

District I  
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.  
Santa Fe, NM 87505

Form C-144  
Revised April 3, 2017

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  
Proposed Alternative Method Permit or Closure Plan Application

BGT 1  
Type of action: ☐ Below grade tank registration  
☐ Permit of a pit or proposed alternative method  
☒ Closure of a pit, below-grade tank, or proposed alternative method  
☐ 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 relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.

1.  
Operator: Enduring Resources, LLC OGRID #: 372286  
Address: 332 Road 3100, Aztec, New Mexico 87410  
Facility or well name: Rincon Unit 32A  
API Number: 30-039-22312 OCD Permit Number: \_\_\_\_\_  
U/L or Qtr/Qtr P Section 16 Township 27N Range 6W County: Rio Arriba  
Center of Proposed Design: Latitude 36.569129 Longitude -107.466383 NAD83  
Surface Owner: ☐ Federal ☒ State ☐ Private ☐ Tribal Trust or Indian Allotment

2.  
☐ Pit: Subsection F, G or J of 19.15.17.11 NMAC \* Closed without An Approved Closure Plan.  
Temporary: ☐ Drilling ☐ Workover \* Release Confirmed Additional Remediation Required Per 19.15.29 NMAC.  
☐ Permanent ☐ Emergency ☐ Cavitation ☐ P&A ☐ Multi-Well Fluid Management Low Chloride Drilling Fluid ☐ yes ☐ no  
☐ 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.  
☒ Below-grade tank: Subsection I of 19.15.17.11 NMAC  
Volume: 45 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 \_\_\_\_\_ 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  
☐ Alternate. Please specify \_\_\_\_\_

6.

**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 acceptable source material are provided below. Siting criteria does not apply to drying pads or above-grade tanks.***

**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

☐ Yes ☐ No  
☐ NA

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 application.

- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image

☐ Yes ☐ No

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

☐ 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 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

☐ 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

### **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

☐ 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

10.

#### **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: \_\_\_\_\_

#### 11. **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 documents are 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 19.15.17.9 NMAC 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

☐ Previously Approved Design (attach copy of design) API Number: \_\_\_\_\_ or Permit Number: \_\_\_\_\_

12.  
**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<sub>2</sub>S, 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

13.  
**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 Fluid Management Pit  
☐ 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

14.  
**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 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

15.  
**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 require justifications and/or demonstrations of equivalency. Please refer to 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	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 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	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 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	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
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	<input type="checkbox"/> Yes <input type="checkbox"/> 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	<input type="checkbox"/> Yes <input type="checkbox"/> 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	<input type="checkbox"/> Yes <input type="checkbox"/> No
Written confirmation or verification from the municipality; Written approval obtained from the municipality	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within 300 feet of a wetland. US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	<input type="checkbox"/> Yes <input type="checkbox"/> 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

☐ 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

16.

**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 E of 19.15.17.13 NMAC  
☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of Subsection K of 19.15.17.11 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 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 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 H of 19.15.17.13 NMAC  
☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC

17.

**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): \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

e-mail address: \_\_\_\_\_ Telephone: \_\_\_\_\_

18.

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

OCD Representative Signature: \_\_\_\_\_ Approval Date: 1/22/19

Title: Environmental Spec. OCD Permit Number: \_\_\_\_\_

19.

**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. 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: 10/23/2018

20.

**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.

21.

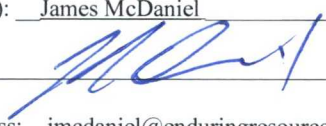
**Closure Report Attachment Checklist:** *Instructions: Each of the following items must be attached to the closure report. Please indicate, by a check mark in the box, that the documents are attached.*

- ☒ Proof of Closure Notice (surface owner and division)  
☐ Proof of Deed Notice (required for on-site closure 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: ☐ 1927 ☐ 1983

**Operator Closure Certification:**

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

Name (Print): James McDaniel Title: HSE Supervisor  
Signature:  Date: 11/29/2018  
e-mail address: jmcDaniel@enduringresources.com Telephone: 505-636-9731

# **Enduring Resources, LLC**

## **Below Grade Tank**

### **Closure Report**

**Lease Name: Rincon Unit #32A**

**API No.: 30-039-22312**

**Description: Unit P, Section 16, Township 27N, Range 6W, Rio Arriba County**

In accordance with Rule 19.15.17.13 NMAC the following information describes the closure requirements of below-grade tanks on Enduring Resources, LLC. (Enduring) locations. This is Enduring'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. Enduring 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 October 23, 2018**
2. Enduring 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 October 23, 2018**
3. Enduring 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. Enduring 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. Enduring 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.  
**Enduring 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. Enduring will remove any on-site equipment associated with a below-grade tank unless the equipment is required for some other purpose.  
**This location is still in production. All other on-site equipment will be utilized in the continued production of oil and gas.**
7. Enduring 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 8015M or other EPA method that the division approves, does not exceed 100mg/kg; and the chloride concentration, as determined by EPA method 9056A or other EPA method that the division approves, does not exceed 250 mg/kg, or the background concentration, whichever is greater. Enduring will notify the division of its results on form C-141.

