



June 6<sup>th</sup>, 2026

NMOCD District 2  
 1811 S. First St.,  
 Artesia, New Mexico 88210

SUBJECT: Liner Inspection Report for the Tater Tot 2 CTB 5 Release (nAPP2528077016), Eddy County, New Mexico

To Whom It May Concern,

On behalf of Devon Energy, BDS Enterprises LLC has prepared this Liner Inspection Report summarizing the liner inspection that occurred due to produced water release related to oil and gas production activities at the Tater Tot 2 CTB 5. The site is in Unit P, Section 02, Township 24S, Range 29E, Eddy County, New Mexico, on state land. Figure 1 illustrates the vicinity and site location on a USGS 7.5-minute quadrangle map.

Table 1: Release Infor/mation and Closure Criteria			
Name	Tater Tot 2 CTB 5	Company	Devon Energy
API Number	fAPP2416935669	Location	32.2424417, -103.9487362
Incident Number	nAPP2528077016		
Estimated Date of Release	10/6/2025	Date Reported to NMOCD	10/7/2025
Land-Owner	State	Reported To	NMOCD, SLO
Source of Release	Failure on water line within secondary containment		
Released Volume	220 bbl.	Released Material	Produced Water
Recovered Volume	220 bbl.	Net Release	0 bbl.
NMOCD Closure Criteria	<50 bgs		
BDS Response Dates	10/9/2025; 12/15/2025; 1/9/2026; 5/11/2026		



## 1.0 Background

On October 6th, 2025, a release was discovered at the Tater Tot 2 CTB 5. A pinhole failure developed on a water dump line, resulting in the release of approx. 220 bbl. of produced water into the lined, secondary containment. Initial response activities were conducted by the operator, and included source elimination by means of repair, site stabilization, and release recovery. All standing fluid from the release was recovered. Figures 1 and 2 illustrate the vicinity and site location, Figure 3 illustrates the release location.

## 2.0 Site Information and Closure Criteria

The Tater Tot 2 CTB 5 is located approximately 27 miles southeast of Carlsbad, New Mexico on state owned land at an elevation of approximately 3,090 feet above mean sea level (amsl).

Based upon the New Mexico Office of the State Engineers (NMOSE) online water well database (Appendix A), depth to groundwater in the area is less than 100 feet below grade surface (bgs). There are no known water sources within ½-mile of the location, according to the NMOSE database.

The nearest significant watercourse is the unnamed feature located to the north of the location and can be seen in Figure 1. There is also an unnamed freshwater emergent playa approximately 1.5 miles north. Figure 1 also illustrates that the site does lie within a sensitive area as described in 19.15.29.12.C(4) NMAC due to the Medium Karst Potential.

Based on the information presented herein, the applicable NMOCD Closure Criteria for this site is for a groundwater depth of less than 50 feet bgs. The site has been restored to meet the standards of Table I of 19.15.29.12 NMAC. Table 2 demonstrates the Closure Criteria applicable to this location. Pertinent well data is attached in Appendix A.

## 3.0 Cultural and Biological Compliance

The remediation of the area of concern was conducted within the leased property and will not affect areas previously undisturbed. Remediation activities did not require an ARMS survey or Cultural Survey.

The site is located within the Isolated Population Area and the timing restrictions area for the Lesser Prairie Chicken Habitat. U.S Fish and Wildlife IPaC report confirms there are no critical habitats at this location.

## 4.0 Liner Integrity

At the request of Devon Energy, on October 9, 2025, BDS conducted a liner integrity inspection



per the requirements of 19.15.29.11.A(5)(a) NMAC for a previous release at the same location (nAPP2522178846). NMOCD and SLO were notified on October 7th, 2025, that the liner inspection would occur. BDS was able to perform a thorough visual examination of the liner within the production area of the lined containment, determining it to be in working order with no observable damage or breaches.

However, the culmination of several snow and rain events resulted in precipitation standing within the secondary containment after washing took place. As a result, subsequent site visits were conducted in attempt to document the containment after cleaning, while a 90-day extension was sent to the Division to communicate reoccurring issues with standing water from inclimate weather events and the request of closing the incidents together. These inspections took place on 12/15/2025, 1/9/2026 and 5/11/2026. A photolog of the final inspection is included in Appendix B. Proof of liner notification to the Division along with the previously mentioned extension request is included in Appendix C.

#### 5.0 Recommendations

As demonstrated by the field inspection of the liner, the liner was intact and retained all fluid that occurred during the release. Additional information has been detailed within Sections 2 and 3 of this report that address the concerns that led to the June 5<sup>th</sup> rejection of the previous closure request. BDS now recommends closure of incident nAPP2528077016.

#### 6.0 Scope and Limitations

The scope of our services included: liner assessment, verifying release stabilizations; regulatory liaison; and preparation of this liner inspection report. All work has been performed in accordance with generally accepted professional environmental consulting practices for oil and gas releases in the Permian Basin in New Mexico.

If there are any questions regarding this report, please contact Lupe Carrasco (575) 725-0787.

