



February 28, 2023

Ms. Victoria Venegas
New Mexico EMNRD
Oil conservation Division
811 S. First St.
Artesia, New Mexico 88210

Re: Request for Permit Modification to add an additional Recycle Containment at an Approved C-147 Recycle Facility (2RF-180) in Eddy County New Mexico

Ms. Venegas,

WaterBridge Stateline, LLC (OGRID #330129) would like to request permission to modify the permit issued for their Burton Flats Recycle Facility (2RF-180). WaterBridge is expecting a large influx of raw water for processing in a short amount of time. To accommodate this water, WaterBridge is requesting permission to construct a 50,000 BBL Above Ground Storage Tank (AST) at the Burton Flats Facility. This AST will be used as buffer for temporary storage of incoming water prior to treatment in the approved treatment process.

No changes to the operations procedures, maintenance, and monitoring procedures, or closing procedures will be made aside from addition of storage volume in the AST. The facility plans to operate as originally permitted.

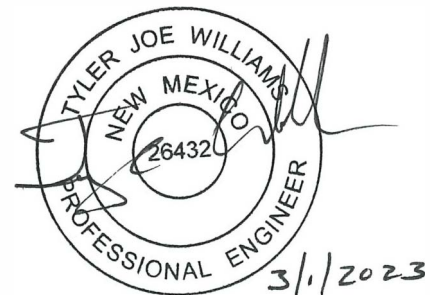
Enclosed in this submission is a new C-147 form for the AST, Variance Requests for Rules NMAC 19.15.34.12 A (2) and NMAC 19.15.31.12 A (4), Engineering Diagrams for the AST, a leak detection plan for the AST, and a new closure cost estimate stamped by an Engineer licensed in the State of New Mexico.

Should you have any questions or require additional information, please contact me by phone at 580-234-8780 or by email at twilliams@envirotechconsulting.com at your convenience.

Thank you for your consideration.
Best regards,

ENVIROTECH ENGINEERING & CONSULTING, INC.

Tyler Williams, P.E.
President and Principal Engineer



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: WaterBridge Stateline, LLC (For multiple operators attach page with information) OGRID #: 330129
Address: 5555 San Felipe St. 1200 Houston, TX 77056
Facility or well name (include API# if associated with a well): Burton Flats Recycle
OCD Permit Number: 2 RF-180 (For new facilities the permit number will be assigned by the district office)
U/L or Qtr/Qtr Section 27 Township 20 south Range 28 East County: Eddy County
Surface Owner: ☐ Federal ☐ State ☒ Private ☐ Tribal Trust or Indian Allotment

2.
☐ **Recycling Facility:**
Location of recycling facility (if applicable): Latitude 32.549369° Longitude -104.161031° 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 32.549369° Longitude -104.161031° NAD83
☐ For multiple or additional recycling containments, attach design and location information of each containment
☒ Lined ☐ Liner type: Thickness 40/40 mil ☒ LLDPE ☐ HDPE ☐ PVC ☐ Other _____
☐ String-Reinforced
Liner Seams: ☒ Welded ☐ Factory ☐ Other _____ Volume: 50,000 bbl Dimensions: L _____ x W 180 x D 12
☐ Recycling Containment Closure Completion Date: _____ Round Above Ground Storage Tank 180' Diameter

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 \$ 1,102,079.16 (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 8-ft tall Game Fence

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):

Title:

Signature:

Date

e-mail address

Telephone

11.

OCD Representative Signature: Victoria VenegasApproval Date: 03/22/2023Title: Environmental SpecialistOCD Permit Number: 2RF-180

- ☐ OCD Conditions
☒ Additional OCD Conditions on Attachment



February 28, 2023

Ms. Victoria Venegas
New Mexico EMNRD
Oil conservation Division
811 S. First St.
Artesia, New Mexico 88210

RE: Rule 34 Variance Request –Produced Water Recycling Containment Levee Wall

Ms. Venegas:

WaterBridge Stateline, LLC (WaterBridge) is requesting a variance to Rule 34 Part 12(A)(2) requiring "a levee with an inside grade no steeper than two horizontal feet to one vertical foot (2H:1V). The levee shall have an outside grade no steeper than three horizontal feet to one vertical foot (3H:1V). WaterBridge is requesting approval to use an Above Ground Storage Tank (AST) as a containment structure at the Burton Flats Recycle Facility. Based on our experience AST's work well for this purpose, they are structurally sound and easy to maintain. A copy of the engineering drawings are included.

This AST will have vertical walls on both interior and exterior sides and thus requires a variance for use. The AST will, however be double lined like other containments to limit the risk of leakage. It should also be noted that this variance has been granted on past sites.

