HITP - _40_

GENERAL CORRESPONDENCE

YEAR(S): _2013-2014_

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

1 1

I hereby acknowledge receipt of Check No. 864740 dated 8213
or cash received on 8413 in the amount of 150.00
from TRC
for $HITP-4D$
Submitted by: BRAD JONES Date: 8/6/13
Submitted to ASD by: Kung Sherman Date: 8/7/13
Received in ASD by: Date:
Filing Fee New Facility: Renewal:
Modification Other X TEMPORARY PERMISSION FEE
Organization Code 521.07 Applicable FY $FY IH$
To be deposited in the Water Quality Management Fund
Full Payment or Annual Increment

ACKNOWLEDGEMENT OF RECEIPT OF CHECK/CASH

I hereby acknowledge receipt of Check No. 864743 dated $82/13$
or cash received on 8/8/13 in the amount of \$ 100.00
from TRC
for HITP-40
Submitted by: BRAD JONES Date: 8/6/13
Submitted to ASD by: Lunge Merman Date: 8/7/13
Received in ASD by: Date:
Filing Fee New Facility: Renewal:
Modification Other
Organization Code <u>521.07</u> Applicable FY <u>FY14</u>
To be deposited in the Water Quality Management Fund.
Full Payment or Annual Increment

New Mexico Environment Department Revenue Transmittal

Description	Fund	CES	DFA DFA ED Org. Acct.Org.	ED Acct.	Amount
1 CY Reimbursement Project	ax 064	01			1
2 Gross Receipt Tax	064	01	2329 900000	0 2329134	2
3 Air Quality Tille V	092	13	1690 900000	4169134	3
4 PRP Prepayments	248	14	9690 90000	4969014	4
5 Climax Chemical Co.	248	14	9690 900000	4969015	5
6 Circle K Reimbursements	248	14	9690 90000	4969248	6
7 Hazardous Waste Permits	339	27	1690 900000	4169027	7
8 Hazardous Waste Annual Generator Fee	s 339	27	1690 900000	4169339	8
9 / Water Quality - Drinking Water	340	28	1690 900000	4169028	9
¥ 10 ▼ Water Quality - Oil Conservation Division	341	29	2329 900000	2329029	250.0010 +
11 Water Quality - GW Discharge Permit	341	29	1690 900000	4169029	
12 Air Quality Permits	631	31	1690 900000	4169031	12
13 Payments under Protest	651	33	2919 900000	2919033	13
* 14 Xerox Copies	652	34	2349 900000	2349001	14
15 Ground Water Penalties	652	34	2349 900000	2349002	15
16 Witness Fees	652	34	2349 900000	2349003	16
17 Air Quality Penalities	652	34	2349 900000	2349004	17
18 OSHA Penalties	652	34	2349 900000	2349005	18
19 Prior Year Reimbursement	652	34	2349 900000	2349006	19
20 Surface Water Quality Certification	652	34	2349 900000	2349009	20
21 Jury Duty	652	34	2349 900000	2349012	21
22 CY Reimbursements (i.e.: telephone)	652	34	2349 900000	2349014	22
* 23 UST Owners List	783	24	9590 900000	4959201	23
* 24 Hazardous Waste Notifiers List	783	24	9690 900000	4959202	24
* 25 UST Maps	783	24	9690 900000	4969203	25
* 26 UST Owners Update	783	24	9690 900000	4969205	26
* 28 Hazardous Waste Regulations	783	24	9590 900000	4969207	28
* 29 Radiologic Tech. Regulations	783	24	9690 900000	4969208	29
* 30 Superfund CERCLIS List	783	24	9690 900000	4969211	30
 31 Solid Waste Permits Fees 	783	24	9690 900000	4969213 _	31
32 Smoking School	783	24	9690 900000	4969214 _	32
* 33 SWQB - NPS Publications	783	24	9690 900000	4969222 _	33
* 34Radiation Licensing Regulations	783	24	9690 900000	4959228 _	34
* 35Sale of Equipment	783	24	9690 900000	4969301 _	35
* 36 Sale of Automobile	783	24	9690 900000	4969302 _	36
** 37Lust Recoveries	783	24	9690 900000	4969614 _	37
** 38Lust Prepayments	783	24	9690 900000	4959515 _	38
39Surface Water Publication	783	24	9690 900000	4969801 _	
40Exxon Reese Drive Ruidoso - CAF	763	24	9690 900000	4969242	40
41 Emerg. Hazardous Waste Penalties NOV	957	32	1640 900000	4164032 _	41
42Radiologic Tech. Certification	987	05	1690 900000	4169005 _	42
44UST Permit Fees	989	20	1690 900000	4169020	44
45UST Tank Installers Fees	989	20	1690 900000	4169021 _	45
46 Food Permit Fees	991	26	1690 900000	4169026 _	46
43Other					43
* Gross Receipt Tax Required ** Site Name & Pr	oject Code F	Require	d ī	OTAL:	
Contact Person: GLENN VON GONTEN	Phone #	476	-3488_Date:	87	13
Received in ASD By:	Date:		RT #:	,	ST#

NEW MEXICO ENVIRONMENT DEPARTMENT - ALBUQUERQUE FIELD OFFICE DAILY CHECK RECEIPT LOG

DATE	WALK-			DATE OF	CHECK/MONEY	PROGRAM	AMOUNT		
RECEIVED	!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!</th <th>MAIL</th> <th>NAME ON CHECK</th> <th>CHECK</th> <th>ORDER#</th> <th>CODE</th> <th>OF CHECK</th> <th>DATE DEPOSITED</th> <th>DEPOSITED BY:</th>	MAIL	NAME ON CHECK	CHECK	ORDER#	CODE	OF CHECK	DATE DEPOSITED	DEPOSITED BY:
8613		\checkmark	TRC	8213	864740		150.00		
8/6/13		\checkmark	TRC	8/2/13	81.4743		100.00		
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TOTAL							250,00 \$ 0.00		
				REVENU	JE TRANSMITT	AL SHEET			
			Description	Fund	Dept.	Share Acct	Sub Acct	Amount	
			Liquid Waste	34000	Z3200	496402			
			Water Recreation Facilities	40000	Z8501	496402			-
			Food Permit Fees	99100	Z2600	496402			-
			OTHER						

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512.329.6080 PHONE 512.329.8750 FAX

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August 5, 2013

Mr. Brad Jones, Environmental Engineer **Oil Conservation Division** 1220 St. Francis Drive Santa Fe, New Mexico 87505

Submittal of Notice of Intent for the Disposal of Hydrostatic Test Wastewater, Holly Re: Energy Partners Beeson Station Pipeline Project, Eddy County, New Mexico

Dear Mr. Jones:

On behalf of Holly Energy Partners, Operating L.P. (HEP), TRC Environmental Corporation (TRC) is respectfully submitting this Notice of Intent (NOI) to dispose of hydrostatic test wastewater to a salt water disposal well (SWD) resulting from testing of new pipeline. OGRID number is 252293.

