



February 28, 2023

Ms. Victoria Venegas  
New Mexico EMNRD  
Oil conservation Division  
811 S. First St.  
Artesia, New Mexico 88210

**Re: Request for Permit Modification to add an additional Recycle Containment at an Approved C-147 Recycle Facility (2RF-180) in Eddy County New Mexico**

Ms. Venegas,

WaterBridge Stateline, LLC (OGRID #330129) would like to request permission to modify the permit issued for their Burton Flats Recycle Facility (2RF-180). WaterBridge is expecting a large influx of raw water for processing in a short amount of time. To accommodate this water, WaterBridge is requesting permission to construct a 50,000 BBL Above Ground Storage Tank (AST) at the Burton Flats Facility. This AST will be used as buffer for temporary storage of incoming water prior to treatment in the approved treatment process.

No changes to the operations procedures, maintenance, and monitoring procedures, or closing procedures will be made aside from addition of storage volume in the AST. The facility plans to operate as originally permitted.

Enclosed in this submission is a new C-147 form for the AST, Variance Requests for Rules NMAC 19.15.34.12 A (2) and NMAC 19.15.31.12 A (4), Engineering Diagrams for the AST, a leak detection plan for the AST, and a new closure cost estimate stamped by an Engineer licensed in the State of New Mexico.

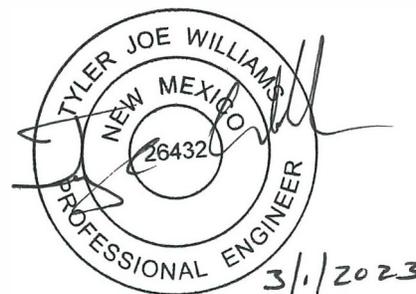
Should you have any questions or require additional information, please contact me by phone at 580-234-8780 or by email at [twilliams@envirotechconsulting.com](mailto:twilliams@envirotechconsulting.com) at your convenience.

Thank you for your consideration.  
Best regards,

ENVIROTECH ENGINEERING & CONSULTING, INC.

A handwritten signature in black ink, appearing to read 'Tyler Williams'.

Tyler Williams, P.E.  
President and Principal Engineer



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: WaterBridge Stateline, LLC (For multiple operators attach page with information) OGRID #: 330129  
Address: 5555 San Felipe Sutie 1200 Houston, TX 77056  
Facility or well name (include API# if associated with a well): BurtonFlats Recycle  
OCD Permit Number: 2 RF-180 (For new facilities the permit number will be assigned by the district office)  
U/L or Qtr/Qtr \_\_\_\_\_ Section 27 Township 20 south Range 28 East County: Eddy County  
Surface Owner:  Federal  State  Private  Tribal Trust or Indian Allotment

2.  
 **Recycling Facility:**  
Location of recycling facility (if applicable): Latitude 32.549369° Longitude -104.161031° 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 32.549369° Longitude -104.161031° NAD83  
 For multiple or additional recycling containments, attach design and location information of each containment  
 Lined  Liner type: Thickness 40/40 mil  LLDPE  HDPE  PVC  Other \_\_\_\_\_  
 String-Reinforced  
Liner Seams:  Welded  Factory  Other \_\_\_\_\_ Volume: 50,000 bbl Dimensions: L \_\_\_\_\_ x W 180 x D 12  
 Recycling Containment Closure Completion Date: \_\_\_\_\_ Round Above Ground Storage Tank 180' Diameter

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 \$ 1,102,079.16 (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 8-ft tall Game Fence

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**

<b>Ground water is less than 50 feet below the bottom of the Recycling Containment.</b> NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Within the area overlying a subsurface mine. - Written confirmation or verification or map from the NM EMNRD-Mining and Minerals Division	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Within an unstable area. - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; topographic map	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Within a 100-year floodplain. FEMA map	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Within 500 feet of a wetland. - US Fish and Wildlife Wetland Identification map; topographic map; visual inspection (certification) of the proposed site	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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): Michael Reitz Title: EVP Operations  
 Signature: [Signature] Date: 03/01/23  
 e-mail address: michael.reitz@h... Telephone: (713) 230-0864

11.  
 OCD Representative Signature: Victoria Venegas Approval Date: 03/22/2023  
 Title: Environmental Specialist OCD Permit Number: 2RF-180

OCD Conditions \_\_\_\_\_  
 Additional OCD Conditions on Attachment



February 28, 2023

Ms. Victoria Venegas  
New Mexico EMNRD  
Oil conservation Division  
811 S. First St.  
Artesia, New Mexico 88210

RE: Rule 34 Variance Request –Produced Water Recycling Containment Levee Wall

Ms. Venegas:

WaterBridge Stateline, LLC (WaterBridge) is requesting a variance to Rule 34 Part 12(A)(2) requiring “a levee with an inside grade no steeper than two horizontal feet to one vertical foot (2H:1V). The levee shall have an outside grade no steeper than three horizontal feet to one vertical foot (3H:1V). WaterBridge is requesting approval to use and Above Ground Storage Tank (AST) as a containment structure at the Burton Flats Recycle Facility. Based on our experience AST’s work well for this purpose, they are structurally sound and easy to maintain. A copy of the engineering drawings are included.

This AST will have vertical walls on both interior and exterior sides and thus requires a variance for use. The AST will, however be double lined like other containments to limit the risk of leakage. It should also be noted that this variance has been granted on past sites.

