

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**APPLICATION OF NGL WATER SOLUTIONS
PERMIAN, LLC FOR APPROVAL OF A
SALT WATER DISPOSAL WELL IN
EDDY COUNTY, NEW MEXICO**

CASE NO. 20404

MOTION TO DISMISS

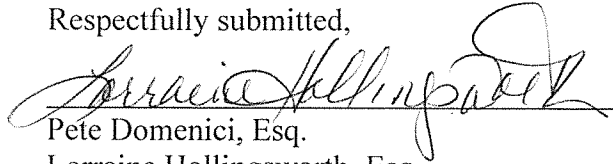
COMES NOW Solaris Water Midstream, LLC, by and through undersigned counsel of record, and hereby requests that Case No. 20404 be dismissed for failure to provide proper notice pursuant to 19.15.26.8 NMAC.

The Applicant, NGL Water Solutions Permian, LLC, filed its C-108 Application for Authorization to Inject on February 20, 2019. The C-108, which is attached as Exhibit A to the Application requesting a hearing in this matter, does not include proof of publication or other form of notice, as required by 19.15.26.8. The cover sheet to the C-108 indicates that the Application requires published notice (Exhibit A, Section 2, Notification Required, ¶C). However, the ¶2.G, stating that “For all of the above, proof of notification or publication is attached,” is not checked. No proof of notice or publication was provided with the C-108 or with the Application for hearing. Page 2 of Form C-108 sets forth the requirements for proof of notice, including proof of publication and states: “NO ACTION WILL BE TAKEN ON THE APPLICATION UNTIL PROPER PROOF OF NOTICE HAS BEEN SUBMITTED.”

Because NGL has failed to provide proof of publication, the C-108 is incomplete and does not meet the requirements of 19.15.26.8 NMAC. The Application requesting a hearing should be dismissed and the hearing scheduled for April 4, 2019 vacated.

WHEREFORE, Solaris Water Midstream, LLC, respectfully requests that the Application requesting a hearing and approval of the Whitt 31 SWD #1 well be dismissed and the hearing scheduled for April 4, 2019 vacated.

Respectfully submitted,



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Attorneys for Solaris Water Midstream, LLC

I hereby certify that, on March 29, 2019, a copy of the forgoing Entry of Appearance was served via email upon the following:

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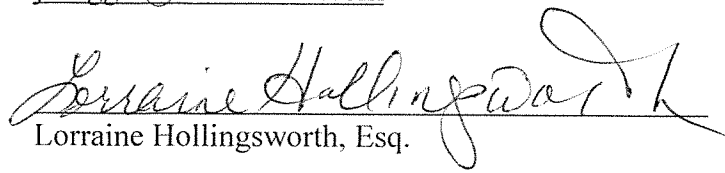
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A handwritten signature in cursive script, reading "Lorraine Hollingsworth". The signature is written in black ink and is positioned above a horizontal line.

Lorraine Hollingsworth, Esq.