HEP recognizes that this request is being submitted late, and now understands that request for authorization needs to be granted before removal of hydrostatic test wastewater from the pipeline. Future NOIs and requests from HEP to OCD will be managed appropriately.

The hydrostatic test commenced at the Beeson Station on May 21, 2013, and lasted for one (1) day. Following the hydrostatic test, approximately 107,730 gallons (2,565 bbls) of hydrostatic test wastewater was removed from the pipeline and transferred directly into "frac tanks" which are staged at the Beeson Station. Following OCD approval, the test wastewater will be transferred from the frac tanks to tanker trucks that will transport it to a SWD facility permitted by the OCD for disposal. No discharge of test wastewater to soils or other environmental media, such as groundwater or surface water, has occurred, or will occur.

TRC has included the required information for the NOI as stated in the "Guidelines for Hydrostatic Test Dewatering." Additionally, a check in the amount of \$100.00 is attached for the filing fee, and another \$150.00 check is attached for Temporary Permission Fee. The following items are included:

- 1. Background Information;
- 2. Hydrostatic Test Wastewater Disposal Notice of Intent Plan;
- 3. Attachment 1, Beeson Station Right of Way (ROW) Lease Agreement;

- 4. Attachment 2, Point of Diversion Reports;
- 5. Attachment 3, Soil Description;
- 6. Attachment 4, Siting;
- 7. Attachment 5, Correspondence with New Mexico Mines and Minerals Division;
- 8. Figure 1, Site Location Map;
- 9. Figure 2, Site Map;
- 10. Figure 2a, Site Map;
- 11. Figure 3, Hydrology Map;
- 12. Figure 4, Flood Zone Map;
- 13. Figure 5, Wetlands Map;
- 14. Figure 6, Soil Map;
- 15. Figure 7, Active Mines; and,
- 16. Figure 8, Nearest Residence, School, Hospital, Institution or Church within 500 Feet.

TRC appreciates the opportunity to present this application for NOI. If you have any questions or comments, please contact either Jubal Grubb at 512-684-3170, or William Green with HEP at 575-748-8968.

Sincerely,

Jubal Grubb, P.G. Staff Geologist

cc: William Green, Holly Energy Partners Adrienne Boer, TRC



BACKGROUND INFORMATION

- The Beeson Pipeline is a new, welded, steel 10-inch diameter by 24,209.5 feet long pipeline. The Beeson Pipeline has a northern point located at coordinates latitude 32.844112°, longitude -103.926709° (see Figure 1), and southern point located at the Beeson Station tie-in located at latitude 32.782606°, longitude -103.959453°;
- HEP recognizes that this request is being submitted late, and now understands that request for authorization needs to be granted before removal of hydrostatic test wastewater from pipeline. Future NOIs and requests from HEP to OCD will be managed appropriately;
- The pipeline is part of a gathering system that transports crude oil before refinement from the Beeson Station to the Lovington pipeline;
- The U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) requires periodic pressurized tests on all DOT-regulated pipelines and all newly installed pipelines to verify the integrity and safety of pipeline systems. Because the pipeline is part of a crude oil gathering system, wastewater generated during hydrostatic testing is classified as RCRA-exempt wastewater and does not require management as a RCRA waste or disposal at a RCRA-approved facility;
- The pipe was filled with test water beginning May 17, 2013. Testing began May 21, 2013 and ended on May 22, 2013 when the pipeline was dewatered directly to frac tanks situated at the Beeson Station. Disposal of the hydrostatic test water to an injection disposal well has been arranged and is ready as soon as practicable and authorized;
- Approximately 107,730 gallons has been removed from the pipeline and transferred to six frac tanks situated at the Beeson Station and is currently awaiting disposal authorization;
- The source of the hydrostatic test water is Mor-West Corporation (aka Caprock Water) P.O. Box 330, Loco Hills, New Mexico 88211, (575) 677-2221, which is an approved public water supply source (NM #3500113). The point of diversion (POD) numbers for the wells that supply the water are listed as: L-3587, L-3587-S2, L-8084, L-3926, L-3924, L-3925, L-3926;
- The transporter of the hydrostatic test wastewater will be Basic Energy Services, LP (NMOCD Order No. C133-401);



- The SWD disposal injection well is the Shugart State #2 (API #: 3001532438), Permit #1340, located at latitude 32.7453657522°, longitude -103.877740458°, and is operated by Basic Energy Services, LP;
- The land owner at the Beeson Station, where the hydrostatic test was conducted and the wastewater is stored, is the United States Department of the Interior Bureau of Land Management (US BLM). The lease agreement for the Beeson Station is included in Attachment 1. The Beeson Station is at the end of the pipeline ROW, and testing did not occur on the pipeline ROW.

The following provides the information requested in the Guidelines for Hydrostatic Test Dewatering (Rev. Jan. 11, 2007).

Item a. Name and address of the proposed discharger.

Holly Energy Partners

Attn: William Green/ Environmental Specialist

P.O. Box 1260 / 1602 W. Main

Artesia, New Mexico, 88210

Item b. Location of the discharge, including street address, if available, and sufficient information to locate the facility with respect to surrounding landmarks.

The pipeline start point is located at latitude 32.781940°, longitude -103.959967°, which is the location of the Beeson Station (see Figure 1). The Beeson Station is in Eddy County NM, and is located approximately 2.7 miles southeast of the village of Loco Hills, NM, or approximately 26 miles east-southeast of Artesia, NM. Driving directions are as follows: From the intersection of State Highway 82 and First Street in Artesia, go east on State Highway 82 (also known as the Lovington Highway) for 24.7 miles (mile marker is not currently known), then go south on County Road 217 (also known as Hagerman Cutoff Road) for approximately 0.42 miles (mile marker is not currently known) until intersection with the second unpaved and unnamed east-trending road. Turn southeast on unnamed road and go approximately 2.7 miles. Road dead-ends at Beeson Station pad site.

Item c. Legal description of the discharge location.

Discharge to ground is not proposed. The Beeson Station is located in Eddy County in NW/4, NW/4, Section 3, T18S, R30E, with coordinates centering at approximately latitude 32.781940°, longitude -103.959967°.



Item d. Maps (site specific and regional) indicating the location of the pipelines to be tested and the proposed discharge location.

A Site Location Map is provided as Figure 1 which shows the topography in the area of the pipeline that was tested, a Site Map is provided as Figure 2 which shows the Beeson Station with an image base map, and Figure 2a which shows the Beeson Station with a topographic base map.

Item e. A demonstration of compliance to the following siting criteria or justification for any exceptions:

i. Within 200 feet of a watercourse, lakebed, sinkhole or playa lake.

As demonstrated by a site inspection conducted on July 1, 2013 (see Attachment 5), no watercourse, lakebed, sinkhole, or playa lake was observed within 200 feet of the Beeson Station (see Figure 2). According to the New Mexico Pit Rule Mapping Portal (the "Pit Rule Mapping Portal"), and the 1985 and 2010 editions of the Loco Hills, New Mexico 7.5-minute USGS Topographic Quadrangle maps, the nearest surface water bodies are approximately 4700 feet to the southeast in Section 2, T18S, R30E. A watercourse is defined in NMAC 19.15.2.7.W(4):

"Watercourse" means a river, creek, arroyo, canyon, draw or wash or other channel having definite banks and bed with visible evidence of the occasional flow of water.

ii. Within an existing wellhead protection area or 100-year floodplain.

