APPLICATION PROTESTED

APPLICANT: Delaware Energy, LLC

APPLICATION TYPE: SWD

WELL NAME: Burbury Fig State SWD #1

API NUMBER: 30-015- Pending

ADMIN. APPL. NO.: pMAM19143 52998

UL-S-T-R: A-36-21S-29E

DATE RECEIVED AT OCD: 5-20-2019 Admin Complete: Yes No

PROTESTANT: ① XTO Energy
② Don Watts
③ Mosaic

DATE PROTEST RECEIVED: ① 05-22-2019
② 04-17-2019 ③ 06-03-2019

DATE AND METHOD OF NOTIFICATION OF APPLICANT:
05-23-2019 (1 & 2 both) ③ 06-06-2019

RESOLUTION:

- ☐ Hearing
- ☐ Negotiated/Withdrawn
- ☐ Denied/Cancelled by Division

NOTES/COMMENTS:

Make sure to confirm application status in E-permitting and entered into Protest Tracking Spreadsheet

McMillan, Michael, EMNRD

From: McMillan, Michael, EMNRD
Sent: Thursday, June 6, 2019 9:04 AM
To: 'Sarah Presley'
Cc: 'ric.bell@mosaicco.com'; Goetze, Phillip, EMNRD; Lowe, Leonard, EMNRD; Jones, William V, EMNRD; Murphy, Kathleen A, EMNRD
Subject: Notification of Protest for Application to Inject -:Barbary Fig SWD #1 Mosaic Potah

RE: Barbary Fig State SWD #1 (API 30-015-Pending; Admin. Appl. No pMAM1914352998) Unit A; Sec 36, T21S, R29E, NMPM, Eddy County

Ms. Presley:

OCD was notified Mosaic Potash that it is protesting this application. This party is identified as an affected person for the location being considered for the application. You are being notified that if Delaware Energy, LLC wishes for this application to be considered, they must either go to hearing or may be reviewed administratively if the protest is withdrawn as a result of a negotiated resolution with this party. The application will be retained pending resolution of the protest. Please continue to provide OCD with information regarding the standing of this application. Please me call with any questions on this matter.

Contact for Mosaic Potash
Ric Bell
Senior Geologist
1361 Potash Mines Road
Carlsbad, NM 79707
Phone: (575) 628-6242
E-mail: ric.bell@mosaicco.com

