



June 26, 2024

New Mexico Oil Conservation Division

New Mexico Energy, Minerals, and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: Minor Modification - Transfer of Permit Request

Bisti Landfarm
San Juan County, New Mexico
Western Refining Southwest LLC
NMOCD Permit No: NM2-010

To Whom it May Concern:

Ensolum, LLC (Ensolum), on behalf of Western Refining Southwest LLC (Western), a subsidiary of Marathon Petroleum Company LP (Marathon) is submitting the attached New Mexico Oil Conservation Division (NMOCD) Form C-137A *Application for Minor Modification to Surface Waste Management Facility* for the Bisti Landfarm (Site), NMOCD permit number NM2-010. The site is located in the NW/4 SE/4, Section 16, Township 25 North, Range 12 West in San Juan County, New Mexico.

This minor modification is being submitted to address a change in ownership of the Landfarm Facility and associated property. Specifically, the current NMOCD permit NM2-010 is held by Western Refining Company LP (OGRID # 264727). Due to a corporate reorganization, Western Refining Company LP and the associated OGRID number no longer exist, and Western Refining Southwest LLC (OGRID # 267595) has assumed responsibility for the continued operation, maintenance, and reporting for the Bisti Landfarm. As such, Western is requesting a transfer of ownership of permit NM2-010 to the current operating name and OGRID number (Western Refining Southwest LLC, OGRID # 267595).

In accordance with 19.15.36.12.E of the New Mexico Administrative Code (NMAC), a list of the officers and directors of Western Refining Southwest LLC is enclosed. Western Refining Southwest LLC is a wholly owned subsidiary of Marathon Petroleum Company LP.

In addition, a hardcopy of the updated financial assurance and the Surety Bond form for permit NM2-010 was mailed directly to the NMOCD. A copy of the Surety Bond form is also attached to this document.

Western Refining Southwest LLC
Minor Modification – Transfer of Ownership Request
Bisti Landfarm

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We appreciate the opportunity to provide this request to the NMOCD. If you should have any questions or comments regarding this document, please contact the undersigned.

Sincerely,

Ensolum, LLC



Stuart Hyde, PG
Senior Managing Geologist
(970) 903-1607
shyde@ensolum.com

Attachments:

NMOCD Form C-137A
List of Officers and Directors of Western Refining Southwest LLC
Copy of Surety Bond Form

The application/form must be submitted via OCD's
Online Permitting System at
<https://wwwapps.emnrd.nm.gov/OCD/OCDPermitting/Default.aspx> along with any associated permit fee.

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

For State Use Only:

Form C-137A
Revised October 11, 2022


APPLICATION FOR MINOR MODIFICATION TO SURFACE WASTE MANAGEMENT FACILITY

1. Operator: Western Refining Southwest LLC
- Address: 539 South Main Street, Findlay, Ohio 45840
- Contact Person: Kateri Luka Phone: (714) 713-1218
2. Location: NW /4 SE /4 Section 16 Township 25 N Range 12 W
3. Provide permit number NM2-010
4. Attach a description of the proposed minor modification(s) to the surface waste management facility.
5. If the Minor Modification involves changes to a treatment, remediation, or disposal method, attach engineering designs, certified by a registered professional engineer, including technical data on the design elements of each applicable treatment, remediation, and disposal method and detailed designs of surface impoundments.
6. If the Minor Modification will affect the closure and post-closure plan, attach an updated closure and post closure plan, including a responsible third party contractor's cost estimate, sufficient to close the surface waste management facility in a manner that will protect fresh water, public health, and the environment (the closure and post closure plan shall comply with the requirements contained in 19.15.36.18 NMAC).
7. If the Minor Modification will affect the contingency plan, attach an updated contingency plan that complies with the requirements of Subsection N of 19.15.36.13 NMAC and with NMSA 1978, Sections 12-12-1 through 12-12-30, as amended (the Emergency Management Act).
8. If the Minor Modification will affect the control of run-on or run-off water at the site, attach an updated plan to control run-on water onto the site and run-off water from the site that complies with the requirements of Subsection M of 19.15.36.13 NMAC.
9. If the Minor Modification will affect the best management practice plan, attach a best management practice plan to ensure protection of fresh water, public health, and the environment.
10. The division may require additional information to demonstrate that the surface waste management facility's operation will not adversely impact fresh water, public health, or the environment and that the surface waste management facility will comply with division rules and orders.