The Beeson Station is not within an existing wellhead protection area as defined by NMAC Title 19, Chapter 15, Part 2,7.W(8). Under the most conservative interpretation of this rule, the site would need to be positioned within 1,000 feet of a water supply well and spring to be considered within the wellhead protection area. As demonstrated by a site inspection conducted on July 1, 2013, no water supply wells or springs were observed within 1,000 feet of the Beeson Station.

The 1985 and 2010 editions of the Loco Hills, New Mexico 7.5-minute USGS Topographic Quadrangle maps were reviewed for springs within 1,000 feet of the Beeson Station (See Figure 2). No springs were identified on the map.

The Beeson Station is positioned within NW/4, NW/4, Section 3, T18S, R30E, near the southern boundary of Section 34, T17S, R30E. A search radius of 1,000 feet is contained within sections including Section 3, T18S, R30E, and Section 34, T17S, R30E. The New Mexico Office of the State Engineer ("NMOSE") Waters Database lists the closest well to the Beeson Station within Section 21, T17S, R30E (approximately three miles to the north), as follows:



WR File # 11826 (NAD 1983 UTM Zone 13) X-596554, Y-3632185

Depth to Groundwater Not Listed

The well listed above was intended for use as a monitoring well, and is not intended for domestic or agricultural purposes. A copy of the NMOSE Currently Active Points of Diversion (PODs) listing is provided in Attachment 2. With the exception of oil and gas wells, all wells lie outside a search radius of 1,000 feet from the Beeson Station.

Additionally, there is a group of four exploratory wells listed as owned by the State of New Mexico under POD number 11590 with suffixes POD1 through POD4 that are situated approximately 4 miles to the east of the Beeson Station (see Figure 3). POD1 is included in Attachment 2 for reference.

The Beeson Station is not situated within a mapped 100-year floodplain.

The Federal Emergency Management Agency (FEMA) posts a website providing access to GIS mapping of flood zones (<u>http://www.fema.gov</u>). This website was examined for the area of the Beeson Station which was determined to be situated within the FEMA Panel 0245D from Map 35015C0425D (June 4, 2010, see Figure 4). The panel exhibits mapped flood zones, if any. The FEMA panel indicates an area adjacent to the south side of the Beeson Station depicted as Zone "A". FEMA defines Zone "A" as follows:

No base flood elevations determined. Areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. Because detailed analyses are not performed for such areas; no depths or base flood elevations are shown within these zones.

A site inspection was performed on July 1, 2013. The area adjacent to the south side of the property was observed to have been leveled from past site work. In addition, the frac tanks are situated on the site more than 500 feet away from this area.

iii. Within, or within 500 feet of a wetland.

The Beeson Station is not within, or within 500 feet of a wetland.

The U.S. Fish and Wildlife Service, National Wetlands Inventory mapping system website was accessed for the general area of the Beeson Station. No wetland was mapped at or within 500 feet of the Beeson Station (see Figure 3).

Also, the U.S. Department of Agriculture publication Soil Survey of Eddy County, New Mexico (date) was reviewed. The soil mapping unit containing the Beeson Station is designated "KM" (see Figure 6). The soil identified by the mapping symbol "KM" is the



Kermit-Berino fine sands, 0 to 3 percent slopes. The soil designation applies to the uppermost 60 inches of soil. The Kermit-Berino fine sands soil is not listed as a hydric soil in Eddy County (see Attachment 4). A soil must be listed as hydric to support classification as a jurisdictional wetland. This further supports the determination that the Beeson Station is not within a wetland or within 500 feet of a wetland.

The 1985 and 2010 editions of the Loco Hills, New Mexico 7.5-minute USGS Topographic Quadrangle maps were reviewed for waters of the U.S. These maps indicate no water features in the vicinity.

iv. Within the area overlying a subsurface mine.

The 1985 and 2010 editions of the Loco Hills, New Mexico 7.5 minute USGS Topographic Quadrangle Map was reviewed. No surface and/or subsurface mine was indicated in the general area of the Beeson Station (see Figure 1).

Staff from the New Mexico Mining and Minerals Division's (MMD) Abandoned Mine Land Program were contacted to query the location for the Beeson Station area regarding abandoned mines. The resulting search indicated no abandoned mines within the area. The Active Mines Program GIS database was queried for active mines in the area. The nearest active mines are aggregate mines located several miles to the north and west from Loco Hills. The database search depicted no mines within the general area of the Station (see Figure 7). Correspondence from MMD is included in Attachment 5.

v. Within 500 feet from the nearest residence, school, hospital, institution, or church.

An aerial photograph of the Station and the surrounding area was obtained to form the base imagery for Figure 8. As demonstrated by a site inspection conducted on July 1, 2013, there are no permanent residences, schools, hospitals, institutions, or churches within 500 feet of the Beeson Station.

Item f. Brief description of the activities that produce the discharge

Discharge is not being proposed, and has not occurred. HEP has conducted a hydrostatic test at the Beeson Station of a new 10-inch diameter carbon steel pipeline segment, approximately 24,209 feet in length. This test was conducted to qualify the pipeline for pipeline integrity management (PIM), and new commissioning for active service.

Upon completion of the hydrostatic test, the wastewater was "pigged" from the pipe to staged frac tanks at the Beeson Station, and the pipeline dried.

Item g. Method and location for collection and retention of fluids and solids.



Following completion of the hydrostatic test, the contained wastewater was pushed from the pipe into six 500-bbl (21,000 gallon) frac tanks staged at the Beeson Station in the bermed area in the central part of the site (see Figure 2). The six tanks are not interconnected and the bermed secondary containment is constructed to be greater than 667 bbls. All test wastewater is being held in the six frac tanks. During all wastewater transfer activities, operations were monitored carefully, with a plan to shut down the water movement if a spill or release were to occur or appear imminent.

Item h. Brief description of the Best Management Practices to be implemented to contain the discharge and to control erosion.

No hydrostatic test wastewater was discharged to the ground, therefore no BMPs for sediment and erosion control were deemed necessary. Hydrostatic test wastewater is contained in frac tanks. Temporary hoses to transfer the wastewater from the pipeline to the frac tanks were in good condition. The hoses were inspected regularly for cracks and breaks, and to identify loose fittings and connectors. Drip pans and pots were used as necessary, at hose connections to collect leakages and drills when disconnecting hoses. HEP conducted daily JSA (job safety analyses), hazard assessments, and safe work permitting prior to performing any task, to promote incident free operations. HEP personnel were present within the entire wastewater. During transfer of wastewater from the frac tanks to the tanker trucks, the same precautionary measures will be used as during transfer from pipeline to frac tanks.

Item i. Request for approval of an alternative treatment, use, and or discharge location (other than the original discharge site), if necessary.

