



Delek Logistics Partners, LP  
310 Seven Springs Way Suite 500  
Brentwood, TN 37027  
615-771-6701

November 1, 2023

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

Re: Annual Extension Request for Libby Water Recycling and Containment Facility (1RF-24)  
November 4, 2023 through November 4, 2024

3 Bear Field Services, LLC ("3 Bear") is requesting an extension of the Libby Water Recycling and Containment Facility Permit 1RF-24.

Of note, this facility was out of service from July 2022 through April 1, 2023.

The new company contact for this permit will be:

Jason Boothe  
Senior Manager, Environmental  
[Jason.Boothe@deleklogistics.com](mailto:Jason.Boothe@deleklogistics.com)  
(361) 788-3307

We appreciate your continued assistance with this Permit. Please don't hesitate to contact us if you have any questions or need additional information.

Respectfully,

A handwritten signature in blue ink, appearing to read "James Young", with a long, sweeping horizontal line extending to the right.

James Young  
Environmental Manager  
Delek Logistics Companies  
12700 Park Central, Suite 700  
Dallas, TX 75251  
(469) 704-7379



Delek Logistics Partners, LP  
310 Seven Springs Way Suite 500  
Brentwood, TN 37027  
615-771-6701

Attachment: C147 Forms

cc: Jason Boothe, Delek Logistics, Dallas  
Harry Lewis, Delek Logistics, Dallas

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 and/or Recycling Containment

Type of Facility: ☒ Recycling Facility ☒ Recycling Containment\*  
Type of action: ☐ Permit ☐ Registration  
☐ Modification ☒ Extension  
☐ Closure ☐ Other (explain) \_\_\_\_\_

\* At the time C-147 is submitted to the division for a Recycling Containment, a copy shall be provided to the surface owner.

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: DKL Field Services, LLC (For multiple operators attach page with information) OGRID #: 372603  
Address: 310 Seven Springs Way Suite 500, Brentwood, TN 37027  
Facility or well name (include API# if associated with a well): Libby Water Recycling & Containment Facility  
OCD Permit Number: 1RF-24 (For new facilities the permit number will be assigned by the district office)  
U/L or Qtr/Qtr Section 26 Township 20S Range 34E County: Lea  
Surface Owner: ☐ Federal ☐ State ☒ Private ☐ Tribal Trust or Indian Allotment

2. **The original approved C-147 is also attached to this extension request**  
☐ **Recycling Facility:**  
Location of recycling facility (if applicable): Latitude 32.543858 N Longitude -103.525344 W 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 ☒ Recycling containment ☐ Activity permitted under 19.15.17 NMAC explain type \_\_\_\_\_  
☐ Activity permitted under 19.15.36 NMAC explain type: \_\_\_\_\_ ☐ Other explain \_\_\_\_\_  
☐ For multiple or additional recycling containments, attach design and location information of each containment  
☐ **Closure Report (required within 60 days of closure completion):** ☐ Recycling Facility Closure Completion Date: \_\_\_\_\_

3. ☒ **Recycling Containment:**  
☐ Annual Extension after initial 5 years (attach summary of monthly leak detection inspections for previous year)  
Center of Recycling Containment (if applicable): Latitude 32.543858 N Longitude -103.525344 W NAD83  
☐ For multiple or additional recycling containments, attach design and location information of each containment  
☒ Lined ☐ Liner type: Thickness 60 mil ☐ LLDPE ☒ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
☐ String-Reinforced  
Liner Seams: ☒ Welded ☐ Factory ☒ Other Field-Welded Seams Volume: 279558 bbl Dimensions: L 810' x W 810' x D 13'  
☐ Recycling Containment Closure Completion Date: \_\_\_\_\_

4.

**Bonding:**

- ☐ Covered under bonding pursuant to 19.15.8 NMAC per 19.15.34.15(A)(2) NMAC (These containments are limited to only the wells owned or operated by the owners of the containment.)
- ☐ Bonding in accordance with 19.15.34.15(A)(1). Amount of bond \$ \_\_\_\_\_ (work on these facilities cannot commence until bonding amounts are approved)
- ☐ Attach closure cost estimate and documentation on how the closure cost was calculated.

5.

