



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

6/23/2004

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

W.T. Martin, Jr.
Martin & Lara, L.L.P.
509 West Pierce Street
PO Box 2168
Carlsbad, New Mexico 88221-2168
*Attorney for Henry McDonald, Johnny Reed, and
Delaware Ranch, Inc. & Brantley Brothers*

W. Thomas Kellahin
Kellahin & Kellahin
117 North Guadalupe
PO Box 2265
Santa Fe, New Mexico 87504
Attorney for RB Operating Company

RE: Application of RB Operating Company for Salt Water Disposal
Candelario "24" Well No. 1 API No. 30-015-26536
Unit D, Section 24, Township 23 South, Range 28 East, NMPM, Eddy County, NM
Injection through Cherry Canyon perforations from 4,304 to 4,656

Dear Sirs:

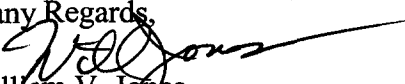
Please be advised, this application is being set for a Division examiner hearing and placed on the docket. At 8:15am of July 22, 2004, in Porter Hall in the Wendell Chino building, located at 1220 South St. Francis, Santa Fe, New Mexico, a hearing examiner, appointed by the Director, will hear testimony and evidence in this case.

The advertisement will read as follows.

Case 13313

Application of RB Operating Company for Approval of a Salt Water Disposal Well, Eddy County, New Mexico. Applicant seeks approval to utilize its Candelario "24" Well No. 1 SWD (API No. 30-015-26536) located 660 feet from the North line and 660 feet from the West line, Unit D, Section 24, Township 23 South, Range 28 East, NMPM, to dispose of produced water into the Cherry Canyon formation of the Delaware Mountain Group through perforations from 4,304 feet to 4,656 feet. This well is located near the town of Loving, New Mexico.

Many Regards,


William V. Jones
OCD Engineer

13313

Sent 6/23/04
To BOTH Parties

CASE 13313: *Application of RB Operating Company for Approval of a Salt Water Disposal Well, Eddy County, New Mexico.* Applicant seeks approval to utilize its Candelario "24" Well No. 1 SWD (API No. 30-015-26536) located 660 feet from the North line and 660 feet from the West line, Unit D, Section 24, Township 23 South, Range 28 East, to dispose of produced water into the Cherry Canyon formation of the Delaware Mountain Group through perforations from 4,304 feet to 4,656 feet. This well is located near the town of Loving, New Mexico.

CLAIBORNE M. POWER
P.O. BOX 3015
CARLSBAD, NM. 88221-3015

2004 JUL 2 PM 2 37

JUNE 24, 2004

NM OIL CONSERVATION DIVISION
WILL JONES
1220 SO. ST. FRANCIS DR.
SANTA FE, NM. 87505

Case 13313

DEAR MR. JONES;

I AM WRITING TO OBJECT TO RB OPERATING CO.'S APPLICATION FOR AUTHORIZATION TO INJECT THE CANDELARIO #1 SWD IN SEC. 24 -T23S - R28E.

I AM PRESIDENT OF MERLAND, INC. WHICH, NOW, IS THE WORKING INTEREST PARTICIPANT IN WELLS WITHIN ONE-HALF MILE OF THE PROPOSED WELL LOCATION. DUE TO INTEGRITY ISSUES OF WELL CASING WITHIN THIS AREA AND THE PROXIMITY OF THE PECOS RIVER, I PROTEST THIS APPLICATION OF RB OPERATING CO.

I LOOK FORWARD TO ATTENDING THE HEARING ON THIS PROPOSED INJECTION WELL, JULY 22, 2004 IN SANTA FE, BUT I DO NOT PLAN TO PARTICIPATE IN THE HEARING.

SINCERELY,

Claiborne M. Power
CLAIBORNE M. POWER
AND FOR MERLAND, INC. AS PRESIDENT

WJ
7-6-04

Martin & Lara, L.L.P.

509 West Pierce Street
Post Office Box 2168
Carlsbad, New Mexico 88221-2168

W. T. Martin, Jr.*
Roxanne R. Lara
(*Also licensed in Texas)

Telephone: (505) 887-3528
Fax: (505) 887-2136
E-Mail: martinlaw@zianet.com

RECEIVED

JUN 08 2004
June 4, 2004
OIL CONSERVATION
DIVISION

13313

Oil Conservation Division
State of New Mexico
1220 S. St. Francis Drive
Santa Fe, NM 87505
Atten: David Catanach

Re: Application of RB Operating Company

Dear Mr. Catanach;

Enclosed you will find an original and two copies of the Protest of Henry McDonald, Johnny Reed and Delaware Ranch, Inc & Brantley Brothers. Please file stamp one copy of each and return in the self addressed stamped envelope provided. Please contact our office if there is anything further needed. Thank you.

Yours very truly,

Martin & Lara, L.L.P.

Carla Galloway
Carla Galloway, secretary to
W.T. Martin, Jr.