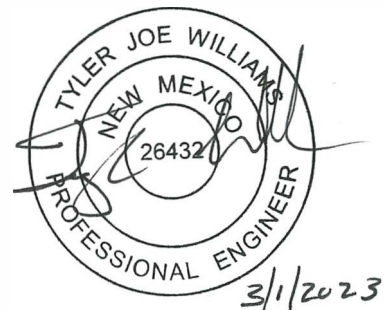
Should you have any questions or require additional information, please contact me by phone at 580-234-8780 or by email at twilliams@envirotechconsulting.com at your convenience

Thank you for your consideration.
Best regards,

ENVIROTECH ENGINEERING & CONSULTING, INC.

A handwritten signature in black ink, appearing to read "Tyler Williams".

Tyler Williams, P.E.
President and Principal Engineer





February 28, 2023

Ms. Victoria Venegas
New Mexico EMNRD
Oil conservation Division
811 S. First St.
Artesia, New Mexico 88210

RE: Rule 34 Variance Request –Produced Water Recycling Containment Secondary Liner

Ms. Venegas:

WaterBridge Stateline, LLC (WaterBridge) is requesting a variance to Rule 34 Part 12(A)(4) requiring primary liners to be 45-mil string reinforced LLDPE. WaterBridge is requesting approval to use 40-mil LLDPE in place of the specified material. Based on our experience, we feel that the requested material will allow us to provide equal environmental protection in our impoundments.

Due to the construction of the 45-mil reinforced LLDPE material, nondestructive QA/QC testing cannot be performed. The proposed 40-mil LLDPE will be seamed in a manner that will allow nondestructive pressure testing of the seams to ensure proper sealing.

The proposed LLDPE is appropriate material for the proposed use in the impoundment and is compatible with the material that will be stored. This material will provide equal or better environmental protection as the specified 45-mil reinforced LLDPE.

The proposed new liner system cross-section is as follows: prepare subgrade, 10 oz. geotextile, 40-mil LLDPE, 200 mil geonet, 40-mil LLDPE. This will replace the cross-section required by the current rule and submitted with the original permit application. It should also be noted that this variance has been granted on past sites.

Should you have any questions or require additional information, please contact me by phone at 580-234-8780 or by email at twilliams@envirotechconsulting.com at your convenience.

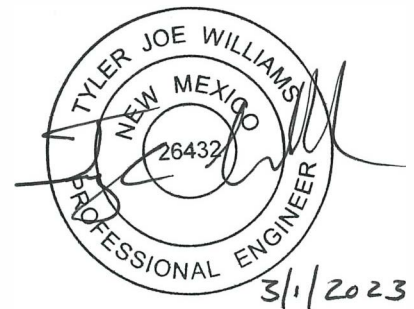
Thank you for your consideration.

Best regards,

ENVIROTECH ENGINEERING & CONSULTING, INC.

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Tyler Williams, P.E.
President and Principal Engineer





February 28, 2023

Ms. Victoria Venegas
New Mexico EMNRD
Oil conservation Division
811 S. First St.
Artesia, New Mexico 88210

RE: Rule 34 Variance Request –Produced Water Recycling Containment Secondary Liner

Ms. Venegas:

WaterBridge Stateline, LLC (WaterBridge) is requesting a variance to Rule 34 Part 12(A)(4) requiring secondary liners to be 30-mil string reinforced LLDPE. WaterBridge is requesting approval to use 40-mil LLDPE in place of the specified material. Based on our experience, we feel that the requested material will allow us to provide equal environmental protection in our impoundments.

Due to the construction of the 30-mil reinforced LLDPE material, nondestructive QA/QC testing cannot be performed. The proposed 40-mil LLDPE will be seamed in a manner that will allow nondestructive pressure testing of the seams to ensure proper sealing.

The proposed LLDPE is appropriate material for the proposed use in the impoundment and is compatible with the material that will be stored. This material will provide equal or better environmental protection as the specified 30-mil reinforced LLDPE.

The proposed new liner system cross-section is as follows: prepare subgrade, 10 oz. geotextile, 40-mil LLDPE, 200 mil geonet, 40-mil LLDPE. This will replace the cross-section required by the current rule and submitted with the original permit application. It should also be noted that this variance has been granted on past sites.

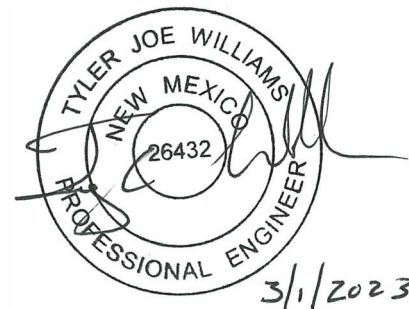
Should you have any questions or require additional information, please contact me by phone at 580-234-8780 or by email at twilliams@envirotechconsulting.com at your convenience.

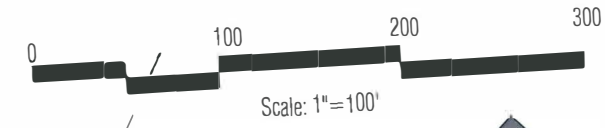
Thank you for your consideration.
Best regards,

ENVIROTECH ENGINEERING & CONSULTING, INC.

A handwritten signature in black ink, appearing to read "Tyler Williams".

