<u>District I</u> 1625 N. French Dr., Hobbs, NM 88240 District II 811 S. First St., 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.

Revised June 6, 2013

Form C-144

For temporary pits, below-grade tanks, and multi-well fluid management pits, submit to the appropriate NMOCD District Office.

For permanent pits submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.

Pit, Below-Grade Tank, or

Santa Fe, NM 87505

Proposed Alternative Method Permit or Closure Plan Application									
Type of action: Below grade tank registration OIL CONS. DIV DIST. 3									
Permit of a pit or proposed alternative method									
~15-34344 Closure of a pit, below-grade tank, or proposed alternative method AUG 31 2015									
Modification to an existing permit/or registration									
Closure plan only submitted for an existing permitted or non-permitted pit, below-grade tank, or proposed alternative method									
Instructions: Please submit one application (Form C-144) per individual pit, 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 of this request does not refleve the operator of habiting should operations result in pollution of surface water, ground water of the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.									
I.									
Operator: XTO Energy, Inc. OGRID #: 5380									
Address: #382 County Road 3100, Aztec, NM 87410									
Facility or well name: McCarty Gas COM B #1F									
API Number:30-045-34344OCD Permit Number:									
U/L or Qtr/Qtr J Section 16 Township 29N Range 11W County: San Juan									
Center of Proposed Design: Latitude 36.723784 Longitude -107.994339 NAD: ☐ 1927 ☐ 1983									
Surface Owner: Federal State Private Tribal Trust or Indian Allotment									
2.									
Pit: Subsection F, G or J of 19.15.17.11 NMAC									
Temporary: Drilling Workover									
☐ Permanent ☐ Emergency ☐ Cavitation ☐ P&A ☐ Multi-Well Fluid Management ☐ Low Chloride Drilling Fluid ☐ yes ☐ no									
☐ Lined ☐ Unlined Liner type: Thicknessmil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other									
☐ String-Reinforced									
Liner Seams: Welded Factory Other Volume: bbl Dimensions: L x W x D									
3. 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									
Liner type: Thickness 20 mil HDPE PVC Other									
4.									
Alternative Method:									
Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.									
5.									
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									
☐ Four foot leight, four straints of barbed wire evenly spaced between one and four feet ☐ Alternate. Please specify 4-Foot Hog-Wire Fencing									
M Atternate. Thease speetry 4-root riog-wite reneing									

,								
Netting: Subsection E of 19.15.17.11 NMAC (Applies to permanent pits and permanent open top tanks) Screen Netting Other Monthly inspections (If netting or screening is not physically feasible)								
7. 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 19.15.16.8 NMAC								
8. Variances 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: □ Variance(s): Requests must be submitted to the appropriate division district for consideration of approval. □ Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.								
9. 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 accept material are provided below. Siting criteria does not apply to drying pads or above-grade tanks.	otable source							
General siting								
Ground water is less than 25 feet below the bottom of a low chloride temporary pit or below-grade tank. - ☑ NM Office of the State Engineer - iWATERS database search; ☐ USGS; ☐ Data obtained from nearby wells	☐ Yes ⊠ No ☐ NA							
Ground water is less than 50 feet below the bottom of a Temporary pit, permanent pit, or Multi-Well Fluid Management pit. NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells								
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. (Does not apply to below grade tanks) - Written confirmation or verification from the municipality; Written approval obtained from the municipality	☐ Yes ☐ No							
Within the area overlying a subsurface mine. (Does not apply to below grade tanks) - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	☐ Yes ☐ No							
 Within an unstable area. (Does not apply to below grade tanks) 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. (Does not apply to below grade tanks) - FEMA map	☐ Yes ☐ No							
Below Grade Tanks								
Within 100 feet of a continuously flowing watercourse, significant watercourse, lake bed, sinkhole, wetland or playa lake (measured from the ordinary high-water mark). - Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ⊠ No							
Within 200 horizontal feet of a spring or a fresh water well used for public or livestock consumption;. - NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site	☐ Yes ⊠ No							
Temporary Pit using Low Chloride Drilling Fluid (maximum chloride content 15,000 mg/liter)								
Within 100 feet of a continuously flowing watercourse, or any other significant watercourse or within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). (Applies to low chloride temporary pits.) - Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No							
Within 300 feet from a occupied permanent residence, school, hospital, institution, or church in existence at the time of initial	☐ Yes ☐ No							
 application. Visual inspection (certification) of the proposed site; Aerial photo; Satellite image 								
Within 200 horizontal feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, or 300feet of any other fresh water well or spring, in existence at the time of the initial application. NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site	☐ Yes ☐ No							

Within 100 feet of a wetland. - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No									
Temporary Pit Non-low chloride drilling fluid										
Within 300 feet of a continuously flowing watercourse, or any other significant watercourse, or within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). - Topographic map; Visual inspection (certification) of the proposed site										
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										
Within 500 horizontal feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, or 1000 feet of any other fresh water well or spring, in the existence at the time of the initial application; - NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site										
Within 300 feet of a wetland. - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No									
Permanent Pit or Multi-Well Fluid Management Pit										
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 1000 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 spring or a fresh water well used for domestic or stock watering purposes, in existence at the time of initial application. - NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site										
Within 500 feet of a wetland. - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No									
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 Previously Approved Design (attach copy of design) API Number:										
II. Multi-Well Fluid Management Pit 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 do attached. 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 A List of wells with approved application for permit to drill associated with the pit. Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19 and 19.15.17.13 NMAC Hydrogeologic Data - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC	0.15.17.9 NMAC									
Previously Approved Design (attach copy of design) API Number: or Permit Number:										

