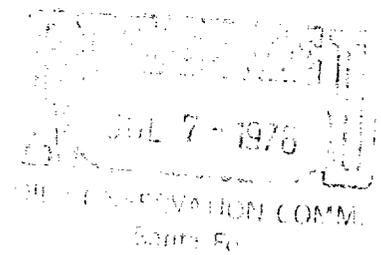


CASES 5719, 5720, 5721, 5722 and 5723
were consolidated. All exhibits and the
transcripts may be found in Case File
5719



BEFORE THE OIL CONSERVATION COMMISSION

STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF :
HARVEY E. YATES COMPANY, GENE SNOW, :
MARBOB OIL COMPANY, SIMMS & REESE, : CASE NO. _____
AND LARUE & MUNCY, FOR AN EXCEPTION :
TO ORDER NO. R-3221 AS AMENDED, EDDY :
COUNTY, NEW MEXICO. :

APPLICATION

COME NOW HARVEY E. YATES COMPANY, GENE SNOW, MARBOB OIL COMPANY, SIMMS & REESE, and LARUE & MUNCY, by and through their attorneys, and in support hereof respectfully state:

1. That applicants are the owners and operators of the following leases located in Eddy County, New Mexico:

A. Harvey E. Yates Company -

Yates State Nos. 1, 2, 3, 4, and 6, located in the NE/4, N/2 SE/4, Section 32, Township 18 South, Range 30 East, N.M.P.M.

B. Gene Snow -

Elk No. 1, located in the NW/4 SW/4, Section 32, Township 18 South, Range 30 East, N.M.P.M.

C. Marbob Oil Company -

Elliott Nos. 1, 2, and 3, located in the SW/4 NW/4, Section 28, Township 18 South, Range 30 East, N.M.P.M., and the S/2 NE/4, Section 29, Township 18 South, Range 30 East, N.M.P.M.

D. Simms & Reese -

McClay No. 7, located in the NE/4 NW/4, Section 33, Township 18 South, Range 30 East, N.M.P.M.

E. LaRue & Muncy -

McClay No. 9, located in the SW/4 NE/4,
Section 33, Township 18 South, Range 30
East, N.M.P.M., and

McClay No. 10, located in the SE/4 NW/4,
Section 33, Township 18 South, Range 30
East, N.M.P.M.

2. Applicants seek an exception to the provisions of Oil Conservation Commission Order No. R-3221 as amended to permit the disposal of saltwater produced by the above mentioned wells in unlined surface pits of said lessees.

3. That there is no shallow fresh water in the vicinity 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.

4. That the approval of this Application will prevent waste.

WHEREFORE, applicants pray:

A. That this Application be set for hearing before an examiner and that notice of said hearing be given as required by law;

B. That upon hearing the Commission enter its order granting applicants an exception to Oil Conservation Commission Order No. R-3221 as amended to permit utilization of unlined surface pits for the disposal of saltwater produced by the above described wells; and

C. For such other and further relief as may be just
in the premises.

HARVEY F. YATES COMPANY,
GENE SNOW, MARBOB OIL COMPANY,
SIMMS & REESE, LARUE & MUNCY

By: _____

LOSEE & CARSON, P.A.
P. O. Drawer 239
Artesia, New Mexico 88210

Attorneys for Applicants