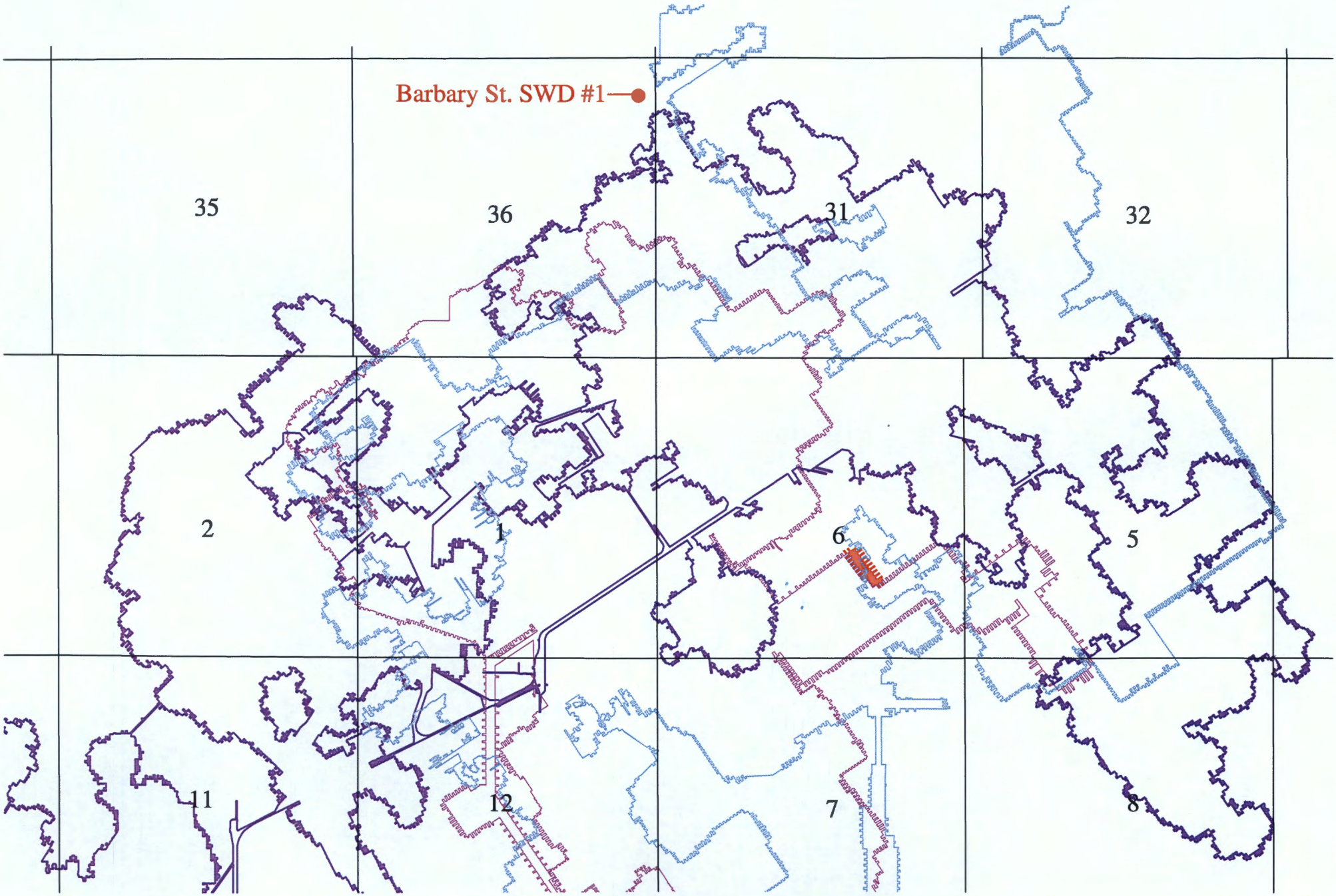
Michael McMillan
1220 South St. Francis
Santa Fe, New Mexico
505-476-3448
Michael.mcmillan@state.nm.us

McMillan, Michael, EMNRD

From: Bell, Ric <Ric.Bell@mosaicco.com>
Sent: Monday, June 3, 2019 1:28 PM
To: s.presley@delawareenergy.com
Cc: Morehouse, Dan; McMillan, Michael, EMNRD; Goetze, Phillip, EMNRD; Jones, William V, EMNRD; Murphy, Kathleen A, EMNRD; Lowe, Leonard, EMNRD; jrutley@blm.gov
Subject: [EXT] Barbary Fig State SWD #1
Attachments: Barbary SWD.pdf

Ms. Presley,
Mosaic will object to this location due to proximity to our open mine works on the 900', 850', and 800' levels. Please contact the undersigned regarding any questions.
Sincerely,
Ric

Ric Bell | Senior Geologist
The Mosaic Company | 1361 Potash Mines Road | Carlsbad, New Mexico, 88220
P: 575.628.6242 |C: 575.361.3854 | E: ric.bell@mosaicco.com |
W: www.mosaicco.com


Barbary St. SWD #1
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McMillan, Michael, EMNRD

From:	McMillan, Michael, EMNRD
Sent:	Thursday, May 23, 2019 3:10 PM
To:	Sarah Presley
Cc:	Goetze, Phillip, EMNRD; Lowe, Leonard, EMNRD; Jones, William V, EMNRD; Murphy, Kathleen A, EMNRD
Subject:	Notification of Protest for Application to Inject: Barbary Fig State SWD Well No. 1 NGL
Attachments:	Delaware Energy BarbaryFigSWD#1 DonWattsProtest.pdf

RE: Barbary Fig State SWD #1 (API 30-015-Pending; Admin. Appl. No pMAM1914352998) Unit A; Sec 36, T21S, R29E, NMPM, Eddy County

Ms. Presley:

OCD was notified Don Watts that he is protesting this application. This party is identified as an affected person for the location being considered for the application. You are being notified that if Delaware Energy, LLC wishes for this application to be considered, they must either go to hearing or may be reviewed administratively if the protest is withdrawn as a result of a negotiated resolution with this party. The application will be retained pending resolution of the protest. Please continue to provide OCD with information regarding the standing of this application. Please me call with any questions on this matter.

