OIL CONS. DIV DIST. 3

AUG 22 2014

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

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.

12172

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

45-31689

Type of action:
- ☐ Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method
- ☒ 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.

Operator: XTO Energy, Inc. OGRID #: 5380

Address: 382 Road 3100, Aztec, New Mexico 87410

Facility or well name: Ute Indian A # 37

API Number: 30-045-31689 OCD Permit Number:

U/L or Qtr/Qtr J Section 34 Township 32N Range 14W County: San Juan

Center of Proposed Design: Latitude 36.94252 Longitude -108.29333 NAD: ☐ 1927 ☒ 1983

Surface Owner: ☐ Federal ☐ State ☐ Private ☒ Tribal Trust or Indian Allotment

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 _____

4.

☒ **Below-grade tank:** Subsection I of 19.15.17.11 NMAC

Volume: 120 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, vaulted, 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.

28

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 high, 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.	☐ Yes ☒ No
Within 500 feet of a wetland.	☐ 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

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

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): Kurt Hoekstra Title: EHS Coordinator

Signature: Kurt Hoekstra Date: 8-19-2014

E-mail address: Kurt_Hoekstra@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 D. Kelly **Approval Date:** 9/19/2014

Title: 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:** 3-24-2014

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)
☐ Proof of Deed Notice (required for on-site closure)
☐ Plot Plan (for on-site closures and temporary pits)
☒ Confirmation Sampling Analytical Results (if applicable)
☐ Waste Material Sampling Analytical Results (required for on-site closure)
☒ Disposal Facility Name and Permit Number
☒ Soil Backfilling and Cover Installation
☒ Re-vegetation Application Rates and Seeding Technique
☒ Site Reclamation (Photo Documentation)

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) Kurt Hoekstra Title : EHS Coordinator

Signature: Kurt Hoekstra Date: 8-19-2014

E-mail address Kurt_Hoekstra@xtoenergy.com Telephone: 505-333-3100

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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 August 8, 2011

Submit 1 Copy to appropriate District Office in accordance with 19.15.29 NMAC.

Release Notification and Corrective Action

OPERATOR

☒ Initial Report ☐ Final Report

Name of Company: XTO Energy, Inc.	Contact: Kurt Hoekstra
Address: 382 Road 3100, Aztec, New Mexico 87410	Telephone No.: (505) 333-3100
Facility Name: Ute Indians A # 37	Facility Type: Gas Well (Ute Dome Dakota)

Surface Owner: Tribal	Mineral Owner	API No.: 30-045-31689

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
J	34	32N	14W	1900	FSL	1690	FEL	San Juan

Latitude 36.94252 **Longitude** -108.29333

NATURE OF RELEASE

Type of Release: Produced Water	Volume of Release: Unknown	Volume Recovered: None
Source of Release: Below Grade Tank	Date and Hour of Occurrence: Unknown	Date and Hour of Discovery: 3-12-2014
Was Immediate Notice Given? ☐ Yes ☐ No ☒ Not Required	If YES, To Whom?	
By Whom?	Date and Hour	
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.* The below grade tank was removed at the Ute Indians A # 37 well site due to P & A of the location. The soil beneath the BGT was sampled for TPH via USEPA Method 8015 and 418.1, for BTEX via USEPA Method 8021, and for total chlorides. The sample returned results below the 'Pit Rule' spill confirmation standards for benzene, and total BTEX , , but above the TPH Standard of 100 ppm at 367 ppm via USEPA Method 418.1 and above the Chloride Standard of 250 ppm at 280 ppm via USEPA Method 9056,confirming that a release has occurred at this location. The site was then ranked according to the NMOCD Guidelines for the Remediation of Leaks, Spills and Releases. The site was ranked a 30 due to an estimated depth to groundwater of less than 50 feet, distance to a water well greater than 1000 feet, and distance to surface water less than 1000 feet. This set the closure standard to 100 ppm TPH, 10 ppm benzene, and 50 ppm total BTEX.

Describe Area Affected and Cleanup Action Taken.* Based on TPH results of 367 ppm via USEPA Method 418.1 and chloride results of 280 ppm via USEPA Method 9056 a release has been confirmed at this location.

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: Kurt Hoekstra	OIL CONSERVATION DIVISION Approved by Environmental Specialist:	
Printed Name: Kurt Hoekstra		
Title: EHS Coordinator	Approval Date:	Expiration Date:
E-mail Address: Kurt_Hoekstra@xtoenergy.com	Conditions of Approval:	Attached ☐
Date: 8-19-2014 Phone: 505-333-3100		

* Attach Additional Sheets If Necessary

envirotech
Analytical Laboratory

Analytical Report

Report Summary

Client: XTO Energy Inc.

