

**BW - 4**

**COMPLIANCE  
REVIEW**

**2023**

**From:** [Chavez, Carl, EMNRD](#)  
**To:** [Jon Gandy](#)  
**Cc:** [Goetze, Phillip, EMNRD](#); [Gebremichael, Million, EMNRD](#); [Wrinkle, Justin, EMNRD](#)  
**Subject:** RE: [EXTERNAL] Good afternoon Mr. Chavez. It's with a very heavy heart that Mr. price do too health issues will no longer be doing my compliance duties for the state. Wish him the very best. Wayne had no one to recommend... I've have reached out to se  
**Date:** Tuesday, August 8, 2023 12:16:00 PM  
**Attachments:** [OCD Responses to Permittee Correspondence 7-19-23.pdf](#)

Mr. Jon Gandy,

Re.: Administrative Record Review & Attached Responses to Permittee Correspondence from 2022

Permit	Facility Name	Expiration	Facility ID#	OGRID#	Permit	Active	Operator	Well Name	API#
BW-4	BW-4 Eidson State #1	12/26/2024	fCJC2116630149	118677/130851	DP-321	A	Wasserhund, Inc	Eidson State #1	30-025-26883

Good afternoon!

The New Mexico Oil Conservation Division (OCD) recently completed a review of the Administrative Record for the above brine well facility.

It is important to note that OCD has historically responded to most "modification" and "waiver" requests with the exception of the attached document above. However, nothing has changed from historical permits to present on the OCD permit requirements.

In addition, OCD identified an E-mail correspondence from 2022 from the Permittee that had not been responded to by the OCD. Therefore, OCD attaches its review responses to the permittee's correspondence and provides a list of the deliverables that OCD is seeking for its Administrative Record below. Any correspondence and submittals to the OCD related to this brine well and facility must be received via the E-Permitting System.

Based on the attached document, a review of the Administrative Record, and current audit of deliverables for BW-4, OCD identifies the following permit deliverables and/or responses that it is seeking below **by COB Friday on September 29, 2023.**

- 1) Sec. 2A.1 Monitor Well: failure to comply;
- 2) Sec. 2.B.1 Surface Subsidence Monitoring Plan: failure to comply;
- 3) Sec. 2.B.2 Solution Cavern Characterization Program Plan: failure to comply in 2022;
- 4) Sec. 2.F Record Keeping: permit deliverable must be submitted via the E-Permitting System. Little or no permit or sundry deliverables have been received via E-Permitting after December 19, 2019;
- 5) Sec. 2.H.3.a Other Requirements: Environmental Monitoring and MW Installation: failure to comply;
- 6) Sec. 2.J Annual Report: failure to submit the 2022 report by June 1, 2023;
- 7) Section 3.B Injection Operations: well injection pressures with production information must be submitted via E-Permitting from December 2019 to present;
- 8) Sec. 3.D(4) Mechanical Integrity: submittal of original test information was not submitted via E-Permitting using the OCD Form C-103Z Sundry. The OCD Inspector witnessed the test; therefore, OCD may allow for the non-discernible test information to be entered into the administrative record;
- 9) Sec. 3.F Fluids Injection and Brine Production Volumes and Pressures: failure to submit via E-Permitting since December 19, 2019;
- 10) Sec. 3.G Area of Review: failure to submit in the 2022 Annual Report;
- 11) Sec.5.A Schedule, Annual Report: failure to comply;
- 12) Sec. 5.C Surface Subsidence Monitoring Plan: failure to comply; and
- 13) Sec. 5.D Solution Cavern Characterization Plan: failure to comply in 2022;

Please contact me if you have questions or to schedule a meeting to discuss the above message.

Thank you.

Carl J. Chavez • UIC Group  
 Engineering Bureau  
 EMNRD - Oil Conservation Division  
 Horizon Building  
 8801 Horizon Blvd., Suite 260 | Albuquerque, NM 87113  
 505.660.7923 | [CarlJ.Chavez@emnrn.nm.gov](mailto:CarlJ.Chavez@emnrn.nm.gov)  
[www.emnrn.nm.gov](http://www.emnrn.nm.gov)

-----Original Message-----

From: Jon Gandy <[jonrgandy@aol.com](mailto:jonrgandy@aol.com)>  
 Sent: Wednesday, July 5, 2023 3:15 PM  
 To: Chavez, Carl, EMNRD <[CarlJ.Chavez@emnrn.nm.gov](mailto:CarlJ.Chavez@emnrn.nm.gov)>  
 Subject: [EXTERNAL] Good afternoon mr Chavez. It's with a very heavy heart that mr price do too health issues will no longer be doing my compliance duties for the state. Wish him the very best. Wayne had no one to recommend... I've have reached out to sever...

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Sent from my iPhone

**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**

COMMENTS

Action 249990

**COMMENTS**

Operator: WASSERHUND INC P.O. Box 2140 Lovington, NM 88260	OGRID: 130851
	Action Number: 249990
	Action Type: [UF-DP] Brine Facility Discharge Plan (DISCHARGE PLAN BRINE EXTRACTION)

**COMMENTS**

Created By	Comment	Comment Date
cchavez	OCD Formal Compliance Review Document Requesting Delinquent Discharge Permit Deliverables on 8/8/2023.	8/9/2023

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CONDITIONS

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**CONDITIONS**

Created By	Condition	Condition Date
cchavez	Approval is contingent upon Permittee properly responding and addressing all of the OCD requests for deliverables to update the Administrative Record by COB Friday 9/29/2023.	8/9/2023