

# Protested SWD Application

By Intrepid Potash Inc. on 7/8/19

## Lamkin, Baylen, EMNRD

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**From:** Lamkin, Baylen, EMNRD  
**Sent:** Wednesday, November 27, 2019 10:41 AM  
**To:** 'joel@loweryenvironmental.com'  
**Cc:** Goetze, Phillip, EMNRD; Rose-Coss, Dylan H, EMNRD  
**Subject:** Notification of Protest for Application to Inject: Berry Eaves SWD Well No.2 \_ Intrepid Potash  
**Attachments:** LillyStream Water Solutions, LLC\_Berry Eaves SWD #2\_Intrepid.pdf

RE: Berry Eaves SWD Well No.2 (API 30-25-Pending; Admin. Appl. No pMAM1917749803) Unit D S18 T21S R33E, NMPPM, Lea County

Mr. Lowery,

The OCD was notified by Intrepid Potash that they are protesting this application. This party has been identified as an affected person for the location being considered. Because of the protest, the application can no longer be reviewed administratively. You are being notified that for this application to be considered, LilyStream Water Solutions, LLC currently has two options; the first is to go to hearing, the second is to negotiate a resolution with the protesting party. If the protest is withdrawn, then the application can be reviewed administratively. In the meantime, the application will be retained pending a hearing or other resolution. Please continue to provide OCD with information regarding the standing of this application and feel free to call me with any questions.

Contact for Intrepid Potash:  
Intrepid Potash, Inc.  
1001 17<sup>th</sup> Street, Suite 1050  
Denver, CO 80202  
303.296.3006  
303.298.7502 fax

Regards,  
**Baylen Lamkin**

*Petroleum Specialist*  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

(505) 476-3477





Intrepid Potash, Inc.  
1001 17<sup>th</sup> Street, Suite 1050  
Denver, CO 80202  
303.296.3006  
303.298.7502 fax

July 8, 2019

New Mexico Oil Conservation Division  
1220 S. Saint Francis Drive  
Santa Fe, NM 87505

JUL 08 2019 AM 11:27

Subject:       Objection to Berry Eaves SWD #2 Well  
                  Section 18, T21S, R33E  
                  LilyStream Water Solutions, LLC

Dear Administrator:

Intrepid Potash – New Mexico, LLC (Intrepid) objects to LilyStream Water Solutions, LLC's proposed Berry Eaves SWD #2 Well located in Section 28, T21S, R33E.

The basis of the objection is:

- LilyStream Water Solutions did not provide written notification of the proposed well to Intrepid. As required by Order R-111-P, LilyStream Water Solutions was to send notice by registered mail to potash operators holding leases (Intrepid) within one mile of the proposed location.
- The proposed location is inside Intrepid's Life of Mine Reserve (LMR). As stated by Order R-111-P, wells may only be drilled inside a potash lessee's LMR by agreement between the State Land Office (lessor) and the potash and oil and gas lessees. Intrepid does not agree to the location.

Thank you for your favorable consideration of our objection to the above referenced SWD well. Please contact me ([greg.bruce@intrepidpotash.com](mailto:greg.bruce@intrepidpotash.com) or 575-234-3937) if you have any questions or need additional information.

Sincerely,

Greg Bruce  
Chief Mine Engineer

cc:           Jim Rutley, BLM  
              Katie Keller - Intrepid