Tyler Williams, P.E.
President and Principal Engineer





**ENVIROTECH
ENGINEERING**
3500 North Elm, Suite 500
Tulsa, Oklahoma 74106
918.234.8700
envirotechconsulting.com
C.A. #26432 - Expiration Date: 12-31-2022

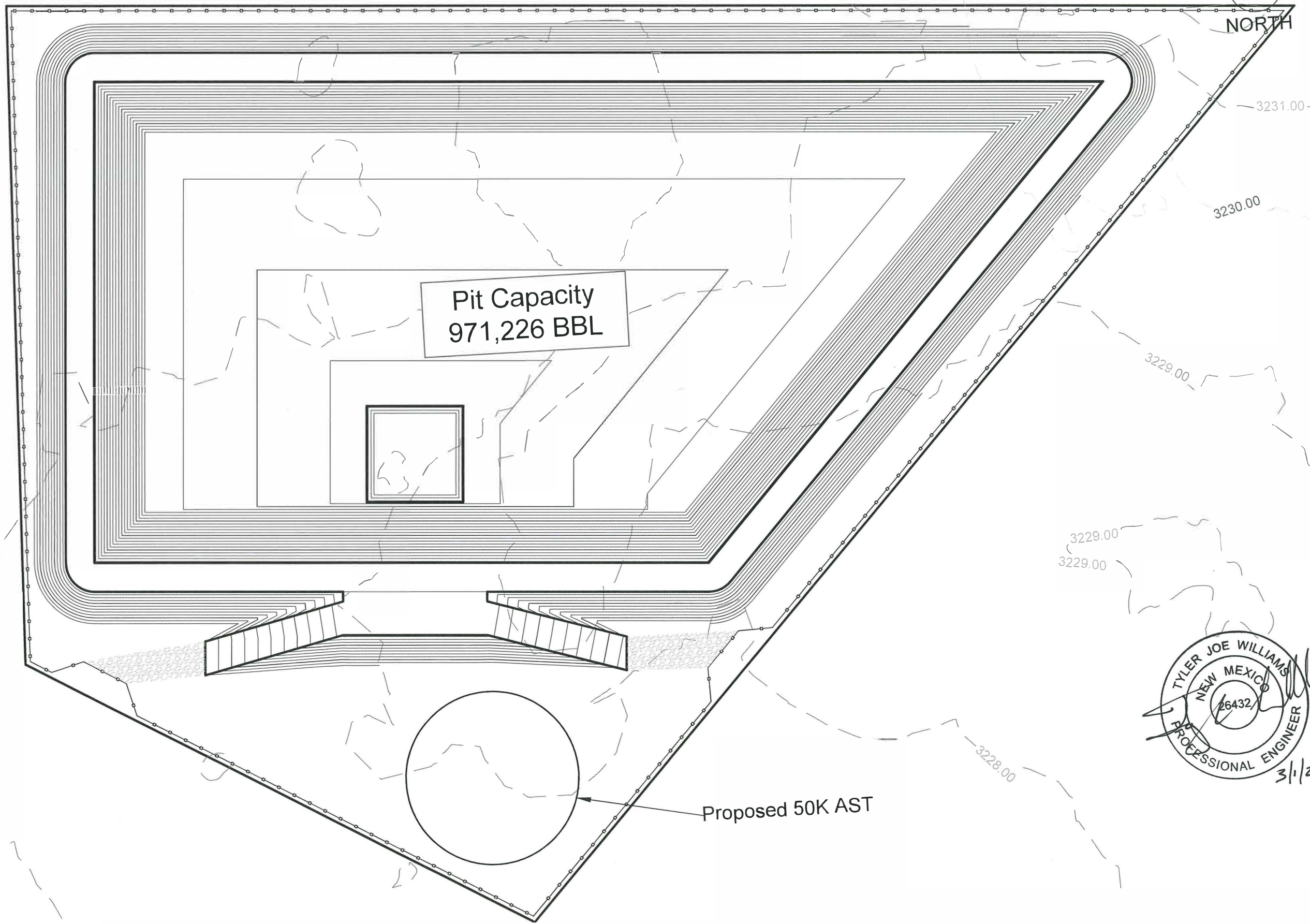
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NO.	DATE	DESCRIPTION