Chain Of Custody Number: 0460

Samples Received: 3/6/2014 11:40:00AM

Job Number: 98031-0528

Work Order: P403017

Project Name/Location: Ute Indians A #37

Entire Report Reviewed By: _____ Date: 3/12/14

Tim Cain, Laboratory Manager

5796 US Highway 64, Farmington, NM 87401 Ph (505) 632-0615 Fx (505) 632-1865

Three Springs • 65 Mercado Street, Suite 115, Durango, CO 81301 Ph (970) 259-0615 Fr (800) 362-1879

envirotech-inc.com
laboratory@envirotech-inc.com

envirotech
Analytical Laboratory

XTO Energy Inc.	Project Name:	Ute Indians A #37	
382 CR 3100	Project Number:	98031-0528	**Reported:**
Aztec NM, 87410	Project Manager:	James McDaniel	12-Mar-14 14:54

Analyical Report for Samples

Client Sample ID	Lab Sample ID	Matrix	Sampled	Received	Container
BGT Cellar	P403017-01A	Soil	03/06/14	03/06/14	Glass Jar, 4 oz.

5796 US Highway 64, Farmington, NM 87401 Ph (505) 632-0615 Fx (505) 632-1865
Three Springs - 65 Mercado Street, Suite 115, Durango, CO 81301 Ph (970) 259-0615 Fr (800) 362-1879
envirotech-inc.com
laboratory@envirotech-inc.com

XTO Energy Inc.	Project Name:	Ute Indians A #37	
382 CR 3100	Project Number:	98031-0528	**Reported:**
Aztec NM, 87410	Project Manager:	James McDaniel	12-Mar-14 14:54

BGT Cellar

P403017-01 (Solid)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Total Petroleum Hydrocarbons by 418.1									
Total Petroleum Hydrocarbons	**367**	20.0	mg/kg	1	1411012	03/12/14	03/12/14	EPA 418.1	

envirotech
Analytical Laboratory

XTO Energy Inc.	Project Name:	Ute Indians A #37	
382 CR 3100	Project Number:	98031-0528	**Reported:**
Aztec NM, 87410	Project Manager:	James McDaniel	12-Mar-14 14:54

Total Petroleum Hydrocarbons by 418.1 - Quality Control

Envirotech Analytical Laboratory

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 1411012 - 418 Freon Extraction										
Blank (1411012-BLK1)				Prepared & Analyzed: 12-Mar-14						
Total Petroleum Hydrocarbons	ND	20.0	mg/kg							
Duplicate (1411012-DUP1)		**Source: P403014-01**		Prepared & Analyzed: 12-Mar-14						
Total Petroleum Hydrocarbons	28.0	20.0	mg/kg		24.0			15.5	30	
Matrix Spike (1411012-MS1)		**Source: P403014-01**		Prepared & Analyzed: 12-Mar-14						
Total Petroleum Hydrocarbons	1840	20.0	mg/kg	2000	24.0	91.0	80-120			

envirotech
Analytical Laboratory

XTO Energy Inc.	Project Name:	Ute Indians A #37	
382 CR 3100	Project Number:	98031-0528	**Reported:**
Aztec NM, 87410	Project Manager:	James McDaniel	12-Mar-14 14:54

Notes and Definitions

DET	Analyte DETECTED
ND	Analyte NOT DETECTED at or above the reporting limit
NR	Not Reported
dry	Sample results reported on a dry weight basis
RPD	Relative Percent Difference

XTO ENERGY
Western Division

Well Site/Location: UTE INDIANS A # 37	Quote Number	Page ___ of ___
Collected By: KURT	XTO Contact: KURT	XTO Contact Phone #: 505-486-9543
Company: XTO	Email Results to: JAMES, KURT, LOGAN	
Signature: Kurt Hackstaff	API Number: 30-045-31689	Test Reason: BGT CLOSURE
	Samples on Ice: (Y) N	Turnaround: X Standard; ___ Next Day; ___ Two Day; ___ Three Day; ___ Std. 5 Bus. Days (by contract)
	QA/QC Requested: Y	Date Needed: ___
	Gray Areas for Lab Use Only!	

