

OVERFLOW ENERGY LLC  
P.O. BOX 354  
BOOKER, TX 79005

May 17, 2021

NMOCD  
1220 South St. Francis Dr.  
Santa Fe, New Mexico 87505

**RE: C-147 RECYCLING FACILITY ONLY PERMIT APPLACATION FOR SANDPOINT RECLAMATION FACILITY, EDDY COUNTY, NEW MEXICO**

To Ms. Victoria Venegas,

Atkins Engineering Associates, Inc. (AEA) is pleased to provide this summary letter of the C-147 permit application compiled on behalf of Overflow, LLC OGRID # 292641

**Location Setbacks**

- 1) 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. **No, the location is in rural Eddy county the nearest municipality is Carlsbad, NM 3.5 miles to the southwest see (Figure 1)**
- 2) Within the area overlying a subsurface mine. **No, the location is not above a subsurface mine according to meta-data provided by EMNRD Registered Mines Map the nearest underground mine is Potash Mine 3.2 miles northeast (see Active Mines attachment)**
- 3) Within an unstable area. **No, BLM meta-data Karst Potential is low (see figure 2)**
- 4) Within a 100-year floodplain. **No, see FEMA map Figure 1**
- 5) 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). **No, see figure 1 sourced from BLM and USGS meta-data**
- 6) Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. **No, see figure 2**
- 7) 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. **No, there are no wells with in the 500ft setback, source NMOSE iwaters.**
- 8) Within 500 feet of a wetland. **No, registered wetlands within 500ft source USACE and BLM meta-data**
- 9) Depth to groundwater. **see NMOSE Log with lowest static water level of nearby sections**

**Recycling Facility Design**

The proposed design is a series of aboveground steel bottomed 500bbl tanks within a HDEP lined secondary containment with 150% of the facility volume. Total volume proposed is (10 tanks) X (500bbl) =5000bbl (see site Layout attached)

C-147

Summary Letter, Sandpoint Facility

**Attachments**

Figure 1: Hydrology Setbacks

Figure 2: Karst and PODs

Figure 3: Site Layout

Appendix A: Parcel Data, Owner info

Appendix B: Well log

Appendix C: Active Mines attachment

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 Only

Type of action: ☒ Permit ☒ Registration ☐ Modification ☐ Closure ☐ Other (explain) \_\_\_\_\_

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. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.

1.  
Operator: Overflow Energy LLC (For multiple operators attach page with information) OGRID #: 292641  
Address: P.O. Box 354 Booker, TX 79005 Facility or well name (include API# if associated with a well): \_\_\_\_\_  
Sandpoint Reclamation Facility  
OCD Permit Number: \_\_\_\_\_ (For new facilities the permit number will be assigned by the district office)  
U/L or Qtr/Qtr K Section 2 Township 21S Range 28E County: Eddy  
Surface Owner: ☐ Federal ☐ State ☒ Private ☐ Tribal Trust or Indian Allotment

2.  
☒ **Recycling Facility:**  
Location of recycling facility (if applicable): Latitude 32.5152817 Longitude -104.0606537 NAD83  
Proposed Use: ☒ Drilling\* ☒ Completion\* ☒ Production\* ☒ 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  
☒ Above ground tanks ☐ Activity permitted under 19.15.17 NMAC explain type \_\_\_\_\_  
☐ Activity permitted under 19.15.36 NMAC explain type: \_\_\_\_\_ ☐ Other explain \_\_\_\_\_  
☐ **Closure Report (required within 60 days of closure completion):** ☐ Recycling Facility Closure Completion Date: \_\_\_\_\_

3.  
**Variances:**  
Justifications and/or demonstrations that the proposed variance will afford reasonable protection against contamination of fresh water, human health, and the 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, include the 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.**

4.  
**Operator Application Certification:**  
I hereby certify that the information and attachments submitted with this application are true, accurate and complete to the best of my knowledge and belief.  
Name (Print): LORIAN FEARON Title: VP, DEVELOPMENT  
Signature: [Signature] Date: 5-18-21  
e-mail address: lfearon@oconsd.com Telephone: 800-658-7032

5.  
OCD Representative Signature: \_\_\_\_\_ Approval/Registration Date: \_\_\_\_\_  
Title: \_\_\_\_\_ OCD Permit Number: \_\_\_\_\_  
☐ OCD Conditions \_\_\_\_\_  
☐ Additional OCD Conditions on Attachment \_\_\_\_\_

