

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, New Mexico 87401
Facility or well name (include API# if associated with a well): Kimbeito Wash Unit 789H
OCD Permit Number: 3RF-56 (For new facilities the permit number will be assigned by the district office)
U/L or Qtr/Qtr D Section 30 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 36.203340 Longitude -107.837214 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 36.203340 Longitude -107.837214 NAD83

☒ For multiple or additional recycling containments, attach design and location information of each containment

☒ Lined ☐ Liner type: Thickness 40 mil ☒ LLDPE ☐ HDPE ☐ PVC ☐ Other _____

☒ String-Reinforced

Liner Seams: ☒ Welded ☒ Factory ☐ Other _____ Volume: 60,000 bbl Dimensions: Radius 95' x Height 12'

☐ 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): Khem Suthiwan Title: Regulatory Manager
Signature: Khem Suthiwan Date: 8/24/2022
e-mail address: ksuthiwan@enduringresources.com Telephone: (303) 350-5721

11.

OCD Representative Signature: Victoria Venegas Approval Date: 10/13/2022
Title: Environmental Specialist OCD Permit Number: 3RF-56
☒ OCD Conditions
☒ Additional OCD Conditions on Attachment

Well Name: KIMBETO WASH UNIT	Well Location: T23N / R9W / SEC 30 / NWNW / 36.20334 / -107.837214	County or Parish/State: SAN JUAN / NM
Well Number: 789H	Type of Well: OIL WELL	Allottee or Tribe Name:
Lease Number: NMNM117577	Unit or CA Name:	Unit or CA Number: NMNM135255A
US Well Number: 3004535734	Well Status: Approved Application for Permit to Drill	Operator: ENDURING RESOURCES LLC

Notice of Intent

Sundry ID: 2688846

Type of Submission: Notice of Intent

Date Sundry Submitted: 08/24/2022

Date proposed operation will begin: 10/03/2022

Type of Action: Surface Disturbance

Time Sundry Submitted: 10:16

Procedure Description: Enduring Resources IV, LLC (Enduring) proposes the Kimbeto Wash Unit 789H Water Recycling Containment and associated infrastructure. The proposed project would include no new surface disturbance beyond the disturbance area previously approved in the APD's and the use as a storage area. The proposed project will include constructing a 510' by 315' location including a 50' construction buffer zone surrounding all four sides, and one 231' ingress/egress access road. Please see attached map exhibits of the proposed infrastructure as well as the submitted NMOCD C-147L permitting this recycling facility. All proposed infrastructure would be located on lease within Enduring's Kimbeto Wash Unit . Enduring proposes to utilize the Kimbeto Wash Unit 789H to store non-potable water sourced from the Entrada Formation in two (2), 60,000 bbl and one (1), 50,000 bbl steel above ground storage tanks. The water will be used during Enduring's drilling and completion operations. Water from this location may be trucked, piped via existing underground pipeline infrastructure, or piped via surface lines within existing road and pipeline corridors. Enduring plans to utilize steel above ground storage tanks. Compared to earthen ponds, this practice is less impactful on the landscape, more practical to net and make safe for wildlife, and, due to the temporary nature of the tanks, increases reclamation success and speeds up the timeline for reclamation following cessation of use. This sundry will serve to comply with NMAC 19.15.34 requirement to notify the surface owner of the submittal of the C-147 to NMOCD. Additionally, this sundry has been submitted to seek approval, recommendations and conditions from the BLM on the altered project scope at this previously approved project location. Please contact Khem Suthiwan - 303.350.5721 | ksuthiwan@enduringresources.com or Kayla White – 720.768.3575 | kwhite@cdhconsult.com with questions.

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Well Name: KIMBETO WASH UNIT	Well Location: T23N / R9W / SEC 30 / NWNW / 36.20334 / -107.837214	County or Parish/State: SAN JUAN / NM
Well Number: 789H	Type of Well: OIL WELL	Allottee or Tribe Name:
Lease Number: NMNM117577	Unit or CA Name:	Unit or CA Number: NMNM135255A
US Well Number: 3004535734	Well Status: Approved Application for Permit to Drill	Operator: ENDURING RESOURCES LLC

Surface Disturbance

Is any additional surface disturbance proposed?: No

NOI Attachments

Procedure Description

- Appendix_B_Topo_Maps__Plats__Driving_Directions_20220824101517.pdf
- Appendix_A_FEMA__Construction_Map__Photolog_20220824101512.pdf
- 2022_Kimbeto_Wash_Unit_789H_C_147_Permit_Information_20220824101504.pdf

Operator

I certify that the foregoing is true and correct. Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction. Electronic submission of Sundry Notices through this system satisfies regulations requiring a

Operator Electronic Signature: KAYLA WHITE	Signed on: AUG 24, 2022 10:15 AM
Name: ENDURING RESOURCES LLC	
Title: Staff Engineer	
Street Address: 9446 CLERMONT ST	
City: THORNTON	State: CO
Phone: (720) 768-3575	
Email address: KWHITE@CDHCONSULT.COM	

Field

Representative Name:		
Street Address:		
City:	State:	Zip:
Phone:		
Email address:		

KIMBETO WASH UNIT 789H WATER RECYCLING FACILITY AND CONTAINMENT

SAN JUAN COUNTY, NEW MEXICO



August 2022

Prepared for:

ENDURING RESOURCES IV, LLC
6300 Syracuse Way, Suite 525
Centennial, Colorado 80111

Prepared by:

CDH CONSULTING, LLC
Thornton, Colorado 80229
720.431.7468



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APPENDIX

APPENDIX A	SITING CRITERIA AND CONTAINMENT CONFIGURATION MAPS
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1.0 INTRODUCTION

Operator	Enduring Resources IV, LLC
OGRID	372286
Facility Name	Kimbeto Wash Unit 789H
Facility Type	Recycling Facility and Recycling Containment
Location	Section 30, T23N, R9W, San Juan County
Surface Owner	Federal – Bureau of Land Management (BLM)

CDH Consulting, LLC (CDH), on behalf of Enduring Resources IV, LLC (Enduring), and in accordance with 19.15.34 of the New Mexico Administrative Code (NMAC), has prepared this request for the registration of recycling containments and permit for a recycling facility. The facility will consist of two, 60,000 barrel (bbl) aboveground tanks and one, 50,000 bbl aboveground tank to be used to treat and recycle produced water for re-use during Enduring well completion activities. This facility will not be used for the disposal of produced water.

The facility is located at 36. 203340° N, -107. 837214° W, within Section 30, Township 23N, Range 9W, in San Juan County. Enduring is the operator of the applicable oil and gas mineral rights at this location. The surface owner, Bureau of Land Management (BLM), as part of the Kimbeto Wash Unit plan of development (POD), has been notified and approved of the placement of this facility/containment as designed in the POD.

This document provides the supplemental information to New Mexico Oil Conservation Division (NMOCD) Form C-147 that is required for registration, including siting criteria and demonstrations, design plans, operating and maintenance plans, closure plans, and surface owner approval.

1.1 Recycling Containment Registration Expiration and Renewal

Upon approval of this registration, the recycling containments located at the facility will be operated for up to five years from the date on which this registration is filed with the NMOCD. If needed, Enduring will request annual extensions after the five-year registration period to continue operations at the facility, which will require the submission of Form C-147 to the NMOCD at least 30 days prior to the expiration of this registration. The extension request will include a summary of all monthly inspections of the containments, including monitoring of the leak detection systems indicating that the containments integrity has not been compromised.

2.0 SITING CRITERIA

The location of the proposed Kimbeto Wash Unit 789H facility/containment has been evaluated based on the siting requirements presented in 19.15.34.11 NMAC. The siting requirements and justification for this location is further described below. Assessment of potential nearby receptors was conducted through desktop reviews of topographic maps, Federal Emergency Management Administration (FEMA) Geographic Information System (GIS) maps, United States Geological Survey (USGS) GIS maps, New Mexico Office of the State Engineer database, and aerial photographs, as well as site-specific observations. Topographic maps, plats, and aerial photographs depicting these siting requirements are presented in Appendices A and B.

- Groundwater is greater than 50 feet below the bottom of the containment:
 - A test well was drilled at the proposed location on September 18, 2018, per the attached MO-TE Drilling Log (Appendix C). The drilling logs indicate a groundwater depth of greater than 100 feet. The available data from New Mexico Office of the State Engineer (NMOSE) iWATERS and USGS water records (Appendix C) confirm that groundwater in the area is deeper than 100 feet below ground surface (bgs). As such, groundwater at the facility will be greater than 50 feet below the bottom of the containment.
- 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:
 - The recycling facility/containment is not located within any incorporated municipal boundaries or within a defined municipal fresh water well field.
- Within the area overlying a subsurface mine:
 - According to New Mexico Energy, Minerals and Natural Resources Department (EMNRD) Mining and Minerals Divisions database, there are no subsurface mines in Section 30, Township 23N, Range 9W, San Juan County. As such, the recycling facility/containment is not located within an area overlying a subsurface mine
- Within an unstable area:
 - Per USGS and geological mapping of the area, the recycling facility/containment is not located within an unstable area and is not on the side of a hill.
- Within a 100-year floodplain (FEMA map):
 - The recycling facility/containment is not located within a 100-year floodplain as shown on the FEMA database and on the aerial and topo maps provided.
- 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):
 - The recycling facility/containment is not located within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, or lakebed, sinkhole, or playa lake as shown on the aerial and topographical maps provided. The nearest wash is an unnamed, dry wash located approximately 3,750 feet west of the facility.

- Within 1,000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of the initial application:
 - The recycling facility/containment is not located within 1,000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of this application, as shown on the aerial and topographical maps provided.
- 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:
 - The recycling facility/containment is not located within 500 horizontal feet of a spring or fresh water well used for domestic or stock watering purposes in existence at the time of this application as shown on the aerial or topo maps provided. According to the NMOSE iWATERS database, the nearest active permitted groundwater well with depth to water information is SJ-01710, located approximately 5.06 miles east of the facility. Depth to water in this well is 173 feet bgs.
- Within 500 feet of a wetland:
 - The recycling facility/containment is not located within 500 feet of a wetland as shown on the aerial and topographical maps provided.

3.0 DESIGN AND CONSTRUCTION SPECIFICATIONS

Pursuant to 19.15.34.12 NMAC, the following Design Plan presents the minimum standards and specifications for the design and construction of the proposed recycling containments at the Kimbeto Wash Unit 789H facility. The facility and recycling containments have been designed to prevent releases and potential overtopping due to wave action (by wind) or rainfall. To supplement the information provided below, the manufacturers specifications for the design and construction of the aboveground containments are provided in Appendix D.

3.1 Foundation Construction

The facility will be constructed with a foundation consisting of a firm, unyielding base free of rocks, debris, and sharp edges. A geotextile fabric will be placed under the secondary liner of each containment to reduce stress-strain on the liner. Because the containments are located above ground, they will not be subject to water run-on.

3.2 Liner and Leak Detection Construction

The containments used at the facility will be Water Well Solutions and Rentals, Inc. double-lined frac water tank systems. These tank systems are designed to incorporate a 40-mil thickness LLDPE primary (upper) string-reinforced liner and a 30-mil LLDPE secondary (lower) string- reinforced liner. The primary liner is designed to be impervious, synthetic material that will resist deterioration by ultraviolet light, petroleum hydrocarbons, salt solutions, and acidic/alkaline solutions. Liners will meet or exceed the compatibility requirements of EPA SW-846 Method 9090A. Steel bolts will secure the liners to the top of the aboveground tanks. Specifications provided by Water Well Solutions and Rentals, Inc. are attached in Appendix D.

Liner seams will be minimized and will be oriented vertically up and down the containment walls, and not horizontally across the containment. Factory welded seams will be incorporated, where possible. Field seams, welding, and testing on the geosynthetic liners will be performed by a manufacturer qualified person. For any field seams, the liners shall overlap 4 to 6 inches and be thermally sealed. Field seams should be avoided or minimized in corners and irregularly shaped areas. At a point of discharge into, or suction from, the recycling containment, the liner will be protected from excessive hydrostatic force or mechanical damage. External discharge or suction lines will not penetrate the liners.

A leak detection system will be installed between the upper and lower liners of each containment and will consist of a 200-mil geonet drainage layer. The leak detection system will cover the bottom and sides of the containments and include a minimum of 3 feet of freeboard. A 6-inch PVC pipe will be inserted in a sump at the bottom of the containment and between the liners. Each containment will be slightly sloped, with the sump placed at the location with the lowest elevation to facilitate the earliest possible leak detection. A schematic of the leak detection system is included in Appendix D.

The sump piping will be checked weekly with a water-level meter to determine if leakage is occurring through the primary liners. If water is detected in the leak detection sump, water will be removed to assess if water returns indicating a leak in the primary liner.

Controls for surface water run-on of surface is not needed due to the containments being aboveground tanks. Additionally, any topsoil requiring removal for the preparation and construction of the containments will be stockpiled for use as the final cover at the time of closure.

3.3 Signage

The facility will have a sign no less than 12" by 24" with lettering not less than 2" in height in a conspicuous place near the facility entrance. The sign will contain the operator's name, location of the facility by quarter-quarter or unit letter, Section, Township, Range, and emergency phone numbers.

3.4 Fencing

Enduring will construct an eight-foot chain link fence around the facility for entrance protection. Facility gates will be closed and locked when personnel are not on location. All fencing will be kept in good repair and inspected weekly.

3.5 Netting

Enduring will install bird netting provided by the tank manufacturer over each containment. The netting will be inspected monthly for disrepair and/or dead migratory birds found in the containments. Enduring will report dead migratory birds and/or other wildlife to the appropriate wildlife agency and to the NMOCD within 30 days of discovery.