Submitted by:

BDS Enterprises, LLC

*Melodie Sanjari*

Melodie Sanjari  
Environmental Scientist

PO BOX 2286 • CARLSBAD, N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



## ATTACHMENTS

### Figures:

Figure 1: Topographic Site Map

Figure 2: Aerial Site Map

Figure 3: Site Characterization Map

### Tables:

Table 2: NMOCD Closure Criteria

### Appendices:

Appendix A: NMOSE Wells Report

Appendix B: Photolog & Field Notes

Appendix C: Division Correspondence

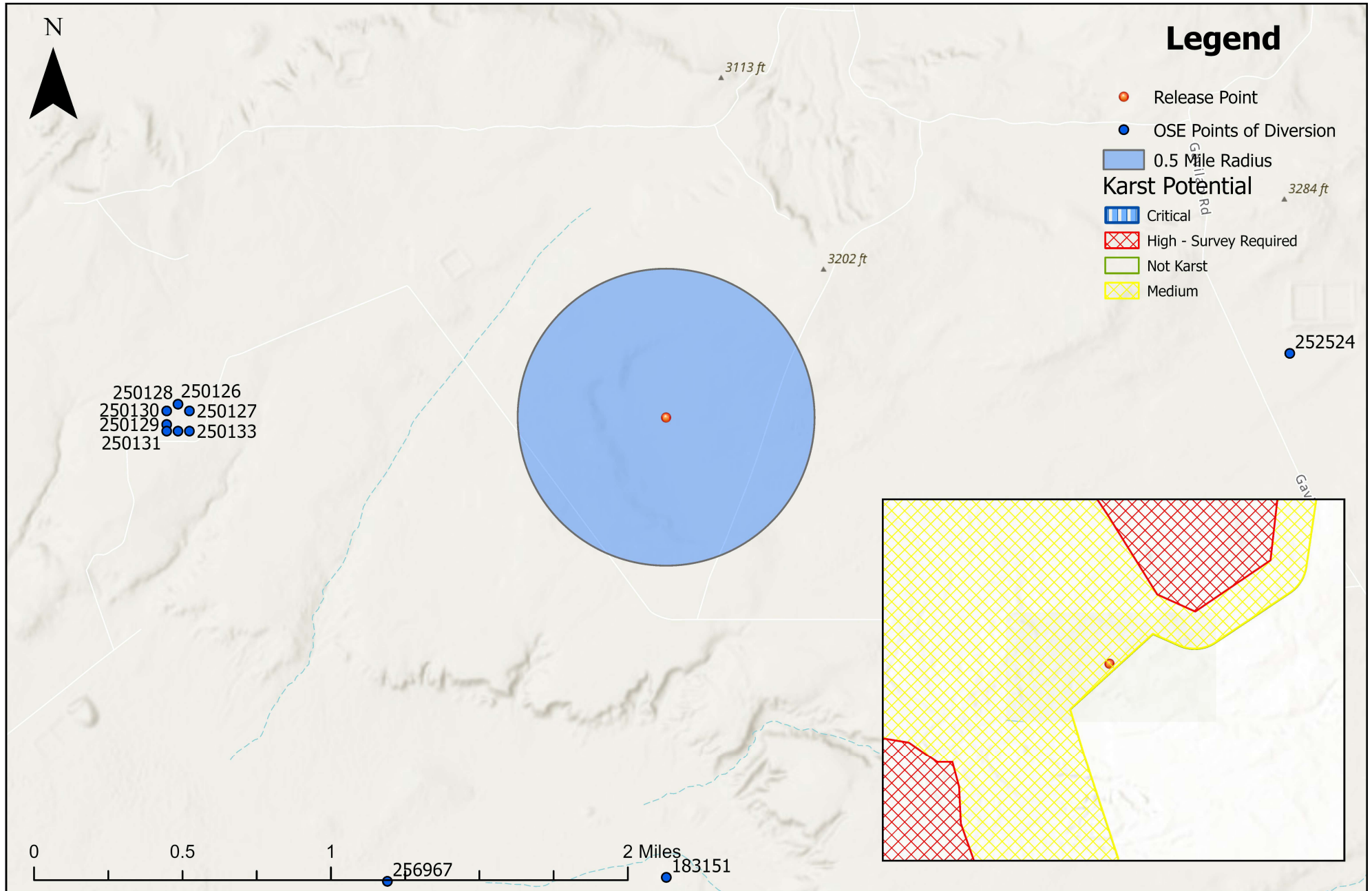
Appendix D: U.S Fish and Wildlife IPaC Resource List