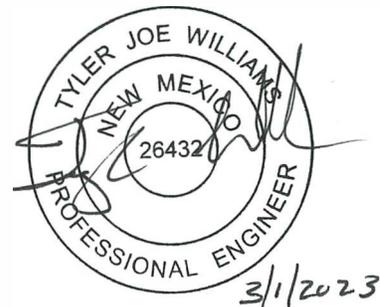
Should you have any questions or require additional information, please contact me by phone at 580-234-8780 or by email at [twilliams@envirotechconsulting.com](mailto:twilliams@envirotechconsulting.com) at your convenience

Thank you for your consideration.  
Best regards,

**ENVIROTECH ENGINEERING & CONSULTING, INC.**

A handwritten signature in black ink that reads "Tyler Williams".

Tyler Williams, P.E.  
President and Principal Engineer





February 28, 2023

Ms. Victoria Venegas  
 New Mexico EMNRD  
 Oil conservation Division  
 811 S. First St.  
 Artesia, New Mexico 88210

RE: Rule 34 Variance Request –Produced Water Recycling Containment Secondary Liner

Ms. Venegas:

WaterBridge Stateline, LLC (WaterBridge) is requesting a variance to Rule 34 Part 12(A)(4) requiring primary liners to be 45-mil string reinforced LLDPE. WaterBridge is requesting approval to use 40-mil LLDPE in place of the specified material. Based on our experience, we feel that the requested material will allow us to provide equal environmental protection in our impoundments.

Due to the construction of the 45-mil reinforced LLDPE material, nondestructive QA/QC testing cannot be performed. The proposed 40-mil LLDPE will be seamed in a manner that will allow nondestructive pressure testing of the seams to ensure proper sealing.

The proposed LLDPE is appropriate material for the proposed use in the impoundment and is compatible with the material that will be stored. This material will provide equal or better environmental protection as the specified 45-mil reinforced LLDPE.

The proposed new liner system cross-section is as follows: prepare subgrade, 10 oz. geotextile, 40-mil LLDPE, 200 mil geonet, 40-mil LLDPE. This will replace the cross-section required by the current rule and submitted with the original permit application. It should also be noted that this variance has been granted on past sites.

Should you have any questions or require additional information, please contact me by phone at 580-234-8780 or by email at [twilliams@envirotechconsulting.com](mailto:twilliams@envirotechconsulting.com) at your convenience.

Thank you for your consideration.  
 Best regards,

ENVIROTECH ENGINEERING & CONSULTING, INC.

A handwritten signature in black ink that reads "Tyler Williams".

Tyler Williams, P.E.  
 President and Principal Engineer





February 28, 2023

Ms. Victoria Venegas  
New Mexico EMNRD  
Oil conservation Division  
811 S. First St.  
Artesia, New Mexico 88210

RE: Rule 34 Variance Request –Produced Water Recycling Containment Secondary Liner

Ms. Venegas:

WaterBridge Stateline, LLC (WaterBridge) is requesting a variance to Rule 34 Part 12(A)(4) requiring secondary liners to be 30-mil string reinforced LLDPE. WaterBridge is requesting approval to use 40-mil LLDPE in place of the specified material. Based on our experience, we feel that the requested material will allow us to provide equal environmental protection in our impoundments.

Due to the construction of the 30-mil reinforced LLDPE material, nondestructive QA/QC testing cannot be performed. The proposed 40-mil LLDPE will be seamed in a manner that will allow nondestructive pressure testing of the seams to ensure proper sealing.

The proposed LLDPE is appropriate material for the proposed use in the impoundment and is compatible with the material that will be stored. This material will provide equal or better environmental protection as the specified 30-mil reinforced LLDPE.

The proposed new liner system cross-section is as follows: prepare subgrade, 10 oz. geotextile, 40-mil LLDPE, 200 mil geonet, 40-mil LLDPE. This will replace the cross-section required by the current rule and submitted with the original permit application. It should also be noted that this variance has been granted on past sites.

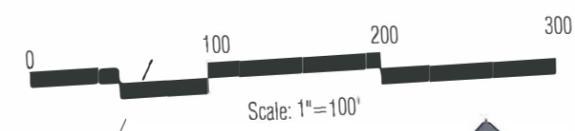
Should you have any questions or require additional information, please contact me by phone at 580-234-8780 or by email at [twilliams@envirotechconsulting.com](mailto:twilliams@envirotechconsulting.com) at your convenience.

Thank you for your consideration.  
Best regards,

ENVIROTECH ENGINEERING & CONSULTING, INC.

Tyler Williams, P.E.  
President and Principal Engineer





**ENVIROTECH ENGINEERING**  
 3500 North Elm, 6th Street  
 Tulsa, Oklahoma  
 (918) 244-8700  
 envirotechengineering.com  
 C.A. #26432 - Expiration Date: 12-31-2022

