

GOVERNOR  
JOHN BURROUGHS  
CHAIRMAN

State of New Mexico  
Oil Conservation Commission



P. O. BOX 871  
SANTA FE

February 22, 1961

LAND COMMISSIONER  
MURRAY E. MORGAN  
MEMBER

STATE GEOLOGIST  
A. L. PORTER, JR.  
SECRETARY DIRECTOR

Mr. Jason Kellahin  
Kellahin & Fox  
Box 1713  
Santa Fe, New Mexico

Re: Case No. 2173 and 2174  
Order No. B-1880 and B-1881  
Applicant:  
Tates Petroleum Corp.

Dear Sir:

Enclosed herewith are two copies of the above-referenced Commission order recently entered in the subject case.

Very truly yours,

A. L. PORTER, Jr.,  
Secretary-Director

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Carbon copy of order also sent to:

Hobbs OCC     
Artesia OCC     
Aztec OCC   

Other

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. 2174  
Order No. R-1881

APPLICATION OF YATES PETROLEUM  
CORPORATION FOR AN ORDER FORCE-  
POOLING ALL MINERAL INTERESTS IN  
A 322.2-ACRE GAS PRORATION UNIT  
IN THE ATOKA-PENNSYLVANIAN GAS  
POOL, EDDY COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 o'clock a.m. on February 8, 1961, at Santa Fe, New Mexico, before Daniel S. Nutter, Examiner duly appointed by the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission," in accordance with Rule 1214 of the Commission Rules and Regulations.

NOW, on this 22nd day of February, 1961, the Commission, a quorum being present, having considered the application, the evidence adduced, and the recommendations of the Examiner, Daniel S. Nutter, 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 applicant, Yates Petroleum Corporation, seeks an order force-pooling all mineral interests in the Atoka-Pennsylvanian Gas Pool in the N/2 of Section 28, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico, in order to form a 322.2-acre gas proration unit.
- (3) That inasmuch as the applicant has made diligent effort to secure the approval of all mineral interest owners to the formation of the above-described gas proration unit, all mineral interests therein should be force-pooled.
- (4) That denial of the subject application would deprive, or tend to deprive, the mineral interest owners in the above-described tract of the opportunity to recover their just and equitable share of the hydrocarbons in the Atoka-Pennsylvanian Gas Pool.

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CASE No. 2174  
Order No. R-1881

IT IS THEREFORE ORDERED:

That the interests of all persons having the right to drill for, produce, or share in the production of hydrocarbons from the Atoka-Pennsylvanian Gas Pool underlying the N/2 of Section 28, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico, are hereby force-pooled to form a 322.2-acre gas proration unit comprising all of said acreage. Said unit is to be dedicated to the Yates Petroleum Corporation's Len Mayer Well No. 1, located 990 feet from the North line and 990 feet from the West line of said Section 28.

PROVIDED HOWEVER, That the proportionate share of the cost of drilling and completing the well on the 322.2-acre tract shall be borne by each consenting working interest owner in the same proportion to the total costs that his acreage bears to the total acreage in the pooled unit.

PROVIDED FURTHER, That the proportionate share of the cost of drilling and completing said well which is to be paid out of production by each non-consenting working interest owner shall be 125 per cent of the same proportion to the total costs that his acreage bears to the total acreage in the pooled unit.

PROVIDED FURTHER, That the share of the well costs, as determined above, which is to be paid by the mineral interest owners shall be withheld only from the working interests' share (7/8) of the revenues derived from the sale of the hydrocarbons produced from the well on the pooled unit. Royalty payments are not to be affected by the withholding of any funds for the purpose of paying out a proportionate share of the cost of drilling and completing said well.

DONE at Santa Fe, 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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