## **C-147 REGISTRATION PACKAGE**

### <u>Carson Unit 22-2 AST Pad</u> <u>Recycling Containment and Recycling Facility</u>

December 2025



# **ENDURING RESOURCES IV, LLC**

DJR Operating, LLC A Subsidiary Company of Enduring Resource, LLC

200 Energy Court Farmington, New Mexico 87401 Phone: (505) 636-9720 **Type of Facility:** 

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

☐ Recycling Containment\*

Recycling Facility

Type of action:   Permit   Registration   Extension   Change   Other (applicit)
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. For does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.
Operator: DJR Operating, LLC (For multiple operators attach page with information) OGRID #: 371838
Address: 200 Energy Court, Farmington, New Mexico 87401
Facility or well name (include API# if associated with a well):  Carson Unit 22-2 AST Pad  Carson Unit 22-2 AST Pad
OCD Permit Number: 3RF-96 (For new facilities the permit number will be assigned by the district office)
U/L or Qtr/Qtr SE/NW and SW/NE Section 22 Township 25N Range 12W County: San Juan
Surface Owner:  Federal  State  Trivate Tribal Trust or Indian Allotment
2.
⊠ Recycling Facility:
Location of recycling facility (if applicable): Latitude <u>36.38746151</u> Longitude <u>-108.0989228</u> NAD83
Proposed Use: ☐ Drilling* ☐ Completion* ☐ 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
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 36.38746151 Longitude -108.0989228 NAD83
Center of Recycling Contaminant (if applicable). Eatitude 50.50770151 Eougitude -100.0707220 IVID05
For multiple or additional recycling containments, attach design and location information of each containment
☐ For multiple or additional recycling containments, attach design and location information of each containment  ☐ Liner type: Thickness
For multiple or additional recycling containments, attach design and location information of each containment

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 operated by the owners of the containment.)  Bonding in accordance with 19.15.34.15(A)(1). Amount of bond \$	
s.  Fencing:  □ Four foot height, four strands of barbed wire evenly spaced between one and four feet  □ Alternate. Please specify See variance request in registration package Exhibit H	
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	
Variances:  Justifications and/or demonstrations that the proposed variance will afford reasonable protection against contamination of fresh water, hur 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 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 applicant	ation. Potential
examples of the siting attachment source material are provided below under each criteria.  General siting	
Ground water is less than 50 feet below the bottom of the Recycling Containment.  NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ⊠ No ☐ 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	☐ Yes ☑ No ☐ NA
Within the area overlying a subsurface mine Written confirmation or verification or map from the NM EMNRD-Mining and Minerals Division	☐ Yes ⊠ No
Within an unstable area.  - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; topographic map	☐ Yes ⊠ No
Within a 100-year floodplain. FEMA map	☐ Yes ⊠ 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	☐ Yes ⊠ 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	☐ Yes ⊠ 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	☐ Yes ⊠ No
Within 500 feet of a wetland.  - US Fish and Wildlife Wetland Identification map; topographic map; visual inspection (certification) of the proposed site	☐ Yes ⊠ No

Additional OCD Conditions on Attachment

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	e documents are attached.
<ul> <li>☑ Design Plan - based upon the appropriate requirements Section 3 of the</li> <li>☑ Operating and Maintenance Plan - based upon the appropriate requirements</li> <li>☑ Closure Plan - based upon the appropriate requirements Section 5 of the</li> <li>☑ Site Specific Groundwater Data - Exhibit D of the C-147 Registration Pa</li> <li>☑ Siting Criteria Compliance Demonstrations - Section 2 of the C-147 Registration</li> <li>☑ Certify that notice of the C-147 (only) has been sent to the surface owner(s and BLM FFO. See Exhibit C of the C-147 Registration Package for addition</li> </ul>	s Section C-147 Regi ackage stration Pac s) – C-147 p	4 of the o stration ckage ackage is	C-147 Pack s bein	Registration Package g submitted concu	
Operator Application Certification:  I hereby certify that the information and attachments submitted with this applicat	tion are true,	accurate	e and o	complete to the best	t of my knowledge and belief.
Name (Print): Heather Huntington	Title:	Permittii	ng Te	chnician	
Signature: Heather Huntington	Б	ate:	12/2/2	5_	
e-mail address: hhuntington@enduringresources.com		Telepho	ne:	<u>505-636-9751</u>	
OCD Representative Signature: Victoria Venegas				Approval Date: _	12/10/2025
Title: Environmental Specialist	OCD Per	mit Num	nber:_	3RF-96	
OCD Conditions					

# TABLE OF CONTENTS

1.	INTRODUCTION	1
2.	SITING CRITERIA	2
3.	DESIGN AND CONSTRUCTION SPECIFICATIONS	4
4.	MAINTENANCE AND OPERATING PLAN	5
5.	CLOSURE PLAN	6
Ехні	IIBIT A. Plat	A
Ехні	IIBIT B. RECYCLING FACILITY AND RECYCLING CONTAINMENT SITE DIAGRAM	В
Ехні	IIBIT C. SURFACE OWNER NOTIFICATION	C
Ехні	IIBIT D. GROUND WATER REPORT	D
Ехні	IIBIT E. SITING CRITERIA MAPS	E
Ехні	IIBIT F. AQUATIC RESOURCES DELINEATION TECHNICAL MEMORANDUM	F
Ехні	IIBIT G. MANUFACTURER'S SPECIFICATIONS	G
Ехні	HBIT H. VARIANCE REQUESTS	Н

### 1. Introduction

Applicant	DJR Operating, LLC Enduring Resources, LLC & DJR Operating, LLC are wholly owned subsidiaries of Enduring Resources IV, LLC. Leases, rights of ways, wells, and other property interests will continue to be held in their current entity names.
OGRID	371838
Project Name	Carson Unit 22-2 AST Pad Recycling Containment and Recycling Facility
Project Type	Recycling Facility & Recycling Containment
Legal Location	Southeast ¼ of the northwest ¼ and southwest ¼ of the northeast ¼ of Section 22, Township 25N, Range 12W, San Juan County
Surface Owner	Federal surface managed by the Bureau of Land Management Farmington Field Office

In accordance with 19.15.34 NMAC, DJR Operating, LLC (DJR), a subsidiary company of Enduring Resources IV, LLC requests registration of their Carson Unit 22-2 AST Pad Recycling Containment and Recycling Facility through the approval of this C-147 registration and permit package.

The <u>recycling containment</u> will consist of one 60,000 barrel (bbl) aboveground storage tank (AST). Per 19.15.34.7 B. NMAC a "*Recycling containment*" is a storage containment which incorporates a synthetic liner as the primary and secondary containment device and is used solely in conjunction with a recycling facility for the storage, treatment or recycling of produced water only for the purpose of drilling, completion, production or plugging of wells used in connection with the development of oil or gas or both. This AST containment falls within this definition and must meet all applicable requirements of a Recycling Containment in Rule 19.15.34 NMAC.

The recycling facility will consist of up to thirty 400 bbl vertical frac tanks with a consolidated volume of 12,000 bbls to treat (mechanical and chemical reconditioning process) produced water for reuse. DJR will only set as many tanks anticipated to be needed based on incoming volumes and extent of treatment necessary. As defined in 19.15.34.7 A. NMAC a "Recycling facility" is a stationary or portable facility used exclusively for the treatment, re-use or recycling of produced water. A recycling facility does not include oilfield equipment such as separators, heater treaters and scrubbers in which produced water may be used. These tanks will be used as upright gun barrel oil water separators. This oil separation process will prevent having any visible layer of oil on the surface of the recycling containment in accordance with Rule 19.15.34.13 B.(1).

Per 19.15.34.9 A. water (produced water and Entrada water) stored/processed through this temporary recycling facility and containment will be used as part of a permitted operation for drilling, completing, and producing DJR Operating, LLC and Enduring Resources, LLC wells.

See Exhibit A for the site survey plat and Exhibit B for a site diagram of the proposed AST and recycling facility layout. This facility will not be used for the disposal of produced water.

The Carson Unit 22-2 AST Pad is located at 36.38746151° N, -108.0989228° W, within Section 22, Township 25N, Range 12W, in San Juan County, New Mexico. The site is located on federal lands managed by the Bureau of Land Management Farmington Field Office (BLM FFO). DJR is the operator of the applicable oil and gas mineral rights at this location.

The BLM FFO has been notified and approved of this site for water storage and water recycling. This AST Pad was planned as associated infrastructure to DJR's Carson Unit 22-2 well pad project and permitted via four approved Applications for Permit to Drill from this location. See Exhibit C, approved Form 3160-3 Application for Permit to Drill or Reenter for the Carson Unit 22-2 606H (30-045-38495) one of the four approved APDs detailing use of this

AST Pad. Additionally, per New Mexico Oil Conservation Division (NMOCD) Form C-147, DJR will provide a copy of this registration package to the BLM FFO concurrently with the submittal to the division.

This document provides supplemental information to NMOCD Form C-147 that is required for registration, including siting criteria and demonstrations, design and construction plan, operating and maintenance plan, closure plan, closure and site reclamation requirements, and surface owner notification.

Upon approval of this registration, the recycling containment located at this facility will be operated for up to 5 years.

If the AST containment is found to be needed beyond 5 years, DJR will submit annual extensions to NMOCD on Form C-147 at least 30 days prior to expiration. The extension request will include a summary of all monthly inspections of the containment, including monitoring of the leak detection system indicating that the containment's integrity has not been compromised.

### 2. SITING CRITERIA

#### 2.1. Depth to Groundwater 19.15.34.11 A.(1)

Per 19.15.34.11 B. NMAC, DJR requests use of POD SJ-01716 in the northeast ¼ of the southwest ¼ of Section 1, Township 25N, Range 12W as evidence of depth to ground water in this area. SJ-01716 located approximately 3.4 miles north-northeast and has a measured depth to groundwater at 210 feet. With the proposed containment being an above ground tank, water depth of greater than 200 feet, and AST Pad elevation similar to the SJ-01716 water well, the groundwater depth is expected to be greater than 50 feet below the bottom of the recycling containment. See Exhibit D for the water well summary. Additional average depth to ground water information can be found below.

Average, Minimum, and Maximum depth to ground water within T26N R12W = 70', 20', 220' Average, Minimum, and Maximum depth to ground water within T26N R11W = 182', 165', 200' Average, Minimum, and Maximum depth to ground water within T25N R11W = 135', 135', 135' Average, Minimum, and Maximum depth to ground water within T25N R12W = 220', 210', 231'

#### 2.2. Distance to Surface Water 19.15.34.11 A.(2)

There are no continuously flowing watercourses within 300 feet; nor, any other significant watercourse or lakebeds, sinkholes, or playa lakes within 200 feet of the proposed AST.

DJR contracted Barr Engineering Co. (Barr) in October of 2025 to assess all surrounding drainages per 19.15.34.11 A.(2) NMAC. In the report provided to DJR, Barr summarized the following. This report is attached hereto as Exhibit F:

Pursuant to 19.15.34 NMAC, no drainages with an OHWM were observed within 300 feet of the Carson Unit 22-2 G-tank site. No wetlands are located within 500 feet of the Carson Unit 22-2 G-tank site. No FEMA 100-year flood zones are in the survey area.

Based on the regulatory framework (Section 1), evaluation of the survey area, and the USACE Albuquerque District's current policies regarding jurisdictional determinations, it is Barr's professional opinion that under the current CWA rule, there are no features present in the survey area that would be considered jurisdictional WOTUS.

These conclusions are based on Barr's professional opinion. The USACE has the final regulatory authority to determine the presence and extent of jurisdictional WOTUS. The NMOCD has the final regulatory authority for determining the presence of continuously flowing watercourses, significant watercourses, or wetlands and their boundaries for the permitting and registration applicable to 19.15.34 NMAC.

#### 2.3. Distance to Structures 19.15.34.11 A.(3)

The recycling containment is not located within 1,000 feet of a permanent residence, school, hospital, institution, or church in existence at the time of this application. As shown on the aerial map in Exhibit E Map 2, there are no permanent residences, schools, hospitals, institutions, or churches within the 1000-foot buffer ring of the staging area. A field visit verified there no new structure has been erected since the aerial imagery was obtained.

#### 2.4. Distance to Non-Public Water Supply and Springs 19.15.34.11 A.(4)

The recycling facility/containment is not located within 500 horizontal feet of a spring or fresh water well used for domestic or stock watering purposes in existence at the time of this application as shown on Exhibit E Maps 1 and 2. Map 1 shows wells and springs/seeps regardless of use type in the surrounding area and Map 2 shows that no water wells, springs, or seeps are located within the 500-foot buffer of the pad. The nearest freshwater well according to New Mexico Office of the State Engineer (NM-OSE) for domestic or stock water use is 1.9 miles east. Nearest spring/seep according to the National Hydrologic Dataset (NHD) is approximately 9.8 miles to the northeast.

