

**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. 25899

**RESPONSE IN OPPOSITION TO SELECT'S MOTION TO STRIKE THE CITY OF
JAL'S ENTRY OF APPEARANCE AND NOTICE OF INTERVENTION & OBJECTION**

COMES NOW, the City of Jal (City), by and through undersigned counsel, and for its Response in opposition to Select's motion to strike the City of Jal's entry of appearance and notice of intervention & objection states as follows:

The basis behind Select's motion to strike is that the City cannot demonstrate an injury in fact because it is not an affected party within the meaning of NMAC 19.15.26.8.B(2) and the City does not own or operate a groundwater well within one-half mile of the proposed saltwater disposal well. However, this argument is highly flawed because NMAC 19.15.26.8.B(2) does not determine whether a party has an injury in fact, instead the regulation only determines whether a party is entitled to a copy of the application by certified or registered mail. For example, if a party has a groundwater well that is located .51 miles away from the proposed saltwater disposal well, that party cannot have an injury in fact but a party that is located .50 miles away from the proposed well does have an injury in fact. In support of their improper assertion that NMAC 19.15.26.8.B(2) governs which parties have standing, Select cites to Case No. 16403, *Application of Hilcorp Energy Company*, Order No. R-10987-A(2). However, Order No. R-10987-A(2) in the *Application of Hilcorp Energy Company* was overturned by Order No. R-10987-A(4) in the same proceeding. As such, Select has cited no OCD or OCC precedent that

converts the notice requirements of NMAC 19.15.26.8.B(2) into a governing standing/injury in fact regulation.

The City attached the affidavit of Meghan Hodgins to its entry of appearance and notice of intervention & objection, and her affidavit combined with her live testimony at the May 19, 2026 Status Conference will demonstrate that City meets the injury in fact requirement of the Standing test.

On May 19, 2026 the OCD law clerk, Freya Tschantz, notified the parties to this proceeding that the Hearing Examiner will be questioning the City's expert hydrologist and ground modeling witness, Meghan Hodgins, at the May 21, 2026 Status Conference. Barring unforeseen circumstances, Ms. Hodgins will be able to appear and answer the Hearing Examiner's questions at the May 21, 2026 Status Conference. In addition to Ms. Hodgins, the City hereby provides notice that it will have the following additional witnesses available at the May 21, 2026 Status Conference.

1. Paul Drakos, P.G.
Senior Geohydrologist
GZA GeoEnvironmental, Inc. d/b/a Glorieta Geoscience

Mr. Drakos' is expected to provide technical testimony regarding the impact of the Coyote Application, and his expected technical testimony will be similar to Ms. Hodgins's technical testimony.

2. Stephen Aldridge
Water Consultant for the City of Jal
Former Mayor of the City of Jal

Mr. Aldridge is expected to provide testimony regarding the impact of the Coyote Application on the City of Jal's public health and safety. (See affidavit of Stephen Aldrige attached hereto as Exhibit 1).

The expected testimony of Meghan Hodgins, Paul Drakos, and Stephen Aldridge along with the City's filings demonstrate that the City is a proper party and intervenor to this proceeding, and Select's Motion to Strike should be denied.

Accordingly, the City respectfully requests that the Division deny Select's Motion to Strike the City of Jal's entry of appearance and notice of intervention & objection along with any further relief that the Division deems proper and necessary.

Respectfully submitted,

DOMENICI LAW FIRM, PC

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the following counsel of record via electronic mail on May 20, 2026:

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/s/ Zachary Kim

Zachary Kim

Affidavit of Stephen Aldridge

Stephen Aldridge, being over 18 years of age and of sound mind swear to the following:

1. I was the Mayor of Jal from 2018-2026;
2. I am currently employed by the City of Jal as a water consultant;
3. I have resided in Jal for more than 60 years and have extensive knowledge of the City's water history, water use, and past and present water infrastructure;
4. In 1960, the City of Jal's west water field (the well field identified on the Coyote Application) was established after the City's east water field was contaminated by the oil and gas industry;
5. Over the past eight years, I have worked closely with the City's hydrologist to identify areas of the Jal Basin that would best serve for the drilling of new groundwater wells for the City;
6. During this time period, the City drilled more than 10 exploratory wells to not only identify the best locations for the new groundwater wells but to better understand the Jal Basin itself;
7. During this time period, the City's hydrologist identified previously unknown faults in the Jal Basin;
8. The City of Jal's only source of potable water is derived from the groundwater wells identified on the Coyote Application;
9. The City of Jal has expended approximately \$25,000,000 to establish the groundwater wells identified on the Coyote Application and the related infrastructure to deliver potable water from said wells to the residents of Jal;

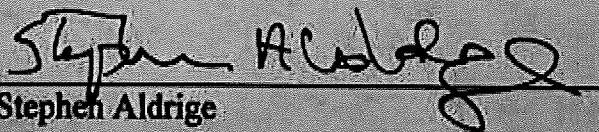


10. If the City's groundwater wells identified on the Coyote Application are contaminated or damaged by the proposed saltwater disposal well, the City of Jal's residents will be without potable water;
11. The City of Jal does not have the necessary resources to establish a new source of water for the residents of Jal if the groundwater wells identified on the Coyote Application are contaminated or damaged;
12. If the Coyote Application is approved and the proposed saltwater disposal well contaminates the City's only source of potable water, the Division will have authorized an outcome that threatens the continued viability of the City of Jal itself, in other words, the Division will effectively be signing the City of Jal's death warrant.

Stephen Aldrige

Date

10. If the City's groundwater wells identified on the Coyote Application are contaminated or damaged by the proposed saltwater disposal well, the City of Jal's residents will be without potable water;
11. The City of Jal does not have the necessary resources to establish a new source of water for the residents of Jal if the groundwater wells identified on the Coyote Application are contaminated or damaged;
12. If the Coyote Application is approved and the proposed saltwater disposal well contaminates the City's only source of potable water, the Division will have authorized an outcome that threatens the continued viability of the City of Jal itself, in other words, the Division will effectively be signing the City of Jal's death warrant.


Stephen Aldrige

5-20-2026
Date