# FIGURES

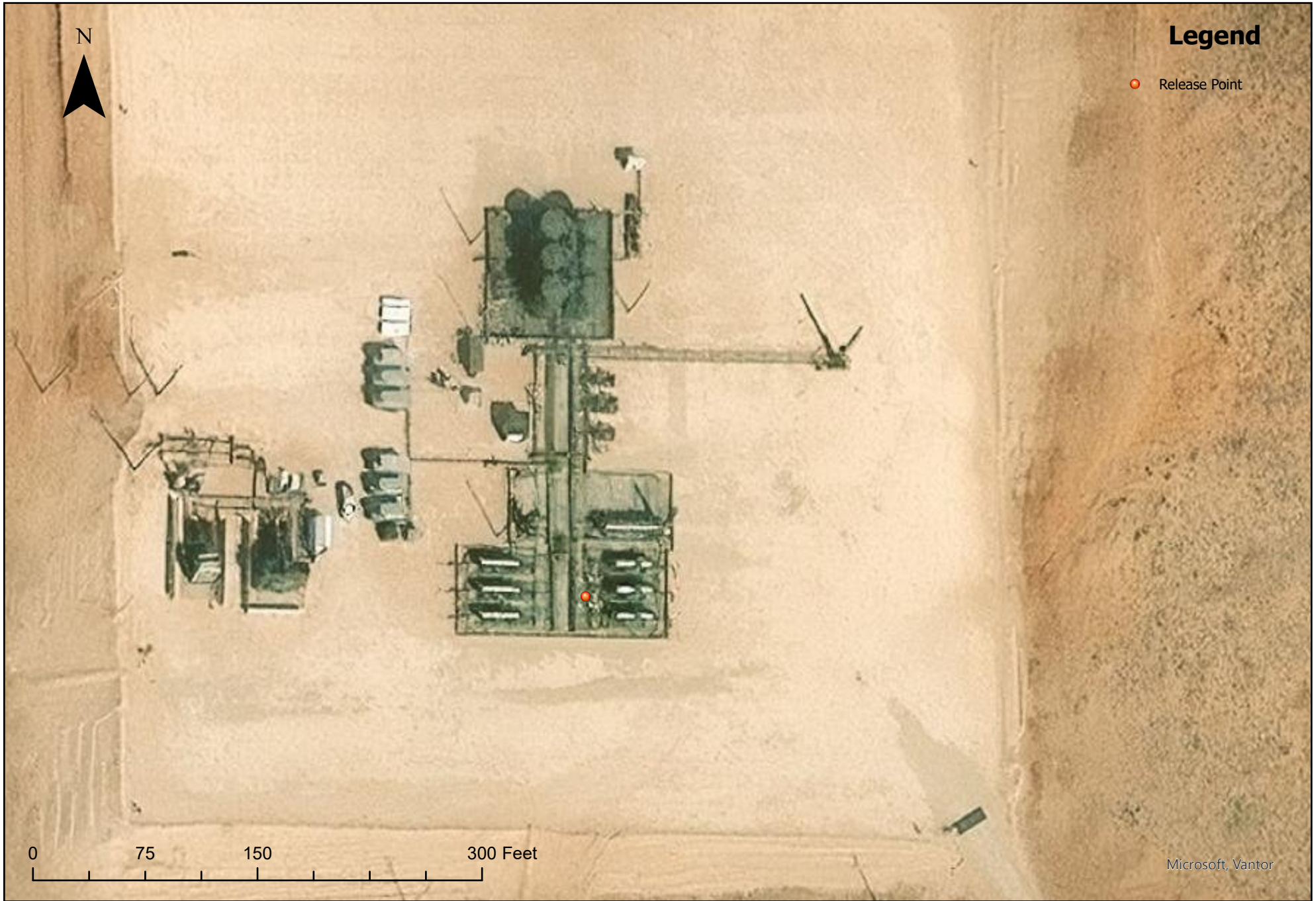
# Tater Tot 2 CTB 5 - Devon Energy

Figure 1 - Site Diagram



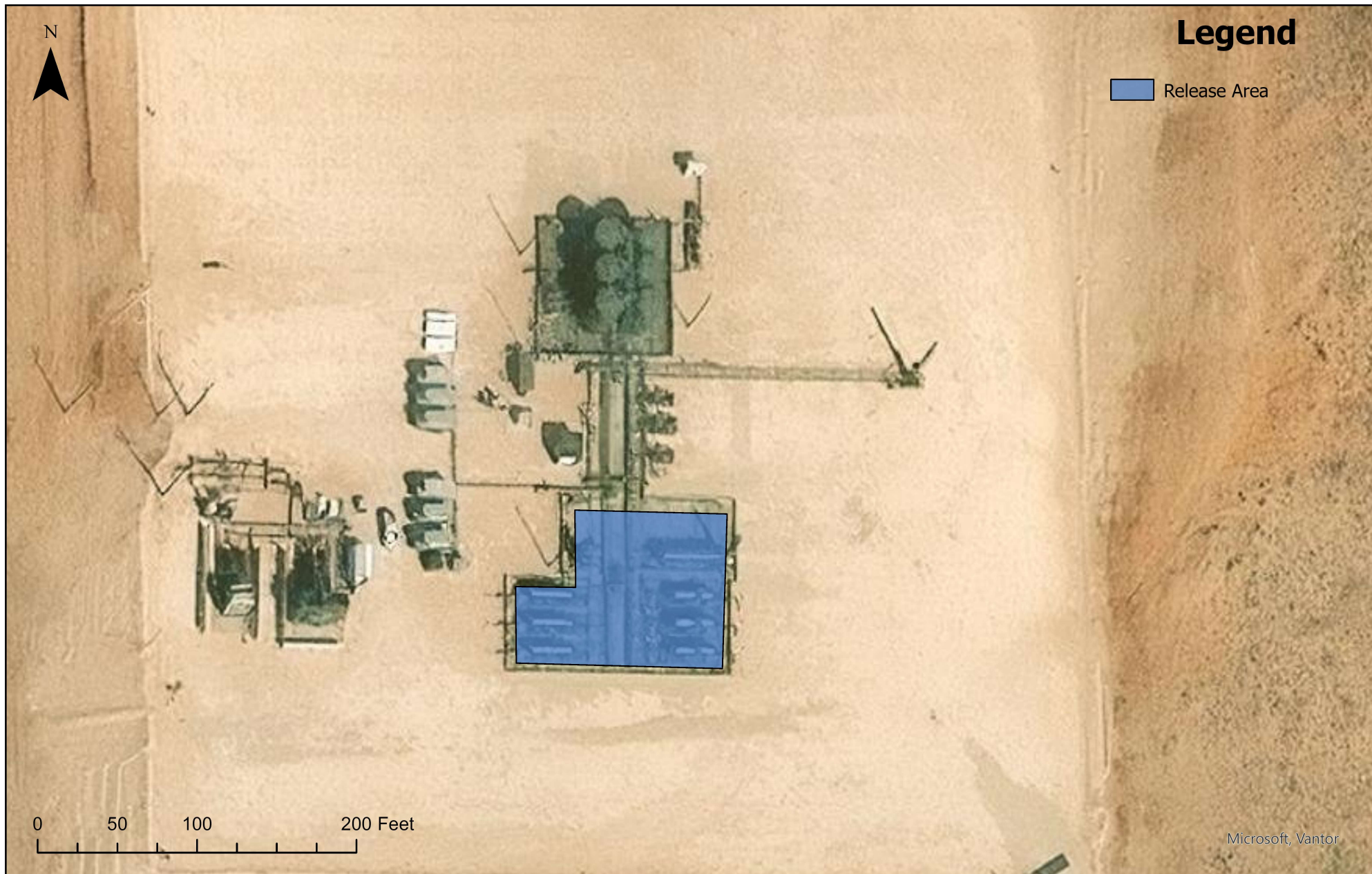
# Tater Tot 2 CTB 5 - Devon Energy

Figure 2 - Aerial Site Map



# Tater Tot 2 CTB 5 - Devon Energy

Figure 3 - Release Characterization Map





# TABLE

		Source/Notes				
Depth to Groundwater (feet bgs)	< 100'	NM OSE				
Horizontal Distance from All Water Sources within 1/2 Mile (ft)	N/A					
Horizontal Distance to Nearest Significant Watercourse (ft)	~ 0.5 Miles	USGS 7.5				
<b>Closure Criteria (19.15.29.12.B(4)) and Table</b>						
Depth to Groundwater	Closure Criteria (units in mg/kg)					
	Chloride *numerical limit or background whichever is greater	TPH	GRO + DRO	BTEX	Benzene	
< 50' BGS	X	600	100	50	10	
51' to 100'		10,000	2500	1000	50	10
>100'		20,000	2500	1000	50	10
<b>Surface Water</b>		<b>If yes, then</b>				
<300' from continuously flowig watercourse or other significant watercourse?	No	600	100		50	10
<200' from lakebed, sinkhoe, or playa lake?	No					
<b>Water Well or Water Source</b>						
<500' from spring or a private, domestic fresh water well used by less than 5 households for domestic or stock watering purposes?	No					
<1000' from fresh water well or spring?	No					
<b>Human and Other Areas</b>						
<300" from an occupied permanent residence, school, hospital, institution, or church?	No					
<100' from wetland?	No					
within area overlying a subsurface mine	No					
within an unstable area?	Yes					
within a 100-year floodplain?	No					