The hydrostatic test wastewater was transferred directly from the Beeson Station pipeline into frac tanks. The wastewater will then be transferred from the frac tanks to tanker trucks for transport off-site. HEP will contract Basic Energy Services, LP to haul (NMOCD Order No. C133-401), and dispose of the test wastewater at the Shugart State #2 SWD (API #: 3001532438), Order Number SWD-1340-0, located at latitude 32.7453657522°, longitude - 103.877740458°, and operated by Basic Energy Services, LP.

Item j. Proposed hydrostatic test wastewater sampling plan.

Because the pipeline is part of a crude oil gathering system, wastewater generated during hydrostatic testing is classified as RCRA-exempt wastewater. The wastewater is planned for offsite disposal at a Class II injection well identified in Item I above, this well is permitted to only accept RCRA-exempt waste; therefore wastewater sampling was not required to fulfill surface discharge analytical requirements.

Item k. Proposed method of disposal of fluids and solids after test completion, including closure of any pits, in case the wastewater generated from test exceeds the standards set forth



in Subsections A, B, and C of the NMAC 20.6.2.3103 (the New Mexico Water Quality Control Commission Regulations);

As previously described, the hydrostatic test wastewater will be transported for off-site disposal. As surface discharge is not being proposed, testing for standards outlined in NMAC 20.6.2.3103 are not proposed. There will be no surface discharge of hydrostatic wastewater.

Item I. Brief description of the quality and volume of the discharge.

Based on the diameter and length of the pipeline segment, approximately 107,730 gallons (approximately 2,565 bbls) of water was used during the test. The test wastewater is not expected to have hydrocarbons, or any other contamination, as the pipeline segment is new. The source of the hydrostatic test water is Mor-West Corporation (aka Caprock Water) P.O. Box 330, Loco Hills, New Mexico 88211, (575) 677-2221, which is an approved public water supply source (NM #3500113). The point of diversion (POD) numbers for the wells that supply the water are listed as: L-3587, L-3587-S2, L-8084, L-3926, L-3924, L-3925, L-3926.

Item m. Geological characteristics of the subsurface at the proposed discharge site.

The New Mexico Bureau of Mines and Mineral Resources Ground-Water Report 3, *Geology and Ground-Water Resources of Eddy County, New Mexico*, 1952, was referenced. The area is described in general terms, and based on this report the principal aquifers are the Permian Chalk Bluff formation and Rustler formation, and the Triassic Dockum group. Strata dip gently to the east and southeast. The report states that water for stock and domestic use is generally obtained from limestone, gypsum, and redbeds of the Chalk Bluff formation or Whitehorse group from depths of approximately 200 feet.

New Mexico geology and USGS karst information was reviewed. Karst geology features appear to have not been mapped for the general area of the Beeson Station and data does not exist in that area; however, the nearest USGS-mapped karst is approximately 2.5 miles to the southwest and is described as, "Fissures, tubes, and caves over 1,000 feet long, 50 to over 250 feet vertical extent, in gently dipping to flat lying beds of gypsum". The surficial geology in the area of the Beeson Station is defined as "Qe/Qp" Quaternary-Eolian Piedmont Deposits.

As stated previously, the U.S. Department of Agriculture publication Soil Survey of Eddy County, New Mexico identifies the soils at the Beeson Station and surrounding area as the Kermit-Berino fine sands "KM". This is an association of nearly level and gently sloping (0-3%), well-drained soils with fine sandy loam subsoil. These soils occur in a broad area of Eddy County. The soils are generally regarded as excessively or well drained with low water holding capacity and a high capacity to transmit water (see Attachment 3).

Item n. The depth to and total dissolved solids concentration of the groundwater most likely to be affected by the discharge.



Discharge is not being proposed; however, the NMOSE website point of diversion summary (PODS) and water rights summary database was accessed to obtain the reports shown in Attachment 2. Based on the nearest existing water well data, the average depth to groundwater is approximately 62 feet below ground surface (bgs) for wells that reported encountering water. The nearest well (RA 11590 POD1) to the Beeson Station is more than three miles to the east. This is one of a group of four exploratory wells installed by the New Mexico State Land Office that was drilled to 158 feet bgs and was reported as a dry hole. Water quality information was not available for the well.

According to the New Mexico Bureau of Mines and Mineral Resources Ground-Water Report 3, *Geology and Ground-Water Resources of Eddy County, New Mexico*, 1952, the availability of groundwater is described (Groundwater Report 3 Plate 4) in an area designated as Area 5c: East of the Pecos River, "Stock and domestic supplies available at depths less than 300 feet in Triassic redbeds; quality generally fair but locally impotable." Furthermore, water available in the area east of the Pecos River is described as, "...obtained from wells in limestone, gypsum, and redbeds of the Chalk Bluff or Whitehorse group at depths as great as 200 feet." (Page 79, Ground Water Report 3). The nearest well depicted in Plate 4 reports the depth to water at 158 feet with total dissolved solids (TDS) reported of 1,730 parts per million (ppm). Other TDS values in the region range from as low as 478 parts per million (ppm) to 3,920 ppm

Item o. Identification of landowners at and adjacent to the discharge site and collection/retention site.

As described previously, all dewatering of the Beeson Pipeline was conducted at the Beeson Station which is the collection/retention site. The Beeson Station is a parcel of land held in leasehold by HEP as shown in the attached lease agreement. All property surrounding and including the Beeson Station is owned by the US BLM.

ASSUMPTIONS AND LIMITATIONS

The information presented in this permit application is based on best available information obtained from multiple sources through the New Mexico Office of the State Engineer, the New Mexico Mines and Mineral Resources Division, New Mexico Institute of Mining and Technology, The United States Fish and Wildlife Service, United States Department of Agriculture Natural Resources Conservation Service, and also based on information provided by HEP. TRC has made a reasonable attempt to verify and cross reference the information.

CTRC

ATTACHMENT 1

BEESON STATION RIGHT OF WAY (ROW) LEASE AGREEMENT

Grubb, Jubal

From: Sent:	Woods, Garrett <garrett.woods@hollyenergy.com> Wednesday, July 31, 2013 5:07 PM</garrett.woods@hollyenergy.com>
To:	Grubb, Jubal
Subject:	FW: Letter for the OCD from the BLM Carlsbad office

Garrett P. Woods Crude Systems Coordinator Holly Energy Partners Cell 214-502-6293 Office 575-748-4000 FAX 575-748-4052

From: Arreola, Salomon [mailto:sarreola@blm.gov] Sent: Wednesday, July 31, 2013 3:52 PM To: Woods, Garrett Cc: Smith, Paul Subject: Re: Letter for the OCD

The Bureau of Land Management (BLM) approves of Holly Energy Partners temporarily placing approximately 6 frac tanks at their existing Beeson Station, which is on BLM surface. The frac tanks will be used to capture the fresh water used for the hydrostatic testing of the Beeson 10-inch pipeline. The Beeson pipeline right-of-way was approved under BLM serial number NM-127126. If you have any questions please free to contact me.