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 description is the subsection of the following items must be attached to the application.	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 H₂S, 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	
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 Multi-well Flands 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	luid Management Pit
Waste Excavation and Removal Closure Plan Checklist: (19.15.17.13 NMAC) Instructions: Each of the following items must be a 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 C 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 H of 19.15.17.13 NMAC ☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC	attached to the
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 sour provided below. Requests regarding changes to certain siting criteria require justifications and/or demonstrations of equivalency. F 19.15.17.10 NMAC for guidance.	
Ground water is less than 25 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 25-50 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
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
Within 100 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, 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 300 horizontal feet of a private, domestic fresh water well or spring used for domestic or stock watering purposes, 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
Written confirmation or verification from the municipality; Written approval obtained from the municipality	☐ Yes ☐ No
Within 300 feet of a wetland. US Fish and Wildlife Wetland Identification map; Topographic map; 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 the area overlying a subsurface mine. - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division									
 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								
On-Site Closure Plan Checklist: (19.15.17.13 NMAC) Instructions: Each of the following items must be attached to the closure plan 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 E of 19.15.17.13 NMAC Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of Subsection K of 19.15.17.13 NMAC Construction/Design Plan of Temporary Pit (for in-place burial of a drying pad) - based upon the appropriate requirements of 19.15.17.13 NMAC Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of 19.15.17.13 NMAC Waste Material Sampling Plan - based upon the appropriate requirements 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 cann 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 H of 19.15.17.13 NMAC Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC	11 NMAC 15.17.11 NMAC								
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 bel Name (Print): James McDaniel Signature: Date: 6/27/15 e-mail address: James McDaniel@xtoenergy.com Telephone: (505) 333-3701	ief.								
OCD Approval: Permit Application Cincluding closure plan) Closure Plan (only) OCD Conditions (see attachment) OCD Representative Signature: Title: Environmental Spee OCD Permit Number:	3/15								
Closure Report (required within 60 days of closure completion): 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 is required to be submitted to the division within 60 days of the completion of the closure activities. Please do no section of the form until an approved closure plan has been obtained and the closure activities have been completed. Closure Completion Date:	g the closure report. t complete this								
20. Closure Method: Waste Excavation and Removal □ On-Site Closure Method □ Alternative Closure Method □ Waste Removal (Closed-I □ If different from approved plan, please explain.	oop systems only)								
Closure Report Attachment Checklist: Instructions: Each of the following items must be attached to the closure report. Please in 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 for private land only) 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: 192									

22.	
Operator Closure Certification:	
I hereby certify that the information and attachments submitted with this closure report belief. I also certify that the closure complies with all applicable closure requirements	
Name (Print):	Title:
Signature:	Date:
e-mail address:	Telephone:

SEP 0 3 2015

XTO Energy Inc. San Juan Basin Below Grade Tank General Design and Construction Plan

Lease Name: McCarty Gas COM B #1F

API No.: 30-045-34344

Description: Unit J, Section 16, Township 29N, Range 11W, San Juan County

In accordance with Rule 19.15.17.13 NMAC the following information describes the general design and construction requirements of below-grade tanks on XTO Energy Inc. (XTO) locations. This is XTO's standard design and construction for all below-grade tanks.

General Plan

- 1. XTO will design and construct below-grade tanks to contain liquids and solids and prevent contamination of fresh water, and protect human health and the environment.
- 2. XTO will post a well sign, pursuant to 19.15.3.103 NMAC, on the existing well site where the below grade tank is located. The sign will list the Operator, the location of the well site by Unit letter, section, township and range, county, and an emergency telephone number.
- 3. XTO is requesting approval of an alternative fencing to be used on below grade tank locations. XTO instead requests to utilize hogwire fencing at least four (4) feet high with a top rail for fencing around below grade tanks. This will provide equal protection for livestock from the below grade tank. A 6' chain link fence with two strands of barbed wire on top will be used on locations within city limits or within ½ mile of a permanent residence, school, hospital, institution or church.
- 4. XTO shall construct below grade tanks with an expanded metal covering.
- 5. XTO will ensure that below grade tanks are constructed of materials that are resistant to the contents that the tank can reasonably expected to hold, and reasonably resistant to damage from sunlight.
- 6. The below grade tank cellar will be constructed with a foundation consisting of a level base free of rocks, debris, sharp edges, or irregularities to prevent punctures, cracks or indentations of the tank bottom or liner.
- 7. Below grade tanks will be constructed inside a berm in order to prevent the collection of surface water and run on. Below grade tanks will be equipped with automatic high level shut off devices as well as manually operated shut off valves.
- 8. XTO will use single walled below grade tanks. The tanks will be placed into a circular, galvanized steel cellar with the sidewalls opened for visual inspection, and the bottom

- will be elevated a minimum of 6" above the underlying ground surface to allow for leak detection. (see attached diagram)
- 9. XTO will equip below grade tanks with a properly functioning, automatic high level high-level shut off control device, as well as manual controls, to prevent overflows.
- 10. The geomembrane liner will be compliant with the specifications outlined in 19.15.17.13 NMAC. The liner will be composed of a impervious material that is resistant to hydrocarbons, salts and acids, and sunlight.

OIL CONS. DIV DIST. 3
SEP 0 3 2015

XTO Energy Inc. San Juan Basin Below Grade Tank Operation and Maintenance Procedures

Lease Name: McCarty Gas COM B #1F

API No.: 30-045-34344

Description: Unit J, Section 16, Township 29N, Range 11W, San Juan County

In accordance with Rule 19.15.17.13 NMAC the following information describes the operation and maintenance requirements of below-grade tanks on XTO Energy Inc. (XTO) locations. This is XTO's standard operation procedure for all below-grade tanks.

Procedures

- 1. XTO will operate below grade tanks in such a way as to contain liquids, and maintain the integrity of the liner, liner system, and secondary containment, prevent contamination of fresh water, and protect public health and the environment.
- 2. XTO will not discharge into or store any hazardous waste into a below grade tank.
- 3. In the event of a leak in the below grade tank, XTO will:
 - a. Remove all liquids above the leak within 48 hours
 - b. Notify the Aztec Office of the NMOCD of the leak within 48 hours
 - c. Repair the leak, or replace the below grade tank as necessary
- 4. All below grade tanks will be installed and operated in such a way as to prevent surface water run on or collection.
- 5. XTO will remove any measurable layer of oil from the fluid surface of a below grade tank.
- 6. XTO will inspect the below grade tank for leaks and damage at least monthly, documenting the inspections, and maintaining a record of the inspections for five (5) years.
- 7. XTO will operate the below grade tank in such a way as to maintain adequate freeboard to prevent overtopping of the below grade tank.
- 8. In the event the below grade tank no longer demonstrates integrity, XTO will repair the damage, or close the below grade tank in accordance with the requirements of 19.15.17.13 NMAC.

XTO Energy Inc. San Juan Basin Below Grade Tank Variance Page

Lease Name: McCarty Gas COM B #1F

API No.: 30-045-34344

Description: Unit J, Section 16, Township 29N, Range 11W, Rio Arriba County

In accordance with Rule 19.15.17.15 NMAC, the following outlines all variances that are being requested for below grade tanks at XTO facilities. All variances requested provide equal or better protection of fresh water, public health and the environment.