**Fencing:**

- ☐ Four foot height, four strands of barbed wire evenly spaced between one and four feet
- ☐ Alternate. Please specify \_\_\_\_\_

6.

**Signs:**

- ☐ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers
- ☐ Signed in compliance with 19.15.16.8 NMAC

7.

**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.**

8.

**Siting Criteria for Recycling Containment**

*Instructions: The applicant must provide attachments that demonstrate compliance for each siting criteria below as part of the application. Potential examples of the siting attachment source material are provided below under each criteria.*

**General siting****Ground water is less than 50 feet below the bottom of the Recycling Containment.**

NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

☐ Yes ☐ No  
☐ NA

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.

☐ Yes ☐ No  
☐ NA

- Written confirmation or verification from the municipality; written approval obtained from the municipality

Within the area overlying a subsurface mine.

☐ Yes ☐ No

- Written confirmation or verification or map from the NM EMNRD-Mining and Minerals Division

Within an unstable area.

☐ Yes ☐ No

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; topographic map

Within a 100-year floodplain. FEMA map

☐ Yes ☐ No

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).

☐ Yes ☐ No

- Topographic map; visual inspection (certification) of the proposed site

Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.

☐ Yes ☐ No

- Visual inspection (certification) of the proposed site; aerial photo; satellite image

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.

☐ Yes ☐ No

- NM Office of the State Engineer - iWATERS database search; visual inspection (certification) of the proposed site

Within 500 feet of a wetland.

☐ Yes ☐ No

- US Fish and Wildlife Wetland Identification map; topographic map; visual inspection (certification) of the proposed site



9.

**Recycling Facility and/or Containment Checklist:**

Instructions: Each of the following items must be attached to the application. Indicate, by a check mark in the box, that the documents are attached.

**SEE ORIGINAL APPROVED C-147 ATTACHED**

- ☒ Design Plan - based upon the appropriate requirements.
- ☒ Operating and Maintenance Plan - based upon the appropriate requirements.
- ☒ Closure Plan - based upon the appropriate requirements.
- ☒ Site Specific Groundwater Data -
- ☒ Siting Criteria Compliance Demonstrations -
- ☒ Certify that notice of the C-147 (only) has been sent to the surface owner(s)

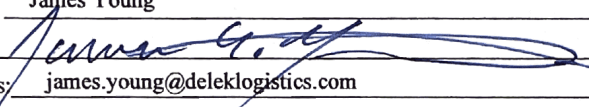
10.

**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): James Young

Title: Environmental Manager

Signature: 

Date:

11/1/2023

e-mail address: james.young@deleklogistics.com

Telephone: 318-278-4086

11.

OCD Representative Signature: Victoria Venegas

Approval Date: 11/17/2023

Title: Environmental Specialist

OCD Permit Number: 1RF-24

- ☒ OCD Conditions
- ☒ Additional OCD Conditions on Attachment

3 Bear Energy - Libby Water Recycling and Containment Facility								LOCATION:	LIBBY WATER PLANT	
WEEKLY READINGS								MONTH/YEAR	Apr-23	
		Containment Pond	Liner Integrity	DAILY Containment Pond	Containment Pond	Sump Riser Integrity	Sump Level Guages	Leak Detection Flow Meeter	DAILY Inspect Containment	
		(Oil Skim)	Water Level Gauge	Water Level Gauge	Water Level Gauge	Leaks?	Inspected/Tested	Reading Flow Volume	Dead Wild Life Birds/animals	
Operators				>3 Feet	Water Level		< 1 Foot			
Initials	Date	Visual/Weekly	Inspect Monthly	Visual/Daily	Record Weekly	Visual/Weekly	Record Weekly	Record Weekly	Visual/Daily	Comments
blo	4/1/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	Began filling pit after repairs
blo	4/2/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	
blo	4/3/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	
blo	4/4/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	
blo	4/5/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	
blo	4/6/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	
blo	4/7/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	
blo	4/8/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	
blo	4/9/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	
blo	4/10/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	
blo	4/11/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	
blo	4/12/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	
blo	4/13/2023	YES	yes	0	0	GOOD	0	1157.91	GOOD	
blo	4/14/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/15/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/16/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/17/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/18/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/19/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/20/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/21/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/22/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/23/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/24/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/25/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/26/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/27/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/28/2023	YES	yes	1	1	GOOD	0	1157.91	GOOD	
blo	4/29/2023	YES	yes	1	1	GOOD	0	1158.91	GOOD	
blo	4/30/2023	YES	yes	1	1	GOOD	0	1159.91	GOOD	

