



June 26, 2024

**New Mexico Oil Conservation Division**

New Mexico Energy, Minerals, and Natural Resources Department  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

**Re: Minor Modification - Transfer of Permit Request**

Bisti Landfarm  
San Juan County, New Mexico  
Western Refining Southwest LLC  
NMOCD Permit No: NM2-010

To Whom it May Concern:

Ensolum, LLC (Ensolum), on behalf of Western Refining Southwest LLC (Western), a subsidiary of Marathon Petroleum Company LP (Marathon) is submitting the attached New Mexico Oil Conservation Division (NMOCD) Form C-137A *Application for Minor Modification to Surface Waste Management Facility* for the Bisti Landfarm (Site), NMOCD permit number NM2-010. The site is located in the NW/4 SE/4, Section 16, Township 25 North, Range 12 West in San Juan County, New Mexico.

This minor modification is being submitted to address a change in ownership of the Landfarm Facility and associated property. Specifically, the current NMOCD permit NM2-010 is held by Western Refining Company LP (OGRID # 264727). Due to a corporate reorganization, Western Refining Company LP and the associated OGRID number no longer exist, and Western Refining Southwest LLC (OGRID # 267595) has assumed responsibility for the continued operation, maintenance, and reporting for the Bisti Landfarm. As such, Western is requesting a transfer of ownership of permit NM2-010 to the current operating name and OGRID number (Western Refining Southwest LLC, OGRID # 267595).

In accordance with 19.15.36.12.E of the New Mexico Administrative Code (NMAC), a list of the officers and directors of Western Refining Southwest LLC is enclosed. Western Refining Southwest LLC is a wholly owned subsidiary of Marathon Petroleum Company LP.

In addition, a hardcopy of the updated financial assurance and the Surety Bond form for permit NM2-010 was mailed directly to the NMOCD. A copy of the Surety Bond form is also attached to this document.

Western Refining Southwest LLC  
Minor Modification – Transfer of Ownership Request  
Bisti Landfarm

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We appreciate the opportunity to provide this request to the NMOCD. If you should have any questions or comments regarding this document, please contact the undersigned.

Sincerely,

**Ensolum, LLC**



Stuart Hyde, PG  
Senior Managing Geologist  
(970) 903-1607  
shyde@ensolum.com

**Attachments:**

NMOCD Form C-137A  
List of Officers and Directors of Western Refining Southwest LLC  
Copy of Surety Bond Form

The application/form must be submitted via OCD's Online Permitting System at <https://wwwapps.emnrd.nm.gov/OCD/OCDPermitting/Default.aspx> along with any associated permit fee.

State of New Mexico  
Energy Minerals and Natural Resources

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

For State Use Only:

Form C-137A  
Revised October 11, 2022

### APPLICATION FOR MINOR MODIFICATION TO SURFACE WASTE MANAGEMENT FACILITY

1. Operator: Western Refining Southwest LLC

Address: 539 South Main Street, Findlay, Ohio 45840

Contact Person: Kateri Luka Phone: (714) 713-1218

2. Location: NW /4 SE /4 Section 16 Township 25 N Range 12 W

3. Provide permit number NM2-010

- 4. Attach a description of the proposed minor modification(s) to the surface waste management facility.
- 5. If the Minor Modification involves changes to a treatment, remediation, or disposal method, attach engineering designs, certified by a registered professional engineer, including technical data on the design elements of each applicable treatment, remediation, and disposal method and detailed designs of surface impoundments.
- 6. If the Minor Modification will affect the closure and post-closure plan, attach an updated closure and post closure plan, including a responsible third party contractor's cost estimate, sufficient to close the surface waste management facility in a manner that will protect fresh water, public health, and the environment (the closure and post closure plan shall comply with the requirements contained in 19.15.36.18 NMAC).
- 7. If the Minor Modification will affect the contingency plan, attach an updated contingency plan that complies with the requirements of Subsection N of 19.15.36.13 NMAC and with NMSA 1978, Sections 12-12-1 through 12-12-30, as amended (the Emergency Management Act).
- 8. If the Minor Modification will affect the control of run-on or run-off water at the site, attach an updated plan to control run-on water onto the site and run-off water from the site that complies with the requirements of Subsection M of 19.15.36.13 NMAC.
- 9. If the Minor Modification will affect the best management practice plan, attach a best management practice plan to ensure protection of fresh water, public health, and the environment.
- 10. The division may require additional information to demonstrate that the surface waste management facility's operation will not adversely impact fresh water, public health, or the environment and that the surface waste management facility will comply with division rules and orders.

#### 11. CERTIFICATION

I hereby certify that the information submitted with this application is true, accurate, and complete to the best of my knowledge and belief.

