

MAIN OFFICE CCC

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 6, TOWNSHIP 30 NORTH,
RANGE 11 WEST, N.M.P.M, SAN JUAN
COUNTY, NEW MEXICO

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Case No. 706

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 Lot 4,
Section 6, Township 30 North, Range 11 West, N.M.P.M., San Juan
County, New Mexico and are parties affected by Order No. R-560
entered by the Commission on December 17, 1954.

(b) Order No. R-560 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. Finding No. 6 is contrary to the testimony and
evidence.
3. Finding No. 6 is erroneous in that any approval
of an unorthodox location for a Mesaverde well was never properly
or legally obtained.
4. Findings No. 7, 8 and 9 are contrary to law.
5. The order is contrary to Section 1(a) of
Order No. R-110 heretofore issued by the Commission.
6. The order is contrary to Section 13(b) of
Chapter 168, Laws of 1949, as amended.
7. The order is an unreasonable and arbitrary
interpretation of the Commission's rules and deprives Applicants
of their correlative rights.

8. The Order deprives Applicants of their property without due process of law.

9. The order impairs the obligations of valid contract between Applicants and El Paso Natural Gas Company.

10. The order bears no relation to prevention of waste.

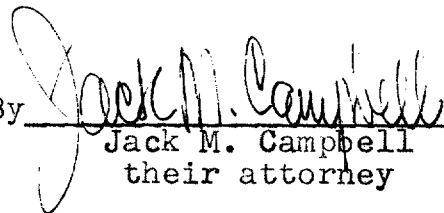
11. The order renders meaningless pooling clauses in leases referred to in the original application and the testimony and renders meaningless the application in the instant case.

WHEREFORE, Applicants request a rehearing in Case No. 706 before the Commission.

Respectfully submitted,

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

By


Jack M. Campbell
their attorney

1-4-55