Analysis: 418.1

Lab Information: 98031-0528

Office Abbreviations
Farmington = FAR
Durango = DUR
Bakken = BAK
Raton = RAT
Piceance = PC
Roosevelt = RSV
La Barge = LB
Orangeville = OV

Sample ID	Sample Name	Media	Date	Time	Preservative	No. of Conts.	Analysis	Sample Number
FARJM-030614-0955	BGT CELLAR	S	3-6	9:55	ON ICE	1 4oz-Jar	X	98031-0528-01

Media: Filter = F Soil = S Wastewater = WW Groundwater = GW Drinking Waster = DW Sludge = SG Surface Water = SW Air = A Drill Mud = DM Other = OT

Relinquished By: (Signature) Kurt Hackstaff	Date: 3-6-14	Time: 11:40	Received By: (Signature)	Number of Bottles:	Sample Condition: GOOD
Relinquished By: (Signature)	Date:	Time:	Received By: (Signature)	Temperature: 15.7°C	Other Information
Relinquished By: (Signature)	Date:	Time:	Received for Lab by: (Signature)	Date: 3/6/14	Time: 11:40

Comments

* Sample ID will be the office and sampler-date-military time FARJM-MMDDYY-1200

0460

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Est. 1970

Logan Hixon
XTO Energy - San Juan Division
382 County Road 3100
Aztec, NM 87410

Report Summary

Wednesday March 12, 2014

Report Number: L686734
Samples Received: 03/07/14
Client Project: 30.045-31689

Description: UTE Indians A#37

The analytical results in this report are based upon information supplied by you, the client, and are for your exclusive use. If you have any questions regarding this data package, please do not hesitate to call.

Entire Report Reviewed By: Daphne R Richards

Daphne Richards , ESC Representative

Laboratory Certification Numbers

A2LA - 1461-01, AIHA - 100789, AL - 40660, CA - 01157CA, CT - PH-0197, FL - E87487, GA - 923, IN - C-TN-01, KY - 90010, KYUST - 0016, NC - ENV375/DW21704/BIO041, ND - R-140. NJ - TN002, NJ NELAP - TN002, SC - 84004, TN - 2006, VA - 460132, WV - 233, AZ - 0612, MN - 047-999-395, NY - 11742, WI - 998093910, NV - TN000032011-1, TX - T104704245-11-3, OK - 9915, PA - 68-02979, IA Lab #364, EPA - TN002

Accreditation is only applicable to the test methods specified on each scope of accreditation held by ESC Lab Sciences.

Where applicable, sampling conducted by ESC is performed per guidance provided in laboratory standard operating procedures: 060302, 060303, and 060304.

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REPORT OF ANALYSIS

Logan Hixon
XTO Energy - San Juan Division
382 County Road 3100
Aztec, NM 87410

March 12,2014

ESC Sample # : L686734-01

Site ID :

Project # : 30.045-31689

Date Received : March 07, 2014
Description : UTE Indians A#37

Sample ID : FARKH-030614-0955

Collected By : Kurt Hoekstra
Collection Date : 03/06/14 09:55

Parameter	Dry Result	Det. Limit	Units	Method	Date	Dil.
Chloride	280	12.	mg/kg	9056	03/12/14	1
Total Solids	86.4		%	2540 G-2011	03/11/14	1
Benzene	BDL	0.0029	mg/kg	8021/8015	03/09/14	5
Toluene	BDL	0.029	mg/kg	8021/8015	03/09/14	5
Ethylbenzene	BDL	0.0029	mg/kg	8021/8015	03/09/14	5
Total Xylene	BDL	0.0087	mg/kg	8021/8015	03/09/14	5
TPH (GC/FID) Low Fraction	BDL	0.58	mg/kg	GRO	03/09/14	5
Surrogate Recovery-%						
a,a,a-Trifluorotoluene(FID)	97.8		% Rec.	8021/8015	03/09/14	5
a,a,a-Trifluorotoluene(PID)	103.		% Rec.	8021/8015	03/09/14	5
TPH (GC/FID) High Fraction	86.	4.6	mg/kg	3546/DRO	03/09/14	1
Surrogate recovery(%)						
o-Terphenyl	99.5		% Rec.	3546/DRO	03/09/14	1

Results listed are dry weight basis.
BDL - Below Detection Limit
Det. Limit - Practical Quantitation Limit(PQL)
Note:

The reported analytical results relate only to the sample submitted
Reported: 03/12/14 13:50 Printed: 03/12/14 13:50

Attachment A
List of Analytes with QC Qualifiers

Sample Number	Work Group	Sample Type	Analyte	Run ID	Qualifier
L686734-01	WG709917	SAMP	TPH (GC/FID) High Fraction	R2891638	J3

Attachment B
Explanation of QC Qualifier Codes

Qualifier	Meaning
J3	The associated batch QC was outside the established quality control range for precision.