#### 2.5. Distance to Municipal Boundaries and Defined Municipal Fresh Water Well Fields 19.15.34.11 A.(5)

The recycling facility is not within any incorporated municipal boundaries nor within a defined municipal fresh water well field covered by a municipal ordinance adopted pursuant to Section 3-27-3 NMSA 1978, as amended. Exhibit E Map 1 shows the nearest municipal boundary being Bloomfield, New Mexico approximately 28.3 miles north.

### 2.6. Distance to Wetland 19.15.34.11 A.(6)

The recycling facility/containment is not located within 500 feet of a wetland per the evidence provided below and detailed in the Aquatic Resource Delineation Technical Memorandum attached hereto as Exhibit F.

According to the US Fish and Wildlife Service National Wetland Inventory (NWI) no wetlands are located within 500 feet of the AST Pad. Since the NWI is identified and mapped from a desktop perspective utilizing photosignatures the resulting data is a desktop approximation of potential wetlands and non-wetland riparian habitat. Thus, field investigation is necessary to confirm or deny wetland status based on the presence of hydric soils or hydrophytes.

DJR contracted Barr Engineering Co. (Barr) in October of 2025 to assess all surrounding drainages per 19.15.34.11 A.(2) NMAC. In the report provided to DJR, Barr summarized the following. This report is attached hereto as Exhibit F:

No wetlands are located within 500 feet of the Carson Unit 22-2 G-tank site.

Based on the regulatory framework (Section 1), evaluation of the survey area, and the USACE Albuquerque District's current policies regarding jurisdictional determinations, it is Barr's professional opinion that under the current CWA rule, there are no features present in the survey area that would be considered jurisdictional WOTUS.

#### **2.7. Distance to Subsurface Mines 19.15.34.11 A.(7)**

According to New Mexico Energy, Minerals and Natural Resources Department (EMNRD) Mining and Minerals Divisions database, there are no subsurface mines in Township 25N, Range 12W, San Juan County, New Mexico. See Exhibit E Map 1 showing mines regardless of status near the project area. The nearest EMNRD recorded permit (permanent closure, reclaimed and released) is a coal mine approximately 11.5 miles southwest.

#### 2.8. Site Stability 19.15.34.11 A.(8)

The recycling containment is not located in an unstable area. DJR's construction practices provide adequate compaction of the pad surface for the anticipated load of the recycling facility and AST containment.

The following additional best management practices will be implemented during pad construction to prevent equipment settling and ensure site stability.

- Prior to earthwork, all trees (if applicable) and slash/brush, will be mulched and incorporated into the topsoil. Tree roots and trucks will be removed from the site. The topsoil (vegetative root layer) and mulched organic matter will be stripped from location and windrowed along the perimeter of location. Topsoil will not be used for pad construction as the organic matter mixed within the soil prevents adequate compaction.
- Subsoil horizons will be utilized to construct a balanced (high areas are cut and used to fill low areas) location.
   Fill slopes will be deposited and compacted in approximate 6-inch lifts with optimal soil moisture content.
- No soil deemed too wet from inclement weather will be utilized for construction as adequate compaction cannot be achieved. Additionally, if construction occurs during winter months, the frost layer if applicable will be stripped and sub frost line soil horizons utilized for construction to achieve adequate compaction that will not settle with warming temperatures.
- Cut and fill slopes around location will be 3:1 or better to ensure surface and slope stability.
- The windrowed topsoil and any additional diversions found to be necessary are used to prevent surface sheet flow from entering location.
- The containment will have a properly constructed foundation consisting of a firm, unyielding base, smooth and free of rocks, debris, sharp edges or irregularities to prevent the liner's rupture or tear.

Other factors contributing to site stability include:

- Per 19.15.34.11 A.(7) the location is not in an area overlying a subsurface mine according to the New Mexico EMNRD Mining and Minerals Divisions database.
- This area of New Mexico is not known for underlying caves and karst features.

#### 2.9. Distance to 100-Year Floodplain 19.15.34.11 A.(9)

The recycling facility/containment is not located within a 100-year (1% annual) floodplain. As shown in Exhibit E Map 2, the project is in Zone X (area of minimal flood hazard). The nearest 100-year flood hazard area within the same watershed shown in Exhibit E Map 2 is approximately 1.1 miles southeast.

### 3. DESIGN AND CONSTRUCTION SPECIFICATIONS

Pursuant to 19.15.34.12 NMAC, the following Design Plan presents the minimum standards and specifications for the design and construction of the proposed recycling containment at the Carson Unit 22-2 AST Pad. The facility and recycling containment have been designed to prevent release and potential overtopping due to wave action (by wind) or rainfall. To supplement the information provided below, the manufacturers specifications for the design and construction of the aboveground containment are provided as Exhibit G.

### 3.1. Foundation Construction

The containment AST will be constructed on DJR's Carson Unit 22-2 AST Pad. The AST footprint will have a properly constructed foundation consisting of a firm, unyielding base, smooth and free of rocks, debris, sharp edges or irregularities to prevent the liner's rupture or tear. The containment will ensure confinement of produced water, to prevent releases and to prevent overtopping due to wave action or rainfall. Geotextile is used under the liner to reduce localized stress-strain or protuberances that otherwise may compromise the liner's integrity. The containment is above ground and is not subject to water run-on.

#### 3.2. Liner and Leak Detection

The containment will be Well Water Solutions and Rentals, Inc. or similar double-lined frac water tank system. These tank systems are designed to incorporate a 40-mil thickness LLDPE primary (upper) string-reinforced liner and a 30-mil LLDPE secondary (lower) string-reinforced liner. The primary liner is designed to be impervious, synthetic material that will resist deterioration by ultraviolet light, petroleum hydrocarbons, salt solutions, and acidic/alkaline solutions. Liners meet or exceed the compatibility requirements of EPA SW-846 Method 9090A. Steel bolts secure the liners to the top of the AST tank. Specifications provided by Well Water Solutions and Rentals, Inc. are attached as Exhibit G.

Liner seams are minimized and are oriented vertically up and down the containment walls, not horizontally across the containment. Factory welded seams are incorporated, where possible. Field seams, welding, and testing on the

geosynthetic liners are performed by a manufacturer's qualified person. For any field welded seams, liners will overlap 4 to 6 inches and be thermally sealed. Field seams are avoided or minimized in corners and irregularly shaped areas.

At a points of discharge into, or suction from, the recycling containment, the liner is protected from excessive hydrostatic force or mechanical damage. External discharge or suction lines do not penetrate the liners.

A leak detection system is installed between the upper and lower liners of the containment and consist of a 200-mil geonet drainage layer. The leak detection system covers the bottom and sides of the containment and includes a minimum of 3 feet of freeboard. A 6-inch PVC pipe is inserted in the sump at the bottom of the containment and between the liners. Each containment is slightly sloped, with the sump placed at the location with the lowest elevation to facilitate the earliest possible leak detection. A schematic of the leak detection system is included in Exhibit G.

The sump piping is checked weekly with a water-level meter to determine if leakage is occurring through the primary liner. If water is detected in the leak detection sump, water will be removed to assess if water returns indicating a leak in the primary liner. Controls for surface water run-on are not needed due to the containment being above ground level.

#### 3.3. Signage

The facility will have a sign no less than 12 inch by 24 inch with lettering not less than 2 inches in height in a conspicuous place near the facility entrance. The sign will contain the operator's name, location of the facility by quarter-quarter or unit letter, Section, Township, Range, and emergency phone numbers.

#### 3.4. Entrance Protection

Please see variance request attached as Exhibit H.

With the recycling containment being an AST with 12-foot wall height, entrance to containment would have to be intentional. There is no risk of accidental entrance into the containment by wildlife or the public. The site will be maintained to prevent harm to wildlife and the public.

#### 3.5. Netting

DJR will install bird netting provided by the tank manufacturer over the containment. The netting will be inspected monthly for disrepair. The containment will be inspected weekly for dead migratory birds. DJR will report dead migratory birds and/or other wildlife to the appropriate wildlife agency, surface management agency, and NMOCD.

### 4. MAINTENANCE AND OPERATING PLAN

#### 4.1. Inspection Timing and Maintenance

Pursuant to 19.15.34.13 NMAC, DJR will follow the maintenance and operational requirements described below. At a minimum, DJR will perform weekly inspections on the containment and leak detection system while the containment holds fluid. DJR will maintain records and make them available for review by NMOCD.

- If fluids are found in the sump, the fluids will be sampled and then pumped out.
- DJR will remove any visible oil from the surface of the containment upon discovery.
- DJR will maintain a minimum of 3 feet of freeboard in the containment at all times.
- The injection and withdrawal of fluids from the containment shall be accomplished through a header, diverter or other hardware that prevents damage to the liner by erosion, fluid jets or impact from installation and removal of hoses or pipes.
- If a leak is discovered in the containment's primary liner above the liquid level in the containment, DJR will repair the primary liner within 48 hours, or request an extension on repair within the 48-hour time limit.
- If a leak is discovered in the containment's primary liner below the liquid level in the containment, DJR will notify the division office of the leak, remove all fluids above the leak level, and repair the primary liner within 48 hours, or request an extension on repair within the 48-hour time limit.

- The facility will be operated in such a way to prevent the collection of surface water.
- An oil absorbent boom or other device will be onsite to contain an unanticipated release.
- The facility will not be used for the storage or discharge of hazardous waste.

#### 4.2. Reporting and Record Keeping

During operation of the recycling facility, DJR will keep accurate records and report monthly to NMOCD the total volume of water received for recycling, with the volume of fresh water received listed separately, and the total volume of water leaving the facility for disposition of use. Water volume totals will be submitted on NMOCD Form C-148. Accurate records identifying the sources and disposition of recycled water will be maintained during the operation of the facility and made available for review to NMOCD upon request.

#### 4.3. Cessation of Operations

DJR will consider the recycling containment to have ceased operations if less than 20% of the total fluid volume is used every 6 months following the first withdrawal of produced water for use. DJR will report cessation of operations to the appropriate NMOCD district office. If additional time is needed for closure, DJR will request an extension from the appropriate NMOCD district office prior to the expiration of the initial 6-month time period.

### 5. CLOSURE PLAN

Pursuant to 19.15.34.14 NMAC, the activities summarized below describe the closure and reclamation requirements for the Carson Unit 22-2 AST Pad. Within 60 days of closure completion, DJR will submit a closure report on NMOCD Form C-147 and include required attachments to document all closure activities, sampling results, and details on backfilling, capping, or covering, where applicable.

#### 5.1. Containment Closure

DJR will remove all fluids from the facility and containment within 60 days from the date that operations cease and close the containment from use within 6 months from the date that DJR ceases operations. Alternatively, DJR can request an extension for the removal of fluids from NMOCD not to exceed an additional 2 months. DJR can also request an extension for the closure of the containment, not to exceed an additional 6 months.

DJR will remove all fluids, contents, synthetic liners, and leak detection piping and transfer these materials to an NMOCD-approved facility for disposal. All other equipment associated with the recycling containment and recycling facility will be removed from the site.

#### 5.2. Closure Soil Sampling

Once the containment is removed, DJR will test the soil beneath for contamination with a five-point composite sample which includes stained or wet soils, if any, and that sample shall be analyzed for the constituents listed in the following table:

TABLE 1. CONTAMINATED SOIL TEST CONSTITUENTS

Constituents	Test Method	Groundwater Depth 51 – 100 Feet	Groundwater Depth >100 Feet
Chloride	EPA 300.0	10,000 mg/kg	20,000 mg/kg
TPH (GRO+DRO+MRO)	EPA SW-846 Method 8015M	2,500 mg/kg	2,500 mg/kg
GRO + DRO	EPA SW-846 Method 8015M	1,000 mg/kg	1,000 mg/kg
BTEX	EPA SW-846 Method 8021B or 8260B	50 mg/kg	50 mg/kg
Benzene	EPA SW-846 Method 8021B or 8260B	10 mg/kg	10 mg/kg

#### C-147 Registration Package

If any contaminant concentration is higher than the parameter limits listed above, NMOCD may require additional delineation upon review of the results and DJR must receive approval before proceeding with closure. If all contaminant concentrations are less than or equal to the parameter limits listed above, then DJR can proceed to backfill with non-waste containing, uncontaminated, earthen material.

