

BEFORE THE OIL CONSERVATION COMMISSION

OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION :
OF LA RUE AND MUNCY FOR AN EXCEPTION :
TO ORDER NO. R-3221, AS AMENDED, : CASE NO. 5719
EDDY COUNTY, NEW MEXICO. :
_____ :

APPLICATION FOR REHEARING

Applicant, by its attorneys, and in support hereof respectfully states:

1. That on August 24, 1976, the Oil Conservation Commission of New Mexico ("Commission") entered its Order No. R-5245, to which reference is here made, denying the application for an exception to Order (3) of Commission Order No. R-3221, as amended.

2. That Order No. R-5245 is erroneous, as follows:

(a) Contrary to Finding (8), there is no fresh water in the vicinity of the unlined pit for which a present or reasonably foreseeable beneficial use is or will be made.

(b) Contrary to Finding (10), there was evidence that subsurface drainage or percolation of water from the proposed unlined pit would not be toward nor affect fresh water, if any is present in the vicinity of the unlined pit.

(c) Contrary to Finding (11) and Order (1), applicant should have been permitted to dispose of salt water produced from its wells in an unlined surface pit located in the vicinity of said wells.

WHEREFORE, applicant prays:

A. That the Commission grant a rehearing and that notice of said rehearing be given as required by law;

B. That upon rehearing the Commission enter an order granting applicant an exception to Commission Order No. R-3221, as amended, to permit applicant to dispose of water produced from its wells in an unlined surface pit located in the vicinity of said wells; and

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

LA RUE AND MUNCY

By: 
A. J. Losee, for

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

Attorneys for Applicant

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AREA CODE 505
746-3508

10 September 1976

Mr. Joe D. Ramey, Director
New Mexico Oil Conservation Commission
P. O. Box 2088
Santa Fe, New Mexico 87501

Re: Case Nos. 5719 through 5723
Order Nos. R-5245 through R-5249

Dear Mr. Ramey:

Enclosed, please find original and two copies each of applications of LaRue and Muncy, Harvey E. Yates Company, H & S Oil Company, Gene A. Snow and Marbob Energy Corporation for a rehearing on the orders entered in each of the above numbered cases.

We ask that you grant the rehearing and give us notice of its setting.

Very truly yours,

LOSEE & CARSON, P.A.


A. J. Losee

AJL:jw
Enclosures

cc w/enclosure: LaRue and Muncy
Harvey E. Yates Company
H & S Oil Company
Mr. Gene A. Snow
Marbob Energy Corporation