

**3RF-49 -
RODEO UNIT 511H -
FACILITY ID
fVV2123237271.**

**C-147. Conditions of
Approval. Variances**

**[372286] ENDURING
RESOURCES, LLC
August 24, 2021.**

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Tuesday, August 24, 2021 3:29 PM
To: Alex Campbell; Gabrielle Riley; Heather Riley; Mindy Paulek; maureen.joe@bia.gov; Chris Jones
Cc: Enviro, OCD, EMNRD
Subject: 3RF-49 - RODEO UNIT 511H - FACILITY ID fVV2123237271. Approved with Conditions.
Attachments: C-147. 3RF-49 - RODEO UNIT 511H - FACILITY ID fVV2123237271 08.24.2021.pdf

3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#). Application Approved with Conditions

Mr. Campbell,
NMOCDC has reviewed the recycling containment permit application and related documents, submitted by [\[372286\]](#) ENDURING RESOURCES, LLC on July 29, 2021 for 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) in Unit Letter N, Section 25, Township 23N, Range 09W, San Juan County, New Mexico.

[\[372286\]](#) ENDURING RESOURCES, LLC requested variances to 19.15.34 NMAC for 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#).

The following variances have been approved:

- The variance to 19.15.34.12.A (2) NMAC for the no side-slope requirement for the AST containment with vertical walls is approved.
- The variance to 19.15.34.12.A (3) NMAC for the liners to be anchored to the top of the AST steel walls and no anchor trenches is approved.

The form C-147 and related documents for 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) is approved with the following conditions:

- [\[372286\]](#) ENDURING RESOURCES, LLC shall construct, operate, maintain, close, and reclaim 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) consisting of two (2) ASTs with 60,000.00 bbl of capacity and 50,000.00 bbl of capacity, in compliance with 19.15.34 NMAC.
- 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) is approved for five years of operation from the date of the application. 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) permit expires on July 29, 2026. If [\[372286\]](#) ENDURING RESOURCES, LLC wishes to extend operations past five years, an annual permit extension request must be submitted using an OCD form C-147 through [OCD Online](#) by June 29, 2026.
- Water reuse and recycling from 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) is limited to wells owned or operated by [\[372286\]](#) ENDURING RESOURCES, LLC.
- [\[372286\]](#) ENDURING RESOURCES, LLC shall notify OCD when construction of 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) commences.
- [\[372286\]](#) ENDURING RESOURCES, LLC shall notify OCD when recycling operations commence and cease at 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#).
- A minimum of 3-feet freeboard must be maintained at 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#), at all times during operations.
- [\[372286\]](#) ENDURING RESOURCES, LLC shall provide OCD with the calculations for the operational total fluid capacity of each of the containments within 30 days of receiving produced water in the containment. The operational fluid capacity is the total volume of the containment, minus the volume not utilized due to the freeboard.

- If less than 20% of the total fluid capacity is utilized every six months, beginning from the first withdrawal, operation of the facility is considered ceased and notification of cessation of operations should be sent electronically to OCD.Enviro@state.nm.us. An extension request to extend the cessation of operation, not to exceed six months, may be submitted using a C-147 form through [OCD Online](#).
- [372286] ENDURING RESOURCES, LLC shall submit monthly reports of recycling and reuse of produced water, drilling fluids, and liquid oil field waste on OCD form C-148 through [OCD Online](#) even if there is zero activity.
- [372286] ENDURING RESOURCES, LLC shall comply with 19.15.29 NMAC Releases in the event of any release of produced water or other oil field wastes at 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#).

Please reference number 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) in all future communications.

Victoria Venegas • Environmental Specialist

Environmental Bureau

EMNRD - Oil Conservation Division

811S. First St. | Artesia, NM 88210

(575) 909-0269 | Victoria.Venegas@state.nm.us

<http://www.emnrd.state.nm.us/OCD/>



District I
1625 N. French Dr., Hobbs, NM 88240
District II
811 S. First St., Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources
Department
Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-147
Revised April 3, 2017

Recycling Facility and/or Recycling Containment

Type of Facility: ☒ Recycling Facility ☒ Recycling Containment*
Type of action: ☒ Permit ☒ Registration
☐ Modification ☐ Extension
☐ Closure ☐ Other (explain) _____

* At the time C-147 is submitted to the division for a Recycling Containment, a copy shall be provided to the surface owner.

