

STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION

APPLICATION OF SELECT WATER  
SOLUTIONS, LLC FOR APPROVAL  
OF A SALTWATER DISPOSAL WELL,  
LEA COUNTY, NEW MEXICO.

CASE NO. 25899

**ENTRY OF APPEARANCE, NOTICE OF INTERVENTION, AND REQUEST FOR  
HEARING & OBJECTION TO PROCEEDINGS BY AFFIDAVIT**

COMES NOW, the City of Jal (City), by and through undersigned counsel, hereby enters its appearance in the above-referenced application and further provides notice of its intervention and objection to this matter proceeding by affidavit.

The City seeks to intervene in this matter as a party under 19.15.4.10(A)(3) NMAC, which provides that parties to an adjudicatory proceeding include “a person who properly intervenes in the case.” The City’s intervention is governed by 19.15.4.11 NMAC, which provides that a person with standing may intervene by filing notice stating the nature of the intervenor’s interest and the extent of opposition to the application. Under the rule, intervention is proper where the intervenor demonstrates standing or will contribute substantially to the Division’s statutory duties. 19.15.4.11(C). Pursuant to NMAC 19.11.3.8, “any affected persons or interested persons may file a request with the division for a permit hearing” and “the director shall generally grant a permit hearing if the affected person requests a hearing.”

**The City has standing to intervene because it is an affected or interested person who may request a permit hearing**

The application proposes a saltwater disposal well be drilled at a location 2,631’ from the north line and 901’ from the east line (Unit H) of Section 14, Township 26 South, Range 35 East, Lea County, New Mexico (the Coyote well), and proposes a perforated injection between 5,175 and 6,420 feet below the surface at the subject location. In the application, Select Water

Solutions identified two of the City's permitted locations for future groundwater wells that are located within one mile from the Coyote well, and four additional groundwater wells, owned and operated by the City as part of the municipal well field, that are located within two miles from the Coyote Well. (See page 34 of 64 to the application). The City's six groundwater wells pump water from the Pecos Valley Alluvium (PVA) aquifer. The PVA aquifer is the City's sole source of potable water for the residents of Jal. The Santa Rosa aquifer is located beneath the PVA aquifer, and the application proposes injections into intervals beneath the Santa Rosa and PVA aquifers. Basin analysis of the Jal Basin shows potential hydrologic communication between the Santa Rosa and PVA aquifers in portions of the Monument Draw Trough. (See Exhibit A, affidavit of Meghan Hodgins, and Exhibits 1 and 2 to Exhibit A).

The City's groundwater wells might be affected by the proposed location and depth of the Coyote well, because the Coyote disposal may contaminate or damage the City's source aquifer. The subject geology that the Coyote well must drill through contains existing faults, and the application proposes a surface injection pressure of 1,035 psi with the proposed injections between 5,175 and 6,420 feet below the surface and an injection volume of 20,000 barrels of water per day. The presence of the existing faults combined with the introduced injection pressure may reduce the frictional resistance of the subject geology and widen the fault planes. The widening of the fault planes may induce seismic activity that will physically damage the City's groundwater wells. The proposed depth of the injections will be beneath but near the Santa Rosa and PVA aquifers. New microfractures will also be created from the widening of the fault planes, which may become additional pathways for the migration of contaminated groundwater into the PVA aquifer. In other words, the City's groundwater aquifers could be affected by the Coyote well due to their horizontal and vertical proximities to the

Coyote well and because of the subject stratigraphy. (See Exhibit A, affidavit of Meghan Hodgins, and Exhibits 1 and 2 to Exhibit A).

