



May 6, 2025

**New Mexico State Land Office**

310 Old Santa Fe Trail  
Santa Fe, New Mexico 87501  
&

**New Mexico Oil Conservation Division**

1220 South St. Francis Street  
Santa Fe, New Mexico 87505

**Re: Revised Proposed Remediation Work Plan  
DiMaggio #003 Flowline  
Incident Number nAB1924042811  
API: 30-015-28266  
Eddy County, New Mexico**

To Whom It May Concern:

Ensolum, LLC (Ensolum), on behalf of Oxy USA Inc. (Oxy), has prepared the following *Revised Proposed Remediation Work Plan* to propose actions to address residual impacted soil identified at the DiMaggio #003 Flowline (Site), following a release of produced water and crude oil. The following proposes confirmation soil sampling and subsequent excavation of impacted soil within the release extent.

## **SITE DESCRIPTION AND RELEASE SUMMARY**

The Site is located in Unit O, Section 16, Township 26 South, Range 29 East, in Eddy County, New Mexico (32.04217°N, 103.98561°W) and is associated with oil and gas exploration and production operations on New Mexico State Trust Land managed by the New Mexico State Land Office (NMSLO).

On May 22, 2019, equipment failure on a 4-inch poly line resulted in the release of approximately 4 barrels (bbls) of crude oil and 4 bbls of produced water onto the surface of a pasture area, with no liquids recovered. Oxy reported the release to the New Mexico Energy, Minerals, and Natural Resources Department Oil and Conservation Division (New Mexico EMNRD OCD) via the submittal of a Release Notification Form C-141 (Form C-141) on May 31, 2019. The release was assigned Incident Number nAB1924042811.

## **SITE CHARACTERIZATION AND CLOSURE CRITERIA**

The Site was characterized to assess the applicability of Table 1, Closure Criteria for Soils Impacted by a Release, of Title 19, Chapter 15, Part 29 (19.15.29) of the New Mexico Administrative Code (NMAC). Results from the characterization are summarized below. Potential site receptors are identified on Figure 1.

Depth to groundwater at the Site is estimated to be between 50-100 feet below ground surface (bgs) based on data from a soil boring drilled to investigate regional groundwater depths. In June 2022, a soil boring permitted by New Mexico Office of the State Engineer (C-4630 POD1)) was completed

Oxy USA Inc.  
Revised Proposed Remediation Work Plan  
DiMaggio #003 Flowline

approximately 1.56-miles southeast of the Site utilizing hollow stem auger drilling method. Soil boring C-4630 POD1 (TW-1) was drilled to a depth of 55 feet bgs. A field geologist logged and described soils continuously. No moisture or groundwater was encountered during drilling activities. The temporary well was left open for over 72 hours to allow for potential slow infill of groundwater. After the 72-hour waiting period without observing groundwater, it was confirmed that groundwater near the Site is greater than 55 feet bgs. The borehole was properly abandoned with drill cuttings and hydrated bentonite chips. The Well Record & Log is included in Appendix A. All wells used for depth to water determination are depicted on Figure 1.

The closest continuously flowing or significant watercourse to the Site is a riverine wetland feature, located approximately 111 feet northeast of the Site. The Site is greater than 200 feet from a lakebed, sinkhole, or playa lake and greater than 300 feet from an occupied residence, school, hospital, institution, church, or wetland. The Site is greater than 1,000 feet to a freshwater well or spring. The Site is not within a 100-year floodplain. The Site is not overlying a subsurface mine. The Site is underlain by unstable geology (medium karst designation area).

Based on the results of the Site Characterization, the following NMOCD Table I Closure Criteria (Closure Criteria) apply:

- Benzene: 10 milligrams per kilogram (mg/kg)
- Benzene, toluene, ethylbenzene, and total xylenes (BTEX): 50 mg/kg
- Total petroleum hydrocarbons (TPH) – gasoline range organics (GRO), diesel range organics (DRO) and motor oil range organics (MRO): 100 mg/kg
- Chloride: 600 mg/kg

## ARCHAEOLOGICAL SURVEY AND BIOLOGICAL COMPLIANCE

Due to the Site being located on NMSLO land, an Archaeological Records Management System (ARMs) Review was required prior to beginning any remediation activities. This review would determine if any known cultural properties had been previously identified within the proposed remediation area and if the area had been previously surveyed for cultural resources. Additionally, since the release occurred in areas not reasonably needed for the production or subsequent drilling operations (in pasture), a biological desktop and pedestrian survey was conducted to determine if the Site's activities would be in a sensitive or restricted area.

The desktop review indicated three cacti species, the Lee Pincushion Cactus, the Sneed Pincushion Cactus and the Scheer's Pincushion Cactus, could be in the vicinity of the Site along with a wetland riverine feature. Based on these findings, a pedestrian site walk was conducted to confirm the presence or absence of the three cacti species as well as the proximity of the wetland riverine feature.

On February 27, 2025, an Ensolum representative arrived at the Site and performed a pedestrian site walk. Based on visual and photographic evidence, it was determined that the three cacti species listed above were not in proximity to the Site. Additionally, the wetland riverine feature to the east of the Site was walked to locate any defining bed and bank channel features as well as wetland vegetation. It was noted that a defined bed and bank was observed beginning approximately 0.20-miles north of the Site and ending approximately 189 feet north of the Site, and although no other riverine features were present one possible wetland species (Side Oats Grama) was observed, therefore care will be taken to avoid disturbing this wetland feature.

Oxy USA Inc.  
Revised Proposed Remediation Work Plan  
DiMaggio #003 Flowline

On behalf of Oxy, Beaver Creek Archaeology and Environmental (Beaver Creek) performed a desktop review and determined that a pedestrian survey of the area surrounding the Site would need to be conducted. During the pedestrian survey three isolated occurrences (IOs) were discovered consisting of burned caliche, however no significant cultural materials, features, or evidence thereof were observed.

On March 20, 2025, Beaver Creek submitted their findings to the NMSLO's Cultural Resources Office (CRO) via email for approval recommending that the Site could proceed under a finding of No Historic Properties Affected with no further archaeological work recommended.

## PROPOSED REMEDIATION WORK PLAN

Since no remediation activities have been conducted for the Site since its release back in 2019, the following *Revised Proposed Remediation Work Plan* will be implemented pending NMSLO approval. Oxy proposes to complete the following remediation activities:

- Pothole seven delineation sample locations (DS-01 through DS-07) throughout the former release extent and current vegetative scar to determine vertical delineation. These samples will need to meet the most stringent Site Closure Criteria regardless of depth.
- Pothole 10 delineation sample locations (DS-08 through DS-17) immediately outside of the former release extent and current vegetative scar to determine horizontal delineation. These samples will need to meet the most stringent Site Closure Criteria regardless of depth.
  - Samples will be logged for lithologic description notating changes in the subsurface as well as visual and olfactory evidence of impacts.
  - Samples will be field screened with one or more of the following methods:
    - Total petroleum hydrocarbons (TPH) utilizing a calibrated PetroFLAG® Soil Reagents test kit;
    - Volatile organic compounds (VOCs) utilizing a calibrated photoionization detector (PID);
    - Chloride utilizing Hach® chloride Quantab® test strips.
  - Two samples from each pothole will be submitted for analysis, the deepest depth interval and the depth at which field screenings indicate the highest field screening readings.
- Samples will be placed in pre-cleaned glass jars labeled with the location, date, time, sampler name, method of analysis, and immediately placed on ice. The samples will be transported under strict chain-of-custody procedures to Cardinal Laboratories (Cardinal) in Hobbs, New Mexico for analysis of BTEX following Unites States Environmental Protection Agency (EPA) Method 8021B, TPH GRO/DRO/MRO following EPA Method 8015M/D, and chloride following Standard Method SM-4500 Cl-B.

Once vertical and horizontal delineation has been determined by the above methods, Oxy will proceed with the proposed assessment soil sampling and subsequent excavation activities below.

## PROPOSED ASSESSMENT SOIL SAMPLING

In order to evaluate for the presence or absence of impacted soil, Oxy proposes to collect discrete assessment soil samples from the terminal depths that met the most stringent Site Closure Criteria determined during the initial pothole delineation activities.

Oxy USA Inc.  
Revised Proposed Remediation Work Plan  
DiMaggio #003 Flowline

- The soil samples will be placed directly into pre-cleaned glass jars, labeled with the location, date, time, sampler name, method of analysis, and immediately placed on ice. The soil samples will be transported under strict chain-of-custody procedures to Cardinal in Hobbs, New Mexico, for analysis of BTEX following United States EPA Method 8021B; TPH following EPA Method 8015M/D; and chloride following Standard Method 4500.
- If impacted soil is identified in the assessment samples, it will be excavated and removed from the Site prior to proceeding with reclamation activities.
  - Excavation will proceed vertically and laterally until final confirmation soil samples indicate a TPH concentration of less than 100 mg/kg and a chloride concentration less than 600 mg/kg, regardless of depth.
  - Excavation and soil sampling activities (if warranted) will be completed in accordance with 19.15.29 NMAC.
    - If excavation of impacted soil is conducted at the Site, 5-point composite soil samples will be collected every 200 square feet from the floor and sidewalls of the excavation. The 5-point composite samples will be collected by placing five equivalent aliquots of soil into a 1-gallon, resealable plastic bag and homogenizing the samples by thoroughly mixing.
    - The excavation soil samples will be handled and analyzed following the same procedures as described above.
    - The excavation will be backfilled with clean, locally procured topsoil.

