

**STATE OF NEW MEXICO
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES
OIL CONSERVATION DIVISION**

**APPLICATION OF SOLARIS WATER
MIDSTREAM, LLC FOR APPROVAL OF
SALT WATER DISPOSAL WELL,
EDDY COUNTY, NEW MEXICO.**

CASE NO. 20588

**SOLARIS MOTION TO DISMISS UNTIMELY PROTEST
AND REMAND FOR ADMINISTRATIVE APPROVAL**

COMES NOW Solaris Water Midstream, by and through undersigned counsel of record, and requests that the protest by NGL to the Clara Allen SWD #1 (Clara Allen) application for authorization to inject be dismissed as untimely filed. Because NGL was the only protest to the Clara Allen application, Solaris further requests that the application be remanded for administrative approval. In support of this Motion, Solaris states as follows.

1. Sections 19.15.26.8.C(1)(d) and C(2) NMAC of the OCD regulations for administrative approval of an application for a salt water disposal well establish a 15-day period for objections to an application to be filed with the OCD.

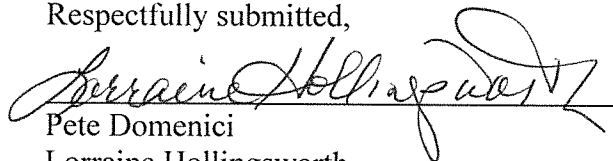
2. Section 19.15.26.8.C(3) states that “[i]f the division does not receive an objection within the 15-day period, and a hearing is not otherwise required, the division may approve the application administratively.”

3. Notice of the Clara Allen application was published in the Carlsbad Current Argus on March 1, 2019. The published notice stated that “[i]nterested parties opposing the action must file objections or requests for hearing with the Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, within 15 days.” Exhibit 1, Affidavit of Publication, attached hereto.

4. Solaris also provided mailed notice as required by Section 19.15.26.8.C(2). Exhibit 2, attached hereto.
5. Objections or requests for hearing were required to be filed by March 15, 2019.
6. NGL filed a protest, via email to Michael McMillan, Phillip Goetze, and William Jones, on May 15, 2019. Exhibit 3, attached hereto. No other protests were submitted to the OCD.
7. The NGL protest was filed 60 days after the 15-day period had expired and is therefore untimely pursuant to Section 19.15.26.8.C(1)(d) and C(2) and should be dismissed.
8. Because an objection was not received by the OCD within the 15-day period, the application may be approved administratively pursuant to Section 19.15.26.8.C(3). Solaris requests that the Clara Allen application be remanded for administrative approval.

WHEREFORE, Solaris Water Midstream, LLC, respectfully requests that NGL's protest be dismissed and the Clara Allen SWD #1 application be remanded for administrative approval pursuant to 19.15.26.8.C.

Respectfully submitted,



Pete Domenici

Lorraine Hollingsworth

320 Gold Ave. SW, Suite 1000

Albuquerque, New Mexico 87102

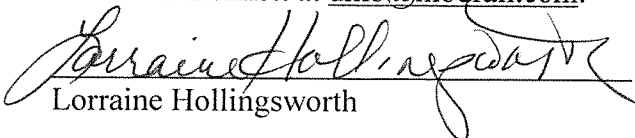
505-883-6250

pdomenici@domenicilaw.com

lhollingsworth@domenicilaw.com

Attorneys for Solaris Water Midstream, LLC

I hereby certify that the foregoing was served on counsel for NGL on June 28, 2019 via email to Deana M. Bennett at dmb@modrall.com.



Lorraine Hollingsworth

CARLSBAD
CURRENT-ARGUS

AFFIDAVIT OF PUBLICATION

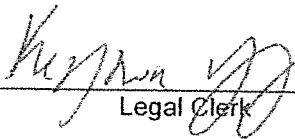
Ad No.
0001278778

LONQUIST FIELD SERVICE
1001 MCKINNEY ST., SUITE 1650

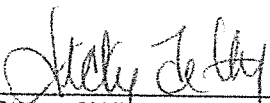
HOUSTON TX 77002

I, a legal clerk of the **Carlsbad Current-Argus**, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

03/01/19


Legal Clerk

Subscribed and sworn before me this
1st of March 2019.


