District I
1625 N French Dr , Hobbs, NM 88240
District II
1301 W Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S St Francis Dr, Santa Fe, NM 87505

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

Form C-144
July 21, 2008

For temporary pits, closed-loop systems, and below-grade tanks, submit to the appropriate NMOCD District Office
For permanent pits and exceptions submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office

0277

Pit, Closed-Loop System, Below-Grade Tank, or Proposed Alternative Method Permit or Closure Plan Application

Type of action. ☒ Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method
Existing BGT ☑ Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method
☐ Modification to an existing permit
☒ Closure plan only submitted for an existing permitted or non-permitted pit, closed-loop system, below-grade tank, or proposed alternative method

Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, below-grade tank or alternative request

Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances

1
Operator XTO Energy, Inc
Address #382 County Road 3100, Aztec, NM 87410
Facility or well name Gardner # 7A
API Number 30-045-30743
U/L or Qtr/Qtr B Section 26 Township
Center of Proposed Design Latitude 36 959365
Surface Owner ☒ Federal ☐ State ☐ Private ☐ Tribal Trust or Indian Allotment

First 8 pgs Double sided

5380
County San Juan
95 NAD ☐ 1927 ☒ 1983

2
☐ **Pit:** Subsection F or G of 19 15.17 11 NMAC
Temporary ☐ Drilling ☐ Workover
☐ Permanent ☐ Emergency ☐ Cavitation ☐ P&A
☐ Lined ☐ Unlined Liner type Thickness _____mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other _____
☐ String-Reinforced
Liner Seams ☐ Welded ☐ Factory ☐ Other _____ Volume _____bbl Dimensions L_____ x W_____ x D_____

3
☐ **Closed-loop System:** Subsection H of 19 15 17 11 NMAC
Type of Operation ☐ P&A ☐ Drilling a new well ☐ Workover or Drilling (Applies to activities which require prior approval of a permit or notice of intent)
☐ Drying Pad ☐ Above Ground Steel Tanks ☐ Haul-off Bins ☐ Other _____
☐ Lined ☐ Unlined Liner type Thickness _____mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other _____
Liner Seams ☐ Welded ☐ Factory ☐ Other _____

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OIL CONS. DIV. DIST. 3

4
☒ **Below-grade tank:** Subsection I of 19 15 17 11 NMAC
Volume 95 bbl Type of fluid Produced Water
Tank Construction material Steel
☐ Secondary containment with leak detection ☐ Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off
☐ Visible sidewalls and liner ☐ Visible sidewalls only ☒ Other Visible sidewalls, earthen side walls, automatic high-level shut off, no liner
Liner type Thickness _____mil ☐ HDPE ☐ PVC ☐ Other _____

5
☐ **Alternative Method:**
Submittal of an exception request is required Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval

6

Fencing: Subsection D of 19 15 17 11 NMAC *(Applies to permanent pits, temporary pits, and below-grade tanks)*

☐ Chain link, six feet in height, two strands of barbed wire at top *(Required if located within 1000 feet of a permanent residence, school, hospital, institution or church)*

☐ Four foot height, four strands of barbed wire evenly spaced between one and four feet

☒ Alternate Please specify Four foot height, steel mesh field fence (hogwire) with pipe top railing

7

Netting: Subsection E of 19.15.17 11 NMAC *(Applies to permanent pits and permanent open top tanks)*

☐ Screen ☐ Netting ☒ Other Expanded metal or solid vaulted top

☐ Monthly inspections (If netting or screening is not physically feasible)

8

Signs: Subsection C of 19 15 17 11 NMAC

☐ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers

☒ Signed in compliance with 19 15 3 103 NMAC

9

Administrative Approvals and Exceptions:

Justifications and/or demonstrations of equivalency are required Please refer to 19 15 17 NMAC for guidance

Please check a box if one or more of the following is requested, if not leave blank:

☐ Administrative approval(s) Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau office for consideration of approval

☐ Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval

10

Siting Criteria (regarding permitting): 19 15.17 10 NMAC

Instructions: The applicant must demonstrate compliance for each siting criteria below in the application. Recommendations of acceptable source material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. **Siting criteria does not apply to drying pads or above-grade tanks associated with a closed-loop system.**

Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank - NM Office of the State Engineer - iWATERS database search, USGS, Data obtained from nearby wells	☐ Yes ☒ No
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark) - Topographic map, Visual inspection (certification) of the proposed site	☐ Yes ☒ No
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application *(Applies to temporary, emergency, or cavitation pits and below-grade tanks)* - Visual inspection (certification) of the proposed site, Aerial photo, Satellite image	☐ Yes ☒ No ☐ NA
Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. *(Applies to permanent pits)* - Visual inspection (certification) of the proposed site, Aerial photo, Satellite image	☐ Yes ☐ No ☒ NA
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application - NM Office of the State Engineer - iWATERS database search, Visual inspection (certification) of the proposed site	☐ Yes ☒ No
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended. - Written confirmation or verification from the municipality, Written approval obtained from the municipality	☐ Yes ☒ No
Within 500 feet of a wetland. - US Fish and Wildlife Wetland Identification map, Topographic map, Visual inspection (certification) of the proposed site	☐ Yes ☒ No
Within the area overlying a subsurface mine - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	☐ Yes ☒ No
Within an unstable area. - Engineering measures incorporated into the design, NM Bureau of Geology & Mineral Resources, USGS, NM Geological Society, Topographic map	☐ Yes ☒ No
Within a 100-year floodplain - FEMA map	☐ Yes ☒ No

11

Temporary Pits, Emergency Pits, and Below-grade Tanks Permit Application Attachment Checklist: Subsection B of 19 15 17 9 NMAC

Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☒ Hydrogeologic Report (Below-grade Tanks) - based upon the requirements of Paragraph (4) of Subsection B of 19 15 17 9 NMAC
- ☐ Hydrogeologic Data (Temporary and Emergency Pits) - based upon the requirements of Paragraph (2) of Subsection B of 19 15 17 9 NMAC
- ☒ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19 15 17 10 NMAC
- ☒ Design Plan - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☒ Operating and Maintenance Plan - based upon the appropriate requirements of 19 15 17 12 NMAC
- ☒ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19 15 17 9 NMAC and 19 15 17 13 NMAC

☐ Previously Approved Design (attach copy of design) API Number _____ or Permit Number _____

12

Closed-loop Systems Permit Application Attachment Checklist: Subsection B of 19 15 17 9 NMAC

Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19 15 17 9
- ☐ Siting Criteria Compliance Demonstrations (only for on-site closure) - based upon the appropriate requirements of 19 15 17 10 NMAC
- ☐ Design Plan - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19 15 17 12 NMAC
- ☐ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19 15 17 9 NMAC and 19 15 17 13 NMAC

☐ Previously Approved Design (attach copy of design) API Number _____

☐ Previously Approved Operating and Maintenance Plan API Number _____ *(Applies only to closed-loop system that use above ground steel tanks or haul-off bins and propose to implement waste removal for closure)*

13

Permanent Pits Permit Application Checklist: Subsection B of 19 15 17 9 NMAC

Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Hydrogeologic Report - based upon the requirements of Paragraph (1) of Subsection B of 19 15 17 9 NMAC
- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19 15 17 10 NMAC
- ☐ Climatological Factors Assessment
- ☐ Certified Engineering Design Plans - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Dike Protection and Structural Integrity Design - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Leak Detection Design - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Liner Specifications and Compatibility Assessment - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Quality Control/Quality Assurance Construction and Installation Plan
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19 15 17 12 NMAC
- ☐ Freeboard and Overtopping Prevention Plan - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Nuisance or Hazardous Odors, including H_2S, Prevention Plan
- ☐ Emergency Response Plan
- ☐ Oil Field Waste Stream Characterization
- ☐ Monitoring and Inspection Plan
- ☐ Erosion Control Plan
- ☐ Closure Plan - based upon the appropriate requirements of Subsection C of 19 15 17 9 NMAC and 19 15 17 13 NMAC

14

Proposed Closure: 19 15 17 13 NMAC

Instructions: Please complete the applicable boxes, Boxes 14 through 18, in regards to the proposed closure plan.

Type ☐ Drilling ☐ Workover ☐ Emergency ☐ Cavitation ☐ P&A ☐ Permanent Pit ☒ Below-grade Tank ☐ Closed-loop System ☐ Alternative

Proposed Closure Method
- ☒ Waste Excavation and Removal
- ☐ Waste Removal (Closed-loop systems only)
- ☐ On-site Closure Method (Only for temporary pits and closed-loop systems)
  - ☐ In-place Burial ☐ On-site Trench Burial
- ☐ Alternative Closure Method (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)

15

Waste Excavation and Removal Closure Plan Checklist: (19 15 17 13 NMAC) ***Instructions: Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.***

- ☒ Protocols and Procedures - based upon the appropriate requirements of 19 15 17 13 NMAC
- ☒ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19 15 17 13 NMAC
- ☒ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings)
- ☒ Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19 15 17 13 NMAC
- ☒ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19 15 17 13 NMAC
- ☒ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19 15 17 13 NMAC

19

Operator Application Certification:

I hereby certify that the information submitted with this application is true, accurate and complete to the best of my knowledge and belief

Name (Print) Kim Champlin Title Environmental Representative

Signature Kim Champlin Date 03/04/2009

e-mail address kim_champlin@xtoenergy com Telephone (505) 333-3100

20

OCD Approval: ☐ Permit Application (including closure plan) ☒ ~~Closure Plan (only)~~ ☐ OCD Conditions (see attachment)

OCD Representative Signature: Jonathan Kelly 9/23/2011 **Approval Date:** 5/12/10

Title: Environmental Engineer Compliance Officer **OCD Permit Number:**

21

Closure Report (required within 60 days of closure completion): Subsection K of 19 15 17 13 NMAC

Instructions: Operators are required to obtain an approved closure plan prior to implementing any closure activities and submitting the closure report. The closure report is required to be submitted to the division within 60 days of the completion of the closure activities. Please do not complete this section of the form until an approved closure plan has been obtained and the closure activities have been completed.

☑ **Closure Completion Date:** 5/17/2010

22

Closure Method:

☑ Waste Excavation and Removal ☐ On-Site Closure Method ☐ Alternative Closure Method ☐ Waste Removal (Closed-loop systems only)

☐ If different from approved plan, please explain

23

Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:

Instructions: Please indentify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized.

Disposal Facility Name _____ Disposal Facility Permit Number _____

Disposal Facility Name _____ Disposal Facility Permit Number _____

Were the closed-loop system operations and associated activities performed on or in areas that *will not* be used for future service and operations?

☐ Yes (If yes, please demonstrate compliance to the items below) ☐ No

Required for impacted areas which will not be used for future service and operations

☐ Site Reclamation (Photo Documentation)

☐ Soil Backfilling and Cover Installation

☐ Re-vegetation Application Rates and Seeding Technique

24

Closure Report Attachment Checklist: ***Instructions: Each of the following items must be attached to the closure report. Please indicate, by a check mark in the box, that the documents are attached.***

☑ Proof of Closure Notice (surface owner and division) attached

☐ Proof of Deed Notice (required for on-site closure)

☐ Plot Plan (for on-site closures and temporary pits)

☑ Confirmation Sampling Analytical Results (if applicable) attached

☐ Waste Material Sampling Analytical Results (required for on-site closure)

☑ Disposal Facility Name and Permit Number attached

☑ Soil Backfilling and Cover Installation per OCD specifications

☐ Re-vegetation Application Rates and Seeding Technique AST placed in former BGT location

☐ Site Reclamation (Photo Documentation) NA - site still in use, AST

On-site Closure Location Latitude _____ Longitude _____ NAD ☐1927 ☐ 1983

25

Operator Closure Certification:

I hereby certify that the information and attachments submitted with this closure report is true, accurate and complete to the best of my knowledge and belief I also certify that the closure complies with all applicable closure requirements and conditions specified in the approved closure plan

Name (Print) James McDaniel Title EH&S Specialist

Signature James McDaniel Date 5/21/2010

e-mail address James_McDaniel@xtoenergy.com Telephone 505-333-3701

16

Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only: (19 15 17 13 D NMAC)

Instructions: Please indentify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if more than two facilities are required.

Disposal Facility Name _____ Disposal Facility Permit Number _____

Disposal Facility Name _____ Disposal Facility Permit Number _____

Will any of the proposed closed-loop system operations and associated activities occur on or in areas that *will not* be used for future service and operations?