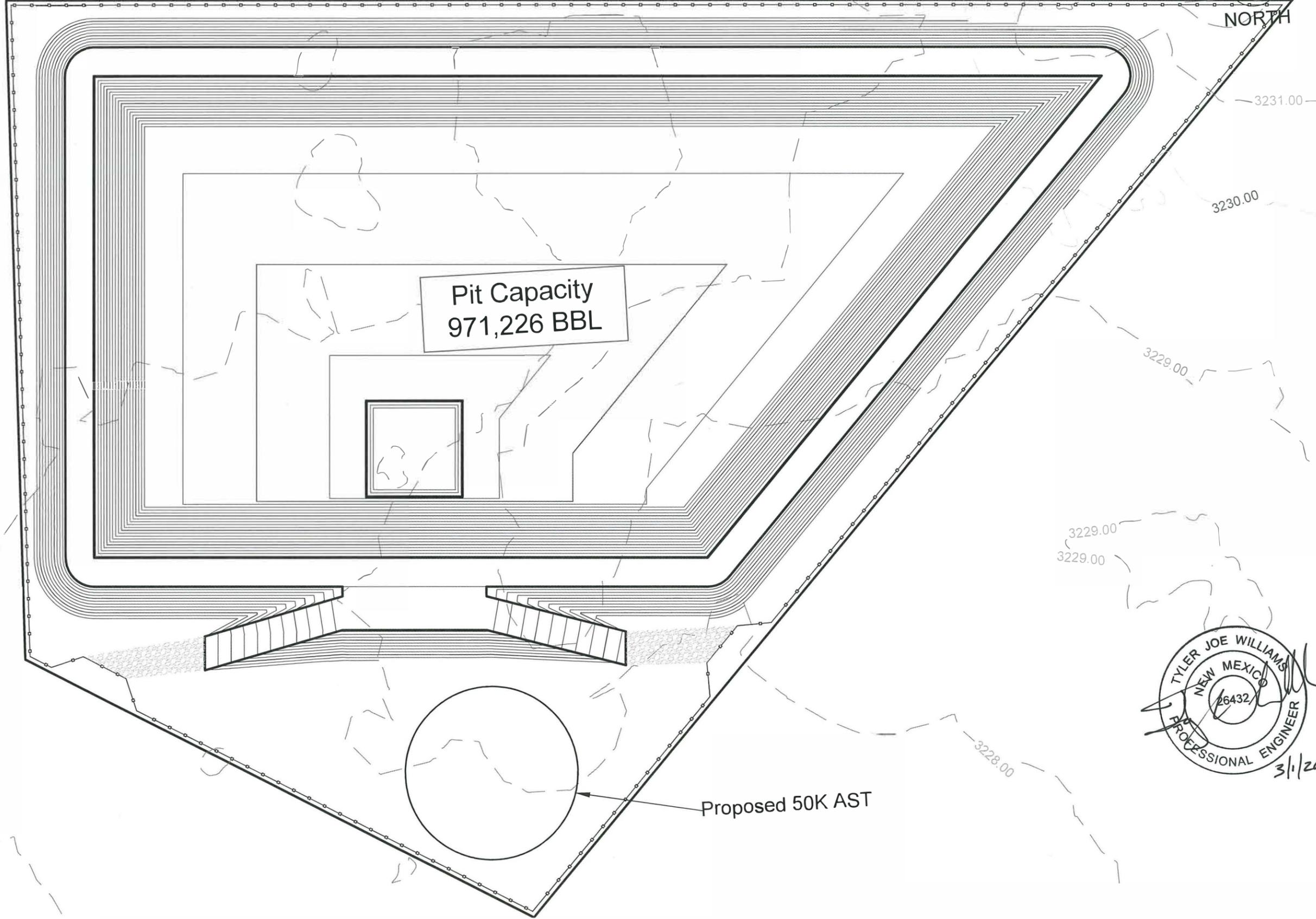
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NO.	DATE	DESCRIPTION

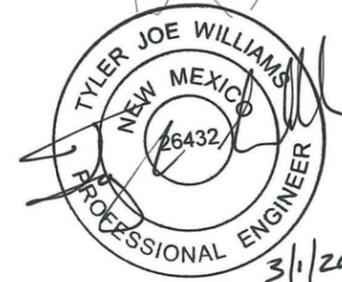
**WATERBRIDGE**

**SITE PLAN**  
 BURTON FLATS RECYCLE FACILITY  
 WATERBRIDGE STATELINE, LLC  
 S27, T20S, R28E EDDY COUNTY, NM

DATE: February 2023  
 SCALE: 1"=100'  
 DESIGNED BY: M. Ratke  
 DRAWN BY: M. Ratke  
 CHECKED BY: T. Williams  
 PROJECT NO.: 022139-00  
 SHEET NO.: Figure 1



