

Case No. 9898
Order No. R-9199
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(15) Any non-consenting working interest owner who does not pay his share of estimated well costs for the new infill well should have withheld from production his share of the reasonable well costs plus an additional 100 percent thereof as a reasonable charge for the risk involved in the drilling of such new infill well, also any non-consenting working interest owner who does not pay his share of the reasonable and equitable value of the existing Britt-Laughlin Com Well No. 1 (\$188,750.00) should have his share of said amount withheld from production.

(16) Any non-consenting interest owner should be afforded the opportunity to object to the actual well costs for the new infill well, but actual well costs should be adopted as the reasonable well costs in the absence of such objection.

(17) Following the determination of reasonable well costs, any non-consenting working interest owner who has paid his share of estimated costs should pay to the operator any amount that the reasonable well costs exceed the estimated well costs or should receive from the operator any amount that their paid estimated well costs exceed the reasonable well costs.

(18) \$5,500.00 per month while drilling the new infill well and \$550.00 per well per month while producing the unit wells should be fixed as reasonable charges for supervision (combined fixed rates). The operator should be authorized to withhold from production the proportionate share of such supervision charges attributable to each non-consenting working interest owner. In addition thereto, the operator should be authorized to withhold from production the proportionate share of actual expenditures required for operating the subject wells, not in excess of what are reasonable, attributable to each non-consenting working interest owner.

(19) All proceeds from unit production which are not disbursed for any reason should be placed in escrow to be paid to the true owner thereof upon demand and proof of ownership.

(20) Upon the failure of the operator of said pooled unit to commence drilling of the new infill well on said unit on or before November 16, 1990, the provisions of this order which relate to the new infill well should become null and void and of no further effect whatsoever.