



June 6, 2025

**New Mexico Oil Conservation Division**

506 W. Texas Ave  
Artesia, NM 88210

RE: **North Brushy Draw Federal Com 35 #004H - Closure Request Report**

Incident Number: nAPP2503429238

GPS: 32.0794067°, -103.955978°

Eddy County, New Mexico

ESRR Project No. 2836/ VP-19447

To Whom It May Concern:

Earth Systems Response and Restoration (ESRR), presents the following Closure Request Report (CRR) to document the findings during a recent liner inspection conducted at North Brushy Draw Federal Com 35 #004H (Site) following an inadvertent release of produced water within a lined secondary containment (LSC). Based on initial release response and liner inspection activities, WPX Energy Permian (WPX) is requesting No Further Action (NFA) at the Site.

**Site Location**

The Site is located in Unit N, Section 35, Township 25 South, Range 29 East, in Eddy County, New Mexico (32.0794067°, -103.955978°) and is associated with oil and gas exploration and production operations on Federal Land managed by the Bureau of Land Management (BLM) (**Figure 1**).

**Incident Description & Background**

On February 1, 2025, a thread on a water dump line failed, releasing approximately 10 barrels (bbls) of produced water within a LSC (**Figure 2**). The release was fully contained within the LSC with no fluids escaping to the production pad or adjacent native soils. A vacuum truck was immediately dispatched to the Site recovering the 10 bbls of produced water.

Notice was given to the New Mexico Oil Conservation Division (NMOCD) on February 3, 2025, by Notification of Release (NOR) and subsequently assigned Incident Number nAPP2503429238. A Corrective Action Form C-141 (Form C-141) was later submitted and approved by the NMOCD on February 13, 2025.

On February 10, 2025, WPX submitted a 48-hour Notification of Liner Inspection (Form C-141 L) for February 13, 2025. On February 12, 2025, NMOCD was notified that the inspection would be rescheduled due to residual materials needing to be removed from the LSC.

North Brushy Draw Federal Com 35 #004H - Closure Request Report  
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On April 14, 2025, WPX submitted an additional Form C-141 L for April 16, 2025. On April 16, 2025, ESRR was notified that there was a miscommunication with the WPX contractor and the LSC had not been cleaned of residual materials as anticipated. NMOCD was immediately notified that the inspection would require an additional reschedule.

On April 29, 2025, WPX submitted a final Form C-141 L, approved by NMOCD for May 2, 2025.

On April 30, 2025, WPX requested an extension to the May 2, 2025 due date, to allow additional time for the liner inspection above and completion of this CRR. NMOCD granted the extension request on the same day and updated the due date to July 29, 2025.

### Site Characterization

ESRR characterized the Site according to Table I, Closure Criteria for Soils Impacted by a Release, of Title 19, Chapter 15, Part 29, Section 12 (19.15.29.12) of the New Mexico Administrative Code (NMAC). The following proximities were estimated:

- Between ½ and 1 mile of any continuously flowing watercourse or any other significant watercourse;
- Between ½ and 1 mile of any lakebed, sinkhole or playa lake (measured from the ordinary high-water mark);
- Between 1 and 5 miles of any occupied permanent residence, school, hospital, institution or church;
- Between 1 and 5 miles of any spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes;
- Between 1 and 5 miles of any other freshwater well or spring;
- Greater than 5 miles of any incorporated municipal boundary or a defined municipal fresh water well field covered under a municipal ordinance;
- Within 1 and 100 feet of any wetland;
- Greater than 5 miles of any subsurface mine;
- Between 1 and 100 feet of any unstable area (i.e. critical/ high/ medium karst potential); and
- Between ½ and 1 mile of a 100-year floodplain.

Receptor details used to determine the Site characterization are included in **Figure 3** and **Figure 4**. **Referenced Well Records** for the closest depth to water well are attached.

Based on the results from the desktop review, the Site is designated with medium karst potential and between 1 and 100 feet of an intermittent riverine wetland. Depth to groundwater is estimated to be greater than 100 feet below ground surface (bgs). The following Closure Criteria was applied:

| Constituents of Concern (COCs)                       | Closure Criteria <sup>‡</sup>      |
|--|------------------------------------|
| Chloride   | 600 milligram per kilogram (mg/kg) |
| Total Petroleum Hydrocarbon (TPH)                    | 100 mg/kg                          |
| Benzene  | 10 mg/kg                           |
| Benzene, Toluene, Ethylbenzene, Total Xylenes (BTEX) | 50 mg/kg                           |

<sup>‡</sup>The reclamation concentration requirements of 600 mg/kg Chloride and 100 mg/kg TPH apply to the top 4 feet of areas to be immediately reclaimed following remediation pursuant to NMAC 19.15.17.13.

TPH= Gasoline Range Organics + Diesel Range Organics + Oil Range Organics

Laboratory Analytical Methods used: Environmental Protection Agency (EPA) 300.0, EPA 8015 NM, EPA 8021 B

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## Liner Inspection

On May 2, 2025, ESRR conducted a thorough visual inspection of the LSC and found no tears, cracks, cuts, breaks, or other signs of damage, confirming no evidence of a breach to the LSC. The liner appeared to be in good condition and is performing as designed. **Photographic Documentation** of liner inspection activities is attached.

## Closure Request

Based on initial release response and liner inspection activities, WPX believes the completed remedial actions meet the requirements set forth in NMAC 19.15.29.13 regulations in order to be protective of human health, the environment, and groundwater. WPX believes NFA is warranted at the Site and respectfully requests Closure for Incident Number nAPP2503429238. If you have any questions or comments, please do not hesitate to contact Gilbert Moreno at (832) 541-7719 or [gmoreno@earthsys.net](mailto:gmoreno@earthsys.net). **NMOCD Documentation & Correspondence** are attached.

Sincerely,

### EARTH SYSTEMS RESPONSE & RESTORATION

A handwritten signature in black ink, appearing to read "Gilbert Moreno".