4.0 MAINTENANCE AND OPERATIONAL REQUIREMENTS

Pursuant to 19.15.34.13 NMAC, Enduring will follow the maintenance and operational requirements described below. At a minimum, Enduring will perform weekly inspections on the containments and leak detections systems while the containments hold fluids. Enduring will maintain records and make them available for review by the NMOCD.

- Enduring will remove any visible oil from the surface of the containments upon discovery.
- Enduring will maintain a minimum of three feet of freeboard in the containments at all times.
- The injection and withdrawal of fluids from the containments shall be accomplished through a header, diverter or other hardware that prevents damage to the liner by erosion, fluid jets or impact from installation and removal of hoses or pipes.
- If a leak is discovered in the containments' primary liner above the liquid level in the containment, Enduring will repair the primary liner within 48 hours, or request an extension on repair within the 48-hour time limit.
- If a leak is discovered in the containments' primary liner below the liquid level in the containment, Enduring will notify the division office of the leak, remove all fluids above the leak level, and repair the primary liner within 48 hours, or request an extension on repair within the 48-hour time limit.
- The facility will be operated in such a way to prevent the collection of surface water.
- An oil absorbent boom or other device will be onsite to contain an unanticipated release.
- The facility will not be used for the storage or discharge of hazardous waste.

4.1 Reporting and Record Keeping

During the operation of the recycling facility, Enduring will keep accurate records and report monthly to the NMOCD the total volume of water received for recycling, with the volume of fresh water received listed separately, and the total volume of water leaving the facility for disposition of use. Water volume totals will be submitted on NMOCD Form C-148. Accurate records identifying the sources and disposition of recycled water will be maintained during the operation of the facility and made available for review to the NMOCD upon request.

4.2 Cessation of Operations

Enduring will consider the recycling containment to have ceased operations if less than 20% of the total fluid volume is used every six (6) months following the first withdrawal of produced water for use. Enduring will report cessation of operations to the appropriate NMOCD district office. If additional time is needed for closure, Enduring will request an extension from the appropriate NMOCD district office prior to the expiration of the initial six (6) month time period.

5.0 CLOSURE PLAN

Pursuant to 19.15.34.14 NMAC, the activities summarized below describe the closure and reclamation requirements for the Kimbeto Wash Unit 789H recycling facility. Within 60 days of closure completion, Enduring will submit a closure report on NMOCD Form C-147 and include required attachments to document all closure activities, sampling results, and details on backfilling, capping, or covering, where applicable.

5.1 Containment Closure

Enduring will remove all fluids from the facility within 60 days from the date that operations cease and close the containments from use within six months from the date that Enduring ceases operations. Alternatively, Enduring can request an extension for the removal of fluids from the NMOCD not to exceed an additional two months. Enduring can also request an extension for the closure of the containments, not to exceed an additional six months. The operator shall close the recycling containments by first removing all fluids, contents, synthetic liners, and leak detection piping and transferring these materials to a NMOCD-approved facility for disposal.

5.2 Closure Soil Sampling

Once the containments are removed from the facility, Enduring will test the soils beneath each containment for contamination with a five-point composite sample which includes stained or wet soils, if any, and that sample shall be analyzed for the constituents listed in the following table:

Components	Test Method	Groundwater Depth 50 – 100 Feet Limit (mg/kg)	Groundwater Depth >100 Feet Limit (mg/kg)
Chloride	EPA 300.0	10,000	20,000
TPH (GRO+DRO+MRO)	EPA SW-846 Method 8015M	2,500	2,500
GRO + DRO	EPA SW-846 Method 8015M	1,000	1,000
BTEX	EPA SW-846 Method 8021B or 8260B	50	50
Benzene	EPA SW-846 Method 8021B or 8260B	10	10

If any contaminant concentration is higher than the parameter limits listed above, the NMOCD may require additional delineation upon review of the results and Enduring must receive approval before proceeding with closure. If all contaminant concentrations are less than or equal to the parameter limits listed above, then Enduring can proceed to backfill with non-waste containing, uncontaminated, earthen material.

5.3 Reclamation

Enduring will reclaim the containment locations to a safe and stable condition that blends with the surrounding undisturbed area. Topsoil and subsoil will be replaced to their original relative positions and contoured to achieve erosion control, long term stability, and preservation of surface water flow patterns. The disturbed area will then be reseeded in the first favorable growing season following closure. The impacted surface area will be restored to the condition that existed prior to construction.

Reclamation of all disturbed areas no longer in use shall be considered complete when all ground disturbing activities have been completed and a uniform vegetative cover has been established that reflects a life-form ratio of plus or minus fifty percent of pre-disturbance levels and total percent plant cover of at least seventy percent of pre-disturbance levels excluding noxious weeds. Soil cover and revegetation as required in 19.15.34.14 NMAC will be met in addition to the reclamation requirements by BLM (surface owner), which have provided for more stringent requirements for this facility location.

6.0 VARIANCE REQUEST

Enduring is requesting variances for requirements presented in 19.15.34 NMAC. Attached Appendix E presents additional information regarding the variance request.

APPENDIX A: SITING CRITERIA AND CONTAINMENT CONFIGURATION MAPS



Project Summary: Change in use. Enduring would like to place large above ground storage tanks on this location to serve as water storage for their 2022/2023 drilling and completions program. These storage tanks will provide recycled water in quantities sufficient for Enduring's slickwater frac program. No new surface disturbance is necessary beyond the disturbance area previously approved in the APD's and the use as a storage area.



Kimбето Wash Unit 789H Location – Previously approved well pad utilized as a storage yard. Request to change use to AST location.



Kimбето Wash Unit 789H Location – Previously approved well pad utilized as a storage yard. Request to change use to AST location.





Example potential layout of ASTs on an existing location.

Kimбето Wash Unit 789H

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National Flood Hazard Layer FIRMette



107°50'32"W 36°12'27"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
MAP PANELS		Coastal Transect
		Base Flood Elevation Line (BFE)
OTHER FEATURES		Limit of Study
		Jurisdiction Boundary
OTHER FEATURES		Coastal Transect Baseline
		Profile Baseline
OTHER FEATURES		Hydrographic Feature
		Digital Data Available
MAP PANELS		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

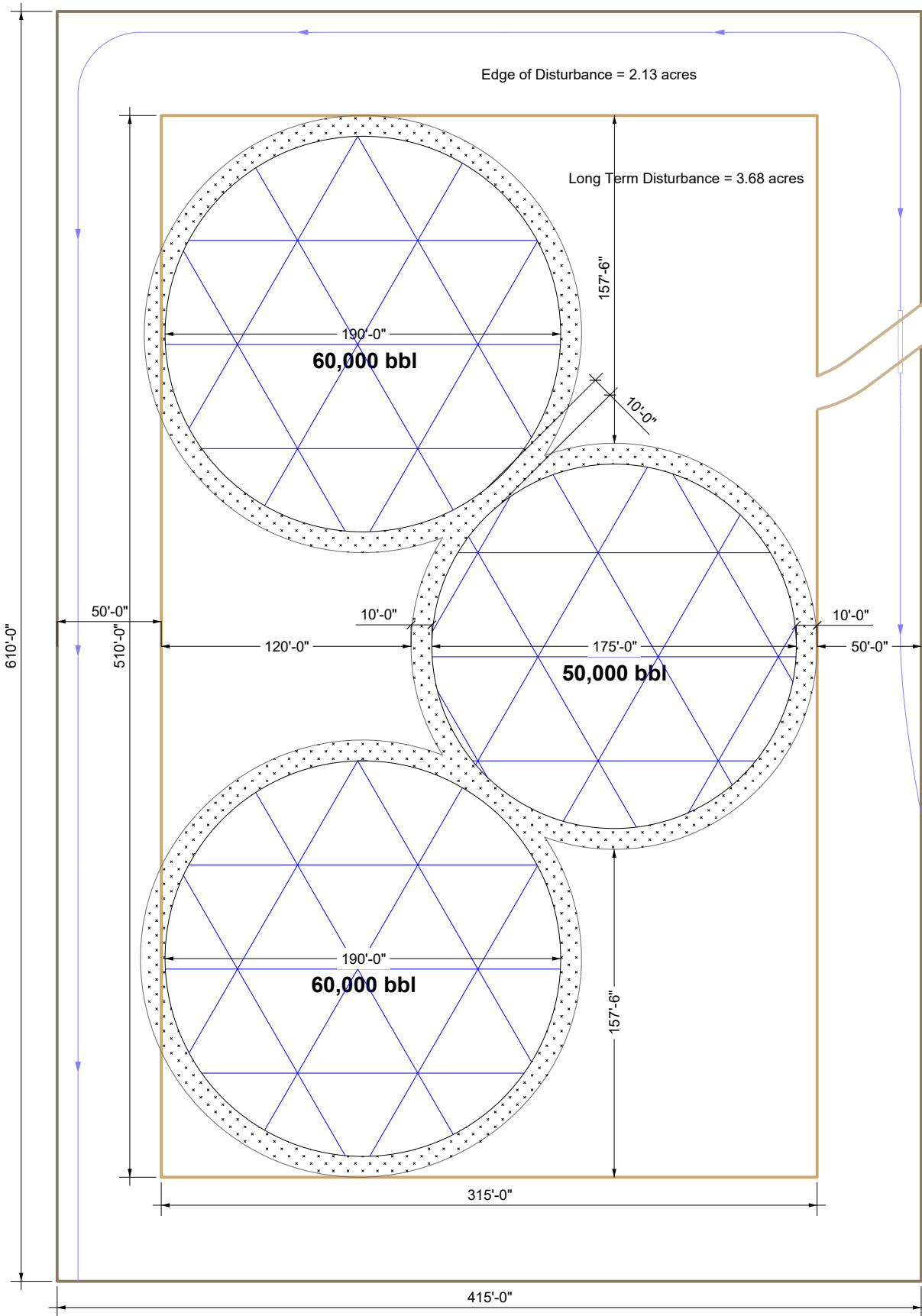
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

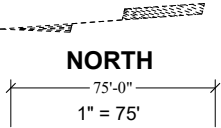
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **8/24/2022 at 10:57 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Released to Imaging: 10/13/2022 3:37 PM

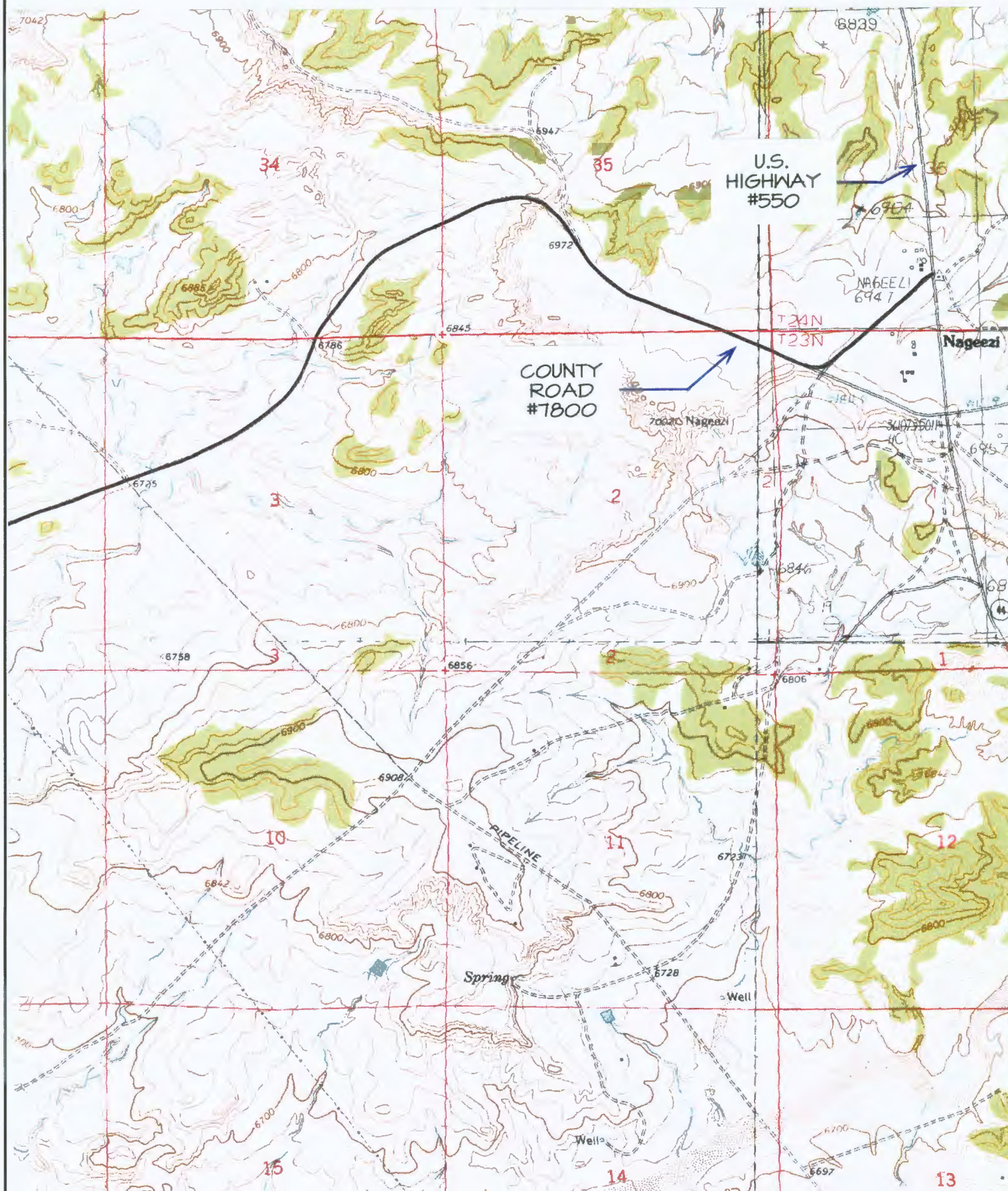
Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020



