

Case No. 9898  
Order No. R-9199  
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(8) To avoid the drilling of unnecessary wells, to protect correlative rights, to prevent waste and to afford the owner of each interest in said unit the opportunity to recover or receive without unnecessary expense his just and fair share of the gas in said pool, the subject application should be approved by pooling all mineral interests, whatever they may be, within said unit.

(9) The applicant should be designated the operator of the subject wells and unit.

(10) Applicant should be permitted to recover \$188,750.00 as the reasonable and equitable value of the existing wellbore and associated equipment of the Britt-Laughlin Com. Well No. 1 (Unit C, Section 8) as compensation for the applicant's contribution of said well to the proposed proration unit.

(11) In the event the Britt-Laughlin Com. Well Nos. 1 and 6 are incapable of producing the entire allowable assigned to the proposed proration unit, applicant should be permitted to recover the reasonable and equitable value of the existing wellbore and associated equipment of the Britt-Laughlin Com. Well No. 5 (Unit O, Section 5) and the reasonable costs of reworking such well as compensation for applicant's contribution of such well to the proposed proration unit, such value and costs to be determined, in the absence of any voluntary agreement among the working interest owners, by the Division after public notice and hearing.

(12) Any non-consenting working interest owner should be afforded the opportunity to pay his share of the reasonable and equitable value (\$188,750.00) of the existing Britt-Laughlin Com. Well No. 1 (Unit C, Section 8) and the estimated well costs for the new infill well, the Britt-Laughlin Com. Well No. 6 (Unit I, Section 5), to the operator in lieu of paying his share of such value and costs out of unit production.

(13) The applicant requested a 200 percent risk penalty be imposed on the cost of drilling said new infill well.

(14) Based on testimony and evidence presented at the hearing, the requested 200 percent risk penalty is excessive in this instance and should therefore be reduced to reflect a more reasonable risk penalty for an infill well.