3 Bear Energy - Libby Water Recycling and Containment Facility								LOCATION:	LIBBY WATER PLANT	
WEEKLY READINGS								MONTH/YEAR	May-23	
				DAILY					DAILY	
		Containment Pond	Liner Integrity	Containment Pond	Containment Pond	Sump Riser Integrity	Sump Level Guages	Leak Detection Flow Meeter	Inspect Containment	
		(Oil Skim)		Water Level Gauge	Water Level Gauge		Inspected/Tested	Reading	Dead Wild Life	
Operators				>3 Feet	Water Level	Leaks?	< 1 Foot	Flow Volume	Birds/animals	
Initials	Date	Visual/Weekly	Inspect Monthly	Visual/Daily	Record Weekly	Visual/Weekly	Record Weekly	Record Weekly	Visual/Daily	Comments
blo	5/1/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/2/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/3/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/4/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/5/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/6/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/7/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/8/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/9/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/10/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/11/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/12/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/13/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/14/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/15/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/16/2023	YES	yes	3	3	GOOD	0	1157.91	GOOD	
blo	5/17/2023	YES	yes	4	4	GOOD	0	1157.91	GOOD	
blo	5/18/2023	YES	yes	4	4	GOOD	0	1157.91	GOOD	
blo	5/19/2023	YES	yes	4	4	GOOD	0	1157.91	GOOD	
blo	5/20/2023	YES	yes	4	4	GOOD	0	1157.91	GOOD	
blo	5/21/2023	YES	yes	4	4	GOOD	0	1157.91	GOOD	
blo	5/22/2023	YES	yes	4	4	GOOD	0	1157.91	GOOD	
blo	5/23/2023	YES	yes	4	4	GOOD	0	1157.91	GOOD	
blo	5/24/2023	YES	yes	4	4	GOOD	0	1157.91	GOOD	
blo	5/25/2023	YES	yes	4	4	GOOD	0	1157.91	GOOD	
blo	5/26/2023	YES	yes	4	4	GOOD	0	1157.91	GOOD	
blo	5/27/2023	YES	yes	4	4	GOOD	0	1157.91	GOOD	
blo	5/28/2023	YES	yes	4	4	GOOD	0	1157.91	GOOD	
blo	5/29/2023	YES	yes	4	4	GOOD	0	1158.91	GOOD	
blo	5/30/2023	YES	yes	4	4	GOOD	0	1159.91	GOOD	
blo	5/31/2023	YES	yes	4	4	GOOD	0	1159.91	GOOD	

3 Bear Energy - Libby Water Recycling and Containment Facility								LOCATION:	LIBBY WATER PLANT	
WEEKLY READINGS								MONTH/YEAR	Aug-23	
		Containment Pond	Liner Integrity	DAILY Containment Pond	Containment Pond	Sump Riser Integrity	Sump Level Guages	Leak Detection Flow Meeter	DAILY Inspect Containment	
		(Oil Skim)	Water Level Gauge	Water Level Gauge	Water Level Gauge	Leaks?	Inspected/Tested	Reading Flow Volume	Dead Wild Life Birds/animals	
Operators				>3 Feet	Water Level		< 1 Foot			
Initials	Date	Visual/Weekly	Inspect Monthly	Visual/Daily	Record Weekly	Visual/Weekly	Record Weekly	Record Weekly	Visual/Daily	Comments
blo	8/1/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/2/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/3/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/4/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/5/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/6/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/7/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/8/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/9/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/10/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/11/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/12/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/13/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/14/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/15/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/16/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/17/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/18/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/19/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/20/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/21/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/22/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/23/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/24/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/25/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/26/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/27/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/28/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/29/2023	YES	yes	9.5	9.5	GOOD	0	1158.91	GOOD	
blo	8/30/2023	YES	yes	9.5	9.5	GOOD	0	1159.91	GOOD	
blo	8/31/2023	YES	yes	9.5	9.5	GOOD	0	1159.91	GOOD	