 <p>NORTH</p> <p>75'-0"</p> <p>1" = 75'</p> <p>Long Term Disturbance = 3.68 acres Edge of Disturbance = 2.13 acres Total Disturbance Area = 5.81 acres</p>	<p>Kimbeto Wash Unit 789H API: 30-045-35734 POE Lease: NMNM-117577 SHL Loc.: 664' FNL & 524' FWL</p> <p>Kimbeto Wash Unit 791H API: 30-045-35733 POE Lease: NMNM-117577 SHL Loc.: 660' FNL & 464' FWL</p>	<p>Kimbeto Wash Unit 889H API: 30-045-35732 POE Lease: NMNM-117577 SHL Loc.: 661' FNL & 484' FWL</p> <p>Kimbeto Wash Unit 887H API: XX-XXX-XXXXX POE Lease: NMNM-117577 SHL Loc.: 666' FNL & 544' FWL</p>	<p>LEGEND</p> <ul style="list-style-type: none"> - Edge of Disturbance - Edge of Pad Area - Water Storage AST - 10' Working Area - Culvert Under Access
--	---	---	---

APPENDIX B: TOPOGRAPHIC/PLAT MAPS AND DRIVING DIRECTIONS

WPA ENERGY PRODUCTION, LLC KWU #791H
664' FNL & 524' FNL, SECTION 30, T23N, R9W, N.M.P.M.
SAN JUAN COUNTY, NEW MEXICO



NAME OF TOPO MAP : KIMBETO

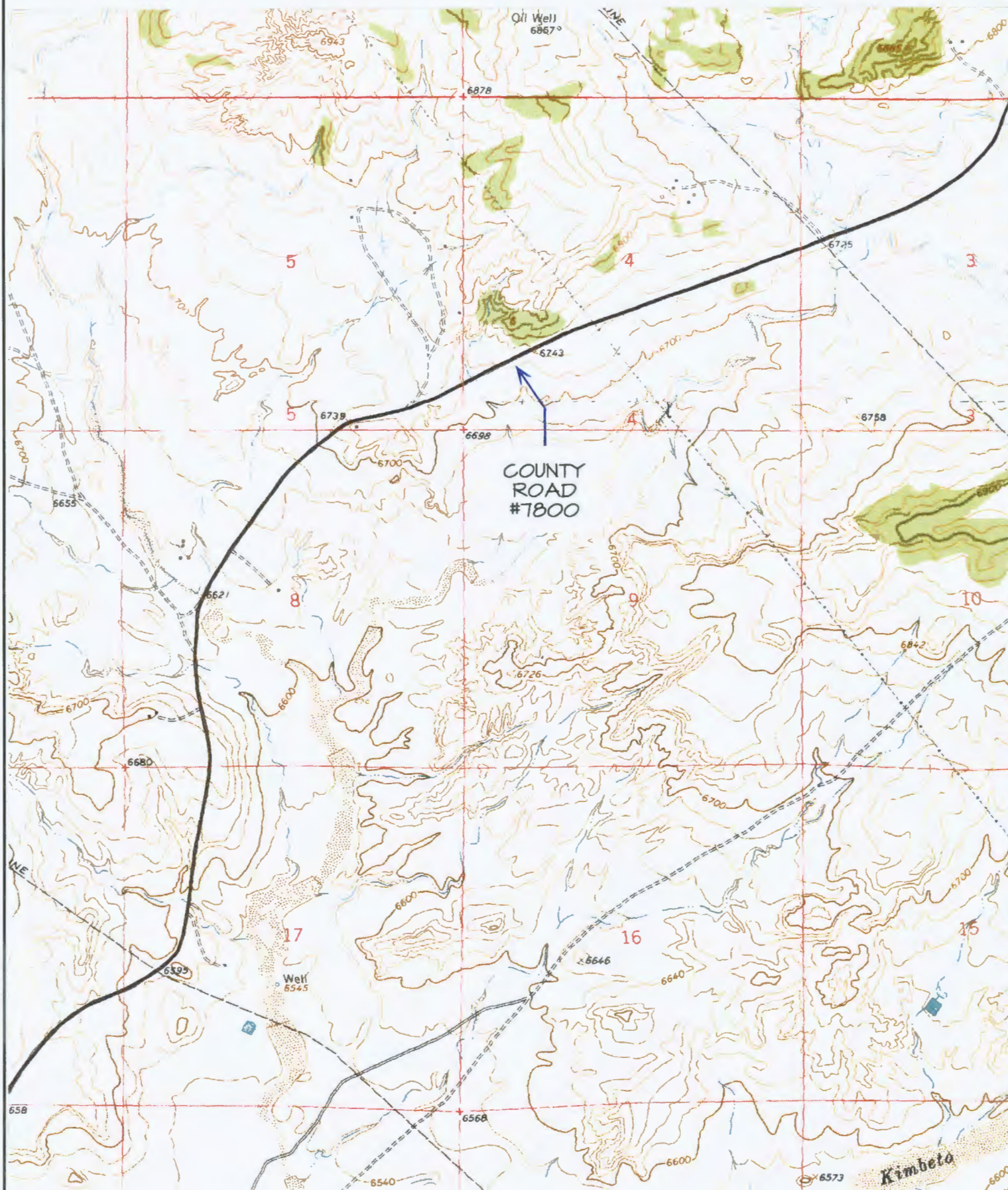


PRODUCING WELL



PLUGGED & ABANDONED WELL

WPA ENERGY PRODUCTION, LLC KWU #791H
664' FNL & 524' FWL, SECTION 30, T23N, R9W, N.M.P.M.
SAN JUAN COUNTY, NEW MEXICO

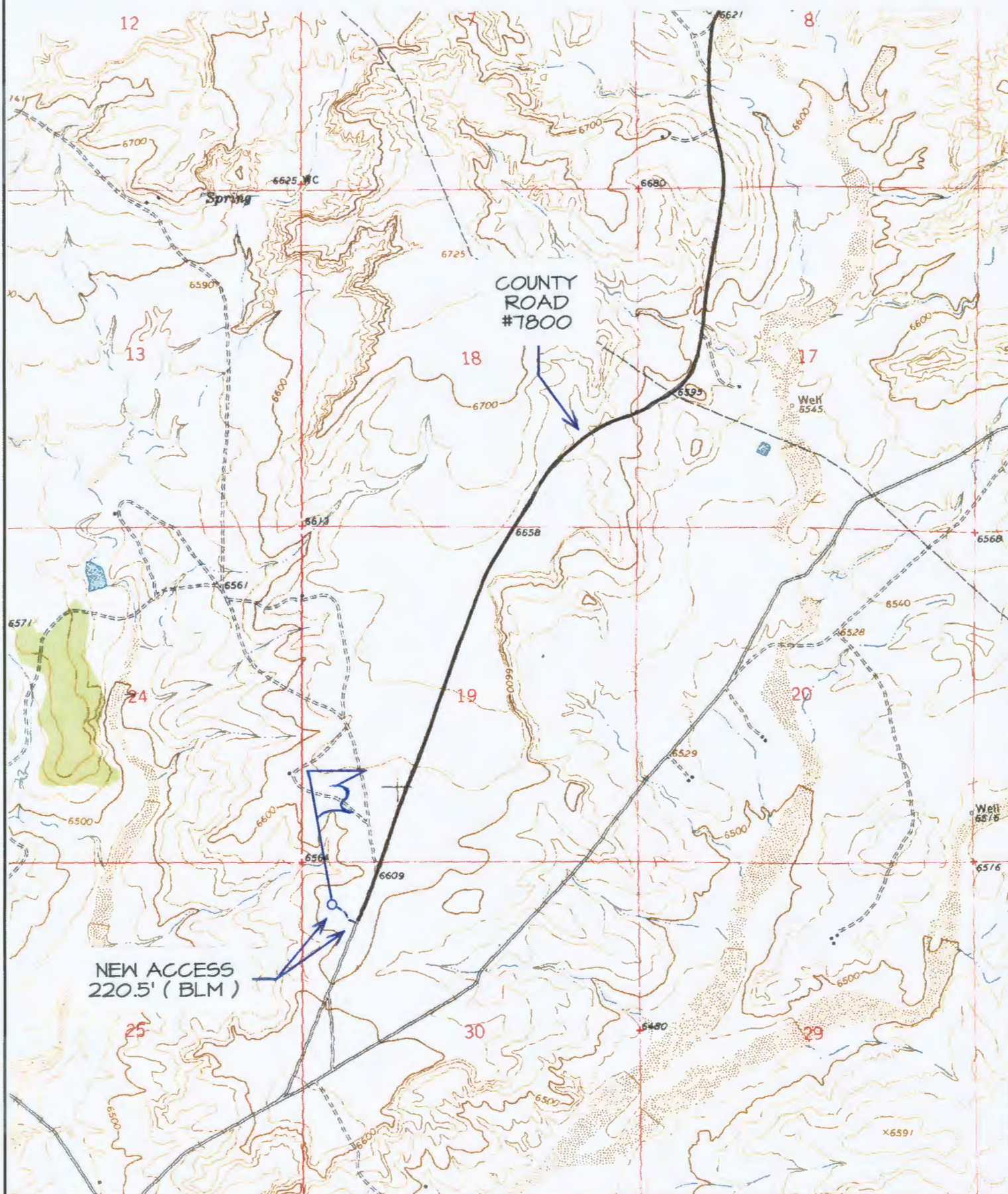


NAME OF TOPO MAP : KIMBETO

⊕ PRODUCING WELL

⊗ PLUGGED & ABANDONED WELL

WPA ENERGY PRODUCTION, LLC KWU #791H
664' FNL & 524' FWL, SECTION 30, T23N, R9W, N.M.P.M.
SAN JUAN COUNTY, NEW MEXICO



NAME OF TOPO MAP : KIMBETO



PRODUCING WELL

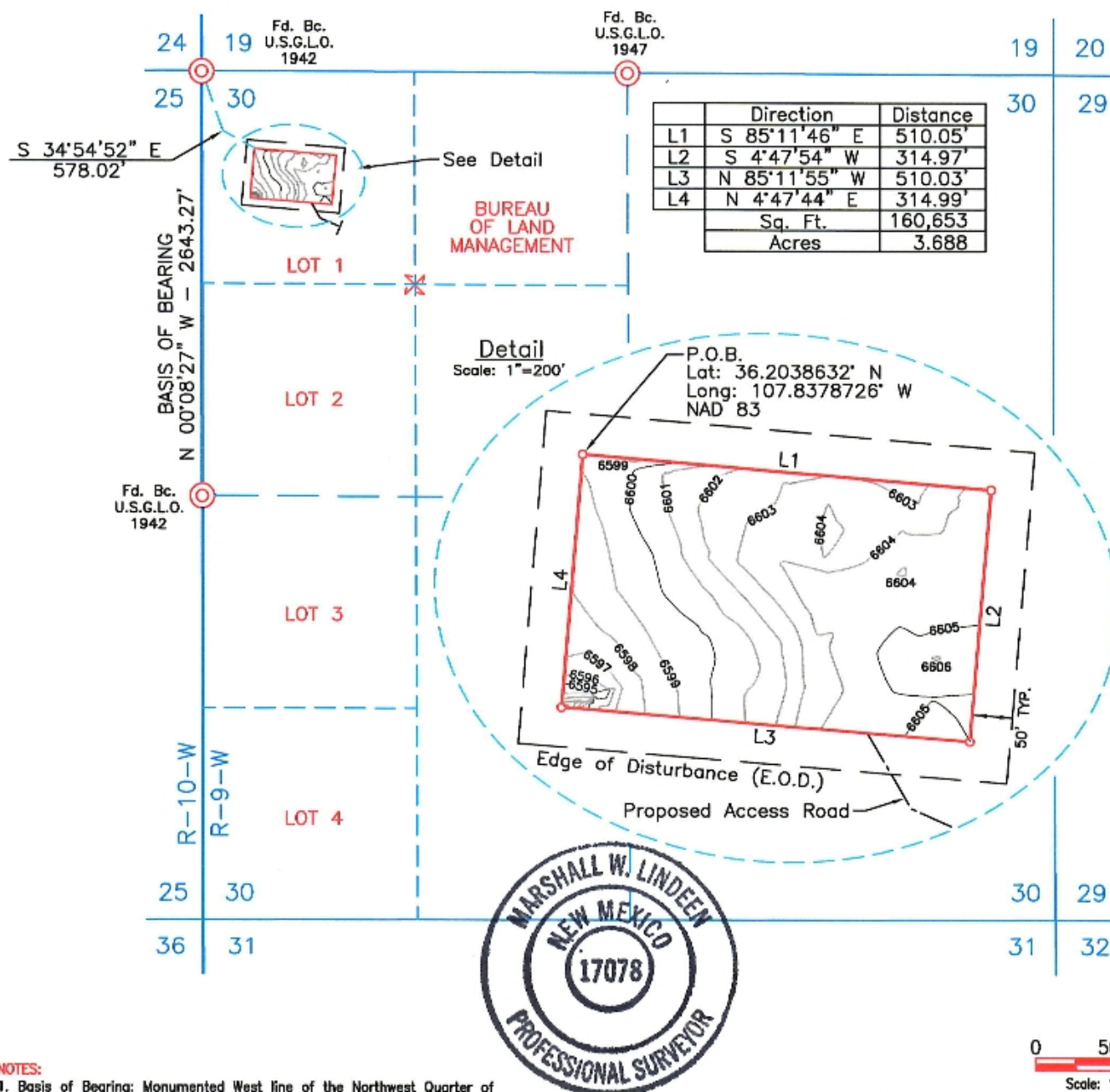


PLUGGED & ABANDONED WELL

Enduring Resources, LLC

Kimbeto Wash 789 Water Recycling Facility

NW 1/4 NW 1/4 (Lot 1) of Sec. 30, T23N, R9W, NMPM,
San Juan County, New Mexico



NOTES:

1. Basis of Bearing: Monumented West line of the Northwest Quarter of Section 30, T23N, R9W, NMPM, San Juan County, New Mexico.
Bears: N 00°08'27" W - 2643.27'
2. All bearings & distances shown are based upon the New Mexico Coordinate System, West Zone, NAD 83, in U.S. survey feet.

