



Outlook

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**Re: [EXTERNAL] Request for Groundwater Depth Variance | NAPP2506655962 – Lario Area 51 SWD Pipeline North**

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**From** Velez, Nelson, EMNRD <Nelson.Velez@emnrd.nm.gov>

**Date** Thu 4/24/2025 2:12 PM

**To** Jason Owsley <jasono@diamondbacknm.com>

Good afternoon Jason,

Thank you for the correspondence. Your variance to use the windmill located 0.7 miles from the incident which you had directly measured for depth to water being >100 feet is approved.

Please keep a copy of this communication for inclusion within the next appropriate report submittal.

The OCD requires a copy of all correspondence related to remedial activities be included in all proposals and/or final closure reports. Correspondence required to be included in reports may include, but not limited to, notifications for liner inspections, sample events, spill/release/fire, and request for time extensions or variances.

Have a safe and pleasant day!

Regards,

**Nelson Velez** • Environmental Specialist - Adv  
Environmental Bureau | EMNRD - Oil Conservation Division  
1000 Rio Brazos Road | Aztec, NM 87410  
(505) 469-6146 | [nelson.velez@emnrd.nm.gov](mailto:nelson.velez@emnrd.nm.gov)  
<http://www.emnrd.nm.gov/oed>



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**From:** Jason Owsley <jasono@diamondbacknm.com>

**Sent:** Wednesday, April 23, 2025 3:05 PM

**To:** Velez, Nelson, EMNRD <Nelson.Velez@emnrd.nm.gov>

**Subject:** [EXTERNAL] Request for Groundwater Depth Variance | NAPP2506655962 – Lario Area 51 SWD Pipeline North

You don't often get email from jasono@diamondbacknm.com. [Learn why this is important](#)

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

Dear Mr. Velez,

I'm writing to request a groundwater depth variance pursuant to **NMAC 19.15.29.11(A)(2)** for the Lario Area 51 SWD Pipeline North release (Incident ID: NAPP2506655962), located at Unit P, Section 15, Township 18S, Range 34E in Lea County, NM.

To support this request, we reviewed registered groundwater wells within a 1/2-mile radius of the release site. Two wells were identified—POD L 04531 and POD L 09775—with reported depths to water of 100 and 110 feet below ground surface (bgs). Although both are active, the data appears to be based on older records.

To further verify field conditions, we gauged a nearby windmill located approximately 0.7 miles north of the release location and observed no groundwater present at a depth of 100 feet. This supports that groundwater in the area is deeper than 100 feet bgs. Supporting documentation, including photos, is included in Appendix D of the submitted packet.

Per **NMAC 19.15.29.11(A)(2)**:

*"The division may approve a variance to use closure criteria for a different depth to water if the operator provides supporting documentation that demonstrates the depth to water within one-half mile of the release location is different than that shown on the division's depth to water map. The supporting documentation shall include depth to water information for wells that are within one-half mile of the release location and no older than 25 years."*

Based on the data provided, we respectfully request that closure criteria applicable to groundwater depths greater than 100 feet be approved for this site.

Please let me know if you need any further details or clarification.

**Jason Owsley**  
Project Manager



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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 455472

**CONDITIONS**

Operator: LARIO OIL & GAS CO 260 N. Josephine St Denver, CO 80206	OGRID: 13089
	Action Number: 455472
	Action Type: [IM-SD] Incident File Support Doc (ENV) (IM-BNF)

**CONDITIONS**

Created By	Condition	Condition Date
nvez	None	4/24/2025