From: Hall, Brittany, EMNRD
To: "christian@water.energy"
Cc: Wells, Shelly, EMNRD; Minnix, Sharon, EMNRD; "dstgermain@laenvironmental.com"; "ashley@k5servicesllc.com"; Bratcher, Michael, EMNRD
Subject: RE: [EXTERNAL] Extension and Sampling Method Variance Approval Request - Mills Ranch 01 (nAPP2513449978)
Date: Tuesday, May 5, 2026 1:50:00 PM
Attachments: Figure 1 - Proposed Confirmation Sample Map V2.pdf

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Good afternoon,

The proposed sampling plan is approved with the following conditions:

- An Initial C-141 Report must be submitted by the end of business on **May 6, 2026**.
- One grab sample must be collected every 100 square feet for bottom samples. These samples must be collected from below the backfill material. Samples must be collected from at least 4”-6” below the bottom of the excavated areas. For example, if the excavation bottom was 2’ below ground surface (bgs), the samples must be collected between 2’4”-2’6” bgs. This is applicable to all variable excavation depths.
- Samples must be collected every 25 linear feet for sidewall samples. The sidewall samples must be collected from the native soils outside of the backfill material. Samples must be collected from at least 4”-6” outside of the sidewalls of the excavated areas.
- Sidewall samples must be a composite of the entire depth of the excavation.
    - If excavation wall was 8’ deep, an aliquot must be collected at surface, 2’, 4’, 6’, and 8’ bgs and at any depth were discoloration or odor is evident.
    - If the excavation wall was 6’ deep, an aliquot must be collected at surface, 2’, 3.5’, 5’, and 6’ bgs and at any depth were discoloration or odor is evident.
    - If the excavation wall was 4’ deep, an aliquot must be collected at surface, 1’, 2’, 3’, and 4’ bgs and at any depth were discoloration or odor is evident.
    - If the excavation wall was 2’ deep, an aliquot must be collected at surface, 6”, 1’,1’6”, and 2’ bgs and at any depth were discoloration or odor is evident.
- TT-2, TT-3, and TT-5 must be vertically delineated.
- All confirmation and delineation samples must be analyzed for BTEX, TPH, and chloride by OCD approved methods.
- If any confirmation or delineation samples identify areas above closure criteria, the affected areas must be remediated to below closure criteria in accordance with 19.15.29 NMAC.
- A C-141N (sampling notification) must be submitted through the OCD Permitting website at least two business days prior to conducting final sampling. If confirmation sampling is going to take place over multiple days, individual C-141N applications must be submitted for each sampling date. Date ranges are not currently accepted on the C-141N application.
- Notify OCD (by responding to this email) when the C-141Ns are submitted as an OCD

representative will be onsite to witness sampling activities.

- Enchantment Water, LLC (329620) must submit a complete and accurate remediation closure report by June 19, 2026.

Please do not hesitate to contact our office if you have any questions or require additional information.

Thank you,

Brittany Hall ● Environmental Field Compliance Supervisor
Environmental Field Compliance Group
EMNRD - Oil Conservation Division
1000 Rio Brazos Road | Aztec, NM 87410
505.517.5333 | Brittany.Hall@emnrd.nm.gov
http://www.emnrd.nm.gov/ocd/

Effective 12/1/2024: OCD has updated guidance on karst potential occurrence zones. This notice can be found at: https://www.emnrd.nm.gov/ocd/ocd-announcements-and-notifications/ under "2024 OCD ANNOUNCEMENTS AND NOTIFICATIONS".

The Digital C-141 guidance documents can be found at https://www.emnrd.nm.gov/ocd/ocd-announcements-and-notifications/ or https://www.emnrd.nm.gov/ocd/ocd-forms/.

From: Christian Padilla <christian@water.energy>
Sent: Thursday, April 30, 2026 9:06 AM
To: Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov>
Cc: Daniel St. Germain <dstgermain@laenvironmental.com>; Ashley Estes <ashley@k5servicesllc.com>; Bratcher, Michael, EMNRD <mike.bratcher@emnrd.nm.gov>
Subject: Re: [EXTERNAL] Extension and Sampling Method Variance Approval Request - Mills Ranch 01 (nAPP2513449978)

Hi Shelly,

Attached is the updated proposed confirmation sample map (Figure 1). The map presents the proposed bottom sample depths as area-based depth intervals. Sidewall sample depths are noted below each sample ID and are based on half of the depth of excavation represented by the associated sidewall. We believe these depths are appropriate and will provide the greatest likelihood of identifying any remaining areas that may exceed OCD closure criteria. If you would like the sidewall depth to be determined using a different methodology, please let us know and we will adjust accordingly.