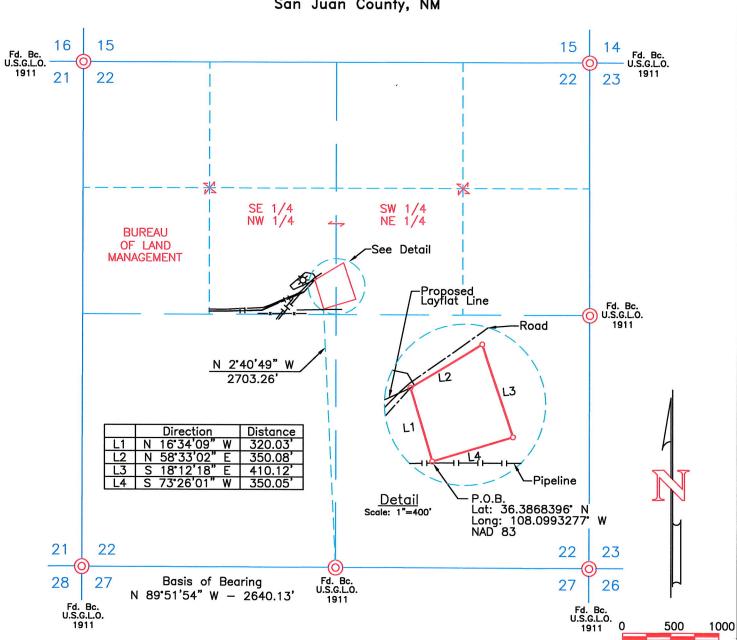
#### 5.3. Reclamation

The location will be reclaimed upon completion of use in accordance with the reclamation plan attached to the Carson Unit 22-2 606H approved APD. This reclamation plan was developed with, and approved by, the surface managing agency.

### EXHIBIT A. PLAT

### DJR OPERATING, LLC

Carson Unit 22—2 G—Tank Sec. 22, T—25—N, R—12—W, N.M.P.M., San Juan County, NM



#### Notes:

- Basis of Bearing: Monumented South line of the Southwest Quarter of Section 22, T-25-N, R-12-W, NMPM, San Juan County, NM. Bears: N 89'51'54" W - 2640.13'
- All bearings & distances shown are based upon the New Mexico State Plane Coordinate System, West Zone, NAD 83, in U.S. survey feet.

I, John A. Vukonich, New Mexico Professional Surveyor No. 14831, do hereby certify that this survey plat and the actual Survey on the ground upon which it is based were performed by me or upder the direct supervision; that I am responsible for this survey that this survey meets the minimum standards for surveying in New Mexico; and that it is true and correct to the best of my knowledge and belief. I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act.

John A Vukonich N.M.P.S. #14831 Date

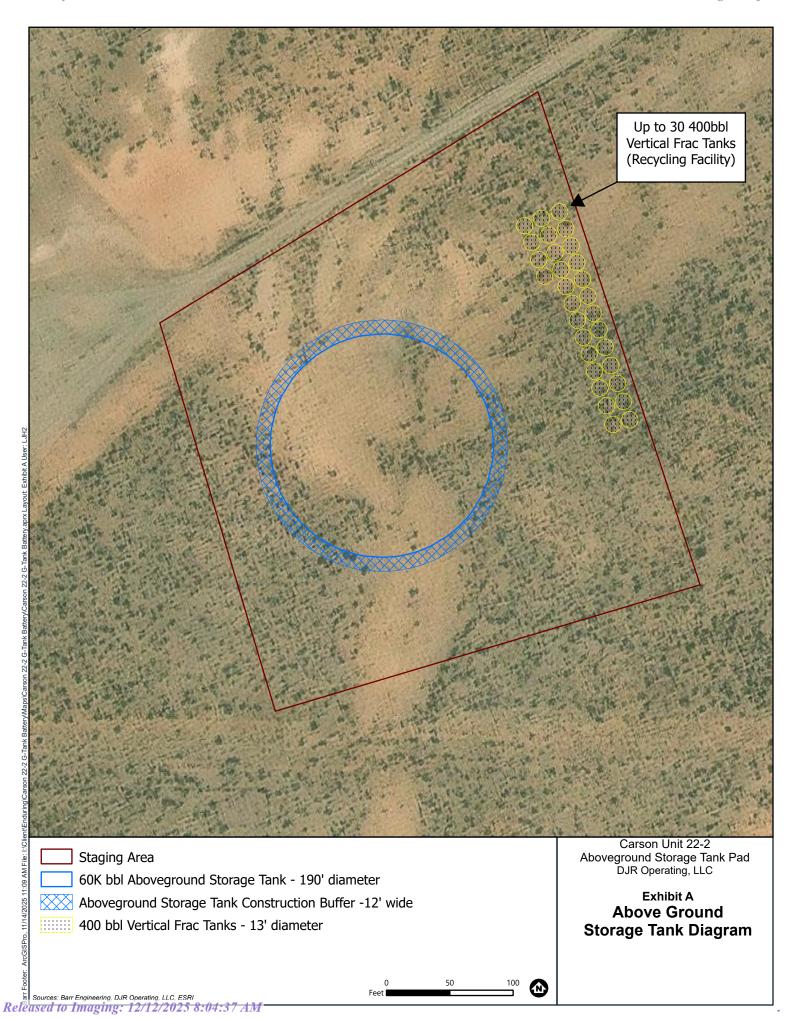
P.O.B. = Point of Beginning

Owner	Sq. Ft.	Acres
Bureau of Land Management	125,893	2.890

Scale: 1"=1000'

United Field Services			P.O. Box 3651 Ington, NM 87499 : (505) 334–0408
Surveyed: 9/14/21	Rev. date:	7/28/23	App. by: J.A.V.
Drawn by: A.A.D.	Date drawn:	12/12/22	File name: 11570—GTank

# EXHIBIT B. RECYCLING FACILITY AND RECYCLING CONTAINMENT SITE DIAGRAM



### **EXHIBIT C. SURFACE OWNER NOTIFICATION**

Form 3160-3 FORM APPROVED OMB No. 1004-0137 (October 2024) Expires: October 31, 2027 **UNITED STATES** DEPARTMENT OF THE INTERIOR 5. Lease Serial No. BUREAU OF LAND MANAGEMENT APPLICATION FOR PERMIT TO DRILL OR REENTER 6. If Indian, Allotee or Tribe Name 7. If Unit or CA Agreement, Name and No. DRILL REENTER 1a. Type of work: 1b. Type of Well: Oil Well Gas Well Other 8. Lease Name and Well No. 1c. Type of Completion: Hydraulic Fracturing Single Zone Multiple Zone 2. Name of Operator 9. API Well No. 3a. Address 3b. Phone No. (include area code) 10. Field and Pool, or Exploratory 4. Location of Well (Report location clearly and in accordance with any State requirements.\*) 11. Sec., T. R. M. or Blk. and Survey or Area At surface At proposed prod. zone 14. Distance in miles and direction from nearest town or post office\* 12. County or Parish 13. State 15. Distance from proposed\* 16. No of acres in lease 17. Spacing Unit dedicated to this well location to nearest property or lease line, ft. (Also to nearest drig. unit line, if any) 18. Distance from proposed location\* 19. Proposed Depth 20. BLM/BIA Bond No. in file to nearest well, drilling, completed, applied for, on this lease, ft. 21. Elevations (Show whether DF, KDB, RT, GL, etc.) 22. Approximate date work will start\* 23. Estimated duration 24. Attachments The following, completed in accordance with the requirements of Onshore Oil and Gas Order No. 1, and the Hydraulic Fracturing rule per 43 CFR 3162.3-3 (as applicable) 1. Well plat certified by a registered surveyor. 4. Bond to cover the operations unless covered by an existing bond on file (see 2. A Drilling Plan. Item 20 above). 3. A Surface Use Plan (if the location is on National Forest System Lands, the 5. Operator certification. SUPO must be filed with the appropriate Forest Service Office). 6. Such other site specific information and/or plans as may be requested by the 25. Signature Name (Printed/Typed) Date Title Approved by (Signature) Name (Printed/Typed) Date Title Office Application approval does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon. Conditions of approval, if any, are attached. Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction APPROVED WITH CONDITIONS

(Continued on page 2)

\*(Instructions on page 2)

#### **INSTRUCTIONS**

GENERAL: This form is designed for submitting proposals to perform certain well operations, as indicated on Federal and Indian lands and leases for action by appropriate Federal agencies, pursuant to applicable Federal laws and regulations. Any necessary special instructions concerning the use of this form and the number of copies to be submitted, particularly with regard to local, area, or regional procedures and practices, either are shown below or will be issued by, or may be obtained from local Federal offices.

ITEM I: If the proposal is to redrill to the same reservoir at a different subsurface location or to a new reservoir, use this form with appropriate notations. Consult applicable Federal regulations concerning subsequent work proposals or reports on the well.

ITEM 4: Locations on Federal or Indian land should be described in accordance with Federal requirements. Consult local Federal offices for specific instructions.

ITEM 14: Needed only when location of well cannot readily be found by road from the land or lease description. A plat, or plats, separate or on the reverse side, showing the roads to, and the surveyed location of, the wen, and any other required information, should be furnished when required by Federal agency offices.

ITEMS 15 AND 18: If well is to be, or has been directionany drilled, give distances for subsurface location of hole in any present or objective productive zone.

ITEM 22: Consult applicable Federal regulations, or appropriate officials, concerning approval of the proposal before operations are started.

ITEM 24: If the proposal will involve hydraulic fracturing operations, you must comply with 43 CFR 3162.3-3, including providing information about the protection of usable water. Operators should provide the best available information about all formations containing water and their depths. This information could include data and interpretation of resistivity logs run on nearby wells. Information may also be obtained from state or tribal regulatory agencies and from local BLM offices.

#### NOTICES

The Privacy Act of 1974 and regulation in 43 CFR 2.48( d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 30 U.S.C. 181 et seq., 25 U.S.C. 396; 43 CFR 3160

PRINCIPAL PURPOSES: The information will be used to: (1) process and evaluate your application for a permit to drill a new oil, gas, or service wen or to reenter a plugged and abandoned well; and (2) document, for administrative use, information for the management, disposal and use of National Resource Lands and resources including (a) analyzing your proposal to discover and extract the Federal or Indian resources encountered; (b) reviewing procedures and equipment and the projected impact on the land involved; and (c) evaluating the effects of the proposed operation on the surface and subsurface water and other environmental impacts.

ROUTINE USE: Information from the record and/or the record win be transferred to appropriate Federal, State, and local or foreign agencies, when relevant to civil, criminal or regulatory investigations or prosecution, in connection with congressional inquiries and for regulatory responsibilities.

EFFECT OF NOT PROVIDING INFORMATION: Filing of this application and disclosure of the information is mandatory only if you elect to initiate a drilling or reentry operation on an oil and gas lease.

The Paperwork Reduction Act of 1995 requires us to inform you that:

The BLM conects this information to anow evaluation of the technical, safety, and environmental factors involved with drilling for oil and/or gas on Federal and Indian oil and gas leases. This information will be used to analyze and approve applications. Response to this request is mandatory only if the operator elects to initiate drilling or reentry operations on an oil and gas lease. The BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

**BURDEN HOURS STATEMENT:** Public reporting burden for this form is estimated to average 8 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0137), Bureau Information Conection Clearance Officer (WO-630), 1849 C Street, N.W., Mail Stop 401 LS, Washington, D.C. 20240.

### **Additional Operator Remarks**

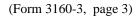
#### **Location of Well**

0. SHL: NESW / 2358 FSL / 1912 FWL / TWSP: 25N / RANGE: 12W / SECTION: 22 / LAT: 36.3859008 / LONG: -108.1013488 ( TVD: 0 feet, MD: 0 feet ) PPP: SENW / 2405 FNL / 2190 FWL / TWSP: 25N / RANGE: 12W / SECTION: 22 / LAT: 36.3873104 / LONG: -108.1004058 ( TVD: 4851 feet, MD: 5289 feet ) PPP: NESW / 0 FNL / 0 FWL / TWSP: 25N / RANGE: 12W / SECTION: 22 / LAT: 36.3861718 / LONG: -108.0988853 ( TVD: 4851 feet, MD: 12970 feet ) PPP: SENW / 0 FNL / 0 FWL / TWSP: 25N / RANGE: 12W / SECTION: 22 / LAT: 36.3866697 / LONG: -108.0995502 ( TVD: 4851 feet, MD: 12970 feet ) PPP: NWSE / 0 FNL / 0 FWL / TWSP: 25N / RANGE: 12W / SECTION: 23 / LAT: 36.3794473 / LONG: -108.0899073 ( TVD: 4851 feet, MD: 12970 feet ) PPP: SWSW / 0 FNL / 0 FWL / TWSP: 25N / RANGE: 12W / SECTION: 23 / LAT: 36.3794232 / LONG: -108.089875 ( TVD: 4851 feet, MD: 12970 feet ) BHL: SENW / 2305 FNL / 2498 FWL / TWSP: 25N / RANGE: 12W / SECTION: 26 / LAT: 36.3730905 / LONG: -108.0814224 ( TVD: 4851 feet, MD: 12970 feet )

#### **BLM Point of Contact**

Name: CHRISTOPHER P WENMAN Title: Natural Resource Specialist

Phone: (505) 564-7727 Email: cwenman@blm.gov



### EXHIBIT D. GROUND WATER REPORT

Revised December 1975

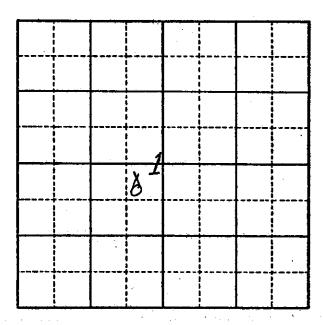
IMPORTANT - READ INSTRUCTIONS ON BACK BEFORE FILLING OUT THIS FORM.

