

**3RF-49 -  
RODEO UNIT 511H -  
FACILITY ID  
fVV2123237271.**

**C-147. Conditions of  
Approval. Variances**

**[372286] ENDURING  
RESOURCES, LLC  
August 24, 2021.**

**Venegas, Victoria, EMNRD**

---

**From:** Venegas, Victoria, EMNRD  
**Sent:** Tuesday, August 24, 2021 3:29 PM  
**To:** Alex Campbell; Gabrielle Riley; Heather Riley; Mindy Paulek; maureen.joe@bia.gov; Chris Jones  
**Cc:** Enviro, OCD, EMNRD  
**Subject:** 3RF-49 - RODEO UNIT 511H - FACILITY ID fVV2123237271. Approved with Conditions.  
**Attachments:** C-147. 3RF-49 - RODEO UNIT 511H - FACILITY ID fVV2123237271 08.24.2021.pdf

**3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#). Application Approved with Conditions**

Mr. Campbell,

NMOCD has reviewed the recycling containment permit application and related documents, submitted by [\[372286\]](#) ENDURING RESOURCES, LLC on July 29, 2021 for 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) in Unit Letter N, Section 25, Township 23N, Range 09W, San Juan County, New Mexico.

[\[372286\]](#) ENDURING RESOURCES, LLC requested variances to 19.15.34 NMAC for 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#).

The following variances have been approved:

- The variance to 19.15.34.12.A (2) NMAC for the no side-slope requirement for the AST containment with vertical walls is approved.
- The variance to 19.15.34.12.A (3) NMAC for the liners to be anchored to the top of the AST steel walls and no anchor trenches is approved.

The form C-147 and related documents for 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) is approved with the following conditions:

- [\[372286\]](#) ENDURING RESOURCES, LLC shall construct, operate, maintain, close, and reclaim 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) consisting of two (2) ASTs with 60,000.00 bbl of capacity and 50,000.00 bbl of capacity, in compliance with 19.15.34 NMAC.
- 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) is approved for five years of operation from the date of the application. 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) permit expires on July 29, 2026. If [\[372286\]](#) ENDURING RESOURCES, LLC wishes to extend operations past five years, an annual permit extension request must be submitted using an OCD form C-147 through [OCD Online](#) by June 29, 2026.
- Water reuse and recycling from 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) is limited to wells owned or operated by [\[372286\]](#) ENDURING RESOURCES, LLC.
- [\[372286\]](#) ENDURING RESOURCES, LLC shall notify OCD when construction of 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) commences.
- [\[372286\]](#) ENDURING RESOURCES, LLC shall notify OCD when recycling operations commence and cease at 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#).
- A minimum of 3-feet freeboard must be maintained at 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#), at all times during operations.
- [\[372286\]](#) ENDURING RESOURCES, LLC shall provide OCD with the calculations for the operational total fluid capacity of each of the containments within 30 days of receiving produced water in the containment. The operational fluid capacity is the total volume of the containment, minus the volume not utilized due to the freeboard.

- If less than 20% of the total fluid capacity is utilized every six months, beginning from the first withdrawal, operation of the facility is considered ceased and notification of cessation of operations should be sent electronically to [OCD.Enviro@state.nm.us](mailto:OCD.Enviro@state.nm.us). An extension request to extend the cessation of operation, not to exceed six months, may be submitted using a C-147 form through [OCD Online](#).
- [372286] ENDURING RESOURCES, LLC shall submit monthly reports of recycling and reuse of produced water, drilling fluids, and liquid oil field waste on OCD form C-148 through [OCD Online](#) even if there is zero activity.
- [372286] ENDURING RESOURCES, LLC shall comply with 19.15.29 NMAC Releases in the event of any release of produced water or other oil field wastes at 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#).

Please reference number 3RF-49 - RODEO UNIT 511H - FACILITY ID [fVV2123237271](#) in all future communications.

**Victoria Venegas** • Environmental Specialist

Environmental Bureau

EMNRD - Oil Conservation Division

811S. First St. | Artesia, NM 88210

(575) 909-0269 | [Victoria.Venegas@state.nm.us](mailto:Victoria.Venegas@state.nm.us)

<http://www.emnrd.state.nm.us/OCD/>



District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
811 S. First St., Artesia, NM 88210  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM 87505

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

Form C-147  
Revised April 3, 2017

## Recycling Facility and/or Recycling Containment

Type of Facility:  Recycling Facility  Recycling Containment\*

Type of action:  Permit  Registration  
 Modification  Extension  
 Closure  Other (explain) \_\_\_\_\_

\* At the time C-147 is submitted to the division for a Recycling Containment, a copy shall be provided to the surface owner.