The application itself acknowledges the City's wells and its potential effect on these wells by identifying the City's groundwater wells within the area of review (AOR). (See page 34 of 64 to the application). The City is highly concerned that its only source of fresh water will be contaminated and damaged by the Coyote well. The Coyote SWD well is located within the area of the PVA aquifer and will require drilling through the saturated PVA and potentially the saturated Santa Rosa to reach the planned injection depth. Prior to the development of the municipal well field in the Jal Basin PVA aquifer, the City utilized groundwater wells east of Jal, but it was forced to establish its current well field approximately 8 miles from the City because the eastern wells were contaminated by nearby oil and gas activities. The City cannot afford to have its current well field contaminated because it lacks the resources or an alternate source of potable water to establish a new water system. If the current well field is contaminated, the residents of Jal will be without a source of fresh or potable water. (See Exhibit A, affidavit of Meghan Hodgins, and Exhibits 1 and 2 to Exhibit A).

Due to the horizontal and vertical proximities of the City's wells to the Coyote well, the City has standing to intervene because it is an affected or interested person who may request a permit hearing pursuant to NMAC 19.11.3.8.

#### **Notice to the City**

The Oil Conservation Division has broad statutory authority to conduct hearings and regulate oilfield waste disposal in furtherance of the Oil and Gas Act. *See NMSA 1978, § 70-2-12(A)(5) and § 70-2-11(A)*. The Division is further expressly authorized to regulate the disposal

of produced water by injection “in a manner that protects public health, the environment and freshwater resources.” NMSA 1978, § 70-2-12(B)(15).

The City did not receive direct notice of the application during the initial objection window because it was not classified as an “affected person” under the Division’s radius-based notice provisions. The City submits this appearance and objection promptly upon learning that the application remains pending for disposition by affidavit. The absence of notice does not mean the absence of impact, particularly where critical groundwater resources and well integrity are at issue. And, to the extent the City’s intervention is considered late, the Division Examiner may, in his discretion, allow late intervenors to participate. 19.15.4.11(B) NMAC.

Accordingly, the City respectfully requests that the Division decline to resolve this application solely by affidavit and instead require further process sufficient to address the direct groundwater impacts to the City’s operations, including granting the City’s request for a permit hearing. Such further process is necessary to ensure that produced water disposal by highly pressurized shallow injection is conducted consistently with the Division’s statutory mandate to protect public health, the environment, and freshwater resources.

Respectfully submitted,

DOMENICI LAW FIRM, PC

/s/ Pete Domenici

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on the following counsel of record via electronic mail on May 1, 2026:

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*/s/ Zachary Kim*  
\_\_\_\_\_  
Zachary Kim

## Exhibit A

### **Affidavit of Meghan Hodgins**

Meghan Hodgins, being over 18 years of age and of sound mind swear to the following:

1. I graduated from Hartwick College in New York State with a Bachelor of Arts in Geology in 1994;
2. In 1997, I obtained a Master of Science Degree in Earth and Planetary Science from the University of New Mexico;
3. I am employed as a Senior Consultant at GZA GeoEnvironmental, Inc. d/b/a Glorieta Geoscience in Santa Fe New Mexico. I have 27 years of professional experience encompassing the following areas: development of three-dimensional groundwater flow models in basin fill and fractured bedrock aquifers; well design, lithologic evaluation, and evaluation of geophysical logs; geologic mapping for mineral resource evaluation and well siting; field monitoring of drilling and installation of well nests to depths of up to 2,500 feet; field management, data collection and analysis of aquifer tests and sampling of discrete groundwater zones in multi-aquifer systems; support for water rights applications and protests including analyzing water rights applications for new appropriations and transfers; and preparation of expert reports and preparation for testimony in OSE administrative proceedings;
4. Glorieta Geoscience, Inc., then Glorieta Geoscience, A Division of GZA GeoEnvironmental, Inc., and now GZA GeoEnvironmental Inc. d/b/a Glorieta Geoscience of Santa Fe New Mexico has been the hydrology and water rights consultant for the City of Jal, New Mexico since 2018. The work conducted for the City of Jal includes the following topics: Research and compilation of aquifer test data and aquifer extent for construction and testing of groundwater models; Groundwater modeling of the Pecos Valley Alluvium Aquifer and Dockum Group (Santa Rosa Sandstone) Aquifer in

