



APPLICATION PROTESTED

APPLICANT: Delaware Energy, LLC

APPLICATION TYPE: SUD

WELL NAME: right Wrangler SUD#1

API NUMBER: 30-025-Pending

ADMIN. APPL. NO.: PMAM 19135 40113

UL-S-T-R: M-2-255-3SE

DATE RECEIVED AT OCD: 05/14/2019 Admin Complete: Yes ☒ No ☐
05/15/2019 ☒ ~~Yes~~

PROTESTANT: Franklin Mountain Energy, LLC

DATE PROTEST RECEIVED: 05-17-2019

DATE AND METHOD OF NOTIFICATION OF APPLICANT:

05-21-2019, E-mail

RESOLUTION:

- ☐ Hearing
☐ Negotiated/Withdrawn
☐ Denied/Cancelled by Division

NOTES/COMMENTS:

Make sure to confirm application status in E-permitting
and entered into Protest Tracking Spreadsheet

McMillan, Michael, EMNRD

From: McMillan, Michael, EMNRD
Sent: Tuesday, May 21, 2019 2:42 PM
To: Sarah Presley
Cc: salbrecht@fmellc.com; Jones, William V, EMNRD; Goetze, Phillip, EMNRD; Lowe, Leonard, EMNRD; Murphy, Kathleen A, EMNRD
Subject: Notification of Protest for Application to Inject; Night Wrangler SWD Well No. 1 Franklin Mountain Energy, LLC
Attachments: DelawareEnergy NightWrangle SWD#1 FranklinMountainEnergy.pdf

RE: Night Wrangle SWD #1 (API 30-025-Pending; Admin. Appl. No pMAM1913540113) Unit M; Sec 2, T25S, R35E, NMPM, Lea County

Ms. Presley:

OCD was notified by the Franklin Mountain Energy, LLC that they are protesting this application. This party has been identified as affected persons for the location being considered for the application. You are being notified that if Delaware Energy, LLC wishes for this application to be considered, they must either go to hearing or may be reviewed administratively if the protest is withdrawn as a result of a negotiated resolution with this party. The application will be retained pending resolution of the protest. Please continue to provide OCD with information regarding the standing of this application. Please me call with any questions on this matter.

Contact for Franklin Mountain Energy, LLC

Shelly Albrecht
Director of Land
2401 E 2nd Avenue, Suite 300
Denver, CO. 80206
Phone: (720) 414-7855
E-mail: salbrecht@fmellc.com

Michael McMillan
1220 South St. Francis
Santa Fe, New Mexico
505-476-3448
Michael.mcmillan@state.nm.us

McMillan, Michael, EMNRD

From: Shelly Albrecht <salbrecht@fmellc.com>
Sent: Friday, May 17, 2019 12:14 PM
To: Hearings, OCD, EMNRD; Hearings, OCC, EMNRD
Cc: David Ramsden Wood; Rachael Overbey; Mark Hinaman
Subject: [EXT] Franklin Mountain Energy Objection to Night Wrangler SWD #1 Well
Attachments: FME Objection to Night Wrangler SWD #1 5.16.19.pdf; FME2_Delaware Energy LLC_Notification of Application for Authorization to Inject Well.pdf

Dear NMOCD,

Please see the attached objection from Franklin Mountain Energy to the attached Application for Authorization to Inject Well (Delaware Energy's proposed Nigh Wrangler SWD #1 well).

Thank you for your consideration,

Shelly Albrecht, CPL

Director of Land
Franklin Mountain Energy, LLC
2401 E 2nd Avenue, Suite 300
Denver, CO 80206
Direct: 720-414-7855
Mobile: 720-630-0544
salbrecht@fmellc.com



NOTICE OF OBJECTION TO NIGHT WRANGLER SWD #1

May 16, 2019

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

Dear New Mexico Oil Conservation Division,

Franklin Mountain Energy, LLC ("FME") is an offset operator to Delaware Energy, L.L.C.'s proposed disposal well titled the Night Wrangler SWD #1. FME formally objects to the drilling of the Night Wrangler SWD #1 for the following reasons:

1. FME has three existing producing locations immediately off highway 128 and at least 30 additional wellbores planned to be developed from surface locations adjacent to the existing locations. The access road to the existing and future locations is immediately adjacent to the proposed surface location of the Night Wrangler SWD #1. FME is concerned an abundance of water truck traffic to an SWD facility at the entrance to one of their highest density development areas will increase the risk of traffic related safety incidents and possible operational delays during wellbore construction (e.g. sand trucks not being able to access road during completion operations due to high water truck traffic).
2. Increased seismic activity is a known side effect of saltwater disposal wells throughout the continental U.S. The increase in seismic activity can cause earthquakes and seismic events which may inadvertently cause existing cased horizontal wellbores to collapse and reduce or eliminate the productivity of said wellbores. Given the proximity of the Night Wrangler SWD #1 to the core of FME's operations and the importance of the future development to FME's business, FME views any increase in seismic activity as a substantial and unnecessary risk to their existing and future producing assets.
3. FME intends to extensively develop Sections 2 and 11 of T25S, R35E in Lea Co., NM. Several of the planned horizontal wells will pass within 250 feet of the Night Wrangler SWD #1. Given ellipses of uncertainty inherent to the directional drilling process, FME views the location of the Night Wrangler SWD #1 as adding unnecessary collision risk to FME's planned future horizontal wellbores.
4. As stated earlier, FME plans to drill at minimum 30 additional horizontal wellbores immediately offset the Night Wrangler SWD #1. Given the nature and unpredictability of fracture geometry during the completion phase of wellbore construction, FME is concerned about the potential to collapse the casing of offset vertical wellbores. If such an event were to occur, FME is concerned about the possible liability exposure incurred by the subsequent damage or destruction of an offset operator's asset.

For the reasons stated above, FME objects to the drilling of the Night Wrangler SWD #1 well.

Should you have any questions, please contact the undersigned at (720) 414-7855 or salbrecht@fmeilc.com.

Respectfully,

Franklin Mountain Energy, LLC



Shelly Albrecht, CPL
Director of Land