

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. 4024  
Order No. R-3670

APPLICATION OF V. S. WELCH  
FOR AN EXCEPTION TO ORDER  
NO. R-3221, AS AMENDED, EDDY  
COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on January 15, 1969, at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission."

NOW, on this 4th day of February, 1969, 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, V. S. Welch, is the owner and operator of certain wells located in the NW/4 and the N/2 SW/4 of Section 27, Township 18 South, Range 31 East, NMPM, Shugart Pool, Eddy County, New Mexico.

(3) That effective January 1, 1969, 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, streambed, or arroyo, or in any watercourse, or in any

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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.

(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 continued disposal of salt water, produced by applicant's wells located in the NW/4 and N/2 SW/4 of said Section 27, in unlined surface pits located in Unit F of said Section 27.

(7) That the applicant is presently disposing of approximately 160 barrels of produced water per day in the subject pits.

(8) That the nearest shallow water well is approximately 4 1/2 miles to the northeast from the subject pits.

(9) That the surface and subsurface drainage appears to be toward the southwest from the subject pits.

(10) That there appears to be no shallow fresh water in the vicinity of the subject unlined pits 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, V. S. Welch, is hereby granted an exception to Order (3) of Commission Order No. R-3221, as amended,

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to continue to dispose of water produced in conjunction with the production of oil or gas, or both, by his wells located in the NW/4 and the N/2 SW/4 of Section 27, Township 18 South, Range 31 East, NMPM, Shugart Pool, Eddy County, New Mexico, in the unlined surface pits located in Unit F of said Section 27 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

ALEX J. ARMIJO, Member

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