Contact for Don Watts
Don Watts
PO Box 209
Loving NM. 88256

Michael McMillan
1220 South St. Francis
Santa Fe, New Mexico
505-476-3448
Michael.mcmillan@state.nm.us

APR 17 2019 PM02:21

4/12/2019

VIA USPS

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

RE: Delaware Energy, L.L.C. "Barbary Fig State SWD #1"

To: Whom it May Concern at the NMOCD

I, Don Watts, of PO Box 209, Loving, NM 88256, do hereby respectfully request to make an objection to the approval and drilling of a proposed SWD well located in Section 36, Township 21 South, Range 29 East, Eddy County, New Mexico. I am requesting that the NMOCD deny the approval of the form C-108 for authorization to Inject on the "Barbary Fig State SWD #1" submitted by Delaware Energy, LLC published in the Carlsbad Current-Argus on 4/10/2019.

Respectfully,

Don Watts

Don Watts
PO Box 209
Loving, NM 88256

McMillan, Michael, EMNRD

From:	McMillan, Michael, EMNRD
Sent:	Thursday, May 23, 2019 3:11 PM
To:	'Sarah Presley'
Cc:	'Cherry, Tracie'; Goetze, Phillip, EMNRD; Lowe, Leonard, EMNRD; Murphy, Kathleen A, EMNRD
Subject:	Notification of Protest for Application to Inject -:Barbary Fig SWD #1 XTO
Attachments:	DelawareEnergy BarbaryFigSWD#1 CompadreSWD#1 PadrinoSWD#1 XTO Protest.pdf

RE: Barbary Fig State SWD #1 (API 30-015-Pending; Admin. Appl. No pMAM1914352998) Unit A; Sec 36, T21S, R29E, NMPM, Eddy County

Ms. Presley:

OCD was notified XTO Energy Inc. that it is protesting this application. This party is identified as an affected person for the location being considered for the application. You are being notified that if Delaware Energy, LLC wishes for this application to be considered, they must either go to hearing or may be reviewed administratively if the protest is withdrawn as a result of a negotiated resolution with this party. The application will be retained pending resolution of the protest. Please continue to provide OCD with information regarding the standing of this application. Please me call with any questions on this matter.

Contact for XTO Energy Inc.

Tracie Cherry
Regulatory Coordinator
6401 Holiday Hill Road, Building 5
Midland, TX. 79707
Phone: (432) 221-7379
E-mail: Tracie_Cherry@xtoenergy.com

Michael McMillan
1220 South St. Francis
Santa Fe, New Mexico
505-476-3448
Michael.mcmillan@state.nm.us

McMillan, Michael, EMNRD

From: Cherry, Tracie <Tracie_Cherry@xtoenergy.com>
Sent: Wednesday, May 22, 2019 2:22 PM
To: McMillan, Michael, EMNRD
Cc: Goetze, Phillip, EMNRD; Thompson, Michael
Subject: [EXT] Applications by Delaware Energy LLC

Good afternoon Mike.

The applications listed below were received in our office via certified mail. XTO Permian Operating, LLC as an affected party, objects to administrative approval of these applications for disposal into the Devonian-Siluran formation. The wells are located inside the boundaries of the Big Eddy Unit and will affect planned development in the unit.

Applications protested are:
√Barbary Fig State SWD #1 (Sec 36 21S-29E)
Compadre State SWD #1 (Sec 02 21S-30E)
Padrino State SWD #1 (Sec 32 20S-31E)

XTO requests to be notified of any further activity in regard to the applications, including being provided with notice of any hearing scheduled. Should you have any questions, please do not hesitate to contact me or Michael Thompson at 432-221-7357 or Michael_thompson@xtoenergy.com,.

Tracie J Cherry
Regulatory Coordinator
Direct number 432-221-7379

XTO ENERGY a subsidiary of **ExxonMobil**

Mendy Watts
P.O Box 209
Loving NM
88256

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®

7018 0360 0001 6921 8565

UNITED STATES POSTAL SERVICE®

1000

87505

U.S. POSTAGE PAID
FCM LETTER
CARLSBAD, NM
88220
APR 15, 19
AMOUNT

$3.50

R2303S103348-11

APR 5 2019
SBAD NM 88220

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