# Declaration of Owner of Underground Water Right

SAN JUAN UMDERAROUND WATER BASIN

Declaration No. SJ-1716	l)ate re	ceived Apri	1 29, 19	83	
	TATEMENT				
1. Name of Declarant U. S. Dept. of Inter	ior, Bur	eau of Lan	d Manageme	ent	
Mailing Address P. O. Box 568, Farmingt	on. New	Mexico 874	99-0568		
County of San Juan	, State o	f New Me	xico		
2. Source of water supply Nacimiento Formati					
(ar	tesian or sha	llow water aqu	ifer)		
3. Describe well location under one of the following subheading	gs:	25	<b>3.7</b>	10 **	
3 ¼ NE ¼ SW ¼ of Se San Juan County.	c1	Twp <u></u>	N. Rge.	12 W. N.M.P	'.M., in
b. Tract No of Map No	of the				
c. X = feet, Y =	feet. N. M	l. Coordinate Sys	tem		7000
in the				(	Grant.
On land owned by Bureau of Land Manager	ment (see	w. R. Wes	above)	<u> </u>	· · · ·
4. Description of well: date drilled 6/20/63-2/5/6	64 driller			403	feet.
		_	•		
outside diameter of casing 6 5/8 inches; original c	apacity	40 gal. per	min.; present	capacity 40	<del></del>
gal. per min.; pumping lift 375 feet; static water	level 210	feet Koobsissi	(below) land s	urface:	
•					
make and type of pump 1 7/8 inch cylinde	er (plung	er on sucl	er rod)	<del> </del>	<del></del>
make, type, horsepower, etc., of power plant 14 fc	oot diame	ter aermot	or mounte	d on steel t	tower
•					
Fractitional or percentage interest claimed in well _	100% (a	111)		<del></del>	<del></del>
5. Quantity of water appropriated and beneficially used				15	
••	(acre fe	et per acre)	(acre f	eet per annum)	
for livestock and wildlife				purp	oses.
6. Acreage actually irrigated N/A acres, located as	nd described	as follows (de	scribe only la	nds actually irrig	ated):
, , , , , , , , , , , , , , , , , , , ,			,		
Subdivision Sec. Two	Б	Acres		ွထ	
Subdivision Sec. Twp.	. Range	Irrigated	≥ %	Ownger →	
			<del></del>	<del></del>	<del></del> .
					<del></del>
			<u></u>	<b>6</b>	<del></del>
			<u>ē</u> s	سُسُن	
		<del></del>	<u></u>	6	
				္တ	
(Note: location of well and acreage actually			$\times$ $\cup$	e.)	
7. Water was first applied to beneficial use 2 month	5	· · · · · · · · · · · · · · · · · · ·	1964 <sup></sup>	and since that	time
month  has been used fully and continuously on all of the abo				rihed nurnoses ex	CADI
1.				ibed paiposes ex	cept
as follows: N/A				<del></del>	
		· · · · · · · · · · · · · · · · · · ·		<del> </del>	
	· · · · ·	<del> </del>			
_					
8. Additional statements or explanations Carson No.		<del>-</del>		nd Project	<del></del>
Completion Report)			<del></del>		
	-,			· · · · · · · · · · · · · · · · · · ·	
		, , <u>, , , , , , , , , , , , , , , , , </u>		······································	
	•				
farmington Resc	ource Are	a Manager	being first dul	y swom upon my c	oath,
depose and say that the above is a full and complete s	statement pre	pared in accord	lance with the	instructions on th	he re-
verse side of this form and submitted in evidence of or read each and all of the items contained therein and th	wnership of a	i valid undergro	ound water rigl	it, that I have car	etully c
cach and an of the flems contained therein and in	iat the Same	are fine to the	best of my kno	wiedge and belief	i.
	(	Jum-	Simo	, decla	rant.
	, 0	/			
Subscribed and sworn to before me this 25  My commission expires April 13, 198	ру:	6		6	27
Subscribed and sworn to before me this 3		day of Co	prex	, A.D. 19&	<u> </u>
My commission expires april 13, 198	Z SK	uley 6 1	Vacce	20 Notary Public	
<i>y</i>	,	0	<del>-</del>		. Oak

Locate	well a	afeas	actually	irrigated	AŞ	accurately	as possible or	o following plat:	
Section	(a)	1		Township _		25 N.	Range	12 W.	N. M. P. M



#### INSTRUCTIONS

Declaration shall be executed (preferably typewritten) in triplicate and must be accompanied by a \$1.00 filing fee. Each of triplicate copies must be properly signed and attested.

A separate declaration must be filed for each well in use.

All blanks shall be filled out fully. Required information which cannot be sworn to by declarant shall be supplied by affidavit of person or persons familiar with the facts and shall be submitted herewith.

Secs. 1-3. Complete all blanks.

Sec. 4. Fill out all blanks applicable as fully as possible.

Sec. 5. Irrigation use shall be stated in acre feet of water per acre per year applied on the land. If used for domestic, municipal, or other purposes, state total quantity in acre feet used annually.

Sec. 6. Describe only the acreage actually irrigated. When necessary to clearly define irrigated acreages, describe to nearest 2½ acre subdivision. If located on unsurveyed lands, describe by legal supdivision "as projected" from the nearest government survey corners, or describe by metes and bounds and tie survey to some permanent, easily-located natural object.

Sec. 7. Explain and give dates as nearly as possible of any years when all or part of acreage claimed was not irrigated.

Sec. 8. If well irrigates or supplies supplemental water to any other land than that described above, or if land is also irrigated from any other source, explain under this section. Give any-other data necessary to fully describe water right.

If additional space is necessary, use a separate sheet or sheets and attach securely hereto.



United States Department of the Interior

IN REPLY REFER TO

7421

BUREAU OF LAND MANAGEMENT
FARMINGTON RESOURCE AREA
P.O. BOX 568
FARMINGTON, NEW MEXICO 87499-0568

APR 28 1983

New Mexico State Engineer District I Office 2340 Menaul, NE, Suite 206 Albuquerque, New Mexico 87107-1884

Dear Sir:

Enclosed, please find <u>Declaration of Owner of Underground Water Right</u> for sixteen of our wells for livestock and wildlife watering purposes. Sixteen dollars are enclosed for filing fees.

If you have any questions, please call Dana Shuford of our staff (505-325-3581).

Sincerely yours,

1.9 cm Sur

**Enclosures** 

STATE OF THE STATE



# Water Column/Average Depth to Water

(A CLW##### in the POD suffix indicates the POD has been replaced & no longer serves a water right file.)

(R=POD has been replaced, O=orphaned, C=the file is closed)

(quarters are smallest to largest)

(In feet)

POD Number	Code	Sub basin	County	Q64	Q16	Q4	Sec	Tws	Range	X	Y	Мар		Depth Water	Water Column
<u>SJ 00079</u>		SJ	SJ			SE	13	25N	12W	225677.0	4032403.0 *	•	2550		
<u>SJ 01716</u>		SJ	SJ		NE	SW	01	25N	12W	225189.0	4035835.0 *	•	403	210	193
<u>SJ 04314</u>		SJ	SJ	NW	NE	SE	21	25N	12W	220927.0	4031150.1	•	2450		
<u>SJ 04459 POD1</u>		SJ	RA	SW	SW	NE	26	25N	12W	320354.0	4026591.8	•	275	231	44

Average Depth to Water: 220 feet

Minimum Depth: 210 feet

Maximum Depth: 231 feet

**Record Count:** 4

**Basin/County Search:** 

Basin: SJ

PLSS Search: Range: 12W Township: 25N

\* UTM location was derived from PLSS - see Help



# Water Column/Average Depth to Water

(A CLW##### in the POD suffix indicates the POD has

been (R=POD has replaced been & no longer serves a O=orphaned, water right (C=the file is file.)

(quarters are smallest to largest)

(In feet)

POD Number	Code	Sub basin	County	Q64	Q16	Q4	Sec	Tws	Range	X	Y	Мар		Depth Water	Water Column
SJ 00221		SJ	SJ			NE	04	25N	11W	230613.0	4036253.0 *		198	135	63

Average Depth to Water: 135 feet

Minimum Depth: 135 feet

Maximum Depth: 135 feet

**Record Count:** 1

**Basin/County Search:** 

Basin: SJ

PLSS Search: Range: 11W

Township: 25N

\* UTM location was derived from PLSS - see Help



# Water Column/Average Depth to Water

(A CLW##### in the POD suffix indicates the POD has been

replaced

serves a water right

file.)

& no longer

(R=POD has been replaced, O=orphaned, C=the file is

closed)

(quarters are smallest to largest)

(In feet)

POD Number	Code	Sub basin	County	Q64	Q16	<b>Q4</b>	Sec	Tws	Range	X	Y	Мар		Depth Water	Water Column
<u>SJ 01626</u>		SJ	SJ		SW	SE	16	26N	11W	230607.0	4041673.0 *	•	255	200	55
SJ 02734		SJ	SJ	NE	SW	SE	35	26N	11W	233750.0	4036858.0 *	•	275	165	110

Average Depth to Water: 182 feet

Minimum Depth: 165 feet

Maximum Depth: 200 feet

**Record Count: 2** 

**Basin/County Search:** 

Basin: SJ

PLSS Search: Range: 11W Township: 26N

\* UTM location was derived from PLSS - see Help



# Water Column/Average Depth to Water

(A CLW#### in the POD suffix indicates the POD has been replaced & no longer serves a water right file.)

(R=POD has been replaced, O=orphaned, C=the file is closed)

(quarters are smallest to largest)

(In feet)

POD Number	Code	Sub basin	County	Q64	Q16	Q4	Sec	Tws	Range	X	Y	Мар		Depth Water	Water Column
<u>SJ 01058</u>		SJ	SJ		SE	NW	03	26N	12W	222289.0	4046001.0 *	•	254	220	34
<u>SJ 04463 POD1</u>		SJ	SJ		SE	SW	16	26N	12W	220433.4	4041900.8	•	20	20	0
SJ 04463 POD2		SJ	SJ		SE	SW	16	26N	12W	220415.1	4041900.1	•	20	20	0
SJ 04463 POD3		SJ	SJ		SE	SW	16	26N	12W	220433.7	4041873.7	•	20		
<u>SJ 04463 POD4</u>		SJ	SJ		SE	SW	16	26N	12W	220437.8	4041916.4	•	20	20	0