State of WI, County of Brown
NOTARY PUBLIC

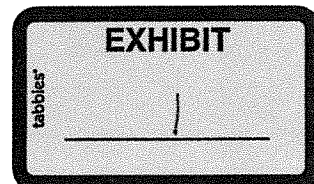
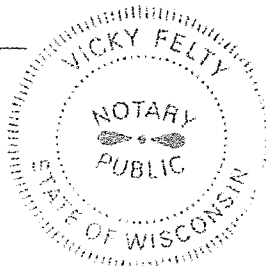
9-19-21
My Commission Expires

Ad#:0001278778
P O : Clara Allen SWD
of Affidavits :0.00

Legal Notice

Solaris Water Midstream, LLC, 907 Tradewinds Blvd., Suite B, Midland, TX 79706, is filling Form C-108 (Application for Authorization to Inject) with the New Mexico Oil Conservation Division for administrative approval for its salt water disposal well Clara Allen SWD No. 1. The proposed well will be located 500' FNL & 2,200' FWL in Section 7, Township 20S, Range 29E in Eddy County, New Mexico. Disposal water will be sourced from area production, and will be injected into the Siluro-Devonian formation (determined by offset log analysis) through an open hole completion between a maximum applied for top of 12,475 feet to a maximum depth of 14,275 feet. The maximum surface injection pressure will not exceed 2,495 psi with a maximum rate of 40,000 BWPD. Interested parties opposing the action must file objections or requests for hearing with the Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, within 15 days. Additional information can be obtained from the applicant's agent, Lonquist & Co., LLC, at (512) 600-1774.