I, Marshall W. Lindeen, New Mexico Professional Surveyor No. 17078, do hereby certify that this survey plat and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that I am responsible for this survey; that this survey meets the minimum standards for surveying in New Mexico; and that it is true and correct to the best of my knowledge and belief, I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act.

P.O.B. = Point of Beginning

Owner		Square Feet	Acres
BUREAU OF LAND MANAGEMENT	WELLPAD	160,653	3.688
	E.O.D.	92,499	2.124
	TOTAL	253,152	5.812

		P.O. Box 3651 Farmington, NM 87499 Office: (505) 334-0408	
DWG. No. :	11701-WSW	Revision:	1
Drawn by:	C.B.	Date Drawn:	08/17/22
Surveyed:	08/10/22	App by:	M.W.L.
		Rev. Date:	
		Sheet:	1

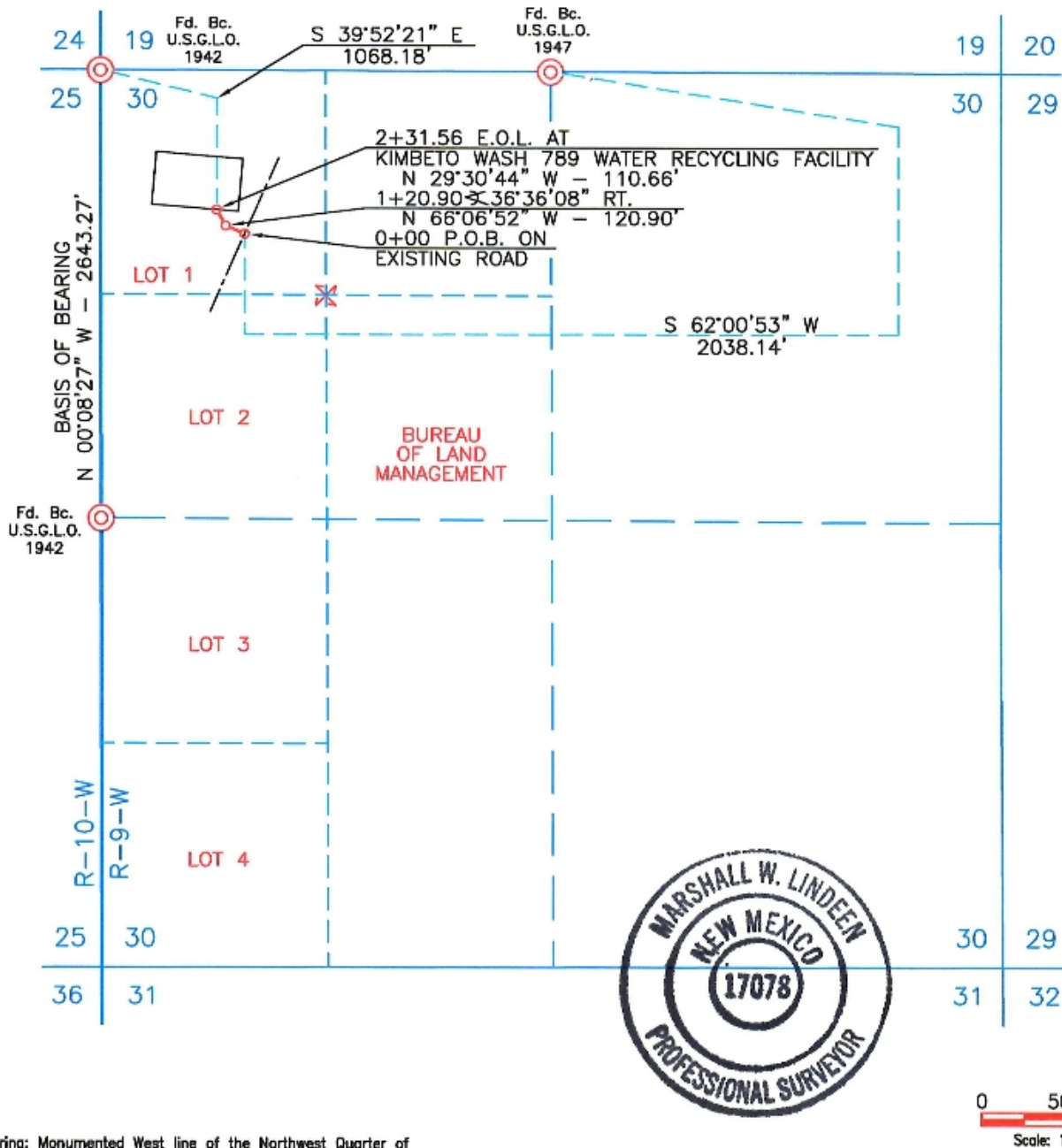
Marshall W. Lindeen, P.S. #17078

Date

8-23-22

Enduring Resources, LLC

Kimbeto Wash 789 Water Recycling Facility Access Road
 NW 1/4 NW 1/4 (Lot 1) of Sec. 30, T23N, R9W, NMPM,
 San Juan County, New Mexico



0 500 1000
 Scale: 1"=1000'

NOTES:

1. Basis of Bearing: Monumented West line of the Northwest Quarter of Section 30, T23N, R9W, NMPM, San Juan County, New Mexico.
 Bears: N 00°08'27" W - 2643.27'
2. All bearings & distances shown are based upon the New Mexico Coordinate System, West Zone, NAD 83, in U.S. survey feet.

I, Marshall W. Lindeen, New Mexico Professional Surveyor No. 17078, do hereby certify that this survey plat and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that I am responsible for this survey; that this survey meets the minimum standards for surveying in New Mexico; and that it is true and correct to the best of my knowledge and belief, I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act.

P.O.B. = Point of Beginning
 E.O.L. = End of Line

Owner	Station	Feet/Rods/Acres
BUREAU OF LAND MANAGEMENT	0+00 to 2+31.56	231.56/14.034/0.159

		P.O. Box 3651 Farmington, NM 87499 Office: (505) 334-0408	
DWG. No. : 11701-A01	Revision: 1		
Drawn by: C.B.	Date Drawn: 08/18/22	Rev. Date:	
Surveyed: 08/10/22	App by: M.W.L.	Sheet: 1	

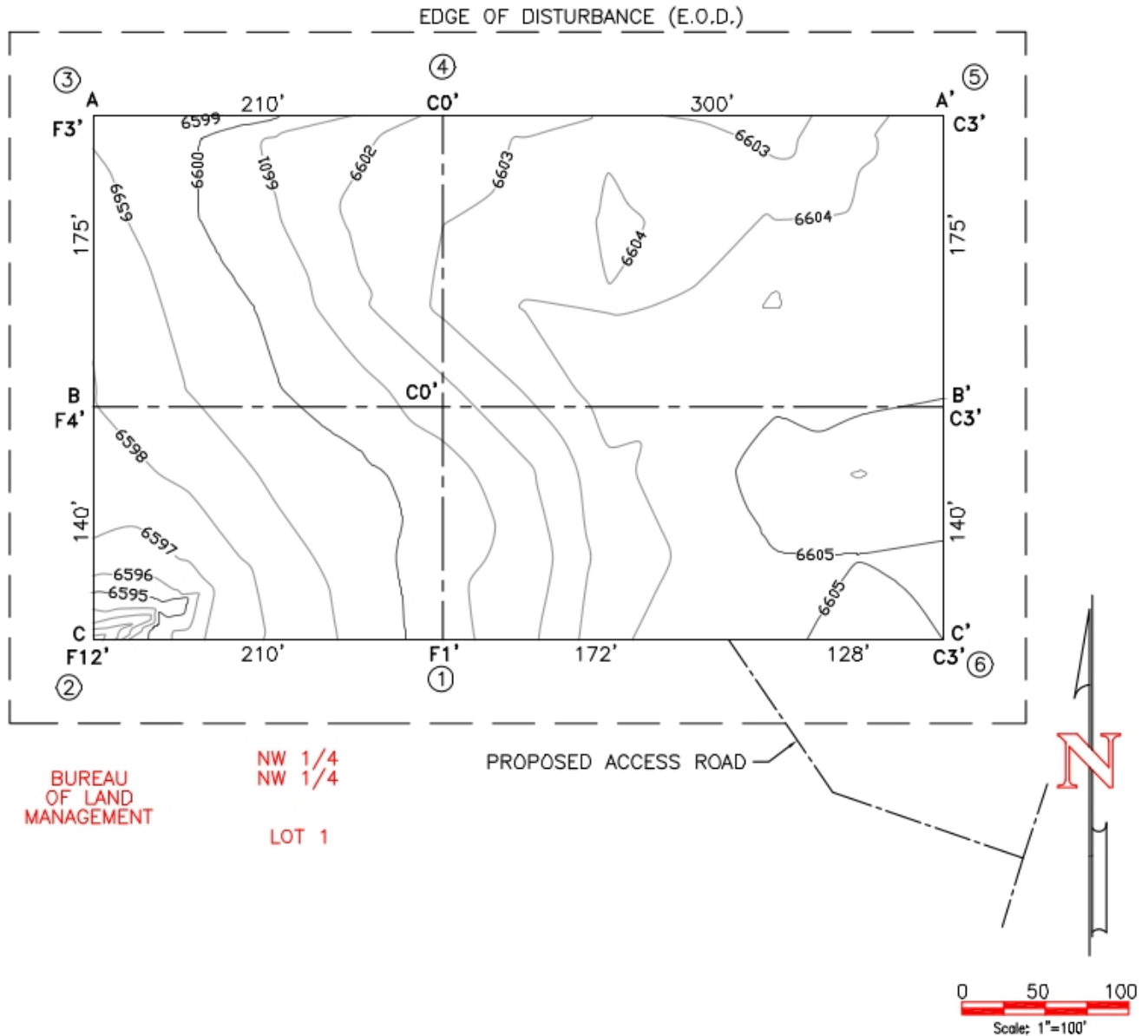
Marshall W. Lindeen
 Marshall W. Lindeen, P.S. #17078
 8-23-22
 Date

Enduring Resources, LLC

Kimbeto Wash 789 Water Recycling Facility
Section 30 T23N R9W NMPM
San Juan County, New Mexico

*Before digging
call for utility
line location!*

Proposed
Pad Elevation
6602'




CUT	FILL	NET (CUT)
7,034 Cu. Yd.	7,034 Cu. Yd.	0 Cu. Yd.

Notes:

