

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING)
CALLED BY OIL CONSERVATION)
DIVISION UPON ITS OWN)
MOTION TO PERMIT PETRO-THERMO)
CORPORATION TO APPEAR AND)
SHOW CAUSE WHY ITS FORM) Case No. 9051
C-133, AUTHORIZATION TO HAUL)
WATER, SHOULD NOT BE CANCELLED)
FOR NON-COMPLIANCE WITH OIL)
CONSERVATION DIVISION REGULATIONS)

AFFIDAVIT

STATE OF NEW MEXICO)
) SS.
COUNTY OF LEA)

COMES NOW Robert E. Tillery, who being first duly sworn, upon oath, states that:

1. He is a truck pusher employed by Petro-Thermo Corporation;
2. At approximately 4:45 p.m. on October 7, 1986, he was contacted by Mr. James Thornton, Petro-Thermo Corporation's Engineer and directed to proceed immediately to Petro-Thermo Corporation's trucking terminal in Hobbs to meet with Mr. Eddie W. Seay of the Hobbs Office, Oil Conservation Division.
3. He travelled to the yard and met with Mr. Seay. he observed water standing in the yard. The standing water had reached a maximum depth of approximately 3" at the dike inside the fence line of the trucking terminal;

BEFORE EXAMINER STOGNER	
OIL CONSERVATION DIVISION	
PTC	EXHIBIT NO. 5
CASE NO.	9051

4. In Mr. Seay's presence, he tasted the water. It was not salty. He smelled the water. It did not have an odor. He looked at the water. It was not cloudy. He did not observe the taking of any samples of the water by Mr. Seay; and

5. He was directed by Mr. Seay to remove the standing water. He did so using a vacuum truck.

FURTHER, AFFIANT SAITH NOT.



ROBERT E. TILLERY

SUBSCRIBED AND SWORN TO before me this 5th day of January, 1987.


Notary Public

My Commission Expires:

February 13, 1990