On Wed, Jul 31, 2013 at 8:44 AM, Woods, Garrett <<u>Garrett.Woods@hollyenergy.com</u>> wrote:

Salomon, Have you heard anything on the letter that we requested for the OCD from the BLM?

Thanks

Garrett P. Woods

Crude Systems Coordinator

Holly Energy Partners

Cell 214-502-6293

Office 575-748-4000

FAX 575-748-4052

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Salomon V. Arreola Bureau of Land Management Realty Specialist Office: 575-234-5903 Cell: 575-725-7574 Fax: 575-234-5927

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Easement-In

AGREEMENT	800	-025		Group Co	de: Right of Wa	ау			
Grantor: Bur	eau of Lan	id Manage	ment	Grantee:	Malco Refir	neries, Inc.		Type: Permit	
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Agreement Da	ites	clive.	Division. Corpo	Diate				Stage Code Date: 05/19/2010	
Agreement:	Fff	ective	Acquired:	Expiration	Extended:		. .	Stage Code Date. 00/10/2010	
01/01/1952	01/	01/1952	01/01/1952	Expiration.	Extended.	run Kelease			
0110111002		0111002	010011002					Costs	
						Acquis	ition:	Damages:	
							\$0.00	\$0.00	
Acreage Sur	nmary								
Gross:	0.00)	Overlap: 0.000	D					
Rights Held				Net	Company				
Remarks:									
Tract No: 1.0		Name	e: Tract 1.0	Status:	Payment requi	red to Hold	Di	strict: Artesia	Active: Y
									Calc Acres: Y
G	rantor Int:	C	ompany Int:	Acco	unt Number:				
1.	00000000		1.00000000						
Total Re	ow Width:	Unit:		Size:	Acquistion:	Damages:	Operate	pr:	
							Holly Er	nergy Partners - Operating, L.P.	

LEGAL DESCRIP	TION						
Tract No: 1.0 Legal Desc:	L2-S3-T18S-R30E		County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	N2NE-S33-T17S-R30E	Ξ	County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	N2SW-S34-T17S-R30	E	County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	NENE-S29-T17S-R30	E	County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	NESW-S29-T17S-R30	E	County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	SENE-S33-T17S-R30	E	County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	SENW-S20-T17S-R30	E	County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	SENW-S28-T17S-R30	E	County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	SE-S20-T17S-R30E		County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	SESW-S34-T17S-R30	E	County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	SWNE-S20-T17S-R30	E	County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	SWNW-S34-T17S-R30	DE	County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	SWSE-S34-T17S-R30	E	County: EDDY		State: NEW MI	EXICO	
Gross Acres: Legal Desc:	W2NE-S28-T17S-R30	E	County: EDDY		State: NEW M	EXICO	
Gross Acres: Legal Desc:	W2SE-S28-T17S-R30	E	County: EDDY		State: NEW MI	EXICO	
Gross Acres:							
OWNERSHIP Tract No: 1.0	2000055 Bureau of Lan	d Management				Å	
Rights Held: Owner: 0000	ALL 0000436 Holly Energy P	Int. Type Partners - Operating, L.P.	e: Current Grantor (62)	Int. Amt:	1.00000000	Oper:	N
Rights Held:	ALL	Int. Type	e: Current Grantee	Int. Amt:	1.00000000	Oper:	Y
OPERATIONS							
<u>Tract No: 1.0</u> Operation Typ SYSTEM Operation Typ	De: Operation #: 007 De: Operation #:	Operation Artesia Cru Operation	Name: Jde Name:				
FACILITY	008	Beeson to	Badluck				
Facilit Crude	y Type : Pipeline	Distance: U	ОМ:		Station In/Out: 0 + 0 / 0 + 0		

DOCUMENTS Tract No: 1.0 Permit Date: 01/01/1952 Recording: Book: Page: Other: Doc Type: Malco Refineries, Inc. Grantor: Bureau of Land Management Grantee: Date: 01/20/1960 Other: Assignment Recording: Book: Page: Doc Type: Grantor: HONDO OIL & GAS (MALCO) Grantee: CONTINENTAL Date: 05/29/1969 Other: Doc Type: Assignment Recording: Book: Page: NAVAJO REFINING CONTINENTAL Grantee: Grantor: Date: 02/29/2008 Recording: Other: Doc Type: Assignment Book: Page: **HEP Plpeline LLC** Grantor: Navajo Refining Grantee: PAYMENTS Payment: \$0.00 Every 10 \$2,242.60 Bank Charge: Payment Type: Rental Frequency: Payment: Years \$2,242.60 Start Date: 12/15/2006 End Date: 12/15/2099 We Pay: Y Total Amt: Payor: Navajo Refining Company (84) Payees: Bureau of Land Management Payee Name/Address: Suspend: Payee Net Amt: \$2,242.60 PROVISIONS Abandonment/Restoration Value: In Agmt? Type: No Change of Ownership Notifivalue: Yes In Agmt? Type: Yes In Agmt? Consent to Assign Value: Type: Ingress/Egress Restrictions Value: In Agmt? No Type: Type: Line Size Value: No In Agmt? In Agmt? Minor Road Crossings on TrValue: Type: No Multi Line Rights In Agmt? Value: No Type: Product type Type: Value: No In Agmt? In Agmt? **Retirement Obligation** Value: Yes Type: In Agmt? Subject to Surface Damage Value: No Type: CROSS REFERENCE

Type:	Agency Number	X-ref No:	NM-0006130	Description:	
Type:	Pump Station	X-ref No:		Description:	Beeson Pump Station
Type:	Station Site	X-ref No:		Description:	Beeson Station
Туре:	Well/Battery Name	X-ref No:		Description:	Beeson Pipeline

RESPONSIBLE PARTIES

Resp Type: Right of Way Administrators

Tammy Fuentes

Resp Name:

Easement-In

AGREEMENT	009-388		Group C	ode: Right of V	Vay			
Grantor: United	States Depart	ment of the In	terior Grante	e: Malco Re	fineries, Inc.		Type: Ri	ght of Way/Easement
	Active:Y	Division: Co	rporate				Stage: Pa	iyment
Agreement Date	s						Stage Code Date: 02	/17/2009
Agreement: 01/01/1952	Effective: 01/01/1952	Acquired: 01/01/1952	Expiration:	Extended:	Fuil Relea	se:		
					Acquisi	tion: \$0.00	Costs Damages: \$0.00	
Acreage Summ	nary							
Gross:	0.00	Overlap: 0.0	000					
Rights Held			Net	Company	,			
Remarks: TRACTS								
Tract No: 1.00	Name	e: Tract 1.00	Statu	s: Perpetual		Dis	strict: Artesia	Active: Y
Granto 1.0000	r Int: Cor 0000 1	mpany Int: .00000000	Ac	count Number	:			
Total Row W	idth: Unit: 0.00 Feet		Size:	Acquistion:	Damages:	Opera Malco	tor: Refineries, Inc.	
Tract Acreage	Summary							
Gross:		Overlap:						