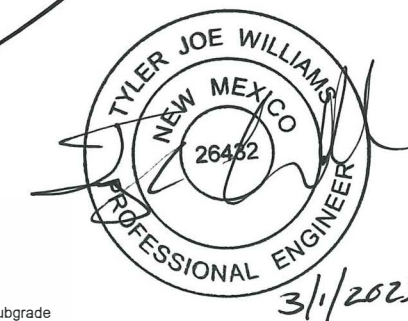
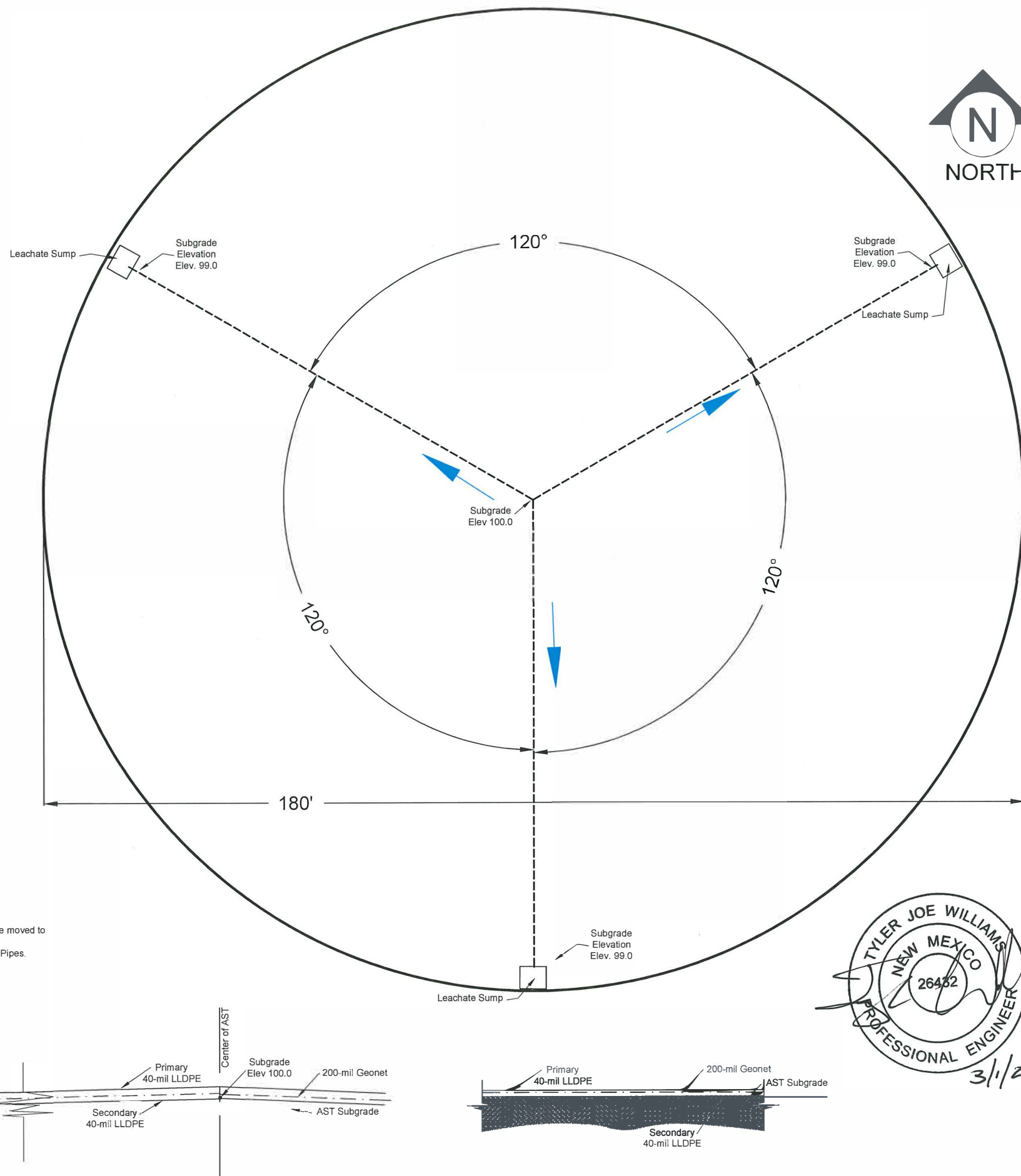
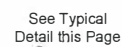
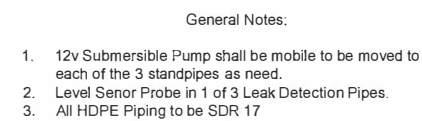
WATERBRIDGE

SITE PLAN
BURTON FLATS RECYCLE FACILITY
WATERBRIDGE STATELINE, LLC
S27, T20S, R28E EDDY COUNTY, NM

DATE:	February 2023
SCALE:	1"=100'
DESIGNED BY:	M. Ratke
DRAWN BY:	M. Ratke
CHECKED BY:	T. Williams
PROJECT NO.	022139-00
SHEET NO.	Figure 1