Be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.

1.
Operator: Enduring Resources, LLC (For multiple operators attach page with information) OGRID #: 372286
Address: 200 Energy Court, Farmington, NM 87401
Facility or well name (include API# if associated with a well): Rodeo Unit 511H
OCD Permit Number: 3RF-49 - (For new facilities the permit number will be assigned by the district office)
U/L or Qtr/Qtr N FACILITY ID FVV2123327271 Section 25 Township 23N Range 9W County: San Juan
Surface Owner: ☒ Federal ☐ State ☐ Private ☐ Tribal Trust or Indian Allotment

2.
☒ **Recycling Facility:**
Location of recycling facility (if applicable): Latitude 36.191179 Longitude -107.744800 NAD83
Proposed Use: ☒ Drilling* ☒ Completion* ☒ Production* ☒ Plugging*
**The re-use of produced water may NOT be used until fresh water zones are cased and cemented*
☐ Other, *requires permit for other uses. Describe use, process, testing, volume of produced water and ensure there will be no adverse impact on groundwater or surface water.*
☒ Fluid Storage
☒ Above ground tanks ☒ Recycling containment ☐ Activity permitted under 19.15.17 NMAC explain type _____
☐ Activity permitted under 19.15.36 NMAC explain type: _____ ☐ Other explain _____
☒ For multiple or additional recycling containments, attach design and location information of each containment
☐ **Closure Report (required within 60 days of closure completion):** ☐ Recycling Facility Closure Completion Date: _____

3.
☒ **Recycling Containment:**
☐ Annual Extension after initial 5 years (attach summary of monthly leak detection inspections for previous year)
Center of Recycling Containment (if applicable): Latitude 36.191179 Longitude -107.744800 NAD83
☒ For multiple or additional recycling containments, attach design and location information of each containment
☒ Lined ☐ Liner type: Thickness 45 mil ☒ LLDPE ☐ HDPE ☐ PVC ☒ Other 30 mil Secondary Liner
☒ String-Reinforced
Liner Seams: ☒ Welded ☐ Factory ☐ Other _____ Volume: 50,000 & 60,000 bbl Dimensions: L See Attached x W _____ x D _____
☐ Recycling Containment Closure Completion Date: _____

4.

Bonding:

- ☒ Covered under bonding pursuant to 19.15.8 NMAC per 19.15.34.15(A)(2) NMAC (These containments are limited to only the wells owned or operated by the owners of the containment.)
- ☐ Bonding in accordance with 19.15.34.15(A)(1). Amount of bond \$ _____ (work on these facilities cannot commence until bonding amounts are approved)
- ☐ Attach closure cost estimate and documentation on how the closure cost was calculated.

5.

Fencing:

- ☒ Four foot height, four strands of barbed wire evenly spaced between one and four feet
- ☐ Alternate. Please specify _____

6.

Signs:

- ☒ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers
- ☐ Signed in compliance with 19.15.16.8 NMAC

7.

Variances:

Justifications and/or demonstrations that the proposed variance will afford reasonable protection against contamination of fresh water, human health, and the environment.

Check the below box only if a variance is requested:

☐ Variance(s): Requests must be submitted to the appropriate division district for consideration of approval. If a Variance is requested, include the variance information on a separate page and attach it to the C-147 as part of the application.

If a Variance is requested, it must be approved prior to implementation.

8.

Siting Criteria for Recycling Containment

Instructions: The applicant must provide attachments that demonstrate compliance for each siting criteria below as part of the application. Potential examples of the siting attachment source material are provided below under each criteria.

General siting**Ground water is less than 50 feet below the bottom of the Recycling Containment.**

NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

☐ Yes ☒ No
☐ NA

Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended.

☐ Yes ☒ No
☐ NA

- Written confirmation or verification from the municipality; written approval obtained from the municipality

Within the area overlying a subsurface mine.

☐ Yes ☒ No

- Written confirmation or verification or map from the NM EMNRD-Mining and Minerals Division

Within an unstable area.

☐ Yes ☒ No

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; topographic map

Within a 100-year floodplain. FEMA map

☐ Yes ☒ No

Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).

