

*Entered December 4, 1967
A.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. 3672
Order No. R-3353

APPLICATION OF CHARLES B. READ AND
LEN MAYER FOR BACK ALLOWABLE, EDDY
COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on October 25, 1967, at Santa Fe, New Mexico, before Examiner Elvis A. Utz.

NOW, on this 4th day of December, 1967, 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 applicants, Charles B. Read and Len Mayer, are the owners and operators of the Irene Brainard Well No. 1, located in Unit E of Section 20, Township 18 South, Range 26 East, NMPM, Atoka-Pennsylvanian Pool, Eddy County, New Mexico.

(3) That the applicants seek the assignment to the subject well of back allowable for the period from April 7, 1967, date of completion of said well, to August 3, 1967, date of Federal Power Commission approval for the sale of gas from the subject well.

(4) That Rule 1104 (2) of the Commission Rules and Regulations provides that unless otherwise specified by special pool rules, the allowable assigned to a gas well shall be effective at 7:00 o'clock a.m. on the date of connection to a gas transportation facility, as evidenced by an affidavit of connection from the

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purchaser to the Commission, or the date of receipt of Form C-104 by the Commission, whichever date is later.

(5) That final application for temporary authority for the sale of gas from the subject well was filed with the Federal Power Commission on June 30, 1967.

(6) That the Federal Power Commission approved the sale of gas from the subject well within a reasonable period of time after final application therefor had been filed.

(7) That at no time from April 7, 1967, date of completion of said well, to September 13, 1967, date of connection to a gas transportation facility, was the subject well unreasonably discriminated against through denial of access to a gas transportation facility.

(8) That the subject application should be denied.

IT IS THEREFORE ORDERED:

(1) That the subject application 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


DAVID F. CARGO, Chairman


GUYTON B. HAYS, Member


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

S E A L

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