# APPENDIX A: NMOSE WELLS REPORT

## Water Column/Average Depth to Water











(A CLW##### in the POD suffix indicates the POD has been replaced & no longer serves a water right file.)

(R=POD has been replaced, O=orphaned, C=the file is closed)

(quarters are smallest to largest)

(NAD83 UTM in meters)

(In feet)

POD Number	Code	Sub basin	County	Q64	Q16	Q4	Sec	Tws	Range	X	Y	Map	Distance	Well Depth
<a href="#">C_04481_POD2</a>		CUB	ED	NW	SW	SE	03	24S	29E	596851.5	3567748.3		2185	120
<a href="#">C_04481_POD8</a>		CUB	ED	NW	SW	SE	03	24S	29E	596852.3	3567655.9		2188	125
<a href="#">C_04481_POD1</a>		CUB	ED	NW	SW	SE	03	24S	29E	596798.8	3567778.6		2238	135
<a href="#">C_04481_POD3</a>		CUB	ED	NE	SE	SW	03	24S	29E	596798.8	3567778.6		2238	120
<a href="#">C_04481_POD7</a>		CUB	ED	NE	SE	SW	03	14S	29E	596800.0	3567655.4		2241	110
<a href="#">C_04481_POD5</a>		CUB	ED	NE	SE	SW	03	24S	29E	596746.8	3567747.3		2290	120
<a href="#">C_04481_POD4</a>		CUB	ED	NE	SE	SW	03	24S	29E	596747.4	3567685.7		2292	150
<a href="#">C_04481_POD6</a>		CUB	ED	NE	SE	SW	03	24S	29E	596747.7	3567654.9		2293	120
<a href="#">C_04526_POD1</a>		CUB	ED	SE	NW	SE	06	24S	30E	601898.6	3568060.3		2874	
<a href="#">C_04794_POD1</a>		CUB	ED	NW	NW	SW	13	24S	29E	599335.6	3564889.6		2918	

Average

Minimur

Maximur

**Record Count:** 10

**Basin/County Search:**

**County:** ED

**UTM Filters (in meters):**

**Easting:** 599037

**Northing:** 3567793

**Radius:** 3000

\* UTM location was derived from PLSS - see Help

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.