Pit Capacity  
 971,226 BBL



Proposed 50K AST

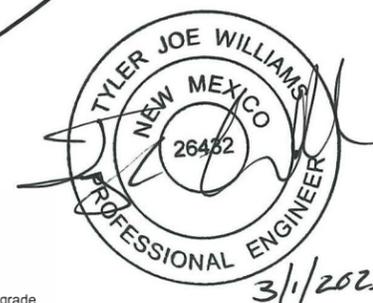


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NO.	DATE	DESCRIPTION



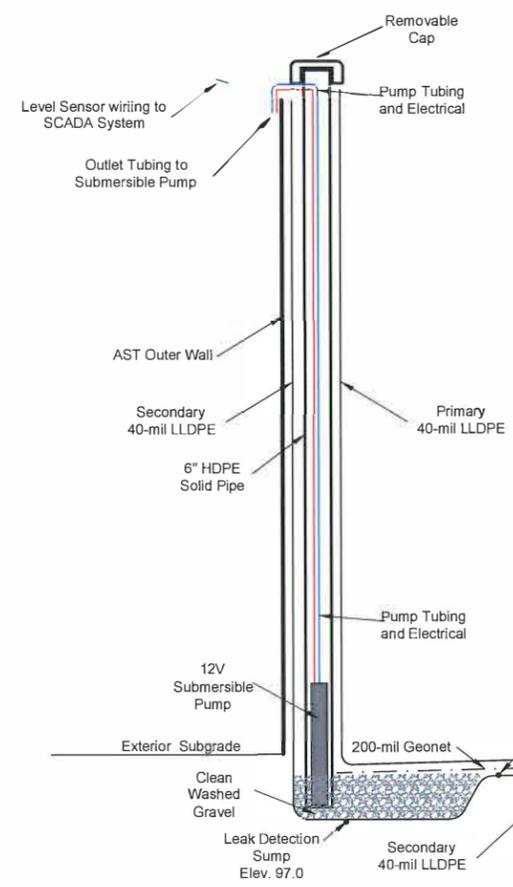
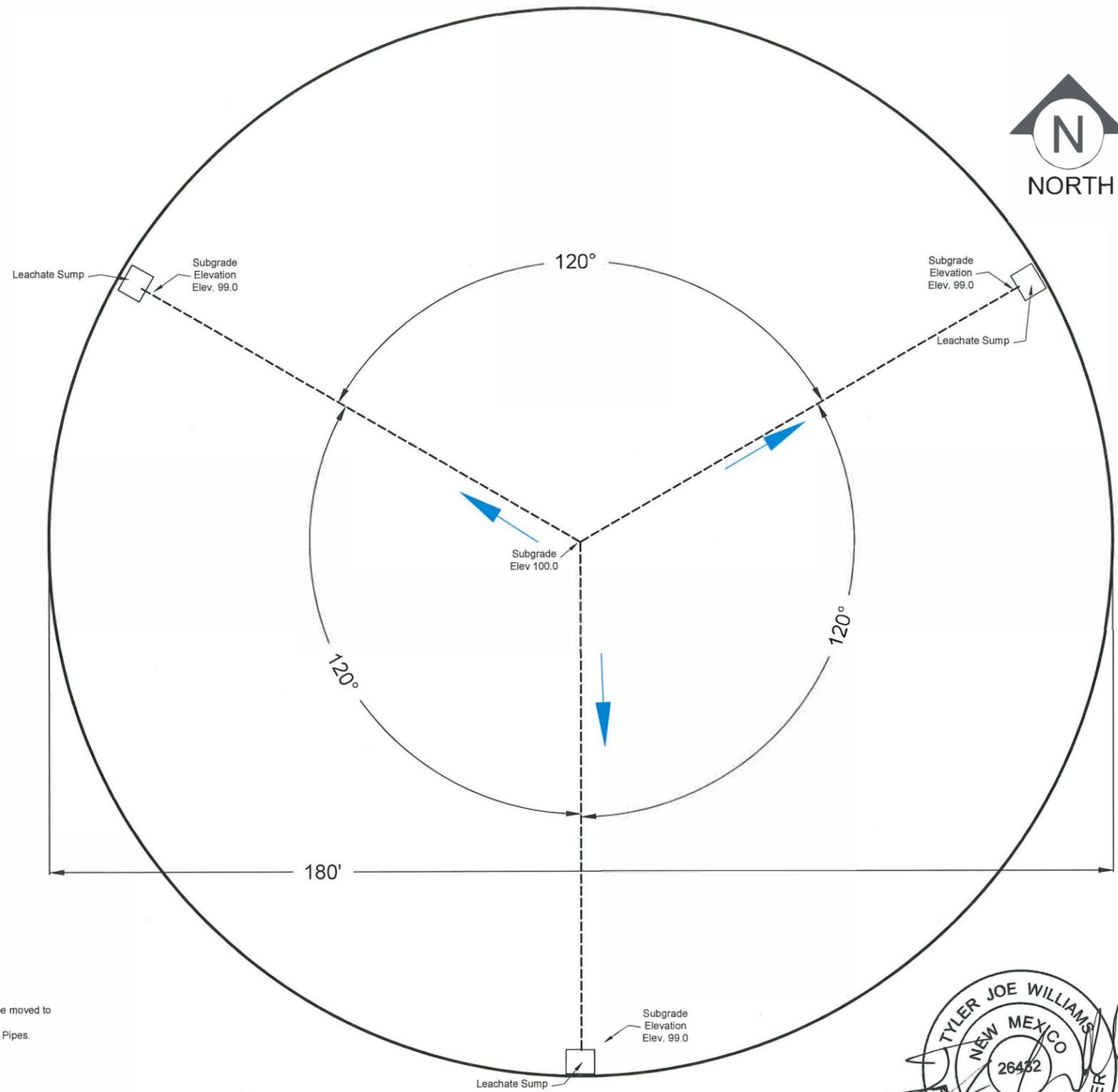
**AST LEAK DETECTION PLAN**  
BURTON FLATS RECYCLE FACILITY  
WATERBRIDGE STATELINE, LLC  
S27, T20S, R28E EDDY COUNTY, NM