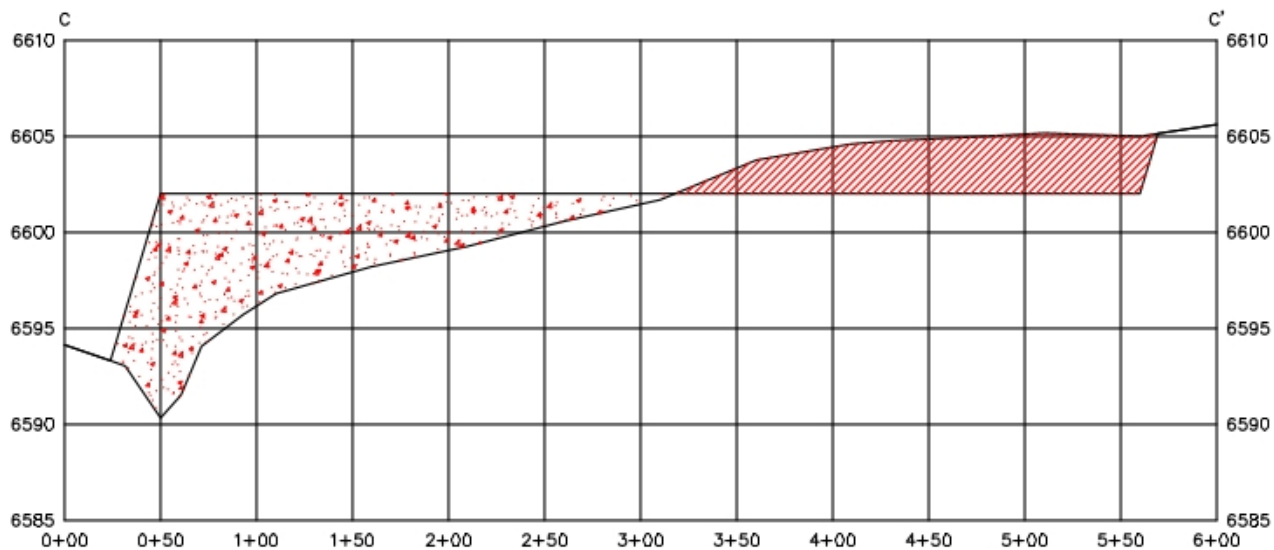
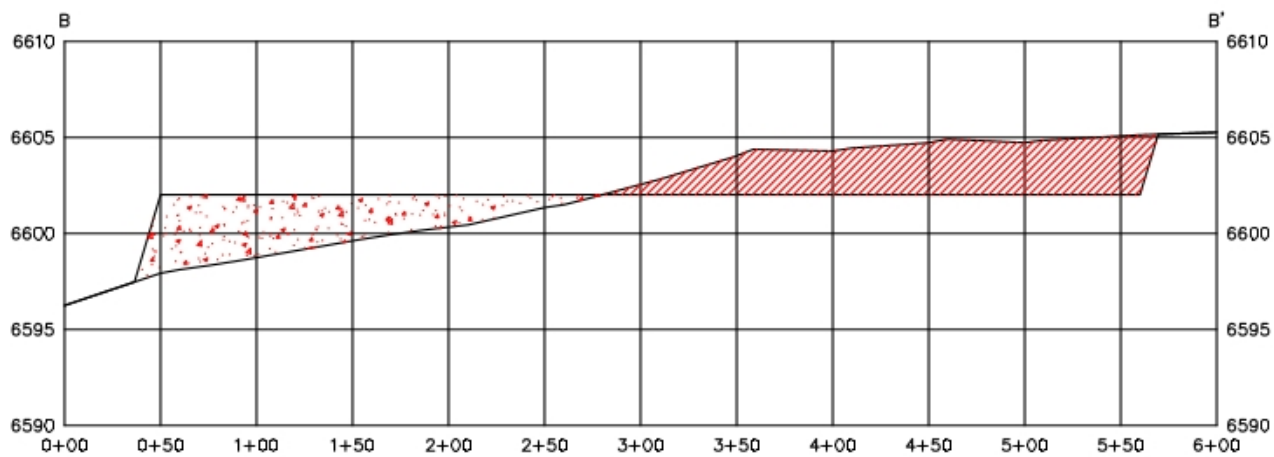
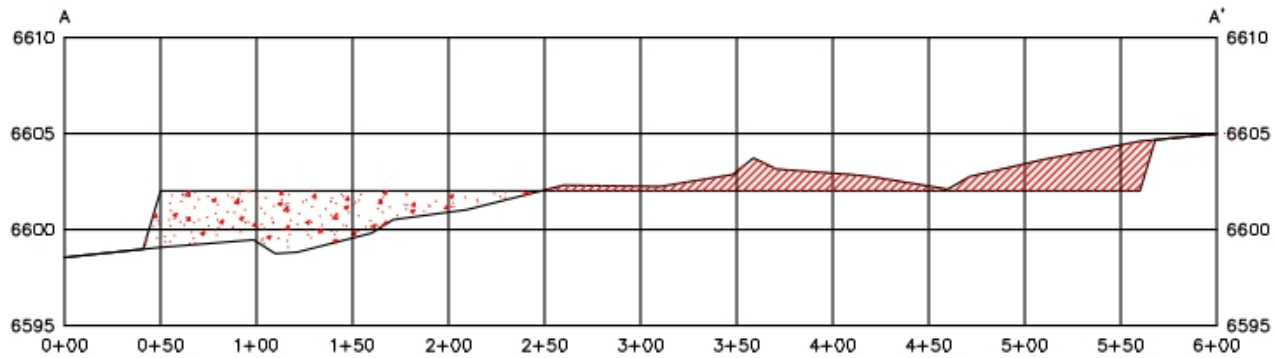
1. All Bearings and distances are based upon the New Mexico State Plane Coordinate System, West Zone, NAD 83, in U.S. survey feet.
2. Basis of elevation is referenced to the North American Vertical Datum of 1988
3. Contractor shall contact "One-Call" for location of any marked or unmarked buried pipelines or cables on pad and/or access road at least two (2) working days prior to construction.
4. United Field Services Inc. is not liable for underground utilities or pipelines.
5. Cut and fill calculations are rounded to the nearest foot.

Sheet 1 of 2

			P.O. Box 3651 Farmington, NM 87499 Office: (505) 334-0408		
Surveyed: 08/10/22		Rev. date:		App. by: M.W.L.	
Drawn by: C.B.		Date drawn: 08/19/22		File name: 11701-C01	

Enduring Resources, LLC

Kimbeto Wash 789 Water Recycling Facility
Section 30 T23N R9W NMPM
San Juan County, New Mexico



Horizontal Scale: 1" = 100'
Vertical Scale: 1" = 10'

Sheet 2 of 2



P.O. Box 3651
Farmington, NM 87499
Office: (505) 334-0408

Surveyed: 08/10/22

Rev. date:

App. by: M.W.L.

Drawn by: C.B.

Date drawn: 08/19/22

File name: 11701-C01

Directions from the Intersection of US Hwy 550 & US Hwy 64
in Bloomfield, NM to WPX Energy Production, LLC KWU #791H
664' FNL & 524' FWL, Section 30, T23N, R9W, N.M.P.M., San Juan County, NM

Latitude: 36.203340°N Longitude: 107.837214°W Datum: NAD1983

From the intersection of US Hwy 550 & US Hwy 64 in Bloomfield, NM, travel Southerly on US Hwy 550 for 35.9 miles to Mile Marker 115.7;

Go Right (South-westerly) @ Nageezi Post Office on County Road #7800 for 0.4 miles to 4-way intersection;

Go Right (North-westerly) remaining on paved County Road #7800 for 3.6 miles to where pavement ends;

Go Straight (South-westerly) continuing on dirt portion of County Road #7800 for 1.2 miles to fork in roadway;

Go Left (Southerly) which is straight for 3.0 miles to begin proposed access on right-hand side of County Road #7800 which continues for 220.5' to staked WPX KWU #791H location.

APPENDIX C: GROUNDWATER DETERMINATION



New Mexico Office of the State Engineer

Water Column/Average Depth to Water

(A CLW##### in the POD suffix indicates the POD has been replaced & no longer serves a water right file.)

(R=POD has been replaced,
O=orphaned,
C=the file is closed)

(quarters are 1=NW 2=NE 3=SW 4=SE)

(quarters are smallest to largest)

(NAD83 UTM in meters)

(In feet)

POD Number	Code	POD Sub-basin	County	Q 64	Q 16	Q 4	Sec	Tw	Rng	X	Y	DepthWell	DepthWater	Water Column
<u>SJ 00001</u>		SJ	SJ	4	1	12	23N	09W		253534	4014427*	695	630	65
<u>SJ 00144</u>		SJ	SJ	1	1	3	23N	09W		244786	4007922*	100		
<u>SJ 01710</u>		SJ	SJ	1	3	25	23N	09W		252985	4009203*	550	173	377

Average Depth to Water: **401 feet**

Minimum Depth: **173 feet**

Maximum Depth: **630 feet**

Record Count: 3

Basin/County Search:

County: San Juan

PLSS Search:

Township: 23N Range: 09W

*UTM location was derived from PLSS - see Help

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.

8/22/22 4:30 PM

WATER COLUMN/ AVERAGE DEPTH TO
WATER



New Mexico Office of the State Engineer

Water Column/Average Depth to Water

(A CLW##### in the POD suffix indicates the POD has been replaced & no longer serves a water right file.)

(R=POD has been replaced,
O=orphaned,
C=the file is closed)

(quarters are 1=NW 2=NE 3=SW 4=SE)

(quarters are smallest to largest)

(NAD83 UTM in meters)

(In feet)

POD Number	Code	POD Sub-basin	County	Q 64	Q 16	Q 4	Sec	Tws	Rng	X	Y	DepthWell	DepthWater	Water Column
<u>SJ 01706</u>		SJ	SJ	3	4	12	22N	09W		253627	4003944*	762	362	400
<u>SJ 01707</u>		SJ	SJ	4	3	29	22N	09W		246585	3999271*	961	203	758

Average Depth to Water: **282 feet**

Minimum Depth: **203 feet**

Maximum Depth: **362 feet**

Record Count: 2

Basin/County Search:

County: San Juan

PLSS Search:

Township: 22N Range: 09W

*UTM location was derived from PLSS - see Help

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.

8/22/22 4:33 PM

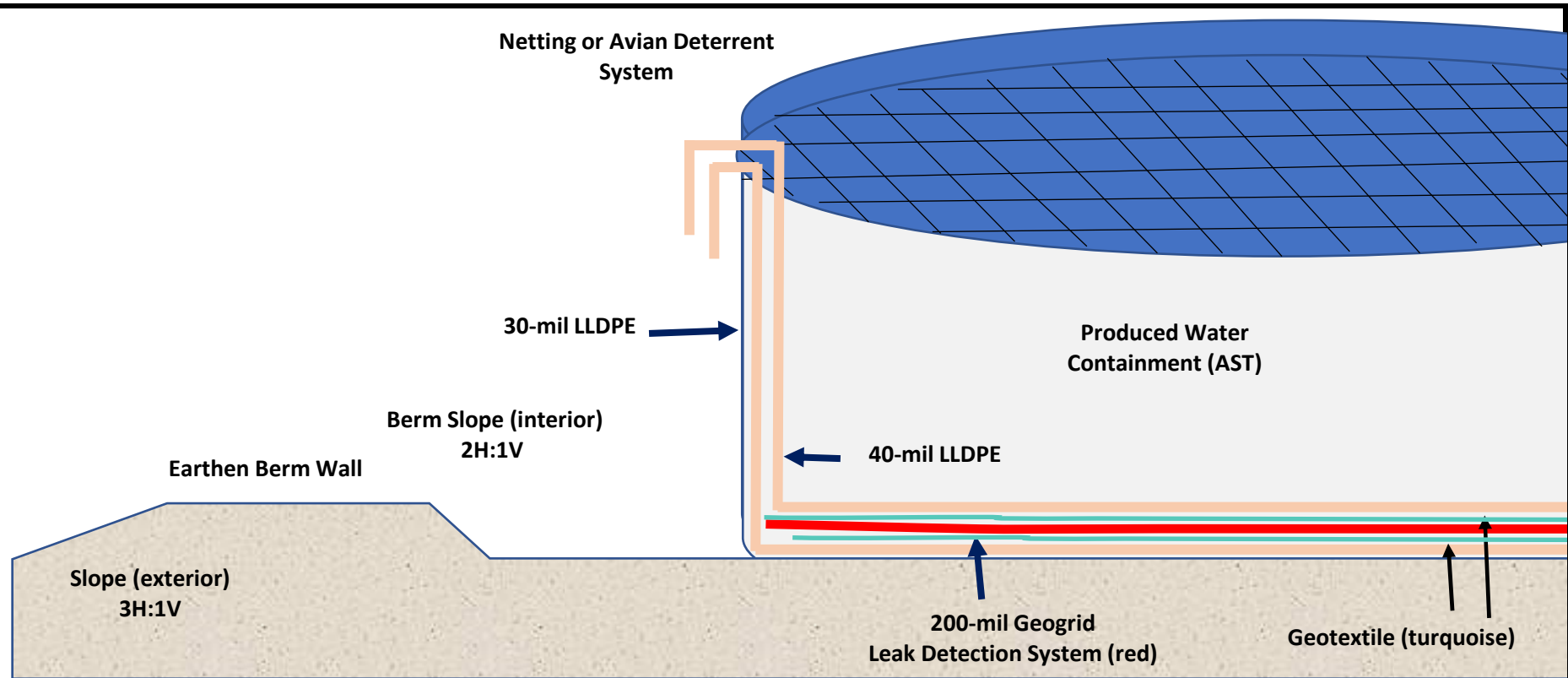
WATER COLUMN/ AVERAGE DEPTH TO WATER

DAY <u>TUES</u>	
DRILLER <u>JOE VALLI</u>	LEFT TOWN <u> </u> ARRIVED FIELD <u> </u>
HELPER <u>KASEY</u>	LEFT FIELD <u> </u> ARRIVED TOWN <u> </u>
HELPER <u> </u>	TOTAL FOOTAGE TODAY <u> </u>
RIG NO. <u>212</u>	DATE <u>9-18-18</u> CLIENT <u>Exxon/Imperial</u>
BEGIN WORK ON HOLE NO. <u>KNU-# 787H</u>	AT <u> </u> FEET <u> </u>
BEGIN WORK ON HOLE NO. <u>Test hole</u>	AT <u> </u> FEET <u> </u>

[illegible]

NO. OF LOADS OF WATER	SOURCE
1	...
2	...
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5	...
6	...
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APPENDIX D: WELL WATER SOLUTIONS ABOVEGROUND CONTAINMENT SPECIFICATIONS



