shall be assigned to the affected well until all rules and regulations are complied with. The Proration Manager shall notify the operator of the well and the purchaser in writing of the date of allowable cancellation and the reason therefor.

EXHIBIT "A"

Horizontal limits of the Tubb Gas Pool

TOWNSHIP 21 SOUTH, RANGE 37 EAST

All of Secs. 3, 9, 10, 15, 16, 17
All of Secs. 20 to 23, and 26 to 29 incl.
SW/4, & Lots 3, 4, 5, 6, 11, 12, 13, 14 of Sec. 2
SE/4, & Lots 1, 2, 7, 8, 9, 10, 15, 16 of Sec. 4
E/2 of Sec. 8
W/2 of Sec. 11
W/2 of Sec. 14
E/2 of Sec. 19
W/2 of Sec. 25
E/2 of Sec. 30
E/2 of Sec. 31
All of Secs. 32 to 36 incl.

TOWNSHIP 22 SOUTH, RANGE 37 EAST

All of Secs. 1 to 5 incl.
E/2 Sec. 6
All Secs. 8 to 16 incl.
E/2 Sec. 21
All Secs. 22 to 25 incl.

TOWNSHIP 22 SOUTH, RANGE 38 EAST

W/2 Sec. 6
W/2 Sec. 7
W/2 Sec. 18
All Secs. 19 & 30

EXHIBIT "B"

Horizontal limits of the Byers-Queen Gas Pool

TOWNSHIP 18 SOUTH, RANGE 38 EAST

All Secs. 29 to 32 incl.

EXHIBIT "C"

Horizontal limits of the Justis Gas Pool

TOWNSHIP 25 SOUTH, RANGE 37 EAST

SW/4 Sec. 1

SE/4 Sec. 2

E/2 Sec. 11

W/2 Sec. 12

All Sec. 13

E/2 Sec. 14

E/2 Sec. 23

W/2 Sec. 24

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

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

JOHN F. SIMMS, Chairman

E. S. WALKER, Member

W. B. MACEY, Member and Secretary

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