Fencing

XTO requests a variance on rule 19.15.17.11.D(3) NMAC which requires fencing around below grade tanks to have at least four (4) strands of barbed wire evenly spaced in the interval between one foot and four feet above ground level. XTO instead requests to utilize hogwire fencing at least four (4) feet high with a top rail for fencing around below grade tanks. This will provide equal protection for livestock from the below grade tank.

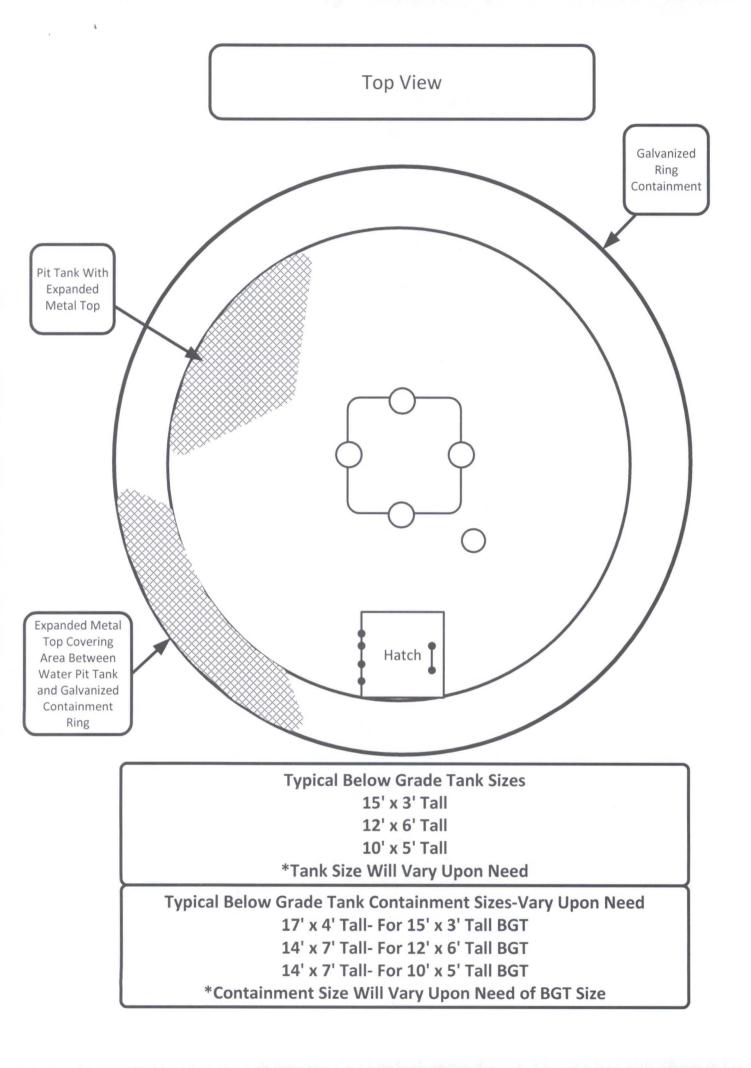
Closure Requirements

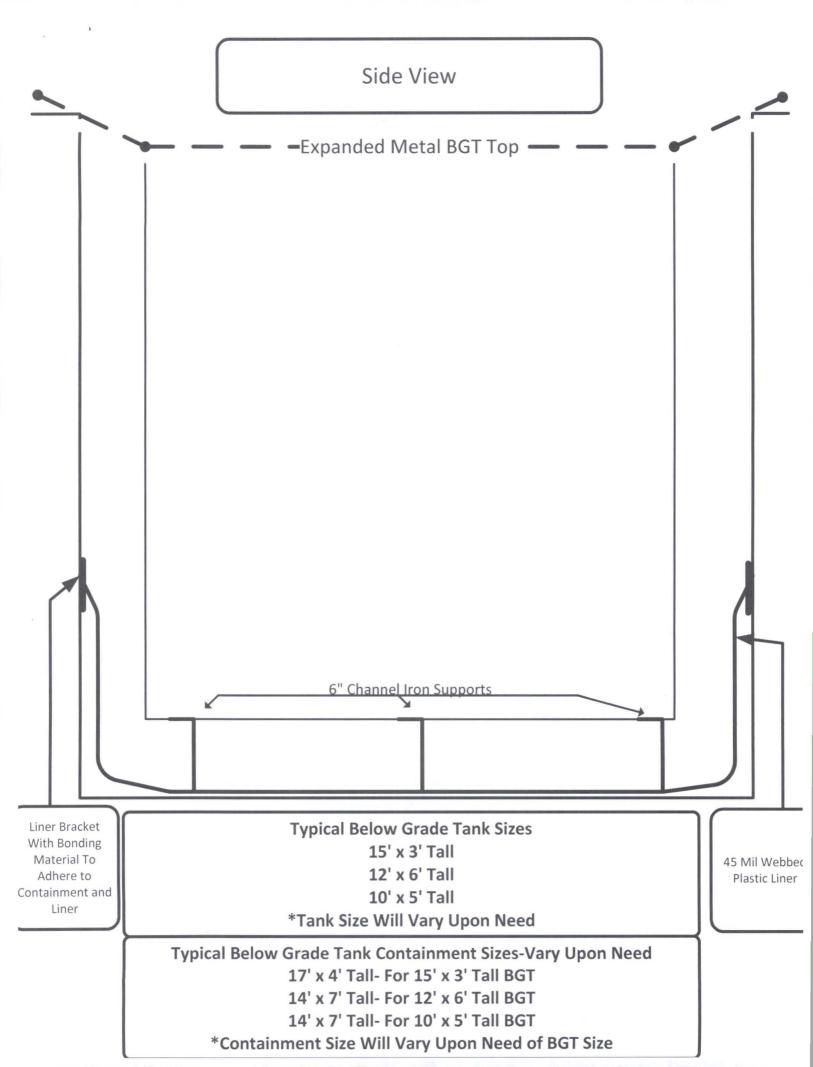
XTO requests a variance on rule 19.15.17.13.C(3)(a) NMAC which requires operators to analyze closure samples for the constituents listed in Table I of 19.15.17.13 NMAC. XTO instead requests to replace the USEPA analytical method 300.0 for total chloride to USEPA Method 9056. The SW846 9056 method Determination of Inorganic Anions By Ion Chromatography, from *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*, which also contains methods for the analysis of groundwater, is customarily used to comply with RCRA regulations. EPA Method 300.0 Determination of Inorganic Anions by Ion Chromatography is taken from *Methods for Chemical Analysis of Waters and Wastes*, and includes test procedures that are approved for monitoring under the Safe Drinking Water Act (SDWA) and the National Pollutant Discharge Elimination System (NPDES). The Scope of Application for each method is the same, and both methods utilize ion chromatograph instrumentation. Following either procedure, steps for instrument calibration and data calculation are equivalent. Sample preservation, holding time, handling and storage is identical between the two methods. It is expected that data produced from either method should be consistent.