the vicinity of the City of Jal; Groundwater modeling in support of City of Jal groundwater rights applications for municipal supply wells; Jal Basin and Monument Draw Trough geohydrologic analysis, mapping, and cross section construction; Well analysis for determination of the Pecos Valley Alluvium Formation thickness, saturated thickness and volume of saturated formation; Providing expert testimony in Office of the State Engineer (OSE) hearings in support of Jal's protest of applications for new appropriations of groundwater in the Jal, Capitan, and Carlsbad Administrative Basins;

5. I have been accepted as an expert witness in hydrology and groundwater modeling in an OSE administrative hearing and testified on behalf of the City of Jal;
6. Based on our previous work for the City of Jal mapping the thickness of the Pecos Valley Alluvium Formation (PVA) in the Monumental Draw Trough in New Mexico, including interpretation of fault locations from geophysical log analyses in the area of the Monument Draw Trough and determination of the area of saturation and saturated thickness of the PVA aquifer, the following concerns for the protection of the City of Jal's sole source drinking water supply have been defined:
  - a. The proposed SWD Coyote Fed 14 Well #1 is within 1 mile of two City of Jal permitted municipal water supply well locations (Exhibit 1).
  - b. The proposed SWD Coyote Fed 14 Well #1 is within 2 miles of ten existing City of Jal wells, six of which are active water supply wells for the municipal water system, and one permitted municipal water supply well location (Exhibit 1).
  - c. The proposed SWD Coyote Fed 14 Well #1 is located less than 1 mile from the western bounding fault of the Monument Draw Trough. There are likely additional faults in this area related to the formation of the Monument Draw

Trough, the structural basin that contains the PVA aquifer in New Mexico (Exhibit 1).

- d. Faults near a SWD well are potential conduits for upward movement of injected produced water from the injection zone into the overlying formations. Fractures associated with the known faults may extend beyond the location of the mapped fault and may occur closer to the SWD site.
- e. The formation of the Trough was due to dissolution and collapse of evaporite formations, mainly the Salado Formation. The underlying Capitan Limestone is well-known for karst development in the Carlsbad area. The Capitan Limestone interfingers with Bell Canyon and Cherry Canyon Formations, the injection target zone, leaving the possibility of interconnection of these formations and hydrologic connection through karst features and fractures.
- f. The injection zone for the Coyote Fed 14 Well #1 is at a proposed minimum depth of 5175 feet, approximately 4700 feet below the bottom of the freshwater aquifers and in close proximity to a known fault. The high-pressure injection of produced water, even with 4700 feet of vertical separation, could potentially cause migration of produced water upward from the injection zone along fault and fracture paths into the fresh water aquifers.
- g. The proposed SWD Coyote Fed 14 Well #1 site sits on top of the saturated PVA aquifer and may also overlie the saturated Santa Rosa aquifer. These are the only two fresh water aquifers in the region (Exhibits 1 + 2).
- h. Drilling through the fresh water aquifers to reach the injection zone creates the potential for contamination during drilling. Injection of produced water under

high pressure at depth creates the potential for contamination through upward migration of fluid along fracture zones. The SWD operation at the ground surface is a potential source of aquifer contamination due to spills and leaks from broken produced water piping, holding tanks, or tanker truck transportation to the SWD site.

7. I concluded from my analysis that:

- a. The proximity of the proposed SWD Coyote Fed 14 Well #1 to the City of Jal well field poses a significant potential for contamination of the sole-source drinking water aquifer for the City.
- b. The location of the proposed SWD Coyote Fed 14 Well #1 on top of the saturated PVA aquifer creates a significant concern for contamination of the drinking water aquifer during drilling and injection activities and potential contamination from surface spills at or near the site from transport of produced water to the site.
- c. The location of the proposed SWD Coyote Fed 14 Well #1 near the Monument Draw Trough faults creates a significant potential for upward movement of produced water from the injection zone to the overlying freshwater aquifers.
- d. The relatively shallow proposed injection depth of the SWD Coyote Fed 14 Well #1 of 5175 feet increases the possibility of upward migration of produced water contaminants from the zone of injection into the overlying PVA aquifer. The likelihood of migration of injected fluids and contamination of the fresh water PVA and Santa Rosa aquifers is increased due to the proximity of the site to the interpreted fault locations bounding the Monument Draw Trough.

