

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

**IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:**

**CASE NO. 13689
ORDER NO. R-12534**

**APPLICATION OF JAY DAN LANDFARM, LLC, MR. DANNY WATSON,
OPERATOR, TO CONSTRUCT AND OPERATE A COMMERCIAL
LANDFARM FACILITY, LEA COUNTY, NEW MEXICO.**

ORDER OF THE DIVISION

BY THE DIVISION:

This case came on for hearing at 8:15 a.m. on March 30, 2006, at Santa Fe, New Mexico, before Examiner David R. Catanach.

NOW, on this 4th day of April, 2006, the Division Director, having considered the testimony, the record, and the recommendations of the Examiner,

FINDS THAT:

(1) Due public notice has been given, and the Division has jurisdiction of this case and its subject matter.

(2) On or about November 16, 2004, Jay Dan Landfarm, LLC filed a Division Form C-137 (Application for Waste Management Facility) (Application No. pEEM0516833679) with the Division in Santa Fe seeking a permit, pursuant to Division Rule No. 19.15.9.711, to construct and operate a commercial land treatment facility located within the SE/4 NE/4 of Section 32, Township 15 South, Range 35 East, NMPM, Lea County, New Mexico.

(3) On December 2, 2004, the Division received an objection to the application from Dan Field, Branch Ranch, Wilma Fort, Toots Bissett, and the City of Lovington, New Mexico.

(4) On July 1, 2005, the Division received an amended application from Jay Dan Landfarm, LLC, in which the proposed land treatment facility was moved to a location in the SE/4 NW/4 of Section 32, Township 15 South, Range 35 East, NMPM.

(5) On December 1, 2005, the Division again received an objection to the amended application from Dan Field and the City of Lovington.

(6) The subject application was subsequently set for hearing before a Division examiner.

(7) On March 29, 2006, the day before the subject application was to be heard by the Division, Dan Field and the City of Lovington withdrew their objection to the application.

(8) Jay Dan Landfarm, LLC appeared at the hearing through legal counsel. No other party appeared at the hearing.

(9) Legal counsel for Jay Dan Landfarm, LLC requested at the hearing that since there are no further objections to the subject application, the application be remanded back to the Environmental Bureau of the Division for processing.

(10) The applicant's request should be granted.

IT IS THEREFORE ORDERED THAT:

(1) The application of Jay Dan Landfarm, LLC for a permit to construct and operate a commercial land treatment facility within the SE/4 NW/4 of Section 32, Township 15 South, Range 35 East, NMPM, Lea County, New Mexico, is hereby remanded back to the Environmental Bureau of the Division for processing.

(2) Jurisdiction is hereby retained for the entry of such further orders as the Division may deem necessary.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.



SEAL

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

A handwritten signature in dark ink, appearing to read "Mark E. Fesmire".

for MARK E. FESMIRE, P.E.
Director