*done -
WTD 6/8/04*

Enclosure(s): as stated

xc: our file

**BEFORE THE OIL CONSERVATION DIVISION
STATE OF NEW MEXICO**

In re: **APPLICATION OF RB OPERATING
COMPANY**

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No. APPLICATION FOR
FLUID INJECTION WELL
PERMIT

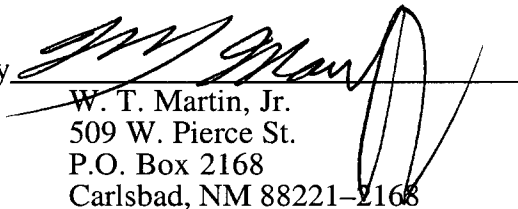
**PROTEST OF DELAWARE RANCH, INC.
&
BRANTLEY BROTHERS**

MARTIN & LARA
W. T. Martin, Jr.
509 W. Pierce St.
P.O. Box 2168
Carlsbad, NM 88221-2168
(505) 887-3528
Fax (505) 887-2136
e-mail: martinlaw@zianet.com

COME NOW John Draper Brantley, Jr., a/k/a Draper Brantley, Jr., George Henry Brantley, general partners in **Brantley Brothers**, a New Mexico general partnership ("Brantleys") and **Delaware Ranch, Inc.** ("Delaware"), a New Mexico corporation, and protest the Application by **RB OPERATING COMPANY** ("RB Operating") for a Fluid Injection Well Permit to inject produced water into the Candelario #1 well located 660' FNL & 660' FWL, Section 24, Township 23 South, Rnge 28, East, Eddy County, New Mexico. As grounds for the protest, the Brantleys and Delaware state:

1. The Brantleys are the owners of surface water rights out of File #6 and File #674 and underground rights in south Eddy County New Mexico, which will be directly affected by the State Engineer's approval of the RB Operating application.
2. RB Operating has applied as set forth in its published notice. (*A copy of the published notice is attached to this Protest as **Exhibit "A"** and is incorporated herein as if fully set forth.*)
3. Protestants' water rights will be impaired by the State Engineer granting or approving the RB Operating application.
4. For all the foregoing reasons, the State Engineer should deny the RB Operating Application.
5. Request is made for a hearing on the protest.

MARTIN & LARA

By 
W. T. Martin, Jr.
509 W. Pierce St.
P.O. Box 2168
Carlsbad, NM 88221-2168
(505) 887-3528
Fax (505) 887-2136
e-mail: martinlaw@zianet.com
Attorney for Brantley Brothers &
Delaware Ranch

**999 Legal
Notices***June 1, 8, 15, 2004***NOTICE OF
APPLICATION FOR
FLUID INJECTION
WELL PERMIT**

RB Operating Company,
777 Main St, Suite 800,
Ft. Worth, TX, 76102 has
applied to the Oil
Conservation Division for
a permit to inject pro-
duced water into the Can-
delario #1 well located
660' FNL & 660' FWL,
Section 24, Township 23
South, Range 28 East,
Eddy County, New Mexi-
co.

The applicant proposed to
inject fluid into the Cherry
Canyon Formation into
Strata in the subsurface
interval from 4304' to
4656'. A maximum injec-
tion rate of 4000 BPD is
proposed with a maxi-
mum injection pressure of
1900 PSI.

Request for information
concerning any aspect of
the application should be
directed to Mr. Mike
McGinnis at the above
address or at 817-
870-2601. Interested par-
ties must file objections or
requests for hearing with
the Oil Conservation Divi-
sion, P.O. Box 2088, San-
ta Fe, New Mexico 87501
within 15 days of publica-
tion.

EXHIBIT "A"

**BEFORE THE OIL CONSERVATION DIVISION
STATE OF NEW MEXICO**

In re: **APPLICATION OF RB OPERATING
COMPANY**

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)
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)
)

No. APPLICATION FOR
FLUID INJECTION WELL
PERMIT

PROTEST OF JOHNNY REED

MARTIN & LARA
W. T. Martin, Jr.
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Carlsbad, NM 88221-2168
(505) 887-3528
Fax (505) 887-2136
e-mail: martinlaw@zianet.com

COMES NOW Johnny Reed ("Reed") and protests the Application by **R B OPERATING COMPANY** ("RB Operating") for a Fluid Injection Well Permit to inject produced water into the Candelario #1 well located 660' FNL & 660' FWL, Section 24, Township 23 South, Range 28, East, Eddy County, New Mexico. As grounds for the protest, Reed states:

1. Reed is the owner of surface water rights and underground rights in south Eddy County New Mexico, which will be directly affected by the State Engineer's approval of the RB Operating application.
2. RB Operating has applied as set forth in its published notice. (*A copy of the published notice is attached to this Protest as **Exhibit "A"** and is incorporated herein as if fully set forth.*)
3. Protestants' water rights will be impaired by the State Engineer granting or approving the RB Operating application.
4. For all the foregoing reasons, the State Engineer should deny the RB Operating Application.
5. Request is made for a hearing on the protest.

MARTIN & LARA

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Fax (505) 887-2136
e-mail: martinlaw@zianet.com
Attorney for Reed

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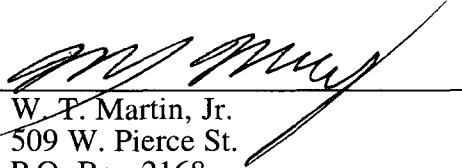
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Carlsbad, NM 88221-2168
(505) 887-3528
Fax (505) 887-2136
e-mail: martinlaw@zianet.com

COMES NOW Henry McDonald ("McDonald") and protests the Application by **RB OPERATING COMPANY** ("RB Operating") for a Fluid Injection Well Permit to inject produced water into the Candelario #1 well located 660' FNL & 660' FWL, Section 24, Township 23 South, Range 28, East, Eddy County, New Mexico. As grounds for the protest, McDonald states:

1. McDonald is the owner of surface water rights and underground rights in south Eddy County New Mexico, which will be directly affected by the State Engineer's approval of the RB Operating application.
2. RB Operating has applied as set forth in its published notice. (*A copy of the published notice is attached to this Protest as **Exhibit "A"** and is incorporated herein as if fully set forth.*)
3. Protestants' water rights will be impaired by the State Engineer granting or approving the RB Operating application.
4. For all the foregoing reasons, the State Engineer should deny the RB Operating Application.
5. Request is made for a hearing on the protest.

MARTIN & LARA

By


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e-mail: martinlaw@zianet.com
Attorney for McDonald

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