*Meghan Hodgins*

\_\_\_\_\_  
Meghan Hodgins

5/1/2026

\_\_\_\_\_  
Date

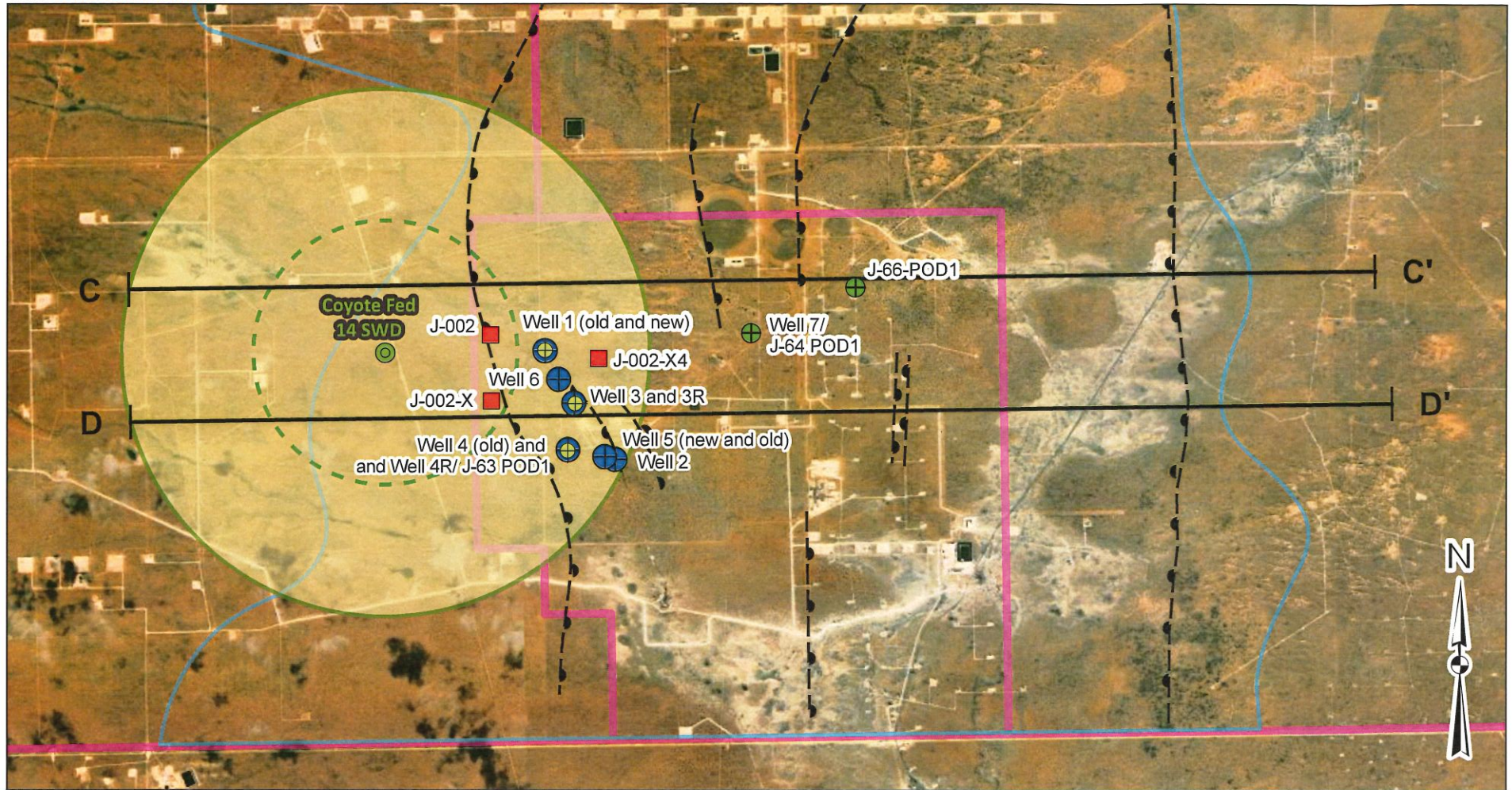
STATE OF NEW MEXICO        )  
  )ss.  
COUNTY OF SANTA FE        )