Laboratory analytical results for the soil samples and subsequent findings will be provided within 90 days of the date of approval of this *Revised Proposed Remediation Work Plan* by the NMSLO in the follow-up *Remediation Closure Report*.

Upon completion of remediation activities, Site reclamation will proceed.

If you have any questions or comments, please contact Ms. Kelly Lowery at (214) 733-3165 or [klowery@ensolum.com](mailto:klowery@ensolum.com).

Sincerely,  
**Ensolum, LLC**



Kelly Lowery  
Project Geologist



Beaux Jennings  
Associate Principal

cc: Jessica Kent, Oxy  
New Mexico EMNRD OCD  
NMSLO

Oxy USA Inc.  
Revised Proposed Remediation Work Plan  
DiMaggio #003 Flowline

**Appendices:**

Figure 1 – Closure Criteria Map

Figure 2 – Proposed Delineation Soil Sample Locations

Initial C-141

Appendix A Referenced Well Records

Appendix B Photographic Log

Appendix C Archaeological Survey

Appendix D Biological Compliance



FIGURES



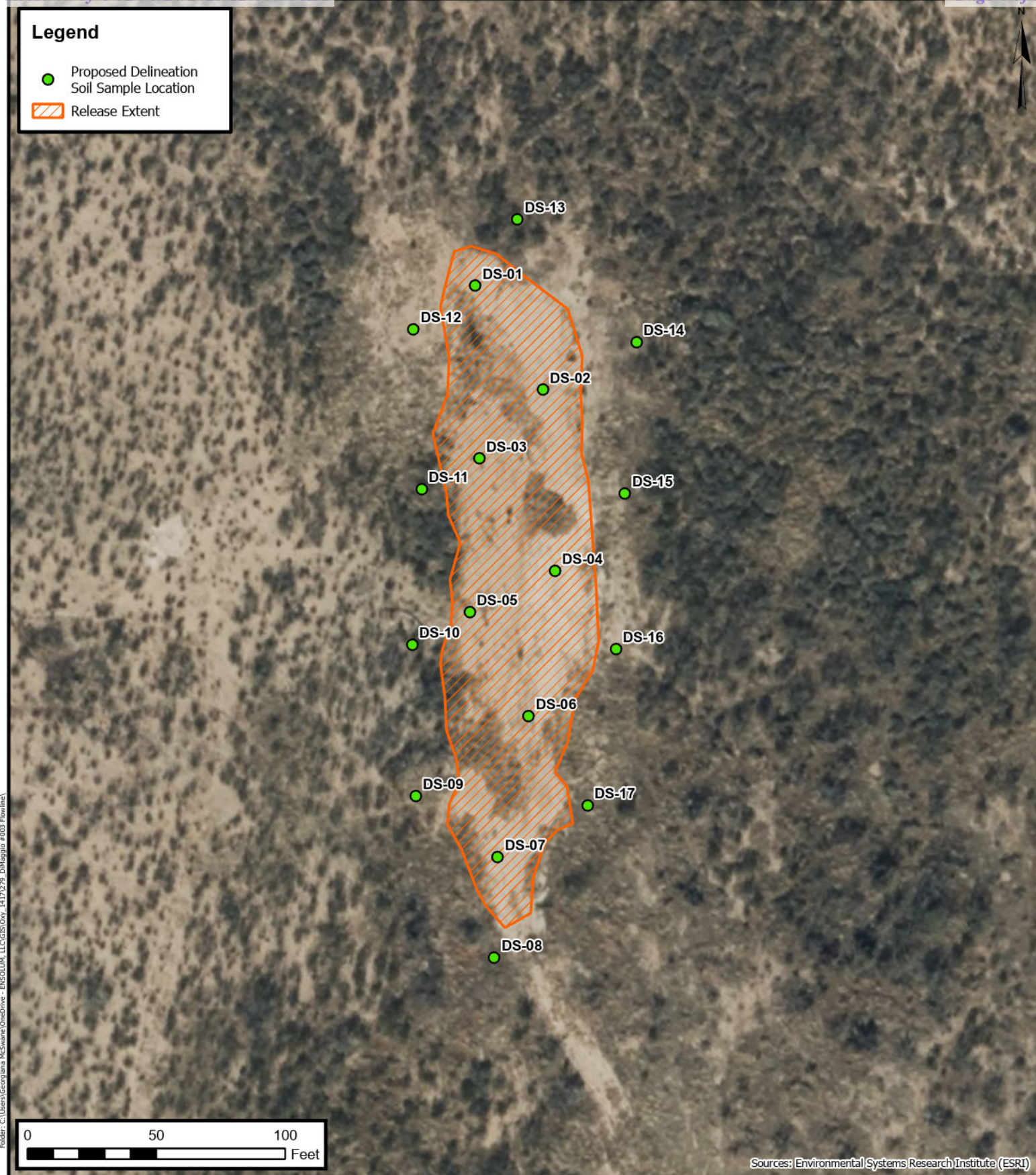
## Closure Criteria Map

Oxy USA Inc.  
DiMaggio #003 Flowline  
32.04217° N, 103.98561° W  
Eddy County, New Mexico

PROJECT NUMBER: 03B1417279

## FIGURE

1



## Delineation Soil Sample Locations Map

Oxy USA Inc.  
DiMaggio #003 Flowline  
32.04217° N, 103.98561° W  
Eddy County, New Mexico

PROJECT NUMBER: 03B1417279

**FIGURE**  
**2**



INITIAL C-141

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	NAB1924042811
District RP	2RP-5604
Facility ID	
Application ID	pAB1924042540

## Release Notification

### Responsible Party

Responsible Party OXY USA, Inc.	OGRID 16696
Contact Name Wade Dittrich	Contact Telephone (575)390-2828
Contact email Wade_Dittrich@oxy.com	Incident # (assigned by OCD) NAB1924042811
Contact mailing address P.O. Box 4295; Houston, TX 77210	

### Location of Release Source

Latitude 32.04217 Longitude -103.98561  
(NAD 83 in decimal degrees to 5 decimal places)

Site Name Dimaggio 0003 Flowline	Site Type Pipeline
Date Release Discovered 5/22/2019	API# (if applicable) 30-015-28266 (nearest well)

Unit Letter	Section	Township	Range	County
O	16	26S	29E	Eddy

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 checked="" type="checkbox"/> Crude Oil	Volume Released (bbls) 4	Volume Recovered (bbls) 0
<input checked="" type="checkbox"/> Produced Water	Volume Released (bbls) 4	Volume Recovered (bbls) 0
	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 Pipe fatigue in a section of a 4-inch poly production flowline.		

Form C-141

Page 2

State of New Mexico  
Oil Conservation Division

Incident ID	NAB1924042811
District RP	2RP-5604
Facility ID	
Application ID	pAB1924042540

Was this a major release as defined by 19.15.29.7(A) NMAC?

☐ Yes ☒ No

If YES, for what reason(s) does the responsible party consider this a major release?

If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)?

## Initial Response

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

- ☒ The source of the release has been stopped.
- ☒ The impacted area has been secured to protect human health and the environment.
- ☒ Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices.
- ☒ All free liquids and recoverable materials have been removed and managed appropriately.

If all the actions described above have not 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: Wade Dittrich

Title: Environmental Coordinator

Signature: 

Date: 5/23/2019

email: Wade\_Dittrich@oxy.com

Telephone: (575)390-2828

**OCD Only**

Received by: Amalia Bustamante

Date: 8/28/2019



## APPENDIX A

### Referenced Well Records

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# WELL RECORD & LOG

OFFICE OF THE STATE ENGINEER

[www.ose.state.nm.us](http://www.ose.state.nm.us)

1. GENERAL AND WELL LOCATION	OSE POD NO. (WELL NO.) POD 1 (TW-1)		WELL TAG ID NO. N/A		OSE FILE NO(S). C-4630			
	WELL OWNER NAME(S) Devon Energy				PHONE (OPTIONAL) 575-748-1838			
	WELL OWNER MAILING ADDRESS 6488 7 Rivers Hwy				CITY Artesia	STATE NM	ZIP 88210	
	WELL LOCATION (FROM GPS)	DEGREES 32	MINUTES 1	SECONDS 17.32	N	* ACCURACY REQUIRED: ONE TENTH OF A SECOND		
		LONGITUDE 103	58	30.17	W	* DATUM REQUIRED: WGS 84		
DESCRIPTION RELATING WELL LOCATION TO STREET ADDRESS AND COMMON LANDMARKS – PLSS (SECTION, TOWNSHIP, RANGE) WHERE AVAILABLE SW SE SW Sec.22 T26S R29S NMPM								
2. DRILLING & CASING INFORMATION	LICENSE NO. 1249		NAME OF LICENSED DRILLER Jackie D. Atkins			NAME OF WELL DRILLING COMPANY Atkins Engineering Associates, Inc.		
	DRILLING STARTED 6/15/2022		DRILLING ENDED 6/15/2022		DEPTH OF COMPLETED WELL (FT) Temporary Well	BORE HOLE DEPTH (FT) ±55	DEPTH WATER FIRST ENCOUNTERED (FT) n/a	
	COMPLETED WELL IS: <input type="checkbox"/> ARTESIAN <input checked="" type="checkbox"/> DRY HOLE <input type="checkbox"/> SHALLOW (UNCONFINED)					STATIC WATER LEVEL IN COMPLETED WELL (FT) n/a	DATE STATIC MEASURED 6/15/2022, 7/13/2022	
	DRILLING FLUID: <input type="checkbox"/> AIR <input type="checkbox"/> MUD ADDITIVES – SPECIFY:							
	DRILLING METHOD: <input type="checkbox"/> ROTARY <input type="checkbox"/> HAMMER <input type="checkbox"/> CABLE TOOL <input checked="" type="checkbox"/> OTHER – SPECIFY: Hollow Stem Auger					CHECK HERE IF PITLESS ADAPTER IS INSTALLED <input type="checkbox"/>		
	DEPTH (feet bgl)		BORE HOLE DIAM (inches)	CASING MATERIAL AND/OR GRADE (include each casing string, and note sections of screen)	CASING CONNECTION TYPE (add coupling diameter)	CASING INSIDE DIAM. (inches)	CASING WALL THICKNESS (inches)	SLOT SIZE (inches)
	FROM	TO						
	0	55	±6.5	Boring-HSA	--	--	--	--
3. ANNULAR MATERIAL	DEPTH (feet bgl)		BORE HOLE DIAM. (inches)	LIST ANNULAR SEAL MATERIAL AND GRAVEL PACK SIZE-RANGE BY INTERVAL	AMOUNT (cubic feet)	METHOD OF PLACEMENT		
	FROM	TO						

