

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

**APPLICATION OF SELECT WATER
SOLUTIONS, LLC FOR APPROVAL
OF A SALTWATER DISPOSAL WELL,
LEA COUNTY, NEW MEXICO.**

CASE NO. 25900

**ENTRY OF APPEARANCE NOTICE OF INTERVENTION &
OBJECTION TO PROCEEDINGS BY AFFIDAVIT**

Desert Ram South Ranch, Inc. (Desert Ram), by and through undersigned counsel, hereby enters its appearance in the above-referenced application and further provides notice of its intervention and objection to this matter proceeding by affidavit.

Desert Ram seeks to intervene in this matter as a party under 19.15.4.10(A)(3) NMAC, which provides that parties to an adjudicatory proceeding include “a person who properly intervenes in the case.” Desert Ram’s intervention is governed by 19.15.4.11 NMAC, which provides that a person with standing may intervene by filing notice stating the nature of the intervenor’s interest and the extent of opposition to the application. Under the rule, intervention is proper where the intervenor demonstrates standing or will contribute substantially to the Division’s statutory duties. 19.15.4.11(C).

The Oil Conservation Division has broad statutory authority to conduct hearings and regulate oilfield waste disposal in furtherance of the Oil and Gas Act. *See NMSA 1978, § 70-2-12(A)(5) and § 70-2-11(A)*. The Division is further expressly authorized to regulate the disposal of produced water by injection “in a manner that protects public health, the environment and freshwater resources.” *NMSA 1978, § 70-2-12(B)(15)*.

Desert Ram has standing because it faces a concrete and particularized injury to legally protected surface and groundwater interests that is fairly traceable to the proposed shallow high-volume injection operations and redressable through the Division’s authority to deny, condition, or require further process before approval. *See 19.15.4.11(C) NMAC*.

Moreover, even if standing were disputed, Desert Ram's participation will contribute substantially to the Division's statutory duties in this proceeding, including the prevention of waste and the protection of public health, the environment, and freshwater resources. 19.15.4.11(C) NMAC.

Desert Ram is the owner of surface lands within two (2) miles of the proposed saltwater disposal well and maintains freshwater wells on the surface estate, which are critical to Desert Ram's ongoing ranching and agricultural operations. Desert Ram is concerned that shallow high-volume injection may create risks of surface uplift, groundwater impairment, and communication with older vertical wells and historic boreholes on or near the property, including the potential for loss of integrity or uncontrolled releases. Desert Ram further notes that the proposed disposal operations involve unusually shallow injection, warranting heightened caution and fuller consideration. Taken together, the impacts fall squarely within the Division's authority to evaluate and prevent, prior to any permit approval.

Desert Ram did not receive direct notice of the application during the initial objection window because it was not classified as an "affected person" under the Division's radius-based notice provisions. Desert Ram submits this appearance and objection promptly upon learning that the application remains pending for disposition by affidavit. The absence of notice does not mean the absence of impact, particularly where critical groundwater resources, surface impacts, and legacy well integrity are at issue. And, to the extent Desert Ram's intervention is considered late, the Division Examiner may, in his discretion, allow late intervenors to participate. 19.15.4.11(B) NMAC.

Accordingly, Desert Ram respectfully requests that the Division decline to resolve this application solely by affidavit and instead require further process sufficient to address the direct surface and groundwater impacts to Desert Ram's operations. Such further process is necessary to ensure that produced water disposal by shallow injection is conducted consistent with the Division's statutory mandate to protect public health, the environment, and freshwater resources.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2026, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

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