Gilbert Moreno  
Carlsbad Operations Manager/ Project Geologist

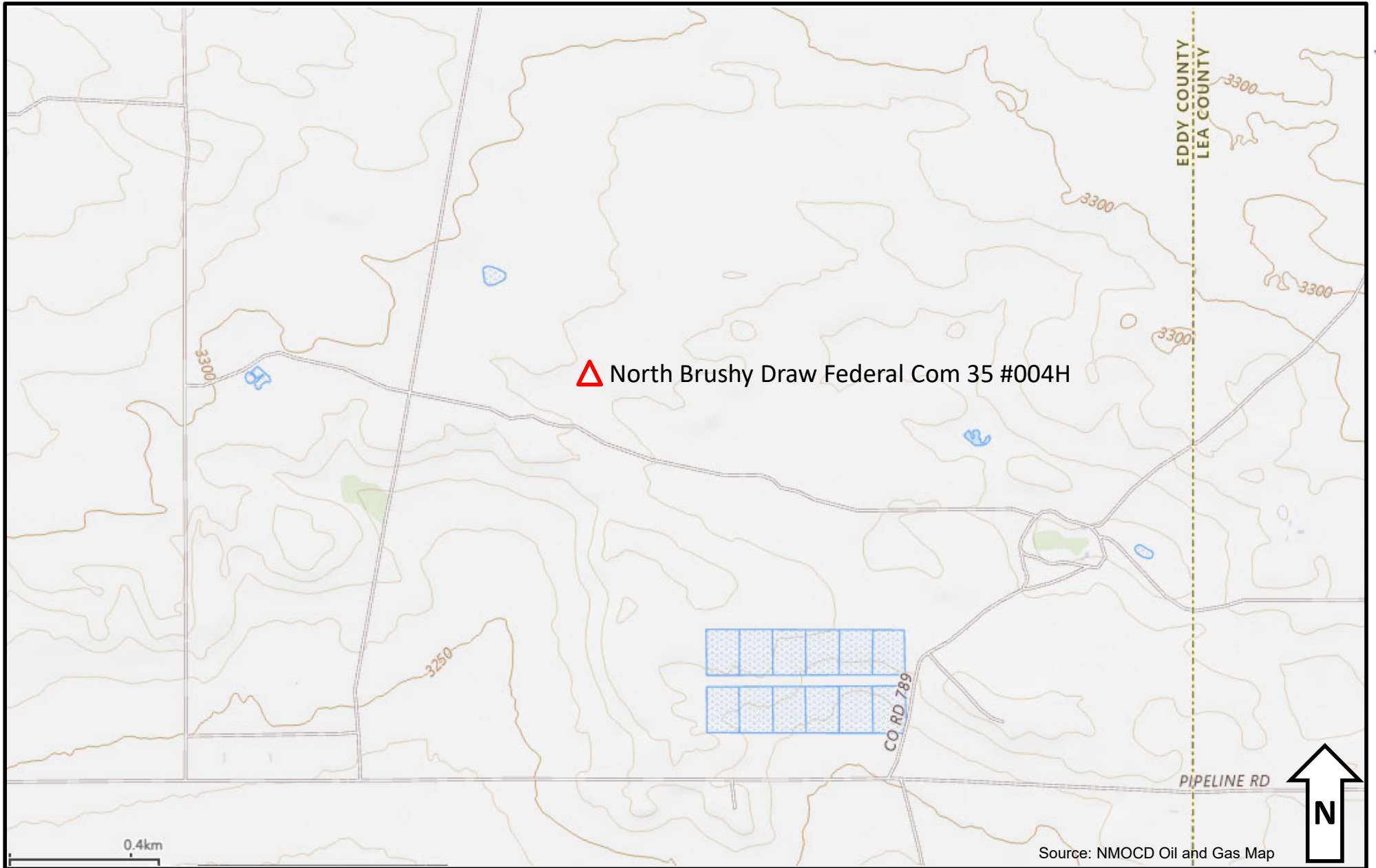
A handwritten signature in black ink, appearing to read "Kris Williams".

Kris Williams, CHMM, REM  
Principal

cc: Jim Raley, WPX Energy Permian  
Bureau of Land Management

### Attachments:

- Figure 1 - Site Map
- Figure 2 - Release Extent
- Figure 3 - Ground Water
- Figure 4 - Karst Potential
- Referenced Well Records
- Photographic Documentation
- NMOCD Documentation & Correspondence



**Figure 1 – Site Map**

WPX Energy Permian – North Brushy Draw Federal Com 35 #004H  
GPS: 32.0794067°, -103.955978°  
Eddy County, New Mexico