FOR OSE INTERNAL USE

WR-20 WELL RECORD & LOG (Version 01/28/2022)

FILE NO.	C-4630	POD NO.	POD 1	TRN NO.	746199
LOCATION	26S 29E 22 3.4.3	WELL TAG ID NO.	N/A	PAGE 1 OF 2	


OSE 071 JUL 15 2022 AM 11:34

4. HYDROGEOLOGIC LOG OF WELL	DEPTH (feet bgl)		THICKNESS (feet)	COLOR AND TYPE OF MATERIAL ENCOUNTERED - INCLUDE WATER-BEARING CAVITIES OR FRACTURE ZONES (attach supplemental sheets to fully describe all units)	WATER BEARING? (YES / NO)	ESTIMATED YIELD FOR WATER- BEARING ZONES (gpm)
	FROM	TO				
	0	14	14	Sand, Fine-grained, poorly graded, unconsolidated, with Caliche, 7.5 YR 7/6, Reddish Yellow	Y ✓ N	
	14	34	20	Caliche, Broken with fine-grained sand, 7.5 YR 7/6, Reddish Yellow	Y ✓ N	
	34	39	5	Sand, Fine-grained, poorly graded, 5 YR 5/6, Reddish Yellow	Y ✓ N	
	39	49	10	Sand, Fine-grained, poorly graded, unconsolidated, with clay, 7.5 YR 7/6, Reddish Yellow	Y ✓ N	
	49	55	6	Clay, Stiff, with fine-grained sand, 5 YR 5/6, Reddish Yellow	Y ✓ N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
					Y N	
METHOD USED TO ESTIMATE YIELD OF WATER-BEARING STRATA: <input type="checkbox"/> PUMP <input type="checkbox"/> AIR LIFT <input type="checkbox"/> BAILER <input type="checkbox"/> OTHER - SPECIFY:					TOTAL ESTIMATED WELL YIELD (gpm): 0.00	

5. TEST; RIG SUPERVISION	WELL TEST	TEST RESULTS - ATTACH A COPY OF DATA COLLECTED DURING WELL TESTING, INCLUDING DISCHARGE METHOD, START TIME, END TIME, AND A TABLE SHOWING DISCHARGE AND DRAWDOWN OVER THE TESTING PERIOD.
	MISCELLANEOUS INFORMATION: Temporary well material removed and soil boring backfilled using drill cuttings from total depth to ten feet below ground surface(bgs), then hydrated bentonite chips ten feet bgs to surface.	
	PRINT NAME(S) OF DRILL RIG SUPERVISOR(S) THAT PROVIDED ONSITE SUPERVISION OF WELL CONSTRUCTION OTHER THAN LICENSEE: Shane Eldridge, Cameron Pruitt	

6. SIGNATURE	THE UNDERSIGNED HEREBY CERTIFIES THAT, TO THE BEST OF HIS OR HER KNOWLEDGE AND BELIEF, THE FOREGOING IS A TRUE AND CORRECT RECORD OF THE ABOVE DESCRIBED HOLE AND THAT HE OR SHE WILL FILE THIS WELL RECORD WITH THE STATE ENGINEER AND THE PERMIT HOLDER WITHIN 30 DAYS AFTER COMPLETION OF WELL DRILLING:	
	 Jackie D. Atkins SIGNATURE OF DRILLER / PRINT SIGNEE NAME	7/15/2022 DATE

FOR USE INTERNAL USE

WR-20 WELL RECORD &amp; LOG (Version 01/28/2022)

FILE NO. C-4630	POD NO. TPOD1	TRN NO. 72619A
LOCATION 260 292 22 3.4-3	WELL TAG ID NO. DA	PAGE 2 OF 2



# PLUGGING RECORD



**NOTE: A Well Plugging Plan of Operations shall be approved by the State Engineer prior to plugging - 19.27.4 NMAC**

## I. GENERAL / WELL OWNERSHIP:

State Engineer Well Number: C-4630  
 Well owner: Devon Energy Phone No.: 575-748-1838  
 Mailing address: 6488 7 Rivers Hwy  
 City: Artesia State: New Mexico Zip code: 88210

## II. WELL PLUGGING INFORMATION:

- 1) Name of well drilling company that plugged well: Jackie D. Atkins ( Atkins Engineering Associates Inc.)
- 2) New Mexico Well Driller License No.: 1249 Expiration Date: 04/30/23
- 3) Well plugging activities were supervised by the following well driller(s)/rig supervisor(s): Shane Eldridge, Cameron Pruitt
- 4) Date well plugging began: 7/13/2022 Date well plugging concluded: 7/13/2022
- 5) GPS Well Location: Latitude: 32 deg, 1 min, 17.32 sec  
 Longitude: 103 deg, 58 min, 30.17 sec, WGS 84
- 6) Depth of well confirmed at initiation of plugging as: 51 ft below ground level (bgl),  
 by the following manner: water level probe
- 7) Static water level measured at initiation of plugging: n/a ft bgl
- 8) Date well plugging plan of operations was approved by the State Engineer: 5/23/2022
- 9) Were all plugging activities consistent with an approved plugging plan? Yes If not, please describe differences between the approved plugging plan and the well as it was plugged (attach additional pages as needed):

- For each interval plugged, describe within the following columns:**

**III. SIGNATURE:**

Jack Atkins

Date \_\_\_\_\_

05E DTJ JUL 15 2022 AM 11:34

agency_cd	site_no	station_nm	dec_lat_va	dec_long_va	dec_coord_datum_cd	state_cd	county_cd	Altitude_ft	alt_datum_cd	well_depth_va	gw_count_nu	lev_dt	lev_va	x	y
USGS	320301103572201	26S.29E.16.213241	32.0504026	-103.9565928	NAD83	35	15	2958	NAVD88	335	5	1/17/1978	123.62	598503.8316000002	3546498.461



## APPENDIX B

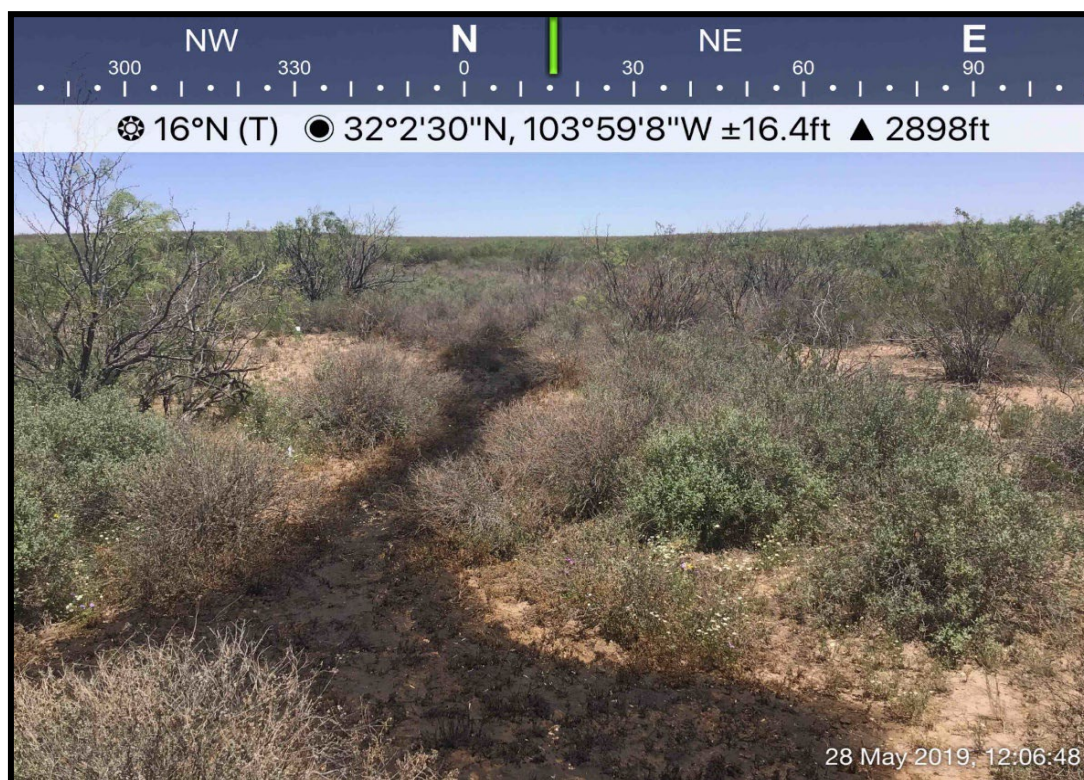
### Photographic Log

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Project: DiMaggio #003 Flowline  
Entity: Oxy USA, Inc.  
Incident ID: nAB1924042811



View of initial release, facing northeast (May 28, 2019).