☐ Yes (If yes, please provide the information below) ☐ No

Required for impacted areas which will not be used for future service and operations

☐ Soil Backfill and Cover Design Specifications - - based upon the appropriate requirements of Subsection H of 19 15 17 13 NMAC

☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19 15 17 13 NMAC

☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19 15 17 13 NMAC

17

Siting Criteria (regarding on-site closure methods only): 19 15 17 10 NMAC

Instructions: Each siting criteria requires a demonstration of compliance in the closure plan. Recommendations of acceptable source material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for guidance.

Ground water is less than 50 feet below the bottom of the buried waste - NM Office of the State Engineer - iWATERS database search, USGS, Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
Ground water is between 50 and 100 feet below the bottom of the buried waste - NM Office of the State Engineer - iWATERS database search, USGS, Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
Ground water is more than 100 feet below the bottom of the buried waste - NM Office of the State Engineer - iWATERS database search, USGS, Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark) - Topographic map, Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application - Visual inspection (certification) of the proposed site, Aerial photo, Satellite image	☐ Yes ☐ No
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application - NM Office of the State Engineer - iWATERS database, Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended - Written confirmation or verification from the municipality, Written approval obtained from the municipality	☐ Yes ☐ No
Within 500 feet of a wetland - US Fish and Wildlife Wetland Identification map, Topographic map, Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within the area overlying a subsurface mine - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	☐ Yes ☐ No
Within an unstable area - Engineering measures incorporated into the design, NM Bureau of Geology & Mineral Resources, USGS, NM Geological Society, Topographic map	☐ Yes ☐ No
Within a 100-year floodplain - FEMA map	☐ Yes ☐ No

18

On-Site Closure Plan Checklist: (19.15 17 13 NMAC) ***Instructions: Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.***

☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19 15 17 10 NMAC

☐ Proof of Surface Owner Notice - based upon the appropriate requirements of Subsection F of 19 15 17 13 NMAC

☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of 19.15 17 11 NMAC

☐ Construction/Design Plan of Temporary Pit (for in-place burial of a drying pad) - based upon the appropriate requirements of 19 15 17 11 NMAC

☐ Protocols and Procedures - based upon the appropriate requirements of 19 15 17 13 NMAC

☐ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19 15 17 13 NMAC

☐ Waste Material Sampling Plan - based upon the appropriate requirements of Subsection F of 19 15 17 13 NMAC

☐ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings or in case on-site closure standards cannot be achieved)

☐ Soil Cover Design - based upon the appropriate requirements of Subsection H of 19 15 17 13 NMAC

☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19 15 17 13 NMAC

☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19 15 17 13 NMAC

District I
1625 N French Dr , Hobbs, NM 88240
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1301 W Grand Avenue, Artesia, NM 88210
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District IV
1220 S St Francis Dr , Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-141
Revised October 10, 2003

Submit 2 Copies to appropriate District Office in accordance with Rule 116 on back side of form

Release Notification and Corrective Action

OPERATOR

☐ Initial Report ☒ Final Report

Name of Company: XTO Energy, Inc.	Contact. James McDaniel
Address: 382 Road 3100, Aztec, New Mexico 87410	Telephone No : (505) 333-3701
Facility Name: Gardner #7A (30-045-30743)	Facility Type. Gas Well (Mesaverde)

Surface Owner: Federal	Mineral Owner:	Lease No..

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
B	26	32N	9W	1180	FNL	2015	FEL	San Juan

Latitude: 36.95949 **Longitude:** -107 74719

NATURE OF RELEASE

Type of Release Tank Leak	Volume of Release 36 5 BBLS	Volume Recovered None
Source of Release. Below Grade Tank	Date and Hour of Occurrence 5/4/2010	Date and Hour of Discovery. 5/4/2010
Was Immediate Notice Given? ☒ Yes ☐ No ☐ Not Required	If YES, To Whom? Brandon Powell	
By Whom? James McDaniel	Date and Hour 5/5/2010 17 58	
Was a Watercourse Reached? ☐ Yes ☒ No	If YES, Volume Impacting the Watercourse	

If a Watercourse was Impacted, Describe Fully *

Describe Cause of Problem and Remedial Action Taken *
A below grade tank leaked its contents into the cellar due to a hole in the bottom of the tank Approximately 36 5 BBLs of produced water was lost into the soil The site was ranked pursuant to the NMOCD Guidelines for the Remediation of Leaks, Spills and Releases. The site was rankled a 10 due to a wash at less than 1,000 feet from the location. This set the closure standard to 1,000 mg/kg TPH, 10 mg/kg benzene and 50 mg/kg total BTEX The tank was removed, and a small amount of visible oil was removed from the surface The sample results indicate that a release has occurred pursuant to 'Put Rule' standards The pit tank will be closed and replaced with an above ground storage tank. A BGT closure report will follow

Describe Area Affected and Cleanup Action Taken *
A sample was collected from the spill area around and under the former location of the BGT The sample was analyzed for TPH via USEPA Method 8015, for BTEX via USEPA Method 8021B and for total chlorides The sample returned results below the 1,000 mg/kg TPH standard via USEPA Method 8015, the 10 mg/kg benzene standard and the 50 mg/kg total BTEX standard determined for this site No further excavation is necessary The tank has been replaced with an above grade tank to perform the same function

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Signature:	OIL CONSERVATION DIVISION
Printed Name James McDaniel	Approved by District Supervisor
Title: EH&S Specialist	Approval Date / Expiration Date
E-mail Address. James_McDaniel@xtoenergy.com	Conditions of Approval / Attached ☐
Date 5/21/2010 Phone. 505-333-3701	

* Attach Additional Sheets If Necessary

XTO Energy Inc.
San Juan Basin (Northwest New Mexico)
General Closure Plan
For Below-Grade Tanks

In accordance with Rule 19 15 17.13 NMAC the following information describes the closure requirements of below-grade tanks on XTO Energy Inc (XTO) locations This is XTO's standard procedure for all below-grade tanks. A separate plan will be submitted for any below-grade tank which does not conform to this plan

General Plan

1 XTO will close below-grade tanks within the time periods provided in 19.15.17.13 NMAC, or by an earlier date that the division requires because of imminent danger to fresh water, public health or the environment.