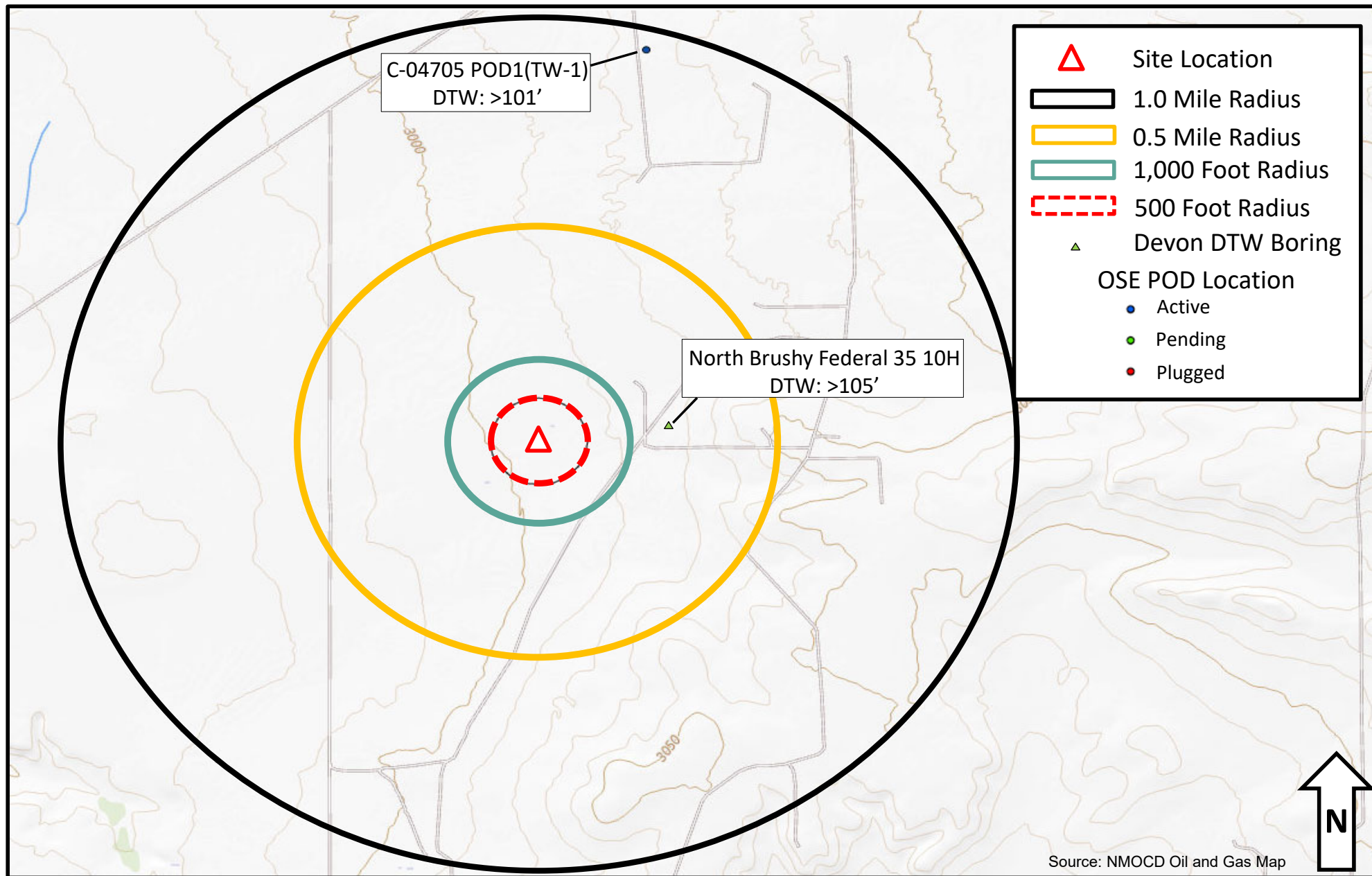






**Figure 2 – Release Extent**

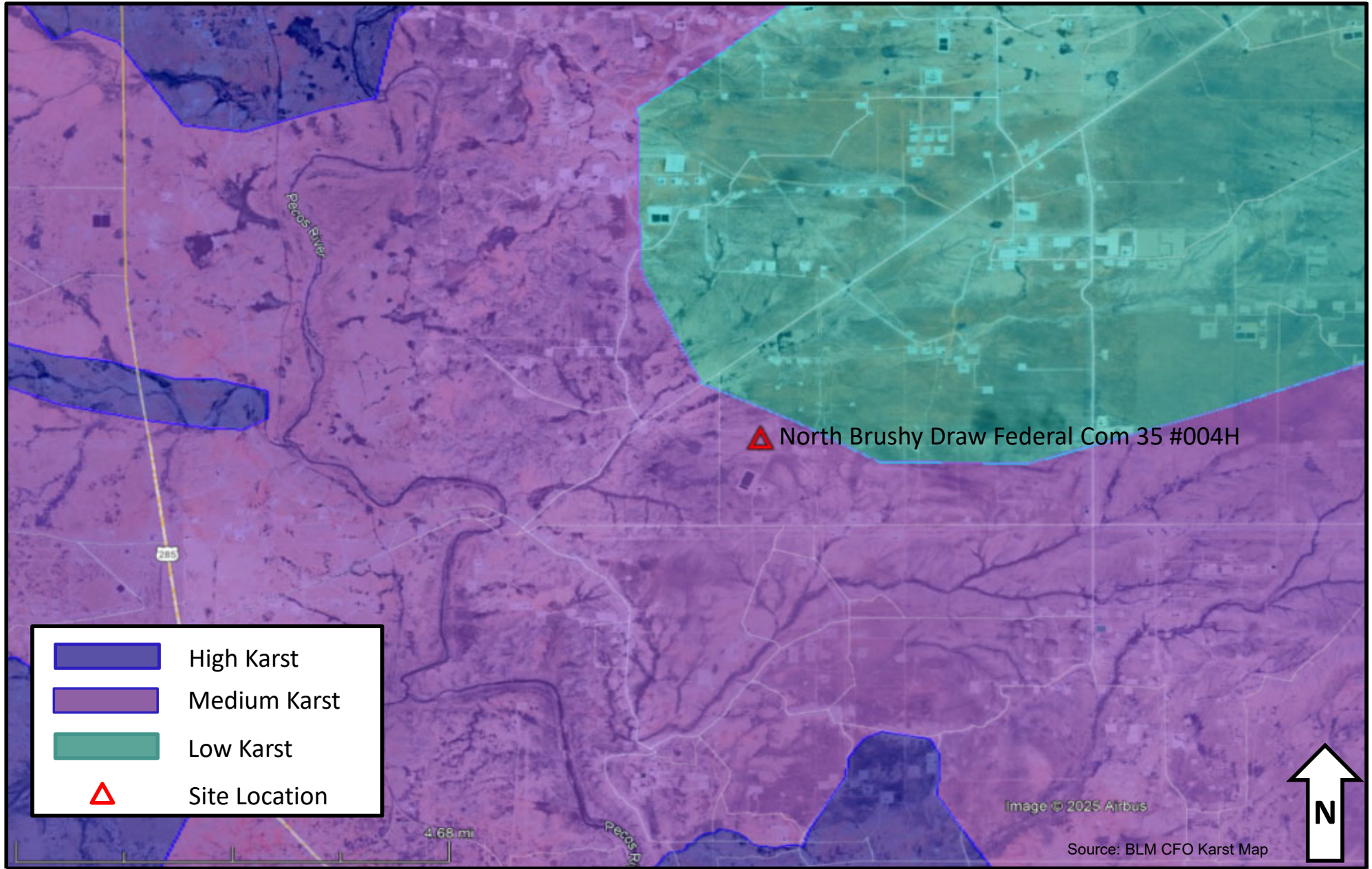
WPX Energy Permian – North Brushy Draw Federal Com 35 #004H  
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Eddy County, New Mexico



**Figure 3 – Ground Water**


WPX Energy Permian – North Brushy Draw Federal Com 35 #004H  
 GPS: 32.0794067°, -103.955978°  
 Eddy County, New Mexico





**Figure 4 – Karst Potential**

WPX Energy Permian – North Brushy Draw Federal Com 35 #004H  
GPS: 32.0794067°, -103.955978°  
Eddy County, New Mexico

|  <b>HRL<br/>COMPLIANCE<br/>SOLUTIONS</b> |               |                                       |          |                                   |          |                                      | <b>BORING LOG/MONITORING WELL COMPLETION DIAGRAM</b> |                                     |   |                 |  |  |
|---|---------------|---------------------------------------|----------|-----------------------------------|----------|--------------------------------------|--|-------------------------------------|---|-----------------|--|--|
|   |               |                                       |          |                                   |          |                                      | Boring/Well Number:<br>MW-1                          |                                     | Location:<br>North Brushy Federal 35 # 010H   |                 |  |  |
|   |               |                                       |          |                                   |          |                                      | Date:<br>12/8/2020                                   |                                     | Client:<br>WPX Energy   |                 |  |  |
| Drilling Method:<br>Air Rotary  |               | Sampling Method:<br>None              |          | Logged By:<br>J. Linn, PG         |          |                                      | Drilled By:<br>Talon LPE                             |                                     |   |                 |  |  |
| Gravel Pack Type:<br>10/20 Sand   |               | Gravel Pack Depth Interval:<br>3 Bags |          | Seal Type:<br>None                |          | Seal Depth Interval:<br>None         |  | Latitude:<br>32.079909              |   |                 |  |  |
| Casing Type:<br>PVC   |               | Diameter:<br>2-inch                   |          | Depth Interval:<br>0-100 feet bgs |          | Boring Total Depth (ft. BGS):<br>105 |  | Longitude:<br>-103.951386           |   |                 |  |  |
| Screen Type:<br>PVC   |               | Slot:<br>0.010-inch                   |          | Diameter:<br>2-inch               |          | Depth Interval:<br>100 - 105 ft      |  | Well Total Depth (ft. BGS):<br>105  |   |                 |  |  |
|   |               |                                       |          |                                   |          |                                      |  | Depth to Water (ft. BTWC):<br>> 105 |   |                 |  |  |
|   |               |                                       |          |                                   |          |                                      |  | DTW Date:<br>12/16/2020             |   |                 |  |  |
| Depth Interval (ft)   | Recovery (ft) | Plasticity                            | Moisture | Odor                              | Staining | PID (ppm)                            | USCS   | Sample ID                           | Lithology/Remarks   | Well Completion |  |  |
| 0   | NM            | L                                     | D        | N                                 | N        | NM                                   | CE   | NS                                  | Buff to pale pink caliche   |                 |  |  |
| 5   |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 10  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 15  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 20  | NM            | L                                     | D        | N                                 | N        | NM                                   | SM   | NS                                  | Tan to pale red silty sand  |                 |  |  |
| 25  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 30  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 35  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 40  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 45  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 50  | NM            | M                                     | M        | N                                 | N        | NM                                   | ML   | NS                                  | Tan to pale red sandy silt with minor medium sand   |                 |  |  |
| 55  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 60  | NM            | H                                     | M        | N                                 | N        | NM                                   | CL   | NS                                  | Tan clay with minor gravel  |                 |  |  |
| 65  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 70  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 75  | NM            | L                                     | D        | N                                 | N        | NM                                   | SP   | NS                                  | Pale red poorly graded fine sand with minor silt  |                 |  |  |
| 80  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 85  | NM            | H                                     | D/SLM    | N                                 | N        | NM                                   | CL   | NS                                  | Grey sandy lean clay with minor medium sand and minor angular gravel                          |                 |  |  |
| 90  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 95  |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
| 100   |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
|   | NM            | M/H                                   | M        | N                                 | N        | NM                                   | CL   | NS                                  | Brown with orange sandy lean clay with minor medium sand and angular gravel - TD Boring: 105' |                 |  |  |
|   |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
|   |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |
|   |               |                                       |          |                                   |          |                                      |  |                                     |   |                 |  |  |



