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DISTRICT I
P.O. Box 1980, Hobbs, NM 88241-1980
DISTRICT II
P.O. Drawer DD, Artesia, NM 88211-0719
DISTRICT III
1000 Rio Brazos Rd, Aztec, NM 87410
Submit 3 Copies to
Appropriate District Office

State of New Mexico
Geology, Minerals and Natural Resources Department
OIL CONSERVATION DIVISION
2040 Pacheco St.
Santa Fe, NM 87505

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Form C-129
Revised 4-1-91

NFO Permit No. I-823-B
(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, NM 88202,
hereby requests an exception to Rule 306 for 365 days or until
December 15, 2001, 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 0 Section 28 Township 18S Range 34E
Number of wells producing into battery one
- B. Based upon oil production of 1 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 12/09/99 Telephone No. 505/623-6601

OIL CONSERVATION DIVISION

Approved Until 12/15/2000

By Chris Williams

Title DISTRICT 1 SUPERVISOR

Date DEC 15 1999

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