Qualifier Report Information

ESC utilizes sample and result qualifiers as set forth by the EPA Contract Laboratory Program and as required by most certifying bodies including NELAC. In addition to the EPA qualifiers adopted by ESC, we have implemented ESC qualifiers to provide more information pertaining to our analytical results. Each qualifier is designated in the qualifier explanation as either EPA or ESC. Data qualifiers are intended to provide the ESC client with more detailed information concerning the potential bias of reported data. Because of the wide range of constituents and variety of matrices incorporated by most EPA methods,it is common for some compounds to fall outside of established ranges. These exceptions are evaluated and all reported data is valid and useable "unless qualified as 'R' (Rejected)."

Definitions

Accuracy - The relationship of the observed value of a known sample to the true value of a known sample. Represented by percent recovery and relevant to samples such as: control samples, matrix spike recoveries, surrogate recoveries, etc.

Precision - The agreement between a set of samples or between duplicate samples. Relates to how close together the results are and is represented by Relative Percent Differrence.

Surrogate - Organic compounds that are similar in chemical composition, extraction, and chromotography to analytes of interest. The surrogates are used to determine the probable response of the group of analytes that are chemically related to the surrogate compound. Surrogates are added to the sample and carried through all stages of preparation and analyses.

TIC - Tentatively Identified Compound: Compounds detected in samples that are not target compounds, internal standards, system monitoring compounds, or surrogates.

Summary of Remarks For Samples Printed
03/12/14 at 13:50:36

TSR Signing Reports: 288
R5 - Desired TAT

Domestic Water Well Sampling-see L609759 Lobato for tests EDD's on ALL projects email James, Kurt and Logan all reports

Sample: L686734-01 Account: XTORNM Received: 03/07/14 09:30 Due Date: 03/14/14 00:00 RPT Date: 03/12/14 13:50

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Logan Hixon
382 County Road 3100

Aztec, NM 87410

Quality Assurance Report
Level II

L686734

March 12, 2014

Laboratory Blank

Analyte	Result	Units	% Rec	Limit	Batch	Date Analyzed
Benzene	< .0005	mg/kg			WG709830	03/08/14 23:05
Ethylbenzene	< .0005	mg/kg			WG709830	03/08/14 23:05
Toluene	< .005	mg/kg			WG709830	03/08/14 23:05
TPH (GC/FID) Low Fraction	< .1	mg/kg			WG709830	03/08/14 23:05
Total Xylene	< .0015	mg/kg			WG709830	03/08/14 23:05
a,a,a-Trifluorotoluene(FID)		% Rec.	100.0	59-128	WG709830	03/08/14 23:05
a,a,a-Trifluorotoluene(PID)		% Rec.	105.0	54-144	WG709830	03/08/14 23:05
TPH (GC/FID) High Fraction	< 4	mg/kg			WG709917	03/09/14 12:53
o-Terphenyl		% Rec.	95.50	50-150	WG709917	03/09/14 12:53
Total Solids	< .1	%			WG709812	03/11/14 06:48
Chloride	< 10	mg/kg			WG710186	03/11/14 22:13

Duplicate

Analyte	Units	Result	Duplicate	RPD	Limit	Ref Samp	Batch
Total Solids	%	88.4	89.7	1.39	5	L686727-18	WG709812
Chloride	mg/kg	32.0	0.0	NA	20	L686134-07	WG710186
Chloride	mg/kg	250.	240.	4.08	20	L686734-01	WG710186

Laboratory Control Sample

Analyte	Units	Known Val	Result	% Rec	Limit	Batch
Benzene	mg/kg	.05	0.0507	101.	70-130	WG709830
Ethylbenzene	mg/kg	.05	0.0518	104.	70-130	WG709830
Toluene	mg/kg	.05	0.0516	103.	70-130	WG709830
Total Xylene	mg/kg	.15	0.159	106.	70-130	WG709830
a,a,a-Trifluorotoluene(PID)				104.0	54-144	WG709830
TPH (GC/FID) Low Fraction	mg/kg	5.5	4.73	86.1	63.5-137	WG709830
a,a,a-Trifluorotoluene(FID)				101.0	59-128	WG709830
TPH (GC/FID) High Fraction	mg/kg	60	49.3	82.2	50-150	WG709917
o-Terphenyl				84.80	50-150	WG709917
Total Solids	%	50	50.0	100.	85-115	WG709812
Chloride	mg/kg	200	209.	105.	80-120	WG710186