TYLER JOE WILLIAMS
NEW MEXICO
26432
PROFESSIONAL ENGINEER
3/1/2023



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NO.	DATE	DESCRIPTION

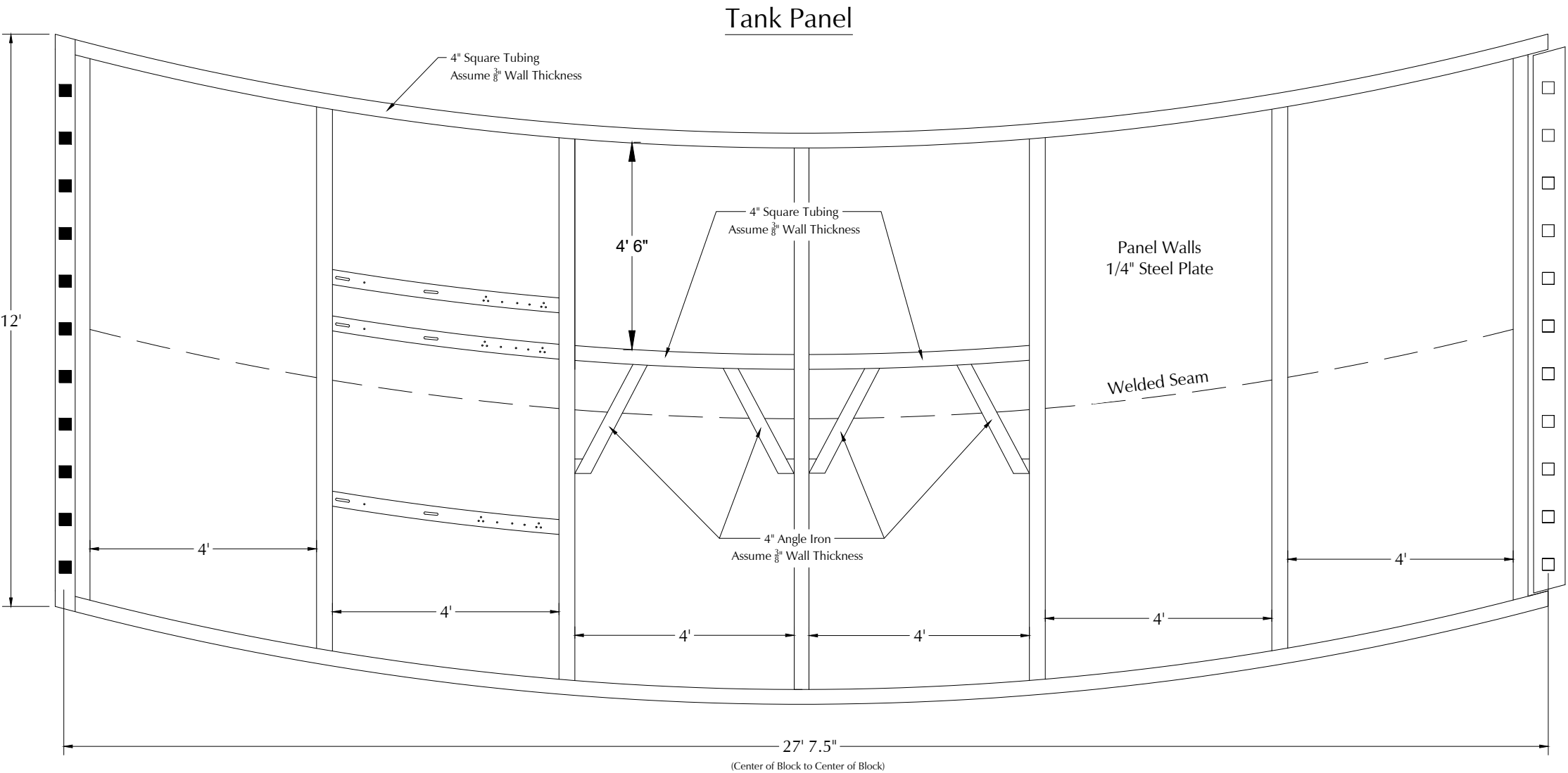
WATERBRIDGE



FAST LEAK DETECTION PLAN
BURTON FLATS RECYCLE FACILITY
WATERBRIDGE STATELINE, LLC
S27, T20S, R28E EDDY COUNTY, NM

DATE:	February 2023
SCALE:	1"=100'
DESIGNED BY:	M. Ratke
DRAWN BY:	M. Ratke
CHECKED BY:	T. Williams
PROJECT NO.	022139-00
SHEET NO.	