View of initial release, facing north (May 28, 2019).

Project: DiMaggio #003 Flowline  
Entity: Oxy USA, Inc.  
Incident ID: nAB1924042811



View of initial release, facing northwest (May 28, 2019).



View of initial release, facing south (May 28, 2019).

Project: DiMaggio #003 Flowline  
Entity: Oxy USA, Inc.  
Incident ID: nAB1924042811



View of initial release, facing southwest (May 28, 2019).



View of initial release, facing south (May 28, 2019).

Project: DiMaggio #003 Flowline  
Entity: Oxy USA, Inc.  
Incident ID: nAB1924042811



View of former release extent and vegetative scar, facing north (February 14, 2025).



View of former release extent and vegetative scar, facing south (February 14, 2025).

Project: DiMaggio #003 Flowline  
Entity: Oxy USA, Inc.  
Incident ID: nAB1924042811



View of former release extent and vegetative scar, facing north (February 14, 2025).



View of former release extent and vegetative scar, facing southeast (February 14, 2025).



## APPENDIX C

### Archaeological Survey

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Stephanie Garcia Richard, Commissioner of Public Lands  
State of New Mexico

## NMSLO Cultural Resources Cover Sheet Exhibit

**NMCRIS Activity Number:**

(if applicable)

**Exhibit Type** (select one)

**ARMS Inspection/Review** - Summarize the results (select one):

- (A) The entire area of potential effect or project area has been previously surveyed to current standards and **no cultural properties** were found within the survey area.
- (B) The entire area of potential effect or project area has been previously surveyed to current standards and **cultural properties were found** within the survey area.
- (C) The entire area of potential effect or project area has **not** been previously surveyed or **has not been surveyed** to current standards. A complete archaeological survey will be conducted and submitted for review.

### Archaeological Survey

**Findings:**

**Negative** - No further archaeological review is required.

**Positive** - Have avoidance and protection measures been devised? Select one:

**Comments:**

### Project Details:

NMSLO Lease Number (if available):

Cultural Resources Consultant:

Project Proponent (Applicant):

Project Title/Description:

### Project Location:

County(ies):

PLSS/Section/Township/Range):

---

### *For NMSLO Agency Use Only:*

NMSLO Lease Number:

Acknowledgment-Only:

Lease Analyst:

Date Exhibit Routed to Cultural Resources Office:

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*No person may alter the wording of the questions or layout of the cover sheet. The completion of this cover sheet by itself does not authorize anyone to engage in new surface disturbing activity before the review and approvals required by the Cultural Properties Protections Rule.*

Form Revised 12 22



## APPENDIX D

### Biological Compliance

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## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
New Mexico Ecological Services Field Office  
2105 Osuna Road Ne  
Albuquerque, NM 87113-1001  
Phone: (505) 346-2525 Fax: (505) 346-2542



In Reply Refer To:  
Project Code: 2025-0057958  
Project Name: DiMaggio #003 Flowline

02/18/2025 20:35:29 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Thank you for your recent request for information on federally listed species and important wildlife habitats that may occur in your project area. The U.S. Fish and Wildlife Service (Service) has responsibility for certain species of New Mexico wildlife under the Endangered Species Act (ESA) of 1973 as amended (16 USC 1531 et seq.), the Migratory Bird Treaty Act as amended (16 USC 701-715), and the Bald and Golden Eagle Protection Act as amended (16 USC 668-668(c)). We are providing the following guidance to assist you in determining which federally imperiled species may or may not occur within your project area, and to recommend some conservation measures that can be included in your project design.

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the ESA of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the ESA is to provide a means whereby threatened and endangered species and

the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the ESA and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (NEPA; 42 USC 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>.

### **Candidate Species and Other Sensitive Species**

A list of candidate and other sensitive species in your area is also attached. Candidate species and other sensitive species are species that have no legal protection under the ESA, although we recommend that candidate and other sensitive species be included in your surveys and considered for planning purposes. The Service monitors the status of these species. If significant declines occur, these species could potentially be listed. Therefore, actions that may contribute to their decline should be avoided.

Lists of sensitive species including State-listed endangered and threatened species are compiled by New Mexico State agencies. These lists, along with species information, can be found at the following websites.

Biota Information System of New Mexico (BISON-M): [www.bison-m.org](http://www.bison-m.org)

New Mexico State Forestry. The New Mexico Endangered Plant Program:  
<https://www.emnrd.nm.gov/sfd/rare-plants/>

New Mexico Rare Plant Technical Council, New Mexico Rare Plants: [nmrareplants.unm.edu](http://nmrareplants.unm.edu)

Natural Heritage New Mexico, online species database: [nhnm.unm.edu](http://nhnm.unm.edu)

## WETLANDS AND FLOODPLAINS

Under Executive Orders 11988 and 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands and floodplains, and preserve and enhance their natural and beneficial values. These habitats should be conserved through avoidance, or mitigated to ensure that there would be no net loss of wetlands function and value.

We encourage you to use the National Wetland Inventory (NWI) maps in conjunction with ground-truthing to identify wetlands occurring in your project area. The Service's NWI program website, [www.fws.gov/wetlands/Data/Mapper.html](http://www.fws.gov/wetlands/Data/Mapper.html), integrates digital map data with other resource information. We also recommend you contact the U.S. Army Corps of Engineers for permitting requirements under section 404 of the Clean Water Act if your proposed action could impact floodplains or wetlands.

## MIGRATORY BIRDS

In addition to responsibilities to protect threatened and endangered species under the ESA, there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the Service (50 CFR 10.12 and 16 USC 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a Federal nexus) or a Bird/Eagle Conservation Plan (when there is no Federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>. We also recommend review of the Birds of Conservation Concern list (<https://www.fws.gov/media/birds-conservation-concern-2021>) to fully evaluate the effects to the birds at your site. This list identifies migratory and non-migratory bird species (beyond those already designated as federally threatened or endangered) that represent top conservation priorities for the Service, and are potentially threatened by disturbance, habitat impacts, or other project development activities.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 thereby provides additional protection for both migratory birds and migratory bird habitat. Please visit <https://www.fws.gov/partner/council-conservation-migratory-birds> for information regarding the implementation of Executive Order 13186.

Project code: 2025-0057958

02/18/2025 20:35:29 UTC

We suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division for information regarding State protected and at-risk species fish, wildlife, and plants.

For further consultation with the Service we recommend submitting inquiries or assessments electronically to our incoming email box at [nmesfo@fws.gov](mailto:nmesfo@fws.gov), where it will be more promptly routed to the appropriate biologist for review.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New Mexico Ecological Services Field Office**

2105 Osuna Road Ne  
Albuquerque, NM 87113-1001  
(505) 346-2525

Project code: 2025-0057958

02/18/2025 20:35:29 UTC

## PROJECT SUMMARY

Project Code: 2025-0057958

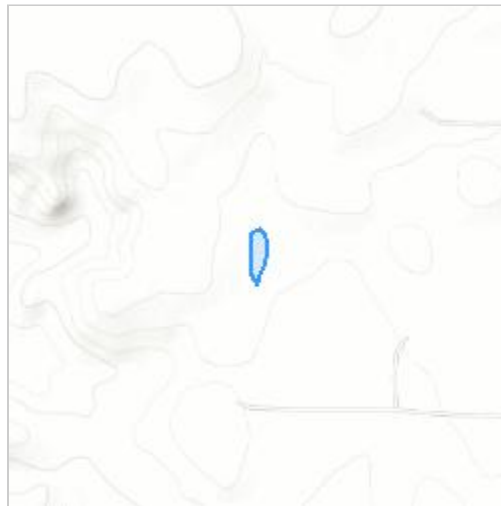
Project Name: DiMaggio #003 Flowline

Project Type: Pipeline - Onshore - Maintenance / Modification - Below Ground

Project Description: A remediation project for a spill that took place in May 2019. There was a total of 4 bbls of produced water and 4 bbls of oil released. Remediation efforts are still ongoing.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@32.04194295,-103.9855458530026,14z>



Counties: Eddy County, New Mexico

## ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Project code: 2025-0057958

02/18/2025 20:35:29 UTC

**BIRDS**

NAME	STATUS
<p>Mexican Spotted Owl <i>Strix occidentalis lucida</i></p> <p>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: <a href="https://ecos.fws.gov/ecp/species/8196">https://ecos.fws.gov/ecp/species/8196</a></p>	Threatened
<p>Northern Aplomado Falcon <i>Falco femoralis septentrionalis</i></p> <p>Population: U.S.A (AZ, NM)</p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: <a href="https://ecos.fws.gov/ecp/species/1923">https://ecos.fws.gov/ecp/species/1923</a></p>	Experimental Population, Non- Essential
<p>Piping Plover <i>Charadrius melodus</i></p> <p>Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered.</p> <p>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a></p>	Threatened

**INSECTS**

NAME	STATUS
<p>Monarch Butterfly <i>Danaus plexippus</i></p> <p>There is <b>proposed</b> critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a></p>	Proposed Threatened

**FLOWERING PLANTS**

NAME	STATUS
<p>Lee Pincushion Cactus <i>Coryphantha sneedii</i> var. <i>leei</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: <a href="https://ecos.fws.gov/ecp/species/2504">https://ecos.fws.gov/ecp/species/2504</a></p>	Threatened
<p>Sneed Pincushion Cactus <i>Coryphantha sneedii</i> var. <i>sneedii</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: <a href="https://ecos.fws.gov/ecp/species/4706">https://ecos.fws.gov/ecp/species/4706</a></p>	Endangered

**CRITICAL HABITATS**

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

Project code: 2025-0057958

02/18/2025 20:35:29 UTC

## **IPAC USER CONTACT INFORMATION**

Agency: Private Entity  
Name: Trevor Hartwig  
Address: 11049 West 44th Avenue  
City: Wheat Ridge  
State: CO  
Zip: 80033  
Email: thartwig@ensolum.com  
Phone: 3038172989



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**PROJECT INFORMATION**

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**Project Title:** DiMaggio #003 Flowline  
**Project Type:** (NO PROJECT REVIEW) SPECIES LIST ONLY  
**Latitude/Longitude (DMS):** 32.041986 / -103.985586  
**County(s):** EDDY  
**Project Description:** A remediation project for a spill that took place in May 2019. There was a total of 4 bbls or produced water and 4 bbls of oil released. Remediation efforts are still ongoing.

