

August 10, 2018

Dear Mr. Kinder:

Re: EOG Hearn's Produced Water Recycling Facility and Recycling Containment located in Lea County, Section 27, Township 24S, Range 33E.

NMOCD has reviewed the submitted documents, dated June 6, 2018, encompassing the C-147 for the proposed Hearn's Water Recycling Facility & Recycling Containment.

NMOCD gives approval for the following variances:

1. The variance request to install and operate the "Bird-X Mega Blaster Pro" system in lieu of Rule indicated netting for bird deterrence is approved. It is the responsibility of the Operator to maintain appropriate function of said system. Other aspects of the Rule relative to bird control/reporting remain in place.
2. The alternate fencing as proposed is also approved.
3. Therefore, the application and permit needs for Facility and Containment are approved.

NMOCD has a condition of approval: sequential, dated photo documentation of the construction and build-up of the EOG Hearn's Produced Water Recycling Containment.

Please note that there is a mistake on page 20 of the C-147 application. Under Pond Summary, the correction is a 3' freeboard elevation, not 2'.

Thank you for your assistance and cooperation on this matter.

Sincerely,

Bradford Billings

EMNRD

OCD/Santa Fe

Be advised: Please keep a copy of this electronic communication for your files, as no paper copy will be delivered.