Laboratory Control Sample Duplicate

Analyte	Units	Result	Ref	%Rec	Limit	RPD	Limit	Batch
Benzene	mg/kg	0.0528	0.0507	106.	70-130	3.93	20	WG709830
Ethylbenzene	mg/kg	0.0535	0.0518	107.	70-130	3.26	20	WG709830
Toluene	mg/kg	0.0532	0.0516	106.	70-130	2.99	20	WG709830
Total Xylene	mg/kg	0.164	0.159	109.	70-130	2.82	20	WG709830
a,a,a-Trifluorotoluene(PID)				104.0	54-144			WG709830
TPH (GC/FID) Low Fraction	mg/kg	4.75	4.73	86.0	63.5-137	0.320	20	WG709830
a,a,a-Trifluorotoluene(FID)				101.0	59-128			WG709830

* Performance of this Analyte is outside of established criteria.
For additional information, please see Attachment A 'List of Analytes with QC Qualifiers.'

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Logan Hixon
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Aztec, NM 87410

Quality Assurance Report
Level II

L686734

March 12, 2014

Laboratory Control Sample Duplicate

Analyte	Units	Result	Ref	%Rec	Limit	RPD	Limit	Batch
TPH (GC/FID) High Fraction	mg/kg	60.9	49.3	101.	50-150	21.0*	20	WG709917
o-Terphenyl				109.0	50-150			WG709917
Chloride	mg/kg	208.	209.	104.	80-120	0.480	20	WG710186

Matrix Spike

Analyte	Units	MS Res	Ref Res	TV	% Rec	Limit	Ref Samp	Batch
Benzene	mg/kg	0.260	0.00542	.05	100.	49.7-127	L686730-01	WG709830
Ethylbenzene	mg/kg	0.258	0.00330	.05	100.	40.8-141	L686730-01	WG709830
Toluene	mg/kg	0.261	0.00142	.05	100.	49.8-132	L686730-01	WG709830
Total Xylene	mg/kg	0.793	0.0159	.15	100.	41.2-140	L686730-01	WG709830
a,a,a-Trifluorotoluene(PID)					103.0	54-144		WG709830
TPH (GC/FID) Low Fraction	mg/kg	19.7	0.0441	5.5	72.0	28.5-138	L686730-01	WG709830
a,a,a-Trifluorotoluene(FID)					99.90	59-128		WG709830
TPH (GC/FID) High Fraction	mg/kg	116.	74.0	60	69.0	50-150	L686734-01	WG709917
o-Terphenyl					83.60	50-150		WG709917
Chloride	mg/kg	488.	0.0	500	98.0	80-120	L686741-01	WG710186

Matrix Spike Duplicate

Analyte	Units	MSD	Ref	%Rec	Limit	RPD	Limit	Ref Samp	Batch
Benzene	mg/kg	0.250	0.260	97.8	49.7-127	3.97	23.5	L686730-01	WG709830
Ethylbenzene	mg/kg	0.244	0.258	96.5	40.8-141	5.54	23.8	L686730-01	WG709830
Toluene	mg/kg	0.247	0.261	98.2	49.8-132	5.53	23.5	L686730-01	WG709830
Total Xylene	mg/kg	0.750	0.793	97.8	41.2-140	5.64	23.7	L686730-01	WG709830
a,a,a-Trifluorotoluene(PID)				102.0	54-144				WG709830
TPH (GC/FID) Low Fraction	mg/kg	19.6	19.7	71.0	28.5-138	0.840	23.6	L686730-01	WG709830
a,a,a-Trifluorotoluene(FID)				99.10	59-128				WG709830
TPH (GC/FID) High Fraction	mg/kg	149.	116.	124.	50-150	25.1*	20	L686734-01	WG709917
o-Terphenyl				104.0	50-150				WG709917
Chloride	mg/kg	493.	488.	98.6	80-120	1.02	20	L686741-01	WG710186

Batch number /Run number / Sample number cross reference

WG709830: R2891435: L686734-01
WG709917: R2891638 R2892168: L686734-01
WG709812: R2891923: L686734-01
WG710186: R2892448: L686734-01

* * Calculations are performed prior to rounding of reported values.
* Performance of this Analyte is outside of established criteria.
For additional information, please see Attachment A 'List of Analytes with QC Qualifiers.'

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Quality Assurance Report
Level II

L686734

March 12, 2014

The data package includes a summary of the analytic results of the quality control samples required by the SW-846 or CWA methods. The quality control samples include a method blank, a laboratory control sample, and the matrix spike/matrix spike duplicate analysis. If a target parameter is outside the method limits, every sample that is effected is flagged with the appropriate qualifier in Appendix B of the analytic report.