North Brushy Draw Federal Com 35 #004H - Closure Request Report  
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GPS: 32.0794067°, -103.955978°



**PHOTO 1:** Northwestern view during initial site assessment by WPX. 2/01/2025



**PHOTO 2:** Southwestern view outside of containment during liner inspection activities. 5/02/2025

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**PHOTO 3:** Northwestern view outside of containment during liner inspection activities. 5/02/2025



**PHOTO 4:** Northeastern view outside of containment during liner inspection activities. 5/02/2025



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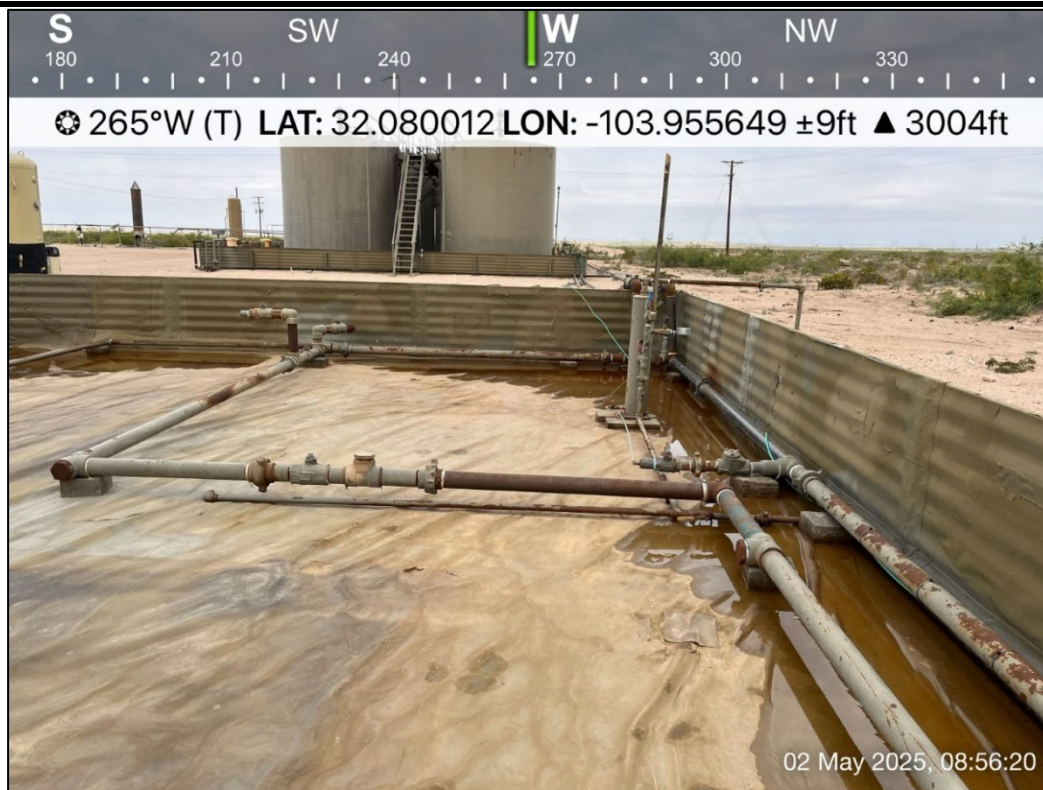
**PHOTO 5:** Southwestern view outside of containment during liner inspection activities. 5/02/2025



**PHOTO 6:** Southwestern view during liner inspection activities following pressure washing. 5/02/2025



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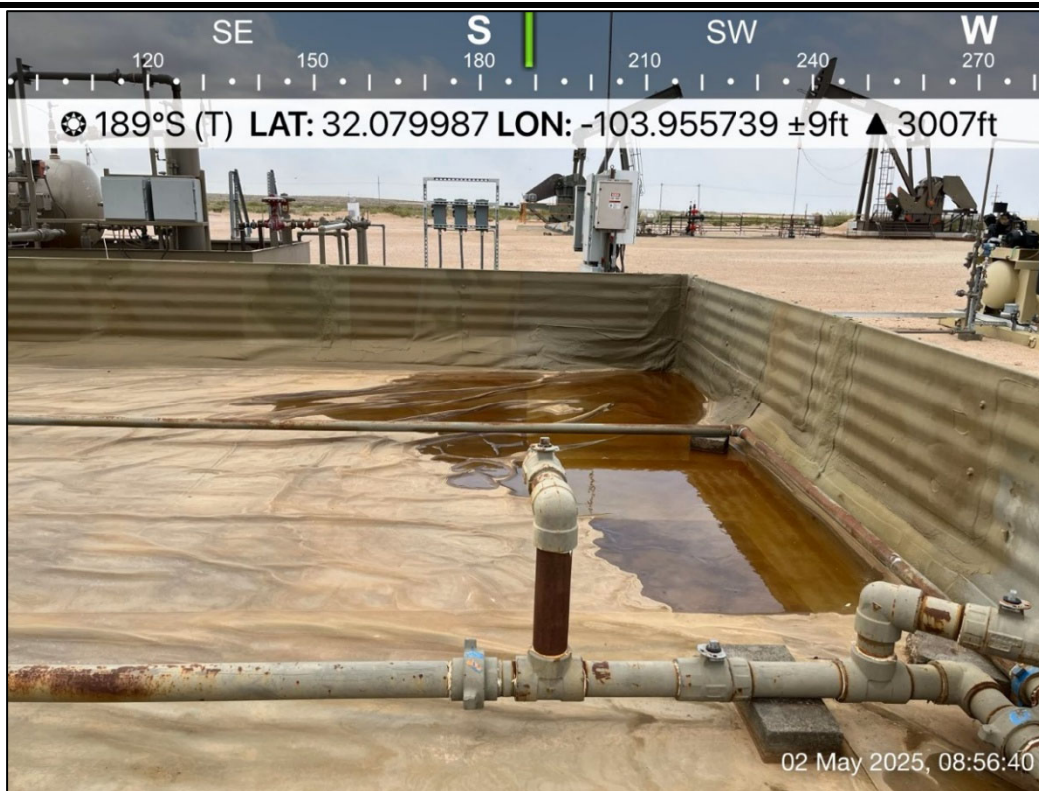


**PHOTO 7:** Southwestern view during liner inspection activities following pressure washing. 5/02/2025



**PHOTO 8:** Northwestern view during liner inspection activities following pressure washing. 5/02/2025

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**PHOTO 9:** Southwestern view during liner inspection activities following pressure washing. 5/02/2025