Description of Leak Detection System

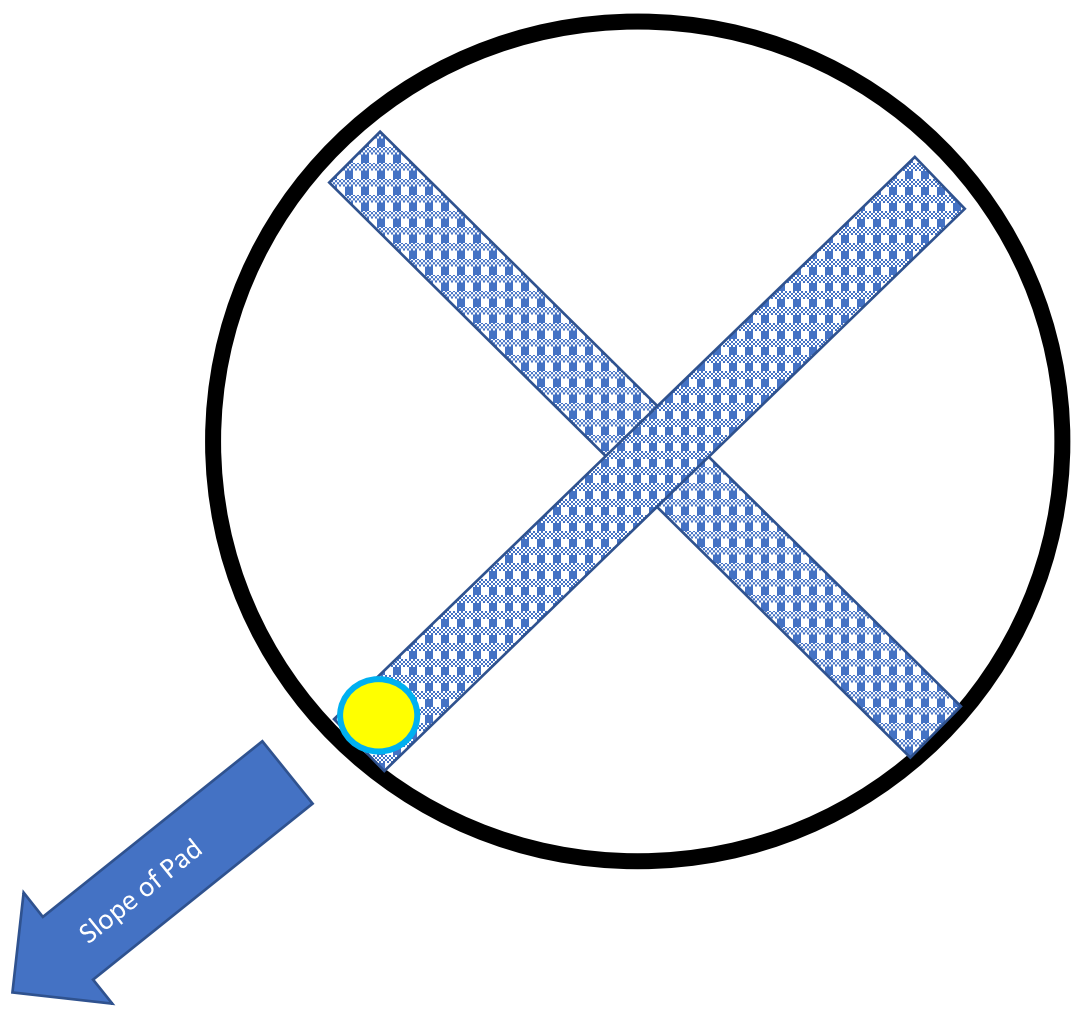
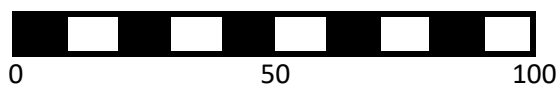
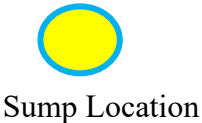
- 40-mil LLDPE comprise primary liner and 30-mil LLDPE comprise the secondary liner
- 200-mil geogrid drainage layer lies between the primary and secondary liner per Plate 2
- Geotextile between the geogrid and each liner
- > 3-inch deep sump excavated on down slope side of AST per Sump Design Drawing
- A small hose runs from the collection sump to top of AST via tube (see Section D)
- Every week, a portable self-priming peristaltic pump connects to the leak detection system.
- The self-priming pump discharge hose runs back into the AST, on top of the primary liner
- If fluid is detected, it is tested for conductance to determine the origin of the water (i.e. produced water or condensation)

R.T. Hicks Consultants Albuquerque, NM	Design Sketch	Plate 1
	Well Water Solutions	May-21

Use laser level to determine slope of pad and low point of AST

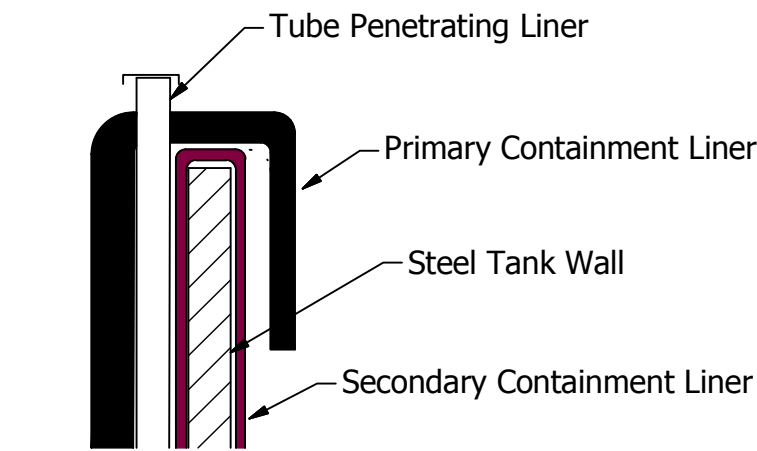
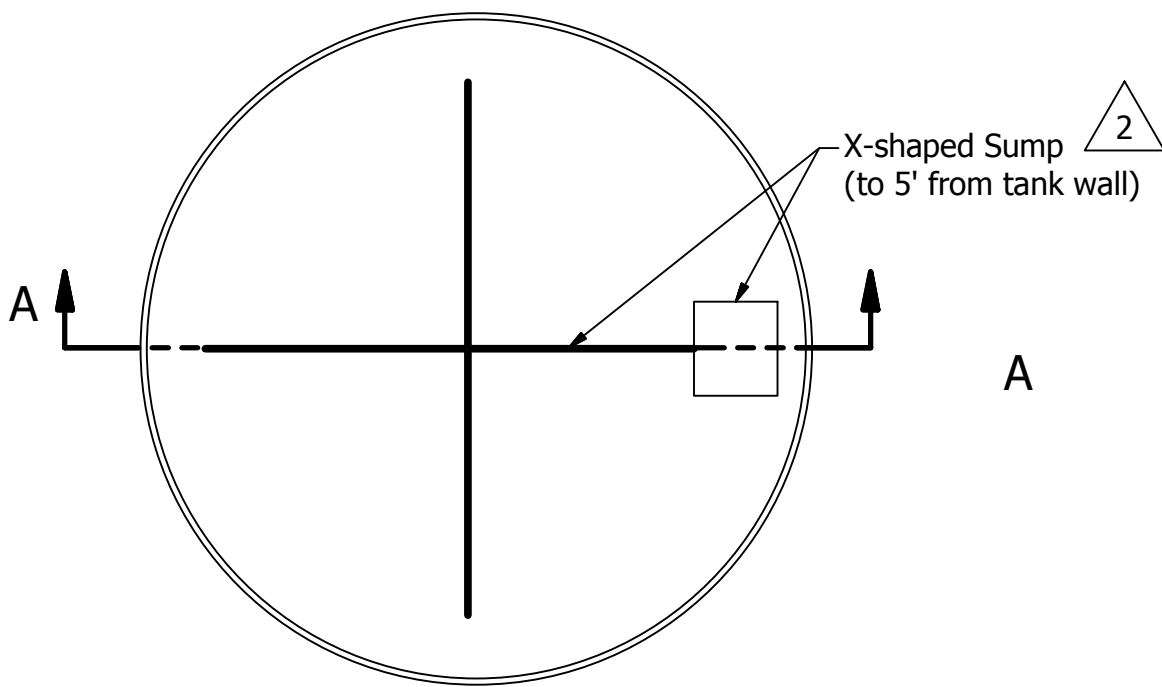
- 200 mil geogrid placed
 - above 8-oz geotextile and 30-mil secondary liner
 - inside of AST after set up, before install of primary liner
 - below 40-mil primary liner
- 8-oz geotextile is placed
 - over the 30-mil LLDPE liner inside the steel AST ring
 - under the 40-mil primary liner inside the AST

Sump at lowest point of the AST set up

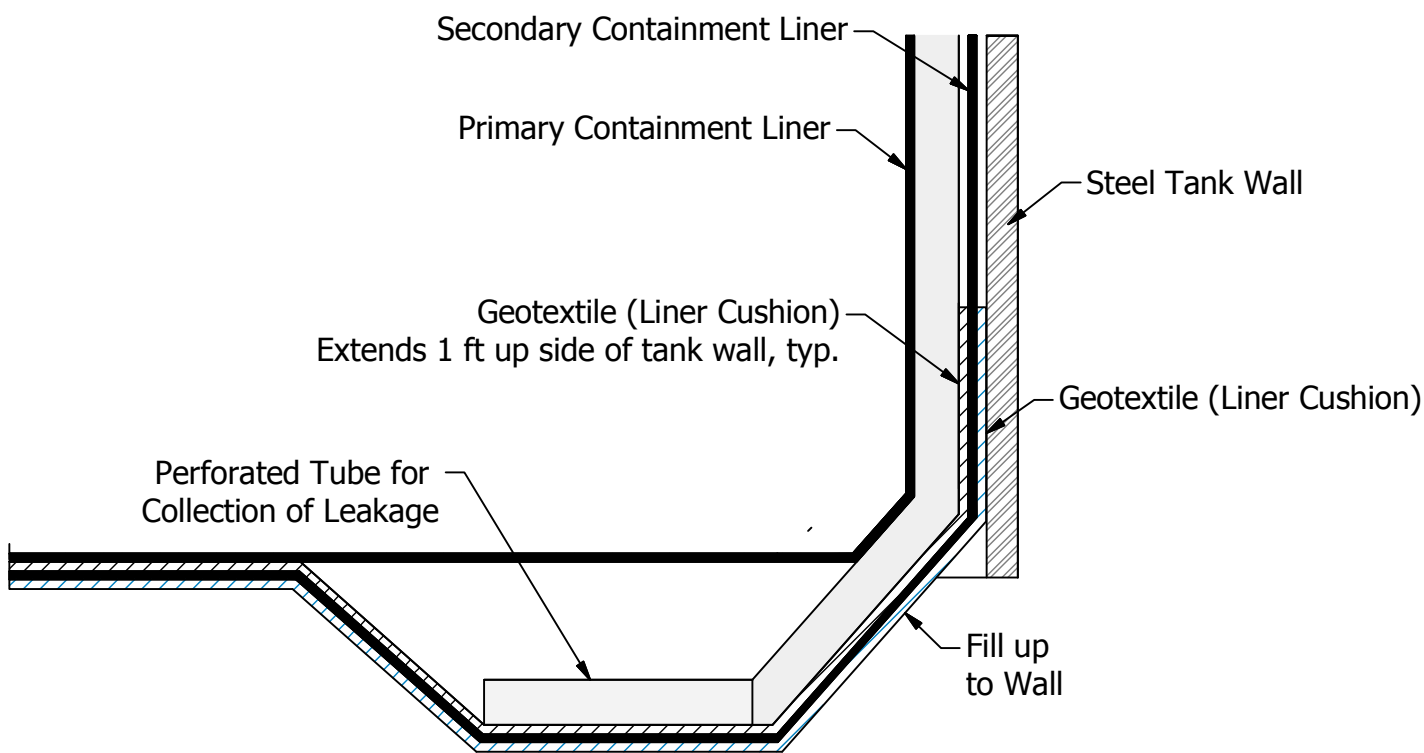
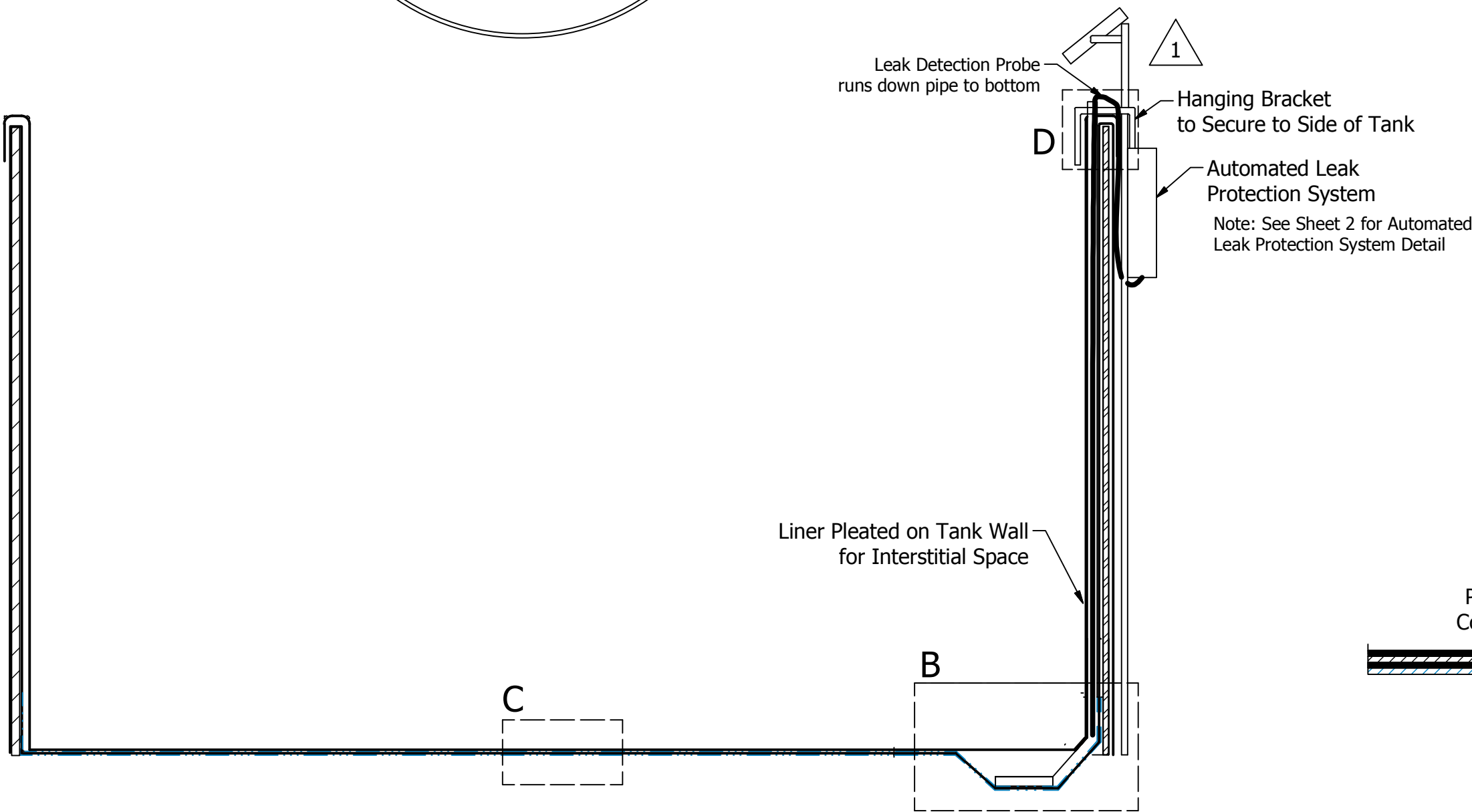


