



APPLICATION PROTESTED

APPLICANT: Delaware Energy, LLC

APPLICATION TYPE: SUD

WELL NAME: American Pharaoh state SUD #1

API NUMBER: 30-015-Pending

ADMIN. APPL. NO.: PMAM19156 50140

UL-S-T-R: F-16-205-30E

DATE RECEIVED AT OCD: MAY 29, 2019 Admin Complete: Yes No

PROTESTANT: ① U-R Petroleum
② Intrepid Potash

DATE PROTEST RECEIVED: 006-03-2019
② 06-05-2019

DATE AND METHOD OF NOTIFICATION OF APPLICANT:

006-05-2019, E-mail
② 06-07-2019, E-mail

RESOLUTION:

☐ Hearing

☐ Negotiated/Withdrawn

☐ Denied/Cancelled by Division

NOTES/COMMENTS:

Make sure to confirm application status in E-permitting
and entered into Protest Tracking Spreadsheet

McMillan, Michael, EMNRD

From: McMillan, Michael, EMNRD
Sent: Friday, June 7, 2019 8:48 AM
To: 'Sarah Presley'
Cc: 'kevin.ryan@intrepidpotash.com'; Goetze, Phillip, EMNRD; Lowe, Leonard, EMNRD; Murphy, Kathleen A, EMNRD; Jones, William V, EMNRD; 'Rutley, James'
Subject: Notification of Protest for Application to Inject -:American Pharaoh State SWD #1 Intrepid Potash
Attachments: DelawareEnergy American PharaohStateSWD#1 CompadreStateSWD#1 PricklyPearSWD#1 IntrepidPotash Protest.pdf

RE: American Pharaoh State SWD #1 (API 30-015-Pending; Admin. Appl. No pMAM1915650140) Unit F; Sec 16, T20S, R30E, NMPM, Eddy County

Ms. Presley:

OCD was notified by Intrepid Potash, Inc. that it is protesting this application. This party is identified as an affected person for the location being considered for the application. You are being notified that if Delaware Energy, LLC wishes for this application to be considered, they must either go to hearing or may be reviewed administratively if the protest is withdrawn as a result of a negotiated resolution with this party. The application will be retained pending resolution of the protest. Please continue to provide OCD with information regarding the standing of this application. Please me call with any questions on this matter.

Contact for Intrepid Potash, Inc.

Kevin Ryan
Director of Technical Services
10001 17th Street, Suite 1050
Denver, CO. 80202
Phone: (303) 996-5934
E-mail: kevin.ryan@intrepidpotash.com

Michael McMillan
1220 South St. Francis
Santa Fe, New Mexico
505-476-3448
Michael.mcmillan@state.nm.us



Intrepid Potash, Inc.
1001 17th Street, Suite 1050
Denver, CO 80202
303.296.3006
303.298.7502 fax

June 4, 2019

New Mexico Oil Conservation Division
1220 S. Saint Francis Drive
Santa Fe, NM 87505

JUN 05 2019 AM 10:50

Subject: Objection to American Pharoah State SWD Well #1
Section 16, T20S, R30E
Delaware Energy, LLC

Dear Administrator:

Intrepid Potash – New Mexico, LLC (Intrepid) objects to Delaware Energy, LLC's proposed American Pharoah State SWD Well #1 located in Section 16, T20S, R30E.

The basis of the objection is:

- Delaware Energy did not provide written notification of the proposed well to Intrepid. As required by Order R-111-P, Delaware Energy was to send notice by registered mail to potash operators holding leases (Intrepid) within one mile of the proposed location.
- The proposed location is inside Intrepid's Life of Mine Reserve (LMR). As stated by Order R-111-P, wells may only be drilled inside a potash lessee's LMR by agreement between the State Land Office (lessor) and the potash and oil and gas lessees. Intrepid does not agree to the location.

Thank you for your favorable consideration of our objection to the above referenced SWD well. Please contact me (kevin.ryan@intrepidpotash.com or 303-996-5934) if you have any questions or need additional information.