2 XTO will close a below-grade tank that does not meet the requirements of Paragraphs (1) through (4) of Subsection I of 19 15 17 11 NMAC or is not included in Paragraph (5) of Subsection I of 19.15 17 11 NMAC within five years after June 16, 2008, if not retrofitted to comply with Paragraphs (1) through (4) of Subsection I of 19.15 17.11 NMAC

3 XTO will close a permitted below-grade tank within 60 days of cessation of the below-grade tank's operation or as required by the transitional provisions of Subsection B of 19 15 17 17 NMAC in accordance with a closure plan that the appropriate division district office approves The closure report will be filed on form C-144

4 XTO will remove liquids and sludge from below-grade tanks prior to implementing a closure method and will dispose of the liquids and sludge in a division-approved facility Approved facilities and waste streams include:

Envirotech Permit No NM01-0011 and IEI Permit No NM 01-0010B
- Soil contaminated by exempt petroleum hydrocarbons
- Produced sand, pit sludge and contaminated bottoms from storage of exempt wastes

Basin Disposal Permit No NM01-005
- Produced water

5 XTO will remove the below-grade tank and dispose of it in a division approved facility or recycle, reuse, or reclaim it in a manner that the appropriate division district office has approved prior to removal Any associated liners will be removed, properly cleaned and disposed of per 19.15 9.712 NMAC at San Juan County Landfill. Documentation of the final disposition will be included in the closure report

6 XTO will remove any on-site equipment associated with a below-grade tank unless the equipment is required for some other purpose

7 XTO will test the soils beneath the below-grade tank to determine whether a release has occurred At a minimum 5-point composite sample will be collected along with individual grab samples from any area that is wet, discolored or showing other evidence of a release. Samples will be

analyzed for BTEX, TPH and chlorides to demonstrate that the benzene concentration, as determined by EPA SW-846 methods 8021B or 8260B or EPA method that the division approves, does not exceed 0.2 mg/kg, total BTEX concentration, as determined by EPA SW-846 methods 8021B or 8260B or other EPA method that the division approves, does not exceed 50 mg/kg, the TPH concentration. as determined by EPA method 418 1 or other EPA method that the division approves, does not exceed 100mg/kg, and the chloride concentration, as determined by EPA method 300 1 or other EPA method that the division approves, does not exceed 250 mg/kg, or the background concentration, whichever is greater XTO will notify the division of its results on form C-141

8 If XTO or the division determines that a release has occurred, XTO will comply with 19.15 3 116 NMAC and 19 15 1 19NMAC as appropriate

9 *If the sampling program demonstrates that a release has not occurred or that any release does not* exceed the concentrations specified in Paragraph (4) of Subsection E of 19.15 17 13 NMAC. XTO will backfill the excavation with compacted, non-waste containing, earthen material, construct a division prescribed soil cover, recontour and re-vegetate the site

10 Notice of Closure operations will be given to the Aztec Division District III office between 72 hours and one week prior to the start of closure activities via email or verbally
The notification will include the following

i Operator's name
ii Well Name and API Number
iii Location by Unit Letter, Section. Township, and Range

The surface owner shall also be notified prior to the implementation of any closure operations of below-grade tanks as per the approved closure plan using certified mail, return receipt requested

11 Re-contouring of location will match fit, shape, line, form and texture of the surrounding area Re-shaping will include drainage control, prevent ponding, and prevent erosion Natural drainages will be unimpeded and water bars and/or silt traps will be placed in areas where needed to prevent erosion on a large scale Final re-contour shall have a uniform appearance with smooth surface, fitting the natural landscape

12 A minimum of 4 feet of cover shall be achieved and the cover shall include 1 foot of suitable material to establish vegetation at the site, or the background thickness of topsoil, whichever is greater Soil cover will be constructed to the site's existing grade and ponding of water and erosion of the cover material will be prevented with drainage control, natural drainages and silt traps where needed.

13 XTO will seed the disturbed areas the first growing season after the operator closes the pit Seeding will be accomplished via drilling on the contour whenever practical or by other division-approved methods. BLM or Forest Service stipulated seed mixes will be used on federal lands Vegetative cover will equal 70% of the native perennial vegetative cover (un-impacted) consisting of at least three native plant species, including at least one grass, but not including noxious weeds, and maintain that cover through two successive growing seasons Repeat seeding or planting will be continued until successful vegetative growth occurs

14 All closure activities will include proper documentation and be available for review upon request and will be submitted in closure report form to OCD within 60 days of closure of the below-grade tank Closure report will be filed on form C-144 and incorporate the following

i Proof of closure notice to division and surface owner,
ii Details on capping and covering, where applicable,
iii Inspection reports,
iv Confirmation sampling analytical results,
v Disposal facility name(s) and permit number(s),
vi. Soil backfilling and cover installation,
vii Re-vegetation application rates and seeding techniques, (or approved alternative to re-vegetation requirements if applicable),
viii Photo documentation of the site reclamation

XTO Energy Inc.
San Juan Basin
Below Grade Tank
Closure Report

Lease Name: Gardner #7A
API No.: 30-045-30743
Description: Unit B, Section 26, Township 32N, Range 9W, San Juan County

In accordance with Rule 19.15.17.13 NMAC the following information describes the closure requirements of below-grade tanks on XTO Energy Inc. (XTO) locations. This is XTO's standard procedure for all below-grade tanks. A separate plan will be submitted for any below-grade tank which does not conform to this plan.

General Plan

1. XTO will close below-grade tanks within the time periods provided in 19.15 17.13 NMAC, or by an earlier date that the division requires because of imminent danger to fresh water, public health or the environment
   Closure Date is May 17, 2010

2. XTO will close a below-grade tank that does not meet the requirements of Paragraphs (1) through (4) of Subsection I of 19.15 17.11 NMAC or is not included in Paragraph (5) of Subsection I of 19.15.17.11 NMAC within five years after June 16, 2008, if not retrofitted to comply with Paragraphs (1) through (4) of Subsection I of 19.15.17.11 NMAC.
   Closure Date is May 17, 2010

3. XTO will close a permitted below-grade tank within 60 days of cessation of the below-grade tank's operation or as required by the transitional provisions of Subsection B of 19.15 17.17 NMAC in accordance with a closure plan that the appropriate division district office approves The closure report will be filed on form C-144.
   Required C-144 Form is attached to this document.

4. XTO will remove liquids and sludge from below-grade tanks prior to implementing a closure method and will dispose of the liquids and sludge in a division-approved facility. Approved facilities and waste streams include:
   Envirotech Permit No. NM01-0011
   Soil contaminated by exempt petroleum hydrocarbons
   Produced sand, pit sludge and contaminated bottoms from storage of exempt wastes
   Basin Disposal Permit No. NM01-005
   Produced water
   All liquids and sludge were removed from the tank prior to closure activities.