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**REQUESTOR INFORMATION**

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**Project Organization:**  
**Contact Name:** Trevor Hartwig  
**Email Address:** thartwig@ensolum.com  
**Organization:** Ensolum, LLC  
**Address:** 11049 West 44th Avenue, Wheat Ridge CO 80033  
**Phone:** 3038172989

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**OVERALL STATUS**

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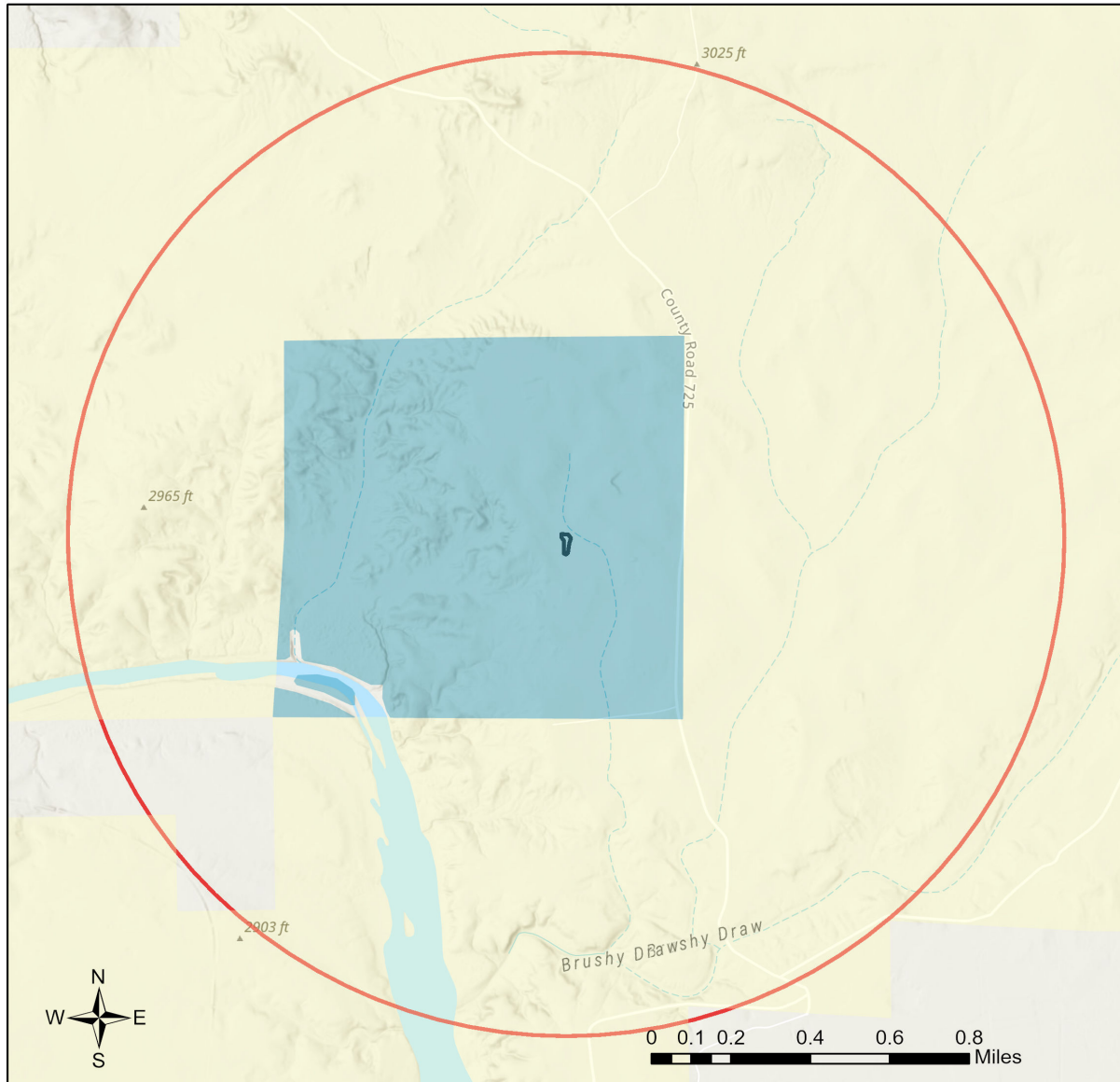
The information contained within this report comprises the recommendations of the New Mexico Department of Game and Fish (Department) for management and mitigation of proposed project impacts to wildlife and habitat resources; see the Project Recommendations section below for further details. No further consultation with the Department is required based on the project's location and, with implementation of mitigation measures described in the Project Recommendations section below, no adverse effects to wildlife or important habitats are anticipated. However, a Department biologist may be in touch within 30 days if they determine that further review is required.

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**About this report:**

- This environmental review is based on the project description and location that was entered. The report must be updated if the project type, area, or operational components are modified.
- This is a preliminary environmental screening assessment and report. It is not a substitute for the potential wildlife knowledge gained by having a biologist conduct a field survey of the project area. Federal status and plant data are provided as a courtesy to users. The review is also not intended to replace consultation required under the federal Endangered Species Act (ESA), including impact analyses for federal resources from the U.S. Fish and Wildlife Service (USFWS) using their [Information for Planning and Consultation tool](#).
- This report contains information on wildlife species protected under the ESA and the [Wildlife Conservation Act \(WCA\)](#), [Species of Greatest Conservation Need \(SGCN\)](#), and Species of Economic and Recreational Importance (SERI). Species listed under the ESA are protected from take at the federal level and under the WCA are protected from take at the state level. SGCN are identified in the [State Wildlife Action Plan \(SWAP\) for New Mexico](#); all of these species are considered to be of conservation concern but not all of them are protected from take at the state or federal level. The harvest of all SERI is regulated at the state level. The Department has no authority to designate critical habitat for species listed under the WCA; only the USFWS can designate critical habitat for species listed under the ESA.
- The New Mexico Environmental Review Tool (ERT) utilizes species observation locations and species habitat suitability models, both of which are subject to ongoing change and refinement. Inclusion or omission of a species within a report cannot guarantee species presence or absence within your project area. To determine occurrence of any species listed in this report, or other wildlife that may be present within your project area, onsite surveys conducted by a qualified biologist during appropriate, species-specific survey timelines may be necessary.
- The Department encourages use of the ERT to modify proposed projects for avoidance, minimization, or mitigation of wildlife impacts. However, the ERT is not intended to be used in a repeatedly iterative fashion to adjust project attributes until a previously determined recommendation is generated. The ERT serves to assess impacts once project details are developed. The [New Mexico Crucial Habitat Assessment Tool](#), the data layers from which are included in the ERT, is the appropriate system for advising early-stage project planning and design to avoid areas of anticipated wildlife concerns and associated regulatory requirements.

## DiMaggio #003 Flowline



NHNM, USGS, USFS, US Census Bureau, NMDGF  
Esri, NASA, NGA, USGS, FEMA  
Texas Parks & Wildlife, CONANP, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