**A five point composite sample was taken of the pit using sampling tools and all samples tested per Subsection B of 19.15.17.1 3(B)(1)(b). (Sample results attached). Sampling was witness by Cory Smith, NMOCD Aztec.**

Components	Test Method	Limit (mg/Kg)	Results
Benzene	EPA SW-846 8021B or 8260B	0.2	< 0.1 mg/kg
BTEX	EPA SW-846 8021B or 8260B	50	0.285 mg/kg
TPH	EPA SW-846 8015M	100	19,070 mg/kg
Chlorides	EPA 9056A	250 or background	20.5 mg/kg

8. If Enduring or the division determines that a release has occurred, Enduring will comply with 19.15.3.116 NMAC and 19.15.1.19NMAC as appropriate.  
**Due to a leak in the below grade tank, and TPH results above the 100 mg/kg standard, a release was confirmed for this location.**
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, Enduring will backfill the excavation with compacted, non-waste containing, earthen material; construct a division prescribed soil cover; recontour and re-vegetate the site.  
**The site has been backfilled, and will be recontoured and revegetated upon P&A of the wellsite.**
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 the NMOCD via email on September 20, 2018, see attached email printout**

The surface owner shall be notified of Enduring's proposal to close the BGT as per the approved closure plan using certified mail, return receipt requested.

**The state land office was notified on September 20, 2018 via email; see attached email printout.**

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.  
**This site will be recontoured and revegetated once plugging and abandoning activities have been completed. The site will be recontoured to match the above mentioned specifications.**
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 area has been backfilled to match these specifications.**
13. Enduring will seed the disturbed areas the first growing season after the operator closes the pit. Seeding will be accomplished via drilling on the contour whenever practical or by other division-approved methods. BLM or Forest Service stipulated seed mixes will be used on federal lands. Vegetative cover will equal 70% of the native perennial vegetative cover (un-impacted) consisting of at least three native plant species, including at least one grass, but not including noxious weeds, and maintain that cover through two successive growing seasons. Repeat seeding or planting will be continued until successful vegetative growth occurs.  
**The site will be re-seeded per the State Land Office specifications once plugging and abandoning activities have been completed.**
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:
  - Proof of closure notice to division and surface owner; **attached**
  - Details on capping and covering, where applicable; **per OCD Specifications**
  - Confirmation sampling analytical results; **attached**
  - Disposal facility name(s) and permit number(s); **attached**
  - Soil backfilling and cover installation; **per OCD Specifications**
  - Re-vegetation application rates and seeding techniques, (or approved alternative to re-vegetation requirements if applicable); **pursuant to SLO Specifications**
  - Photo documentation of the site reclamation. **attached**

District I  
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.  
Santa Fe, NM 87505

Form C-141  
Revised August 24, 2018  
Submit to appropriate OCD District office

Incident ID	
District RP	
Facility ID	
Application ID	

## Release Notification

### Responsible Party

Responsible Party: <b>Enduring Resources</b>	OGRID: <b>372286</b>
Contact Name: <b>James McDaniel</b>	Contact Telephone: <b>505-636-9731</b>
Contact email: <b>jmcDaniel@enduringresources.com</b>	Incident # (assigned by OCD) <b>NCS 1826741395</b>
Contact mailing address: <b>200 Energy Court, Farmington, NM 87401</b>	

### Location of Release Source

Latitude 36.569125 Longitude -107.466386  
(NAD 83 in decimal degrees to 5 decimal places)

Site Name: <b>Rincon Unit 32A</b>	Site Type: <b>Gas Wellsite</b>
Date Release Discovered: <b>9/4/2018</b>	API# (if applicable) <b>30-039-22312</b>

Unit Letter	Section	Township	Range	County
<b>P</b>	<b>16</b>	<b>27N</b>	<b>6W</b>	<b>Rio Arriba</b>

Surface Owner: ☐ State ☒ Federal ☐ Tribal ☐ Private (Name: \_\_\_\_\_)

### Nature and Volume of Release

Material(s) Released (Select all that apply and attach calculations or specific justification for the volumes provided below)

<input type="checkbox"/> Crude Oil	Volume Released (bbls)	Volume Recovered (bbls)
<input checked="" type="checkbox"/> Produced Water	Volume Released (bbls): <b>UNK</b>	Volume Recovered (bbls): <b>None</b>
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Condensate	Volume Released (bbls)	Volume Recovered (bbls)
<input type="checkbox"/> Natural Gas	Volume Released (Mcf)	Volume Recovered (Mcf)
<input type="checkbox"/> Other (describe)	Volume/Weight Released (provide units)	Volume/Weight Recovered (provide units)

#### Cause of Release

The flowline entering the BGT leaked due to corrosion, and the water surrounded the tank, giving the appearance that there was a leak in the BGT. Once the tank was cleaned out, no leak was discovered in the tank. Upon further inspection, a leak was found in the flowline entering the tank. The leak was the result of corrosion on the flowline. BGT closure activities are being scheduled, and the potential impacts will be addressed at that time.

NMOC

SEP 18 2018

DISTRICT III

6

Incident ID	
District RP	
Facility ID	
Application ID	

<p>Was this a major release as defined by 19.15.29.7(A) NMAC?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>If YES, for what reason(s) does the responsible party consider this a major release?</p>
<p>If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)?</p>	

*The responsible party must undertake the following actions immediately unless they could create a safety hazard that would result in injury*

<input checked="" type="checkbox"/> The source of the release has been stopped.	
<input checked="" type="checkbox"/> The impacted area has been secured to protect human health and the environment.	
<input checked="" type="checkbox"/> Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices.	
<input checked="" type="checkbox"/> All free liquids and recoverable materials have been removed and managed appropriately.	
If all the actions described above have <u>not</u> been undertaken, explain why:	
Per 19.15.29.8 B. (4) NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please attach a narrative of actions to date. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see 19.15.29.11(A)(5)(a) NMAC), please attach all information needed for closure evaluation.	
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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.	
Printed Name: <u>James McDaniel</u>	Title: <u>HSE Supervisor</u>
Signature: <u>[Signature]</u>	Date: <u>9/18/18</u>
email: <u>jmcDaniel@enduringresources.com</u>	Telephone: <u>505-638-9731</u>
<b><u>OCD Only</u></b>	
Received by: <u>[Signature]</u>	Date: <u>9/24/18</u>