R.T. Hicks Consultants Albuquerque, NM	Layout of Geogrid Drainage Mat	Plate 1
	WWS - North Olympus AST	June 2021

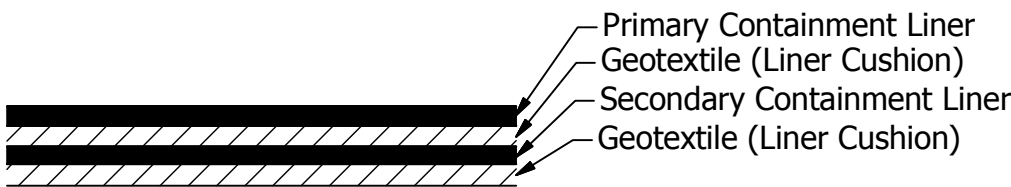
WWS DOUBLE-LINED FRAC WATER TANK SYSTEM



SECTION D
TUBE DETAIL
(Automated Leak Detection
System Removed for Clarity)



SECTION B
SUMP DETAIL



VIEW A-A
TANK DETAIL

SECTION C
LINER DETAIL



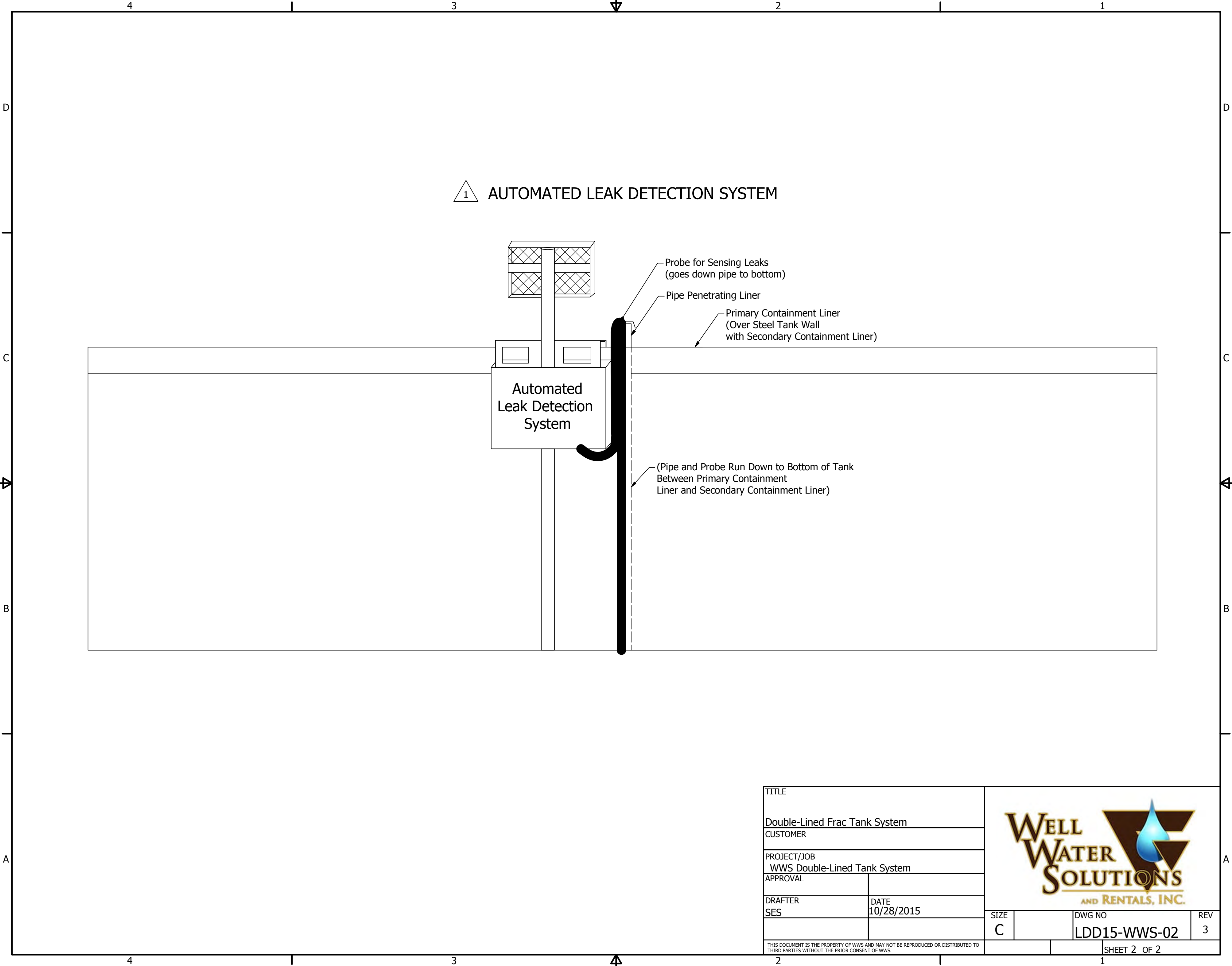
LUCID
DRAFTING & DESIGN LLC
sarah@luciddrafting.com 307.752.7388


REVISION HISTORY				
REV	DESCRIPTION	DATE	BY	
0	INITIAL DWG	10/29/2015	SES	
1	ADDED LEAK DETECTION SYSTEM	11/6/2015	SES	
2	REVISED SUMP	11/6/2015	SES	
3	ADDED GEOTEXTILE UNDER AND BETWEEN LINERS	11/24/15	SES	

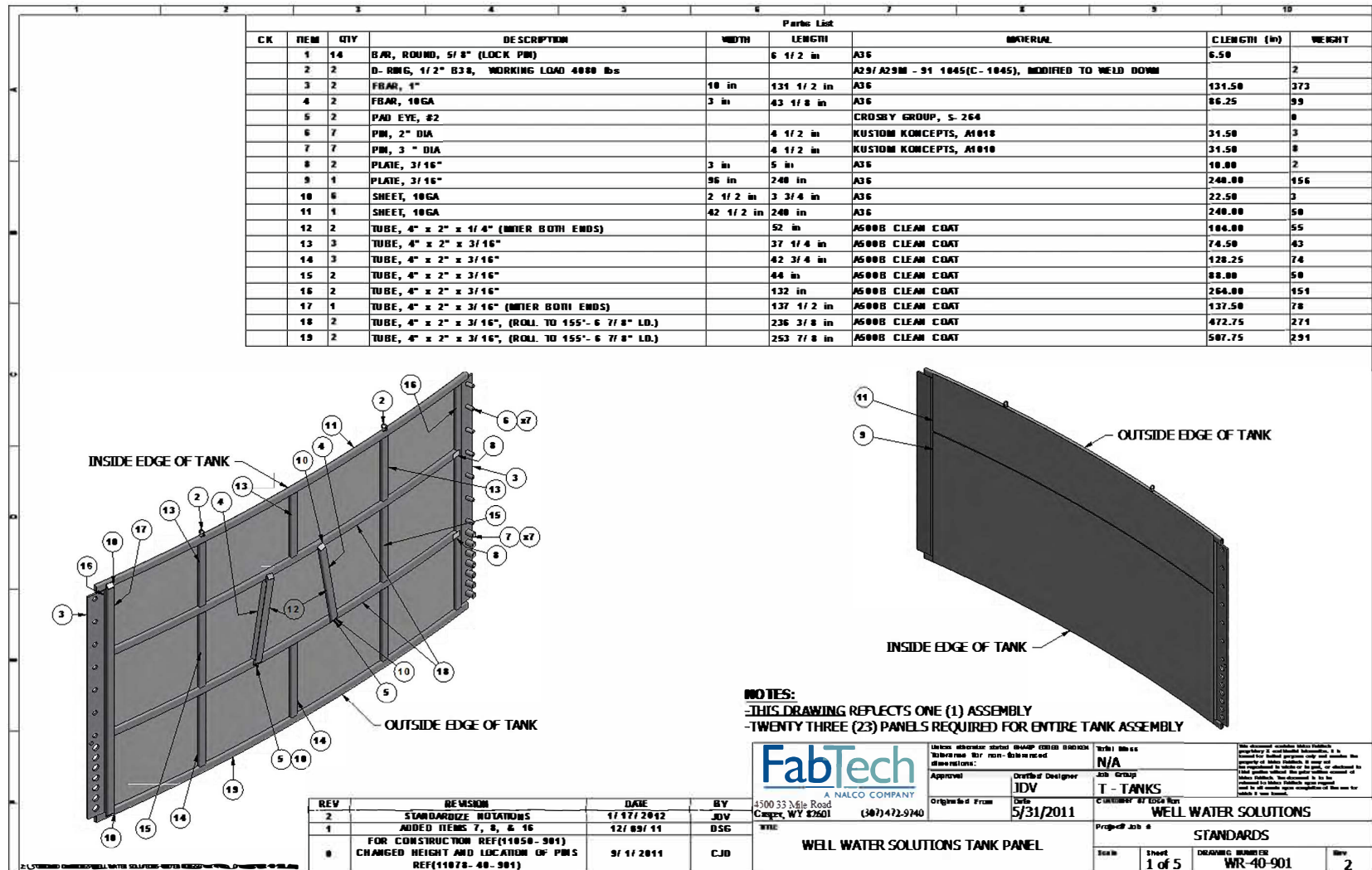
TITLE	
Double-Lined Frac Tank System	
CUSTOMER	
PROJECT/JOB	
WWS Double-Lined Tank System	
APPROVAL	
DRAFTER	DATE
SES	10/28/2015
THIS DOCUMENT IS THE PROPERTY OF WWS AND MAY NOT BE REPRODUCED OR DISTRIBUTED TO THIRD PARTIES WITHOUT THE PRIOR CONSENT OF WWS.	



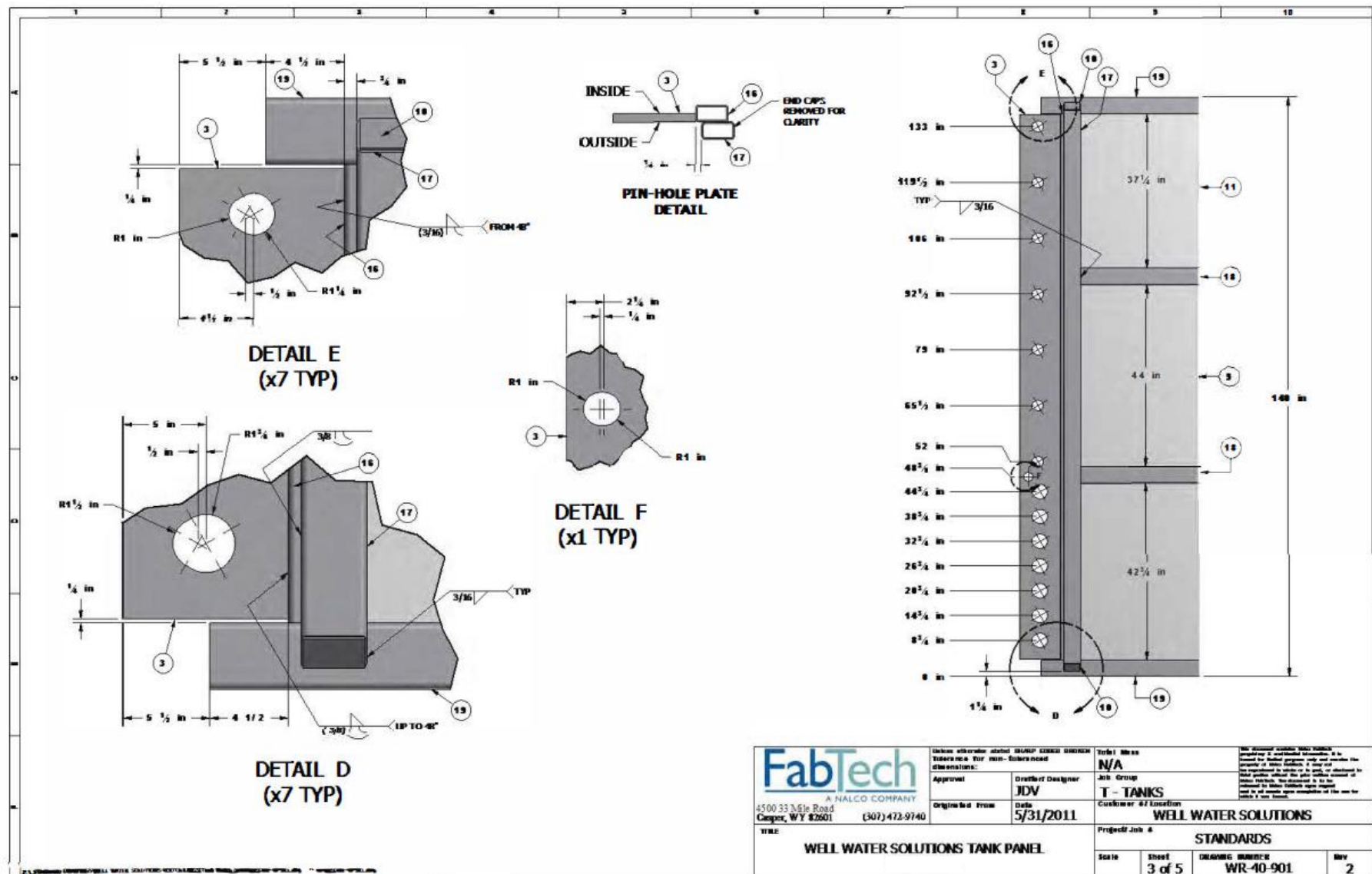
SIZE	DWG NO	REV
C	LDD15-WWS-02	3
SHEET 1 OF 2		



TITLE						
Double-Lined Frac Tank System						
CUSTOMER						
PROJECT/JOB						
WWS Double-Lined Tank System						
APPROVAL						
DRAFTER		DATE		SIZE	DWG NO	REV
SES		10/28/2015				
				C	LDD15-WWS-02	3
THIS DOCUMENT IS THE PROPERTY OF WWS AND MAY NOT BE REPRODUCED OR DISTRIBUTED TO THIRD PARTIES WITHOUT THE PRIOR CONSENT OF WWS.				SHEET 2 OF 2		











APPENDIX E: ENDURING VARIANCE REQUEST



ENDURING RESOURCES IV LLC

200 Energy Court Farmington, NM 87401
Field Office: 505.636.9720 | Main Office: 303.573.1222

Enduring Resources, LLC
Kimbeto Wash Unit 789H
Recycling Facility/Containment
Variance Request for 19.15.34 NMAC

New Mexico Oil Conservation Division
Attn: Victoria Venegas

Enduring Resources is requesting variances to the below listed items as outlined in 19.15.34.16 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:

Inside/Outside Levee Slopes: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(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.

