

Entered July 22, 1975  
JMR

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. 5527  
Order No. R-5071

APPLICATION OF PLAINS RADIO  
BROADCASTING COMPANY FOR AN  
EXCEPTION TO THE PROVISIONS OF  
ORDER NO. R-3221, AS AMENDED,  
CHAVES COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on July 16, 1975, at Santa Fe, New Mexico, before Examiner Daniel S. Nutter.

NOW, on this 22nd day of July, 1975, the Commission, a quorum being present, having considered the testimony, the record, and the recommendations of the Examiner, 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, Plains Radio Broadcasting Company, is the owner and operator of certain leases in and adjoining the East Chisum-San Andres Pool in Sections 9 and 16, Township 11 South, Range 28 East, NMPM, Chaves County, New Mexico.

(3) That Order (3) of Commission Order No. R-3221, as amended, 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, stream-bed, or arroyo, or in any watercourse, or in any other place or in any manner which would constitute a 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.

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(5) 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.

(6) That the applicant seeks an exception to the provisions of the aforesaid Order (3) to permit the disposal of salt water produced by applicant's L. E. Ranch 9 Wells Nos. 1, 2, and 3, located, respectively, in Units O, N, and I of Section 9, and its L. E. Ranch 16 Wells Nos. 2 and 3, located, respectively, in Units B and A of Section 16 in unlined surface pits on said leases.

(7) That there appears to be no shallow fresh water in the vicinity of any of the above-described wells for which a present or reasonably foreseeable beneficial use is or will be impaired by contamination from unlined surface pits located in the vicinity of said wells.

(8) That the applicant should be permitted to utilize unlined surface pits for the disposal of salt water produced by the above-described five wells.

IT IS THEREFORE ORDERED:

(1) That the applicant, Plains Radio Broadcasting Company, is hereby granted an exception to Order (3) of Commission Order No. R-3221, as amended, to dispose of water produced in conjunction with the production of oil or gas, or both, by its L. E. Ranch 9 Wells Nos. 1, 2, and 3, located, respectively, in Units O, N, and I of Section 9, and its L. E. Ranch 16 Wells Nos. 2 and 3, located, respectively, in Units B and A of Section 16 in unlined surface pits on said leases.

(2) That the Secretary-Director of the Commission may by administrative order rescind such authority whenever it reasonably appears to the Secretary-Director 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.

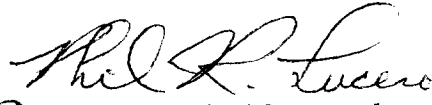
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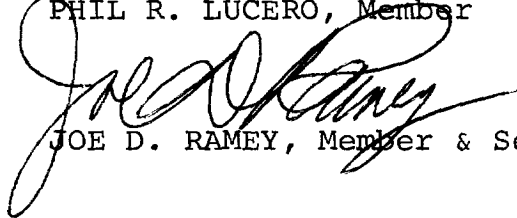
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DONE at Santa Fe, New Mexico, on the day and year herein-  
above designated.

STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION



PHIL R. LUCERO, Member



JOE D. RAMEY, Member & Secretary

S E A L

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