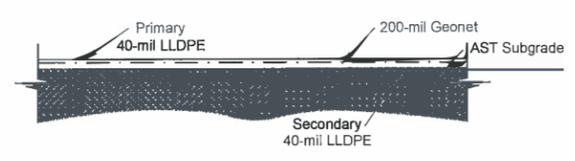
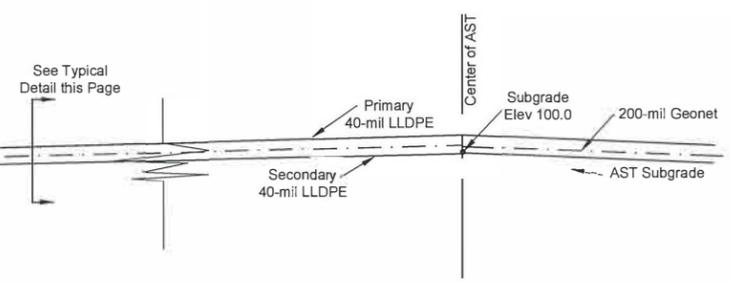
DATE:	February 2023
SCALE:	1" = 100'
DESIGNED BY:	M. Ratke
DRAWN BY:	M. Ratke
CHECKED BY:	T. Williams
PROJECT NO.:	022139-00
SHEET NO.:	

Figure 2

Utilize Leak Detection System below for Influent AST  
Leachate Flow Direction

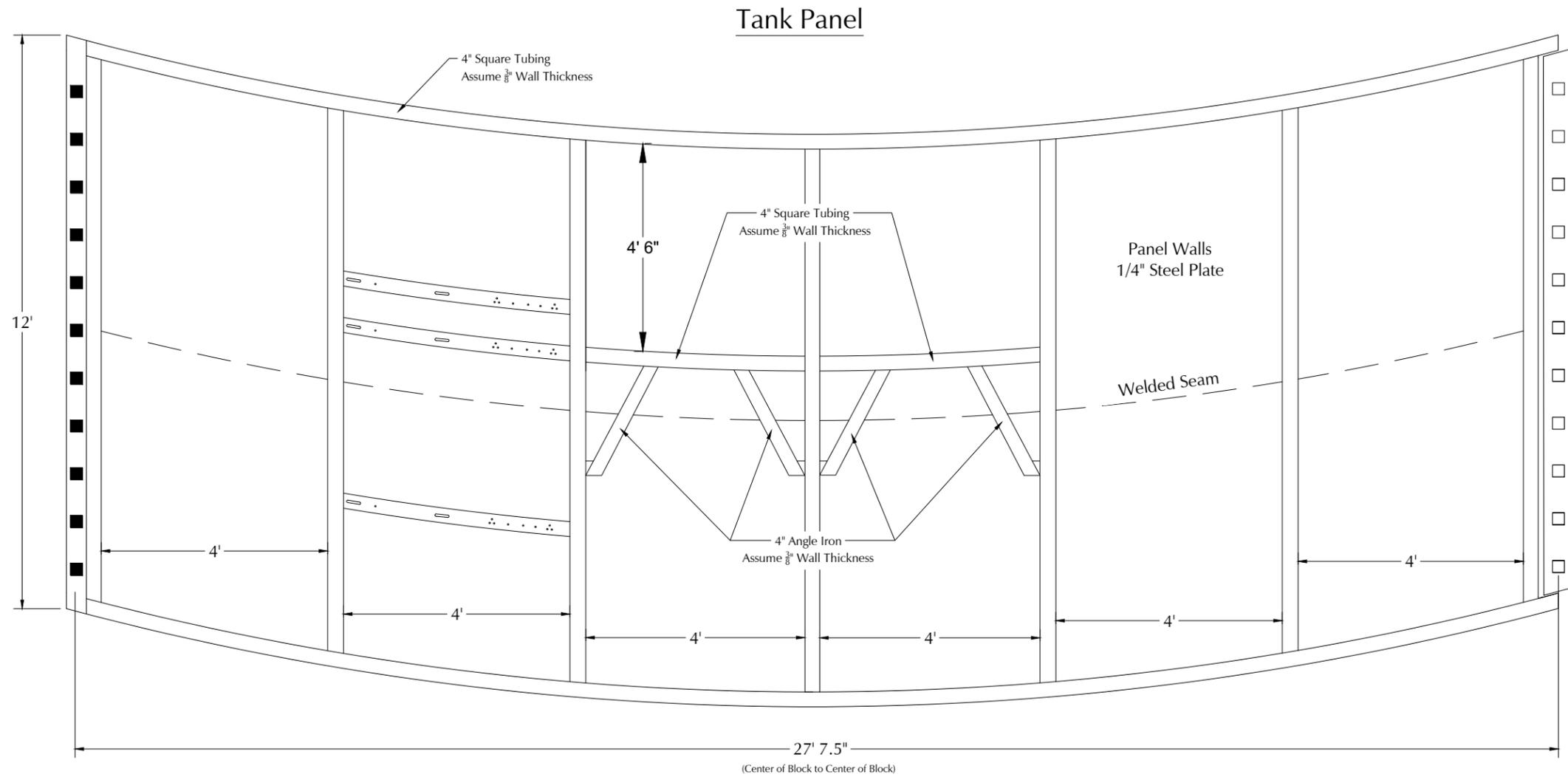


- General Notes:
- 12V Submersible Pump shall be mobile to be moved to each of the 3 standpipes as need.
  - Level Sensor Probe in 1 of 3 Leak Detection Pipes.
  - All HDPE Piping to be SDR 17