5. XTO will remove the below-grade tank and dispose of it in a division approved facility or recycle, reuse, or reclaim it in a manner that the appropriate division district office approves.
   XTO has removed the below grade tank, and will dispose of it at a division approved facility, or recycle, reclaim or reuse it in a manner that is approved by the division.

6. XTO will remove any on-site equipment associated with a below-grade tank unless the equipment is required for some other purpose.
All equipment will continue to be utilized for oil and gas production operations.

7. XTO will test the soils beneath the below-grade tank to determine whether a release has occurred. At a minimum 5 point composite sample will be collected along with individual grab samples from any area that is wet, discolored or showing other evidence of a release. Samples will be analyzed for BTEX, TPH and chlorides to demonstrate that the benzene concentration, as determined by EPA SW-846 methods 8021B or 8260B or EPA method that the division approves, does not exceed 0.2 mg/kg; total BTEX concentration, as determined by EPA SW-846 methods 8021B or 8260B or other EPA method that the division approves, does not exceed 50 mg/kg; the TPH concentration, as determined by EPA method 418.1 or other EPA method that the division approves, does not exceed 100mg/kg; and the chloride concentration, as determined by EPA method 300.1 or other EPA method that the division approves, does not exceed 250 mg/kg, or the background concentration, whichever is greater. XTO will notify the division of its results on form C-141.

A five point composite sample was taken of the pit using sampling tools and all samples tested per Subsection B of 19.15.17.1 3(B)(1)(b). (Sample results attached).

Components	Test Method	Limit (mg/Kg)	Results
Benzene	EPA SW-846 8021B or 8260B	0 2	**0.0062 mg/kg**
BTEX	EPA SW-846 8021B or 8260B	50	**0.177 mg/kg**
TPH	EPA SW-846 418.1	100	**1,070 mg/kg**
Chlorides	EPA 300.1	250 or background	**50 mg/kg**

8. If XTO or the division determines that a release has occurred, XTO will comply with 19.15.3.116 NMAC and 19.15.1.19NMAC as appropriate.
Due to a TPH reading of 1,070 mg/kg, it has been determined that a release has occurred at this well site. Pursuant to 19.15.3.116, XTO then ranked the site according to the NMOCD Guidelines for the Remediation of Leaks, Spills and Releases. The site was ranked a 10 due to a wash at less than 1,000 feet from the location. This set the closure standard to 1,000 mg/kg TPH, 10 mg/kg benzene and 50 mg/kg total BTEX. A composite sample was collected from the pit cellar to be analyzed for TPH via USEPA Method 8015. The sample returned results of 319 mg/kg, below the 1,000 mg/kg standard determined for this site. The sample returned results below the regulatory standards for all constituents analyzed. The samples results are attached for your reference.

9. If the sampling program demonstrates that a release has not occurred or that any release does not exceed the concentrations specified in Paragraph (4) of Subsection E of 19.15.17.13 NMAC, XTO will backfill the excavation with compacted, non-waste containing, earthen material; construct a division prescribed soil cover; recontour and re-vegetate the site.
The pit cellar was backfilled using compacted, non-waste containing earthen material, with a division prescribed soil cover. An above ground storage tank has been placed in the former location of the on-site BGT.

10. Notice of Closure operations will be given to the Aztec Division District III office between 72 hours and one week prior to the start of closure activities via email or verbally.
The notification will include the following:
    i. Operator's name
    ii. Well Name and API Number

iii. Location by Unit Letter, Section, Township, and Range
Notification was provided to Mr. Brandon Powell with the Aztec office of the OCD via email on May 11, 2010; see attached email printout.

The surface owner shall be notified of XTO's proposal to close the BGT as per the approved closure plan using certified mail, return receipt requested.
The surface owner was notified on May 12, 2010; see attached letter and return receipt.

11. Re-contouring of location will match fit, shape, line, form and texture of the surrounding area. Re-shaping will include drainage control, prevent ponding, and prevent erosion Natural drainages will be unimpeded and water bars and/or silt traps will be placed in areas where needed to prevent erosion on a large scale. Final re-contour shall have a uniform appearance with smooth surface, fitting the natural landscape.
The former BGT area will be utilized by an above ground tank to serve the same function.

12. A minimum of 4 feet of cover shall be achieved and the cover shall include 1 foot of suitable material to establish vegetation at the site, or the background thickness of topsoil, whichever is greater.
The site has been backfilled to match these specifications.

13. XTO will seed the disturbed areas the first growing season after the operator closes the pit. Seeding will be accomplished via drilling on the contour whenever practical or by other division-approved methods. BLM or Forest Service stipulated seed mixes will be used on federal lands. Vegetative cover will equal 70% of the native perennial vegetative cover (un-impacted) consisting of at least three native plant species, including at least one grass, but not including noxious weeds, and maintain that cover through two successive growing seasons. Repeat seeding or planting will be continued until successful vegetative growth occurs.
The site will be re-seeded pursuant to the BLM MOU upon plugging and abandoning of this location.

14. All closure activities will include proper documentation and be available for review upon request and will be submitted in closure report form to OCD within 60 days of closure of the below-grade tank. Closure report will be filed on form C-144 and incorporate the following:
    i. Proof of closure notice to division and surface owner; **attached**
    ii. Details on capping and covering, where applicable; **per OCD Specifications**
    iii. Inspection reports; **none found – this well was acquired in March of 2009, well after the inception of the 'Pit Rule'. Due to operation of this well by the Durango office of XTO Energy, Inc, no inspection records have been filed. This was due to a misunderstanding regarding Colorado and New Mexico rules. The misunderstanding has been corrected.**
    iv. Confirmation sampling analytical results; **attached**
    v. Disposal facility name(s) and permit number(s); **see above**
    vi. Soil backfilling and cover installation; **per OCD Specifications**
    vii. Re-vegetation application rates and seeding techniques, (or approved alternative to re-vegetation requirements if applicable); **NA**
    viii. Photo documentation of the site reclamation. **NA**

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Analytical Laboratory

EPA METHOD 8015 Modified
Nonhalogenated Volatile Organics
Total Petroleum Hydrocarbons

Client:	XTO	Project #:	98031-0528
Sample ID.	Spill Composite	Date Reported	05-07-10
Laboratory Number	54037	Date Sampled:	05-05-10
Chain of Custody No:	9286	Date Received:	05-05-10
Sample Matrix:	Soil	Date Extracted:	05-05-10
Preservative.	Cool	Date Analyzed:	05-06-10
Condition:	Intact	Analysis Requested:	8015 TPH

Parameter	Concentration (mg/Kg)	Det. Limit (mg/Kg)
Gasoline Range (C5 - C10)	183	0.2
Diesel Range (C10 - C28)	136	0.1
Total Petroleum Hydrocarbons	319	0.2

ND - Parameter not detected at the stated detection limit.