Average Depth to Water: 70 feet

Minimum Depth: 20 feet

Maximum Depth: 220 feet

**Record Count:** 5

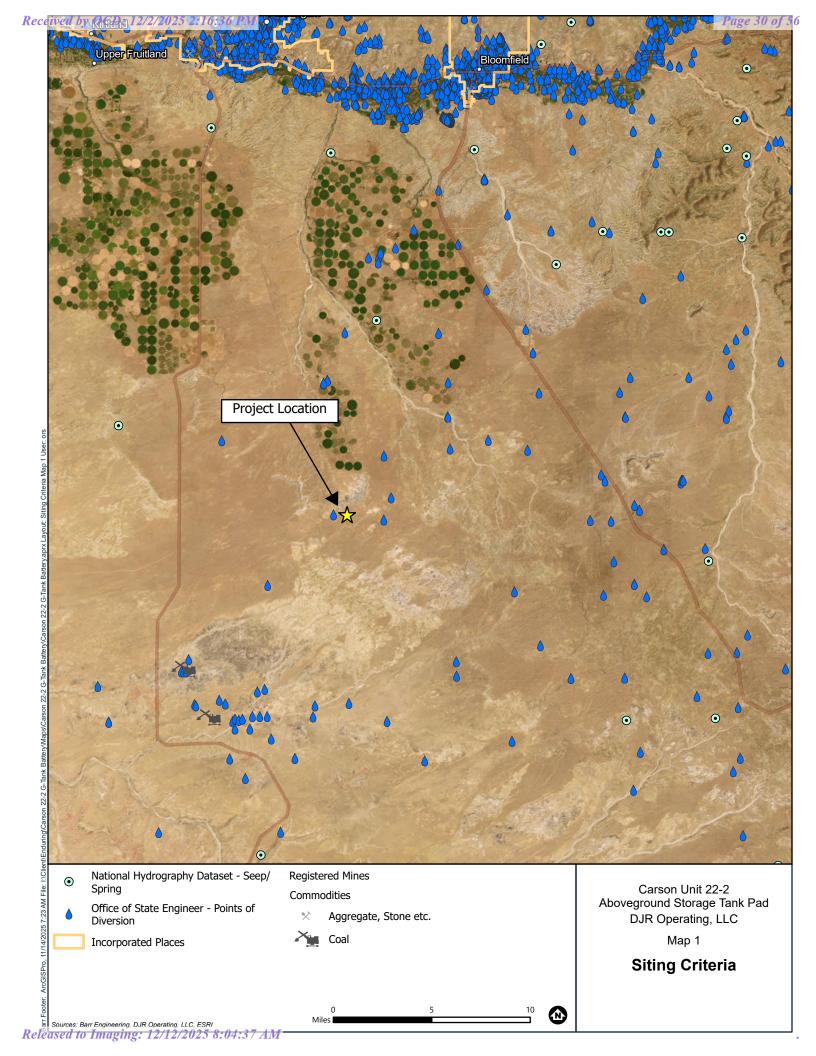
**Basin/County Search:** 

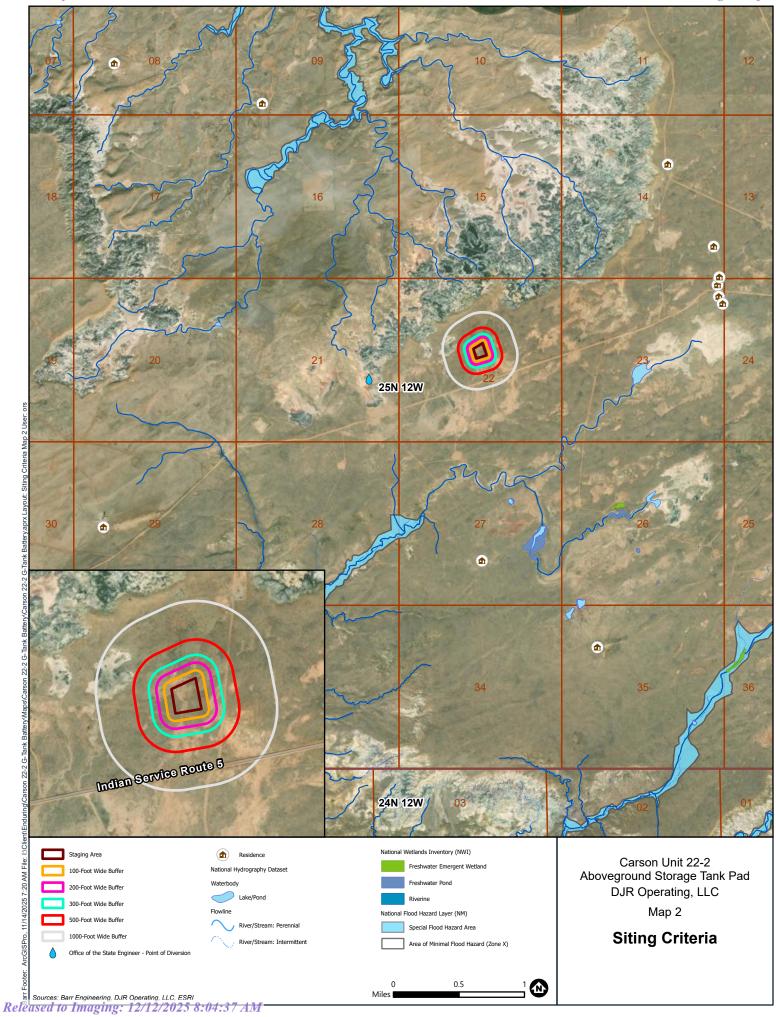
Basin: SJ

PLSS Search: Range: 12W Township: 26N

<sup>\*</sup> UTM location was derived from PLSS - see Help

### **EXHIBIT E. SITING CRITERIA MAPS**





# EXHIBIT F. AQUATIC RESOURCES DELINEATION TECHNICAL MEMORANDUM



### **Technical Memorandum**

To: Casey Haga, Enduring Resources IV, LLC

From: John Dodge

**Subject:** Aquatic Resources Delineation

Date: November 13, 2025

**Project:** Carson Unit 22-2 Aboveground Storage Tank Pad

DJR Operating, LLC (DJR) retained Barr Engineering Co. (Barr) to conduct an aquatic resources delineation survey for the Carson Unit 22-2 Aboveground Storage Tank (AST) Pad located in the SE ¼ NW ¼ and SW ¼ NE ¼ of Section 22, Township 25 North, Range 12 West, New Mexico Principal Meridian, San Juan County (Map 1). The Carson Unit 22-2 AST Pad is irregularly shaped encompassing 2.89 acres. The center coordinates for the site are 36.38746151° N, -108.0989228° W, North American Datum 1983 Zone 12 North. The site is located on Bureau of Land Management Farmington Field Office-managed land. The survey area encompassed the Carson Unit 22-2 AST Pad and a 500-foot buffer area surrounding the site.

The purpose of the aquatic resources delineation survey was to identify the potential presence and extent of features that may be considered jurisdictional Waters of the United States (WOTUS) under Section 404 of the Clean Water Act (CWA), as amended (33 United States Code §1251 et seq.). The United States Army Corps of Engineers (USACE) administers the CWA Section 404. DJR is applying for a permit to transport, store, and recycle produced water for reuse in drilling and completing oil/natural gas wells per Title 19, Chapter 15, Part 34 (19.15.34) of the New Mexico Administrative Code (NMAC).

This technical memorandum reports the survey findings and aquatic resources that may be considered jurisdictional WOTUS, including wetlands and aquatic resources exhibiting an ordinary high-water mark (OHWM) following the USACE methods and guidance.

### 1 Regulatory Framework

#### 1.1 Federal

In September 2023, the USACE issued a final rule revising the definition of WOTUS to include traditional navigable waters, wetlands adjacent to traditional navigable waters, and relatively permanent waters defined as tributaries and wetlands adjacent to navigable waters that have a continuous surface connection and standing or continuously flowing bodies of water (EPA 2025). The USACE defines wetlands as special aquatic sites "that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (USACE 1987).

The USACE has the regulatory authority and discretion to determine the jurisdictional status of aquatic resources at a given site.

#### 1.2 New Mexico State

19.15.34 NMAC applies to the transportation, disposal, recycling, reuse, or the direct surface or subsurface disposition by use of water produced or used in connection with the development or

4801 North Butler, Suite 15101 Farmington, NM 87401 | 505.327.3088

To: Casey Haga, Enduring Resources IV, LLC

From: John Dodge

Subject: Aquatic Resources Delineation

Date: November 13, 2025

Page: 2

production of oil, gas, or both; in road construction or maintenance, or other construction; and the generation of electricity or other industrial processes. 19.15.34 NMAC also applies to transporting drilling fluids and liquid oil field waste.

Depending on the proposed activity, a permit or registration (Form C-147) for recycling and reuse of produced water, drilling fluids, and liquid oil field waste, including recycling containment, is required by the New Mexico Energy, Minerals, and Natural Resources Department Oil Conservation Division (OCD). Form C-147 siting criteria require that recycling containment not be located:

- where groundwater is less than 50 feet below the bottom of the containment;
- 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 OHWM);
- within 500 feet of a spring or freshwater well used for domestic or stock watering purposes in existence at the time of the initial registration;
- within incorporated municipal boundaries or within a defined municipal freshwater well field covered by a municipal ordinance adopted under Section 3-27-3 New Mexico Statutes 1978, as amended, unless the municipality specifically approves the recycling containment in writing;
- within 500 feet of a wetland; or
- within a 100-year floodplain.

Watercourse is defined in 19.15.2.7 NMAC as "a river, creek, arroyo, canyon, draw, or wash or other channel having definite banks and bed with visible evidence of the occasional flow of water." Wetlands are defined in 19.15.2.7 NMAC as "areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions in New Mexico." The term "significant" is not defined in NMAC.

#### 2 Methods

Before initiating fieldwork, Barr completed a desktop evaluation of the survey area using the best available information, including the following:

- US Geological Survey (USGS) 7.5-minute topographic quadrangles for local and regional environmental settings relevant to the project area's surface waters, wetlands, and contours.
- National Hydrography Dataset (NHD) for mapped "bluelines"—perennial, intermittent, and ephemeral drainages—and other water features in the project area.
- National Wetlands Inventory (NWI) maps generated by the US Fish and Wildlife Service (USFWS) for the project area.
- Natural Resources Conservation Service (NRCS) Web Soil Survey information for the project area.

To: Casey Haga, Enduring Resources IV, LLC

From: John Dodge

Subject: Aquatic Resources Delineation

Date: November 13, 2025

Page: 3

- Floodplain data from the Federal Emergency Management Agency (FEMA) Mapping Information Platform.
- ESRI ArcGIS Online World Imagery (ESRI 2025).

#### 2.1 Wetlands

The survey area was evaluated for the presence of wetlands using guidance provided in the 1987 Corps of Engineers Wetlands Delineation Manual (USACE 1987) and the Regional Supplement to the USACE Wetland Delineation Manual: Arid West Region (USACE 2008). Under the delineation procedures identified in these manuals, an area must exhibit characteristic wetland hydrology, hydric soils, and hydrophytic vegetation to be considered a wetland. Additionally, the USACE stipulates that all three conditions must be met under normal circumstances for an area to be designated as a wetland (USACE 1987).

#### 2.2 Non-Wetland Waters

Barr biologists evaluated the presence/absence and characteristics of the OHWM along all non-wetland water features (e.g., streams, creeks, and ponds) mapped during the pre-field desktop evaluation. Guidance from *A Field Guide to the Identification of the Ordinary High-Water Mark in the Arid West Region of the Western United States* (USACE 2008) was used to identify drainage channel lateral limits. General characteristics for determining the OHWM in the project area were identified using guidance provided in USACE RGL 05-05 (USACE 2005).

For stream features exhibiting an OHWM, Barr conducted an aquatic resources inventory in the field using the *User Manual for a Beta Streamflow Duration Assessment Method for the Arid West of the United States* (Mazor et al. 2023). The Streamflow Duration Assessment Method (SDAM) is a rapid, field-based method for determining flow duration class at the reach scale, eliminating the need for long-term hydrologic data. The SDAM may inform a range of activities where information on streamflow duration is beneficial, including specific jurisdictional determinations under the CWA; however, the SDAM is not a jurisdictional determination (Mazor et al. 2023). The method is specific to the Arid West Region and relies on five indicators to determine stream flow classification: perennial, intermittent, ephemeral, at least intermittent, and need more information. Biologists recorded the status of these five indicators on a field form for every surface water feature in the survey area with an OHWM.

A handheld global positioning system (GPS) unit with submeter accuracy was used to digitally record sampling points and any wetland or other features in the survey area. Geographic information system (GIS) software was used to analyze recorded features, calculate areas, and generate maps of the survey area.

#### 3 Results

#### 3.1 Desktop Review

The Carson Unit 22-2 AST Pad is in the Hunter Wash watershed (Hydrologic Unit Code 1408010614) (USGS 2021) and can be found on the Carson Trading Post, New Mexico U.S. Geological Survey 7.5-minute quadrangle. One soil unit occurs in the survey area—Sheppard-Huerfano-Notal complex, gently sloping. This soil unit is not listed as hydric soil for San Juan County, New Mexico (NRCS 2025).

The survey area falls within a FEMA Flood Zone X, an area of minimal flood hazard. No FEMA-designated 100-year flood zones are located within the survey area (FEMA 2025). The desktop review

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To: Casey Haga, Enduring Resources IV, LLC

From: John Dodge

Subject: Aquatic Resources Delineation

Date: November 13, 2025

Page: 4

did not identify any NHD flowlines, NWI wetlands, or other surface water features within 500 feet of the project (USGS 2016; USFWS 2025).

#### 3.2 Field Survey

Barr biologist John Dodge conducted the aquatic resources delineation survey on November 3, 2025. The field survey verified the absence of any wetlands or other surface water features in the survey area. No drainages or other flowlines were recorded within the survey area.

#### 4 Conclusions

Pursuant to 19.15.34 NMAC, no drainages with an OHWM were observed within 300 feet of the Carson Unit 22-2 AST Pad. No wetlands are located within 500 feet of the Carson Unit 22-2 AST Pad. No FEMA 100-year flood zones are in the survey area.

Based on the regulatory framework (Section 1), evaluation of the survey area, and the USACE Albuquerque District's current policies regarding jurisdictional determinations, it is Barr's professional opinion that under the current CWA rule, there are no features present in the survey area that would be considered jurisdictional WOTUS.