Be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.

1.

Operator: Enduring Resources, LLC (For multiple operators attach page with information) OGRID #: 372286

Address: 200 Energy Court, Farmington, NM 87401

Facility or well name (include API# if associated with a well): Rodeo Unit 511H

OCD Permit Number: 3RF-49 - (For new facilities the permit number will be assigned by the district office)

U/L or Qtr/Qtr N FACILITY ID rVV212337271 Section 25 Township 23N Range 9W County: San Juan

Surface Owner:  Federal  State  Private  Tribal Trust or Indian Allotment

2.

**Recycling Facility:**

Location of recycling facility (if applicable): Latitude 36.191179 Longitude -107.744800 NAD83

Proposed Use:  Drilling\*  Completion\*  Production\*  Plugging \*

*\*The re-use of produced water may NOT be used until fresh water zones are cased and cemented*

Other, *requires permit for other uses. Describe use, process, testing, volume of produced water and ensure there will be no adverse impact on groundwater or surface water.*

Fluid Storage

Above ground tanks  Recycling containment  Activity permitted under 19.15.17 NMAC explain type \_\_\_\_\_

Activity permitted under 19.15.36 NMAC explain type: \_\_\_\_\_  Other explain \_\_\_\_\_

For multiple or additional recycling containments, attach design and location information of each containment

**Closure Report (required within 60 days of closure completion):**  Recycling Facility Closure Completion Date: \_\_\_\_\_

3.

**Recycling Containment:**

Annual Extension after initial 5 years (attach summary of monthly leak detection inspections for previous year)

Center of Recycling Containment (if applicable): Latitude 36.191179 Longitude -107.744800 NAD83

For multiple or additional recycling containments, attach design and location information of each containment

Lined  Liner type: Thickness 45 mil  LLDPE  HDPE  PVC  Other 30 mil Secondary Liner

String-Reinforced

Liner Seams:  Welded  Factory  Other \_\_\_\_\_ Volume: 50,000 & 60,000 bbl Dimensions: L \_\_\_\_\_ x W \_\_\_\_\_ x D \_\_\_\_\_ *See Attached*

Recycling Containment Closure Completion Date: \_\_\_\_\_

4.

**Bonding:**

Covered under bonding pursuant to 19.15.8 NMAC per 19.15.34.15(A)(2) NMAC (These containments are limited to only the wells owned or operated by the owners of the containment.)

Bonding in accordance with 19.15.34.15(A)(1). Amount of bond \$ \_\_\_\_\_ (work on these facilities cannot commence until bonding amounts are approved)

Attach closure cost estimate and documentation on how the closure cost was calculated.

5.

**Fencing:**

Four foot height, four strands of barbed wire evenly spaced between one and four feet

Alternate. Please specify \_\_\_\_\_

6.

**Signs:**

12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers

Signed in compliance with 19.15.16.8 NMAC

7.

**Variations:**

Justifications and/or demonstrations that the proposed variance will afford reasonable protection against contamination of fresh water, human health, and the environment.

**Check the below box only if a variance is requested:**

Variance(s): Requests must be submitted to the appropriate division district for consideration of approval. If a Variance is requested, include the variance information on a separate page and attach it to the C-147 as part of the application.

**If a Variance is requested, it must be approved prior to implementation.**

8.

**Siting Criteria for Recycling Containment**

*Instructions: The applicant must provide attachments that demonstrate compliance for each siting criteria below as part of the application. Potential examples of the siting attachment source material are provided below under each criteria.*

<b>General siting</b>	
<b>Ground water is less than 50 feet below the bottom of the Recycling Containment.</b> NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended. - Written confirmation or verification from the municipality; written approval obtained from the municipality	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Within the area overlying a subsurface mine. - Written confirmation or verification or map from the NM EMNRD-Mining and Minerals Division	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Within an unstable area. - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; topographic map	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Within a 100-year floodplain. FEMA map	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). - Topographic map; visual inspection (certification) of the proposed site	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. - Visual inspection (certification) of the proposed site; aerial photo; satellite image	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Within 500 horizontal feet of a spring or a fresh water well used for domestic or stock watering purposes, in existence at the time of initial application. - NM Office of the State Engineer - iWATERS database search; visual inspection (certification) of the proposed site	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Within 500 feet of a wetland. - US Fish and Wildlife Wetland Identification map; topographic map; visual inspection (certification) of the proposed site	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

9. **Recycling Facility and/or Containment Checklist:**  
 Instructions: Each of the following items must be attached to the application. Indicate, by a check mark in the box, that the documents are attached.