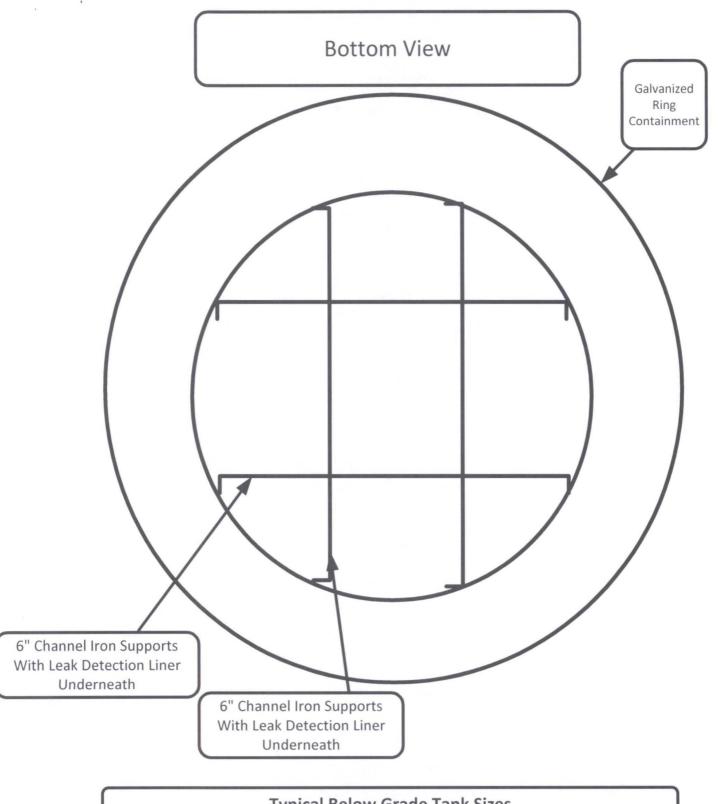
XTO Energy is requesting this variance on the grounds that USEPA Method 418.1 is an outdated analytical method that reports a full range of hydrocarbons from C₈ through C₄₀. (*Reference: American Petroleum Institute*). The attached table demonstrates the carbon ranges, and the typical hydrocarbon products that can be found in those ranges. As you can see, lube oil ranges from C₂₈-C₃₅. Analytical Method USEPA 418.1 extends past lube oils from C₃₅ through C₄₀. This range of hydrocarbons is above the range that can reasonably be expected to be found in our field in both drilling pits and beneath below grade tanks. USEPA Method 8015M (GRO/DRO + extended analysis) will report hydrocarbons ranging from C₆-C₁₀ for GRO, C₁₀-C₂₈ for DRO, and C₂₈-C₃₆ for extended analysis. This information was provided by Environmental Science Corporation Laboratories. As the information demonstrates, the 8015M analytical method reports as low as C₆, reporting lower than USEPA Method 418.1. Utilizing analytical method 8015M, lighter range hydrocarbons will be reported instead of higher range, heavy hydrocarbons that may not be reasonably expected to be found in our field. Utilization of USEPA Method 8015M will better protect groundwater resources by identifying lighter, more mobile

hydrocarbons that USEPA Method 418.1 cannot identify. The heavier range hydrocarbons, C_{36} - C_{40} , that are not identified by USEPA Method 8015M are not a mobile form of hydrocarbon, and are not a threat to human health and the environment.

XTO requests a variance on rule 19.15.17.13.E(2) requiring that operators notify the appropriate division office verbally AND in writing at least 72 hours prior to any closure operation. XTO instead requests that the verbal notification be waived, as suggested by the local division office. XTO will provide written notification to the division office in the form of an email at least 72 hours prior to beginning closure activities.







Typical Below Grade Tank Sizes

15' x 3' Tall

12' x 6' Tall

10' x 5' Tall

*Tank Size Will Vary Upon Need

Typical Below Grade Tank Containment Sizes-Vary Upon Need

17' x 4' Tall- For 15' x 3' Tall BGT

14' x 7' Tall- For 12' x 6' Tall BGT

14' x 7' Tall- For 10' x 5' Tall BGT

*Containment Size Will Vary Upon Need of BGT Size

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

Lease Name: McCarty Gas COM B #1F

API No.: 30-045-34344

Description: Unit J, Section 16, Township 29N, Range 11W, 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 obtain approval of this closure plan prior to commencing closure of the below grade tank at this location pursuant to 19.15.17.13.C (1) NMAC
- 2. XTO will notify the surface owner by certified mail, return receipt requested, that the operator plans closure operations at least 72 hours, but no more than one week, prior to any closure operation. Notice will include:
 - a. Well Name
 - b. API#
 - c. Well Location
- 3. XTO will notify the NMOCD Aztec Office by email that the operator plans closure operations at least 72 hours, but no more than one week, prior to any closure operation. Notice will include:
 - a. Well Name
 - b. API#
 - c. Well Location
- 4. Within 60 days of cessation of operations, 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:
 - a. Soils, tank bottoms, produced sand, pit sludge and other exempt wastes impacted by petroleum hydrocarbons will be disposed of at: Envirotech: Permit #NM01-0011 and IEI: Permit #NM01-0010B
 - b. Produced Water will be disposed of at:

 Basin Disposal: Permit #NM01-005 and XTO owned salt water Disposal Facilities

- 5. Within six (6) months of cessation of operations, 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. If there is any equipment associated with a below-grade tank, then the operator shall remove the equipment, unless the equipment is required for some other purpose.
- 6. XTO will collect a closure sample of the soil beneath the location of the below grade tank that is being closed. The closure sample will consist of a five-point composite sample to include any obvious stained or wet soils, or other evidence of contamination. The closure sample will be analyzed for all constituents listed in Table I below, including DRO+GRO, Chlorides, TPH (C6-C36), benzene and BTEX.