**PHOTO 10:** Northwestern view during liner inspection activities following pressure washing. 5/02/2025



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PHOTO 11: Northeastern view during liner inspection activities following pressure washing. 5/02/2025



PHOTO 12: Southeastern view during liner inspection activities following pressure washing. 5/02/2025



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PHOTO 13: Northwestern view during liner inspection activities following pressure washing. 5/02/2025



PHOTO 14: Northwestern view during liner inspection activities following pressure washing. 5/02/2025



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PHOTO 15: Southwestern view during liner inspection activities following pressure washing. 5/02/2025



PHOTO 16: Southeastern view of location sign. 5/02/2025



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Re: [EXTERNAL] Re: Liner Inspection Notification- Incident Number nAPP2503429238

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**From** Gilbert Moreno <gmoreno@earthsys.net>

**Date** Wed 2/12/2025 1:58 PM

**To** Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov>

**Cc** Raley, Jim <Jim.Raley@dmn.com>; Hamlet, Robert, EMNRD <Robert.Hamlet@emnrd.nm.gov>; Bratcher, Michael, EMNRD <mike.bratcher@emnrd.nm.gov>

No problem!

Yes, I made Jim aware before sending the previous email. Thank you for the reminder!

**Gilbert Moreno** | Carlsbad Operations Manager- Project Geologist

1910 Resource Ct | Carlsbad NM, 88220

O. 575.323.9034 M. (832) 541-7719 | [gmoreno@earthsys.net](mailto:gmoreno@earthsys.net)

signatureImage

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**From:** Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov>

**Sent:** Wednesday, February 12, 2025 2:53:26 PM

**To:** Gilbert Moreno <gmoreno@earthsys.net>

**Cc:** Raley, Jim <Jim.Raley@dmn.com>; Hamlet, Robert, EMNRD <Robert.Hamlet@emnrd.nm.gov>; Bratcher, Michael, EMNRD <mike.bratcher@emnrd.nm.gov>

**Subject:** RE: [EXTERNAL] Re: Liner Inspection Notification- Incident Number nAPP2503429238

Hi Gilbert,

Thank you for letting the OCD know of the postponement of the inspection. FYI, an initial C-141 has not been submitted for this release yet and it is due 2/17/25 per 19.15.29.10(B) NMAC.

Kind regards,

Shelly

**Shelly Wells** \* Environmental Specialist-Advanced  
Environmental Bureau  
EMNRD-Oil Conservation Division  
1220 S. St. Francis Drive|Santa Fe, NM 87505  
(505)469-7520 [Shelly.Wells@emnrd.nm.gov](mailto:Shelly.Wells@emnrd.nm.gov)  
<http://www.emnrd.state.nm.us/OCD/>



**From:** Gilbert Moreno <gmoreno@earthsys.net>  
**Sent:** Wednesday, February 12, 2025 2:01 PM  
**To:** Enviro, OCD, EMNRD <OCD.Enviro@emnrd.nm.gov>  
**Cc:** Raley, Jim <Jim.Raley@dvn.com>  
**Subject:** [EXTERNAL] Re: Liner Inspection Notification- Incident Number nAPP2503429238

**CAUTION:** This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Hello,

The liner inspection below is going to be rescheduled. Additional pressure washing of the containment will be required for a proper inspection.

Thanks,

**Gilbert Moreno** | Carlsbad Operations Manager- Project Geologist  
1910 Resource Ct | Carlsbad NM, 88220  
O. 575.323.9034 M. (832) 541-7719 | [gmoreno@earthsys.net](mailto:gmoreno@earthsys.net)



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**From:** Gilbert Moreno  
**Sent:** Monday, February 10, 2025 1:37 PM  
**To:** [ocd.enviro@emnrd.nm.gov](mailto:ocd.enviro@emnrd.nm.gov) <[ocd.enviro@emnrd.nm.gov](mailto:ocd.enviro@emnrd.nm.gov)>  
**Cc:** Raley, Jim <[Jim.Raley@dvn.com](mailto:Jim.Raley@dvn.com)>  
**Subject:** Liner Inspection Notification- Incident Number nAPP2503429238

Hello,

Earth Systems R & R will be conducting a liner inspection at North Brushy Draw Federal Com 35 #004H on behalf of WPX Energy Permian on February 13th, 2024. This email will be followed up with a Notification of Liner Inspection (C-141L) for the proposed date.

|   |  |
|---|--|
| <b>Site Name:</b>                             | North Brushy Draw Federal Com 35 #004H |
| <b>Incident Number(s):</b>                    | nAPP2503429238                         |
| <b>Surface Area of Liner:</b>                 | 1,595 sqft                             |
| <b>Have impacted Materials been removed?:</b> | Yes                                    |
| <b>Inspection Date:</b>                       | 2/13/2025                              |

|                            |                               |
|----------------------------|-------------------------------|
| <b>Proposed Time:</b>      | 0800-1700 MST                 |
| <b>Who to Contact:</b>     | Gilbert Moreno (832) 541-7719 |
| <b>Navigation to Site:</b> | 32.0794067, -103.955978       |

**Gilbert Moreno** | Carlsbad Operations Manager- Project Geologist  
1910 Resource Ct | Carlsbad NM, 88220  
O. 575.323.9034 M. (832) 541-7719 | [gmoreno@earthsys.net](mailto:gmoreno@earthsys.net)





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**RE: [EXTERNAL] Re: Liner Inspection Notification- Incident Number nAPP2503429238**

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**From** Buchanan, Michael, EMNRD <Michael.Buchanan@emnrd.nm.gov>

**Date** Wed 4/16/2025 12:57 PM

**To** Gilbert Moreno <gmoreno@earthsys.net>

**Cc** Raley, Jim <jim.rale@dv.com>; Bratcher, Michael, EMNRD <mike.bratcher@emnrd.nm.gov>; Hamlet, Robert, EMNRD <Robert.Hamlet@emnrd.nm.gov>

You don't often get email from michael.buchanan@emnrd.nm.gov. [Learn why this is important](#)

Good afternoon,

Communication for the lined containment inspection at the site, which is now TBD, has been received and is reflected in the incident file. Please keep a copy of this for your records and submit it as part of the closure report.

Thank you,

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**From:** Gilbert Moreno <gmoreno@earthsys.net>

**Sent:** Wednesday, April 16, 2025 1:10 PM

**To:** Enviro, OCD, EMNRD <OCD.Enviro@emnrd.nm.gov>

**Cc:** Raley, Jim <jim.rale@dv.com>

**Subject:** [EXTERNAL] Re: Liner Inspection Notification- Incident Number nAPP2503429238

**CAUTION:** This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Hello,

Due to miscommunication, the containment needing inspection below was not cleaned of residual materials as anticipated. A subsequent liner inspection will be rescheduled once the containment has been properly power washed by WPX.

Thanks!