In addition, we will vertically delineate delineation sample locations TT-2 and TT-3 in the same

manner as TT-5, as described in our earlier email. All confirmation and delineation samples will be analyzed for BTEX, TPH, and chloride by OCD approved methods. If any confirmation or delineation samples identify areas above closure criteria, the affected areas will be remediated to below closure criteria in accordance with 19.15.29 NMAC.

Please let us know if you have any questions or require additional revisions.

Christian Padilla | Senior Project Manager - Operations & Commercial
Infinity Water Solutions | 1250 South Capital of Texas Hwy,
Suite 2-200, Austin, TX, 78746
o 512.710.1863 | **c** 713.591.1132 | www.water.energy

On Tue, Apr 28, 2026 at 12:14 PM Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov> wrote:

> Hi Christian,
>
> OCD will need to see a more detailed excavation map, clearly showing the different depths of excavation within the entire release extent. In addition, the intended depths of sample collection will also need to be denoted on the attached figure including anticipated sidewall depth as it appears sidewall samples were never collected correctly in the first place. Chloride impacts of 3160 mg/kg were found at 6' at TT-2 and this area was only excavated to 2', so vertical delineation will need to occur here. Chloride impacts of 6000 mg/kg were found at 5' at TT-3 and excavation occurred to 4' here so this requires vertical delineation as well. If impacts are found above Table I Closure Criteria at TT-2, TT-3 or TT-5, remediation will need to occur pursuant 19.15.29 NMAC. An initial C-141 was never submitted for this release. An extension will not be granted until an initial C-141 is submitted to OCD Permitting. Per 19.15.29.10 NMAC, this was due within 15 days of discovering the release.
>
> Sincerely,
>
> Shelly
>
> Shelly Wells * Senior Environmental Scientist
> Environmental Bureau
> EMNRD-Oil Conservation Division
> 1220 S. St. Francis Drive|Santa Fe, NM 87505

(505)469-7520 Shelly.Wells@emnrd.nm.gov
http://www.emnrd.state.nm.us/OCD/

From: Christian Padilla <christian@water.energy>
Sent: Monday, April 27, 2026 2:24 PM
To: Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov>; Bratcher, Michael, EMNRD <mike.bratcher@emnrd.nm.gov>
Cc: Daniel St. Germain <dstgermain@laenvironmental.com>; Ashley Estes <ashley@k5servicesllc.com>
Subject: [EXTERNAL] Extension and Sampling Method Variance Approval Request - Mills Ranch 01 (nAPP2513449978)

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

Dear Ms. Wells,

Enchantment Water LLC (Enchantment Water) respectfully requests a 90-day extension and approval of a sampling method variance to address issues identified by the New Mexico Oil Conservation Division (OCD) in the remediation closure denial for the Mills Ranch 1 release (nAPP2513449978) in Eddy County, New Mexico.

As noted by OCD in the remediation closure denial dated March 2, 2026, an insufficient number of bottom and sidewall samples were collected from the excavation prior to backfilling and reseeding. To avoid re-excavation of the remediated area and additional surface disturbance, Enchantment Water requests approval of a variance to allow grab samples to be collected to in lieu of five-point confirmation samples to confirm that the release has been fully remediated.