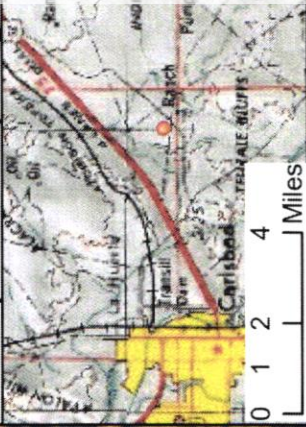
C-147

Summary Letter, Sandpoint Facility

## **FIGURES**



FIGURE 1-  
Hydrology Setbacks  
Sandpoint Recycling



LEGEND

- Lakes\_Playas
- Springs\_Seeps
- Streams\_Canals
- Flowlines\_SENM
- FEMA\_Flood\_Zones\_2011
- TankFarm
- TankFarm\_500Buffer



32.5152817,-104.0606537

JOB No. sandpoi\_env\_20

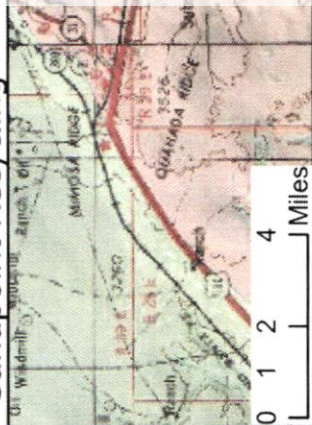
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DATE DRAWN: 5/10/2021 REVIEW JAV

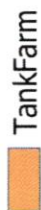




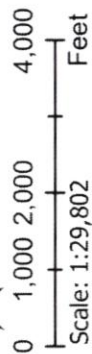
FIGURE 2-  
Karst and NMOSE PODs  
Sandpoint Recycling



# LEGEND



## BLM Karst Potential



32.5152817,-104.0606537

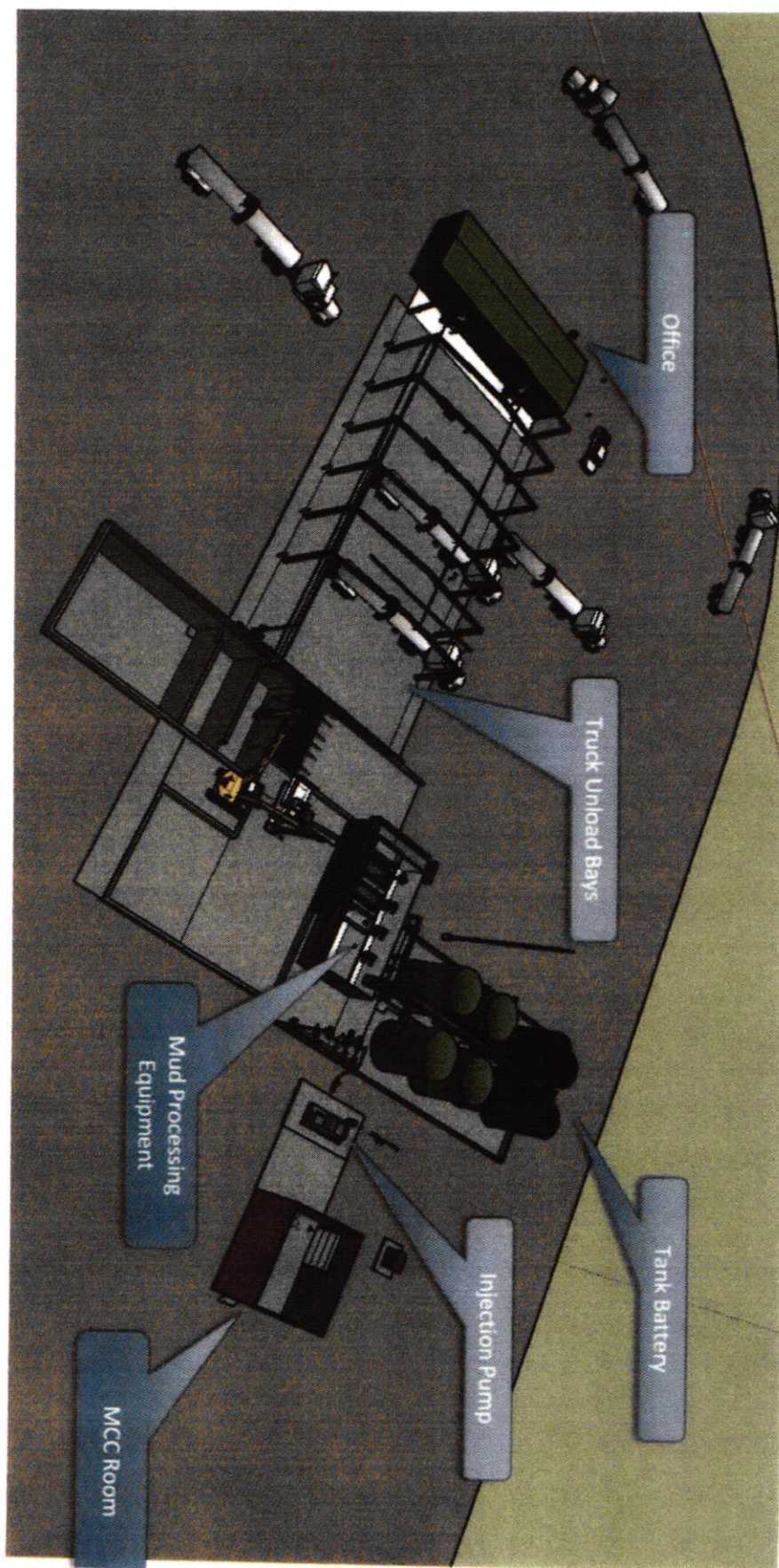
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DATE DRAWN: 5/10/2021 REVIEW JAV