The foregoing instrument was acknowledged before me this 1st day of May 2026, by Meghan Hodgins.

\_\_\_\_\_  
Notary Public

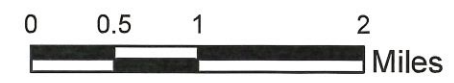
My Commission Expires:

\_\_\_\_\_



### Exhibit 1: City of Jal Municipal Well Field with Proposed Coyote Fed SWD Well Location

- |   |   |  |
|---|---|--|
| <p><b>City of Jal Wells</b></p> <ul style="list-style-type: none"> <li> Observation Wells</li> <li> Permitted Water Supply Wells</li> <li> Water Supply Wells</li> <li> Pending Permit as Water Supply Wells</li> </ul> | <ul style="list-style-type: none"> <li> Coyote Fed 14 SWD Well</li> <li> 1-Mile Buffer from Coyote Fed 14 SWD</li> <li> 2-Mile Buffer from Coyote Fed 14 SWD</li> </ul> | <ul style="list-style-type: none"> <li> Approximate Faults</li> <li> Cross Section Lines</li> <li> Administrative Basins</li> <li> PVA Saturated Extent from Cross-sections</li> </ul> |
|---|---|--|



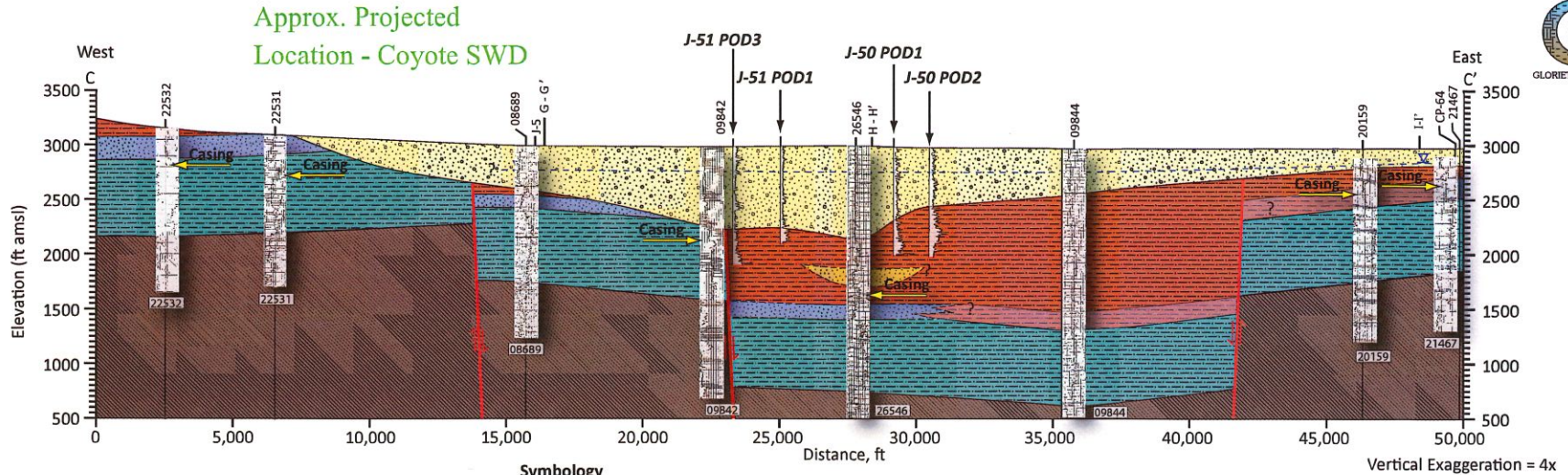
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05/01/2026