## Special Status Animal Species Potentially within 2000 Meters of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMDGF (WCA)	NMDGF SGCN/SERI	USFS	USFS SCC	BLM
<a href="#">Boreal Chorus Frog</a>	<a href="#">Pseudacris maculata</a>			SGCN			
<a href="#">Barking Frog</a>	<a href="#">Craugastor augusti</a>			SGCN			
<a href="#">Plains Leopard Frog</a>	<a href="#">Lithobates blairi</a>			SGCN			BLM WATCH
<a href="#">Fared Grebe</a>	<a href="#">Podiceps nigricollis</a>			SGCN			
<a href="#">Clark's Grebe</a>	<a href="#">Aechmophorus clarkii</a>			SGCN			
<a href="#">American Bittern</a>	<a href="#">Botaurus lentiginosus</a>			SGCN			BLM WATCH
<a href="#">Bald Eagle</a>	<a href="#">Haliaeetus leucocephalus</a>		T	SGCN	Sensitive Species		BLM SENSITIVE
<a href="#">Aplomado Falcon</a>	<a href="#">Falco femoralis</a>		E	SGCN			
<a href="#">Peregrine Falcon</a>	<a href="#">Falco peregrinus</a>		T	SGCN			BLM WATCH
<a href="#">Snowy Plover</a>	<a href="#">Charadrius nivosus nivosus</a>			SGCN			
<a href="#">Elf Owl</a>	<a href="#">Micrathene whitneyi</a>			SGCN			BLM WATCH
<a href="#">Western Burrowing Owl</a>	<a href="#">Athene cunicularia hypugaea</a>			SGCN	Sensitive Species	USFS R3 SCC	BLM SENSITIVE
<a href="#">Common Nighthawk</a>	<a href="#">Chordeiles minor</a>			SGCN			
<a href="#">Lewis's Woodpecker</a>	<a href="#">Melanerpes lewis</a>			SGCN		USFS R3 SCC	BLM WATCH
<a href="#">Bank Swallow</a>	<a href="#">Riparia riparia</a>			SGCN			
<a href="#">Pinyon Jay</a>	<a href="#">Gymnorhinus cyanocephalus</a>			SGCN		USFS R3 SCC	BLM SENSITIVE
<a href="#">Pygmy Nuthatch</a>	<a href="#">Sitta pygmaea</a>			SGCN			
<a href="#">Sprague's Pipit</a>	<a href="#">Anthus spragueii</a>			SGCN			BLM SENSITIVE
<a href="#">Loggerhead Shrike</a>	<a href="#">Lanius ludovicianus</a>			SGCN		USFS R3 SCC	BLM WATCH
<a href="#">Bell's Vireo</a>	<a href="#">Vireo bellii</a>		T	SGCN			BLM SENSITIVE
<a href="#">Black-Throated Gray Warbler</a>	<a href="#">Setophaga nigrescens</a>			SGCN			BLM WATCH
<a href="#">Vesper Sparrow</a>	<a href="#">Poocetes gramineus</a>			SGCN			
<a href="#">Thick-billed Longspur</a>	<a href="#">Rhynchophanes mccownii</a>			SGCN			BLM SENSITIVE

## Special Status Animal Species Potentially within 2000 Meters of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMDGF (WCA)	NMDGF SGCN/SERI	USFS	USFS SCC	BLM
<a href="#">Chestnut-Collared Longspur</a>	<a href="#">Calcarius ornatus</a>			SGCN			BLM SENSITIVE
<a href="#">Blue Sucker</a>	<a href="#">Cycleptus elongatus</a>		E	SGCN			BLM SENSITIVE
<a href="#">Gray Redhorse</a>	<a href="#">Moxostoma congestum</a>		E	SGCN			BLM SENSITIVE
<a href="#">Channel Catfish</a>	<a href="#">Ictalurus punctatus</a>			SERI			
<a href="#">Largemouth Bass</a>	<a href="#">Micropterus salmoides</a>			SERI			
<a href="#">Least Shrew</a>	<a href="#">Cryptotis parva</a>		T	SGCN			BLM WATCH
<a href="#">Spotted Bat</a>	<a href="#">Euderma maculatum</a>		T	SGCN	Sensitive Species	USFS R3 SCC	BLM SENSITIVE
<a href="#">Black-Tailed Prairie Dog</a>	<a href="#">Cynomys ludovicianus</a>			SGCN	Sensitive Species		BLM SENSITIVE
<a href="#">Pronghorn</a>	<a href="#">Antilocapra americana</a>			SGCN			
<a href="#">Western River Cooter</a>	<a href="#">Pseudemys gorzugi</a>		T	SGCN			BLM SENSITIVE
<a href="#">Gray-Banded Kingsnake</a>	<a href="#">Lampropeltis alterna</a>		E	SGCN			BLM WATCH
<a href="#">Plainbelly Water Snake</a>	<a href="#">Nerodia erythrogaster</a>		E	SGCN			
<a href="#">Western Ribbon Snake</a>	<a href="#">Thamnophis proximus</a>		T	SGCN	Sensitive Species		
<a href="#">Desert Massasauga</a>	<a href="#">Sistrurus catenatus edwardsii</a>			SGCN			

Common Name hyperlink takes you to species account in [bison-m.org](https://www.bison-m.org/); Scientific Name hyperlink takes you to information in [NatureServe Explorer](#); ESA = Endangered Species Act, C = Candidate, LE = Listed Endangered, LT = Listed Threatened, XN = Non-essential Experimental Population, for other ESA codes see this [website](#); WCA = Wildlife Conservation Act, E = Endangered, T = Threatened; SERI = Species of Economic and Recreational Importance; SGCN = Species of Greatest Conservation Need; USFS = U.S. Forest Service, Sensitive Species = A species likely to occur on USFS lands that is of concern for a potential reduction in population viability; SCC = Species of Conservation Concern; BLM = Bureau of Land Management, BLM SENSITIVE = A species that occurs on BLM lands and whose viability is at risk, BLM WATCH = Species that may be added to the sensitive species list in future pending new information regarding species status.

## Special Status Plant Species Potentially within 2000 Meters of Project Area

Common Name	Scientific Name	USFWS (ESA)	NMAC	NMRPCS	USFS	USFS SCC	BLM
<a href="#">Scheer's Pincushion Cactus</a>	<a href="#">Coryphantha robustispina ssp. scheeri</a>		E	SS			BLM SENSITIVE

NMAC = New Mexico Administrative Code, E = Endangered; NMRPCS = [New Mexico Rare Plant Conservation Strategy](#), SS = NM Rare Plant Conservation

Strategy Species; USFS = U.S. Forest Service, Sensitive Species = A species likely to occur on USFS lands that is of concern for a potential reduction in population viability; SCC = Species of Conservation Concern; BLM = Bureau of Land Management, BLM SENSITIVE = A species that occurs on BLM lands and whose viability is at risk, BLM WATCH = Species that may be added to the sensitive species list in future pending new information regarding species status.

## Project Recommendations

This report includes a preliminary species list that may be used during early stages of project or conservation planning. Even if this report indicates that your proposed project location would require a custom review from a biologist, **no review will be returned** until additional project details are provided. **To obtain a project review**, please submit additional details regarding the **type** of project, project **objectives**, anticipated project **duration**, **timing** of project construction, the composition and dimensions/quantities of **materials** that will be utilized for project implementation, any **equipment** that will be used, anticipated **ground disturbance** that will occur, wildlife surveys or observations that have occurred on or near the project site, and **any other relevant details** regarding potential effects of project activities on wildlife or wildlife habitat. **Photographs** of the project site are especially useful.

Although this project report may include management recommendations based on the project location, additional conservation measures may be needed. The Department can not fully assess potential effects and associated management recommendations until a **project type and description** have been submitted and an appropriate **impact buffer** for that project type has been applied. Also, the species list within this report represents an estimation of special status species that could be present at the site of a small-scale project. Species lists for projects that occur across **broader geographic scales** (e.g., one or more counties, multiple habitat types) are more appropriately obtained from the **Department's Biota Information System of New Mexico (BISON-M) database**. Species lists generated by the ERT may contain modeled species distributions in order to predict species occurrences within areas that lack previous wildlife inventories or surveys. This list can be refined using occurrence-based information within BISON-M regarding wildlife-habitat relationships and biological needs for species that might be present within the project footprint.

Burrowing owl (*Athene cunicularia*) may occur within your project area. Burrowing owls are protected from take by the Migratory Bird Treaty Act and under New Mexico state statute. Before any ground disturbing activities occur, the Department recommends that a preliminary burrowing owl survey be conducted by a qualified biologist using the Department's [Burrowing Owl Survey Protocol](#). Should burrowing owls be documented in the project area, please contact the Department or USFWS for further recommendations regarding relocation or avoidance of impacts.

Prairie dog colonies may occur within the vicinity of your project area. Both black-tailed prairie dogs (*Cynomys ludovicianus*) and Gunnison's prairie dogs (*Cynomys gunnisoni*) are designated as New Mexico SGCN, and their colonies provide important habitat for other grassland wildlife. Wherever possible, occupied prairie dog colonies should be left undisturbed, and all project activities should be directed off the colony. Any burrows that are located on the project site should be surveyed by a qualified biologist to determine whether burrows are active or inactive and whether burrowing owls may be utilizing the site. Colonies within the range of the black-tailed prairie dog can be surveyed by a qualified biologist diurnally, year-round using binoculars. Colonies within the range of the Gunnison's prairie dog can be surveyed by a qualified biologist diurnally, using binoculars during the warmer months from April through October and by searching for fairly fresh scat and lack of cobwebs or debris at the mouths of burrows during the cold months (November through March). If ground-disturbing activities cannot be relocated off the prairie dog colony, or if project activities involve control of prairie dogs, the Department recommends live-trapping and relocation of prairie dogs. The Department can provide recommendations regarding suitability of potential translocation areas and procedures.

The proposed project occurs within or near a riparian area. Because riparian areas are important wildlife habitats, the project footprint should avoid removing any riparian vegetation or creating ground disturbance either directly within or affecting the riparian area, unless the project is intended to restore riparian habitat through non-native plant removal and replanting with native species. If your project involves removal of non-native riparian trees or planting of native riparian vegetation, please refer to the Department's habitat handbook guideline for [Restoration and Management of Native and Non-native Trees in Southwestern Riparian Ecosystems](#). The [New Mexico Riparian Habitat Map \(NMRipMap\)](#) may also provide useful information on local riparian habitat composition and structure.