11. CERTIFICATION

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

Name: Kateri A. Luka

Signature: 

Title: Senior Environmental Specialist

Date: 04/09/2024

E-mail Address: kaluka@marathonpetroluem.com

Western Refining Southwest LLC Directors and Officers April 2024	
Name	Position
Aydt, Timothy J.	President
Benson, Molly R.	Member Representative, Vice President and Secretary
Brown, Angela S.	Vice President
Cade, Ruth A.	Vice President
Ewing, Geri C.	Vice President
Hallman, Nicholas	Assistant Controller
Heppner, David R.	Vice President
Hessling, Rick D.	Vice President
Johnson, Gary J.	Vice President and Assistant Secretary
Laird, Fiona C.	Vice President
Levi, Bradley J.	Vice President
Moore, John	Vice President
Niese, Kelly S.	Vice President and Treasurer
Partee, Brian K.	Vice President
Peery, Blane W.	Vice President
Pratt, Donald W.	Vice President
Wilkins, James R.	Vice President
Wilson, Lisa D.	Vice President
Burgy, Nicole M.	Assistant Secretary
Greenwell, Jim	Assistant Secretary
Pfleiderer, Shane T.	Assistant Secretary
Radabaugh, Brandon	Assistant Secretary
Sucheck, Sarah E.	Assistant Secretary
Watts, Elisa D.	Assistant Secretary
Kreinbrink, Brian R.	Assistant Treasurer
Kuhlman, Mandi M.	Assistant Treasurer
Luo, Yingbing	Assistant Treasurer
Brzezinski, Erin M.	Vice President and Controller
Marchal, Jeffrey S.	Assistant Controller
Schnipke, Jill M.	Assistant Treasurer
Zolnor, Regina M.	Vice President

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

SURETY BOND

- ☐ SINGLE WELL PLUGGING [19.15.8.9(C)(1); 19.15.8.9(D)(1) NMAC]
- ☐ BLANKET PLUGGING [19.15.8.9(C)(2) NMAC; 19.15.8.9(D)(2) NMAC]
- ☐ RECYCLING FACILITY OR CONTAINMENT [19.15.34.15 NMAC]
- ☒ SURFACE WASTE MANAGEMENT FACILITY [19.15.36.11 NMAC]
- ☐ WQCC DISCHARGE PERMIT (EXCLUDING UIC WELLS) [20.6.2.3107.A(11) NMAC]
- ☐ WQCC DISCHARGE PERMIT FOR UIC CLASS I, III, and V INJECTION WELLS [20.6.2.5006 NMAC; 20.6.2.5210.B(17) NMAC; 20.6.2.5320 NMAC; 20.6.2.5342(A)(1) NMAC; 20.6.2.5361(A)(3) NMAC; 20.6.2.5362(A)(3) NMAC; 20.6.2.5363 NMAC]
- ☐ ABATEMENT PLAN [19.15.30.11(C) NMAC; 20.6.2.4104(C) NMAC]

BOND NUMBER	CMS0333195
BOND AMOUNT	\$25,000
FINANCIAL INSTITUTION	RLI Insurance Company
OPERATOR/PRINCIPAL	Western Refining Southwest LLC
OGRID NUMBER	267595
WELL/FACILITY	Bisti Landfarm
TYPE OF WELL	<input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Approved Temporary Abandonment
WELL DEPTH	
LOCATION	Section <input type="text" value="16"/> Township <input type="text" value="25N"/> Range <input type="text" value="12W"/> County <input type="text" value="San Juan"/>
API/ PERMIT NUMBER	NM2-010

KNOW ALL MEN BY THESE PRESENTS:

That Western Refining Southwest LLC, (an individual – **if dba must read – Example: John Doe dba ABC Services**) (a general partnership) (a corporation) (limited liability company) (limited partnership) organized in the State of Delaware, and authorized to do business in the State of New Mexico), as PRINCIPAL, and RLI Insurance Company, a corporation organized and existing under the laws of the State of Illinois and authorized to do business in the State of New Mexico, as SURETY, are firmly bound unto the State of New Mexico, for the use and benefit of the Oil Conservation Division of the Energy, Minerals and Natural Resources Department (or successor agency) (the DIVISION), pursuant to NMSA 1978, Section 70-2-14, as amended, in the sum of \$ 25,000, for the payment of which the PRINCIPAL and SURETY hereby bind themselves, their successors, and assigns, jointly and severally, firmly by these presents.

