

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,)	Case No. 708
RANGE 11 WEST, N.M.P.M., SAN JUAN)	
COUNTY, NEW MEXICO)	

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.

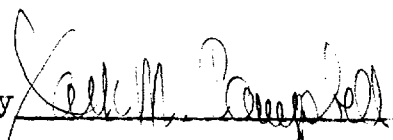
6. Order No. R-547-B deprives Applicants of their property without due process of law.

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