Name: Kateri A. Luka

Title: Senior Environmental Specialist

Signature: 

Date: 04/09/2024

E-mail Address: \_\_kaluka@marathonpetroluem.com

<b>Western Refining Southwest LLC Directors and Officers</b>	
April 2024	
<b>Name</b>	<b>Position</b>
Aydt, Timothy J.	President
Benson, Molly R.	Member Representative, Vice President and Secretary
Brown, Angela S.	Vice President
Cade, Ruth A.	Vice President
Ewing, Geri C.	Vice President
Hallman, Nicholas	Assistant Controller
Heppner, David R.	Vice President
Hessling, Rick D.	Vice President
Johnson, Gary J.	Vice President and Assistant Secretary
Laird, Fiona C.	Vice President
Levi, Bradley J.	Vice President
Moore, John	Vice President
Niese, Kelly S.	Vice President and Treasurer
Partee, Brian K.	Vice President
Peery, Blane W.	Vice President
Pratt, Donald W.	Vice President
Wilkins, James R.	Vice President
Wilson, Lisa D.	Vice President
Burgy, Nicole M.	Assistant Secretary
Greenwell, Jim	Assistant Secretary
Pfleiderer, Shane T.	Assistant Secretary
Radabaugh, Brandon	Assistant Secretary
Sucheck, Sarah E.	Assistant Secretary
Watts, Elisa D.	Assistant Secretary
Kreinbrink, Brian R.	Assistant Treasurer
Kuhlman, Mandi M.	Assistant Treasurer
Luo, Yingbing	Assistant Treasurer
Brzezinski, Erin M.	Vice President and Controller
Marchal, Jeffrey S.	Assistant Controller
Schnipke, Jill M.	Assistant Treasurer
Zolnor, Regina M.	Vice President



KNOW ALL MEN BY THESE PRESENTS:

That Western Refining Southwest LLC, (an individual – **if dba must read – Example: John Doe dba ABC Services**) (a general partnership) (a corporation) (limited liability company) (limited partnership) organized in the State of Delaware, and authorized to do business in the State of New Mexico), as PRINCIPAL, and RLI Insurance Company, a corporation organized and existing under the laws of the State of Illinois and authorized to do business in the State of New Mexico, as SURETY, are firmly bound unto the State of New Mexico, for the use and benefit of the Oil Conservation Division of the Energy, Minerals and Natural Resources Department (or successor agency) (the DIVISION), pursuant to NMSA 1978, Section 70-2-14, as amended, in the sum of \$ 25,000, for the payment of which the PRINCIPAL and SURETY hereby bind themselves, their successors, and assigns, jointly and severally, firmly by these presents.

The conditions of this obligation are one of the following:

1. WHEREAS, the PRINCIPAL has commenced or may commence the drilling of one well to a depth not to exceed \_\_\_\_\_ feet, to prospect for and/or produce oil or gas, carbon dioxide gas, helium gas, or brine minerals, or as an injection or other service well related to such exploration or production, or owns or operates, or may acquire, own, or operate such well, the identification and location of said well being:  
 \_\_\_\_\_ API No. 30- \_\_\_\_\_,  
 (Name of Well)  
 located \_\_\_\_\_ feet from the (North/South) line and \_\_\_\_\_ feet from the (East/West) line of Section \_\_\_\_\_, Township \_\_\_\_\_ (North) (South), Range \_\_\_\_\_ (East) (West), NMPM, \_\_\_\_\_ County, New Mexico.
2. WHEREAS, the PRINCIPAL has heretofore or may hereafter enter into the collection, disposal, evaporation, remediation, reclamation, treatment or storage of produced water, drilling fluids, drill cuttings, completion fluids, contaminated soils, Basic Sediment & Water, tank bottoms, waste oil or other oil field related waste in Section 16, Township 25N, Range 12W, NMPM, County San Juan, New Mexico.

3. The OPERATOR/PRINCIPAL (APPLICANT/PERMITTEE) has or may enter into the collection, treatment, storage, recycling, and re-use of produced water in Section \_\_\_\_\_, Township \_\_\_\_\_, Range \_\_\_\_\_, NMPM, County \_\_\_\_\_, New Mexico ("Facility"). ISSUER has been advised that OPERATOR/PRINCIPAL has requested this Bond as security for OPERATOR/PRINCIPAL's compliance with all laws and rules applicable to such activities, including, but not limited to, proper closing and remediation of the Facility.

NOW, THEREFORE, if the PRINCIPAL and SURETY or either of them, or their successors or assigns or any of them, shall cause said well be properly plugged and abandoned when dry or when no longer productive or useful for other beneficial purpose, in accordance with the rules and orders of the DIVISION, Oil Conservation Commission, or a court of competent jurisdiction, including but not limited to 19.15.8.9 and 19.15.25.10 NMAC, as such rules now exist or may hereafter be amended;

THEN AND IN THAT EVENT, this obligation shall be null and void; otherwise and in default of complete compliance with any and all of said obligations, the same shall remain in full force and effect.

Western Refining Southwest LLC  
PRINCIPAL

RLI Insurance Company  
SURETY

539 S. Main St., Findlay, OH 45840  
Address

9025 N. Lindbergh Drive, Peoria, IL 61615  
Address

By *Joe Schripke*  
Signature

*[Signature]*  
Attorney-in-Fact

Assistant Treasurer  
Title

Corporate surety, affix Corporate seal below:

IF PRINCIPAL is a corporation, affix Corporate Seal below:







**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 360483

**CONDITIONS**

Operator: Western Refining Southwest LLC 539 South Main Street Findlay, OH 45840	OGRID: 267595
	Action Number: 360483
	Action Type: [C-137] SWMF Minor Modification (C-137A)

**CONDITIONS**

Created By	Condition	Condition Date
joseph.kennedy	None	7/11/2024