Method Blank - an aliquot of reagent water carried through the entire analytic process. The method blank results indicate if any possible contamination exposure during the sample handling, digestion or extraction process, and analysis. Concentrations of target analytes above the reporting limit in the method blank are qualified with the "B" qualifier.

Laboratory Control Sample - is a sample of known concentration that is carried through the digestion/extraction and analysis process. The percent recovery, expressed as a percentage of the theoretical concentration, has statistical control limits indicating that the analytic process is "in control". If a target analyte is outside the control limits for the laboratory control sample or any other control sample, the parameter is flagged with a "J4" qualifier for all effected samples.

Matrix Spike and Matrix Spike Duplicate - is two aliquots of an environmental sample that is spiked with known concentrations of target analytes. The percent recovery of the target analytes also has statistical control limits. If any recoveries that are outside the method control limits, the sample that was selected for matrix spike/matrix spike duplicate analysis is flagged with either a "J5" or a "J6". The relative percent difference (%RPD) between the matrix spike and the matrix spike duplicate recoveries is all calculated. If the RPD is above the method limit, the effected samples are flagged with a "J3" qualifier.

XTO ENERGY
Western Division

Quote Number	Page ___ of ___	
XTO Contact: KURT	XTO Contact Phone #: 505-486-9543	
Email Results to: JAMES, KURT, LOGAN		
Well Site/Location: UTE INDIANS A #37	API Number: 30-045-31689	Test Reason: BGT CLOSURE
Collected By: KURT	Samples on Ice (Y) N)	Turnaround: X Standard ___ Next Day ___ Two Day ___ Three Day ___ Std. 5 Bus. Days (by contract)
Company: XTO	QA/QC Requested	Date Needed ___
Signature: Kurt Hoekstra	Gray Area for Lab Use Only!	

Analysis: TPH 8015, BTEX 8021, CHLORIDES

Lab Information

Office Abbreviations
Farmington = FAR
Durango = DUR
Bakken = BAK
Raton = RAT
Piceance = PC
Roosevelt = RSV
La Barge = LB
Orangeville = OV

D128

Sample ID	Sample Name	Media	Date	Time	Preservative	No. of Conts.	TPH 8015	BTEX 8021	CHLORIDES					Sample Number
FARKH-030614-0955	BGT CELLAR	S	3/6	9:55	ON ICE	1 4oz JAR	X	X	X					L686734-01

Media : Filter = F Soil = S Wastewater = WW Groundwater = GW Drinking Water = DW Sludge = SG Surface Water = SW Air = A Drill Mud = DM Other = OT

Relinquished By: (Signature) Kurt Hoekstra	Date: 3-6-14	Time: 11:15	Received By: (Signature)	Number of Bottles	Sample Condition
Relinquished By: (Signature)	Date:	Time:	Received By: (Signature)	Temperature:	Other Information
Relinquished By: (Signature)	Date:	Time:	Received for Lab by: (Signature)	Date: 3/7/14	Time: 09:30

Comments: 5040063 59339 1=4oz ok

* Sample ID will be the office and sampler-date-military time FARJM-MMDDYY-1200

0461

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

Lease Name: Ute Indians A # 37
API No.: 30-045-31689
Description: Unit J, Section 34, Township 32N, Range 14W, 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 March 24th, 2014

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 March 24th, 2014

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 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

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 be removed due to the plugging and abandoning of Ute Indian A # 37 well.

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 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 (mg/Kg)
Benzene	EPA SW-846 8021B or 8260B	0.2	**< 0.0029 mg/kg**
BTEX	EPA SW-846 8021B or 8260B	50	**< 0.0435 mg/kg**
TPH	EPA SW-846 418.1	100	**367 mg/kg**
Chlorides	EPA 9056	250 or background	**280 mg/kg**
TPH	EPA 8015/8021	100	**86 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 TPH results of 367 ppm and Chloride results of 410 PPM, a release has been confirmed for this location. A C-141 Release Notification form will be sent outlining any remediation activities taken regarding this release

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.

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 March 10th, 2014; 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 March 10th, 2014 via email. Email has been approved as a means of surface owner notification to the Ute Mountain Ute Tribe by Brandon Powell, NMOCD Aztec Office.

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 location will be recontoured to match the above specifications after the well has been P & A'd.

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 location will be reclaimed pursuant to the BIA, BLM MOU

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; **attached**
    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); **Per BIA, BLM MOU**
    viii. Photo documentation of the site reclamation. **attached**

15. The closure date is past the one week notification requirement date due to unforeseen delays in the P & A activities at this well site.