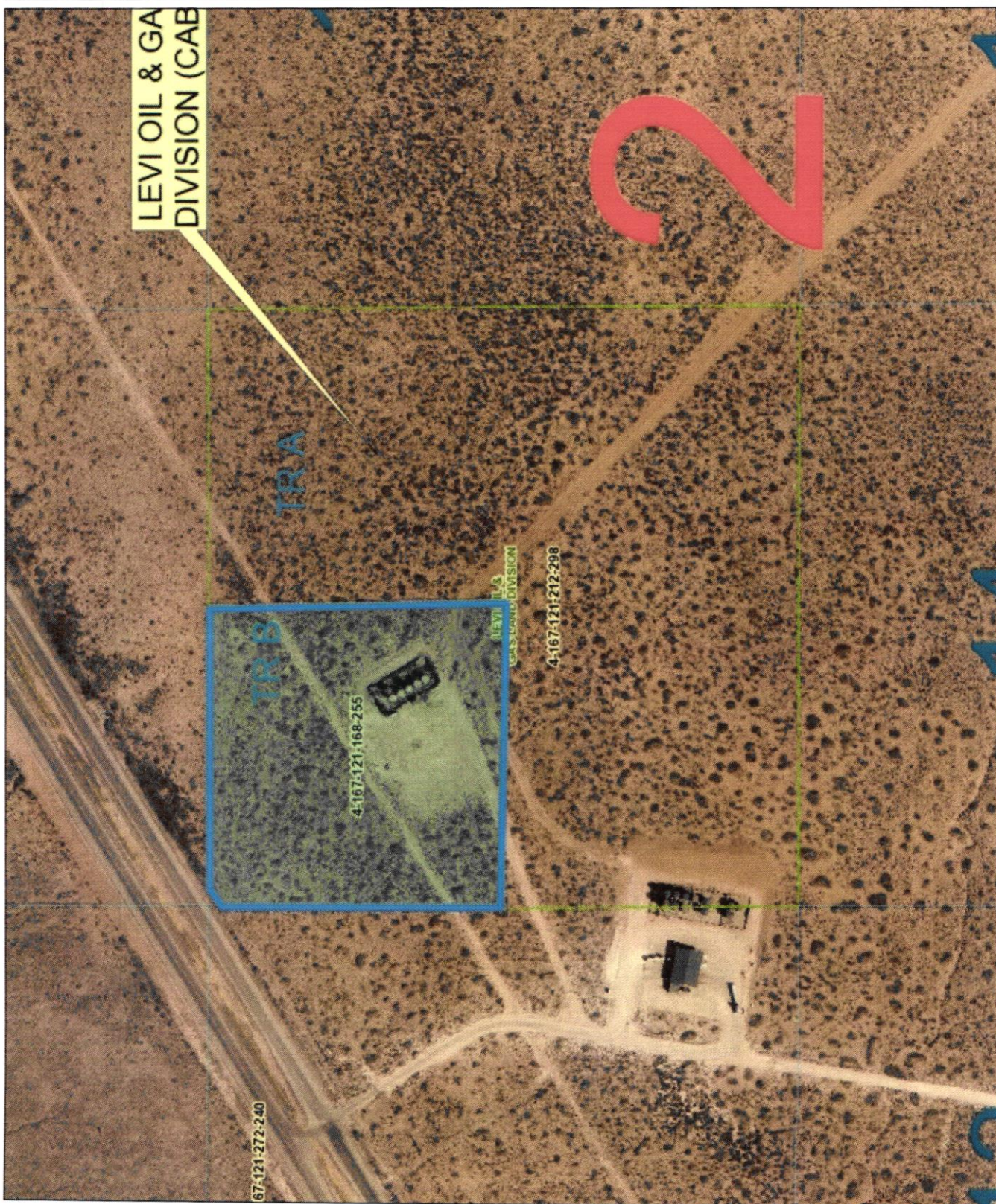




C-147

Summary Letter, Sandpoint Facility





Legend

Cartography

- <all other values>
- Govt Lot Lines
- Dimension Tic
- Leader Lines
- Misc Carto
- Owner Hooks
- Sub Corners
- Roads
- Railroads
- Water
- Geographic
- Subdivision
- Parcel