LEGAL DESCRIPTION

Tract No: 1.00 Legal Desc: L2-S3-T18S-R30E	County: EDDY	State: NEW MEXICO
Gross Acres: Remarks: See Right of Way for description Legal Desc: N2NE-S33-T17S-R30E	County: EDDY	State: NEW MEXICO
Gross Acres: Remarks: See Right of Way for description Legal Desc; N2N W-S28-T17S-R30E W2NW	County: EDDY	State: NEW MEXICO
Gross Acres: Remarks: See Right of Way for description Legal Desc: N2SW-S34-T17S-R30E	County: EDDY	State: NEW MEXICO
Gross Acres: Remarks: See Right of Way for description Legal Desc: NENE-S29-T17S-R30E Gross Acres:	County: EDDY	State: NEW MEXICO
Remarks: See Right of Way for description Legal Desc: NESW-S28-T17S-R30E Gross Acres:	County: EDDY	State: NEW MEXICO
Remarks: See Right of Way for description Legal Desc: SENE-S33-T17S-R30E Gross Acres:	County: EDDY	State: NEW MEXICO
Remarks: See Right of Way for description Legal Desc: SENW-S20-T17S-R30E	County: EDDY	State: NEW MEXICO
Gross Acres: Remarks: See Right of Way for description Legal Desc: SENW-S28-T17S-R30E	County: EDDY	State: NEW MEXICO
Gross Acres: Remarks: See Right of Way for description Legal Desc: SE-S20-T17S-R30E	County: EDDY	State: NEW MEXICO
Gross Acres: Remarks: See Right of Way for description Legal Desc: SESW-S34-T17S-R30E	County: EDDY	State: NEW MEXICO
Gross Acres: Remarks: See Right of Way for description Legal Desc: SWNE-S20-T17S-R30E	County: EDDY	State: NEW MEXICO
Gross Acres: Remarks: See Right of Way for description Legal Desc: SWNW-S34-T17S-R30E	County: EDDY	State: NEW MEXICO
Gross Acres: Remarks: See Right of Way for description Legal Desc: SWSE-S34-T17S-R30E	County: EDDY	State: NEW MEXICO
Gross Acres: Remarks: See Right of Way for description Legal Desc: W2SE-S28-T17S-R30E	County: EDDY	State: NEW MEXICO
Gross Acres: Remarks: See Right of Way for description		

OWNERSHIP	
Tract No: 1.00	
Owner: 0000000246 United States Department of the Interior Bureau of Land Management Roswell Dist.	
Rights Held: Int. Type: Current Grantor Int. Amt: 1.000000	0000 Oper: N
Owner: 1072 Malco Refineries, Inc.	0000 0 V
Rights Held: Int. Type: Current Grantee Int. Amt: 1.000000	0000 Oper: 1
OPERATIONS	
Tract No: 1.00	
Operation Type: Operation #: Operation Name:	
FACILITY 009 Artesia Crude & Gathering	
Facility Type : Distance: UOM: Station Ir	ı∕Out:
Crude Pipeline Rods 0 + 0 /	10+0
DOCUMENTS	
Tract No: 1.00	
Doc Type: Right of Way/Easement Date: 01/01/1952 Recording: Book: Page: C	Other:
Grantor: United States Department of the Interior Grantee: Malco Refineries, Inc.	
Doc Type: Assignment Date: 01/20/1960 Recording: Book: 163 Page: 66 C	Other:
Grantor: Hondo Oil & Gas Company, formerly Malco Refi Grantee: Continental Pipe Line Company	
Doc Type: Assignment Date: 05/29/1969 Recording: Book: Page: C	Other:
Grantor: Continental Pipe Line Company Grantee: Navajo Refining Company	
Remarks:	
PROVISIONS	
Type: Abandonment/Restoratio Value:	n Agmt? N
Type: Consent to Assign Value:	n Agmt? Y
Type: Ingress/Egress Restrictio Value:	n Agmt? N
Type: Line Size Value: Ir	n Agmt? N
Type: Multi Line Rights Value: Ir	n Agmt? N
Type: Product type Value: Ir	n Agmt? Y
Type: Retirement Obligation Value: Ir	n Agmt? N
CROSS REFERENCE	
Type: Agency Number X-ref No: NM-06130 Description: BLM	
Type: Well/Battery Name X-ref No: Description: Besson Pipeline	
RESPONSIBLE PARTIES	
Resp Type: Bight of Way Administrators Resp Name: Tammy Eventes	

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Right Of Way Easement

Recording Requested by and When Recorded Return to: Vinson & Elkins L.L.P. 2001 Ross Avenue Suite 3700 Dallas, Texas 75201 Attention: Russell W. Oshman STATE: New Mexico COUNTIES: Eddy and Lea

CONVEYANCE, ASSIGNMENT AND BILL OF SALE (Artesia Crude Oil Pipeline Tankage – Eddy County, NM)

Navajo Refining Company, L.L.C.

to

HEP Pipeline, L.L.C.

This Conveyance, Assignment and Bill of Sale (Artesia Crude Oil Pipeline Tankage – Eddy County, NM) ("Assignment"), dated effective for all purposes as of 12:01 a.m. Dallas, Texas time on February 29, 2008 (the "Effective Time"), is made and entered into by and between Navajo Refining Company, L.L.C., a Delaware limited liability company, whose address is 501 East Main, P.O. Drawer 159, Artesia, New Mexico 88210 ("Assignor"), and HEP Pipeline, L.L.C., a Delaware limited liability company whose address is 100 Crescent Court, Suite 1600, Dallas, Texas 75201 ("Assignee").

WITNESSETH:

For and in consideration of the amounts paid by Assignee to Assignor and other good and valuable consideration, the receipt and sufficiency of which Assignor hereby acknowledges, Assignor, as to its respective rights, title and interest in the property conveyed and assigned hereby, has transferred, bargained, conveyed, and assigned, and does hereby transfer, bargain, convey, and assign, to Assignee, effective for all purposes as of the Effective Time, the following properties and assets, whether real, personal or mixed, which are owned or held for use by Assignor in connection with the ownership and operation of Assignor's crude oil pipelines, products pipeline and tanks located in New Mexico and described in greater detail in the narrative description contained in <u>Exhibit A</u> (herein referred to as the "Pipelines," such properties and assets being hereinafter called the "Pipeline Assets"):

(a) Assignor's interest in the lease or leases as listed and designated as such in <u>Exhibit B</u> (such lease or leases, whether one or more, shall collectively be referred to as the *"Leases"*);

(b) The fee acreage described and designated as such in Exhibit B hereto, if any (such fee acreage shall be collectively referred to as the "Fee Acreage") together with all improvements owned by Assignor and located on the Fee Acreage;

(c) The right of way easements, permits, property use agreements, and licenses $\begin{bmatrix} 7 & 4 \\ 2 & 2 \\ 2 & 3 \\ 2 & 4 \\ 2 & 4 \\ 3 & 2 & 2 & 4 \\ 3 & 2 & 2 & 4 \\ 3 & 2 & 2 & 4 \\ 3 & 2 & 2 & 4 \\ 3 & 2 & 2 &$

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(d) All rights of Assignor that relate to the foregoing properties and assets and which consist of rights to occupy real property, whether by adverse possession, prescriptive rights or otherwise.