Incident ID	
District RP	
Facility ID	
Application ID	

## Site Assessment/Characterization

*This information must be provided to the appropriate district office no later than 90 days after the release discovery date.*

What is the shallowest depth to groundwater beneath the area affected by the release?	_____ (ft bgs)
Did this release impact groundwater or surface water?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release within 300 feet of a continuously flowing watercourse or any other significant watercourse?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release within 300 feet of an occupied permanent residence, school, hospital, institution, or church?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release within 1000 feet of any other fresh water well or spring?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release within incorporated municipal boundaries or within a defined municipal fresh water well field?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release within 300 feet of a wetland?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release overlying a subsurface mine?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release overlying an unstable area such as karst geology?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release within a 100-year floodplain?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Did the release impact areas <b>not</b> on an exploration, development, production, or storage site?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Attach a comprehensive report (electronic submittals in .pdf format are preferred) demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined. Refer to 19.15.29.11 NMAC for specifics.

### **Characterization Report Checklist:** *Each of the following items must be included in the report.*

- ☐ Scaled site map showing impacted area, surface features, subsurface features, delineation points, and monitoring wells.
- ☐ Field data
- ☐ Data table of soil contaminant concentration data
- ☐ Depth to water determination
- ☐ Determination of water sources and significant watercourses within ½-mile of the lateral extents of the release
- ☐ Boring or excavation logs
- ☐ Photographs including date and GIS information
- ☐ Topographic/Aerial maps
- ☐ Laboratory data including chain of custody

If the site characterization report does not include completed efforts at remediation of the release, the report must include a proposed remediation plan. That plan must include the estimated volume of material to be remediated, the proposed remediation technique, proposed sampling plan and methods, anticipated timelines for beginning and completing the remediation. The closure criteria for a release are contained in Table 1 of 19.15.29.12 NMAC, however, use of the table is modified by site- and release-specific parameters.

State of New Mexico  
Oil Conservation Division

Incident ID	
District RP	
Facility ID	
Application ID	

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

email: \_\_\_\_\_ Telephone: \_\_\_\_\_

**OCD Only**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Incident ID	
District RP	
Facility ID	
Application ID	

## Remediation Plan

**Remediation Plan Checklist:** *Each of the following items must be included in the plan.*

- ☐ Detailed description of proposed remediation technique
- ☐ Scaled sitemap with GPS coordinates showing delineation points
- ☐ Estimated volume of material to be remediated
- ☐ Closure criteria is to Table 1 specifications subject to 19.15.29.12(C)(4) NMAC
- ☐ Proposed schedule for remediation (note if remediation plan timeline is more than 90 days OCD approval is required)

**Deferral Requests Only:** *Each of the following items must be confirmed as part of any request for deferral of remediation.*

- ☐ Contamination must be in areas immediately under or around production equipment where remediation could cause a major facility deconstruction.
- ☐ Extents of contamination must be fully delineated.
- ☐ Contamination does not cause an imminent risk to human health, the environment, or groundwater.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

email: \_\_\_\_\_ Telephone: \_\_\_\_\_

**OCD Only**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Approved ☐ Approved with Attached Conditions of Approval ☐ Denied ☐ Deferral Approved

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Incident ID	
District RP	
Facility ID	
Application ID	

## Closure

The responsible party must attach information demonstrating they have complied with all applicable closure requirements and any conditions or directives of the OCD. This demonstration should be in the form of a comprehensive report (electronic submittals in .pdf format are preferred) including a scaled site map, sampling diagrams, relevant field notes, photographs of any excavation prior to backfilling, laboratory data including chain of custody documents of final sampling, and a narrative of the remedial activities. Refer to 19.15.29.12 NMAC.

**Closure Report Attachment Checklist:** *Each of the following items must be included in the closure report.*

- ☐ A scaled site and sampling diagram as described in 19.15.29.11 NMAC
- ☐ Photographs of the remediated site prior to backfill or photos of the liner integrity if applicable (Note: appropriate OCD District office must be notified 2 days prior to liner inspection)
- ☐ Laboratory analyses of final sampling (Note: appropriate OCD District office must be notified 2 days prior to final sampling)
- ☐ Description of remediation activities

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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. The responsible party acknowledges they must substantially restore, reclaim, and re-vegetate the impacted surface area to the conditions that existed prior to the release or their final land use in accordance with 19.15.29.13 NMAC including notification to the OCD when reclamation and re-vegetation are complete.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

email: \_\_\_\_\_ Telephone: \_\_\_\_\_

### OCD Only

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Closure approval by the OCD does not relieve the responsible party of liability should their operations have failed to adequately investigate and remediate contamination that poses a threat to groundwater, surface water, human health, or the environment nor does not relieve the responsible party of compliance with any other federal, state, or local laws and/or regulations.

