STATE OF NEW MEXICO RECEIVED DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES OIL CONSERVATION DIVISION

IN THE MATTER OF THE APPLICATION OF PECOS OPERATING COMPANY FOR APPROVAL OF A NON-COMMERCIAL SALT WATER WELL, LEA COUNTY, NEW MEXICO

CASE NO. 14122 ORDER NO. R-12978 DE NOVO

APPLICATION FOR HEARING DE NOVO

H & M Disposal Company, pursuant to NMSA 1978 Section 70-2-13, requests the above-referenced matter be set for hearing de novo before the New Mexico Oil Conservation Commission on October 23, 2008.

MONTGOMERY & ANDREWS, P.A.

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<u>Certificate of Service</u>

I hereby certify that a true and correct copy of the foregoing was faxed to counsel

of record on the 18th day of September 2008, as follows:

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