References. Method 8015B, Nonhalogenated Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Comments: **Gardner #7A**

Analyst

Review

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EPA Method 8015 Modified
Nonhalogenated Volatile Organics
Total Petroleum Hydrocarbons

Quality Assurance Report

Client:	QA/QC	Project #:	N/A
Sample ID	05-06-10 QA/QC	Date Reported:	05-07-10
Laboratory Number	53963	Date Sampled:	N/A
Sample Matrix:	Methylene Chloride	Date Received	N/A
Preservative	N/A	Date Analyzed:	05-06-10
Condition	N/A	Analysis Requested:	TPH

	I-Cal Date	I-Cal RF:	C-Cal RF:	% Difference	Accept. Range
Gasoline Range C5 - C10	05-07-07	9.6809E+002	9 6848E+002	0.04%	0 - 15%
Diesel Range C10 - C28	05-07-07	1 0228E+003	1.0232E+003	0.04%	0 - 15%

Blank Conc. (mg/L - mg/Kg)	Concentration	Detection Limit
Gasoline Range C5 - C10	ND	0.2
Diesel Range C10 - C28	ND	0.1
Total Petroleum Hydrocarbons	ND	0.2

Duplicate Conc. (mg/Kg)	Sample	Duplicate	% Difference	Accept. Range
Gasoline Range C5 - C10	ND	ND	0.0%	0 - 30%
Diesel Range C10 - C28	ND	ND	0.0%	0 - 30%

Spike Conc. (mg/Kg)	Sample	Spike Added	Spike Result	% Recovery	Accept. Range
Gasoline Range C5 - C10	ND	250	260	104%	75 - 125%
Diesel Range C10 - C28	ND	250	253	101%	75 - 125%

ND - Parameter not detected at the stated detection limit

References: Method 8015B, Nonhalogenated Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996

Comments: **QA/QC for Samples 53957, 53958, 53963, 53964, 53986 - 53988, 54013, 54014 and 54037.**

Analyst

Review

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EPA METHOD 8021
AROMATIC VOLATILE ORGANICS

Client:	XTO	Project #.	98031-0528
Sample ID:	Spill Composite	Date Reported:	05-07-10
Laboratory Number:	54037	Date Sampled:	05-05-10
Chain of Custody	9286	Date Received:	05-05-10
Sample Matrix.	Soil	Date Analyzed:	05-06-10
Preservative:	Cool	Date Extracted:	05-05-10
Condition:	Intact	Analysis Requested	BTEX

Parameter	Concentration (ug/Kg)	Det. Limit (ug/Kg)
Benzene	**6.2**	**0.9**
Toluene	**47.2**	**1.0**
Ethylbenzene	**9.8**	**1.0**
p,m-Xylene	**82.2**	**1.2**
o-Xylene	**31.5**	**0.9**
Total BTEX	**177**	

ND - Parameter not detected at the stated detection limit

Surrogate Recoveries	Parameter	Percent Recovery
	Fluorobenzene	**93.4 %**
	1,4-difluorobenzene	**91.6 %**
	Bromochlorobenzene	**96.8 %**

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Method 8021B, Aromatic Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996

Comments: **Gardner #7A**

Analyst

Review

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EPA METHOD 8021
AROMATIC VOLATILE ORGANICS

Client	N/A	Project #	N/A
Sample ID	05-06-BTEX QA/QC	Date Reported	05-07-10
Laboratory Number	53957	Date Sampled:	N/A
Sample Matrix.	Soil	Date Received:	N/A
Preservative	N/A	Date Analyzed:	05-06-10
Condition	N/A	Analysis	BTEX

Calibration and Detection Limits (ug/L)	I-Cal RF:	C-Cal RF:	%Diff. Accept. Range 0 - 15%	Blank Conc.	Detect. Limit
Benzene	9.4068E+005	9.4257E+005	0.2%	ND	0.1
Toluene	8.6679E+005	8.6852E+005	0.2%	ND	0.1
Ethylbenzene	7.7887E+005	7.8043E+005	0.2%	ND	0.1
p,m-Xylene	1.8732E+006	1.8769E+006	0.2%	ND	0.1
o-Xylene	7.2427E+005	7.2572E+005	0.2%	ND	0.1

Duplicate Conc. (ug/Kg)	Sample	Duplicate	%Diff.	Accept Range	Detect. Limit
Benzene	ND	ND	0.0%	0 - 30%	0.9
Toluene	ND	ND	0.0%	0 - 30%	1.0
Ethylbenzene	ND	ND	0.0%	0 - 30%	1.0
p,m-Xylene	ND	ND	0.0%	0 - 30%	1.2
o-Xylene	ND	ND	0.0%	0 - 30%	0.9

Spike Conc. (ug/Kg)	Sample	Amount Spiked	Spiked Sample	% Recovery	Accept Range
Benzene	ND	50.0	49.2	98.4%	39 - 150
Toluene	ND	50.0	48.1	96.2%	46 - 148
Ethylbenzene	ND	50.0	49.2	98.5%	32 - 160
p,m-Xylene	ND	100	101	101%	46 - 148
o-Xylene	ND	50.0	48.6	97.1%	46 - 148

ND - Parameter not detected at the stated detection limit

References
Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996
Method 8021B, Aromatic and Halogenated Volatiles by Gas Chromatography Using Photoionization and/or Electrolytic Conductivity Detectors, SW-846, USEPA December 1996

Comments: QA/QC for Samples 53957, 53958, 53986 - 53988, 54013 - 54014 and 54037.

Analyst

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EPA METHOD 418.1
TOTAL PETROLEUM HYDROCARBONS

Client:	XTO	Project #:	98031-0528
Sample ID:	Spill Composite	Date Reported:	05-07-10
Laboratory Number	54037	Date Sampled:	05-05-10
Chain of Custody No	9286	Date Received:	05-05-10
Sample Matrix:	Soil	Date Extracted:	05-07-10
Preservative	Cool	Date Analyzed:	05-07-10
Condition	Intact	Analysis Needed:	TPH-418 1

Parameter	Concentration (mg/kg)	Det. Limit (mg/kg)
Total Petroleum Hydrocarbons	**1,070**	**21.6**

ND = Parameter not detected at the stated detection limit

References: Method 418.1, Petroleum Hydrocarbons, Total Recoverable, Chemical Analysis of Water and Waste, USEPA Storet No. 4551, 1978.

