

October 2, 2017.

Re: TODD #2 Produced Water Recycling Containment Permit/Registration located in Eddy County in Section 2, Township 23 South, Range 31 East.

Submitted by Envirotech Engineering & Consulting for Devon.

After initial submittal of Form C-147 and attending informational and technical data for permit of a recycling facility and registration for produced water containment in August 2017, and subsequent additional data and informational corrections, the following:

- 1) The variance request for 40-mil LLDPE liner instead of the 30-mil string reinforced liner as indicated in rule 34 is approved with stipulation that the liner "system" as proposed in package is constructed.
- 2) The variance request to install and operate the "Bird-X Mega Blaster Pro" system in lieu of Rule indicated netting for bird deterrence is approved. It is the responsibility of the Operator to maintain appropriate function of said system. Other aspects of the Rule relative to bird control/reporting remain in place.
- 3) The alternate fencing as proposed is also approved.
- 4) Therefore, the application and permit needs for Facility and Containment are approved.

Thank you for your assistance and cooperation on this matter.

It is highly recommended that a complete "Draft" of C-147 and Packet be submitted for future sites. Following corrections, if any, a Final C-147 with Packet can then be submitted. This is more efficient for OCD and will enhance review time.

Sincerely,

Bradford Billings

EMNRD

OCD/Santa Fe

Be advised: Please keep a copy of this electronic communication for your files, as no paper copy will be delivered.