**Gilbert Moreno** | Carlsbad Operations Manager- Project Geologist

1910 Resource Ct | Carlsbad NM, 88220

O. 575.323.9034 M. (832) 541-7719 | [gmoreno@earthsys.net](mailto:gmoreno@earthsys.net)





**From:** Gilbert Moreno  
**Sent:** Friday, April 11, 2025 7:32 AM  
**To:** [ocd.enviro@emnrd.nm.gov](mailto:ocd.enviro@emnrd.nm.gov) <[ocd.enviro@emnrd.nm.gov](mailto:ocd.enviro@emnrd.nm.gov)>  
**Cc:** Raley, Jim <[jim.raley@dm.com](mailto:jim.raley@dm.com)>  
**Subject:** Liner Inspection Notification- Incident Number nAPP2503429238

Hello,

Earth Systems R & R will be conducting a liner inspection at North Brushy Draw Federal Com 35 #004H on behalf of WPX Energy Permian on April 15th, 2025. This email will be followed up with a Notification of Liner Inspection (C-141L) for the proposed date.

|   |  |
|---|--|
| <b>Site Name:</b>                             | North Brushy Draw Federal Com 35 #004H |
| <b>Incident Number(s):</b>                    | nAPP2503429238                         |
| <b>Surface Area of Liner:</b>                 | 1,595 sqft                             |
| <b>Have impacted Materials been removed?:</b> | Yes                                    |
| <b>Inspection Date:</b>                       | 4/15/2025                              |
| <b>Proposed Time:</b>                         | 0800-1700 MST                          |
| <b>Who to Contact:</b>                        | Gilbert Moreno (832) 541-7719          |
| <b>Navigation to Site:</b>                    | 32.0794067, -103.955978                |

**Gilbert Moreno** | Carlsbad Operations Manager- Project Geologist  
1910 Resource Ct | Carlsbad NM, 88220  
O. 575.323.9034 M. (832) 541-7719 | [gmoreno@earthsys.net](mailto:gmoreno@earthsys.net)





Outlook

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Re: (Extension Approval) - Liner Inspection Notification- Incident Number nAPP2503429238

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From Gilbert Moreno <gmoreno@earthsys.net>

Date Wed 4/30/2025 10:46 AM

To Hamlet, Robert, EMNRD <Robert.Hamlet@emnrd.nm.gov>

Cc Raley, Jim <Jim.Raley@dmn.com>; Bratcher, Michael, EMNRD <mike.bratcher@emnrd.nm.gov>; Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov>

Will do, thank you!

**Gilbert Moreno** | Carlsbad Operations Manager- Project Geologist

1910 Resource Ct | Carlsbad NM, 88220

O. 575.323.9034 M. (832) 541-7719 | [gmoreno@earthsys.net](mailto:gmoreno@earthsys.net)



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**From:** Hamlet, Robert, EMNRD <Robert.Hamlet@emnrd.nm.gov>

**Sent:** Wednesday, April 30, 2025 10:27 AM

**To:** Gilbert Moreno <gmoreno@earthsys.net>

**Cc:** Raley, Jim <Jim.Raley@dmn.com>; Bratcher, Michael, EMNRD <mike.bratcher@emnrd.nm.gov>; Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov>

**Subject:** (Extension Approval) - Liner Inspection Notification- Incident Number nAPP2503429238

RE: Incident **#NAPP2503429238 NORTH BRUSHY DRAW FEDERAL COM 35 #004H BATTERY**

**Gilbert,**

A 90-day extension is approved. Please have a remediation closure report uploaded to the OCD Permitting Portal no later than **July 29th, 2025**. Please include this e-mail correspondence in the report.

**Robert Hamlet** • Environmental Specialist - Advanced

Environmental Bureau

EMNRD - Oil Conservation Division

506 W. Texas Ave. | Artesia, NM 88210

575.909.0302 | [robert.hamlet@emnrd.nm.gov](mailto:robert.hamlet@emnrd.nm.gov)

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





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**From:** Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov>  
**Sent:** Wednesday, April 30, 2025 11:07 AM  
**To:** Hamlet, Robert, EMNRD <Robert.Hamlet@emnrd.nm.gov>  
**Cc:** Bratcher, Michael, EMNRD <mike.bratcher@emnrd.nm.gov>  
**Subject:** FW: [EXTERNAL] Liner Inspection Notification- Incident Number nAPP2503429238

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**From:** Gilbert Moreno <[gmoreno@earthsys.net](mailto:gmoreno@earthsys.net)>  
**Sent:** Wednesday, April 30, 2025 10:54 AM  
**To:** Enviro, OCD, EMNRD <[OCD.Enviro@emnrd.nm.gov](mailto:OCD.Enviro@emnrd.nm.gov)>  
**Cc:** Raley, Jim <[Jim.Raley@dyn.com](mailto:Jim.Raley@dyn.com)>; [BLM\\_NM\\_CFO\\_Spill@blm.gov](mailto:BLM_NM_CFO_Spill@blm.gov)  
**Subject:** [EXTERNAL] Liner Inspection Notification- Incident Number nAPP2503429238

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Hello,

Earth Systems R & R (ESRR) on behalf of WPX Energy Permian (WPX) is requesting an extension to the current deadline for a report required in 19.15.29.12.B(1) NMAC at the NORTH BRUSHY DRAW FEDERAL COM 35 #004H Battery (Site).

A produced water release was discovered on February 1<sup>st</sup>, 2025, and was subsequently assigned Incident Number nAPP2503429238. Due to miscommunication in contractor coordination, the pressure washing of the containment was not performed on schedule. As of April 29<sup>th</sup>, 2025, the containment has been pressure washed allowing ESRR to now properly perform a liner inspection scheduled for May 2<sup>nd</sup>, 2025 .

WPX requests an extension of the May 2<sup>nd</sup>, 2025, deadline for the release associated with Incident Number nAPP2503429238, to allow additional time for ESRR to inspect the liner and complete a subsequent corrective action closure report.

Thanks,

**Gilbert Moreno** | Carlsbad Operations Manager- Project Geologist

1910 Resource Ct | Carlsbad NM, 88220

O. 575.323.9034 M. (832) 541-7719 | [gmoreno@earthsys.net](mailto:gmoreno@earthsys.net)

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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**

QUESTIONS

Action 456863

**QUESTIONS**

|  |  |
|--|--|
| Operator:<br>WPX Energy Permian, LLC<br>Devon Energy - Regulatory<br>Oklahoma City, OK 73102 | OGRID:<br>246289   |
|  | Action Number:<br>456863   |
|  | Action Type:<br>[NOTIFY] Notification Of Liner Inspection (C-141L) |

**QUESTIONS**

| Prerequisites    |  |
|------------------|--|
| Incident ID (n#) | nAPP2503429238   |
| Incident Name    | NAPP2503429238 NORTH BRUSHY DRAW FEDERAL COM 35 #004H BATTERY @ 30-015-42290 |
| Incident Type    | Produced Water Release   |
| Incident Status  | Initial C-141 Approved   |
| Incident Well    | [30-015-42290] NORTH BRUSHY DRAW FEDERAL COM 35 #004H                        |

| Location of Release Source |  |
|----------------------------|--|
| Site Name                  | NORTH BRUSHY DRAW FEDERAL COM 35 #004H Battery |
| Date Release Discovered    | 02/01/2025                                     |
| Surface Owner              | Federal  |

| Liner Inspection Event Information  |                               |
|---|-------------------------------|
| <i>Please answer all the questions in this group.</i>   |                               |
| What is the liner inspection surface area in square feet  | 1,595                         |
| Have all the impacted materials been removed from the liner   | Yes                           |
| Liner inspection date pursuant to Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC | 05/02/2025                    |
| Time liner inspection will commence   | 08:00 AM                      |
| Please provide any information necessary for observers to liner inspection                              | Gilbert Moreno (832) 541-7719 |
| Please provide any information necessary for navigation to liner inspection site                        | 32.0794067, -103.955978       |