Comments: **Gardner #7A**

Analyst

Review

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EPA METHOD 418.1
TOTAL PETROLEUM HYROCARBONS
QUALITY ASSURANCE REPORT

Client	QA/QC	Project #	N/A
Sample ID:	QA/QC	Date Reported:	05-07-10
Laboratory Number:	05-07-TPH QA/QC 54038	Date Sampled	N/A
Sample Matrix	Freon-113	Date Analyzed:	05-07-10
Preservative:	N/A	Date Extracted:	05-07-10
Condition.	N/A	Analysis Needed	TPH

Calibration	I-Cal Date	C-Cal Date	I-Cal RF:	C-Cal RF:	% Difference	Accept. Range
	04/22/2010	05-07-10	1,690	1,720	1.8%	+/- 10%

Blank Conc. (mg/Kg)	Concentration	Detection Limit
TPH	ND	21.6

Duplicate Conc. (mg/Kg)	Sample	Duplicate	% Difference	Accept Range
TPH	24.3	25.7	5.8%	+/- 30%

Spike Conc. (mg/Kg)	Sample	Spike Added	Spike Result	% Recovery	Accept Range
TPH	24.3	2,000	1,790	88.4%	80 - 120%

ND = Parameter not detected at the stated detection limit

References: Method 418 1, Petroleum Hydrocarbons, Total Recoverable, Chemical Analysis of Water and Waste, USEPA Storet No. 4551, 1978

Comments: **QA/QC for Samples 54037 - 54043, 54049, 54050 and 54073.**

Analyst

Review

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CHAIN OF CUSTODY RECORD

09286

RUSH

Client: XTO	Project Name / Location: Gardner #7A
Client Address: 382 CR 3100	Sampler Name: J McDaniel
Client Phone No.: 787-0519	Client No.: 98031-0528

ANALYSIS / PARAMETERS

Sample No./ Identification	Sample Date	Sample Time	Lab No.	Sample Matrix	No./Volume of Containers	Preservative HgCl2	Preservative HCl	Cool	TPH (Method 8015)	BTEX (Method 8021)	VOC (Method 8260)	RCRA 8 Metals	Cation / Anion	RCI	TCLP with H/P	PAH	TPH (418.1)	CHLORIDE				Sample Cool	Sample Intact
Spill Composite	5/5/10	1515	54037	(Soil) Sludge Solid Aqueous	1/4oz			X	X	X							X	added via telephone by J. McDaniel 5/6/10				Y	Y
				Soil Sludge Solid Aqueous																			
				Soil Sludge Solid Aqueous																			
				Soil Sludge Solid Aqueous																			
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Chloride

Client.	XTO	Project #:	98031-0528
Sample ID:	Spill Composite	Date Reported	05-06-10
Lab ID#.	54036	Date Sampled.	05-05-10
Sample Matrix	Soil	Date Received·	05-05-10
Preservative:	Cool	Date Analyzed.	05-06-10
Condition.	Intact	Chain of Custody·	9285

Parameter	Concentration (mg/Kg)
Total Chloride	**50**

Reference. U.S.E.P.A., 4500B, "Methods for Chemical Analysis of Water and Wastes", 1983.
Standard Methods For The Examination of Water And Waste Water", 18th ed., 1992

Comments: **Gardner #7A**

Analyst

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CHAIN OF CUSTODY RECORD

09285

RUSH

Client: XTO	Project Name / Location: Gardner #7A
Client Address: 382 CR 3100	Sampler Name: J McDaniel
Client Phone No.: 787-0519	Client No.: 98031-0528

ANALYSIS / PARAMETERS

Sample No./ Identification	Sample Date	Sample Time	Lab No	Sample Matrix	No./Volume of Containers	Preservative HgCl₂	Preservative HCl	Cool	TPH (Method 8015)	BTEX (Method 8021)	VOC (Method 8260)	RCRA 8 Metals	Cation / Anion	RCI	TCLP with H/P	PAH	TPH (418.1)	CHLORIDE				Sample Cool	Sample Intact
Spill Composite	5/5/10	1515	54036	(Soil) Sludge Solid Aqueous	1/4oz			X										X				Y	Y
				Soil Sludge Solid Aqueous																			
				Soil Sludge Solid Aqueous																			
				Soil Sludge Solid Aqueous																			
				Soil Sludge Solid Aqueous																			
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James McDaniel /FAR/CTOC
05/11/2010 03:20 PM

To brandon.powell@state.nm.us
cc Kim Champlin/FAR/CTOC@CTOC, Martin Nee/FAR/CTOC@CTOC, Kurt Hoekstra/FAR/CTOC@CTOC
bcc
Subject Notifications

Brandon,
Please accept this email as the required notification for BGT closure activities at the following locations :

E H Pipken #21 (30-045-25156) Unit O, Section 35, Township 28N, Range 11W, San Juan County, New Mexico
Gardner #7A (30-045-32052) Unit E, Section 26, Township 32N, Range 9W, San Juan County, New Mexico
Abrams Gas COM J #1 (30-045-25898) Unit D, Section 29N, Range 10W, San Juan County, New Mexico

Thanks much!