SCALE:  
1:70,214

PREPARED BY:

# EXHIBIT 2



- Symbology**
- Pecos Valley Alluvium (PVA, includes eolian, fluvial, and lacustrine deposits)
  - Sandstone in Upper Dockum (Possibly correlative with Trujillo Sandstone)
  - Dockum Group shale, Chinle Formation, or Tecovas Formation, may include localized sandstone intervals
  - Santa Rosa Sandstone (may include shaly interbeds); semitransparent where well control is lacking or unit is not clearly identified in gamma logs.
  - Permian Dewey Lake Formation
  - Permian Rustler Formation and underlying undifferentiated Permian units
- Triassic**
- Static water level in PVA
- Existing well with lithologic or geophysical data used to construct cross-section. Wells without C, CP, or J designations are OCD wells, API number is 30-025-Number shown on section

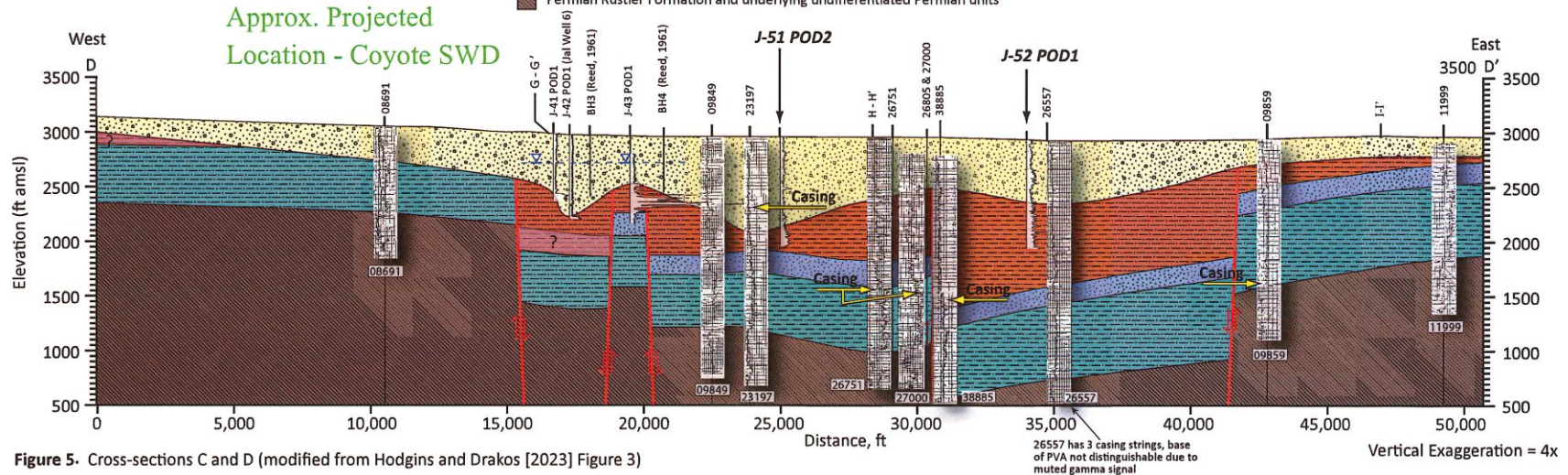


Figure 5. Cross-sections C and D (modified from Hodgins and Drakos [2023] Figure 3)