TO HAVE AND TO HOLD the Pipeline Assets, subject to the terms, exceptions and other provisions herein stated and to the Permitted Encumbrances (as defined below), together with all and singular the rights and appurtenances thereunto and in anywise belonging, unto Assignee; Assignor does hereby bind itself, and its successors and assigns, as to its respective interest in the Pipeline Assets as described on <u>Exhibit B</u> hereto, to warrant and defend title to the Pipeline Assets subject only to the Permitted Encumbrances, unto Assignee, against every person or entity whomsoever or whatsoever, as the case may be, lawfully claiming or to claim the same or any part thereof, by, through or under the Assignor specified in <u>Exhibit B</u> hereto, but not otherwise.

As used herein, the term "Permitted Encumbrances" shall mean:

(i) All legal requirements that govern or apply to the ownership, operation or transfer of such property;

(ii) Any lien for taxes that are not yet due and payable;

(iii) Materialmen's, mechanic's, repairmen's, employees', contractors', tax and other similar liens or charges arising in the ordinary course of business for obligations that are not delinquent or that will be paid and discharged in the ordinary course of business or, if delinquent, that are being contested in good faith by appropriate action;

(iv) Preferential rights to purchase and required third-party consents to assignments and similar agreements with respect to which waivers or consents are obtained from the appropriate parties;

(v) All rights reserved to or vested in any governmental, statutorial or public authority to control or regulate any of the real property interests constituting a part of the Pipeline Assets;

(vi) All easements, restrictions, reservations and covenants now of record affecting the Pipeline Assets;

(vii) Any matters that are waived without reservation in writing by Assignee or otherwise released or satisfied by Assignor on or prior to the Effective Time; and

(viii) Any encumbrances that do not materially impair the continued use and operation of the Pipeline Assets to which they relate and do not materially affect the value of the Pipeline Assets to which they relate.

Effective as of the Effective Time and in consideration of the conveyances made by Assignor hereunder, Assignee hereby agrees to be bound by the terms, conditions, and covenants of the Leases and the Easements. Assignee assumes all of the obligations and duties of Assignor under or in respect of the Leases and the Easements that arise from and after the Effective Time.

Assignor and Assignee agree to execute, acknowledge and deliver to each other such additional instruments, notices and documents, and to do all such other and further acts and things, as

may be reasonably necessary or useful to more fully and effectively evidence and effect the sale, conveyance, assignment, transfer and delivery by Assignor to Assignee of the Pipeline Assets conveyed hereunder or intended to be so conveyed.

This Assignment shall bind and inure to the benefit of Assignor and Assignee and, except as otherwise provided herein, their respective successors and assigns. This Assignment shall be governed by and interpreted in accordance with the laws of the State of Texas without regard to any conflicts of law rule that would direct application of the laws of another jurisdiction, except to the extent that it is mandatory that the law of some other jurisdiction, wherein the Pipeline Assets are located, shall apply. All Exhibits attached hereto are hereby made a part hereof and incorporated herein by this reference. References in such Exhibits to instruments on file in the public records are made for all purposes. Unless provided otherwise, all recording references in such Exhibits are to the appropriate records of the counties in which the Pipeline Assets are located. This Assignment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

Separate assignments of certain parts of the Pipeline Assets may be executed on officially approved forms by Assignor to Assignee in sufficient counterparts to satisfy applicable statutory and regulatory requirements. In addition, to facilitate recording or filing of this Assignment in the appropriate real property records, the counterpart to be recorded in a specific county may contain only those portions of the Exhibits that describe real property located in such county. Any such separate assignments or counterparts shall be deemed to contain all of the exceptions, reservations, rights, titles, powers and privileges set forth herein as fully as though they were set forth in each such assignment or counterpart. The interests conveyed by such separate assignments or counterparts are the same, and not in addition to, the Pipeline Assets conveyed herein.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

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EXECUTED effective for all purposes as of the Effective Time.

BOOK 730 PAGE 0106

ASSIGNOR

NAVAJO REFINING COMPANY, L.L.C., a Delaware limited liability company

Pipeline Assets

n By: Name: Bruce R. Shaw

Title: Vice President and Chief Financial Officer

BOOK 730 PAGE 0107

Pipeline Assets

ASSIGNEE:

HEP PIPELINE, L.L.C., a Delaware limited liability company

By: Holly Energy Partners – Operating, L.P., a Delaware limited partnership, its sole member

2h By:_

Name: David G. Blair Title: Senior Vice President

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BOOK 730 PAGE 0108

STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on February 28, 2008 by Bruce R. Shaw, Vice President and Chief Financial Officer of Navajo Refining Company, L.L.C., a Delaware limited liability company, on behalf of said limited liability company.



This instrument was acknowledged before me on February 28, 2008 by David G. Blair, Senior Vice President of Holly Energy Partners – Operating, L.P., a Delaware limited partnership and sole member of HEP Pipeline, L.L.C., a Delaware limited liability company, on behalf of said limited liability company and limited partnership.

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Notary Public, State of Texas

Pipeline Assets

List Of Exhibits:

7

Exhibit A –Pipelines Exhibit B –Leases, Fee Acreage, and Easements

Pipeline Assets

Exhibit A

BOOK 730 PAGE 0110

Narrative Description

- Artesia Crude Oil Pipeline Tankage. Those crude oil tanks located in Eddy and Lea Counties, New Mexico, more particularly described as follows:
 - Abo Station, including all tanks, pump stations and other associated equipment, including without limitation Tank 1007, Eddy County, New Mexico;
 - Artesia Station including all tanks, pump stations and other associated equipment, including without limitation Tank 970, Eddy County, New Mexico;
 - Barnsdall Station including all tanks, pump stations and other associated equipment, including without limitation Tank 1028, Eddy County, New Mexico;
 - Beeson Station including all tanks, pump stations and other associated equipment, including without limitation Tanks 972 and 973, Eddy County, New Mexico;
 - Maljamar Park Station including all tanks, pump stations and other associated equipment, including without limitation Tanks 46, 47 and 48, Lea County, New Mexico; and
 - Henshaw Station including all tanks, pump stations and other associated equipment, including without limitation Tanks 1048 and 1049, Eddy County, New Mexico.

