

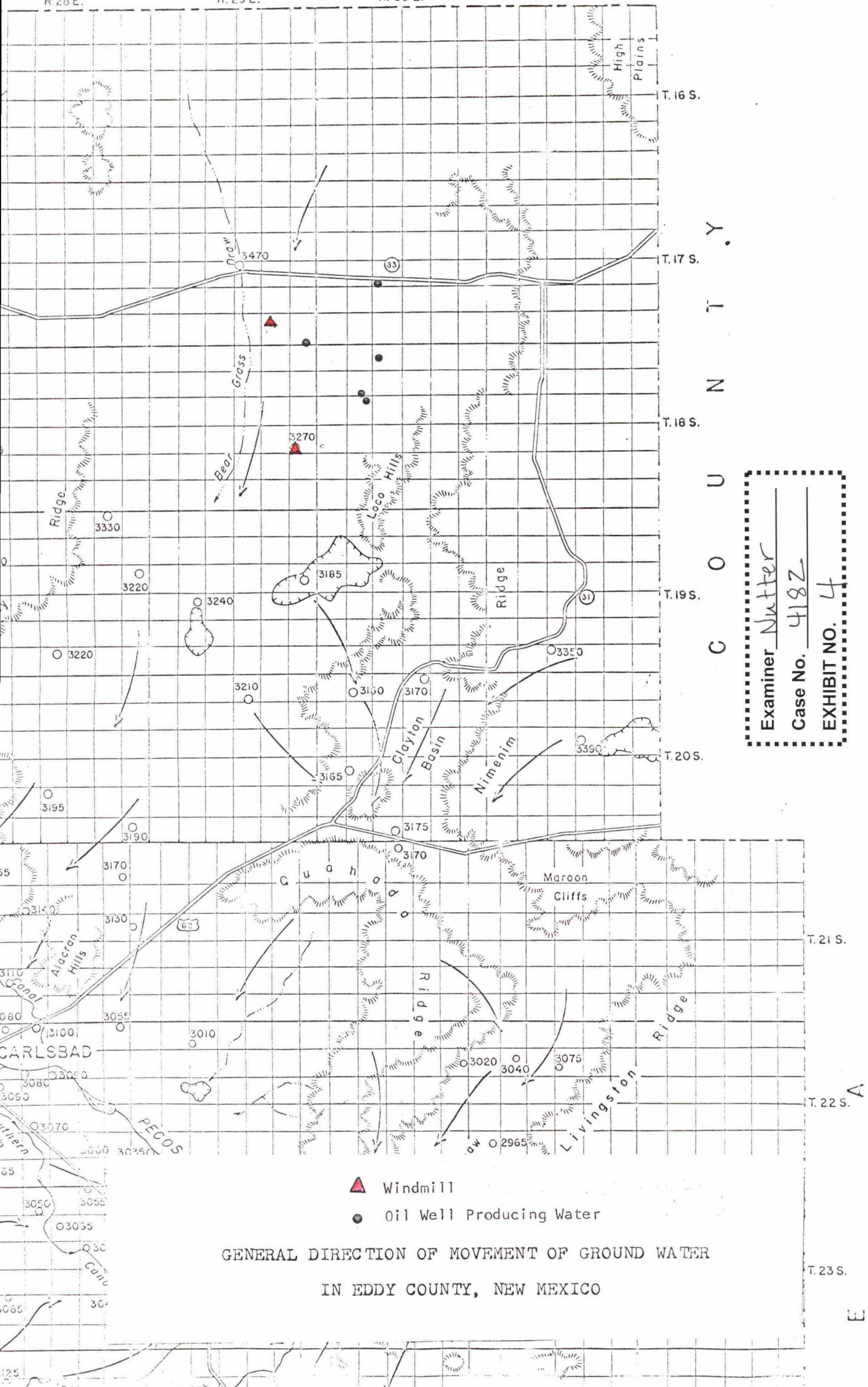
O U N T Y

R. 28 E.

R. 29 E.

R. 30 E.

R. 31 E.

Examiner NutterCase No. 4182EXHIBIT NO. 4

BEFORE EXAMINER NUTTER

OIL CONSERVATION COMMISSION

2/6/69 EXHIBIT NO. 4

CASE NO. 4182

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. 4182
Order No. R-3820

APPLICATION OF FRANKLIN, ASTON & FAIR,
INC., 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 August 6, 1969,
at Santa Fe, New Mexico, before Examiner Daniel S. Nutter.

NOW, on this 27th day of August, 1969, 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, Franklin, Aston & Fair, Inc., is the
owner and operator of the following-described wells in the Loco
Hills Field, Eddy County, New Mexico:

LOCO HILLS-ABO POOL
TOWNSHIP 17 SOUTH, RANGE 30 EAST, NMPM

McIntyre "A" Well No. 4, located in Unit I
of Section 20
McIntyre "A" Well No. 5, located in Unit P
of Section 20

LOCO HILLS GRAYBURG-SAN ANDRES POOL
TOWNSHIP 17 SOUTH, RANGE 29 EAST, NMPM
State "A" Well No. 1, located in Unit O
of Section 36

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CASE No. 4182

Order No. R-3820

LOCO HILLS GRAYBURG-SAN ANDRES POOL
TOWNSHIP 18 SOUTH, RANGE 30 EAST, NMPM

Nelson Well No. 3, located in Unit F of
Section 4

Masteller "B" Well No. 1, located in
Unit A of Section 17

(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, streambed, 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.

(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 the above-described wells in unlined surface pits located near said wells.

(7) That there appears to be no shallow fresh water in the vicinity of the subject pits for which a present or reasonably foreseeable beneficial use is or will be made that would be impaired by contamination from the subject pits.

(8) That the applicant should be permitted to dispose of salt water produced by the above-described wells in unlined surface pits located near said wells.

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CASE No. 4182

Order No. R-3820

IT IS THEREFORE ORDERED:

(1) That the applicant, Franklin, Aston & Fair, Inc., is hereby granted an exception to Order (3) of Commission Order No. R-3221, as amended, to dispose into unlined surface pits, water produced in conjunction with the production of oil or gas, or both, by the following-described wells in the Loco Hills Field, Eddy County, New Mexico:

LOCO HILLS-ABO POOL
TOWNSHIP 17 SOUTH, RANGE 30 EAST, NMPM
McIntyre "A" Well No. 4, located in Unit I
of Section 20
McIntyre "A" Well No. 5, located in Unit P
of Section 20

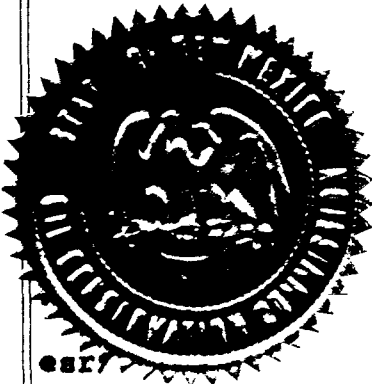
LOCO HILLS GRAYBURG-SAN ANDRES POOL
TOWNSHIP 17 SOUTH, RANGE 29 EAST, NMPM
State "A" Well No. 1, located in Unit O
of Section 36

TOWNSHIP 18 SOUTH, RANGE 30 EAST, NMPM
Nelson Well No. 3, located in Unit F of
Section 4
Masteller "B" Well No. 1, located in
Unit A of Section 17

(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. ARMISTO, Member

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