16. This closure report is being submitted after the 60 day deadline required by the 'Pit Rule' due to a delay of final reclamation of this well site.

Hoekstra, Kurt

From: Hoekstra, Kurt
Sent: Monday, March 10, 2014 2:55 PM
To: 'ghammond@utemountain.org'
Subject: BGT Closure Notification Ute Indians A # 37

Mr. Hammond,

Please accept this email as the required notification for BGT closure activities at the Ute Indians A # 37 well site (API # 30-045-31689) located in Unit J, Section 34, Township 32N, Range 14W, San Juan County, New Mexico. This below grade tank is being closed due to the P & A of this well.

Thank you for your time in regards to this matter .

Kurt Hoekstra
EHS Coordinator
XTO Energy
505-333-3202 Office
505-486-9543 Cell
Kurt_Hoekstra@xtoenergy.com

Hoekstra, Kurt

From: Hoekstra, Kurt
Sent: Monday, March 10, 2014 2:57 PM
To: Brandon Powell (brandon.powell@state.nm.us)
Subject: BGT Closure Notification Ute Indians A # 37

Brandon,

Please accept this email as the required notification for BGT closure activities at the Ute Indians A # 37 well site (API # 30-045-31689) located in Unit J, Section 34, Township 32N, Range 14W, San Juan County, New Mexico. This below grade tank is being closed due to the P & A of this well.

Thank you for your time in regards to this matter .

Kurt Hoekstra
EHS Coordinator
XTO Energy
505-333-3202 Office
505-486-9543 Cell
Kurt_Hoekstra@xtoenergy.com