## **APPENDIX B: PHOTOLOG & FIELD NOTES**

PO BOX 2286 • CARLSBAD. N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



PO BOX 2286 • CARLSBAD, N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



☀ 6°N (T) ● 32.241906°N, 103.948802°W ±6ft ▲ 3094ft



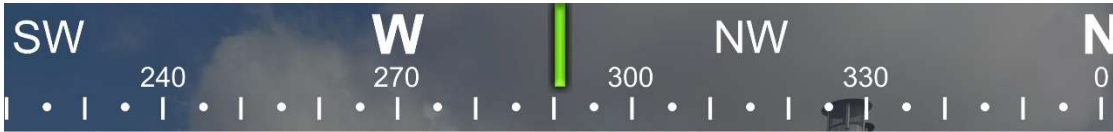
PO BOX 2286 • CARLSBAD, N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



☉ 291°W (T) ● 32.241892°N, 103.948606°W ±6ft ▲ 3100ft



PO BOX 2286 • CARLSBAD, N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



☉ 291°W (T) ☉ 32.241894°N, 103.948607°W ±6ft ▲ 3099ft



PO BOX 2286 • CARLSBAD, N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



☉ 277°W (T) ☉ 32.242085°N, 103.948605°W ±6ft ▲ 3104ft



PO BOX 2286 • CARLSBAD, N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



PO BOX 2286 • CARLSBAD, N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



PO BOX 2286 • CARLSBAD, N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



PO BOX 2286 • CARLSBAD, N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



☀ 105°E (T) ● 32.242139°N, 103.948914°W ±6ft ▲ 3104ft



PO BOX 2286 • CARLSBAD, N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



PO BOX 2286 • CARLSBAD, N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



f



PO BOX 2286 • CARLSBAD, N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325



## **APPENDIX C: DIVISION CORRESPONDENCE**

PO BOX 2286 • CARLSBAD. N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325

**From:** <Lupe@bdsoilfield.com>  
**Sent on:** Thursday, November 6, 2025 10:04:36 PM  
**To:** ocd.environ@emnrd.nm.gov  
**CC:** Raley, Jim <jim.ralej@dvn.com>  
**Subject:** Tator Tot 2 CTB 5 (nAPP2522178846) Extension Request

On behalf of Devon Energy, we are requesting a 90 day extension for the following incident:

Tator Tot 2 CTB 5  
NAPP2522178846  
P-02-24S-29E  
32.2424417,-103.9487362

The 90 day extension would allow Devon Energy the time to clean the liner and make a liner notification to include another incident that occurred on the same location. The previous liner inspection requested for 10/9/25 was not taken into consideration due to several storms during the notification and throughout the month of October. The initial incident occurred within the secondary containment and will not cause any harm to public health or the environment. We will notify the division with a time and date for the next proposed liner inspection.



Please let me know if you have any questions or concerns.

**Lupe Carrasco**  
(575) 725-0787



Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

QUESTIONS

Action 513049

**QUESTIONS**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 513049
	Action Type: [NOTIFY] Notification Of Release (NOR)

**QUESTIONS**

<b>Location of Release Source</b>	
<i>Please answer all the questions in this group.</i>	
Site Name	TATER TOT 2 CTB 5
Date Release Discovered	10/06/2025
Surface Owner	State

<b>Incident Details</b>	
<i>Please answer all the questions in this group.</i>	
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

<b>Nature and Volume of Release</b>	
<i>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.</i>	
Crude Oil Released (bbls) Details	Not answered.
Produced Water Released (bbls) Details	Cause: Equipment Failure   Dump Line   Produced Water   Released: 220 BBL   Recovered: 220 BBL   Lost: 0 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)	Leak on main water line allowed fluids to be released to lined secondary containment.

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

QUESTIONS, Page 2

Action 513049

**QUESTIONS (continued)**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 513049
	Action Type: [NOTIFY] Notification Of Release (NOR)

**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>Yes</b>
Reasons why this would be considered a submission for a notification of a major release	<b>From paragraph A. "Major release" determine using: (1) an unauthorized release of a volume, excluding gases, of 25 barrels or more.</b>
<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	True
The impacted area has been secured to protect human health and the environment	True
Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices	True
All free liquids and recoverable materials have been removed and managed appropriately	True
If all the actions described above have not been undertaken, explain why	Not answered.

*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 19.15.29.11(A)(5)(a) NMAC), please prepare and attach all information needed for closure evaluation in the follow-up C-141 submission.*

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

ACKNOWLEDGMENTS

Action 513049

**ACKNOWLEDGMENTS**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 513049
	Action Type: [NOTIFY] Notification Of Release (NOR)

**ACKNOWLEDGMENTS**

<input checked="" type="checkbox"/>	I acknowledge that I am authorized to submit notification of a release on behalf of my operator.
<input checked="" type="checkbox"/>	I acknowledge that upon submitting this application, I will be creating a new incident file (assigned to my operator) to track the notification(s) and corrective action(s) for a release, pursuant to NMAC 19.15.29.
<input checked="" type="checkbox"/>	I acknowledge that creating a new incident file will require my operator to file subsequent submission(s) of form "C-141, Application for administrative approval of a release notification and corrective action", pursuant to NMAC 19.15.29.
<input checked="" type="checkbox"/>	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.
<input checked="" type="checkbox"/>	I acknowledge the fact that 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.
<input checked="" type="checkbox"/>	I acknowledge the fact that, 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.