March 1, 2019



TRACT ID	COUNTY CLERK	MAILING ADDRESS	PHONE	TRACKING #	DATE SHIPPED	DATE RECEIVED
	OIL CONSERVATION DIVISION DISTRICT II	811 S. FIRST ST. ARTESIA, NM 88210		USPS - 7017 2400 0001 0599 3404	3/7/2019	
	OIL CONSERVATION DIVISION DISTRICT IV	1220 S ST FRANCIS DR, SANTA FE NM 87505		USPS - 7017 2400 0001 0599 3411	3/7/2019	
	SURFACE LANDOWNER					
	Harley Ballard	MAILING ADDRESS				
	GOVERNMENT AGENCY	1819-2 N Canal Carlsbad, NM 88220		USPS - 7017 2400 0001 0599 3428	3/7/2019	
	Bureau of Land Management	MAILING ADDRESS				
	AFFECTED PARTIES	620 E. Greene Street Carlsbad, NM 88220		USPS - 7017 2400 0001 0599 3435	3/7/2019	
	ARD Energy Group, LP	MAILING ADDRESS				
	ARD OIL, LP	222 W. 4th St. Ph 5 Fort Worth, TX 76102		USPS - 7017 2400 0001 0599 3442	3/7/2019	
	Axis Energy Corporation	222 W. 4th St. Ph 5 Fort Worth, TX 76102		USPS - 7017 2400 0001 0599 3459	3/7/2019	
	Camterra Resources Partners	P. O. Box 219903 Houston, TX 77218		USPS - 7017 2400 0001 0599 3466	3/7/2019	
	Cimarex Energy Company	2615 E. End Blvd., Marshall, TX 75670		USPS - 7017 2400 0001 0599 3473	3/7/2019	
	COG Operating, LLC	1700 N. Lincoln Street Suite 3700 Denver, CO 80230		USPS - 7017 2400 0001 0599 3619	3/7/2019	
	Colgate Production, LLC	600 W. Illinois Ave. Midland, TX 79701		USPS - 7017 2400 0001 0599 3626	3/7/2019	
	Curtis W. Mewbourne	305 W. Wall Street Suite 500 Midland, TX 79701		USPS - 7017 2400 0001 0599 3633	3/7/2019	
	CWM 2000-C, LTD	P. O. Box 7698 Tyler, TX 75711		USPS - 7017 2400 0001 0599 3640	3/7/2019	
	Delmar Hudson Lewis Living Trust, by Bank of America N.A., Trustee	P. O. Box 7698 Tyler, TX 75711		USPS - 7017 2400 0001 0599 3657	3/7/2019	
	Devon Energy Production Company, LP	616 Texas St. Fort Worth, TX 76102		USPS - 7017 2400 0001 0599 3664	3/7/2019	
	Dominion OX TX Exploration and Production, Inc.	333 W. Sheridan Ave. Oklahoma City, OK 73102		USPS - 7017 2400 0001 0599 3671	3/7/2019	
	E G L Exploration, LP	14000 Quail Spgs Pky Suite 600 Oklahoma City, OK 73134		USPS - 7017 2400 0001 0599 3688	3/7/2019	
	Edward R. Hudson, Jr.	P. O. Box 10886 Midland, TX 79702		USPS - 7017 2400 0001 0599 3701	3/7/2019	
	Encana Oil & Gas (USA), Inc.	616 Texas Street Fort Worth, TX 76102		USPS - 7017 2400 0001 0599 3718	3/7/2019	
	Enrgen Resources Company	370 17th Street Suite 1700 Denver, CO 80202		USPS - 7017 2400 0001 0599 3725	3/7/2019	
	Enrgen Resources Assets, LLC	605 Richard Arrington Jr Blvd. Birmingham, AL 35203		USPS - 7017 2400 0001 0599 3732	3/7/2019	
	EOG Resources, Inc.	100 N. Pennsylvania Roswell, NM 88201		USPS - 7017 2400 0001 0599 3756	3/7/2019	
	EOG Y Resources, Inc.	5509 Champions Drive Midland, TX 79706		USPS - 7017 2400 0001 0599 3763	3/7/2019	
	Fidelity Oil Holding, Inc.	4000 N. Big Spring Suite 500 Midland, TX 79705		USPS - 7017 2400 0001 0599 3770	3/7/2019	
	Five States 1991-A, LTD	333 Clay Street Suite 4200 Houston, TX 75711		USPS - 7017 2400 0001 0599 3787	3/7/2019	
	Five States 1993-C	105 S. 4th Street Artesia, NM 88210		USPS - 7017 2400 0001 0599 3800	3/7/2019	
	Five States 1994-B	918 E. Divide Avenue Suite 200 Bismarck, ND 58501		USPS - 7017 2400 0001 0599 3817	3/7/2019	