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NO.	DATE	DESCRIPTION



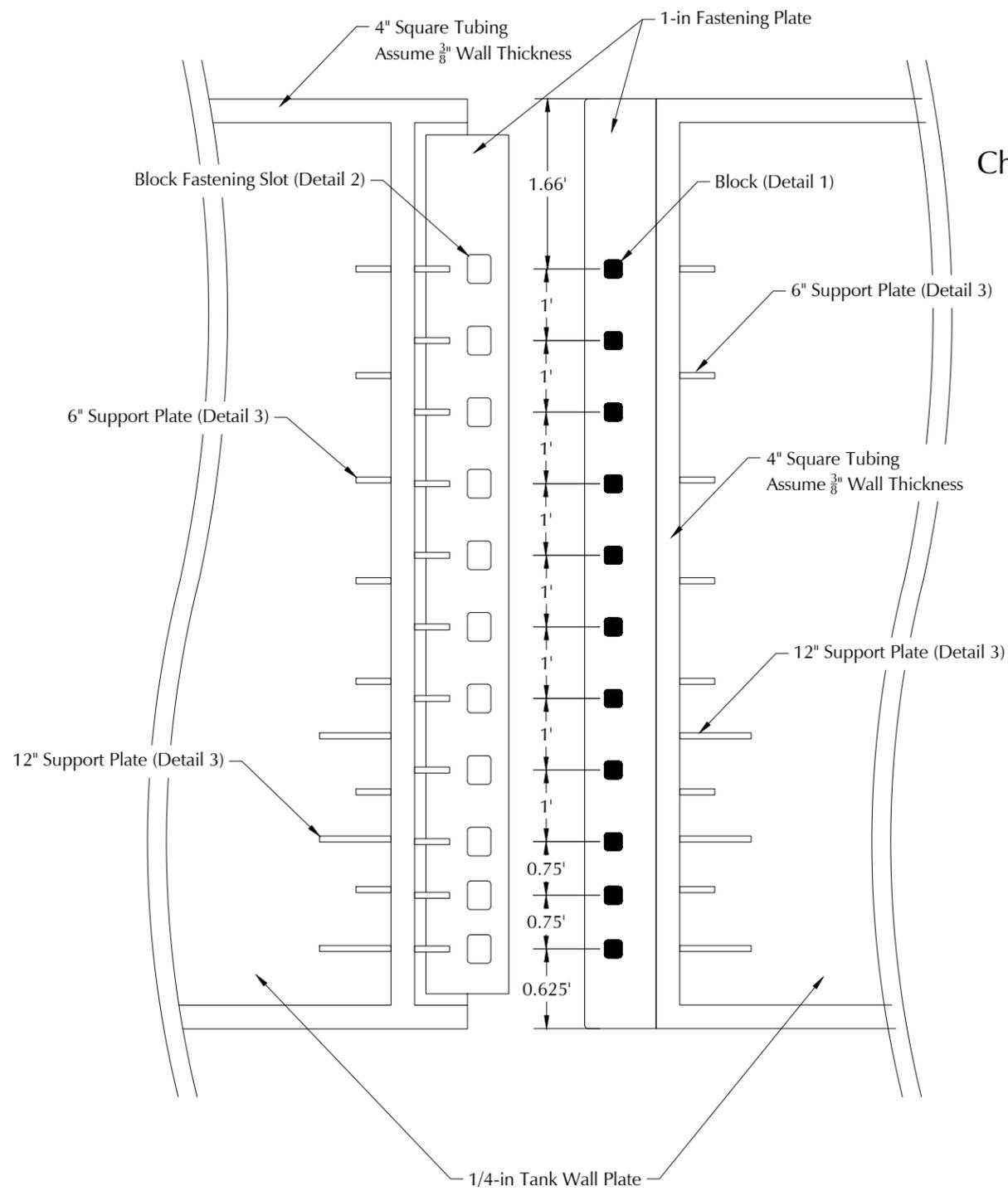
Tank Diameter: 180'  
20 Panels  
Approximate Tank Volume: 50k BBLs



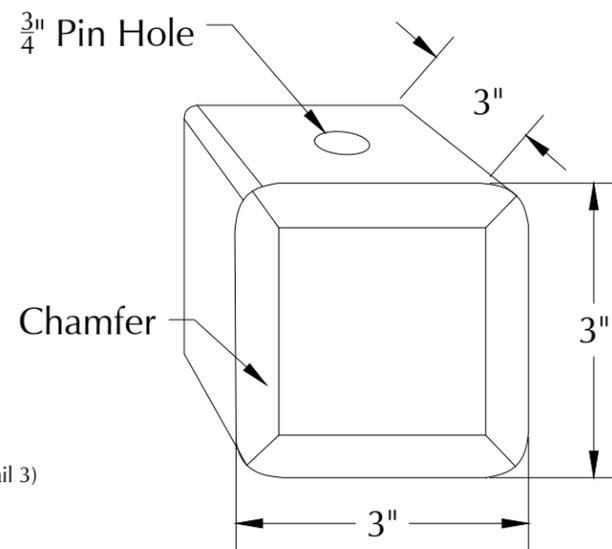
Waterbridge 50k AST Panel

DATE:	February 2023
SCALE:	NTS
DESIGNED BY:	L. Irby
DRAWN BY:	E. Stewart
CHECKED BY:	T. Williams
PROJECT NO.	23.060
SHEET NO.	1 of 2