☐ Yes ☒ No

- Topographic map; visual inspection (certification) of the proposed site

Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.

☐ Yes ☒ No

- Visual inspection (certification) of the proposed site; aerial photo; satellite image

Within 500 horizontal feet of a spring or a fresh water well used for domestic or stock watering purposes, in existence at the time of initial application.

☐ Yes ☒ No

- NM Office of the State Engineer - iWATERS database search; visual inspection (certification) of the proposed site

Within 500 feet of a wetland.

☐ Yes ☒ No

- US Fish and Wildlife Wetland Identification map; topographic map; visual inspection (certification) of the proposed site

9.

Recycling Facility and/or Containment Checklist:**Instructions:** Each of the following items must be attached to the application. Indicate, by a check mark in the box, that the documents are attached.

- ☒ Design Plan - based upon the appropriate requirements.
☒ Operating and Maintenance Plan - based upon the appropriate requirements.
☒ Closure Plan - based upon the appropriate requirements.
☒ Site Specific Groundwater Data -
☒ Siting Criteria Compliance Demonstrations -
☒ Certify that notice of the C-147 (only) has been sent to the surface owner(s)

10.

Operator Application Certification:

I hereby certify that the information and attachments submitted with this application are true, accurate and complete to the best of my knowledge and belief.

Name (Print): Alex Campbell Title: Vice President
Signature:  Date: 07/29/21
e-mail address: acampbell@enduringresources.com Telephone: (303)929-8429

11.

OCD Representative Signature: Victoria Venegas Approval Date: _____Title: Environmental Specialist OCD Permit Number: 3RF-49 -

- ☒ OCD Conditions _____ FACILITY ID fVV2123237271
☒ Additional OCD Conditions on Attachment

Enduring Resources, LLC
Rodeo Unit 511H
Recycling Facility/Containment
Variance Request for 19.15.34 NMAC



New Mexico Oil Conservation Division
Attn: Victoria Venegas

RE: 3RF-49 – Rodeo Unit 511H – Facility ID fVV2123237271

Enduring Resources is requesting variances to the below listed items as outlined in 14.15.34.16 NMAC. This Recycling Containment/Facility will consist of self-contained free-standing structures instead of a lined earthen pit. The variances requested below will provide equal or better protection of fresh water, public health, and the environment.

Variance Requests:

Liner Anchoring: Enduring Resources requests a variance to **NMAC 19.15.34.12 (3)** which applies to a lined earthen pit. This statute is not applicable to a circular steel AST with liners clamped to the top of the steel shell. We believe this will provide equal or better protection than the requirements listed in 19.15.34.12.E NMAC.

Inside/Outside Levee Slopes: Enduring Resources requests a variance to **NMAC 19.15.34.12 (2)** which applies to a lined earthen pit. The containment is an AST and not an in-ground pond and therefore will not have inside/outside levee slopes. The AST is a self-contained free-standing structure that will provide equal or better protection than the requirements listed in 19.15.34.12 NMAC.

District I

1625 N. French Dr., Hobbs, NM 88240
Phone:(575) 393-6161 Fax:(575) 393-0720

District II

811 S. First St., Artesia, NM 88210
Phone:(575) 748-1283 Fax:(575) 748-9720

District III

1000 Rio Brazos Rd., Aztec, NM 87410
Phone:(505) 334-6178 Fax:(505) 334-6170

District IV

1220 S. St Francis Dr., Santa Fe, NM 87505
Phone:(505) 476-3470 Fax:(505) 476-3462

State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

CONDITIONS

Action 43727

CONDITIONS

Operator: ENDURING RESOURCES, LLC 6300 S Syracuse Way, Suite 525 Centennial, CO 80111	OGRID: 372286
	Action Number: 43727
	Action Type: [C-147] Water Recycle Long (C-147L)

CONDITIONS

Created By	Condition	Condition Date
vvenegas	NMOCD has reviewed and approved the variances requested by [372286] ENDURING RESOURCES, LLC on August 23, 2021 for 3RF-49 - RODEO UNIT 511H - FACILITY ID fVV2123237271 in Unit Letter N, Section 25, Township 23N, Range 09W, San Juan County, New Mexico.	8/24/2021