

Entered November 18, 1968
A.H.P.

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. 3891
Order No. R-3534

APPLICATION OF JOSEPH I. O'NEILL, JR.,
FOR AN EXCEPTION TO ORDER NO. R-3221,
AS AMENDED, LEA COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on October 16, 1968, at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission."

NOW, on this 18th day of November, 1968, the Commission, a quorum being present, having considered the testimony presented and the exhibits received at said hearing, 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, Joseph I. O'Neill, Jr., is the owner and operator of the Joseph I. O'Neill, Jr., Federal "O" Lease comprising the E/2 SE/4 of Section 14, Township 25 South, Range 32 East, NMPM, East Paduca-Delaware Pool, Lea County, New Mexico.

(3) That effective January 1, 1969, Order (3) of Commission Order No. R-3221, dated May 1, 1967, prohibits in that area encompassed by Lea, Eddy, Chaves, and Roosevelt Counties, New Mexico, the disposal, subject to minor exceptions, of water produced in conjunction with the production of oil or gas, or both, on the surface of the ground, or in any pit, pond, lake, depression, draw, streambed, or arroyo, or in any watercourse, or in any other place or in any manner which will constitute a

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hazard to any fresh water supplies and said disposal has not previously been prohibited.

(4) That the aforesaid Order No. R-3221 was issued in order to afford reasonable protection against contamination of fresh water supplies designated by the State Engineer through disposal of water produced in conjunction with the production of oil or gas, or both, in unlined surface pits.

(5) That the applicant seeks an exception to the provisions of the aforesaid Order (3) to permit the continued disposal of salt water, produced by the Joseph I. O'Neill, Jr., Federal "O" Well No. 1 located in the SE/4 SE/4 of the aforesaid Section 14, in an unlined surface pit located in said quarter-quarter section.

(6) That said Well No. 1 is presently producing approximately 13 barrels of salt water per day.

(7) That the State Engineer has designated, pursuant to Section 65-3-11 (15), N.M.S.A., 1953 Compilation, all underground water in the State of New Mexico containing 10,000 parts per million or less of dissolved solids as fresh water supplies to be afforded reasonable protection against contamination; except that said designation does not include any water for which there is no present or reasonably foreseeable beneficial use that would be impaired by contamination.

(8) That the evidence presented indicates that there are no shallow water wells within five miles of the subject pit.

(9) That water of a quality and quantity suitable for cattle is brought into the area by pipeline from wells located more than five miles from the subject unlined pit.

(10) That there appears to be no water in the vicinity of the subject unlined surface pit for which a present or reasonably foreseeable beneficial use is or will be made that would be impaired by contamination.

(11) That approval of the subject application will not cause waste nor violate correlative rights.

IT IS THEREFORE ORDERED:

(1) That the applicant, Joseph I. O'Neill, Jr., is hereby granted an exception to Order (3) of Commission Order No. R-3221,

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to continue to dispose of water produced in conjunction with the production of oil or gas, or both, by the Joseph I. O'Neill, Jr., Federal "O" Well No. 1 located in the SE/4 SE/4 of Section 14, Township 25 South, Range 32 East, NMPM, East Paduca-Delaware Pool, Lea County, New Mexico, in an unlined surface pit located in said quarter-quarter section until further order of the Commission.

(2) That the Commission may by administrative order rescind such authority whenever it reasonably appears to the Commission that such rescission would serve to protect fresh water supplies from contamination.


(3) That jurisdiction of this cause is retained for the entry of such further orders as the Commission may deem necessary.

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

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION


DAVID F. CARGO, Chairman


GUYTON B. HAYS, Member


A. L. PORTER, Jr., Member & Secretary

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