Well Below Tank Inspection Report

XTO ENERGY

Denver

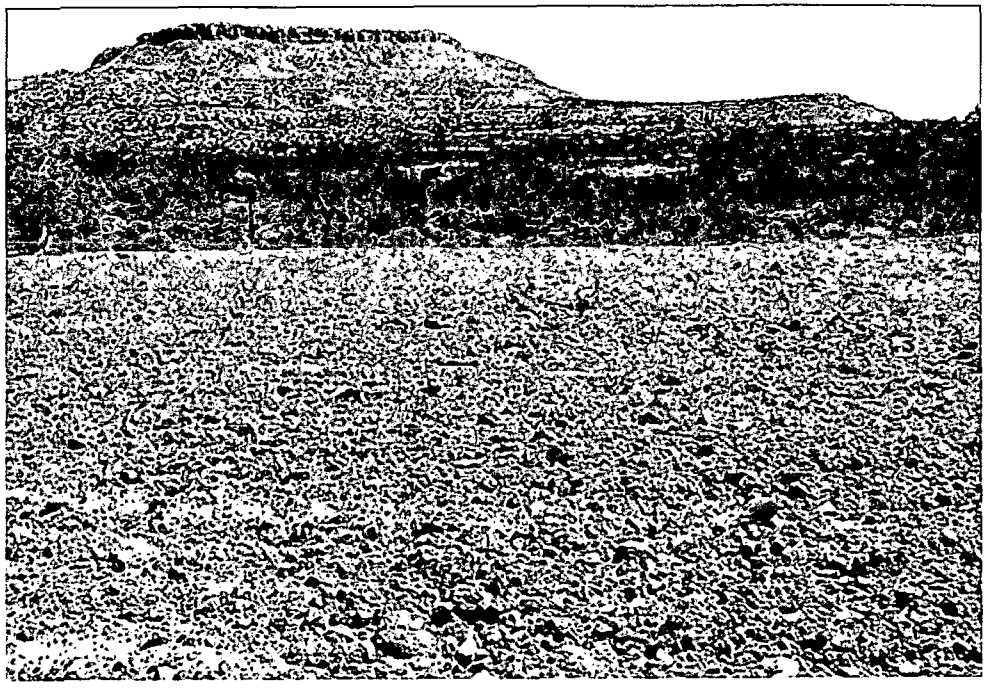
Dates -
06/01/2008 - 04/01/2014

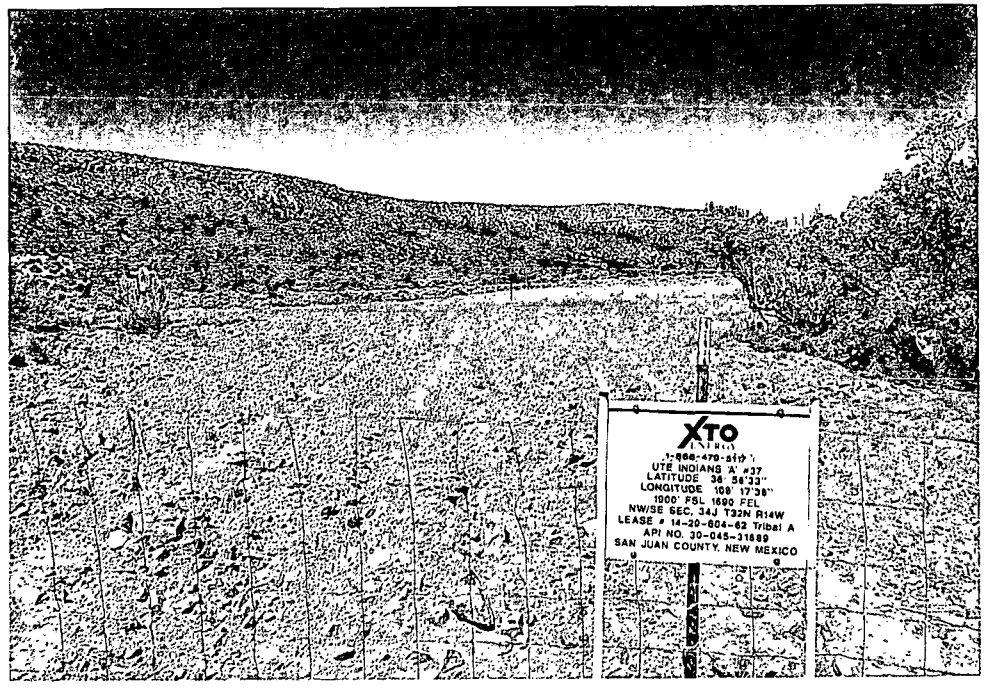
Type Route Stop

Type Value U

RouteName	StopName	Pumper	Foreman	WellName	APIWellNumber	Section	Range	Township
Below Grade Pit Forms (Temp.)	Ute Indians A 37	Steier, Russell	Unassigned	UTE INDIANS A 37 (PA)	3004531689	34	14W	32N

InspectorName	Inspection Date	Inspection Time	Visible LinerTears	VisibleTankLeak Overflow	Collection OfSurfaceRun	Visible LayerOil	Visible Leak	Freeboard EstFT	PitLocation	PitType	Notes
dr	02/22/2009	01:25	No	No	No	Yes	No	3	Well Water Pit	Below Ground	
dr	03/14/2009	12:00	No	No	No	Yes	No	3	Well Water Pit	Below Ground	
dr	04/21/2009	09:20	No	No	No	Yes	No	3	Well Water Pit	Below Ground	
dr	05/13/2009	12:40	No	No	No	Yes	No	3	Well Water Pit	Below Ground	
dr	06/14/2009	12:45	No	No	No	Yes	No	3	Well Water Pit	Below Ground	
dr	07/07/2009	09:20	No	No	No	Yes	No	3	Well Water Pit	Below Ground	
dr	09/20/2009	12:00	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
dr	10/12/2009	12:25	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
mth	11/22/2009	11:36	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
mth	12/12/2009	12:38	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
mth	01/19/2010	11:02	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
mth	02/20/2010	01:29	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
mth	03/24/2010	02:43	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
mth	04/22/2010	03:06	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
mth	05/20/2010	12:14	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	06/19/2010	02:04	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	07/20/2010	12:09	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	08/19/2010	14:07	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	09/20/2010	10:51	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	10/13/2010	10:29	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	11/15/2010	13:49	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	12/14/2010	11:58	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	01/17/2011	13:21	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	02/23/2011	14:07	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	03/19/2011	13:07	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	04/28/2011	11:40	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	05/10/2011	12:39	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	6/15/2011	11:37	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	7/12/2011	13:00	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	8/10/2011	11:12	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	9/15/2011	11:29	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	11/10/2011	14:06	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	12/5/2011	11:01	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	1/10/2012	2:01	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	2/9/2012	11:47	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	3/7/2012	10:26	No	No	No	No	No	6	Well Water Pit	Below Ground	
mth	4/5/2012	11:49	No	No	No	No	No	6	Well Water Pit	Below Ground	




XTO
1-888-470-4119
UTE INDIANS 'A' #37
LATITUDE 36° 56'33"
LONGITUDE 108° 17'36"
1800' FSL 1690 FEL
NW/SE SEC. 34J T32N R14W
LEASE # 14-20-604-62 Tribal A
API NO. 30-045-31689
SAN JUAN COUNTY, NEW MEXICO