James McDaniel
EH&S Specialist
XTO Energy, Inc.
Office # 505-333-3701
Cell # 505-787-0519

XTO ENERGY

May 11, 2010

Mark Kelly,
Bureau of Land Management – Farmington Field Office
1235 La Plata Highway
Farmington, New Mexico, 87401

Re: Gardner #7A
Unit B, Section 26, Township 32N, Range 9W, San Juan County, New Mexico

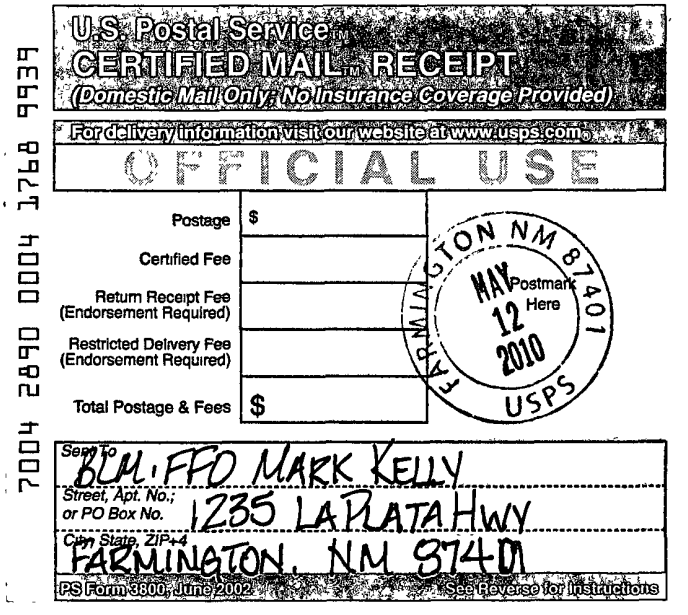
Dear Mr. Kelly,

This submittal is pursuant to Rule 19.15.17.13 requiring operators to notify surface owners of the closure of a below grade tank pit. XTO Energy, Inc. (XTO) is hereby providing written documentation of our proposal to close the below grade tank pit associated with the above mentioned well site by waste excavation and removal.

Should you have questions or require additional information, please feel free to contact me at your convenience at (505) 333-3100. Thank you for your time in regards to this matter.

Respectfully Submitted,

James McDaniel
EH&S Specialist
XTO Energy, Inc.
San Juan Division



XTO Energy, Inc.
Gardner #7A
Section 26, Township 32N, Range 9W
Closure Date: 5/17/2010

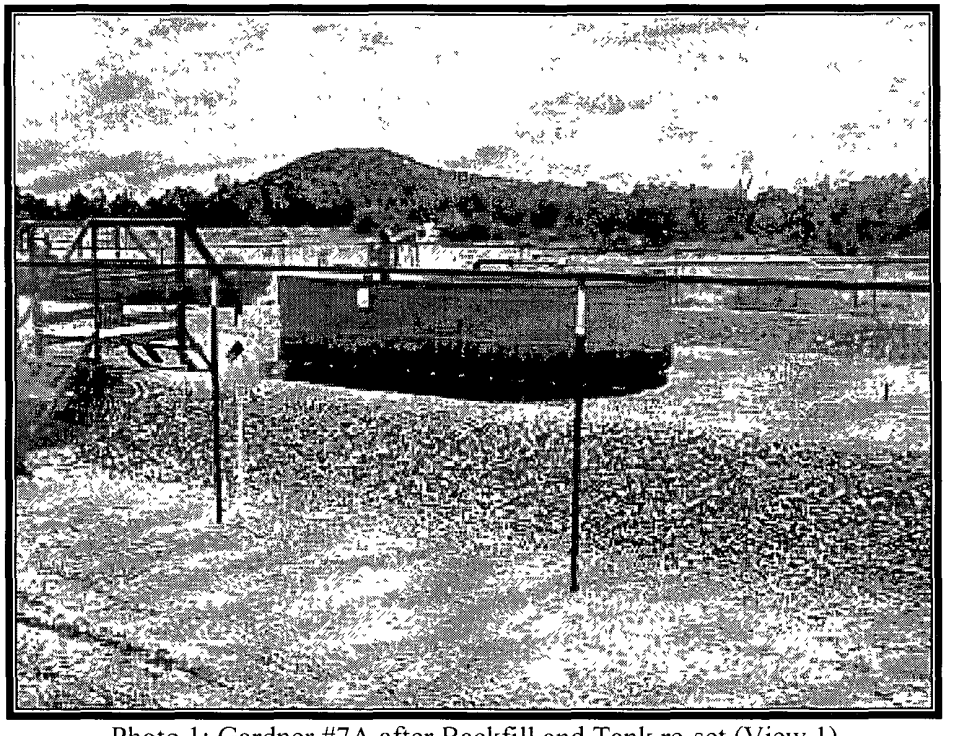


Photo 1: Gardner #7A after Backfill and Tank re-set (View 1)

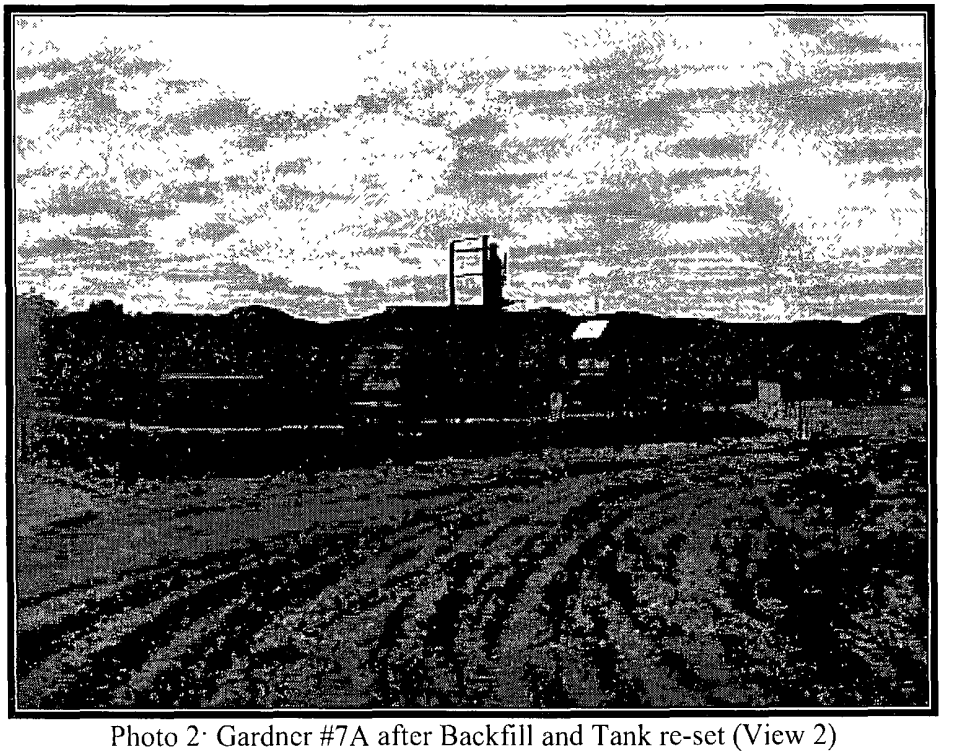


Photo 2: Gardner #7A after Backfill and Tank re-set (View 2)