

File  
District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
811 South First, Artesia, NM 88210  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
2040 South Pacheco, Santa Fe, NM 87505

State of New Mexico  
Energy Minerals and Natural Resources

Oil Conservation Division  
2040 South Pacheco  
Santa Fe, NM 87505

Form C-129  
Revised March 17, 1999

Submit 3 Copies to appropriate  
District Office

NFO Permit No. I-823-C  
(For Division Use Only)

**APPLICATION FOR EXCEPTION TO NO-FLARE RULE 306**

(See Rule 306 and Rule 1129)

A. Applicant Harvey E. Yates Company

whose address is P.O. Box 1933, Roswell, New Mexico 88202

hereby requests an exception to Rule 306 for \_\_\_\_\_ days or until

December 01, 2003, for the following described tank battery (or LACT):

Name of Lease Ekay 28 State #3 Name of Pool Dios Mano; Delaware

Location of Battery: Unit Letter O Section 28 Township 18S Range 34E

Number of wells producing into battery one (1)

B. Based upon oil production of approx 8 +/- barrels per day, the estimated \* volume  
of gas to be flared is 0 MCF; Value 0 per day.

C. Name and location of nearest gas gathering facility:

N/A

D. Distance N/A Estimated cost of connection N/A

E. This exception is requested for the following reasons: \_\_\_\_\_

This well is not producing any gas.

**OPERATOR**

I hereby certify that the rules and regulations of the Oil Conservation  
Division have been complied with and that the information given above  
is true and complete to the best of my knowledge and belief.

Signature Dianna Rodgers

Printed Name  
& Title Dianna Rodgers, Production Analyst

Date 10/15/01 Telephone No. 505-623-6601

**OIL CONSERVATION DIVISION**

Approved Until 10/16/02

By PAUL E. KAUTZ  
PETROLEUM ENGINEER

Title \_\_\_\_\_

Date OCT 13 2001

\* Gas-Oil ratio test may be required to verify estimated gas volume.