TABLE I									
Depth Below bottom of pit to groundwater less than 10,000 mg/l TDS	Constituent	Method	Limit						
	Chloride	EPA 9056	600 mg/kg						
	TPH (C6-C36)	Method 8015	100 mg/kg						
	BTEX	Method 8021B	50 mg/kg						
≤ 50 Feet	Benzene	Method 8021B	10 mg/kg						
	Chloride	EPA 9056	10,000 mg/kg						
	TPH (C6-C36)	Method 8015	2,500 mg/kg						
	GRO + DRO	Method 8015	1,000 mg/kg						
	BTEX	Method 8021B	50 mg/kg						
51 feet - 100 feet	Benzene	Method 8021B	10 mg/kg						
	Chloride	EPA 9056	20,000 mg/kg						
	TPH (C6-C36)	Method 8015	2,500 mg/kg						
	GRO + DRO	Method 8015	1,000 mg/kg						
	BTEX	Method 8021B	50 mg/kg						
> 100 feet	Benzene	Method 8021B	10 mg/kg						

- 7. XTO will meet the limits for <50' to groundwater detailed in table I.
 - a. In accordance with Rule 19.15.17.13.C(3)(b) if contaminant concentrations exceed the proposed limit and groundwater is found to be deeper than 50', XTO may elect to submit additional groundwater information to the Division and request a higher closure limit. XTO will submit the additional groundwater data via email documenting the depth to groundwater at the location. XTO will wait for approval of the groundwater data by the NMOCD, prior to completing closure activities at the site.
 - b. If a higher closure limit is submitted and approved by the Division, XTO will submit a copy of the request, the groundwater information and the received approval in their closure report
- 8. If any contaminant concentration is higher than the parameters listed in Table I of 19.15.17.13 NMAC, the division may require additional delineation upon review of the results and the operator must receive approval before proceeding with closure. If all contaminant concentrations are less than or equal to the parameters listed in Table I of 19.15.17.13 NMAC, then the operator can proceed to backfill the pit, pad, or excavation with non-waste containing, uncontaminated, earthen material.
- 9. After closure has occurred, XTO will reclaim the former BGT area, if it is no longer being used for extraction of oil and gas, by substantially restoring the impacted surface area to the condition that existed prior to oil and gas operations. XTO will construct the soil cover to the site's existing grade and prevent ponding of water and erosion of the cover materials. The soil cover shall consist of the background thickness of topsoil, or one foot of suitable materials to establish vegetation at the site, whichever is greater. All areas will be reclaimed as early as practicable, and as close to their original condition or land use as possible. They shall be maintained in a way as to control dust and minimize erosion.
- 10. XTO will complete reclamation of all disturbed areas no longer in use when the ground disturbance activities at the site have been completed. The reseeding shall take place during the first favorable growing season after closure. Reclamation activities will be considered completed when a uniform vegetative cover has been established that reflects a life-form ratio of plus or minus fifty percent (50%) of pre-disturbance levels, and a total percent plant cover of at least seventy percent (70%) of pre-disturbance levels, excluding noxious weeds.
 - *Re-vegetation and reclamation obligations imposed by other applicable federal, state or tribal agencies on lands managed by those agencies shall supersede the above requirements, provided they provide equal or better protection of fresh water, human health and the environment.
- 11. XTO will notify the Aztec Office of the NMOCD by C-103 when reclamation and closure activities are completed, unless the site is managed by another regulatory agency whose reclamation requirements provide equal or greater cover than NMOCD

requirements. In those instances, the requirements of the other regulatory agency will be followed.

- 12. Within 60 days of closure, XTO will submit a closure report to the Aztec office of the NMOCD, filed on Form C-144. The report will include the following:
 - a. Proof of closure notice to NMOCD and surface owner
 - b. Confirmation sampling analytical results
 - c. Soil backfill and cover installation information
 - d. Photo documentation of site reclamation
 - e. Alternative Table I groundwater criteria request, groundwater information and received approval. (If Needed)



Pit Permit Siting Critoria

Client:	XTO Energy	
Project:	Pit Permits	
Revised:	23-Oct-08	
repared by:	Brooke Herb	

PO Box 4465, Durang	o, CO 81302	Siting Criteria	Revised:	23-Oct-08
V		Information Shee	Prepared by:	Brooke Herb
API#:[3004534344	USPLSS:	T29N,R11W,S16J
Name:	MCCA	RTY GAS COM B #1F	Lat/Long:	36.72377, -107.99403
Depth to groundwater:		50' - 100'	Geologic formation:	Nacimiento Formation
Distance to closest continuously flowing watercourse:	1.67 miles	N of the San Juan River		
Distance to closest significant watercourse, lakebed, playa lake, or sinkhole:		f Citizens Ditch; 3980' E een Canyon Wash		
	7		Soil Type:	Entisols
Permanent residence, school, hospital, institution or church within 300'		No		
			Annual Precipitation:	8.71 inches (Bloomfield)
Domestic fresh water well or spring within 500'		No	Precipitation Notes:	no significant precip events
Any other fresh water well or spring within 1000'		No		
Within incorporated municipal boundaries		No	Attached Documents:	Groundwater report and Data; FEMA Flood Zone Map
Within defined municipal fresh water well field		No		Aerial Photo, Topo Map, Mines Mills and Quarries Map
Wetland within 500'		No	Mining Activity:	
Within unstable area		No		1.41 miles N of a Materials Pit
Within 100 year flood plain	No - F	EMA Flood Zone 'X'		

MCCARTY GAS COM B #1F Below Ground Tank Siting Criteria and Closure Plan

Well Site Location

Legals: T29N, R11W, Section 16, Quarter Section J Latitude/Longitude: approximately 36.72377, -107.99403

County: San Juan County, NM

General Description: near Bloomfield, NM and San Juan River

General Geology and Hydrology

The San Juan Basin is a typical Rocky Mountain basin with a gently dipping southern flank and a steeply dipping northern flank. Asymmetrically layered Tertiary sandstones and shales, along with Quaternary alluvial deposits dominate surficial geology (Dane and Bachman, 1965). The proposed below ground tank location will be located near Bloomfield between the Animas and San Juan rivers. The Nacimiento Formation of Tertiary Age is exposed, along with Quaternary alluvial and aeoloian sands within dry washes and arroyos.

Cretaceous and Tertiary sandstones, as well as Quaternary alluvial deposits serve as the primary aquifers in the San Juan basin (Stone et al., 1983). In most of the proposed area, the Nacimiento Formation lies at the surface. Thickness of the Nacimiento ranges from 418 to 2232 feet (Stone et al., 1983). Aquifers within the coarser and continuous sandstone bodies of the Nacimiento Formation are between 0 and 1000' deep in this section of the basin (Stone et al., 1983). Groundwater within these aquifers flows toward the nearby San Juan River and its tributaries.