Closure Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

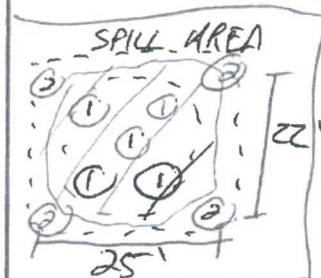
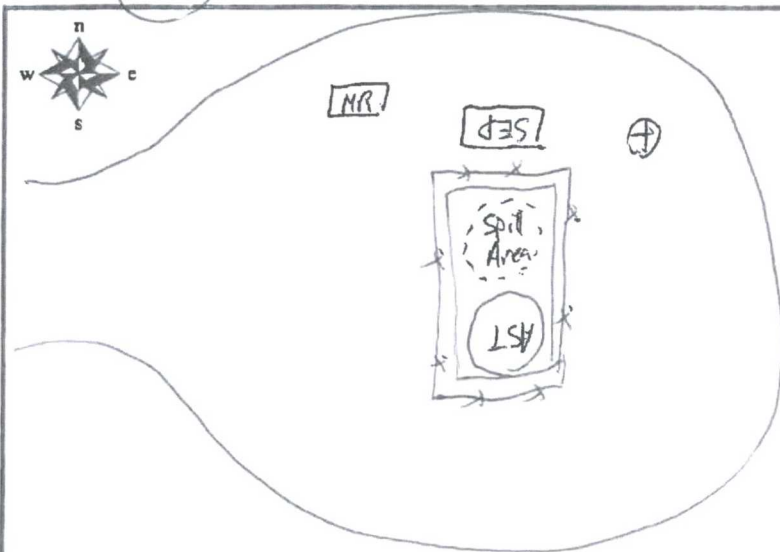
Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_



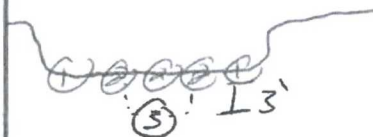
# ENDURING RESOURCES

## ON-SITE FORM

Well Name Rincon Unit 32A API # 30-039-22312  
Section 16 Township 27N Range 6W County RA State UM  
Contractors On-Site LAL Time On-Site 9:55 Time Off-Site 11:10  
Spill Amount UNK bbls Spilled (Oil/Produced Water/Other —) Recovered 0  
Land Use (Range / Residential / Tribe —) Spill Area 22 x 25 x 7 deep



Sample Location



Sample Location

Site Diagram

\*One sample collected for BGT Closure beneath Tank  
\*Additional Spill sample collected from area around tank

### Comments

### Samples

Time	Sample #	Sample Description	Characteristics	OVM (ppm)	Analysis Requested
	NA	100 Standard	NA		NA
6:15	1	BGT Closure Sample	Dry, brown, no odor	—	Bors, Bor, chlorides
10:20	2	Spill Sample 0-6"	Wet, some color	—	" "
10:30	3	Grub sample @ 3'	Wet, some faint odor	—	" "

Name (Print) James McDaniel

Date 9/25/18

Name (Signature) [Signature] Company Enduring

**James McDaniel**

---

**From:** James McDaniel  
**Sent:** Thursday, September 20, 2018 11:32 AM  
**To:** 'Smith, Cory, EMNRD'; Fields, Vanessa, EMNRD  
**Cc:** 'Thomas, Leigh'; 'emartin@slo.state.nm.us'  
**Subject:** BGT Closures

Please accept this email as the required notification for BGT closure Activities at the following locations:

Rincon 32A – 30-039-22312 – Unit P, Section 16, Township 27N, Range 6W, Rio Arriba County, NM – STATE LAND  
Scheduled closure activity to take place on Tuesday, September 25<sup>th</sup> @ 10 AM.

MC 7 COM 161H – 30-039-31344 – Unit G, Section 6, Township 23N, Range 7W, Rio Arriba County, NM – BLM LAND  
Scheduled closure activity to take place on Wednesday, September 26<sup>th</sup> @ 12 Noon

**James McDaniel**  
**HSE Supervisor**  
**Enduring Resources**  
CSP #30009  
CHMM #15676  
*Office:* 505-636-9731  
*Cell:* 505-444-3004  
[jmcdaniel@enduringresources.com](mailto:jmcdaniel@enduringresources.com)



## Analytical Report

### Report Summary

Client: Enduring Resources, LLC

Chain Of Custody Number:

Samples Received: 9/25/2018 3:24:00PM

Job Number: 17065-0017

Work Order: P809054

Project Name/Location: Rincon Unit 32A

Report Reviewed By:



Date: 9/27/18

Walter Hinchman, Laboratory Director



Date: 9/27/18

Tim Cain, Project Manager



Envirotech Inc. certifies the test results meet all requirements of TNI unless footnoted otherwise.  
Statement of Data Authenticity: Envirotech, Inc. attests the data reported has not been altered in any way.  
Partial or incomplete reproduction of this report is prohibited, unless approved by Envirotech, Inc.  
Envirotech, Inc. currently holds the appropriate and available Utah TNI certification NM009792018-1 for the data reported.

Enduring Resources, LLC  
511 16th Street, Suite 700  
Denver CO, 80202

Project Name: Rincon Unit 32A  
Project Number: 17065-0017  
Project Manager: James McDaniel

**Reported:**  
09/27/18 16:24

### Analytical Report for Samples

Client Sample ID	Lab Sample ID	Matrix	Sampled	Received	Container
BGT Closure	P809054-01A	Soil	09/25/18	09/25/18	Glass Jar, 4 oz.
Spill Sample 0-6"	P809054-02A	Soil	09/25/18	09/25/18	Glass Jar, 4 oz.
Grab Sample @ 3'	P809054-03A	Soil	09/25/18	09/25/18	Glass Jar, 4 oz.