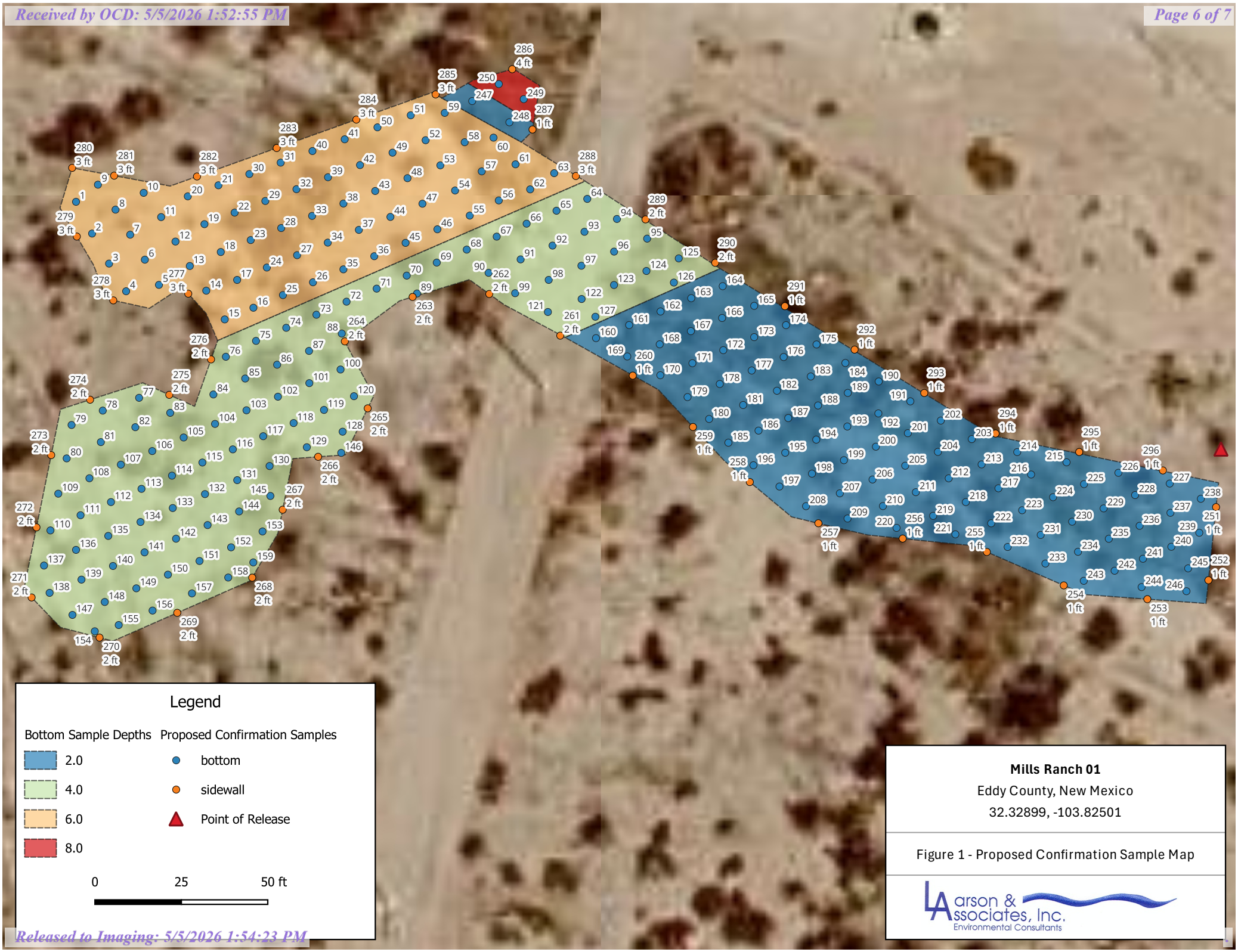
Under the proposed variance, Enchantment Water will reduce the sampling area size from 200 square feet to 100 square feet for bottom samples and to approximately every 25 linear feet for sidewall samples (equivalent to approximately 100 square feet based on the average excavation depth). Depths will be determined by local excavation depth. Enchantment Water will collect approximately 250 grab samples from the base of the excavation and approximately 46 grab samples from the excavation sidewalls. This increased sampling density is intended to provide adequate spatial and analytical coverage while minimizing unnecessary land disturbance. All samples will be analyzed for BTEX, TPH, and chloride using OCD approved analytical methods. Figure 1 presents the proposed confirmation sampling map (attached).

Additionally, to address the issue identified at delineation sample point TT-5, Enchantment Water will collect three (3) soil samples from sample location TT-5 at depths of five (5), six (6), and ten (10) feet below ground surface (bgs) to complete vertical delineation at this location. The sample collected at ten (10) feet bgs will be field screened to evaluate whether chloride concentrations are below delineation criteria. If the 10-foot bgs sample does not meet field screening criteria, additional samples will be collected at greater depths in accordance with OCD requirements until delineation is achieved. The samples will be analyzed for BTEX, TPH, and chloride by OCD approved analytical methods.

Approval of this 90-day extension will allow Enchantment Water to adequately address the identified deficiencies, submit a complete and analytically supported updated closure report, and resolve the remaining deficiencies listed in the closure denial for OCD review. Enchantment Water remains committed to addressing OCD's concerns and completing all necessary actions in accordance with 19.15.29 NMAC to obtain remediation closure in a manner that is protective of the environment and human health.

Please contact me, Daniel St. Germain (dstgermain@laenvironmental.com), or Ashley Estes (ashley@k5servicesllc.com), if additional information is required.

Christian Padilla | Senior Project Manager - Operations & Commercial
Infinity Water Solutions | 1250 South Capital of Texas Hwy,
Suite 2-200, Austin, TX, 78746
o 512.710.1863 | **c** 713.591.1132 | www.water.energy



Mills Ranch 01

Eddy County, New Mexico

32.32899, -103.82501

Figure 1 - Proposed Confirmation Sample Map

Larson & Associates, Inc.
Environmental Consultants

Sante Fe Main Office
Phone: (505) 476-3441

General Information
Phone: (505) 629-6116

Online Phone Directory
https://www.emnrd.nm.gov/ocd/contact-us

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

CONDITIONS

Action 582157

CONDITIONS

Operator: Enchantment Water, LLC 1250 S. Capital of Texas Hwy. Austin, TX 78746	OGRID: 329620
	Action Number: 582157
	Action Type: [IM-SD] Incident File Support Doc (ENV) (IM-BNF)

CONDITIONS

Created By	Condition	Condition Date
bhall	Sampling plan with conditions of approval.	5/5/2026