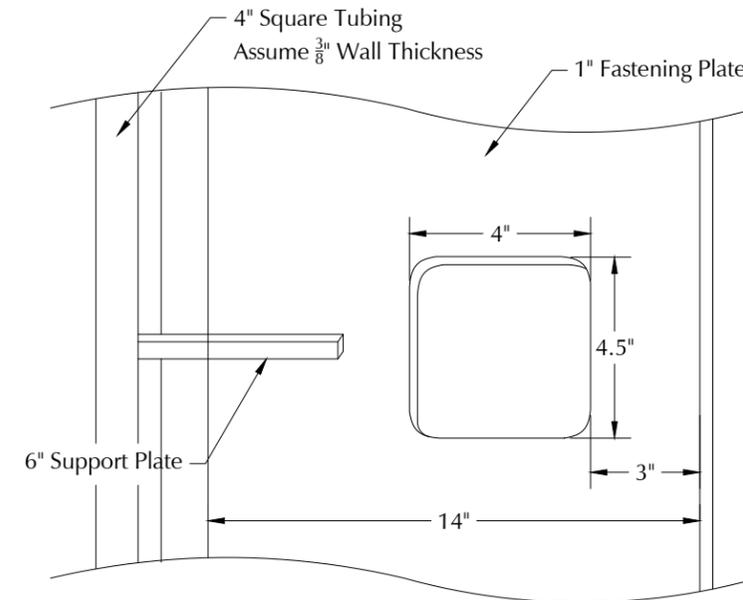
# Tank Fastening System



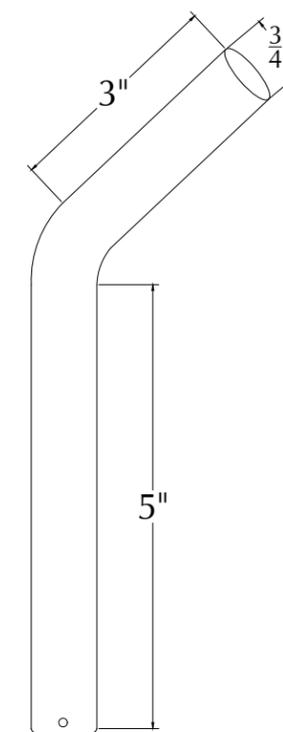
## Detail 1: Block



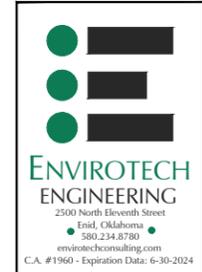
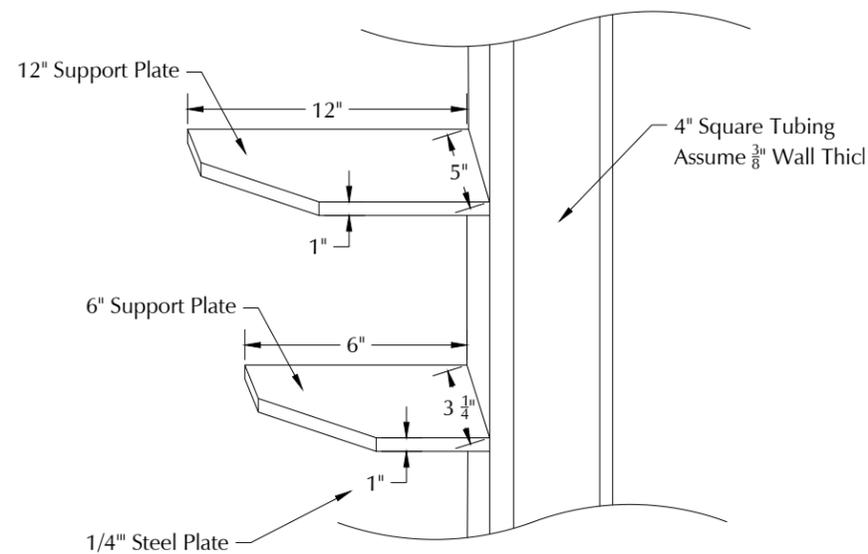
## Detail 2: Block Fastening Slot



## Stainless Steel Pin Detail



## Detail 3: Support Plates



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NO.	DATE	DESCRIPTION



Waterbridge 50k AST Components

DATE:	February 2023
SCALE:	NTS
DESIGNED BY:	L. Irby
DRAWN BY:	E. Stewart
CHECKED BY:	T. Williams
PROJECT NO.:	23.060
SHEET NO.:	2 of 2