Liner Anchoring: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(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. NMAC.

Primary Liner: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(4) which applies to the thickness of the primary liner. Enduring Resources proposes the use of a 40-mil LLDPE primary liner and 30-mil LLPDE secondary liner provided by Water Well Solutions and Rentals, Inc. The proposed variance will provide equal or better protection of fresh water, public health and the environment, as the proposed liner meets all other the requirements of NMAC 19.15.34.12 (A)(4) and meets or exceeds the EPA SW-846 method 9090A or subsequent relevant publication.

Distance to Watercourse: Enduring Resources requests a variance to NMAC 19.15.34.11 (A)(2) which applies to the distance to a watercourse. The site is within 200 feet of a previously identified watercourse, which only contains water during rain events where runoff conditions may be present. Otherwise, these areas remain dry all year round. Enduring Resources proposes the use of a 40-mil LLDPE primary liner and 30-mil LLPDE secondary liner provided by Water Well Solutions and Rentals, Inc. and the use of ASTs instead of an in-ground pond. The proposed variance of a combination of ASTs, primary and secondary liner, and weekly inspections will provide equal or better protection of fresh water, public health and the environment.

Thank you,

Khem Suthiwan

Khem Suthiwan
Regulatory Manager
Enduring Resources, IV LLC.
505.636.9723 – Office
505.497.1115 – Cell

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, New Mexico 87401
Facility or well name (include API# if associated with a well): Kimbeito Wash Unit 789H
OCD Permit Number: _____ (For new facilities the permit number will be assigned by the district office)
U/L or Qtr/Qtr D Section 30 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 36.203340 Longitude -107.837214 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 36.203340 Longitude -107.837214 NAD83
☒ For multiple or additional recycling containments, attach design and location information of each containment
☒ Lined ☐ Liner type: Thickness 40 mil ☒ LLDPE ☐ HDPE ☐ PVC ☐ Other _____
☒ String-Reinforced
Liner Seams: ☒ Welded ☒ Factory ☐ Other _____ Volume: 60,000 bbl Dimensions: Radius 95' x Height 12'
☐ 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): Khem Suthiwan Title: Regulatory Manager
Signature: Khem Suthiwan Date: 8/24/2022
e-mail address: ksuthiwan@enduringresources.com Telephone: (303) 350-5721

11.

OCD Representative Signature: _____ Approval Date: _____

Title: _____ OCD Permit Number: _____

- ☐ OCD Conditions _____
- ☐ Additional OCD Conditions on Attachment _____

*ENDURING RESOURCES IV LLC*

200 Energy Court Farmington, NM 87401
Field Office: 505.636.9720 | Main Office: 303.573.1222

Enduring Resources, LLC
Kimbeto Wash Unit 789H
Recycling Facility/Containment
Variance Request for 19.15.34 NMAC

New Mexico Oil Conservation Division
Attn: Victoria Venegas

Enduring Resources is requesting variances to the below listed items as outlined in 19.15.34.16 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:

Inside/Outside Levee Slopes: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(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.

Liner Anchoring: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(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. NMAC.

Primary Liner: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(4) which applies to the thickness of the primary liner. Enduring Resources proposes the use of a 40-mil LLDPE primary liner and 30-mil LLPDE secondary liner provided by Water Well Solutions and Rentals, Inc. The proposed variance will provide equal or better protection of fresh water, public health and the environment, as the proposed liner meets all other the requirements of NMAC 19.15.34.12 (A)(4) and meets or exceeds the EPA SW-846 method 9090A or subsequent relevant publication.

Distance to Watercourse: Enduring Resources requests a variance to NMAC 19.15.34.11 (A)(2) which applies to the distance to a watercourse. The site is within 200 feet of a previously identified watercourse, which only contains water during rain events where runoff conditions may be present. Otherwise, these areas remain dry all year round. Enduring Resources proposes the use of a 40-mil LLDPE primary liner and 30-mil LLPDE secondary liner provided by Water Well Solutions and Rentals, Inc. and the use of ASTs instead of an in-ground pond. The proposed variance of a combination of ASTs, primary and secondary liner, and weekly inspections will provide equal or better protection of fresh water, public health and the environment.

Thank you,

Khem Suthiwan

Khem Suthiwan
Regulatory Manager
Enduring Resources, IV LLC.
505.636.9723 – Office
505.497.1115 – Cell

Well Name: KIMBETO WASH UNIT	Well Location: T23N / R9W / SEC 30 / NWNW / 36.20334 / -107.837214	County or Parish/State: SAN JUAN / NM
Well Number: 789H	Type of Well: OIL WELL	Allottee or Tribe Name:
Lease Number: NMNM117577	Unit or CA Name:	Unit or CA Number: NMNM135255A
US Well Number: 3004535734	Well Status: Approved Application for Permit to Drill	Operator: ENDURING RESOURCES LLC

Notice of Intent

Sundry ID: 2688846

Type of Submission: Notice of Intent

Date Sundry Submitted: 08/24/2022

Date proposed operation will begin: 10/03/2022

Type of Action: Surface Disturbance

Time Sundry Submitted: 10:16

Procedure Description: Enduring Resources IV, LLC (Enduring) proposes the Kimbeto Wash Unit 789H Water Recycling Containment and associated infrastructure. The proposed project would include no new surface disturbance beyond the disturbance area previously approved in the APD's and the use as a storage area. The proposed project will include constructing a 510' by 315' location including a 50' construction buffer zone surrounding all four sides, and one 231' ingress/egress access road. Please see attached map exhibits of the proposed infrastructure as well as the submitted NMOCD C-147L permitting this recycling facility. All proposed infrastructure would be located on lease within Enduring's Kimbeto Wash Unit . Enduring proposes to utilize the Kimbeto Wash Unit 789H to store non-potable water sourced from the Entrada Formation in two (2), 60,000 bbl and one (1), 50,000 bbl steel above ground storage tanks. The water will be used during Enduring's drilling and completion operations. Water from this location may be trucked, piped via existing underground pipeline infrastructure, or piped via surface lines within existing road and pipeline corridors. Enduring plans to utilize steel above ground storage tanks. Compared to earthen ponds, this practice is less impactful on the landscape, more practical to net and make safe for wildlife, and, due to the temporary nature of the tanks, increases reclamation success and speeds up the timeline for reclamation following cessation of use. This sundry will serve to comply with NMAC 19.15.34 requirement to notify the surface owner of the submittal of the C-147 to NMOCD. Additionally, this sundry has been submitted to seek approval, recommendations and conditions from the BLM on the altered project scope at this previously approved project location. Please contact Khem Suthiwan - 303.350.5721 | ksuthiwan@enduringresources.com or Kayla White – 720.768.3575 | kwhite@cdhconsult.com with questions.

Received by OCD: 9/20/2022 3:20:11 PM

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Well Name: KIMBETO WASH UNIT	Well Location: T23N / R9W / SEC 30 / NWNW / 36.20334 / -107.837214	County or Parish/State: SAN JUAN / NM
Well Number: 789H	Type of Well: OIL WELL	Allottee or Tribe Name:
Lease Number: NMNM117577	Unit or CA Name:	Unit or CA Number: NMNM135255A
US Well Number: 3004535734	Well Status: Approved Application for Permit to Drill	Operator: ENDURING RESOURCES LLC

Surface Disturbance

Is any additional surface disturbance proposed?: No

NOI Attachments

Procedure Description

- Appendix_B_Topo_Maps__Plats__Driving_Directions_20220824101517.pdf
- Appendix_A_FEMA__Construction_Map__Photolog_20220824101512.pdf
- 2022_Kimbeto_Wash_Unit_789H_C_147_Permit_Information_20220824101504.pdf

Operator

I certify that the foregoing is true and correct. Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction. Electronic submission of Sundry Notices through this system satisfies regulations requiring a

Operator Electronic Signature: KAYLA WHITE	Signed on: AUG 24, 2022 10:15 AM
Name: ENDURING RESOURCES LLC	
Title: Staff Engineer	
Street Address: 9446 CLERMONT ST	
City: THORNTON	State: CO
Phone: (720) 768-3575	
Email address: KWHITE@CDHCONSULT.COM	

Field

Representative Name:		
Street Address:		
City:	State:	Zip:
Phone:		
Email address:		

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Thursday, October 13, 2022 2:56 PM
To: Kayla White; Khem Suthiwan; Heather Huntington
Subject: 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143]. Conditions of Approval
Attachments: C-147 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143].pdf

3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143]. Conditions of Approval

Good afternoon,

NMOCD has reviewed the recycling containment permit application and related documents, submitted by [372286] ENDURING RESOURCES, LLC on September 20, 2022, for 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143] in Unit Letter D, Section 30, Township 23N, Range 09W, San Juan County, New Mexico.

[372286] ENDURING RESOURCES, LLC requested variances from 19.15.34 NMAC for 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143].

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 with clips and no anchor trenches is approved.
- The variance to 19.15.34.12.A.(4) NMAC for the installation on the AST containment of a 40-mil non-reinforced LLDPE primary liner and a 30-mil non-reinforced LLDPE secondary liner is approved.
- [372286] ENDURING RESOURCES, LLC requested a variance to NMAC 19.15.34.11 (A)(2) which applies to the distance to a watercourse. The site is within 200 feet of a previously identified watercourse, which only contains water during rain events where runoff conditions may be present. Otherwise, these areas remain dry all year round. [372286] ENDURING RESOURCES, LLC proposes the use of a 40-mil LLDPE primary liner and 30-mil LLDPE secondary liner provided by Water Well Solutions and Rentals, Inc. and the use of ASTs instead of an in-ground pond. The proposed variance of a combination of ASTs, primary and secondary liner, and weekly inspections will provide equal or better protection of fresh water, public health and the environment.
- The variance to 19.15.34.11.A.(2) NMAC for the containments to be located within 300 feet of a 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), is approved.

The form C-147 and related documents for the 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143] is approved with the following conditions of conditions of approval:

- The purpose of this permit is for oil and gas activities regulated under the NMAC 19.15.34.3 STATUTORY AUTHORITY: 19.15.34 NMAC is adopted pursuant to the Oil and Gas Act, Paragraph (15) of Section 70-2-12(B) NMSA 1978, which authorizes the division to regulate the disposition of water produced or used in connection with the drilling for or producing of oil and gas or both and Paragraph (21) of Section 70-2-12(B) NMSA 1978 which authorizes the regulation of the disposition of nondomestic wastes from the exploration, development, production or storage of crude oil or natural gas.
- [372286] ENDURING RESOURCES, LLC shall construct, operate, maintain, close, and reclaim the 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143] in compliance with 19.15.34 NMAC.

- 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143] is approved for five years of operation from the date of permit application. 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143] permit expires on September 20, 2027.
- 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143] consists of two (2) above ground storage tank (AST) of 60,000 BBL of capacity each and one (1) above ground storage tank (AST) of 50,000 BBL of capacity. The total fluid capacity of 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143] is 170,000.00 BBL.
- [372286] ENDURING RESOURCES, LLC shall notify NMOCD when construction of the 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143] commences via OCD online.
- [372286] ENDURING RESOURCES, LLC shall notify NMOCD when recycling operations commence and cease at 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143].
- A minimum of 3-feet freeboard must be maintained in 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143] recycling containment, at all times during operations.
- [372286] ENDURING RESOURCES, LLC must submit to the OCD any inspection record that may indicate a leak or an issue with the liner's integrity. The record must be sent to the OCD within 7-days of the inspection for discussion.
- 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 Online](#). An extension 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 NMOCD form C-148 through [OCD Online](#) even if there is zero activity.
- **Please note that NMOCD has updated Form C-148. The new Form C-148 can be found at:**
<https://www.emnrd.nm.gov/oed/wp-content/uploads/sites/6/Revised-C-148-Form-January-2022.pdf>
- [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-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143].

Please reference number 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [fVV2228638143] in all future communications.
Regards,

Victoria Venegas • Environmental Specialist
Environmental Bureau
EMNRD - Oil Conservation Division
(575) 909-0269 | Victoria.Venegas@emnrd.nm.gov
<http://www.emnrd.state.nm.us/OCD/>



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 145033

CONDITIONS

Operator: ENDURING RESOURCES, LLC 6300 S Syracuse Way, Suite 525 Centennial, CO 80111	OGRID: 372286
	Action Number: 145033
	Action Type: [C-147] Water Recycle Long (C-147L)

CONDITIONS

Created By	Condition	Condition Date
vvenegas	NMOCD has reviewed and approved the recycling containment permit application and related documents, submitted by [372286] ENDURING RESOURCES, LLC on September 20, 2022, for 3RF-56 - KIMBETO WASH UNIT 789H FACILITY ID [FVV2228638143]. • [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-56 - KIMBETO WASH UNIT 789H FACILITY ID [FVV2228638143].	10/13/2022