

**From:** Jason Owsley <jasono@diamondbacknm.com>  
**Sent:** Wednesday, April 23, 2025 1:58 PM  
**To:** Velez, Nelson, EMNRD <Nelson.Velez@emnrd.nm.gov>  
**Subject:** [EXTERNAL] NAPP2506450529 -- Variance for Groundwater Depth

You don't often get email from jasono@diamondbacknm.com. [Learn why this is important](#)

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Dear Mr. Velez,

I'm reaching out regarding the remediation workplan submitted for the Lario Area 51 SWD Pipeline release (Incident ID: NAPP2506450529), located at Unit A, Section 22, Township 18S, Range 34E in Lea County, NM.

In the course of our groundwater assessment, two registered wells were identified within a ½-mile radius—one of which is listed as POD L 04531, approximately 0.4 miles northeast of the site, with a reported groundwater depth of 100 feet bgs. However, the registration data for this well appears to be outdated, and direct access was not available for confirmation.

As an additional line of evidence, a windmill located 0.7 miles north of the release was gauged directly in the field and found to be dry at a depth of 100 feet. No groundwater was encountered during this direct measurement. We've included supporting photos in Appendix D of the workplan.

Given this, we respectfully request a variance to use the >100 feet bgs groundwater closure criteria in accordance with NMAC 19.15.29.12(C)(2), based on site-specific conditions and direct field verification. If you are able to assist, we would also appreciate the official well number and most recent available data for the well located within the half-mile radius, to supplement our documentation.

Please let me know if you need any additional details or clarification.

Sincerely,

**Jason Owsley**  
Project Manager



E: [JasonO@Diamondbacknm.com](mailto:JasonO@Diamondbacknm.com)  
P: [\(575\)602-5998](tel:(575)602-5998)  
A: [2525 NW County Rd.](#)

 Sent from Mailspring



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Re: [EXTERNAL] NAPP2506450529 -- Variance for Groundwater Depth

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From Velez, Nelson, EMNRD <Nelson.Velez@emnrd.nm.gov>

Date Wed 4/23/2025 3:17 PM

To Jason Owsley <jasono@diamondbacknm.com>

Good afternoon Jason,

Thank you for the correspondence. It was good to talk with you today and I will disregard the next to last statement in your email. Your variance to use the windmill located 0.7 miles from the incident which you had directly measured for depth to water being >100 feet is approved. I'll apply this within the remediation plan submitted.

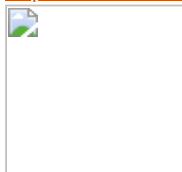
Please keep a copy of this communication for inclusion within the next appropriate report submittal.

The OCD requires a copy of all correspondence related to remedial activities be included in all proposals and/or final closure reports. Correspondence required to be included in reports may include, but not limited to, notifications for liner inspections, sample events, spill/release/fire, and request for time extensions or variances.

Have a safe and pleasant day!

Regards,

**Nelson Velez** • Environmental Specialist - Adv  
Environmental Bureau | EMNRD - Oil Conservation Division  
1000 Rio Brazos Road | Aztec, NM 87410  
(505) 469-6146 | [nelson.velez@emnrd.nm.gov](mailto:nelson.velez@emnrd.nm.gov)  
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State of New Mexico  
Energy, Minerals and Natural Resources  
Oil Conservation Division  
1220 S. St Francis Dr.  
Santa Fe, NM 87505

CONDITIONS

Action 455068

CONDITIONS

Operator:  LARIO OIL & GAS CO 260 N. Josephine St Denver, CO 80206	OGRID:  13089
	Action Number:  455068
	Action Type:  [IM-SD] Incident File Support Doc (ENV) (IM-BNF)

CONDITIONS

Created By	Condition	Condition Date
nvez	None	4/23/2025