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

CONDITIONS

Action 513049

**CONDITIONS**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 513049
	Action Type: [NOTIFY] Notification Of Release (NOR)

**CONDITIONS**

Created By	Condition	Condition Date
jralej	When submitting future reports regarding this release, please submit the calculations used or specific justification for the volumes reported on the initial C-141.	10/7/2025

<b>Spill Volume Calculations</b>	
<b>Free Standing Fluid Volume</b>	
<b>How do you want to enter area?</b>	<b>Total area from app</b>
Area from app (ft <sup>2</sup> )	12658.00
Depth of fluid	1.18 in
Number of Tanks in Fluid Affected Area (if any):	0
Tank Diameter (if needed):	15.5 ft
Volume of Standing Fluid	220.75 bbl

Received by OCD: 10/13/2025 3:08:11 PM

Page 1 of 5

Released to Imaging: 10/14/2025 9:20:04 AM

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

QUESTIONS

Action 514783

**QUESTIONS**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 514783
	Action Type: [C-141] Initial C-141 (C-141-v-Initial)

**QUESTIONS**

<b>Prerequisites</b>	
Incident ID (n#)	nAPP2528077016
Incident Name	NAPP2528077016 TATER TOT 2 CTB 5 @ FAPP2416935669
Incident Type	Produced Water Release
Incident Status	Initial C-141 Received
Incident Facility	[fAPP2416935669] TATER TOT 2 CTB 5

<b>Location of Release Source</b>	
<i>Please answer all the questions in this group.</i>	
Site Name	TATER TOT 2 CTB 5
Date Release Discovered	10/06/2025
Surface Owner	State

<b>Incident Details</b>	
<i>Please answer all the questions in this group.</i>	
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

<b>Nature and Volume of Release</b>	
<i>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.</i>	
Crude Oil Released (bbls) Details	Not answered.
Produced Water Released (bbls) Details	Cause: Equipment Failure   Dump Line   Produced Water   Released: 220 BBL   Recovered: 220 BBL   Lost: 0 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)	Leak on main water line allowed fluids to be released to lined secondary containment.

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

QUESTIONS, Page 2

Action 514783

**QUESTIONS (continued)**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 514783
	Action Type: [C-141] Initial C-141 (C-141-v-Initial)

**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>Yes</b>
Reasons why this would be considered a submission for a notification of a major release	<b>From paragraph A. "Major release" determine using: (1) an unauthorized release of a volume, excluding gases, of 25 barrels or more.</b>
<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: James Raley Title: EHS Professional Email: jim.ralej@dvn.com Date: 10/13/2025
--	--

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

QUESTIONS, Page 3

Action 514783

**QUESTIONS (continued)**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 514783
	Action Type: [C-141] Initial C-141 (C-141-v-Initial)

**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)	Not answered.
What method was used to determine the depth to ground water	Not answered.
Did this release impact groundwater or surface water	Not answered.
<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	Not answered.
Any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)	Not answered.
An occupied permanent residence, school, hospital, institution, or church	Not answered.
A spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes	Not answered.
Any other fresh water well or spring	Not answered.
Incorporated municipal boundaries or a defined municipal fresh water well field	Not answered.
A wetland	Not answered.
A subsurface mine	Not answered.
An (non-karst) unstable area	Not answered.
Categorize the risk of this well / site being in a karst geology	Not answered.
A 100-year floodplain	Not answered.
Did the release impact areas not on an exploration, development, production, or storage site	Not answered.

<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	No
<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>	

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/oecd/contact-us>

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

CONDITIONS

Action 514783

**CONDITIONS**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 514783
	Action Type: [C-141] Initial C-141 (C-141-v-Initial)

**CONDITIONS**

Created By	Condition	Condition Date
scwells	Initial C-141 approved. A remediation plan and/or a remediation closure report is due to the OCD on or before 1/5/2026 pursuant to 19.15.29.11.A NMAC.	10/14/2025

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

QUESTIONS

Action 540017

**QUESTIONS**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 540017
	Action Type: [NOTIFY] Notification Of Liner Inspection (C-141L)

**QUESTIONS**

<b>Prerequisites</b>	
Incident ID (n#)	nAPP2528077016
Incident Name	NAPP2528077016 TATER TOT 2 CTB 5 @ FAPP2416935669
Incident Type	Produced Water Release
Incident Status	Initial C-141 Approved
Incident Facility	[fAPP2416935669] TATER TOT 2 CTB 5

<b>Location of Release Source</b>	
Site Name	TATER TOT 2 CTB 5
Date Release Discovered	10/06/2025
Surface Owner	State

<b>Liner Inspection Event Information</b>	
<i>Please answer all the questions in this group.</i>	
What is the liner inspection surface area in square feet	10,150
Have all the impacted materials been removed from the liner	Yes
Liner inspection date pursuant to Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC	01/09/2026
Time liner inspection will commence	08:00 AM
Please provide any information necessary for observers to liner inspection	Lupe Carrasco (575) 725-0787
Please provide any information necessary for navigation to liner inspection site	32.2424417,-103.9487362

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/oecd/contact-us>

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

CONDITIONS

Action 540017

**CONDITIONS**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 540017
	Action Type: [NOTIFY] Notification Of Liner Inspection (C-141L)

**CONDITIONS**

Created By	Condition	Condition Date
jraley	Failure to notify the OCD of liner inspections including any changes in date/time per the requirements of 19.15.29.11.A(5)(a)(ii) NMAC, may result in the inspection not being accepted.	1/5/2026



Melodie Sanjari <msanjari15@gmail.com>

---

**FW: [EXTERNAL] FW: (Liner Inspection Notification) Devon Energy-Tater Tot 2 CTB 5 (FAPP2416935669 /nAPP2522178846)- 8/09/2025**

---

**BDS Lupe Carrasco** <lupe@bdsoilfield.com>  
To: "NMSLO Environmental Compliance Office (ECO)" <eco@nmslo.gov>  
Cc: "Raley, Jim" <jim.rale@dn.com>, msanjari15 <msanjari15@gmail.com>

Wed, May 6, 2026 at 3:14 PM

SLO,

Please see below for the sampling notification submitted to NMOCD.