3 Bear Energy - Libby Water Recycling and Containment Facility								LOCATION:	LIBBY WATER PLANT	
WEEKLY READINGS								MONTH/YEAR	Aug-23	
		Containment Pond	Liner Integrity	DAILY Containment Pond	Containment Pond	Sump Riser Integrity	Sump Level Guages	Leak Detection Flow Meeter	DAILY Inspect Containment	
		(Oil Skim)	Water Level Gauge		Water Level Gauge		Inspected/Tested	Reading	Dead Wild Life	
Operators				>3 Feet	Water Level	Leaks?	< 1 Foot	Flow Volume	Birds/animals	
Initials	Date	Visual/Weekly	Inspect Monthly	Visual/Daily	Record Weekly	Visual/Weekly	Record Weekly	Record Weekly	Visual/Daily	Comments
blo	8/1/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/2/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
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blo	8/5/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
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blo	8/7/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/8/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/9/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/10/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/11/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/12/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/13/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/14/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/15/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/16/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/17/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
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blo	8/20/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/21/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/22/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/23/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
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blo	8/26/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/27/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/28/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	8/29/2023	YES	yes	9.5	9.5	GOOD	0	1158.91	GOOD	
blo	8/30/2023	YES	yes	9.5	9.5	GOOD	0	1159.91	GOOD	
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3 Bear Energy - Libby Water Recycling and Containment Facility								LOCATION:	LIBBY WATER PLANT	
WEEKLY READINGS								MONTH/YEAR	Sep-23	
		Containment Pond	Liner Integrity	DAILY Containment Pond	Containment Pond	Sump Riser Integrity	Sump Level Guages	Leak Detection Flow Meeter	DAILY Inspect Containment	
		(Oil Skim)	Water Level Gauge	Water Level Gauge	Water Level Gauge	Leaks?	Inspected/Tested	Reading Flow Volume	Dead Wild Life Birds/animals	
Operators				>3 Feet	Water Level		< 1 Foot			
Initials	Date	Visual/Weekly	Inspect Monthly	Visual/Daily	Record Weekly	Visual/Weekly	Record Weekly	Record Weekly	Visual/Daily	Comments
blo	9/1/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	9/2/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	9/3/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/4/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/5/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/6/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/7/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/8/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	Skimed Pit
blo	9/9/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/10/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/11/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/12/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/13/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/14/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/15/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/16/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/17/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/18/2023	YES	yes	10	10	GOOD	0	1157.91	GOOD	
blo	9/19/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	9/20/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	9/21/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	9/22/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	9/23/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	9/24/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	9/25/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	9/26/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	9/27/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	9/28/2023	YES	yes	9.5	9.5	GOOD	0	1157.91	GOOD	
blo	9/29/2023	YES	yes	9.5	9.5	GOOD	0	1158.91	GOOD	
blo	9/30/2023	YES	yes	9.5	9.5	GOOD	0	1159.91	GOOD	

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 and/or Recycling Containment

Type of Facility: ☒ Recycling Facility ☒ Recycling Containment\*

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

\* At the time C-147 is submitted to the division for a Recycling Containment, a copy shall be provided to the surface owner.

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: 3Bear Field Services, LLC (For multiple operators attach page with information) OGRID #: 372603  
Address: 1512 Larimer Street, Suite 540; Denver CO. 80202  
Facility or well name (include API# if associated with a well): Libby Berry Fee SWD #1;  
OCD Permit Number: \_\_\_\_\_ (For new facilities the permit number will be assigned by the district office)  
U/L or Qtr/Qtr SW/4 Section 26 Township 20 South Range 34 East County: Lea  
Surface Owner: ☐ Federal ☐ State ☒ Private ☐ Tribal Trust or Indian Allotment

2.  
☒ **Recycling Facility:** (Section 26, T20S, R34E)  
Location of recycling facility (if applicable): Latitude 32.543858°N Longitude -103.525344 °W 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 ☒ Recycling containment ☐ Activity permitted under 19.15.17 NMAC explain type \_\_\_\_\_  
☐ Activity permitted under 19.15.36 NMAC explain type: \_\_\_\_\_ ☐ Other explain \_\_\_\_\_  
☐ For multiple or additional recycling containments, attach design and location information of each containment  
☐ **Closure Report (required within 60 days of closure completion):** ☐ Recycling Facility Closure Completion Date: \_\_\_\_\_