The conditions of this obligation are one of the following:

1. WHEREAS, the PRINCIPAL has commenced or may commence the drilling of one well to a depth not to exceed _____ feet, to prospect for and/or produce oil or gas, carbon dioxide gas, helium gas, or brine minerals, or as an injection or other service well related to such exploration or production, or owns or operates, or may acquire, own, or operate such well, the identification and location of said well being:

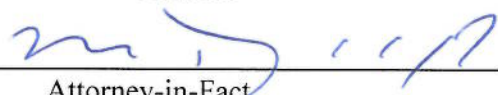
_____ API No. 30- _____,
(Name of Well)
located _____ feet from the (North/South) line and _____ feet from the (East/West) line of Section _____, Township _____ (North) (South), Range _____ (East) (West), NMPM, _____ County, New Mexico.
2. WHEREAS, the PRINCIPAL has heretofore or may hereafter enter into the collection, disposal, evaporation, remediation, reclamation, treatment or storage of produced water, drilling fluids, drill cuttings, completion fluids, contaminated soils, Basic Sediment & Water, tank bottoms, waste oil or other oil field related waste in Section 16, Township 25N, Range 12W, NMPM, County San Juan, New Mexico.

3. The OPERATOR/PRINCIPAL (APPLICANT/PERMITTEE) has or may enter into the collection, treatment, storage, recycling, and re-use of produced water in Section _____, Township _____, Range _____, NMPM, County _____, New Mexico ("Facility"). ISSUER has been advised that OPERATOR/PRINCIPAL has requested this Bond as security for OPERATOR/PRINCIPAL's compliance with all laws and rules applicable to such activities, including, but not limited to, proper closing and remediation of the Facility.

NOW, THEREFORE, if the PRINCIPAL and SURETY or either of them, or their successors or assigns or any of them, shall cause said well be properly plugged and abandoned when dry or when no longer productive or useful for other beneficial purpose, in accordance with the rules and orders of the DIVISION, Oil Conservation Commission, or a court of competent jurisdiction, including but not limited to 19.15.8.9 and 19.15.25.10 NMAC, as such rules now exist or may hereafter be amended;

THEN AND IN THAT EVENT, this obligation shall be null and void; otherwise and in default of complete compliance with any and all of said obligations, the same shall remain in full force and effect.

Western Refining Southwest LLC
PRINCIPAL
539 S. Main St., Findlay, OH 45840
Address
By 
Signature
Assistant Treasurer
Title

RLI Insurance Company
SURETY
9025 N. Lindbergh Drive, Peoria, IL 61615
Address

Attorney-in-Fact

Corporate surety, affix Corporate seal below:

IF PRINCIPAL is a corporation, affix Corporate Seal below:



ACKNOWLEDGMENT FOR INDIVIDUAL

(If dba, must read – Example: John Doe dba Well Services)

State of _____)
SS.
County of _____)

This instrument was acknowledged before me on this _____ day of _____,
20____, by _____.
(Name of Individual)

SEAL

Notary Public

My Commission Expires:

**ACKNOWLEDGMENT FOR PARTNERSHIP, CORPORATION, OR LIMITED
LIABILITY COMPANY**

State of ^{Ohio} _____)
SS.
County of ^{Hancock} _____)

This instrument was acknowledged before me on this ^{25th} day of ^{June} _____,
20 ²⁴ , by ^{Assistant Treasurer, Jill Schnipke} _____ of
(Capacity, e.g., partner, president, manager, member, company)

^{Western Refining Southwest LLC}

(Name of Partnership, corporation, or limited liability company)



Cindy J. Hauenshain
Notary Public, State of Ohio
My Commission Expiration Date
May 24, 2026

SEAL

Cindy J. Hauenshain

Notary Public

My Commission Expires:

^{May 24, 2026}

ACKNOWLEDGMENT FOR CORPORATE SURETY

State of Ohio)
SS.

County of Hancock)

This instrument was acknowledged before me on this 25th day of June.

20 24, by Michael D. Ray Jr. of _____
(Name of Attorney-in-Fact)

(Name of Attorney-in-Fact)

(Name of Attorney-in-Fact)
RLI Insurance Company
(Name of Corporate Surety)

(Name of Corporate Surety)



MELISSA MOSER
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
08-29-2024

SEAL

Melissa Moser
Notary Public

Notary Public

My Commission Expires:

August 29, 2024

CORPORATE SURETY ATTACH

POWER OF ATTORNEY

APPROVED BY:
OIL CONSERVATION DIVISION OF
NEW MEXICO

By _____

Date _____

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 360483

CONDITIONS

Operator: Western Refining Southwest LLC 539 South Main Street Findlay, OH 45840	OGRID: 267595
	Action Number: 360483
	Action Type: [C-137] SWMF Minor Modification (C-137A)

CONDITIONS

Created By	Condition	Condition Date
joseph.kennedy	None	7/11/2024