	Five States Consolidated II	4925 Greenville Avenue Suite 1220 Dallas, TX 75206		USPS - 7017 2400 0001 0599 3824	3/7/2019	
	Frost Bank, Trustee for J. T. Hudson FBO J. T.	4925 Greenville Avenue Suite 1220 Dallas, TX 75206		USPS - 7017 2400 0001 0599 3831	3/7/2019	
	George L. Scott, Jr.	4925 Greenville Avenue Suite 1220 Dallas, TX 75206		USPS - 7017 2400 0001 0599 3848	3/7/2019	
	Greenville Trading Company	4925 Greenville Avenue Suite 1220 Dallas, TX 75206		USPS - 7017 2400 0001 0599 3855	3/7/2019	
	Hanley Petroleum, LLC	4925 Greenville Avenue Suite 1220 Dallas, TX 75206		USPS - 7017 2400 0001 0599 3862	3/7/2019	
	Hutchings Oil Company	4925 Greenville Avenue Suite 1220 Dallas, TX 75206		USPS - 7017 2400 0001 0599 3879	3/7/2019	
	Isramco Energy, LLC	4925 Greenville Avenue Suite 1220 Dallas, TX 75206		USPS - 7017 2400 0001 0599 3886	3/7/2019	
	Javelina Partners	4925 Greenville Avenue Suite 1220 Dallas, TX 75206		USPS - 7017 2400 0001 0599 3893	3/7/2019	
	Jetta X2, LP	215 W. 3rd Street Roswell, NM 88201		USPS - 7017 2400 0001 0599 3909	3/7/2019	
	Joyan Corporation	1220 One Energy Square Dallas, TX 75206		USPS - 7017 2400 0001 0599 3916	3/7/2019	
	Lagacy Reserves Operating, LP	415 W. Wall Street Suite 1500 Midland, TX 79701		USPS - 7017 2400 0001 0599 3923	3/7/2019	
	Liberty OG 1982-2	P. O. Box 1216 Albuquerque, NM 87102		USPS - 7017 2400 0001 0599 3930	3/7/2019	
	Liberty Oil & Gas Corporation	11767 Katy Fwy Suite 711 Houston, TX 77079		USPS - 7017 2400 0001 0599 3947	3/7/2019	
	Lindy's Living Trust	616 Texas Street Fort Worth, TX 76102		USPS - 7017 2400 0001 0599 3954	3/7/2019	
	LU Ventures, LLC	777 Taylor Street Suite 810 D. Fort Worth, TX 76102		USPS - 7017 2400 0001 0599 3961	3/7/2019	
	Magnum Hunter Production Inc.	63 Wall Street 23rd Floor New York, NY 10005		USPS - 7017 2400 0001 0599 3978	3/7/2019	
	Marathon Oil Company	303W. Wall Street Suite 1800 Midland, TX 79701		USPS - 7017 2400 0001 0599 3985	3/7/2019	
	Marathon Oil Permian, LLC	P. O. Box 430 JCT Hwy 78 Livonia, LA 70755		USPS - 7017 2400 0001 0599 4005	3/7/2019	
	Mary Yates-Davis	HC 78 Box 430 Livonia, LA 70755		USPS - 7017 2400 0001 0599 4012	3/7/2019	
	Mewbourne Oil Company	616 Texas St. Fort Worth, TX 76102		USPS - 7017 2400 0001 0599 4029	3/7/2019	
	Michael T. Haibouty	P. O. Box 3188 Roswell, NM 88202		USPS - 7017 2400 0001 0599 4036	3/7/2019	
	Olympic Oil & Gas Corporation	202 S. Cheyenne Ave. ATE 1000 Tulsa, OK 74103				
	Orion OG Properties	P. O. Box 3128 Houston, TX 77253				
	OPY USA WTP, LP	5555 San Felipe Street Houston, TX 77056				
	OPY USA, Inc.	207 S. 4th Street Artesia, NM 88210				
	Paladin, Inc.	P. O. Box 7698 Tyler, TX 75711				
	Parks & Luttrell, Inc.	5100 Westheimer Road Houston, TX 77058				
	Permex Petroleum US Corporation	1000 Louisiana Suite 6770 Houston, TX 77002				
		P. O. Box 2523 Roswell, NM 88202				
		6 Delta Dr., STE 6000 Midland, TX 79705				
		P. O. Box 300 Tulsa, OK 74102				
		10265 E. Clinton Scottsdale, AZ 85260				
		1221 Lamar Suite 1328 Houston, TX 77010				
		P. O. Box 1612 Roswell, NM 88202				