**Disclaimers regarding recommendations:**

- The Department provides technical guidance to support the persistence of all protected species of native fish and wildlife, including game and nongame wildlife species. Species listed within this report include those that have been documented to occur within the project area, and others that may not have been documented but are projected to occur within the project vicinity.
- Recommendations are provided by the Department under the authority of § 17-1-5.1 New Mexico Statutes Annotated 1978, to provide "communication and consultation with federal and other state agencies, local governments and communities, private organizations and affected interests responsible for habitat, wilderness, recreation, water quality and environmental protection to ensure comprehensive conservation services for hunters, anglers and nonconsumptive wildlife users".
- The Department has no authority for management of plants or Important Plant Areas. The [New Mexico Endangered Plant Program](#), under the Energy, Minerals, and Natural Resources Department's Forestry Division, identifies and develops conservation measures necessary to ensure the survival of plant species within New Mexico. Plant status information is provided within this report as a courtesy to users. Recommendations provided within the ERT may not be sufficient to preclude impacts to rare or sensitive plants, unless conservation measures are identified in coordination with the Endangered Plant Program.
- Additional coordination and/or consultation may also be necessary under the federal ESA or National Environmental Policy Act (NEPA). Further site-specific mitigation recommendations may be proposed during ESA consultation and/or NEPA analyses or through coordination with affected federal agencies.



## DiMaggio #003 Flowline



February 18, 2025

**Wetlands**

	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
			Freshwater Pond		Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

PN

Onsite: Azad Vojdani

Equipment: Truck, hand tools, hand Auger, PID, Trimble, Sample kit, tablet

Weather: Clear, sunny, Curr: 55°F, hi: 65°F

Scope: Identify the supposed water feature to the NW of the Pad. Take Plenty of Photos, Survey for Lee's Pincushion Cactus, Sneed's pincushion, & Scheers beehive cactus. Also, investigate that the Proposed "riverine" is non continuous

0715 Arrived @ office

0740 Traveled to site

0850 Arrived onsite, Hazard Analysis

0855 Filled SWP for oxy

0905 Began survey

1105 finished Survey, Communicated w/ PM

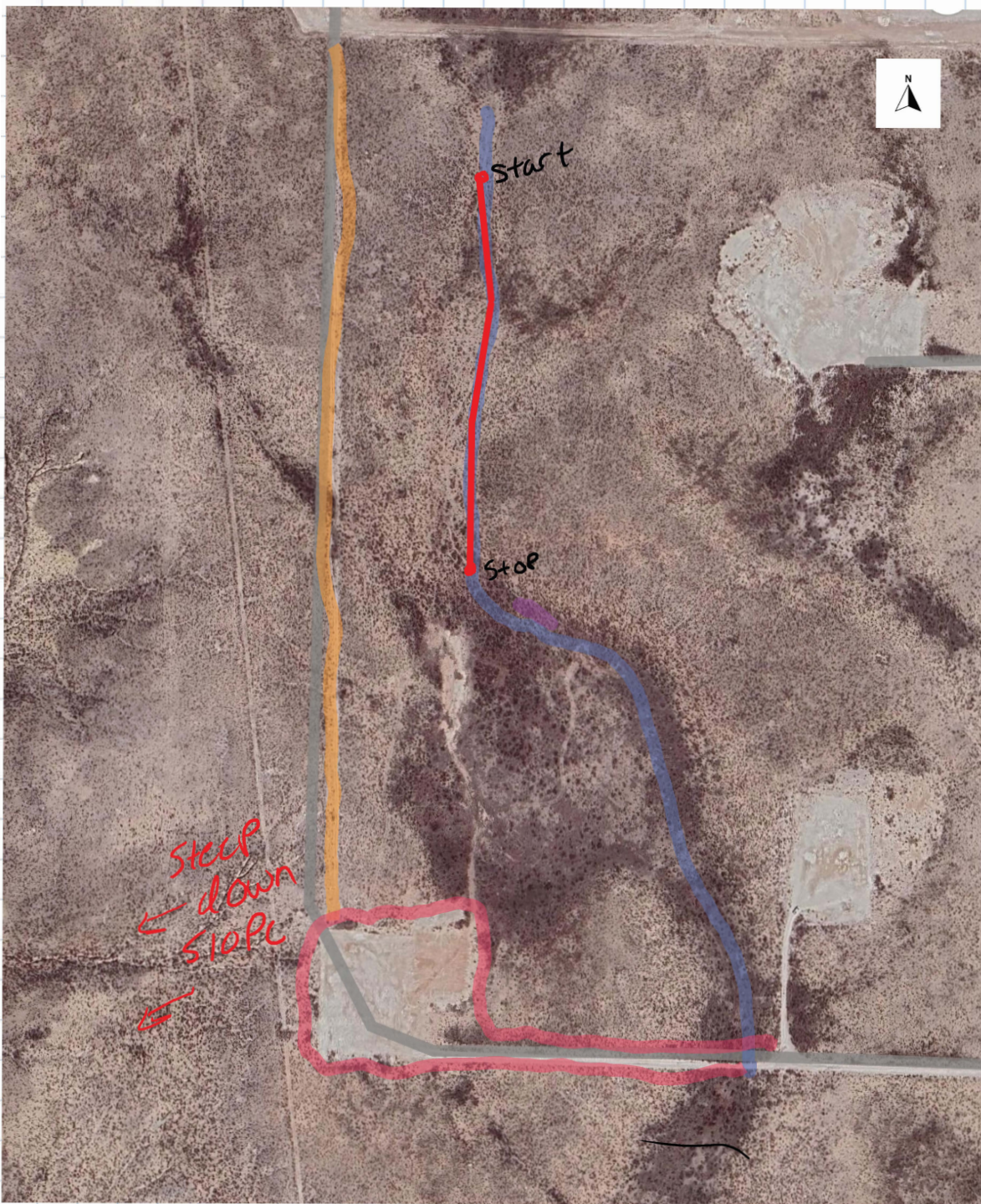
1108 Completed notes

\* See Page 2 for site Notes & MAP

02/27/2025



# Site MAP



## Legend

- Proposed flow path
- Water Pooling area
- Two track Tresspass
- P<sub>3</sub>A well Pad Boundary
- defined Bank/bed formation

## Notes

- To NW bank/bed formation is ID'd on Map
- South of stop location it was difficult to see any distinct water flow pattern
- despite presence of some possible indicative wetland species such as Boute loug CurtiPendula (side oats grama)

This would not classify as a riparian or "riverine" ecosystem

- Dominant veg species consists of creosote, honey mesquite, crown-of-thorns, Yucca, Perennial Grasses: muhly, Bristlegrass, sideoats grama (trace),  $\frac{1}{2}$  black grama
- Only cacti present were Opuntia macrocentra,  $\frac{1}{2}$  cylindropuntia imbricata

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QUESTIONS

Action 461613

**QUESTIONS**

Operator: OXY USA INC P.O. Box 4294 Houston, TX 772104294	OGRID: 16696
	Action Number: 461613
	Action Type: [C-141] Site Char./Remediation Plan C-141 (C-141-v-Plan)

**QUESTIONS**

<b>Prerequisites</b>	
Incident ID (n#)	nAB1924042811
Incident Name	NAB1924042811 DIMAGGIO #003 FLOWLINE @ 30-015-28266
Incident Type	Produced Water Release
Incident Status	Remediation Plan Received
Incident Well	[30-015-28266] DIMAGGIO #003

**Location of Release Source**

Please answer all the questions in this group.

Site Name	DIMAGGIO #003 FLOWLINE
Date Release Discovered	05/22/2019
Surface Owner	State

**Incident Details**

Please answer all the questions in this group.

Incident Type	Produced Water Release
Did this release result in a fire or is the result of a fire	No
Did this release result in any injuries	No
Has this release reached or does it have a reasonable probability of reaching a watercourse	No
Has this release endangered or does it have a reasonable probability of endangering public health	No
Has this release substantially damaged or will it substantially damage property or the environment	No
Is this release of a volume that is or may with reasonable probability be detrimental to fresh water	No

**Nature and Volume of Release**

Material(s) released, please answer all that apply below. Any calculations or specific justifications for the volumes provided should be attached to the follow-up C-141 submission.

Crude Oil Released (bbls) Details	Cause: Equipment Failure   Flow Line - Production   Crude Oil   Released: 4 BBL   Recovered: 0 BBL   Lost: 4 BBL.
Produced Water Released (bbls) Details	Cause: Equipment Failure   Flow Line - Production   Produced Water   Released: 4 BBL   Recovered: 0 BBL   Lost: 4 BBL.
Is the concentration of chloride in the produced water >10,000 mg/l	Yes
Condensate Released (bbls) Details	Not answered.
Natural Gas Vented (Mcf) Details	Not answered.
Natural Gas Flared (Mcf) Details	Not answered.
Other Released Details	Not answered.
Are there additional details for the questions above (i.e. any answer containing Other, Specify, Unknown, and/or Fire, or any negative lost amounts)	Not answered.

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QUESTIONS, Page 2

Action 461613

**QUESTIONS (continued)**

Operator: OXY USA INC P.O. Box 4294 Houston, TX 772104294	OGRID: 16696
	Action Number: 461613
	Action Type: [C-141] Site Char./Remediation Plan C-141 (C-141-v-Plan)

**QUESTIONS**

<b>Nature and Volume of Release (continued)</b>	
Is this a gas only submission (i.e. only significant Mcf values reported)	<b>No, according to supplied volumes this does not appear to be a "gas only" report.</b>
Was this a major release as defined by Subsection A of 19.15.29.7 NMAC	<b>No</b>
Reasons why this would be considered a submission for a notification of a major release	<i>Unavailable.</i>
<i>With the implementation of the 19.15.27 NMAC (05/25/2021), venting and/or flaring of natural gas (i.e. gas only) are to be submitted on the C-129 form.</i>	

**Initial Response**

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

The source of the release has been stopped	<b>True</b>
The impacted area has been secured to protect human health and the environment	<b>True</b>
Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices	<b>True</b>
All free liquids and recoverable materials have been removed and managed appropriately	<b>True</b>
If all the actions described above have not been undertaken, explain why	<i>Not answered.</i>

*Per Paragraph (4) of Subsection B of 19.15.29.8 NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please prepare and attach a narrative of actions to date in the follow-up C-141 submission. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC), please prepare and attach all information needed for closure evaluation in the follow-up C-141 submission.*

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.