Figure 2



Tank Diameter: 180'
20 Panels
Approximate Tank Volume: 50k BBLS

ENVIROTECH
ENGINEERING

2500 North Eleventh Street
Enid, Oklahoma
580.234.8780
envirotechconsulting.com
C.A. #1960 - Expiration Date: 6-30-2024

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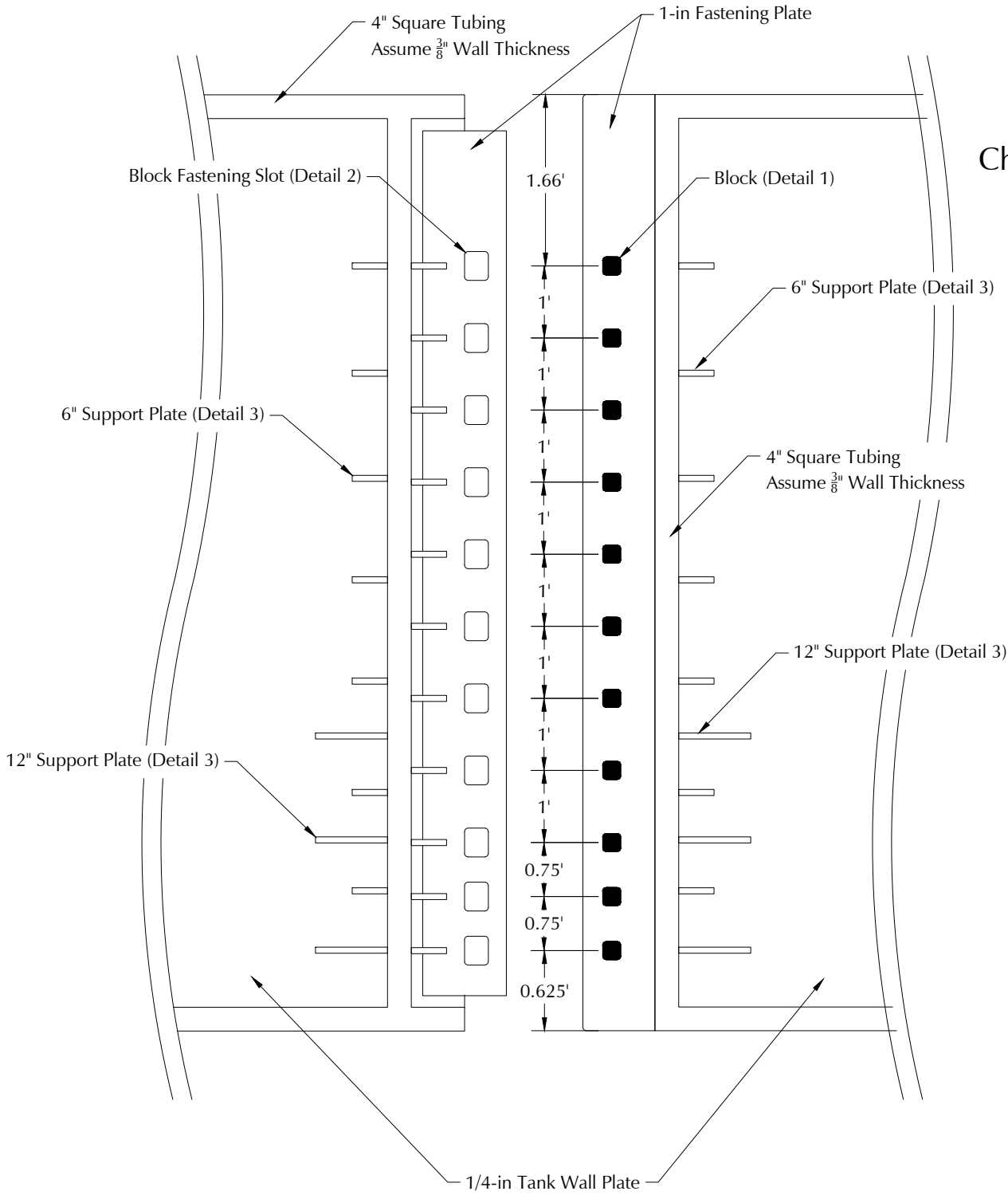
WATERBRIDGE

Waterbridge 50k AST Panel

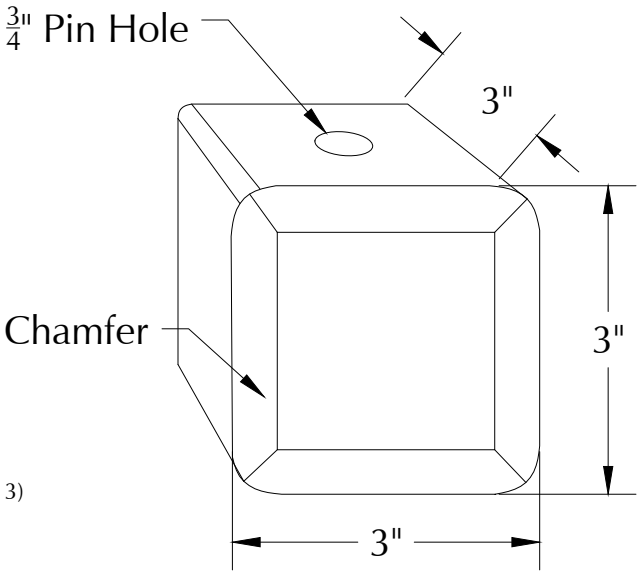
DATE:	February 2023
SCALE:	NTS
DESIGNED BY:	I. Irby
DRAWN BY:	E. Stewart
CHECKED BY:	T. Williams
PROJECT NO.	23.060
SHEET NO.	1 of 2