These conclusions are based on Barr's professional opinion. The USACE has the final regulatory authority to determine the presence and extent of jurisdictional WOTUS. The NMOCD has the final regulatory authority for determining the presence of continuously flowing watercourses, significant watercourses, or wetlands, as well as their boundaries, for the purposes of permitting and registration applicable to 19.15.34 NMAC.

#### 5 References

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- USACE. 2005. Regulatory Guidance Letter No. 05-05, Ordinary High Water Mark Identification. December 7, 2005.

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To: Casey Haga, Enduring Resources IV, LLC

From: John Dodge

Subject: Aquatic Resources Delineation

Date: November 13, 2025

Page: 5

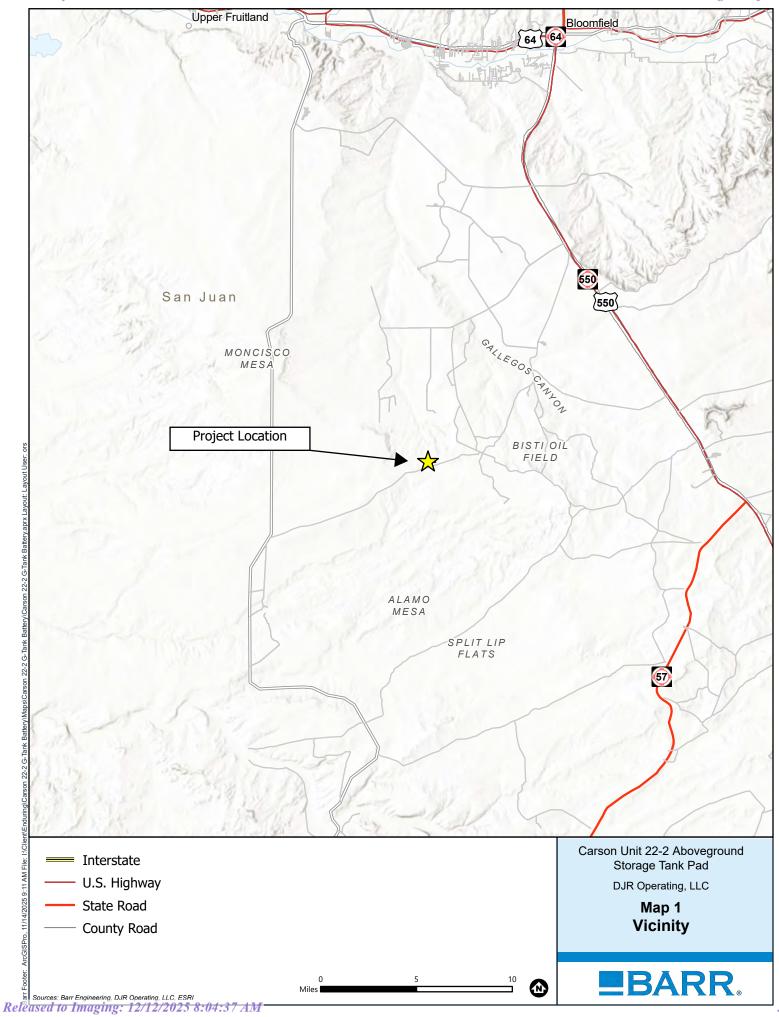
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- U.S. Environmental Protection Agency (EPA). 2025. Current Implementation of Waters of the United States. Available at: <a href="https://www.epa.gov/wotus/current-implementation-waters-united-states">https://www.epa.gov/wotus/current-implementation-waters-united-states</a>. Accessed July 2025.
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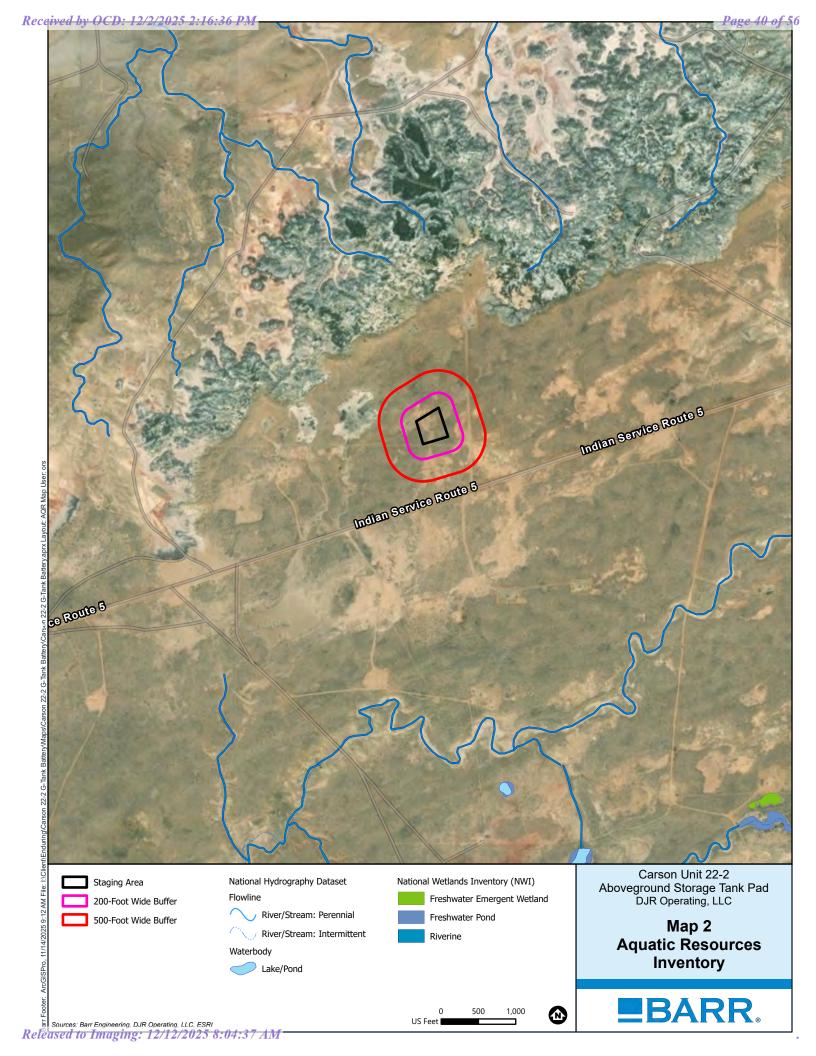




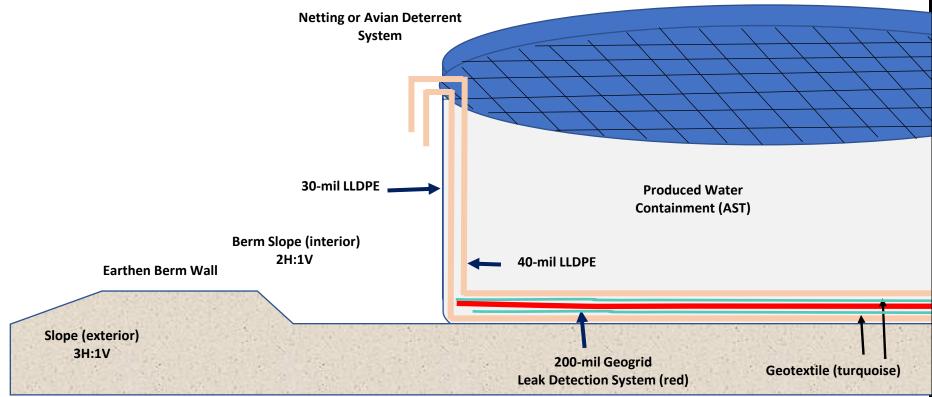
**Attachment A** 

Maps





# EXHIBIT G. MANUFACTURER'S SPECIFICATIONS



## Description of Leak Detection System

- 40-mil LLDPE comprise primary liner and 30-mil LLDPE comprise the secondary liner
- 200-mil geogrid drainage layer lies between the primary and secondary liner per Plate 2
- Geotextile between the geogrid and each liner
- > 3-inch deep sump excavated on down slope side of AST per Sump Design Drawing
- A small hose runs from the collection sump to top of AST via tube (see Section D)
- Every week, a portable self-priming peristaltic pump connects to the leak detection system.
- The self-priming pump discharge hose runs back into the AST, on top of the primary liner
- If fluid is detected, it is tested for conductance to determine the origin of the water (i.e. produced water or condensation)

R.T. Hicks Consultants Albuquerque, NM	Design Sketch	Plate 1
	Well Water Solutions	May-21

Use laser level to determine slope of pad and low point of AST

200 mil geogrid placed

above 8-oz geotextile and 30-mil secondary liner inside of AST after set up, before install of primary liner below 40-mil primary liner

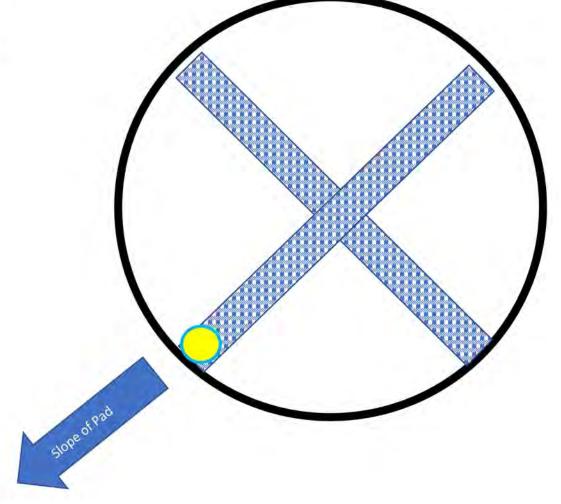
8-oz geotextile is placed

over the 30-mil LLDPE liner inside the steel AST ring under the 40-mil primary liner inside the AST

