

OGDEN FARMS & CATTLE CO., INC.

151 WEST OGDEN ROAD

LOVING, NM 88256

September 26, 2018

Oil Conservation Division

1270 South St. Francis Drive

Santa Fe, NM 87505

To Whom It May Concern:

Ogden Farms & Cattle Co., Inc. is protesting the Kodiak SWD #1 proposed by Delaware Energy, LLC in Unit Letter N, Section 5, Township 24 South, Range 27 East in Eddy County and is asking that the request for approval be denied.

This proposed SWD is on State Trust Land, which is leased by Ogden Farms and has been a part of our ranch pre-statehood. The proposed location is in the drainage of Black River, within a mile of the river, and life sites of the Endangered Texas Hornshell Mussle. I am concerned about the possibility of spillage of produced water and the impact it would have on the viability of the river.

None of Delaware Energy's SWDS currently in production have any containment for spillage on the location itself. The tank batteries are in containment structures, but there is nothing to contain spillage where the trucks unload or park. Runoff of rainwater from the locations is out into the pasture land next to the SWDS. Runoff from the proposed Kodiak SWD #1 will definitely run into the river because of the terrain and proximity to Black River.

The proposed access to the location is to be off Black River Village Road and would be on a curve in the road. The chance of accidents would be greatly increased with the amount of traffic going into the SWD. The truck traffic on Black River Village Road is already dangerous and I cannot imagine how much worse it would be if this SWD was approved.

Thank for your consideration of this protest.

Sincerely,

A handwritten signature in black ink, appearing to read "Alisa Ogden". The signature is fluid and cursive, with the first name "Alisa" and last name "Ogden" clearly distinguishable.

Alisa Ogden