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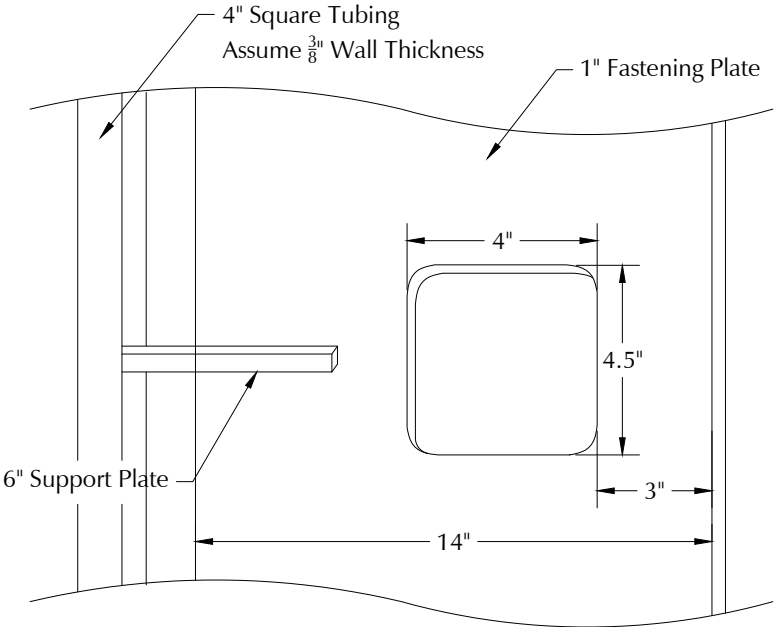
Tank Fastening System



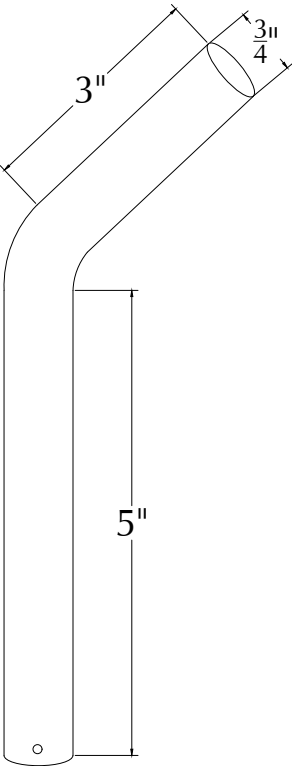
Detail 1: Block



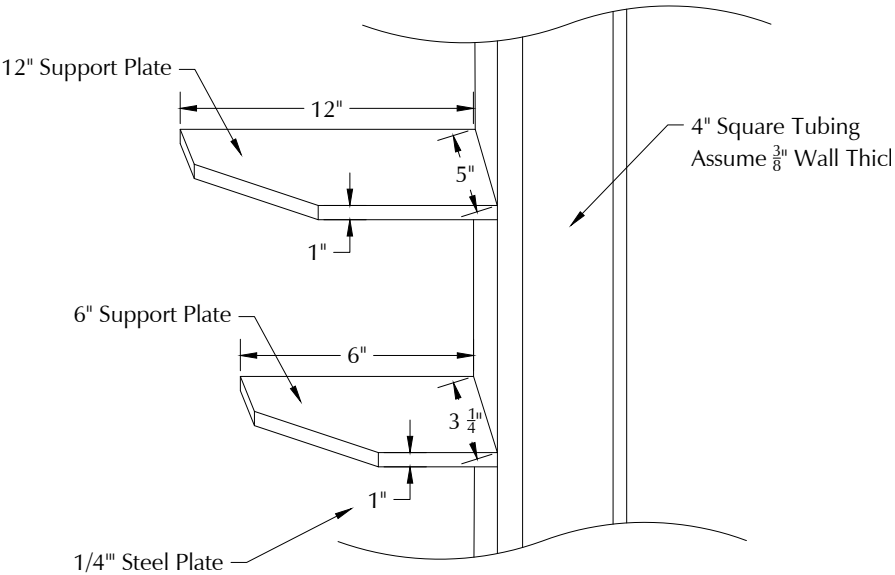
Detail 2: Block Fastening Slot



Stainless Steel Pin Detail



Detail 3: Support Plates



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Enid, Oklahoma
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NO.	DATE	DESCRIPTION

WATERBRIDGE

Waterbridge 50k AST Components

DATE:	February 2023
SCALE:	NTS
DESIGNED BY:	I. Irby
DRAWN BY:	E. Stewart
CHECKED BY:	T. Williams
PROJECT NO.	23.060
SHEET NO.	2 of 2

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Tank Fastening System



Fastening Slot



Blocks



Panel



ENVIROTECH

ENGINEERING

2500 North Eleventh Street

Enid, Oklahoma

580.234.8780

envirotechconsulting.com

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NO.	DATE	DESCRIPTION

WATERBRIDGE

Waterbridge 50k AST Pictures

DATE:	February 2023
SCALE:	NTS
DESIGNED BY:	I. Irby
DRAWN BY:	E. Stewart
CHECKED BY:	T. Williams
PROJECT NO.	23.060
SHEET NO.	3 of 2