I hereby agree and sign off to the above statement	Name: Jessica Kent Title: Eng Staff Environmental Email: <a href="mailto:jessica_kent@oxy.com">jessica_kent@oxy.com</a> Date: 05/13/2025
--	---

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QUESTIONS, Page 3

Action 461613

**QUESTIONS (continued)**

Operator: OXY USA INC P.O. Box 4294 Houston, TX 772104294	OGRID: 16696
	Action Number: 461613
	Action Type: [C-141] Site Char./Remediation Plan C-141 (C-141-v-Plan)

**QUESTIONS**

<b>Site Characterization</b>	
<i>Please answer all the questions in this group (only required when seeking remediation plan approval and beyond). This information must be provided to the appropriate district office no later than 90 days after the release discovery date.</i>	
What is the shallowest depth to groundwater beneath the area affected by the release in feet below ground surface (ft bgs)	Between 100 and 500 (ft.)
What method was used to determine the depth to ground water	U.S. Geological Survey
Did this release impact groundwater or surface water	No
<b>What is the minimum distance, between the closest lateral extents of the release and the following surface areas:</b>	
A continuously flowing watercourse or any other significant watercourse	Between 100 and 200 (ft.)
Any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)	Between 1 and 5 (mi.)
An occupied permanent residence, school, hospital, institution, or church	Greater than 5 (mi.)
A spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes	Between 1 and 5 (mi.)
Any other fresh water well or spring	Between 1 and 5 (mi.)
Incorporated municipal boundaries or a defined municipal fresh water well field	Greater than 5 (mi.)
A wetland	Between 100 and 200 (ft.)
A subsurface mine	Between 1 and 5 (mi.)
An (non-karst) unstable area	Zero feet, overlying, or within area
Categorize the risk of this well / site being in a karst geology	Medium
A 100-year floodplain	Between 1000 (ft.) and ½ (mi.)
Did the release impact areas not on an exploration, development, production, or storage site	Yes

<b>Remediation Plan</b>	
<i>Please answer all the questions that apply or are indicated. This information must be provided to the appropriate district office no later than 90 days after the release discovery date.</i>	
Requesting a remediation plan approval with this submission	Yes
<i>Attach a comprehensive report demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined, pursuant to 19.15.29.11 NMAC and 19.15.29.13 NMAC.</i>	
Have the lateral and vertical extents of contamination been fully delineated	Yes
Was this release entirely contained within a lined containment area	No
<b>Soil Contamination Sampling:</b> (Provide the highest observable value for each, in milligrams per kilograms.)	
Chloride (EPA 300.0 or SM4500 Cl B)	0
TPH (GRO+DRO+MRO) (EPA SW-846 Method 8015M)	0
GRO+DRO (EPA SW-846 Method 8015M)	0
BTEX (EPA SW-846 Method 8021B or 8260B)	0
Benzene (EPA SW-846 Method 8021B or 8260B)	0
<i>Per Subsection B of 19.15.29.11 NMAC unless the site characterization report includes completed efforts at remediation, the report must include a proposed remediation plan in accordance with 19.15.29.12 NMAC, which includes the anticipated timelines for beginning and completing the remediation.</i>	
On what estimated date will the remediation commence	06/02/2025
On what date will (or did) the final sampling or liner inspection occur	08/31/2025
On what date will (or was) the remediation complete(d)	08/31/2025
What is the estimated surface area (in square feet) that will be reclaimed	18833
What is the estimated volume (in cubic yards) that will be reclaimed	2790
What is the estimated surface area (in square feet) that will be remediated	18833
What is the estimated volume (in cubic yards) that will be remediated	2790
<i>These estimated dates and measurements are recognized to be the best guess or calculation at the time of submission and may (be) change(d) over time as more remediation efforts are completed.</i>	
<i>The OCD recognizes that proposed remediation measures may have to be minimally adjusted in accordance with the physical realities encountered during remediation. If the responsible party has any need to significantly deviate from the remediation plan proposed, then it should consult with the division to determine if another remediation plan submission is required.</i>	

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QUESTIONS, Page 4

Action 461613

**QUESTIONS (continued)**

Operator: OXY USA INC P.O. Box 4294 Houston, TX 772104294	OGRID: 16696
	Action Number: 461613
	Action Type: [C-141] Site Char./Remediation Plan C-141 (C-141-v-Plan)

**QUESTIONS**

<b>Remediation Plan (continued)</b>	
<i>Please answer all the questions that apply or are indicated. This information must be provided to the appropriate district office no later than 90 days after the release discovery date.</i>	
<b>This remediation will (or is expected to) utilize the following processes to remediate / reduce contaminants:</b>	
<i>(Select all answers below that apply.)</i>	
(Ex Situ) Excavation and <b>off-site</b> disposal (i.e. dig and haul, hydrovac, etc.)	Yes
Which OCD approved facility will be used for <b>off-site</b> disposal	LEA LAND LANDFILL [FEEM0112342028]
<b>OR</b> which OCD approved well (API) will be used for <b>off-site</b> disposal	Not answered.
<b>OR</b> is the <b>off-site</b> disposal site, to be used, out-of-state	Not answered.
<b>OR</b> is the <b>off-site</b> disposal site, to be used, an NMED facility	Not answered.
(Ex Situ) Excavation and <b>on-site</b> remediation (i.e. On-Site Land Farms)	Not answered.
(In Situ) Soil Vapor Extraction	Not answered.
(In Situ) Chemical processing (i.e. Soil Shredding, Potassium Permanganate, etc.)	Not answered.
(In Situ) Biological processing (i.e. Microbes / Fertilizer, etc.)	Not answered.
(In Situ) Physical processing (i.e. Soil Washing, Gypsum, Disking, etc.)	Not answered.
Ground Water Abatement pursuant to 19.15.30 NMAC	Not answered.
OTHER (Non-listed remedial process)	Not answered.
<i>Per Subsection B of 19.15.29.11 NMAC unless the site characterization report includes completed efforts at remediation, the report must include a proposed remediation plan in accordance with 19.15.29.12 NMAC, which includes the anticipated timelines for beginning and completing the remediation.</i>	
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.	
I hereby agree and sign off to the above statement	Name: Jessica Kent Title: Eng Staff Environmental Email: jessica_kent@oxy.com Date: 05/13/2025
<i>The OCD recognizes that proposed remediation measures may have to be minimally adjusted in accordance with the physical realities encountered during remediation. If the responsible party has any need to significantly deviate from the remediation plan proposed, then it should consult with the division to determine if another remediation plan submission is required.</i>	

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QUESTIONS, Page 5

Action 461613

**QUESTIONS (continued)**

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	Action Number:  461613
	Action Type:  [C-141] Site Char./Remediation Plan C-141 (C-141-v-Plan)

**QUESTIONS**

<b>Deferral Requests Only</b>	
<i>Only answer the questions in this group if seeking a deferral upon approval this submission. Each of the following items must be confirmed as part of any request for deferral of remediation.</i>	
Requesting a deferral of the remediation closure due date with the approval of this submission	No

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QUESTIONS, Page 6

Action 461613

**QUESTIONS (continued)**

Operator: OXY USA INC P.O. Box 4294 Houston, TX 772104294	OGRID: 16696
	Action Number: 461613
	Action Type: [C-141] Site Char./Remediation Plan C-141 (C-141-v-Plan)

**QUESTIONS**

Sampling Event Information	
Last sampling notification (C-141N) recorded	308323
Sampling date pursuant to Subparagraph (a) of Paragraph (1) of Subsection D of 19.15.29.12 NMAC	01/30/2024
What was the (estimated) number of samples that were to be gathered	7
What was the sampling surface area in square feet	5212

**Remediation Closure Request**

Only answer the questions in this group if seeking remediation closure for this release because all remediation steps have been completed.

Requesting a remediation closure approval with this submission	No
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CONDITIONS

Action 461613

**CONDITIONS**

Operator: OXY USA INC P.O. Box 4294 Houston, TX 772104294	OGRID: 16696
	Action Number: 461613
	Action Type: [C-141] Site Char./Remediation Plan C-141 (C-141-v-Plan)

**CONDITIONS**

Created By	Condition	Condition Date
rhamlet	The Revised Remediation Plan is Conditionally Approved. This is an old legacy release that occurred in May 2019. Chlorides most likely moved down the soil column over the years. The OCD requests two boreholes be advanced in the release area in 1-foot increments down to a depth of 10 feet. The first borehole should be advanced near the sample point DS-02 and the second should be advanced near soil sample location DS-06.	6/10/2025
rhamlet	All samples must be analyzed for all constituents listed in Table I of 19.15.29.12 NMAC. Floor confirmation samples should be delineated/excavated to meet closure criteria standards from Table 1 of the OCD Spill Rule for site assessment/characterization/proven depth to water determination. Sidewalls should be delineated/excavated to 600 mg/kg for chlorides and 100 mg/kg for TPH to define the edge of the release. Please make sure that the edge of the release extent is accurately defined. Please collect confirmation samples, representing no more than 200 ft2. All off-pad areas must meet reclamation standards in the OCD Spill Rule. The work will need to be completed in 90 days after the report has been reviewed.	6/10/2025