- Design Plan - based upon the appropriate requirements.
- Operating and Maintenance Plan - based upon the appropriate requirements.
- Closure Plan - based upon the appropriate requirements.
- Site Specific Groundwater Data -
- Siting Criteria Compliance Demonstrations -
- Certify that notice of the C-147 (only) has been sent to the surface owner(s)

10. **Operator Application Certification:**  
 I hereby certify that the information and attachments submitted with this application are true, accurate and complete to the best of my knowledge and belief.

Name (Print): Alex Campbell Title: Vice President  
 Signature:  Date: 07/29/21  
 e-mail address: acampbell@enduringresources.com Telephone: (303)929-8429

11. **OCD Representative Signature:** Victoria Venegas Approval Date: \_\_\_\_\_  
 Title: Environmental Specialist OCD Permit Number: 3RF-49 -  
 OCD Conditions \_\_\_\_\_ FACILITY ID fVV2123237271  
 Additional OCD Conditions on Attachment

Enduring Resources, LLC  
Rodeo Unit 511H  
Recycling Facility/Containment  
Variance Request for 19.15.34 NMAC



New Mexico Oil Conservation Division  
Attn: Victoria Venegas

RE: 3RF-49 – Rodeo Unit 511H – Facility ID fVV2123237271

Enduring Resources is requesting variances to the below listed items as outlined in 14.15.34.16 NMAC. This Recycling Containment/Facility will consist of self-contained free-standing structures instead of a lined earthen pit. The variances requested below will provide equal or better protection of fresh water, public health, and the environment.

**Variance Requests:**

**Liner Anchoring:** Enduring Resources requests a variance to **NMAC 19.15.34.12 (3)** which applies to a lined earthen pit. This statute is not applicable to a circular steel AST with liners clamped to the top of the steel shell. We believe this will provide equal or better protection than the requirements listed in 19.15.34.12.E NMAC.

**Inside/Outside Levee Slopes:** Enduring Resources requests a variance to **NMAC 19.15.34.12 (2)** which applies to a lined earthen pit. The containment is an AST and not an in-ground pond and therefore will not have inside/outside levee slopes. The AST is a self-contained free-standing structure that will provide equal or better protection than the requirements listed in 19.15.34.12 NMAC.

**District I**  
 1625 N. French Dr., Hobbs, NM 88240  
 Phone:(575) 393-6161 Fax:(575) 393-0720  
**District II**  
 811 S. First St., Artesia, NM 88210  
 Phone:(575) 748-1283 Fax:(575) 748-9720  
**District III**  
 1000 Rio Brazos Rd., Aztec, NM 87410  
 Phone:(505) 334-6178 Fax:(505) 334-6170  
**District IV**  
 1220 S. St Francis Dr., Santa Fe, NM 87505  
 Phone:(505) 476-3470 Fax:(505) 476-3462

**State of New Mexico**  
**Energy, Minerals and Natural Resources**  
**Oil Conservation Division**  
**1220 S. St Francis Dr.**  
**Santa Fe, NM 87505**

CONDITIONS

Action 43727

**CONDITIONS**

Operator: ENDURING RESOURCES, LLC 6300 S Syracuse Way, Suite 525 Centennial, CO 80111	OGRID: 372286
	Action Number: 43727
	Action Type: [C-147] Water Recycle Long (C-147L)

**CONDITIONS**

Created By	Condition	Condition Date
vvenegas	NMOCD has reviewed and approved the variances requested by [372286] ENDURING RESOURCES, LLC on August 23, 2021 for 3RF-49 - RODEO UNIT 511H - FACILITY ID fVV2123237271 in Unit Letter N, Section 25, Township 23N, Range 09W, San Juan County, New Mexico.	8/24/2021