**WaterBridge Stateline, LLC
Burton Flats Recycle
Closure Cost Estimate**

Item	Units	Quantity	\$/Unit	Estimate Cost
Facility Closure				
1 Fluid removal				
Burton Flats Recycle (971K bbls)	bbls	971,226	\$ 0.50	\$ 485,613.00
AST (50K bbls)	bbls	50,000	\$ 0.50	\$ 25,000.00
2 Vac truck (final fluid removal)	hrs	16	\$ 125.00	\$ 2,000.00
3 Liner removal (fold-in-place)				
Covers removal and disposal	SF	1,790,412	\$ 0.18	\$ 322,274.16
4 Equipment removal				
Pit clean-out and residue haul-off	LS	1	\$ 7,500.00	\$ 7,500.00
Equipment removal (tanks, gun barrel, FWKO)	LS	1	\$ 5,000.00	\$ 5,000.00
Electrical decommissioning (pumps and panels)	LS	1	\$ 1,500.00	\$ 1,500.00
Misc equipment clean-up and removal	hr	120	\$ 125.00	\$ 15,000.00
Removal of AST	LS	1	\$ 50,000.00	\$ 50,000.00
5 Site Restoration				
Dozer - push in berms (bid)	CY	91,696	\$ 2.00	\$ 183,392.00
and final grading of the site				
Re-vegetation	ea	1	\$ 4,800.00	\$ 4,800.00

Estimated Total

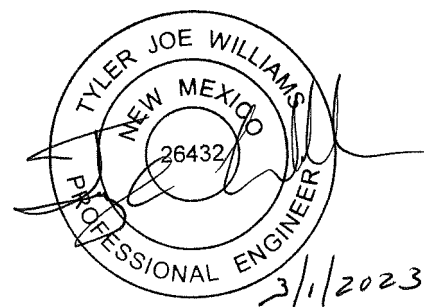
\$ 1,102,079.16

Assumptions

No Remediation will be necessary

Pit and AST are full at time of closure

Pit berms above natural grade will be used to fill voids below natural grade



Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Wednesday, March 22, 2023 2:43 PM
To: michael.reitz@h2obridge.com; Jake Ferenz; Mitchell Ratke
Cc: twilliams@envirotechconsulting.com; Jessica High
Subject: 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630]. AST Modification
Attachments: C-147 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] Modification_AST.pdf

2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630]

NMOCD has reviewed the recycling containment permit modification application and related documents, submitted by [330129] WaterBridge Stateline LLC on 03/01/2023, for 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] in Unit Letter A, Section 27, Township 20S, Range 28E, Eddy County, New Mexico. [330129] WaterBridge Stateline LLC requested variances from 19.15.34 NMAC for 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] AST related to 19.15.34. NMAC

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 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 40-mil non-reinforced LLDPE as the secondary liner is approved. The proposed new liner system cross-section is as follows: prepare subgrade, 10 oz. geotextile, 40-mil LLDPE, 200 mil geonet, 40-mil LLDPE.

The form C-147 and related documents for the modification of permit 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] is approved with the following conditions of approval:

- Per Rule 19.15.34.15.A.(1) operators without existing financial assurance pursuant to 19.15.8 NMAC shall furnish financial assurance acceptable to the division in the amount of the recycling containment's estimated closure cost. The total closure cost estimate 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] including the additional AST containment of 50,000.00 BBL of capacity in the amount of \$1,102,079.16, satisfies the requirements of NMAC 19.15.34.15.A.(1).
- The financial assurance should be mailed to Oil Conservation Division; Bonding and Compliance; 1220 South St Frances Drive; Santa Fe, NM 87505.
- A minimum of 3-feet freeboard must be maintained at 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] at all times during operations.
- If less than 20% of the total fluid capacity is utilized every six months, beginning from the first withdrawal, operations of the 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] is considered ceased and a notification of cessation of operations should be sent electronically to [OCD Permitting](#). A request to extend the cessation of operation, not to exceed six months, may be submitted using a C-147 form through [OCD Permitting](#).
- If after that 6-month extension period, the 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] is not utilized at a minimum of 20% fluid capacity, no additional extensions would be granted, and the operator would be directed to remove all fluids and proceed with the closure requirements.
- [330129] WaterBridge Stateline LLC shall submit monthly reports of recycling and reuse of produced water, drilling fluids, and liquid oil field waste on OCD form C-148 via [OCD Permitting](#) even if there is zero activity.

[330129] WaterBridge Stateline LLC will comply with all conditions previously approved for permit 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630]. No changes to the operations procedures, maintenance, and monitoring

procedures, or closing procedures will be made aside from the addition of storage volume in the AST. The facility plans to operate as originally permitted.

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



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 192136

CONDITIONS

Operator: WaterBridge Stateline LLC 5555 San Felipe Houston, TX 77056	OGRID: 330129
	Action Number: 192136
	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 modification application and related documents, submitted by [330129] WaterBridge Stateline LLC on 03/01/2023, for 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [VV2223635630] in Unit Letter A, Section 27, Township 20S, Range 28E, Eddy County, New Mexico.	3/22/2023