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CONDITIONS

Action 456863

CONDITIONS

|  |  |
|--|--|
| Operator:<br>WPX Energy Permian, LLC<br>Devon Energy - Regulatory<br>Oklahoma City, OK 73102 | OGRID:<br>246289   |
|  | Action Number:<br>456863   |
|  | Action Type:<br>[NOTIFY] Notification Of Liner Inspection (C-141L) |

CONDITIONS

| Created By | Condition  | Condition Date |
|------------|--|----------------|
| jralej     | Failure to notify the OCD of liner inspections including any changes in date/time per the requirements of 19.15.29.11.A(5)(a)(ii) NMAC, may result in the inspection not being accepted. | 4/29/2025      |



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**Oil Conservation Division**  
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**Santa Fe, NM 87505**

QUESTIONS

Action 471632

**QUESTIONS**

|  |   |
|--|---|
| Operator:<br>WPX Energy Permian, LLC<br>Devon Energy - Regulatory<br>Oklahoma City, OK 73102 | OGRID:<br>246289  |
|  | Action Number:<br>471632  |
|  | Action Type:<br>[C-141] Remediation Closure Request C-141 (C-141-v-Closure) |

**QUESTIONS**

|                      |  |
|----------------------|--|
| <b>Prerequisites</b> |  |
| Incident ID (n#)     | nAPP2503429238   |
| Incident Name        | NAPP2503429238 NORTH BRUSHY DRAW FEDERAL COM 35 #004H BATTERY @ 30-015-42290 |
| Incident Type        | Produced Water Release   |
| Incident Status      | Remediation Closure Report Received  |
| Incident Well        | [30-015-42290] NORTH BRUSHY DRAW FEDERAL COM 35 #004H                        |

**Location of Release Source**

Please answer all the questions in this group.

|                         |  |
|-------------------------|--|
| Site Name               | NORTH BRUSHY DRAW FEDERAL COM 35 #004H Battery |
| Date Release Discovered | 02/01/2025                                     |
| Surface Owner           | Federal  |

**Incident Details**

Please answer all the questions in this group.

|  |                        |
|--|------------------------|
| Incident Type  | Produced Water Release |
| Did this release result in a fire or is the result of a fire   | No                     |
| Did this release result in any injuries  | No                     |
| Has this release reached or does it have a reasonable probability of reaching a watercourse          | No                     |
| Has this release endangered or does it have a reasonable probability of endangering public health    | No                     |
| Has this release substantially damaged or will it substantially damage property or the environment   | No                     |
| Is this release of a volume that is or may with reasonable probability be detrimental to fresh water | No                     |

**Nature and Volume of Release**

Material(s) released, please answer all that apply below. Any calculations or specific justifications for the volumes provided should be attached to the follow-up C-141 submission.

|  |   |
|--|---|
| Crude Oil Released (bbls) Details  | Not answered.   |
| Produced Water Released (bbls) Details   | Cause: Equipment Failure   Valve   Produced Water   Released: 10 BBL   Recovered: 10 BBL   Lost: 0 BBL.             |
| Is the concentration of chloride in the produced water >10,000 mg/l  | Yes   |
| Condensate Released (bbls) Details   | Not answered.   |
| Natural Gas Vented (Mcf) Details   | Not answered.   |
| Natural Gas Flared (Mcf) Details   | Not answered.   |
| Other Released Details   | Not answered.   |
| Are there additional details for the questions above (i.e. any answer containing Other, Specify, Unknown, and/or Fire, or any negative lost amounts) | Threaded T failed on water dump line. Allowing 10 bbl produced water to be released to lined secondary containment. |

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QUESTIONS, Page 2

Action 471632

**QUESTIONS (continued)**

|  |   |
|--|---|
| Operator:<br>WPX Energy Permian, LLC<br>Devon Energy - Regulatory<br>Oklahoma City, OK 73102 | OGRID:<br>246289  |
|  | Action Number:<br>471632  |
|  | Action Type:<br>[C-141] Remediation Closure Request C-141 (C-141-v-Closure) |

**QUESTIONS**

| <b>Nature and Volume of Release (continued)</b>  |  |
|--|--|
| Is this a gas only submission (i.e. only significant Mcf values reported)  | <b>No, according to supplied volumes this does not appear to be a "gas only" report.</b> |
| Was this a major release as defined by Subsection A of 19.15.29.7 NMAC   | <b>No</b>  |
| Reasons why this would be considered a submission for a notification of a major release  | <i>Unavailable.</i>  |
| <i>With the implementation of the 19.15.27 NMAC (05/25/2021), venting and/or flaring of natural gas (i.e. gas only) are to be submitted on the C-129 form.</i> |  |

**Initial Response**

*The responsible party must undertake the following actions immediately unless they could create a safety hazard that would result in injury.*

|  |                      |
|--|----------------------|
| The source of the release has been stopped   | <b>True</b>          |
| The impacted area has been secured to protect human health and the environment                                     | <b>True</b>          |
| Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices | <b>True</b>          |
| All free liquids and recoverable materials have been removed and managed appropriately                             | <b>True</b>          |
| If all the actions described above have not been undertaken, explain why   | <i>Not answered.</i> |

*Per Paragraph (4) of Subsection B of 19.15.29.8 NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please prepare and attach a narrative of actions to date in the follow-up C-141 submission. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC), please prepare and attach all information needed for closure evaluation in the follow-up C-141 submission.*

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

|  |   |
|--|---|
| I hereby agree and sign off to the above statement | Name: James Raley<br>Title: EHS Professional<br>Email: jim.raley@dvsn.com<br>Date: 06/06/2025 |
|--|---|

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QUESTIONS, Page 3

Action 471632

**QUESTIONS (continued)**

|  |                |
|--|----------------|
| Operator:<br>WPX Energy Permian, LLC<br>Devon Energy - Regulatory<br>Oklahoma City, OK 73102 | OGRID:         |
|  | 246289         |
|  | Action Number: |
|  | 471632         |
| Action Type:   |                |
| [C-141] Remediation Closure Request C-141 (C-141-v-Closure)                                  |                |

