

# Additional Information

Protest  
Correspondence

## Rose-Coss, Dylan H, EMNRD

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**From:** Rose-Coss, Dylan H, EMNRD on behalf of Engineer, OCD, EMNRD  
**Sent:** Friday, January 10, 2020 3:40 PM  
**To:** 'Kris Andersen'; Simmons, Kurt, EMNRD  
**Cc:** Rick Romano; Austin Swift; Dan Arthur/ALL Consulting; Nathan Alleman  
**Subject:** RE: Justin Federal SWD #2 (API 30-025-Pending; Admin. Appl. No pBL1935131307) Unit letter H, T25S-R34E, NMPM, Lea County: COG Protest

Mr. Anderson,

After review of applicable information, and because it was necessary to send out a notice clarification, the effective protest period was technically reopened and is still open until January 17, 2020 (15 days after the letter was sent out). Therefore, the protest is timely and will be recognized. The Division appreciates understanding regarding any confusion with the validity of the protest.

Please keep the Division informed if there is a resolution to the protest. In the meantime, further review of the application will be postponed until such time as the protest is resolved, or a hearing date for the application is set.

Regards,

**Dylan Rose-Coss**

*Petroleum Specialist*  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

(505) 476-3477



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**From:** Kris Andersen <kandersen@all-llc.com>  
**Sent:** Friday, January 10, 2020 11:30 AM  
**To:** Engineer, OCD, EMNRD <OCD.Engineer@state.nm.us>  
**Cc:** Rick Romano <rick@vistadisposal.com>; Austin Swift <austin@vistadisposal.com>; Dan Arthur/ALL Consulting <darthur@all-llc.com>; Nathan Alleman <nalleman@all-llc.com>  
**Subject:** [EXT] FW: Justin Federal SWD #2 (API 30-025-Pending; Admin. Appl. No pBL1935131307) Unit letter H, T25S-R34E, NMPM, Lea County: COG Protest

Engineering Team,

In response to your notification regarding COG's protest of the Vista Disposal Solutions LLC Justin Federal SWD #2 injection application (pBL1935131307), we object to the validity of the protest based on timeliness. COG's protest was received by OCD on January 8, after the close of the protest window prescribed by state regulation.

We respectfully request that this protest be invalidated by the OCD.

Regards,

Kris

Kris Andersen  
Senior Consultant

## ALL CONSULTING

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**From:** Simmons, Kurt, EMNRD <[Kurt.Simmons@state.nm.us](mailto:Kurt.Simmons@state.nm.us)>

**Sent:** Thursday, January 9, 2020 10:43 AM

**To:** [nalleman@all-llc.com](mailto:nalleman@all-llc.com)

**Subject:** RE: Justin Federal SWD #2 (API 30-025-Pending; Admin. Appl. No pBL1935131307) Unit letter H, T25S-R34E, NMPPM, Lea County

Mr. Alleman,

The OCD was notified by the COG Operating, LLC, that they are protesting this application. This party has been identified as an affected person for the location being considered. Because of the protest, the application can no longer be reviewed administratively. You are being notified that for this application to be considered, Vista Disposal Solutions, LLC, currently has two options; the first is to go to hearing, the second is to negotiate a resolution with the protesting party. If the protest is withdrawn, then the application can be reviewed administratively. In the meantime, the application will be retained pending a hearing or other resolution. Please continue to provide OCD with information regarding the standing of this application and feel free to call me with any questions.

Contact for Protestant:

COG Operating, LLC

Michael Rodriguez, Attorney

1048 Paseo De Peralta

Santa Fe, NM 87501

Phone: 505.780.8000

E-mail: [mrodriguez@concho.com](mailto:mrodriguez@concho.com); [lortiz@concho.com](mailto:lortiz@concho.com)

Regards,

Kurt M. Simmons

Petroleum Specialist

NMOCD