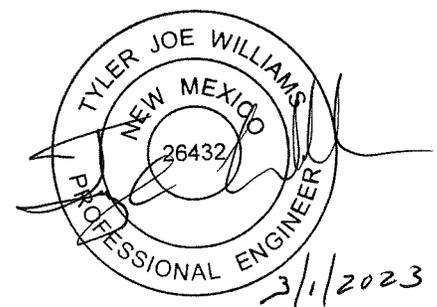


**WaterBridge Stateline, LLC  
Burton Flats Recycle  
Closure Cost Estimate**

Item	Units	Quantity	\$/Unit	Estimate Cost
<b>Facility Closure</b>				
1 Fluid removal				
Burton Flats Recycle (971K bbls)	bbls	971,226	\$ 0.50	\$ 485,613.00
AST (50K bbls)	bbls	50,000	\$ 0.50	\$ 25,000.00
2 Vac truck (final fluid removal)	hrs	16	\$ 125.00	\$ 2,000.00
3 Liner removal (fold-in-place)				
Covers removal and disposal	SF	1,790,412	\$ 0.18	\$ 322,274.16
4 Equipment removal				
Pit clean-out and residue haul-off	LS	1	\$ 7,500.00	\$ 7,500.00
Equipment removal (tanks, gun barrel, FWKO)	LS	1	\$ 5,000.00	\$ 5,000.00
Electrical decommissioning (pumps and panels)	LS	1	\$ 1,500.00	\$ 1,500.00
Misc equipment clean-up and removal	hr	120	\$ 125.00	\$ 15,000.00
Removal of AST	LS	1	\$ 50,000.00	\$ 50,000.00
5 Site Restoration				
Dozer - push in berms (bid and final grading of the site	CY	91,696	\$ 2.00	\$ 183,392.00
Re-vegetation	ea	1	\$ 4,800.00	\$ 4,800.00
<b>Estimated Total</b>				<b>\$ 1,102,079.16</b>

**Assumptions**

- No Remediation will be necessary
- Pit and AST are full at time of closure
- Pit berms above natural grade will be used to fill voids below natural grade



**Venegas, Victoria, EMNRD**

---

**From:** Venegas, Victoria, EMNRD  
**Sent:** Wednesday, March 22, 2023 2:43 PM  
**To:** michael.reitz@h2obridge.com; Jake Ferenz; Mitchell Ratke  
**Cc:** twilliams@envirotechconsulting.com; Jessica High  
**Subject:** 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630]. AST Modification  
**Attachments:** C-147 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] Modification\_AST.pdf

**2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630]**

NMOCD has reviewed the recycling containment permit modification application and related documents, submitted by [330129] WaterBridge Stateline LLC on 03/01/2023, for 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] in Unit Letter A, Section 27, Township 20S, Range 28E, Eddy County, New Mexico. [330129] WaterBridge Stateline LLC requested variances from 19.15.34 NMAC for 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] AST related to 19.15.34. NMAC

The following variances have been approved:

- The variance to 19.15.34.12.A.(2) NMAC for the no side-slope requirement for the AST containment with vertical walls is approved.
- The variance to 19.15.34.12.A.(3) NMAC for the liners to be anchored to the top of the AST steel walls and no anchor trenches is approved.
- The variance to 19.15.34.12.A.(4) NMAC for the installation on the AST containment of a 40-mil non-reinforced LLDPE primary liner and a 40-mil non-reinforced LLDPE as the secondary liner is approved. The proposed new liner system cross-section is as follows: prepare subgrade, 10 oz. geotextile, 40-mil LLDPE, 200 mil geonet, 40-mil LLDPE.

The form C-147 and related documents for the modification of permit 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] is approved with the following conditions of approval:

- Per Rule 19.15.34.15.A.(1) operators without existing financial assurance pursuant to 19.15.8 NMAC shall furnish financial assurance acceptable to the division in the amount of the recycling containment's estimated closure cost. The total closure cost estimate 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] including the additional AST containment of 50,000.00 BBL of capacity in the amount of \$1,102,079.16, satisfies the requirements of NMAC 19.15.34.15.A.(1).
- The financial assurance should be mailed to Oil Conservation Division; Bonding and Compliance; 1220 South St Frances Drive; Santa Fe, NM 87505.
- A minimum of 3-feet freeboard must be maintained at 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] at all times during operations.
- If less than 20% of the total fluid capacity is utilized every six months, beginning from the first withdrawal, operations of the 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] is considered ceased and a notification of cessation of operations should be sent electronically to [OCD Permitting](#). A request to extend the cessation of operation, not to exceed six months, may be submitted using a C-147 form through [OCD Permitting](#).
- If after that 6-month extension period, the 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630] is 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.
- [330129] WaterBridge Stateline LLC shall submit monthly reports of recycling and reuse of produced water, drilling fluids, and liquid oil field waste on OCD form C-148 via [OCD Permitting](#) even if there is zero activity.

[330129] WaterBridge Stateline LLC will comply with all conditions previously approved for permit 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [fVV2223635630]. No changes to the operations procedures, maintenance, and monitoring

procedures, or closing procedures will be made aside from the addition of storage volume in the AST. The facility plans to operate as originally permitted.

**Victoria Venegas** • Environmental Specialist  
Environmental Bureau  
EMNRD - Oil Conservation Division  
(575) 909-0269 | [Victoria.Venegas@emnrd.nm.gov](mailto:Victoria.Venegas@emnrd.nm.gov)  
<https://www.emnrd.nm.gov/oed/>



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**District IV**  
 1220 S. St Francis Dr., Santa Fe, NM 87505  
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**State of New Mexico**  
**Energy, Minerals and Natural Resources**  
**Oil Conservation Division**  
**1220 S. St Francis Dr.**  
**Santa Fe, NM 87505**

CONDITIONS

Action 192136

**CONDITIONS**

Operator: WaterBridge Stateline LLC 5555 San Felipe Houston, TX 77056	OGRID: 330129
	Action Number: 192136
	Action Type: [C-147] Water Recycle Long (C-147L)

**CONDITIONS**

Created By	Condition	Condition Date
venegas	NMOCD has reviewed and approved the recycling containment permit modification application and related documents, submitted by [330129] WaterBridge Stateline LLC on 03/01/2023, for 2RF-180 - BURTON FLATS RECYCLE FACILITY ID [RVV2223635630] in Unit Letter A, Section 27, Township 20S, Range 28E, Eddy County, New Mexico.	3/22/2023