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Enduring Resources, LLC  
 511 16th Street, Suite 700  
 Denver CO, 80202

 Project Name: Rincon Unit 32A  
 Project Number: 17065-0017  
 Project Manager: James McDaniel

**Reported:**  
 09/27/18 16:24

**BGT Closure**  
**P809054-01 (Solid)**

## Reporting

Analyte	Result	Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>Volatile Organics by EPA 8021</b>									
Benzene	ND	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Toluene	ND	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Ethylbenzene	ND	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
p,m-Xylene	<b>285</b>	200	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
o-Xylene	ND	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Total Xylenes	<b>285</b>	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Total BTEX	<b>285</b>	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
<i>Surrogate: 4-Bromochlorobenzene-PID</i>		98.8 %		50-150	1839011	09/25/18	09/25/18	EPA 8021B	
<b>Nonhalogenated Organics by 8015</b>									
Gasoline Range Organics (C6-C10)	ND	20.0	mg/kg	1	1839011	09/25/18	09/25/18	EPA 8015D	
Diesel Range Organics (C10-C28)	<b>10900</b>	250	mg/kg	10	1839012	09/26/18	09/26/18	EPA 8015D	
Oil Range Organics (C28-C40+)	<b>8170</b>	500	mg/kg	10	1839012	09/26/18	09/26/18	EPA 8015D	
<i>Surrogate: 1-Chloro-4-fluorobenzene-FID</i>		101 %		50-150	1839011	09/25/18	09/25/18	EPA 8015D	
<i>Surrogate: n-Nonane</i>		103 %		50-200	1839012	09/26/18	09/26/18	EPA 8015D	
<b>Anions by 300.0/9056A</b>									
Chloride	<b>20.5</b>	20.0	mg/kg	1	1839013	09/25/18	09/26/18	EPA 300.0/9056A	

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Enduring Resources, LLC	Project Name:	Rincon Unit 32A	<b>Reported:</b> 09/27/18 16:24
511 16th Street, Suite 700	Project Number:	17065-0017	
Denver CO, 80202	Project Manager:	James McDaniel	

**Spill Sample 0-6"**  
**P809054-02 (Solid)**

Reporting									
Analyte	Result	Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>Volatile Organics by EPA 8021</b>									
Benzene	ND	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Toluene	ND	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Ethylbenzene	ND	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
p,m-Xylene	ND	200	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
o-Xylene	ND	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Total Xylenes	ND	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Total BTEX	ND	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Surrogate: 4-Bromochlorobenzene-PID		101 %		50-150	1839011	09/25/18	09/25/18	EPA 8021B	
<b>Nonhalogenated Organics by 8015</b>									
Gasoline Range Organics (C6-C10)	ND	20.0	mg/kg	1	1839011	09/25/18	09/25/18	EPA 8015D	
Diesel Range Organics (C10-C28)	35.4	25.0	mg/kg	1	1839012	09/26/18	09/26/18	EPA 8015D	
Oil Range Organics (C28-C40+)	117	50.0	mg/kg	1	1839012	09/26/18	09/26/18	EPA 8015D	
Surrogate: 1-Chloro-4-fluorobenzene-FID		95.4 %		50-150	1839011	09/25/18	09/25/18	EPA 8015D	
Surrogate: n-Nonane		88.5 %		50-200	1839012	09/26/18	09/26/18	EPA 8015D	
<b>Anions by 300.0/9056A</b>									
Chloride	ND	20.0	mg/kg	1	1839013	09/25/18	09/25/18	EPA 300.0/9056A	

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Enduring Resources, LLC  
 511 16th Street, Suite 700  
 Denver CO, 80202

 Project Name: Rincon Unit 32A  
 Project Number: 17065-0017  
 Project Manager: James McDaniel

**Reported:**  
 09/27/18 16:24

**Grab Sample @ 3'**  
**P809054-03 (Solid)**

## Reporting

Analyte	Result	Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>Volatile Organics by EPA 8021</b>									
Benzene	ND	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Toluene	ND	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Ethylbenzene	277	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
p,m-Xylene	2850	200	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
o-Xylene	745	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Total Xylenes	3600	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
Total BTEX	3870	100	ug/kg	1	1839011	09/25/18	09/25/18	EPA 8021B	
<i>Surrogate: 4-Bromochlorobenzene-PID</i>		99.0 %	50-150		1839011	09/25/18	09/25/18	EPA 8021B	
<b>Nonhalogenated Organics by 8015</b>									
Gasoline Range Organics (C6-C10)	41.1	20.0	mg/kg	1	1839011	09/25/18	09/25/18	EPA 8015D	
Diesel Range Organics (C10-C28)	3320	250	mg/kg	10	1839012	09/26/18	09/26/18	EPA 8015D	
Oil Range Organics (C28-C40+)	1550	500	mg/kg	10	1839012	09/26/18	09/26/18	EPA 8015D	
<i>Surrogate: 1-Chloro-4-fluorobenzene-FID</i>		102 %	50-150		1839011	09/25/18	09/25/18	EPA 8015D	
<i>Surrogate: n-Nonane</i>		91.5 %	50-200		1839012	09/26/18	09/26/18	EPA 8015D	
<b>Anions by 300.0/9056A</b>									
Chloride	57.0	20.0	mg/kg	1	1839013	09/25/18	09/25/18	EPA 300.0/9056A	

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Enduring Resources, LLC  
511 16th Street, Suite 700  
Denver CO, 80202

Project Name: Rincon Unit 32A  
Project Number: 17065-0017  
Project Manager: James McDaniel