Sump at lowest point of the AST set up



Sump Location



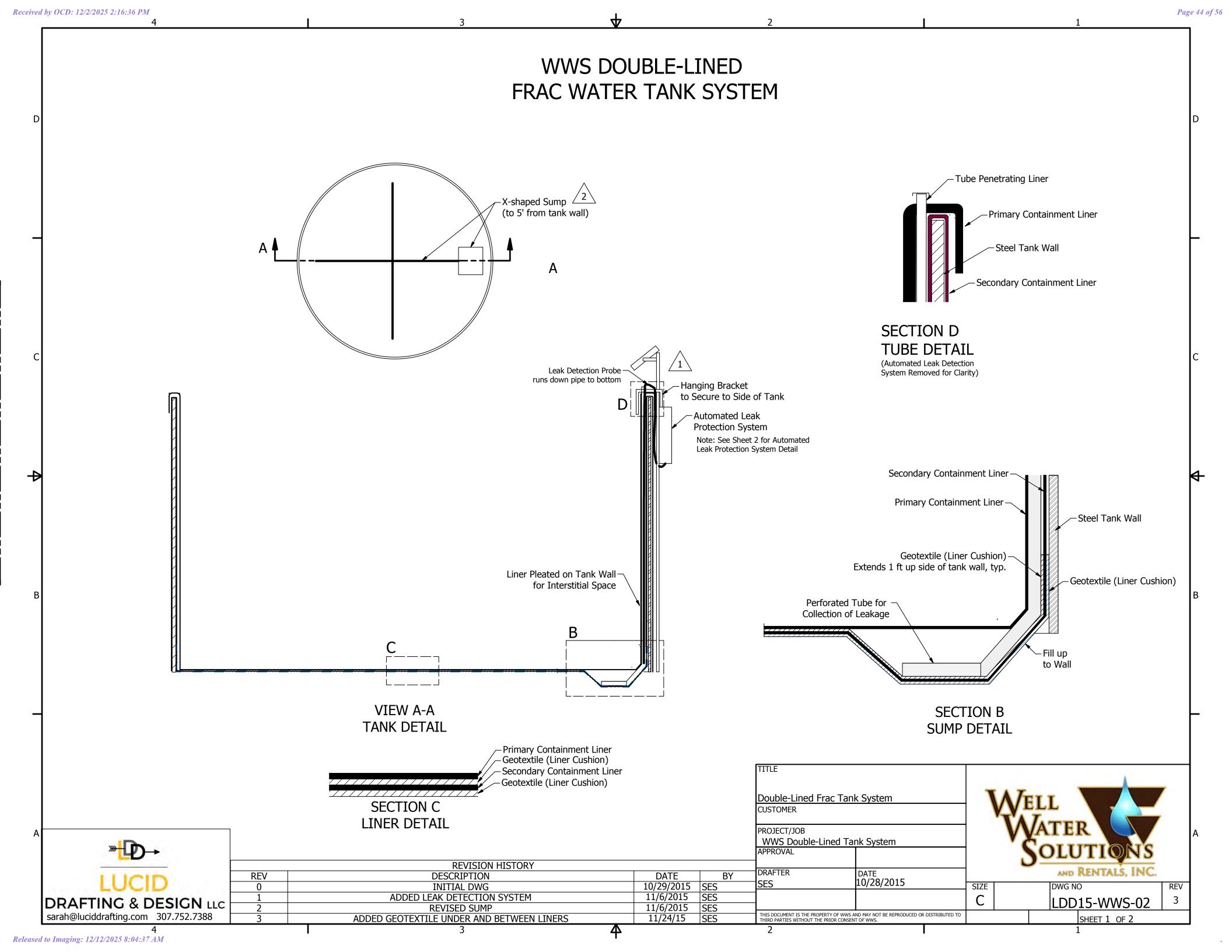
0	50	100

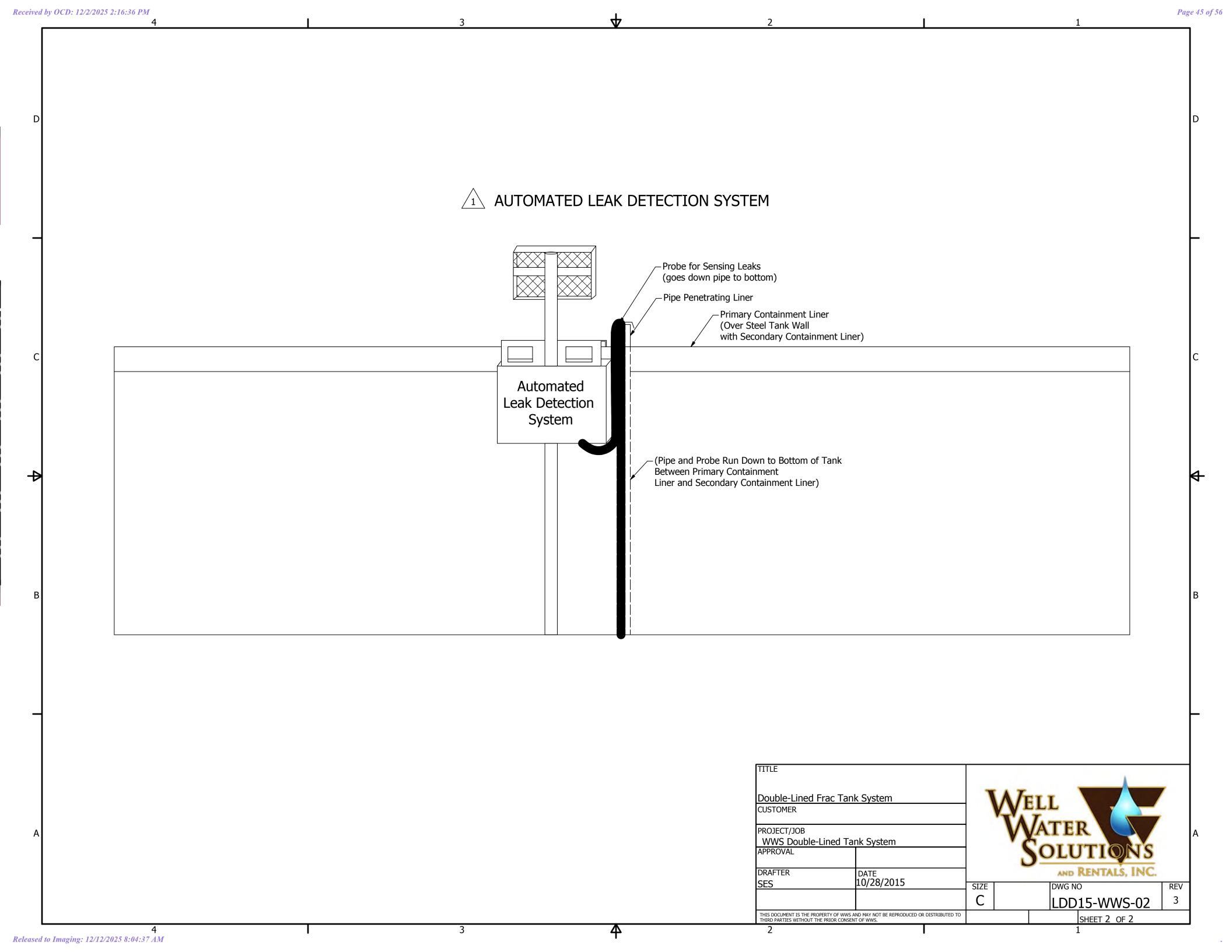
R.T. Hicks Consultants	Layout of Geogrid Drainage Mat		
Albuquerque, NM	WWS - New Mexico Produced Water Set Up		

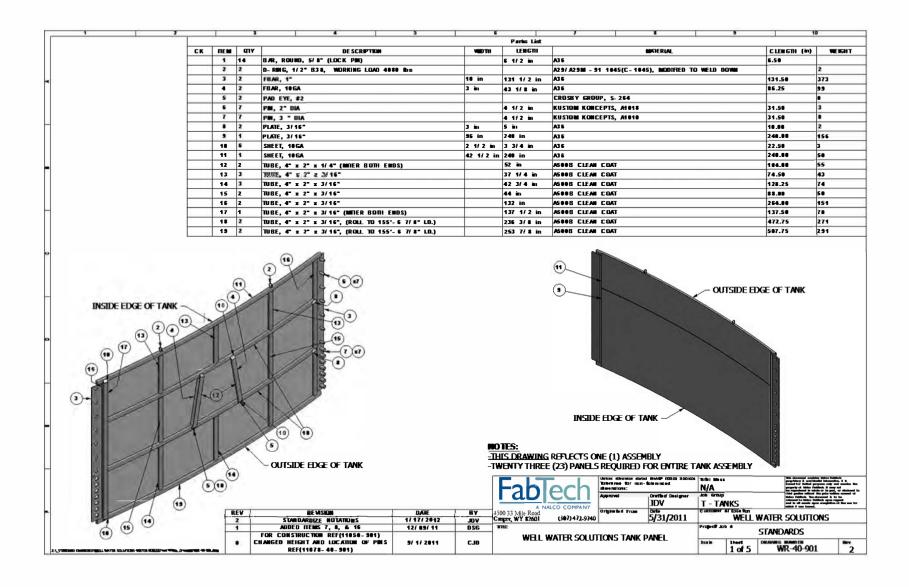
vvv3 - New Mexico Floduced vvater Set Op