	Petroleum Synergy Group, Inc.	1641 California Street Suite 410 Denver, CO 80202	USPS - 7017 2400 0001 0599 4043	3/7/2019
	Richard M. Yates	429 Sandbar Street Suite 200 Santa Fe, NM 87501	USPS - 7017 2400 0001 0599 4050	3/7/2019
	Rimco Exploration Partners II	P. O. Box 7698 Tyler, TX 75711	USPS - 7017 2400 0001 0599 4067	3/7/2019
	Rimco Exploration Partners LP	P. O. Box 7698 Tyler, TX 75711	USPS - 7017 2400 0001 0599 4074	3/7/2019
	RRI Exploration and Production, LLC	3500 One Williams Cir. Tulsa, OK 74172	USPS - 7017 2400 0001 0599 4081	3/7/2019
	Santo Legado, LLC	P. O. Box 1030 Artesia, NM 88211	USPS - 7017 2400 0001 0599 4104	3/7/2019
	Sharon W. Scott	215 W. 3rd Street Roswell, NM 88201	USPS - 7017 2400 0001 0599 4098	3/7/2019
	Siete Oil & Gas Corporation	P. O. Box 2523 Roswell, NM 88202	USPS - 7017 2400 0001 0599 4111	3/7/2019
	St Devote, LLC	919 Milan Street Suite 2475 Houston, TX 77002	USPS - 7017 2400 0001 0599 4128	3/7/2019
	Siaphorn Resources, LLC	406 S. Boulder Tulsa, OK 74103	USPS - 7017 2400 0001 0599 4135	3/7/2019
	Strata Production Company	P. O. Box 1030 Roswell, NM 88202	USPS - 7017 2400 0001 0599 4142	3/7/2019
	Stratco Operating Company, Inc.	400 Buckeye Trail Austin, TX 78746	USPS - 7017 2400 0001 0599 4159	3/7/2019
	Summit Exploration, LLC	525 S. Main Suite 1200 Tulsa, OK 74103	USPS - 7017 2400 0001 0599 4166	3/7/2019
	Tandem Oil Company	11759 San Vicente Suite 2 Los Angeles, CA 90049	USPS - 7017 2400 0001 0599 4173	3/7/2019
	Tipperary Oil & Gas Corporation	P. O. Box 3179 Midland, TX 79702	USPS - 7017 2400 0001 0599 4180	3/7/2019
	Unit Petro Company	P. O. Box 702500 Tulsa, OK 74120	USPS - 7017 2400 0001 0599 4197	3/7/2019
	Viadlin, LLC	P. O. Box 100 Rosewell, NM 88202	USPS - 7017 2400 0001 0599 4293	3/7/2019
	Whiting Petroleum Corporation	1700 Broadway Suite 2300 Denver, CO 80290	USPS - 7017 2400 0001 0599 4210	3/7/2019
	Wildcat Energy, LLC	P. O. Box 13323 Odessa, TX 79768	USPS - 7017 2400 0001 0599 4227	3/7/2019
	XTO Holdings, LLC	22777 Springwoods Village Pkwy, Spring, TX 77389	USPS - 7017 2400 0001 0599 4234	3/7/2019
	Zorro Partners LTD	616 Texas St. Fort Worth, TX 76102		

McMillan, Michael, EMNRD

From: Deana M. Bennett <dmb@modrall.com>
Sent: Wednesday, May 15, 2019 3:26 PM
To: McMillan, Michael, EMNRD; Goetze, Phillip, EMNRD; Jones, William V, EMNRD
Subject: [EXT] NGL Protests of Solaris Applications

Hello,

I am submitting protests on behalf of NGL for the following Solaris applications:

- Lisa Turtle SWD #1
- Simms 35 SWD #1
- Clara Allen SWD #1
- Capt Call SWD #1
- Brantley 22 SWD #1

Thanks much,

Deana M. Bennett



Deana M. Bennett

Lawyer

Modrall Sperling | www.modrall.com

P.O. Box 2168 | Albuquerque, NM 87103-2168

500 4th St. NW, Ste. 1000 | Albuquerque, NM 87102

D: 505.848.1834 | O: 505.848.1800

This e-mail may be a confidential attorney-client communication. If you received it in error, please delete it without forwarding it to others and notify the sender of the error.