**Reported:**  
09/27/18 16:24

### Volatile Organics by EPA 8021 - Quality Control

#### Envirotech Analytical Laboratory

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
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#### Batch 1839011 - Purge and Trap EPA 5030A

##### Blank (1839011-BLK1)

Prepared: 09/25/18 | Analyzed: 09/26/18 0

Benzene	ND	100	ug/kg							
Toluene	ND	100	"							
Ethylbenzene	ND	100	"							
p,m-Xylene	ND	200	"							
o-Xylene	ND	100	"							
Total Xylenes	ND	100	"							
Total BTEX	ND	100	"							
Surrogate: 4-Bromochlorobenzene-PID	8070		"	8000		101	50-150			

##### LCS (1839011-BS1)

Prepared: 09/25/18 | Analyzed: 09/26/18 0

Benzene	5150	100	ug/kg	5000		103	70-130			
Toluene	5180	100	"	5000		104	70-130			
Ethylbenzene	5230	100	"	5000		105	70-130			
p,m-Xylene	10700	200	"	10000		107	70-130			
o-Xylene	5200	100	"	5000		104	70-130			
Total Xylenes	15900	100	"	15000		106	70-130			
Surrogate: 4-Bromochlorobenzene-PID	8150		"	8000		102	50-150			

##### Matrix Spike (1839011-MS1)

Source: P809050-01

Prepared: 09/25/18 | Analyzed: 09/26/18 0

Benzene	5060	100	ug/kg	5000	ND	101	54.3-133			
Toluene	5080	100	"	5000	ND	102	61.4-130			
Ethylbenzene	5120	100	"	5000	ND	102	61.4-133			
p,m-Xylene	10500	200	"	10000	ND	105	63.3-131			
o-Xylene	5080	100	"	5000	ND	102	63.3-131			
Total Xylenes	15600	100	"	15000	ND	104	63.3-131			
Surrogate: 4-Bromochlorobenzene-PID	8220		"	8000		103	50-150			

##### Matrix Spike Dup (1839011-MSD1)

Source: P809050-01

Prepared: 09/25/18 | Analyzed: 09/26/18 0

Benzene	5340	100	ug/kg	5000	ND	107	54.3-133	5.41	20	
Toluene	5360	100	"	5000	ND	107	61.4-130	5.36	20	
Ethylbenzene	5390	100	"	5000	ND	108	61.4-133	5.18	20	
p,m-Xylene	11000	200	"	10000	ND	110	63.3-131	4.93	20	
o-Xylene	5330	100	"	5000	ND	107	63.3-131	4.77	20	
Total Xylenes	16400	100	"	15000	ND	109	63.3-131	4.88	20	
Surrogate: 4-Bromochlorobenzene-PID	8170		"	8000		102	50-150			

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5796 US Highway 64, Farmington, NM 87401

Three Springs • 65 Mercado Street, Suite 115, Durango, CO 81301

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Ph (970) 259-0615 Fr (800) 362-1879

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

Enduring Resources, LLC  
 511 16th Street, Suite 700  
 Denver CO, 80202

 Project Name: Rincon Unit 32A  
 Project Number: 17065-0017  
 Project Manager: James McDaniel

**Reported:**  
 09/27/18 16:24

**Nonhalogenated Organics by 8015 - Quality Control**
**Envirotech Analytical Laboratory**

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

**Batch 1839011 - Purge and Trap EPA 5030A**
**Blank (1839011-BLK1)**

Prepared: 09/25/18 | Analyzed: 09/26/18 0

Gasoline Range Organics (C6-C10)	ND	20.0	mg/kg							
Surrogate: 1-Chloro-4-fluorobenzene-FID	7.84		"	8.00		98.0	50-150			

**LCS (1839011-BS2)**

Prepared: 09/25/18 | Analyzed: 09/26/18 0

Gasoline Range Organics (C6-C10)	39.1	20.0	mg/kg	50.0		78.2	70-130			
Surrogate: 1-Chloro-4-fluorobenzene-FID	7.93		"	8.00		99.1	50-150			

**Matrix Spike (1839011-MS2)**

Source: P809050-01

Prepared: 09/25/18 | Analyzed: 09/26/18 0

Gasoline Range Organics (C6-C10)	44.0	20.0	mg/kg	50.0	ND	88.0	70-130			
Surrogate: 1-Chloro-4-fluorobenzene-FID	7.81		"	8.00		97.6	50-150			

**Matrix Spike Dup (1839011-MSD2)**

Source: P809050-01

Prepared: 09/25/18 | Analyzed: 09/26/18 0

Gasoline Range Organics (C6-C10)	48.1	20.0	mg/kg	50.0	ND	96.3	70-130	8.98	20	
Surrogate: 1-Chloro-4-fluorobenzene-FID	7.79		"	8.00		97.4	50-150			

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Enduring Resources, LLC  
 511 16th Street, Suite 700  
 Denver CO, 80202

 Project Name: Rincon Unit 32A  
 Project Number: 17065-0017  
 Project Manager: James McDaniel

**Reported:**  
 09/27/18 16:24

**Nonhalogenated Organics by 8015 - Quality Control**
**Envirotech Analytical Laboratory**

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

**Batch 1839012 - DRO Extraction EPA 3570**
**Blank (1839012-BLK1)**

Prepared: 09/25/18 | Analyzed: 09/26/18 |

Diesel Range Organics (C10-C28)	ND	25.0	mg/kg							
Oil Range Organics (C28-C40+)	ND	50.0	"							
Surrogate: n-Nonane	47.2		"	50.0		94.4	50-200			