**QUESTIONS**

|  |                           |
|--|---------------------------|
| <b>Site Characterization</b>   |                           |
| <i>Please answer all the questions in this group (only required when seeking remediation plan approval and beyond). This information must be provided to the appropriate district office no later than 90 days after the release discovery date.</i> |                           |
| What is the shallowest depth to groundwater beneath the area affected by the release in feet below ground surface (ft bgs)   | Between 100 and 500 (ft.) |
| What method was used to determine the depth to ground water  | Attached Document         |
| Did this release impact groundwater or surface water   | No                        |
| <b>What is the minimum distance, between the closest lateral extents of the release and the following surface areas:</b>   |                           |
| A continuously flowing watercourse or any other significant watercourse  | Between ½ and 1 (mi.)     |
| Any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)  | Between ½ and 1 (mi.)     |
| An occupied permanent residence, school, hospital, institution, or church  | Between 1 and 5 (mi.)     |
| A spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes  | Between 1 and 5 (mi.)     |
| Any other fresh water well or spring   | Between 1 and 5 (mi.)     |
| Incorporated municipal boundaries or a defined municipal fresh water well field  | Greater than 5 (mi.)      |
| A wetland  | Between 1 and 100 (ft.)   |
| A subsurface mine  | Greater than 5 (mi.)      |
| An (non-karst) unstable area   | Between 1 and 100 (ft.)   |
| Categorize the risk of this well / site being in a karst geology   | Medium                    |
| A 100-year floodplain  | Between ½ and 1 (mi.)     |
| Did the release impact areas not on an exploration, development, production, or storage site   | No                        |

|   |            |
|---|------------|
| <b>Remediation Plan</b>   |            |
| <i>Please answer all the questions that apply or are indicated. This information must be provided to the appropriate district office no later than 90 days after the release discovery date.</i>  |            |
| Requesting a remediation plan approval with this submission   | Yes        |
| <i>Attach a comprehensive report demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined, pursuant to 19.15.29.11 NMAC and 19.15.29.13 NMAC.</i>  |            |
| Have the lateral and vertical extents of contamination been fully delineated  | Yes        |
| Was this release entirely contained within a lined containment area   | Yes        |
| <i>Per Subsection B of 19.15.29.11 NMAC unless the site characterization report includes completed efforts at remediation, the report must include a proposed remediation plan in accordance with 19.15.29.12 NMAC, which includes the anticipated timelines for beginning and completing the remediation.</i>  |            |
| On what estimated date will the remediation commence  | 05/02/2025 |
| On what date will (or did) the final sampling or liner inspection occur   | 05/02/2025 |
| On what date will (or was) the remediation complete(d)  | 05/02/2025 |
| What is the estimated surface area (in square feet) that will be remediated   | 1595       |
| What is the estimated volume (in cubic yards) that will be remediated   | 0          |
| <i>These estimated dates and measurements are recognized to be the best guess or calculation at the time of submission and may (be) change(d) over time as more remediation efforts are completed.</i>  |            |
| <i>The OCD recognizes that proposed remediation measures may have to be minimally adjusted in accordance with the physical realities encountered during remediation. If the responsible party has any need to significantly deviate from the remediation plan proposed, then it should consult with the division to determine if another remediation plan submission is required.</i> |            |



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QUESTIONS, Page 4

Action 471632

**QUESTIONS (continued)**

|  |   |
|--|---|
| Operator:<br>WPX Energy Permian, LLC<br>Devon Energy - Regulatory<br>Oklahoma City, OK 73102 | OGRID:<br>246289  |
|  | Action Number:<br>471632  |
|  | Action Type:<br>[C-141] Remediation Closure Request C-141 (C-141-v-Closure) |

**QUESTIONS**

|  |   |
|--|---|
| <b>Remediation Plan (continued)</b>  |   |
| <i>Please answer all the questions that apply or are indicated. This information must be provided to the appropriate district office no later than 90 days after the release discovery date.</i>   |   |
| <b>This remediation will (or is expected to) utilize the following processes to remediate / reduce contaminants:</b>   |   |
| <i>(Select all answers below that apply.)</i>  |   |
| Is (or was) there affected material present needing to be removed  | Yes   |
| Is (or was) there a power wash of the lined containment area (to be) performed   | Yes   |
| OTHER (Non-listed remedial process)  | Not answered.   |
| <i>Per Subsection B of 19.15.29.11 NMAC unless the site characterization report includes completed efforts at remediation, the report must include a proposed remediation plan in accordance with 19.15.29.12 NMAC, which includes the anticipated timelines for beginning and completing the remediation.</i>   |   |
| I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations. |   |
| I hereby agree and sign off to the above statement   | Name: James Raley<br>Title: EHS Professional<br>Email: jim.raley@dvni.com<br>Date: 06/06/2025 |
| <i>The OCD recognizes that proposed remediation measures may have to be minimally adjusted in accordance with the physical realities encountered during remediation. If the responsible party has any need to significantly deviate from the remediation plan proposed, then it should consult with the division to determine if another remediation plan submission is required.</i>  |   |

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QUESTIONS, Page 6

Action 471632

**QUESTIONS (continued)**

|  |   |
|--|---|
| Operator:<br>WPX Energy Permian, LLC<br>Devon Energy - Regulatory<br>Oklahoma City, OK 73102 | OGRID:<br>246289  |
|  | Action Number:<br>471632  |
|  | Action Type:<br>[C-141] Remediation Closure Request C-141 (C-141-v-Closure) |

**QUESTIONS**

| <b>Liner Inspection Information</b>   |                   |
|---|-------------------|
| Last liner inspection notification (C-141L) recorded  | <b>456863</b>     |
| Liner inspection date pursuant to Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC | <b>05/02/2025</b> |
| Was all the impacted materials removed from the liner   | <b>Yes</b>        |
| What was the liner inspection surface area in square feet   | <b>1595</b>       |

**Remediation Closure Request**

*Only answer the questions in this group if seeking remediation closure for this release because all remediation steps have been completed.*

|   |  |
|---|--|
| Requesting a remediation closure approval with this submission                  | <b>Yes</b>   |
| Have the lateral and vertical extents of contamination been fully delineated    | <b>Yes</b>   |
| Was this release entirely contained within a lined containment area             | <b>Yes</b>   |
| What was the total surface area (in square feet) remediated                     | <b>1595</b>  |
| What was the total volume (cubic yards) remediated                              | <b>0</b>   |
| Summarize any additional remediation activities not included by answers (above) | <b>The release was contained laterally by the lined containment and the liner was performing as designed</b> |

*The responsible party must attach information demonstrating they have complied with all applicable closure requirements and any conditions or directives of the OCD. This demonstration should be in the form of a comprehensive report (in .pdf format) including a scaled site map, sampling diagrams, relevant field notes, photographs of any excavation prior to backfilling, laboratory data including chain of custody documents of final sampling, and a narrative of the remedial activities. Refer to 19.15.29.12 NMAC.*

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations. The responsible party acknowledges they must substantially restore, reclaim, and re-vegetate the impacted surface area to the conditions that existed prior to the release or their final land use in accordance with 19.15.29.13 NMAC including notification to the OCD when reclamation and re-vegetation are complete.

|  |   |
|--|---|
| I hereby agree and sign off to the above statement | Name: James Raley<br>Title: EHS Professional<br>Email: jim.raley@dv.com<br>Date: 06/06/2025 |
|--|---|

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CONDITIONS

Action 471632

CONDITIONS

|  |   |
|--|---|
| Operator:<br>WPX Energy Permian, LLC<br>Devon Energy - Regulatory<br>Oklahoma City, OK 73102 | OGRID:<br>246289  |
|  | Action Number:<br>471632  |
|  | Action Type:<br>[C-141] Remediation Closure Request C-141 (C-141-v-Closure) |

CONDITIONS

|            |  |                |
|------------|--|----------------|
| Created By | Condition  | Condition Date |
| rhamlet    | We have received your Remediation Closure Report for Incident #NAPP2503429238 NORTH BRUSHY DRAW FEDERAL COM 35 #004H BATTERY, thank you.<br>This Remediation Closure Report is approved. | 6/20/2025      |