3.  
☒ **Recycling Containment:** (Section 26, T20S, R34E)  
☐ Annual Extension after initial 5 years (attach summary of monthly leak detection inspections for previous year)  
Center of Recycling Containment (if applicable): Latitude 32.544383°N Longitude -103.526851 °W NAD83  
☐ For multiple or additional recycling containments, attach design and location information of each containment  
☒ Lined ☐ Liner type: Thickness 60 mil ☐ LLDPE ☒ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
☐ String-Reinforced  
Liner Seams: ☒ Welded ☐ Factory ☒ Other Field-Welded Seams Volume: 279,558 bbl Dimensions: L 810' x W 810' x D 13'  
☐ Recycling Containment Closure Completion Date: \_\_\_\_\_

4.

**Bonding:**

- ☐ Covered under bonding pursuant to 19.15.8 NMAC per 19.15.34.15(A)(2) NMAC (These containments are limited to only the wells owned or operated by the owners of the containment.)
- ☒ Bonding in accordance with 19.15.34.15(A)(1). Amount of bond \$ 2,192,173 (work on these facilities cannot commence until bonding amounts are approved)
- ☒ Attach closure cost estimate and documentation on how the closure cost was calculated.

5.

**Fencing:**

- ☐ Four foot height, four strands of barbed wire evenly spaced between one and four feet
- ☒ Alternate. Please specify Six-foot, game fencing, with 4" mesh fabric.

6.

**Signs:**

- ☒ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers
- ☐ Signed in compliance with 19.15.16.8 NMAC

7.

**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.**

8.

**Siting Criteria for Recycling Containment**

*Instructions: The applicant must provide attachments that demonstrate compliance for each siting criteria below as part of the application. Potential examples of the siting attachment source material are provided below under each criteria.*

**General siting****Ground water is less than 50 feet below the bottom of the Recycling Containment.**

NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

☐ Yes ☒ No  
☐ NA

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.

- Written confirmation or verification from the municipality; written approval obtained from the municipality

☐ Yes ☒ No  
☐ NA

Within the area overlying a subsurface mine.

- Written confirmation or verification or map from the NM EMNRD-Mining and Minerals Division

☐ Yes ☒ No

Within an unstable area.

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; topographic map

☐ Yes ☒ No

Within a 100-year floodplain. FEMA map (FEMA MAP DATA NOT AVAILABLE FOR PROPERTY)

☐ Yes ☒ No

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).

- Topographic map; visual inspection (certification) of the proposed site

☐ Yes ☒ No

Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.

- Visual inspection (certification) of the proposed site; aerial photo; satellite image

☐ Yes ☒ No

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.

- NM Office of the State Engineer - iWATERS database search; visual inspection (certification) of the proposed site

☐ Yes ☒ No

Within 500 feet of a wetland.

- US Fish and Wildlife Wetland Identification map; topographic map; visual inspection (certification) of the proposed site

☐ Yes ☒ No



9.

**Recycling Facility and/or Containment Checklist:****Instructions:** Each of the following items must be attached to the application. Indicate, by a check mark in the box, that the documents are attached.

- ☒ Design Plan - based upon the appropriate requirements.
- ☒ Operating and Maintenance Plan - based upon the appropriate requirements.
- ☒ Closure Plan - based upon the appropriate requirements.
- ☒ Site Specific Groundwater Data -
- ☒ Siting Criteria Compliance Demonstrations -
- ☒ Certify that notice of the C-147 (only) has been sent to the surface owner(s)

10.

**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): SCOTT SPICHER Title: Vice President  
Signature: [Signature] Date: 12-1-17  
e-mail address: scott@3bear LLC.com Telephone: 303-862-3960

11.