**LCS (1839012-BS1)**

Prepared: 09/25/18 | Analyzed: 09/26/18 |

Diesel Range Organics (C10-C28)	418	25.0	mg/kg	500		83.6	38-132			
Surrogate: n-Nonane	46.8		"	50.0		93.6	50-200			

**Matrix Spike (1839012-MS1)**

Source: P809050-01

Prepared: 09/25/18 | Analyzed: 09/26/18 |

Diesel Range Organics (C10-C28)	424	25.0	mg/kg	500	ND	84.7	38-132			
Surrogate: n-Nonane	46.3		"	50.0		92.5	50-200			

**Matrix Spike Dup (1839012-MSD1)**

Source: P809050-01

Prepared: 09/25/18 | Analyzed: 09/26/18 |

Diesel Range Organics (C10-C28)	423	25.0	mg/kg	500	ND	84.7	38-132	0.00141	20	
Surrogate: n-Nonane	46.4		"	50.0		92.9	50-200			

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Enduring Resources, LLC  
 511 16th Street, Suite 700  
 Denver CO, 80202

 Project Name: Rincon Unit 32A  
 Project Number: 17065-0017  
 Project Manager: James McDaniel

**Reported:**  
 09/27/18 16:24

**Anions by 300.0/9056A - Quality Control**
**Envirotech Analytical Laboratory**

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

**Batch 1839013 - Anion Extraction EPA 300.0/9056A**
**Blank (1839013-BLK1)**

Prepared &amp; Analyzed: 09/25/18 1

Chloride ND 20.0 mg/kg

**LCS (1839013-BS1)**

Prepared &amp; Analyzed: 09/25/18 1

Chloride 256 20.0 mg/kg 250 102 90-110

**Matrix Spike (1839013-MS1)**
**Source: P809052-01**

Prepared: 09/25/18 1 Analyzed: 09/26/18 1

Chloride 15600 200 mg/kg 250 15400 85.5 80-120

**Matrix Spike Dup (1839013-MSD1)**
**Source: P809052-01**

Prepared: 09/25/18 1 Analyzed: 09/26/18 1

Chloride 15700 200 mg/kg 250 15400 118 80-120 0.519 20

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Enduring Resources, LLC  
511 16th Street, Suite 700  
Denver CO, 80202

Project Name: Rincon Unit 32A  
Project Number: 17065-0017  
Project Manager: James McDaniel

**Reported:**  
09/27/18 16:24

#### Notes and Definitions

DET Analyte DETECTED  
ND Analyte NOT DETECTED at or above the reporting limit  
NR Not Reported  
RPD Relative Percent Difference  
\*\* Methods marked with \*\* are non-accredited methods.

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Client: <u>Enduring Resources</u>		Report Attention		Lab Use Only		TAT		EPA Program					
Project: <u>Rincon Unit 32A</u>		Report due by:		Lab WO# <u>P809054</u>		Job Number <u>17065-0017</u>		1D	3D	RCRA	CWA	SDWA	
Project Manager: <u>J. McDaniel</u>		Attention:											
Address: <u>200 Energy Court</u>		Address:						State					
City, State, Zip: <u>Farmington, NM 87401</u>		City, State, Zip:						NM			CO	UT	AZ
Phone: <u>505-444-3004</u>		Phone:											
Email: <u>jmcDaniel@enduringresources.com</u>		Email:											

Time Sampled	Date Sampled	Matrix	No Containers	Sample ID	Lab Number	DRO/ORO by 8015	GRO/DRO by 8015	BTEX by 8021	VOC by 8260	Metals 6010	Chloride 300.0	TPH 418.1						Remarks
10 <sup>15</sup>	9/25/18	Soil	1/4oz	BGT Closure	1	X	X	X			X							RUSH
10 <sup>20</sup>	9/25/18	Soil	1/4oz	Spill Sample 0-6"	2	X	X	X			X							RUSH
10 <sup>30</sup>	9/25/18	Soil	1/4oz	Grab Sample @ 3'	3	X	X	X			X							RUSH

## Additional Instructions:

RUSH

- samples brought in out of cooler, but were cool to touch as of 9-25-18

I, (field sampler), attest to the validity and authenticity of this sample. I am aware that tampering with or intentionally mislabeling the sample location, date or time of collection is considered fraud and may be grounds for legal action. Sampled by: [Signature]