Thanks!

Lupe Carrasco  
(575) 725-0787



---

**From:** Raley, Jim <[Jim.Raley@dvn.com](mailto:Jim.Raley@dvn.com)>  
**Sent:** Wednesday, May 6, 2026 6:55 AM  
**To:** BDS Lupe Carrasco <[lupe@bdsoilfield.com](mailto:lupe@bdsoilfield.com)>  
**Subject:** RE: [EXTERNAL] FW: (Liner Inspection Notification) Devon Energy-Tater Tot 2 CTB 5 (FAPP2416935669 /nAPP2522178846)- 8/09/2025

Submitted 5/6

Jim Raley | Environmental Professional - Permian Basin

5315 Buena Vista Dr., Carlsbad, NM 88220

C: (575)689-7597 | [jim.ralej@dvn.com](mailto:jim.ralej@dvn.com)



---

**From:** BDS Lupe Carrasco <[lupe@bdsoilfield.com](mailto:lupe@bdsoilfield.com)>  
**Sent:** Wednesday, May 6, 2026 6:50 AM  
**To:** Raley, Jim <[Jim.Raley@dvn.com](mailto:Jim.Raley@dvn.com)>  
**Subject:** [EXTERNAL] FW: (Liner Inspection Notification) Devon Energy-Tater Tot 2 CTB 5 (FAPP2416935669 /nAPP2522178846)- 8/09/2025

Jim,

Would you submit a Liner Inspection Notification for Monday 5/11/26, at 9 am? Redline is scheduled to clean the liner on 5/7/26. I'll submit to SLO later today. Please let me know if you have any questions or if you need to submit for a different date.

Liner Inspection Notification	
<b>Site Name</b>	Tater Tot 2 CTB 5
<b>NMOCD Incident #</b>	nAPP2522178846
<b>What is the liner inspection surface area in square feet</b>	10,150
<b>Have all the impacted materials been removed from the liner</b>	Scheduled for 5/7/26
<b>Liner inspection date pursuant to Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC</b>	5/11/26
<b>Time liner inspection will commence</b>	9:00 am MST
<b>Please provide any information necessary for observers to liner inspection</b>	
<b>Please provide any information necessary for navigation to liner inspection site</b>	32.2424417,-103.9487362

Thanks!

**Lupe Carrasco**

(575) 725-0787



Confidentiality Warning: This message and any attachments are intended only for the use of the intended recipient(s), are confidential, and may be privileged. If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of all or any portion of this message and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender immediately by return e-mail, and delete this message and any attachments from your system.



**APPENDIX D  
U.S FISH AND WILDLIFE IPaC  
RESOURCE LIST**

PO BOX 2286 • CARLSBAD. N M 88220 • OFFICE (575) 689-8324 • FAX (575) 689-8325

# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Eddy County, New Mexico



## Local office

New Mexico Ecological Services Field Office

☎ (505) 346-2525

📠 (505) 346-2542

2105 Osuna Road Ne  
Albuquerque, NM 87113-1001

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [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.

The following species are potentially affected by activities in this location:

## Birds

NAME	STATUS
Northern Aplomado Falcon <i>Falco femoralis septentrionalis</i> No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/1923">https://ecos.fws.gov/ecp/species/1923</a>	<a href="#">EXPN</a>
Piping Plover <i>Charadrius melodus</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened

## Clams

NAME	STATUS
Texas Hornshell <i>Popenaias popeii</i> Wherever found There is <b>proposed</b> critical habitat for this species. Your location does not overlap the critical habitat. <a href="https://ecos.fws.gov/ecp/species/919">https://ecos.fws.gov/ecp/species/919</a>	Endangered

## Insects

NAME

STATUS

Monarch Butterfly Danaus plexippus

Proposed Threatened

Wherever found

There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat.

<https://ecos.fws.gov/ecp/species/9743>

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

## Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act <sup>2</sup> and the Migratory Bird Treaty Act (MBTA) <sup>1</sup>. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their nests, should follow appropriate regulations and implement required avoidance and minimization measures, as described in the various links on this page.

The [data](#) in this location indicates that no eagles have been observed in this area. This does not mean eagles are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the [Supplemental Information on Migratory Birds and Eagles document](#) to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine if eagles may be present (e.g. your local FWS field office, state surveys, your own surveys).

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

## Bald & Golden Eagles FAQs

### What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are an eagle ([Bald and Golden Eagle Protection Act](#) requirements may apply).

### Proper interpretation and use of your eagle report

On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

### How do I know if eagles are breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the [RAIL Tool](#) and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

**How is the probability of presence score calculated? The calculation is done in three steps:**

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

**Breeding Season ()**

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

**Survey Effort ()**

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

**No Data ()**

A week is marked as having no data if there were no survey events for that week.

**Survey Timeframe**

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

## Migratory birds

The Migratory Bird Treaty Act (MBTA) <sup>1</sup> prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior [authorization](#) by the Department of Interior U.S. Fish and Wildlife Service (FWS).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

The [data](#) in this location indicates that no migratory birds of concern have been observed in this area. This does not mean [birds of concern](#) are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the [Supplemental Information on Migratory Birds and Eagles document](#) to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine what migratory birds of concern may be present (e.g. your local FWS field office, state surveys, your own surveys).