Sincerely,

Kevin J. Ryan
Director of Technical Services

cc: Jim Rutley, BLM
Katie Keller, Greg Bruce - Intrepid

McMillan, Michael, EMNRD

From: McMillan, Michael, EMNRD
Sent: Wednesday, June 5, 2019 2:04 PM
To: 'Sarah Presley'
Cc: 'Sandy Lawlis'; Goetze, Phillip, EMNRD; Lowe, Leonard, EMNRD; Jones, William V, EMNRD; Murphy, Kathleen A, EMNRD
Subject: Notification of Protest for Application to Inject -:American Pharaoh State SWD #1 VF Petroleum
Attachments: DelawareEnergy AmericanPharoahStaeSWD#1 VF Protest.pdf

RE: American Pharaoh State SWD #1 (API 30-015-Pending; Admin. Appl. No pMAM1915650140) Unit F; Sec 16, T20S, R30E, NMPM, Eddy County

Ms. Presley:

OCD was notified V-F Petroleum Inc. that it is protesting this application. This party is identified as an affected person for the location being considered for the application. You are being notified that if Delaware Energy, LLC wishes for this application to be considered, they must either go to hearing or may be reviewed administratively if the protest is withdrawn as a result of a negotiated resolution with this party. The application will be retained pending resolution of the protest. Please continue to provide OCD with information regarding the standing of this application. Please me call with any questions on this matter.

Contact for V-F Petroleum Inc.

Sandy Lawlis
Vice President
PO Box 1889
Midland, TX. 79701
Phone: (432) 683-3344
E-mail: sandy@vfpetroleum.com

Michael McMillan
1220 South St. Francis
Santa Fe, New Mexico
505-476-3448
Michael.mcmillan@state.nm.us

McMillan, Michael, EMNRD

From: Sandy Lawlis <sandy@vfpetroleum.com>
Sent: Saturday, June 1, 2019 1:25 PM
To: McMillan, Michael, EMNRD
Subject: [EXT] NOTICE OF PROTEST Delaware Energy American Pharoah State SWD #1 Well Application.
PLEASE CONFIRM RECEIPT.
Attachments: 1649_001.pdf

Please note my new e-mail address: sandy@vfpetroleum.com

From: scanner@vfpetroleum.com [mailto:scanner@vfpetroleum.com]
Sent: Saturday, June 01, 2019 2:07 PM
To: Sandy
Subject: Attached Image

V-F Petroleum Inc.

500 W. Texas, Suite 350, Midland, Texas 79701; Telephone: 432/683-3344; Fax: 432/683-3352
Mailing Address: P.O. Box 1889, Midland, TX 79702 E-mail: sandy@vfpetroleum.com www.vfpetroleum.com

June 1, 2019

TRANSMITTED VIA EMAIL AND OVERNIGHT DELIVERY

Email: Michael.McMillan@state.nm.us

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

**NOTICE OF PROTEST Application of
Delaware Energy, LLC for SWD Well**

American Pharaoh St SWD # 1 well
Unit Letter F, Section 16, Township 20 South –
Range 30 East, Eddy Co, NM

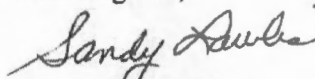
Gentlemen:

Please be advised that V-F Petroleum Inc. received notification by certified mail on May 24, 2019 that Delaware Energy LLC submitted an application for authorization to inject produced water into the Devonian/Silurian formations in the referenced American Pharaoh St SWD # 1 well.

V-F Petroleum Inc. is the owner of certain oil and gas leasehold rights in this immediate area and has concerns about the disposal of produced water into potentially productive zones. Please construe this letter as written notification of V-F Petroleum Inc.'s objection and protest to the filing of the above-mentioned application for authorization to inject produced water into the Devonian/Silurian in the referenced American Pharaoh St SWD # 1 well.

Should you have any questions concerning this matter, please do not hesitate in contacting me at the above letterhead address or by email at sandy@vfpetroleum.com.

Best Regards,



Sandra K. Lawlis
Vice President

S:\MD\regulatory\ Delaware energy llc American Pharaoh St SWD # 1 well OCD Objection 190601