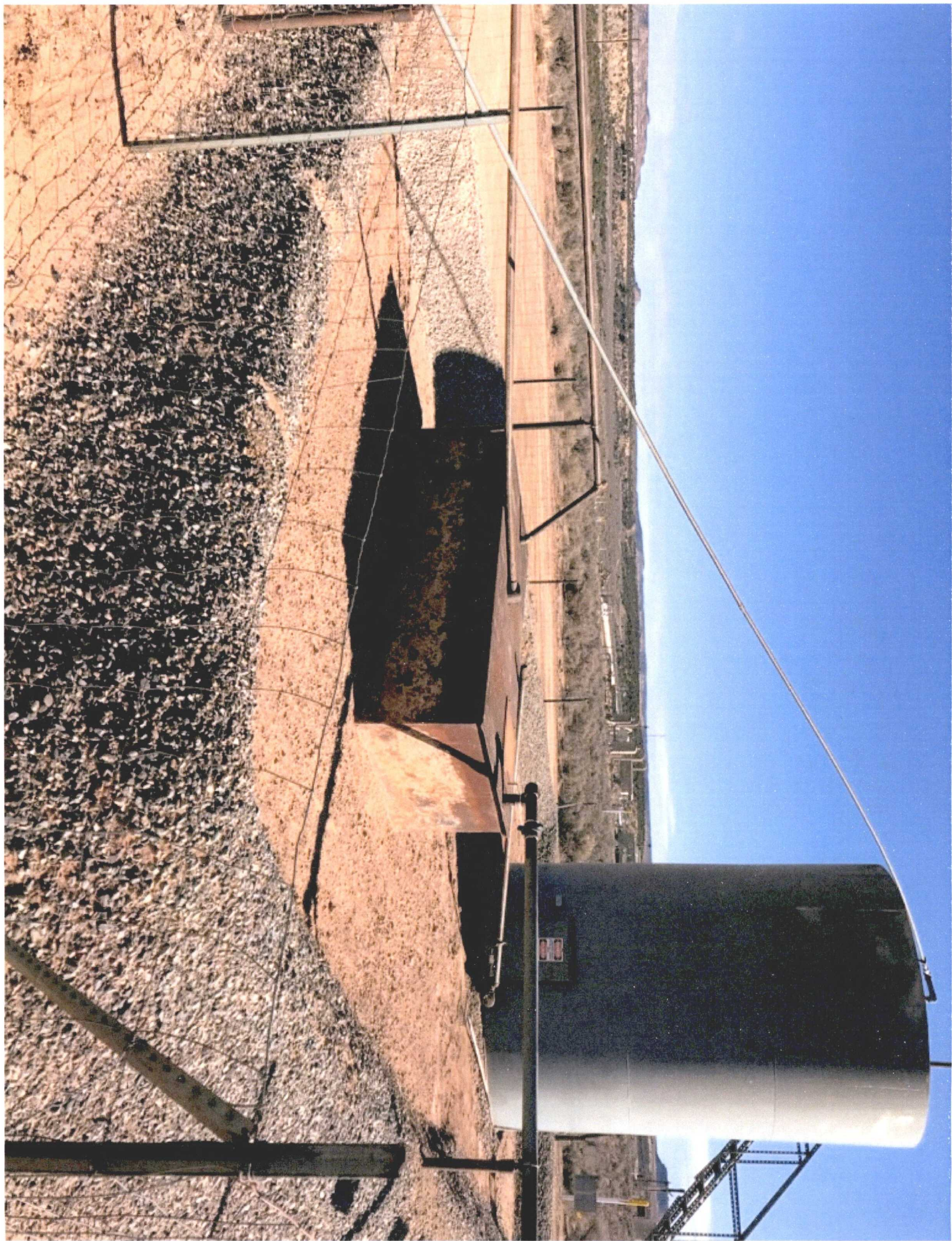
Samples requiring thermal preservation must be received on ice the day they are sampled or received packed in ice at an avg temp above 0 but less than 6 °C on subsequent days.

Relinquished by: (Signature) <u>[Signature]</u>	Date <u>9/25/18</u>	Time <u>15:23</u>	Received by: (Signature) <u>[Signature]</u>	Date <u>9/25/18</u>	Time <u>15:24</u>	Lab Use Only
Relinquished by: (Signature)	Date	Time	Received by: (Signature)	Date	Time	Received on ice: Y / N <u>Y</u>
						T1 <u>7.1</u> T2 <u>10.2</u> T3 <u>8.4</u>
						AVG Temp °C <u>8.6</u>

Sample Matrix: S - Soil, Sd - Solid, Sg - Sludge, A - Aqueous, O - Other \_\_\_\_\_

Container Type: g - glass, p - poly/plastic, ag - amber glass, v - VOA

Note: Samples are discarded 30 days after results are reported unless other arrangements are made. Hazardous samples will be returned to client or disposed of at the client expense. The report for the analysis of the above laboratory with this COC. The liability of the laboratory is limited to the amount paid for on the report.



Mr. Cory Smith  
Oil Conservation Division  
1000 Rio Brazos Rd.  
Aztec, New Mexico 87410  
Email: cory.smith@state.nm.us  
Phone (505) 334-6178 Ext 115

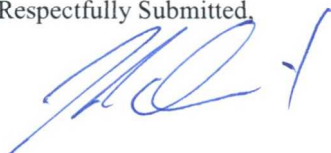
Re: Variance Request for 19.15.17 NMAC Table I and Table II

Mr. Smith,

Please accept this letter as a variance request as outlined in 19.15.17.15(A) NMAC. Enduring Resources, LLC (Enduring) would like to request the replacement of USEPA Method 418.1 for the analysis of Total Petroleum Hydrocarbons (TPH) for USEPA Method 8015M, measuring carbon ranges C6-C36, for all sampling associated with closures and confirmations samples in relation to 19.15.17 NMAC, both in Table I and Table II (2103) and the 'pit rule' passed in 2008. Enduring 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 C5 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, C36-C40, 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. With your acceptance of this variance request, XTO Energy will begin utilizing USEPA Method 8015M in place of USEPA Method 418.1 for all sampling activities associated with 19.15.17 NMAC, both from the rules passed in 2008 and 2013.

Respectfully Submitted,



James McDaniel, CHMM #15676  
HSE Supervisor  
Enduring Resources, LLC

#### **Carbon Ranges of Typical Hydrocarbons**

##### **Hydrocarbon Carbon Range**

**Condensate C2-C12**

**Aromatics C5-C7**

**Gasoline C7-C11**

**Kerosene C6-C16**

**Diesel Fuel C8-C21**

**Fuel Oil #1 C9-C16**

**Fuel Oil #2 C11-C20**

**Heating Oil C14-C20**

**Lube Oil C28-C35**