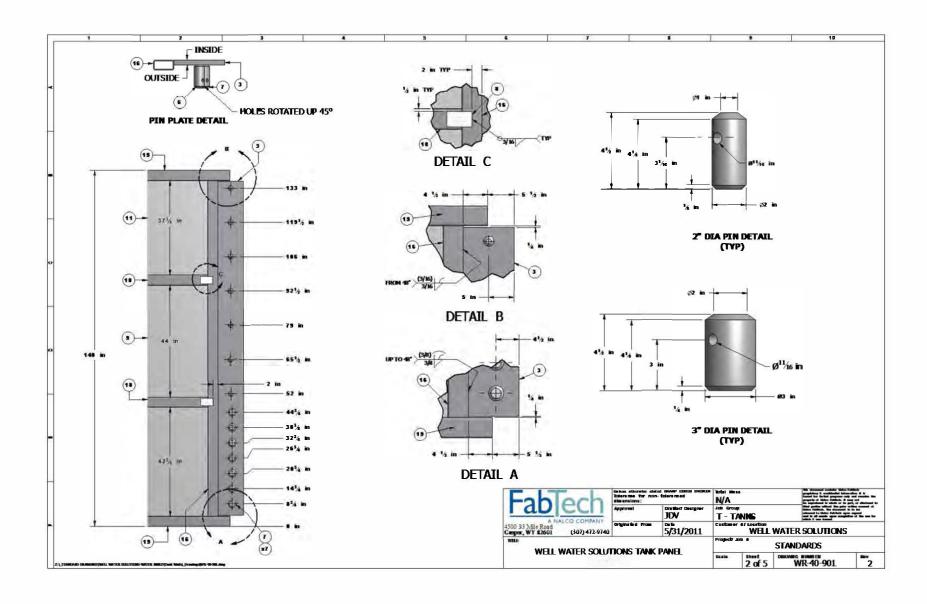
Plate 1

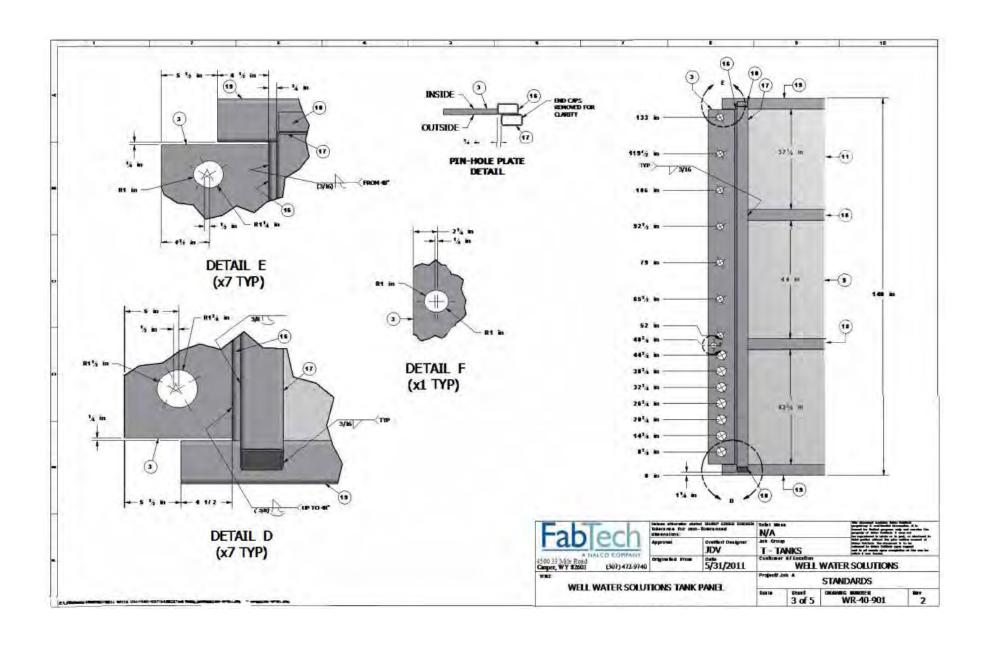
June 2021

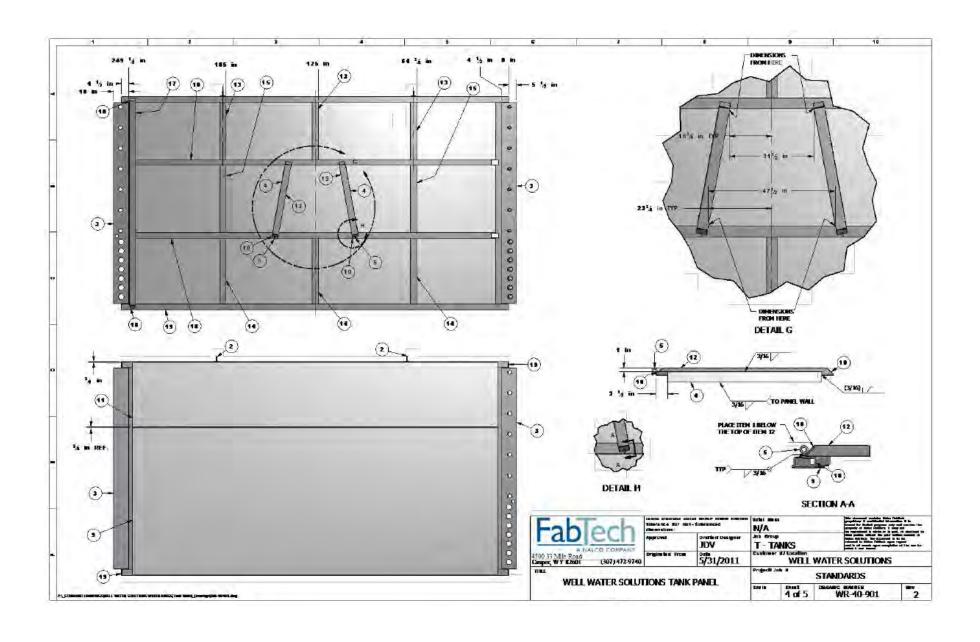


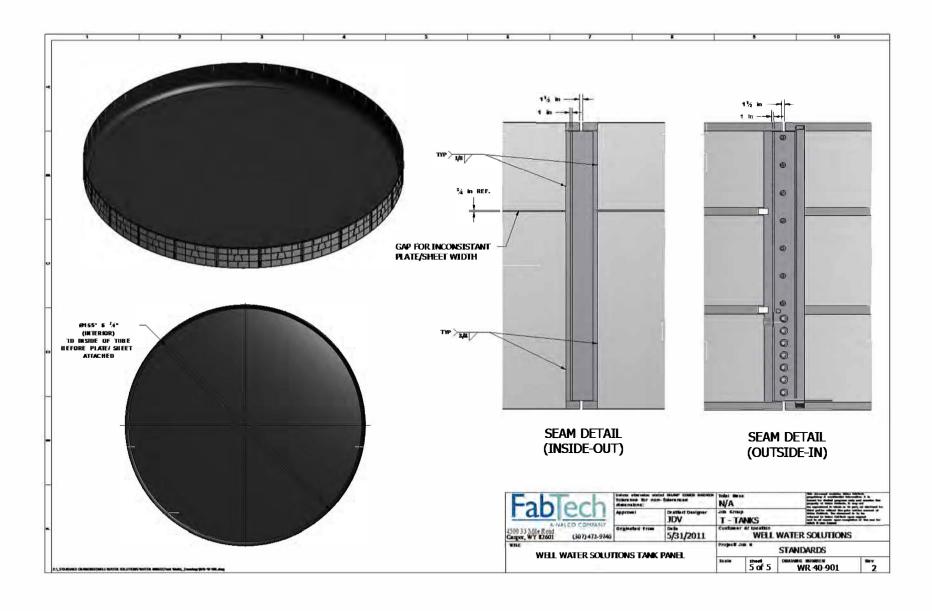














# **TANK SIZE CHART**

TANK SIZE BBLS	PANEL COUNT	INSIDE DIAMETER (FEET)	VOLUME BBLS	BBLS/INCH	SECONDARY CONTAINMENT (ADD 2 PANELS)	SECONDARY CONTAINMENT DIAMETER	TOTAL FEET OF CONTAINMENT
6,000	9	60' 2"	6,090	43.5	11	75'	234'
10,000	12	81' 2"	10,753	76.8	14	95'	298'
13,000	13	87' 10-5/8"	12,609	90.1	15	101'	318'
17,000	15	101.4285	16,800	120	17	115'	361'
20,000	16	108' 2"	19,115	136.53	18	122'	384'
22,000	17	114' 11-7/16"	21,564	154.03	19	135'	426'
27,000	19	128' 6-1/4"	26,954	192.53	21	142'	446"
30,000	20	135' 3-3/8"	29,867	213.35	22	149'	468'
33,000	21	142' 0-9/16"	32,928	235.2	23	156'	489'
36,000	22	148' 9-11/16"	36,139	258.14	24	163'	510'
40,000	23	155' 6-7/8"	39,499	282.14	25	170'	532'
43,000	24	162' 4-1/16"	43,008	307.2	26	176'	553'
47,000	25	169' 1-3/16"	46,667	333.34	27	183'	574'
50,000	26	175' 10-5/16"	50,475	360.54	28	190'	595'
55,000	27	182' 7-9/16"	54,433	388.8	29	196'	617'
60,000	28	189' 4-11/16"	58,539	418.14	30	203'	638'
62,500	29	196' 1/16"	62,500	446.43	31	210'	658'
67,000	30	202' 10 6/16"	66,885	477.75	32	216'	678'
72,000	31	209' 7-7/16"	71,705	512.18	33	223'	701'
77,000	32	216' 4-9/16"	76,405	545.75	34	230'	722'
81,000	33	223' 1-11/16"	81,254	580.39	35	237'	744'

# EXHIBIT H. VARIANCE REQUESTS

#### ENDURING RESOURCES IV LLC

6300 S Syracuse Way Centennial, CO 80111 Field Office: 505.636.9720 | Main Office: 303.573.1222

Enduring Resources IV, LLC Carson Unit 22-2 AST Pad Recycling Containment and Recycling Facility Variance Request to 19.15.34 NMAC

New Mexico Oil Conservation Division Attn: Victoria Venegas

Enduring Resources is requesting variances to the below listed items as outlined in 19.15.34 NMAC. This Recycling Containment/Facility will consist of a self-contained free-standing structure 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:

Inside/Outside Levee Slopes: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(2) which applies to a lined earthen pit. The containment is an AST not an in-ground pond; 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 (A)(2) NMAC.

**Liner Anchoring:** Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(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 containment panels. We believe this will provide equal or better protection than the requirements listed in 19.15.34.12 (A)(3) NMAC.

**Primary Liner:** Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(4) which applies to the thickness of the primary liner. Enduring Resources proposes the use of a 40-mil LLDPE primary liner and 30-mil LLPDE secondary liner. The proposed variance will provide equal or better protection of fresh water, public health and the environment, as the proposed liner meets all other requirements of NMAC 19.15.34.12 (A)(4) and meets or exceeds the EPA SW-846 method 9090A or subsequent relevant publication.

Fencing: Enduring Resources requests a variance to NMAC 19.15.34.12 (D)(1) and (2) which applies to fencing or enclosing the containment. With the recycling containment being an AST with 12-foot wall height, entrance to containment would have to be intentional. There is no risk of accidental entrance into containment by wildlife or the public. The site will be maintained to prevent harm to wildlife and the public. The freestanding above grade AST will provide equal or better protection to public health and the environment, as the fencing requirements of NMAC 19.15.34.12 (D)(1) and (2).

Thank you,

Casey Haga

Regulatory Specialist Enduring Resources, LLC.

970.769.8814 - Cell

#### Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD

Sent: Friday, December 12, 2025 8:00 AM

**To:** Heather Huntington

**Subject:** 3RF-96 - CARSON UNIT 22-2 AST PAD [FVV2534542741]

**Attachments:** C-147 3RF-96 - CARSON UNIT 22-2 AST PAD [FVV2534542741] 12.10.2025.pdf

#### 3RF-96 - CARSON UNIT 22-2 AST PAD [FVV2534542741]

Good morning Ms. Huntington.

NMOCD has reviewed the recycling containment permit application and related documents, submitted by [371838] DJR OPERATING, LLC on 12/02/2025, Application ID **531242**, for 3RF-96 - CARSON UNIT 22-2 AST PAD [FVV2534542741] in F-22-25N-12W, San Juan County, New Mexico. [371838] DJR OPERATING, LLC requested variances from 19.15.34 NMAC for 3RF-96 - CARSON UNIT 22-2 AST PAD [FVV2534542741].

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 variance to 19.15.34.12.A.(4) NMAC for the installation on the AST containment of a 40-mil non-reinforced LLDPE primary liner and a 30-mil LLPDE secondary liner is approved.
- [371838] DJR OPERATING, LLC requests a variance to NMAC 19.15.34.12 (D)(l) and (2) which applies to fencing or enclosing the containment. The freestanding 12-foot wall height above grade ASTs will provide equal or better protection to public health and the environment, as the fencing requirements of NMAC 19.15.34.12 (D)(l) and (2). This variance is approved.

The form C-147 and related documents for 3RF-96 - CARSON UNIT 22-2 AST PAD [FVV2534542741] are approved with the following conditions of approval:

- 19.15.34.3 STATUTORY AUTHORITY: 19.15.34 NMAC is adopted pursuant to the Oil and Gas Act, Paragraph (15) of Subsection B of Section 70-2-12 NMSA 1978, which authorizes the division to regulate the disposition, handling, transport, storage, recycling, treatment and disposal of produced water during, or for re-use in, the exploration, drilling, production, treatment or refinement of oil or gas in a manner that protects public health, the environment and fresh water resources and Paragraph (21) of Subsection B of Section 70-2-12 NMSA 1978 which authorizes the regulation of the disposition of nondomestic wastes from the exploration, development, production or storage of crude oil or natural gas. [19.15.34.3 NMAC Rp, 19.15.34.3 NMAC, 3/31/2015; A, 10/13/2020]
- 3RF-96 CARSON UNIT 22-2 AST PAD [FVV2534542741] is approved for five years of operation from the
  date of permit application of 12/02/2025. 3RF-96 CARSON UNIT 22-2 AST PAD [FVV2534542741] permit
  expires on 12/02/2030. If [371838] DJR OPERATING, LLC wishes to extend operations past five years, an
  annual permit extension request must be submitted using an OCD form C-147 through OCD Permitting by
  11/02/2030.
- 3RF-96 CARSON UNIT 22-2 AST PAD [FVV2534542741] will consist of one above ground storage tank (AST) of 60,000 barrels of capacity. The AST containment will be surrounded by an Earthen Berm Wall as shown in Exhibit G Plate 1.
- The recycling facility will consist of up to (30) 400 bbl vertical frac tanks with a consolidated volume of 12,000 barrels to treat (mechanical and chemical reconditioning process) produced water for reuse.

- [371838] DJR OPERATING, LLC must submit a "recycling facility" modification in the event the number of frac tanks exceeds the approved number of thirty (30) 400 bbl vertical frac tanks.
- Water reused and recycled from 3RF-96 CARSON UNIT 22-2 AST PAD [FVV2534542741] is limited to wells owned or operated by [371838] DJR OPERATING, LLC per 19.15.34.15(A)(2) NMAC.
- [371838] DJR OPERATING, LLC shall construct, operate, maintain, close, and reclaim 3RF-96 CARSON UNIT 22-2 AST PAD [FVV2534542741] in compliance with NMAC 19.15.34 NMAC.
- [371838] DJR OPERATING, LLC shall notify OCD, through OCD Permitting when construction of 3RF-96 CARSON UNIT 22-2 AST PAD [FVV2534542741] commences.
- [371838] DJR OPERATING, LLC shall notify NMOCD through OCD Permitting when recycling operations commence and cease at 3RF-96 CARSON UNIT 22-2 AST PAD [FVV2534542741].
- A minimum 3-feet freeboard must be maintained at 3RF-96 CARSON UNIT 22-2 AST PAD [FVV2534542741] at all times during operations.
- If less than 20% of the total fluid capacity is utilized every six months, beginning from the first withdrawal, operations of the 3RF-96 CARSON UNIT 22-2 AST PAD [FVV2534542741] are considered ceased and a notification of cessation of operations should be sent electronically to OCD Permitting. A request to extend the operations, not to exceed six months, may be submitted using a C-147 form through OCD Permitting. If after the 6-month extension period, the 3RF-96 CARSON UNIT 22-2 AST PAD [FVV2534542741] is not utilized at a minimum of 20% fluid capacity, no additional extensions would be granted, and the operator would be directed to remove all fluids and proceed with the closure requirements.
- [371838] DJR OPERATING, LLC shall submit monthly reports of recycling and reuse of produced water, drilling fluids, and liquid oil field waste on OCD form C-148 via OCD Permitting even if there is zero activity.
- [371838] DJR OPERATING, LLC shall inspect the recycling containment and associated leak detection systems weekly while it contains fluids. The operator shall maintain a current log of such inspections and make the log available for review by the division upon request according to 19.15.34.13.A.
- [371838] DJR OPERATING, LLC shall comply with 19.15.29 NMAC Releases in the event of any release of produced water or other oil field waste at 3RF-96 CARSON UNIT 22-2 AST PAD [FVV2534542741].
- According to Table 1 of NMAC 19.15.34.14, the closure criteria for 3RF-96 CARSON UNIT 22-2 AST PAD [FVV2534542741] is for groundwater depth of 51 to 100 feet.

Please reference number 3RF-96 - CARSON UNIT 22-2 AST PAD [FVV2534542741] in all future communications. Best regards,

Victoria Venegas • Senior Environmental Scientist EMNRD - Oil Conservation Division 506 W. Texas Ave. Artesia, NM 88210 575.909.0269 | Victoria.Venegas@emnrd.nm.gov Sante Fe Main Office Phone: (505) 476-3441

General Information Phone: (505) 629-6116

Online Phone Directory https://www.emnrd.nm.gov/ocd/contact-us

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

CONDITIONS

Action 531242

#### **CONDITIONS**

Operator:	OGRID:
ENDURING RESOURCES, LLC	372286
6300 S Syracuse Way	Action Number:
Centennial, CO 80111	531242
	Action Type:
	[C-147] Water Recycle Long (C-147L)

#### CONDITIONS

Created By	Condition	Condition Date
vvenegas	3RF-96 - CARSON UNIT 22-2 AST PAD [FVV2534542741] permit expires on 12/02/2030. If [371838] DJR OPERATING, LLC wishes to extend operations past five years, an annual permit extension request must be submitted using an OCD form C-147 through OCD Permitting by 11/02/2030. 371838] DJR OPERATING, LLC shall construct, operate, maintain, close, and reclaim 3RF-96 - CARSON UNIT 22-2 AST PAD [FVV2534542741] in compliance with NMAC 19.15.34 NMAC. • [371838] DJR OPERATING, LLC shall comply with 19.15.29 NMAC Releases in the event of any release of produced water or other oil field waste at 3RF-96 - CARSON UNIT 22-2 AST PAD [FVV2534542741].	12/12/2025