Enter Map Title...  
Web Print: 05/17/2021



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



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Revised May 1993

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

## Declaration of Owner of Underground Water Right

Eddy County

BASIN NAME

Declaration No. C-3266 Date received April 27, 2005

## STATEMENT

1. Name of Declarant Winston Ballard  
 Mailing Address 1819-2 North Canal  
 County of Eddy, State of New Mexico
2. Source of water supply Shallow  
 (artesian or shallow water aquifer)
3. Describe well location under one of the following subheadings:  
 a. SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Sec. 4 Twp. 21S Rge. 28E N.M.P.M., in  
 b. Tract No. \_\_\_\_\_ of Map No. \_\_\_\_\_ of the \_\_\_\_\_  
 c. X = \_\_\_\_\_ feet, Y = \_\_\_\_\_ feet, N.M. Coordinate System \_\_\_\_\_ Zone \_\_\_\_\_  
 in the \_\_\_\_\_ Grant.  
 On land owned by Winston Ballard / Private
4. Description of well: date drilled 1890 driller \_\_\_\_\_ depth 260 feet.  
 outside diameter of casing \_\_\_\_\_ inches; original capacity \_\_\_\_\_ gal. per min.; present capacity \_\_\_\_\_  
 gal. per min.; pumping lift \_\_\_\_\_ feet; static water level 80 feet (above) (below) land surface;  
 make and type of pump windmill  
 make, type, horsepower, etc., of power plant \_\_\_\_\_  
 Fractional or percentage interest claimed in well \_\_\_\_\_
5. Quantity of water appropriated and beneficially used 3 acft per Annu  
 for watering of livestock (acre feet per acre) (acre feet per annum) purposes.
6. Acreage actually irrigated 0 acres, located and described as follows (describe only lands actually irrigated):

Subdivision	Sec.	Twp.	Range	Acres Irrigated	Owner

(Note: location of well and acreage actually irrigated must be shown on plat on reverse side.)

7. Water was first applied to beneficial use \_\_\_\_\_ month \_\_\_\_\_ day \_\_\_\_\_ year 1890 and since that time has been used fully and continuously on all of the above described lands or for the above described purposes except as follows: \_\_\_\_\_

8. Additional statements or explanations \_\_\_\_\_



John R. D Antonio, Jr., P.E.  
State Engineer



Roswell Office  
1900 WEST SECOND STREET  
ROSWELL, NM 88201

**STATE OF NEW MEXICO  
OFFICE OF THE STATE ENGINEER**

Trn Nbr: 352252  
File Nbr: C 03266

Feb. 16, 2006

WINSTON BALLARD  
1819 2 N CANAL  
CARLSBAD, NM 88220

Greetings:

Enclosed is your copy of Declaration of Owner of the Water Right numbered above, which has been accepted for filing.

Under New Mexico Law, a Declaration is only a statement of declarant's claim. Acceptance for filing does not constitute approval or rejection of the claim.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Stapleton", is written over the typed name.

Mike Stapleton  
(505) 622-6521

Enclosure  
cc: Santa Fe Office

declare



Registered Mines in New Mexico NM Mining and Minerals Division

32.5152817, -104.0606537 X Q

Show search results for 32.5152817, -...



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Scanning

Dr

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2

RIDGE

**District I**  
1625 N. French Dr., Hobbs, NM 88240  
Phone:(575) 393-6161 Fax:(575) 393-0720  
**District II**  
811 S. First St., Artesia, NM 88210  
Phone:(575) 748-1283 Fax:(575) 748-9720  
**District III**  
1000 Rio Brazos Rd., Aztec, NM 87410  
Phone:(505) 334-6178 Fax:(505) 334-6170  
**District IV**  
1220 S. St Francis Dr., Santa Fe, NM 87505  
Phone:(505) 476-3470 Fax:(505) 476-3462

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

CONDITIONS  
  
Action 29005

CONDITIONS

Operator: OVERFLOW ENERGY, LLC P.O. Box 354 Booker, TX 79005	OGRID: 292641
	Action Number: 29005
	Action Type: [C-147] Water Recycle Short (C-147S)

CONDITIONS

Created By	Condition	Condition Date
vvenegas	None	10/4/2021