

Entered October 19, 1962  
W. L. 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. 2504  
REHEARING

APPLICATION OF CONSOLIDATED OIL & GAS,  
INC., FOR AN AMENDMENT OF ORDER NO.  
R-1670-C, CHANGING THE ALLOCATION FORMULA  
FOR THE BASIN-DAKOTA GAS POOL, SAN JUAN,  
RIO ARRIBA, AND SANDOVAL COUNTIES, NEW MEXICO.

RULING ON MOTIONS TO QUASH SUBPOENAS DUCES TECUM

BY THE COMMISSION:

This matter came on for hearing at 9 o'clock a.m. on September 13, 1962, at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission," upon written Motions to Quash Subpoenas Duces Tecum filed by George Eaton, El Paso Natural Gas Company, Pubco Petroleum Corporation, and David H. Rainey, and upon oral Motions to Quash Subpoenas Duces Tecum by Aztec Oil & Gas Company and Frank Renard.

NOW, on this 18th day of October, 1962, the Commission, a quorum being present, having read and heard the Motions and heard the arguments of counsel thereon, and being otherwise fully advised in the premises,

FINDS:

- (1) That the Commission has jurisdiction over the subject matter and the parties to this cause.
- (2) That during oral argument before the Commission, it was stipulated by counsel for the applicant, Consolidated Oil & Gas, Inc., and counsel for Southwest Production Company, that Carl Smith would not be called as a witness as Leon Wiederkehr had been subpoenaed and would appear in lieu of the said Carl Smith.
- (3) That during oral argument before the Commission, it was stipulated by counsel for the applicant, Consolidated Oil & Gas, Inc., and counsel for Aztec Oil & Gas Company that Joe Salmon would not be called as a witness as L. M. Stevens had been subpoenaed and would appear in lieu of the said Joe Salmon.

(4) That the Subpoenas Duces Tecum served in this cause upon the said Carl Smith and Joe Salmon should be quashed.

(5) That under the subpoenas served in this cause on George Eaton, Frank D. Gorham, David H. Rainey, Frank Renard, L. M. Stevens, and Leon Wiederkehr, and subject to a determination of custody and/or control, the Commission should require only the production of all core analysis reports and all electric and radioactivity logs concerning any and all wells that have been cored in the Basin-Dakota Gas Pool by the respective companies of the subpoenaed witnesses.

(6) That the Commission should allow all parties subpoenaed in this cause to present evidence concerning custody and/or control of core analysis reports and electric and radioactivity logs concerning any and all wells that have been cored in the Basin-Dakota Gas Pool by the respective companies of the subpoenaed witnesses.

(7) That all persons subpoenaed in this cause and determined by the Commission to have custody of core analysis reports and electric and radioactivity logs concerning any well or wells cored in the Basin-Dakota Gas Pool by their respective companies should appear before the Commission at 9 o'clock a.m., on December 19, 1962 in Morgan Hall, State Land Office Building, Santa Fe, New Mexico, and produce the aforesaid documents and/or reports in accordance with this ruling.

IT IS THEREFORE ORDERED:

(1) That the Subpoenas Duces Tecum served in this cause upon Carl Smith and Joe Salmon, be, and they are hereby, quashed.

(2) That under the subpoenas served in this cause and subject to a determination of custody and/or control, George Eaton, Frank D. Gorham, David H. Rainey, Frank Renard, L. M. Stevens, and Leon Wiederkehr, shall be, and they are hereby ordered to appear before the Commission at 9 o'clock a.m., on December 19, 1962 in Morgan Hall, State Land Office Building, Santa Fe, New Mexico, and there produce all core analysis reports and all electric and radioactivity logs concerning any and all wells that have been cored in the Basin-Dakota Gas Pool by their respective companies.

(3) That all persons subpoenaed in this cause shall be allowed to present evidence concerning custody and/or control

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of all core analysis reports and all electric and radioactivity logs concerning any and all wells that have been cored in the Basin-Dakota Gas Pool by their respective companies before the Commission at 9 o'clock a.m., on November 14, 1962 in Morgan Hall, State Land Office Building, Santa Fe, New Mexico.

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

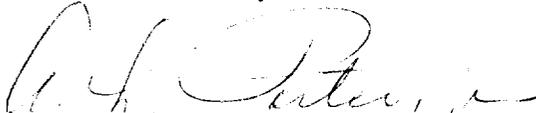
DONE at Farmington, New Mexico, on the day and year hereinabove designated.

STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION



EDWIN L. MECHEM, Chairman

E. S. WALKER, Member



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

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