The prominent soil type at the proposed site is entisols, which are defined as soils that do not show any profile development. Soils are basically unaltered from their parent rock. Miles of arroyos, washes and intermittent streams exist as part of the drainage network towards the La Plata River (www.emnrd.state.nm.us). These features often cut into soil and other unconsolidated materials, contributing to sedimentation downstream. The sudden influx of water from storm events easily erodes soils that cover the area.

The climate of the region is arid, averaging just over 8 inches of rainfall annually. As is typical of the southwestern United States monsoonal weather patterns, most precipitation falls from August through October. The heaviest rainfall occurs in the summer in isolated, intense cloudbursts. November through June is relatively dry. Snow generally falls from December to mid-February and averages less than one-half inch in depth. However, most recharge occurs during the winter months during snowmelt periods from the upper elevations (Western Regional Climate Center www.wrcc.dri.edu).

The predominant vegetation is sagebrush and grasses with a more restricted pinon-juniper association (Dick-Peddie, 1993).

Site Specific Hydrogeology

Depth to groundwater is estimated to be between 50 feet and 100 feet. This estimation is based on data from Stone and others, 1983 and depth to groundwater data published on the New Mexico State Engineer's iWaters Database website. Local topography and proximity to surface hydrologic features are also taken into consideration.

Local aquifers include sandstones within the Nacimiento Formation, which ranges from 0 to 1000 feet deep in this area, as well as shallow aquifers within Quaternary alluvial deposits (Stone et al., 1983). The 1000-foot depth range for Nacimiento aquifers covers an area over 20 miles wide, and depth decreases towards the margin of the San Juan Basin. The site in question is more centrally located, and depth to the aquifer is expected to be closer to 1000 feet. It is well known that groundwater close to the San Juan River can be shallow, as the Quaternary deposits near the river itself form shallow aquifers. However, the proposed site is situated over a mile to the north of the San Juan River, and is approximately 150 feet higher in elevation (Google Earth).

Groundwater data available from the NM State Engineer's iWaters Database for wells near the proposed site are attached. A map showing the location of wells in reference to the proposed pit location is also included. Pinpoints show locations of wells and the labels for each pinpoint indicate depth to groundwater in feet. Wells are clustered to the south along the San Juan River. Depth to groundwater within the nearby wells ranges from 6 feet to 80 feet below ground surface. The closest well to the proposed site is located approximately 1775 feet to the south, and is approximately 85 feet lower in topographic elevation (Google Earth). Depth to groundwater within the well is 40 feet below ground surface. A well to the southwest is approximately 75 feet lower in elevation then the proposed site, and has a depth to groundwater of 6 feet below ground surface. A well to the northwest is approximately the same elevation as the proposed site, and has a depth to groundwater of 80 feet below ground surface.

References

Brister, B.S. and Hoffman, G.K., 2002, Fundamental Geology of San Juan Basin Energy Resources *in* New Mexico's Energy, Present and Future: New Mexico Bureau of Geology and Mineral Resources Decision-Makers Conference 2002, San Juan Basin, p. 20-25.

Dane, C.H. and Bachman, G. O., 1965, Geologic Map of New Mexico: U.S. Geological Survey, 1 sheet, scale 1:500,000.

Dick-Peddie, W.A., 1993, New Mexico Vegetation – Past, Present and Future: Albuquerque, New Mexico, University of New Mexico Press, 244 p.

Stone, W.J., Lyford, F. P., Frenzel, P.F., Mizell, N.H. and Padgett, E.T., 1983, Hydrogeology and water resources of the San Juan Basin, New Mexico: HR-6 New Mexico Bureau of Geology and Mineral Resources Hydrology Report 6.

Western Region Climate Center, 2008, New Mexico climate summaries: Desert Research Institute at http://www.wrcc.dri.edu/summary/climsmnm.html.

New Mexico Energy, Minerals and Natural Resources Department, www.emnrd.state.nm.us

Attachments

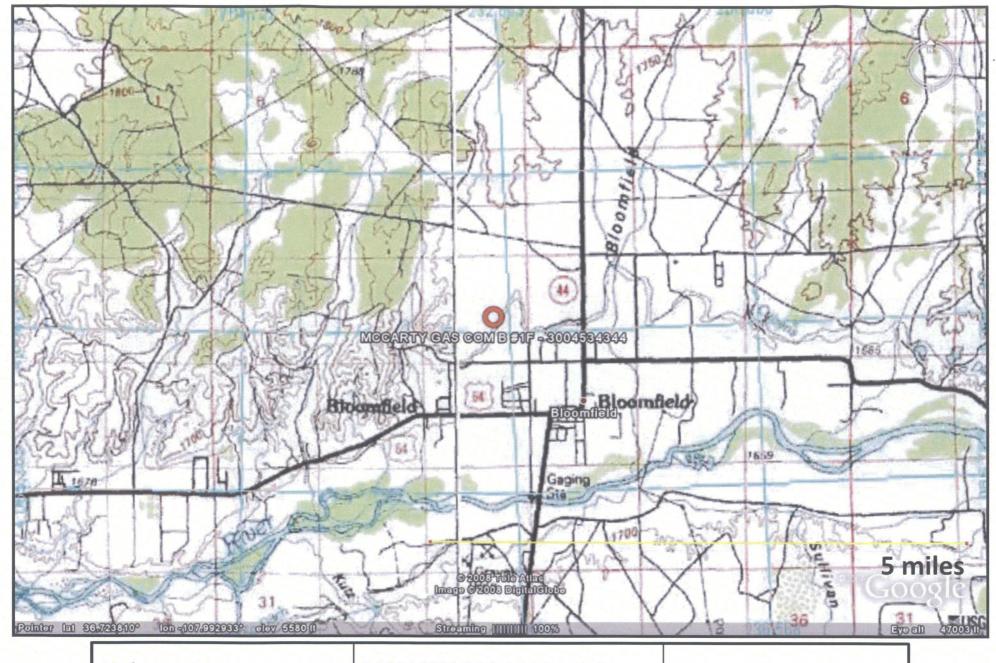
Location Map: Topographic Map and Aerial Photograph of Location