OCD Representative Signature: [Signature] Approval Date: January 18, 2018Title: Environmental Specialist OCD Permit Number: 1RF-24☐ OCD Conditions☐ Additional OCD Conditions on Attachment

fOY1801835611

pOY1801835707



**Venegas, Victoria, EMNRD**

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**From:** Venegas, Victoria, EMNRD  
**Sent:** Friday, November 17, 2023 11:17 AM  
**To:** James Young; Harry Lewis  
**Subject:** 1RF-24 - LIBBY BERRY FEE SWD #1 FACILITY ID [FOY1801835611]  
**Attachments:** C-147 1RF-24 - LIBBY BERRY FEE SWD #1 FACILITY ID [FOY1801835611] 11.17.2023.pdf

**1RF-24 - LIBBY BERRY FEE SWD #1 FACILITY ID [FOY1801835611]**

Good morning Mr. Young,

NMOD has reviewed the determination of registration/permit annual extension request for 1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [fOY1801835611], received from [372603] DKL Field Services, LLC on 11/1/2023. The registration/permit extension request is approved with the following conditions of approval:

- 1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [fOY1801835611] is approved for one (1) year of operation from the date of the previous registration/permit expiration date of December 4, 2023. The new registration/permit expiration date is December 4, 2024.
- [372603] DKL Field Services, LLC will continue to operate, maintain, and close the 1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [fOY1801835611] in compliance with 19.15.34 NMAC, to include but not limited to the performance of weekly inspections regardless of fluid levels in the containment; recording of detailed inspection reports; removal of debris, foreign objects and oil from the containment; and monthly reporting of recycling and reuse of produced water, drilling fluids, and liquid oil field waste via from C-148.
- [372603] DKL Field Services, LLC will maintain a liquid level in the containment that is at least equal to the weight of the liner plus 20%. [372603] DKL Field Services, LLC may maintain a higher liquid level if they choose.
- If less than 20% of the total fluid capacity is utilized every consecutive six months, operation of the facility is considered ceased and notification of cessation of operations should be sent electronically to [OCD Online](#). An extension to extend the cessation of operations, not to exceed six months, may be submitted using a C-147 Long form through the [OCD Online](#) system. However, if after this 6-month period, the containment was not utilized at a minimum of 20% fluid capacity, no additional extensions would be granted, and the operator would be directed to remove all fluids and proceed with the closure requirements.
- A minimum of 3-feet freeboard must be maintained in the recycling containment at all times.
- [372603] DKL Field Services, LLC will comply with 19.15.29 NMAC Releases in the event of any release of produced water or produced water or other oil field wastes at 1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [fOY1801835611] [372603] DKL Field Services, LLC will comply with all other OCD rules.
- [372603] DKL Field Services, LLC must perform weekly inspections of the containment and leak detection system.
- If [372603] DKL Field Services, LLC wishes to extend the registration/permit past the December 4, 2024, a registration/permit extension request must be submitted to OCD. Extension requests are reviewed on a case-by-case basis and evaluated on their merit. Extensions are considered for a maximum length of one year. Additional requests must be submitted to OCD through [OCD Online](#) on a Form C-147 (long form) as an Extension request and should include a formal extension request letter, a summary of the prior registration/permit period inspection reports, and the copies of the detailed inspection records for the prior permit period. The extension request should be submitted no later than November 4, 2024.

Please let me know if you have any further questions or concerns.

Regards,

**Victoria Venegas** • Environmental Specialist

Environmental Bureau  
EMNRD - Oil Conservation Division  
506 W. Texas Ave. Artesia, NM 88210  
(575) 909-0269 | [Victoria.Venegas@emnrd.nm.gov](mailto:Victoria.Venegas@emnrd.nm.gov)  
<https://www.emnrd.nm.gov/oed/>



**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 281978

**CONDITIONS**

Operator: DKL Field Services, LLC 310 Seven Springs Way Brentwood, TN 37027	OGRID: 372603
	Action Number: 281978
	Action Type: [C-147] Water Recycle Long (C-147L)

**CONDITIONS**

Created By	Condition	Condition Date
vvenegas	• 1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [FOY1801835611] is approved for one (1) year of operation from the date of the previous registration/permit expiration date of December 4, 2023. The new registration/permit expiration date is December 4, 2024. • If [372603] DKL Field Services, LLC wishes to extend the registration/permit past the December 4, 2024, a registration/permit extension request must be submitted to OCD no later than November 4, 2024.	11/17/2023