## Migratory Bird FAQs

**Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Avoidance & Minimization Measures for Birds](#) describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the [Bald and Golden Eagle Protection Act](#) and those species marked as "Vulnerable". See the FAQ "What are the levels of concern for migratory birds?" for more information on the levels of concern covered in the IPaC migratory bird species list.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) with which your project intersects. These species have been identified as warranting special attention because they are BCC species in that

area, an eagle ([Bald and Golden Eagle Protection Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

#### Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

#### What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

#### How do I know if a bird is breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the [RAIL Tool](#) and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

#### What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Bald and Golden Eagle Protection Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ "Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

#### Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

#### Proper interpretation and use of your migratory bird report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list does not represent all birds present in your project area. It is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

#### Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

#### How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ;

at week 20 it is  $0.05/0.25 = 0.2$ .

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

#### Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

#### Survey Effort ()

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

#### No Data ()

A week is marked as having no data if there were no survey events for that week.

#### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

## Facilities

### National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

### Fish hatcheries

There are no fish hatcheries at this location.

### Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

RIVERINE

[R4SBJ](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

**NOTE:** This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

#### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

**Data exclusions**

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

**Data precautions**

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

QUESTIONS

Action 593801

**QUESTIONS**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 593801
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**QUESTIONS**

<b>Prerequisites</b>	
Incident ID (n#)	nAPP2528077016
Incident Name	NAPP2528077016 TATER TOT 2 CTB 5 @ FAPP2416935669
Incident Type	Produced Water Release
Incident Status	Remediation Closure Report Received
Incident Facility	[fAPP2416935669] TATER TOT 2 CTB 5

**Location of Release Source**

Please answer all the questions in this group.

Site Name	TATER TOT 2 CTB 5
Date Release Discovered	10/06/2025
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	Not answered.
Produced Water Released (bbls) Details	Cause: Equipment Failure   Dump Line   Produced Water   Released: 220 BBL   Recovered: 220 BBL   Lost: 0 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)	Leak on main water line allowed fluids to be released to lined secondary containment.

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

QUESTIONS, Page 2

Action 593801

**QUESTIONS (continued)**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 593801
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**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>Yes</b>
Reasons why this would be considered a submission for a notification of a major release	<b>From paragraph A. "Major release" determine using: (1) an unauthorized release of a volume, excluding gases, of 25 barrels or more.</b>
<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: James Raley Title: EHS Professional Email: jim.raley@dvn.com Date: 06/09/2026
--	--

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

QUESTIONS, Page 3

Action 593801

**QUESTIONS (continued)**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 593801
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**QUESTIONS**

**Site Characterization**  
*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.*

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	NM OSE iWaters Database Search
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 ½ and 1 (mi.)
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	Greater than 5 (mi.)
Any other fresh water well or spring	Greater than 5 (mi.)
Incorporated municipal boundaries or a defined municipal fresh water well field	Greater than 5 (mi.)
A wetland	Greater than 5 (mi.)
A subsurface mine	Greater than 5 (mi.)
An (non-karst) unstable area	Greater than 5 (mi.)
Categorize the risk of this well / site being in a karst geology	Medium
A 100-year floodplain	Between 1 and 5 (mi.)
Did the release impact areas not on an exploration, development, production, or storage site	No

**Remediation Plan**

*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.*

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	Yes
<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	05/01/2026
On what date will (or did) the final sampling or liner inspection occur	05/01/2026
On what date will (or was) the remediation complete(d)	05/01/2026
What is the estimated surface area (in square feet) that will be remediated	10000
What is the estimated volume (in cubic yards) that will be remediated	0

*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. 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.*

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

QUESTIONS, Page 4

Action 593801

**QUESTIONS (continued)**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 593801
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**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>	
Is (or was) there affected material present needing to be removed	Yes
Is (or was) there a power wash of the lined containment area (to be) performed	Yes
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: James Raley Title: EHS Professional Email: jim.raley@dvsn.com Date: 06/09/2026
<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>	

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

QUESTIONS, Page 6

Action 593801

**QUESTIONS (continued)**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 593801
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**QUESTIONS**

<b>Liner Inspection Information</b>	
Last liner inspection notification (C-141L) recorded	<b>582270</b>
Liner inspection date pursuant to Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC	<b>05/11/2026</b>
Was all the impacted materials removed from the liner	<b>Yes</b>
What was the liner inspection surface area in square feet	<b>10150</b>

<b>Remediation Closure Request</b>	
<i>Only answer the questions in this group if seeking remediation closure for this release because all remediation steps have been completed.</i>	
Requesting a remediation closure approval with this submission	<b>Yes</b>
Have the lateral and vertical extents of contamination been fully delineated	<b>Yes</b>
Was this release entirely contained within a lined containment area	<b>Yes</b>
What was the total surface area (in square feet) remediated	<b>10000</b>
What was the total volume (cubic yards) remediated	<b>0</b>
Summarize any additional remediation activities not included by answers (above)	<b>Liner Inspected</b>

*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 (in .pdf format) 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.*

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.

I hereby agree and sign off to the above statement	Name: James Raley Title: EHS Professional Email: jim.raley@dmv.com Date: 06/09/2026
--	--

Sante Fe Main Office  
Phone: (505) 476-3441

General Information  
Phone: (505) 629-6116

Online Phone Directory  
<https://www.emnrd.nm.gov/ocd/contact-us>

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

CONDITIONS

Action 593801

**CONDITIONS**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 593801
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**CONDITIONS**

Created By	Condition	Condition Date
scwells	None	6/12/2026