iWaters Database Groundwater Information

Aerial Photo showing location and depth information for nearby groundwater wells

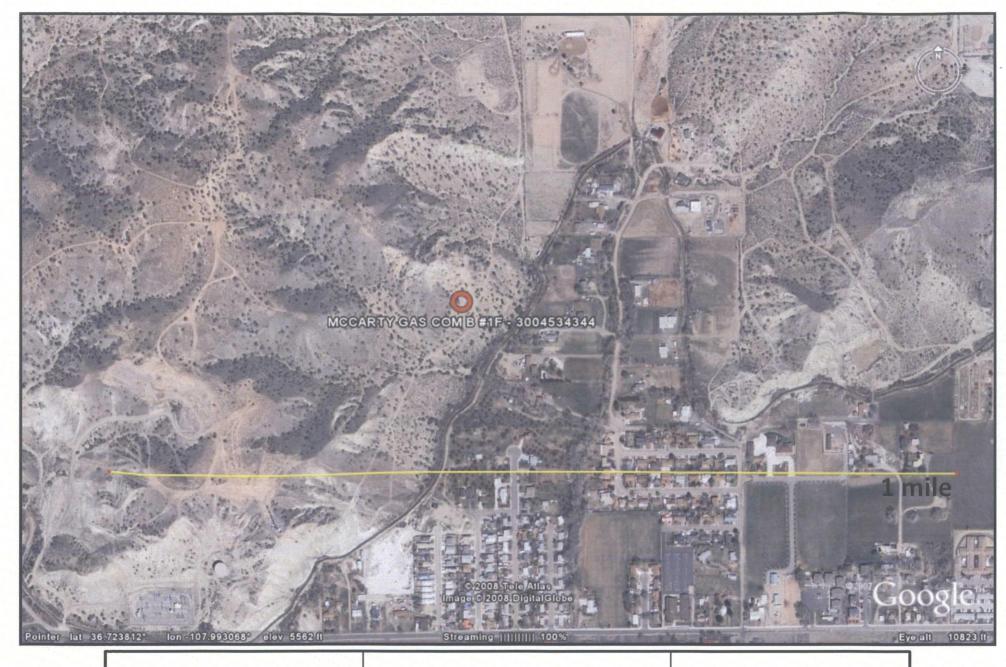
Google Earth Map Showing Location of Mines, Mills and Quarries

FEMA Floodmap



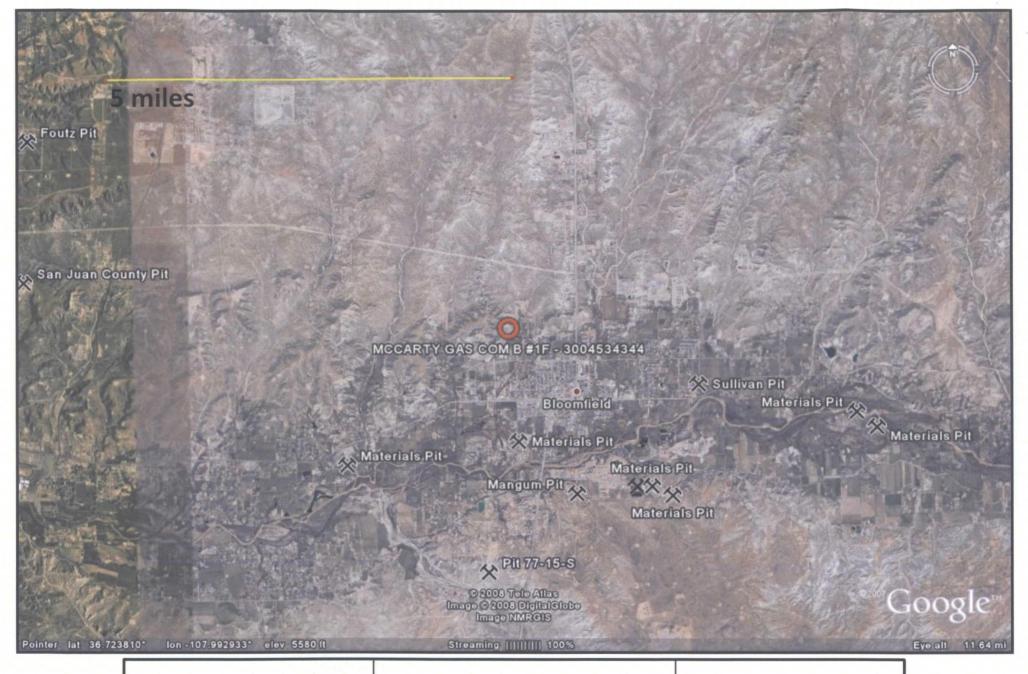
MCCARTY GAS COM B #1F T29N, R11W, S16J San Juan County, NM

Topographic Map



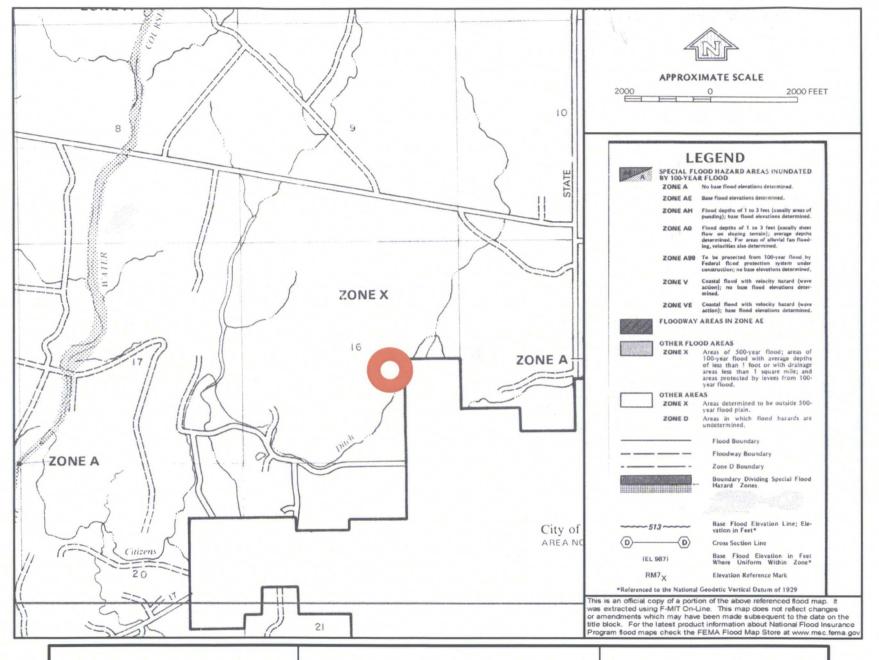
MCCARTY GAS COM B #1F T29N, R11W, S16J San Juan County, NM

