

NM1-09

AGUA MOSS, LLC

Landfarm

MINOR

MODIFICATION AND

APPROVAL

September 24, 2026



Ansell Environmental Consulting Services, LLC

September 18, 2026

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

RE: Treatment Zone Closure - Extension Request
Agua Moss Pond, Stabilization Unit, and Landfarm
Surface Waste Management Facility
Permit NM1-9
Facility ID fEEM0112335946
SW/4 NW/4 Section 2, Township 29 North, Range 12 West, NMPM
San Juan County, New Mexico

To whom it may concern:

On behalf of Agua Moss, Ansell Environmental Consulting Services (AECS) has prepared this Formal Extension Request seeking the division's approval of additional time to meet treatment zone closure standards at the Agua Moss Pond, Stabilization Unit, and Landfarm. Under Permit NM1-9 Closure Condition 2, closure is subject to Oil Conservation Division (OCD) requirements in effect at the time of closure, and any other applicable local, state, and/or federal regulations. The current statutory authority, 19.15.36 New Mexico Administrative Code (NMAC), was adopted in 2007, as amended in 2008, and per 19.15.36.3 NMAC, is the standing authority for surface waste management facilities and grants the division jurisdiction and authority over the disposition of wastes resulting from oil and gas operations. Under section 19.15.36.15.G(2) NMAC, *'if the operator cannot achieve the closure performance standards specified in Subsection F of 19.15.36.15 NMAC within five years or as extended by the division, then the operator shall remove contaminated soils from the landfarm cell and properly dispose of it at a division-permitted landfill, or reuse or recycle it in a manner approved by the division'*.

In June 2026, AECS collected regulatory compliance samples required for semiannual and five-year vadose zone monitoring and semiannual treatment zone monitoring under 19.15.36.15 NMAC. All vadose zone concentrations were below site-specific criteria, with no evidence of a release. Results from the first semi-annual vadose zone monitoring event will be included in the annual report. The *Five-Year Vadose Zone Monitoring Report* was submitted and approved for the record. As for the treatment zone, of the three areas sampled (Cell 1, Cell 2S, and Cell 2N) only Cell 2N exceeded treatment zone standards for total petroleum hydrocarbons (TPH). One sample exceeded the applicable standard for combined gasoline range organics (GRO) and diesel range organics (DRO), and two samples exceeded the total TPH standard based on combined GRO, DRO, and oil range organics (ORO) concentrations.

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Durango CO. 81301
970-749-0124
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Ansell Environmental Consulting Services, LLC

Based on the treatment zone results, Agua Moss would like to request a closure extension to December 31, 2027, to continue remediating treatment zone soils as required under 19.15.36.18.C(4)(a) NMAC. A workplan to address the treatment zone exceedances through enhanced bioremediation will be submitted under separate cover. Agua Moss respectfully requests this extension and maintains that this proposed course of action will remain equally protective of fresh water, human health, and the environment.

If you have any questions or concerns regarding the information provided in this request, please contact AECS at 970-946-9869.

Sincerely,

Emilee Skyles

Emilee Skyles
Project Manager

Brian Skyles

Brian Skyles
Program Manager

Santa Fe Main Office
Phone: (505) 476-3441
General Information
Phone: (505) 629-6116

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

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

For State Use Only:

Form C-137A
Revised October 11, 2022

File via OCD Permitting with any
associated permit fee

APPLICATION FOR MINOR MODIFICATION TO SURFACE WASTE MANAGEMENT FACILITY

1. Operator: Agua Moss LLC
Address: PO Box 600 Farmington, NM 87499
Contact Person: Philana Thompson Phone: 5054861171
2. Location: NW /4 SW /4 Section 2 Township 29N Range 12W
3. Provide permit number NM19
4. Attach a description of the proposed minor modification(s) to the surface waste management facility.
5. If the Minor Modification involves changes to a treatment, remediation, or disposal method, attach engineering designs, certified by a registered professional engineer, including technical data on the design elements of each applicable treatment, remediation, and disposal method and detailed designs of surface impoundments.
6. If the Minor Modification will affect the closure and post-closure plan, attach an updated closure and post closure plan, including a responsible third party contractor's cost estimate, sufficient to close the surface waste management facility in a manner that will protect fresh water, public health, and the environment (the closure and post closure plan shall comply with the requirements contained in 19.15.36.18 NMAC).
7. If the Minor Modification will affect the contingency plan, attach an updated contingency plan that complies with the requirements of Subsection N of 19.15.36.13 NMAC and with NMSA 1978, Sections 12-12-1 through 12-12-30, as amended (the Emergency Management Act).
8. If the Minor Modification will affect the control of run-on or run-off water at the site, attach an updated plan to control run-on water onto the site and run-off water from the site that complies with the requirements of Subsection M of 19.15.36.13 NMAC.
9. If the Minor Modification will affect the best management practice plan, attach a best management practice plan to ensure protection of fresh water, public health, and the environment.
10. The division may require additional information to demonstrate that the surface waste management facility's operation will not adversely impact fresh water, public health, or the environment and that the surface waste management facility will comply with division rules and orders.

11. CERTIFICATION

I hereby certify that the information submitted with this application is true, accurate, and complete to the best of my knowledge and belief.

Name: Philana Thompson

Signature: 

E-mail Address: pthompson@merrion.bz

Title: Regulatory Compliance Specialist

Date: 9/22/2026

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan-Grisham
Governor

Erin Taylor
Acting Cabinet Secretary

Ben Shelton
Deputy Secretary

Albert C.S. Chang
Division Director
Oil Conservation Division



BY ELECTRONIC MAIL

September 24, 2026

Ms. Philana Thompson
Agua Moss, LLC
PO Box 600
Farmington, NM 87499
pthompson@merrion.bz

**RE: Treatment Zone Closure - Extension Request
Agua Moss Pond, Stabilization Unit, and Landfarm
Surface Waste Management Facility
Permit NM1-9
Facility ID fEEM0112335946
SW/4 NW/4 Section 2, Township 29 North, Range 12 West, NMPM
San Juan County, New Mexico**

Dear Ms. Thompson:

The Oil Conservation Division (OCD) has completed a review of Agua Moss, LLC's (AM) minor modification request, dated September 18, 2026. The request is for a closure extension to December 31, 2027, to continue remediating treatment zone soils as required under 19.15.36.18.C.(4)(a) NMAC. The OCD hereby grants approval of the extension request with the following conditions:

- 1) Up to the extension deadline of December 31, 2027, AM shall continue to monitor the treatment zone until it has demonstrated that it has achieved the treatment zone closure performance standards of 19.15.36.15.F. NMAC and of the OCD approved April 28, 2026, Minor Modification (MM),
- 2) Vadose zone monitoring must continue in accordance with 19.15.36.15.E. NMAC and the MM until landfarm cells have been approved for closure.

- 3) In accordance with 19.15.36.15.G.(2) NMAC and 19.15.36.18.C.(4)(c) NMAC, if AM cannot achieve the closure performance standards specified in 19.15.36.15.F. NMAC and the MM by the extension of December 31, 2027, then AM shall remove contaminated soils from the landfarm cells and properly dispose of them at a division-permitted surface waste management facility, or reuse or recycle them in a manner approved by the division, and the landfarm remediation area shall be filled in with native soil and re-vegetated in accordance with 19.15.36.18.A(6) NMAC.

If there are any questions or concerns regarding this matter, please do not hesitate to contact me at (505) 549-5583 or Joseph.Kennedy@emnrd.nm.gov.

Respectfully,

A handwritten signature in black ink, appearing to read "Joe Kennedy", with a stylized flourish at the end.

Joe Kennedy • Senior Environmental Scientist

Sante Fe Main Office
Phone: (505) 476-3441

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Phone: (505) 629-6116

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

CONDITIONS

Action 626835

CONDITIONS

Operator: AGUA MOSS, LLC P.O. Box 600 Farmington, NM 87499	OGRID: 247130
	Action Number: 626835
	Action Type: [C-137] SWMF Minor Modification (C-137A)

CONDITIONS

Created By	Condition	Condition Date
joseph.kennedy	Please see letter emailed to Ms. Thompson of Agua Moss on Sept. 24, 2026	9/25/2026