Aerial Photograph



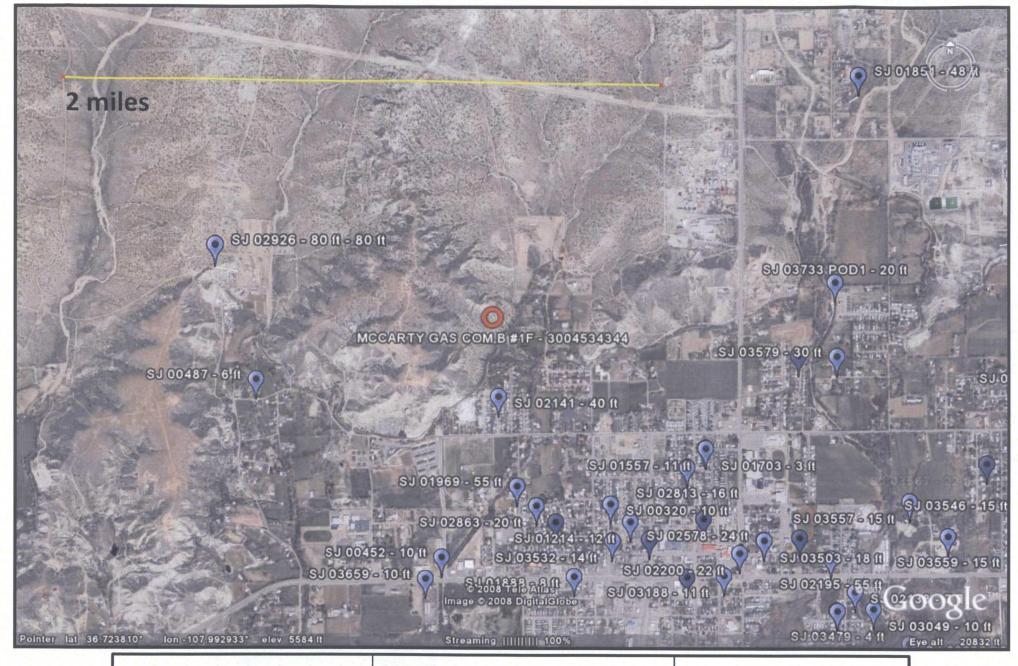
MCCARTY GAS COM B #1F T29N, R11W, S16J San Juan County, NM

Mines, Mills, and Quarries Map



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FEMA Flood Zone Map



MCCARTY GAS COM B #1F T29N, R11W, S16J San Juan County, NM

iWaters Groundwater Data Map

New Mexico Office of the State Engineer POD Reports and Downloads

WATER COLUMN REPORT 10/20/2008

(qr	arter	s are 1=	NW :	2=NE	3=SW 4=9	SE)							
(qr	uarter	s are bi	gge	st to	smalles	st)			Depth	Depth	Water	(in	feet)
POD Number	Tws	Rng Sec	q e	PF	Zone	X		Y	Well	Water	Column		
SJ 00867	29N	11W 07	4						77	55	22		
SJ 01302	29N	11W 07	4	1					250	210	40		
SJ 01891	29N	11W 07	4	1 3					157				
SJ 01851	29N	11W 10	4 .	4					125	48	77		
SJ 02466 S	29N	11W 11	4	3 3					65				
SJ 02466	29N	11W 11	4	3 3					66				
SJ 02991	29N	11W 13	3 .	4 2					60				
SJ 03136	29N	11W 13	3 .	4 4					20				
SJ 00987	29N	11W 13	4						415	300	115		
SJ 01426	29N	11W 14	1 .	4					155	10	145		
SJ 00007	29N	11W 14	2	2 3					752				
SJ 03550	29N	11W 14	3	2 1					10				
SJ 01774	29N	11W 14	3 .	4 2					82	6	76		
SJ 03360	29N	11W 14	3	4 2					40				
SJ 03175	29N	11W 14	4	2 1					60	24	36		
SJ 03164	29N	11W 14	4 :	2 1					75	56	19		
SJ 03733 POD1	29N	11W 15	4	2 1					64	20	44		
SJ 02378	29N	11W 15	4	3 2					75	12	63		
SJ 03579	29N	11W 15	4	4 1					83	30	53		
SJ 02141	29N	11W 16	4	3 4					110	40	70		
SJ 02926	29N	11W 17	2 .	4 3					375	8.0	295		
SJ 03399	29N	11W 17	4	2					100				
SJ 00487	29N	11W 17	4	4					60	6	54		
SJ 02868	29N	11W 17	4	4 4					50				
SJ 01641	29N	11W 19	2 :	2 3					120	55	65		
SJ 02026	29N	11W 19	3 .	1	44	40000	207770	0	27	6	21		
SJ 02970	29N	11W 19	4	3 2					100	18	82		
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SJ 02869	29N	11W 20	2 :	2 1					50				
SJ 00583	29N	11W 20	3	3 2					150	30	120		

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SJ 03350	29N	11W 21		2 3	50			
SJ 01090	29N	11W 21	2	4	31	12	19	
SJ 02863	29N	11W 21		4 1	52	20	32	
SJ 03659	29N	11W 21		2 2	45	10	35	
SJ 01888	29N	11W 21		2 2	47	8	39	
SJ 02200	29N	11W 22			60	22	38	
SJ 01557	29N	11W 22	1	2	70	11	59	
SJ 00796	29N	11W 22	1		50	8	42	
SJ 00704	29N	11W 22	1	2	55	20	35	
SJ 01703	29N	11W 22			68	3	65	
SJ 03747 POD1	29N	11W 22		2 3	47	27	20	
SJ 02813	29N	11W 22		2 3	59	16	43	
SJ 01214	29N	11W 22	1	3	49	12	37	
SJ 00484	29N	11W 22	_	3 1	37	10	27	
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SJ 03532	29N	11W 22		3 3	49	14	35	
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SJ 03049	29N	11W 22			33	10	23	
SJ 00696	29N	11W 22		3	34	12	22	
SJ 01974	29N	11W 22		3 3	47	11	36	
SJ 03567	29N	11W 23		2 3	50	22	28	
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SJ 03558	29N	11W 23			50	15	35	
SJ 03559	29N	11W 23		3 4	45	15	30	
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SJ 02664 S	29N	11W 27	3	2			38	23	15
SJ 02664 S-2	29N	11W 27	3	2			34	19	15
SJ 02664 S-3	29N	11W 27	3	2			41	30	11
SJ 02664 S-9	29N	11W 27	3	2			33	19	14
SJ 02664 S-4	29N	11W 27	3	2			42	30	12
SJ 02664 S-10	29N	11W 27	3	2			33	19	14
SJ 02664 S-5	29N	11W 27	3	2			41	30	11
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