Pipeline Assets

EXHIBIT B

Station Sites (Tankage) Eddy County, New Mexico

<u>State</u>	County	Original Grantor	Original Grante	e Document Type	Document Date	Recording Date	Book / Page
				Abo Station			
New Mexico	Eddy	Bureau of Land Management	Navajo Refining Company	Truck Unloading & Tanks Facility COA - CAS Artesia Station	6/7/1988		•NM-72671 w/ amendment
New Mexico	Eddy	State of New Mexico	New Mexico Pipeline Company	Deed ROW	°°°1-377		RW Deed No. 314
 	· .		B	arnsdall Station			
New Mexico	Eddy ປີ	Bureau of Land Management	Navajo Pipeline Co.	ROW/ Temp. Use Permit	10/4/1996	<u> </u>	NM-96607
New		Bureau of Land	Malco	Beeson Station			
Mexico		wanagement_	Refineries, Inc.	ROW + Plant CO9 - 388	1/1/1952		NM-06130
			1		Pipeline Assets		

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Henshaw Station

New	Calal	Bureau of Land	Navajo Refining	Pipeline &		
Nexico	Eady	Management	Co.	Station Grant	2/27/2001	 NM-105028
			- 190	273 B BUM	-105028	

RECEPTION NO: 0802630 STATE OF NEW MEXICO, COUNTY OF EDDY RECORDED 03/07/2008 12:24.PM BOOK 0730 PAGE 0103 12:24.PM DARLENE ROSPRIM, COUNTY CLERK



:

Pipeline Assets

800x 730 PAGE 0112

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IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT STATE OFFICE P. O. Box 1449 Santa Fe, NM 87501

April 8, 1975

DECISION

Navajo Refining Company North Freeman Avenue Artesia, NM 88210

APR :075

Right-of-Way NM 06130

Partial Relinquishment Accepted

Application for partial relinquishment of right-of-way grant NM 06130 has been given favorable consideration and is hereby approved effective January 15, 1975.

The lands affected by this relinquishment are:

Engineering Station

Location

0 + 00 to 133+97.2

T. 17 S., R. 30 E., Sec. 6, SW\2SE\2; Sec. 7, E\2; Sec. 17, W\2; Sec. 18, NE\2NE\2; Sec. 20, E\2NW\2.

containing 2.537 miles

The lands remaining in the right-of-way are:

Engineering Station

133+97.2 to 326+41.5

Location

 T. 17 S., R. 30 E., Sec. 20, SW2NE2, SE2NW2, SE2;
 Sec. 28, W2NW2, SE2NW2, NE2SW2, W2SE2;
 Sec. 29, NE2NE2;
 Sec. 33, N2NE2, SE2NE2;

> Sec. 34, SWŁNWŁ, NŁSWŁ, SEŁSWŁ, SWŁSEŁ.

T. 18 S., R. 30 E., Sec. 3, Lot 2.

containing 3.645 miles

Stella V. Gonzales Chief, Lands Section NM 06130 Right-of-Way 943a







UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

ava O

NM 06130, etc. Rs/W (4.20e)

DIVISION OF LANDS & MINERALS PROGRAM MANAGEMENT & LAND OFFICE P. O. Box 1449 Santa Fe, New Mexico 87501

June 19, 1969

Rights-of-Way

DECISION

Assignor: Continental Pipe Line Company

Assignee: Navajo Refining Company, a general partnership composed of Holly Corporation and Navajo Corporation

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Assignments Approved

Assignment of the following-listed rights-of-way from Continental Pipe Line Company to Navajo Refining Company, a general partnership composed of Holly Corporation and Navajo Corporation, is hereby approved effective June 12, 1969, the date filed.

> -New Mexico 06130 × -New Mexico 0556412.* -New Mexico 0556976 K -New Mexico 015544 * -New Mexico 018068 X -New Mexico 0557183 --- New Mexico 0557878 -New Mexico 024436 -New Mexico 031278 × -New Mexico 0559631 - New Mexico 18 🗡 -New Mexico 036599* -New Mexico 223. New Mexico 039700 > -Las Cruces 049991* New Mexico 371 × -- New Mexico 1596 -Las Cruces 060296 __New Mexico 1897 A -Las Cruces 063168 X -Las Cruces 063460 X New Mexico 3335 -New Mexico 6269 X* New Mexico 0107906* -New Mexico 0161498* -New Mexico 6270 A

The assignments are subject to the terms and conditions of the original right-of-way grants and to the following:

1. Nondiscrimination in Employment. This contract (permit) is subject to the provisions of Executive Order No. 11246 of September 24, 1965, a copy of which is attached to each assignment.

Acceptable evidence of the qualifications of the assignee as required by the regulations contained in 43 CFR 2234 is on file. UNITED STATES LEARDING OF THE INTERIOR LIEUTI OF LAID MALAESTAR LIEU OXMOO P. O. LEE 1951 SCHOL FO, LTT LIEUCO



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JAN 2 7 1960

5-626-070-7

Hondo Oil & Gas Company, formerly Malco Refineries, Inc.

Analyzon: Certificated Figo Lier Co. - Dry Karles 06130

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Ten chara-activened conferments of state-of-way is brainfor conversed officients of a lysio.

Asceptible and as of the publiclestics of the college weight the cat of Totarenty 25, 1929 (UL State Uty), as analyd 10 as Allo.

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V. O. REFER, Calof March Myrecettas Soction

CS: DIFLICS

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Í	THIS AGREEMENT ASSIGNED TO	
	BY ASSIGNMENT DATED	
	DECORDED IN BOOK NO. 163	1
	PAGE NO. 66 SERIAL NO.	
	IN RECORDS OF Caday Co. M. M	17
	· · · · · ·	

Interior TI7B-B30 & Ecolog Co, N. Mey

Plats & Maps









APPLICATION REQUIREMENTS

AS PER Right-OF-Way Regulations Of U.S. Department of the Interior Bureau of Land Management Circular No. 1237 b

Pursuant To:

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Section 244.1	See Pages 2 and 3
Section 244.2	Attached
Section 244.4	See Pages A to 7, Incl.
Section 244 8	Burcau Procedure
Section 244.9	Will be complied with
Section 244.12	Will be complied with
Section 244.13	Pipe Line (25'each side of ¢) 6.187 Miles @, \$ 5°° per, and fraction thereof = \$ 35°° Pumping Plant Site 1.29 Acres @\$5°° = \$ 10°°
Section 244.48	Will be complied with
Section 244.49	Filed by a private corporation.
Section 244.50	Sec Pages 2 and 3
Section 244.51	Will be complied with.
Section 244.52	See Pages 2 and 3 and 6

(Page 1)

APPLICATION FOR PIPE LINE RIGHT-OF-WAY AND PUMPING PLANT SITE

Malco Defineries, Inc., a corporation organized and existing under and by virtue of the laws of the State of New Mexico (Robert O. Anderson, President, a citizen of the United States) with office and principal place of business at Roswell, New Mexico, hereby makes application for Pipe Line Right-Of-Way and Pumping Plant Site for the occupancy and use of certain lands of the United States in the State of New Mexico, by constructing, maintaining and operating thereon for the main purpose of transportation of crude oil the following works, all as shown upon certain maps and papers which are filed herewith and made a part hereof

works, all as shown upon certain maps and papers which are filed herewith and made a part hereof A Crude Oil Pipe Line 6.187 miles of which crosses Sections 6, 7, 17, 18, 20, 28, 29, 33, and 34, all in Township 17 South, Range 30 East, N.M.P.M. and part of Sec. 3, Township 18 South, Range 30 East; a Pumping Plant Site in Lot 2, Section 3, Township 18 South, Range 30 East, N.M. P.M., said line and site being shown on accompanying map.

Bureau Stipulation-

The undersigned, applicant for the above designated right-of-way, expressly agrees that the grant of rightof-way shall include and be subject to the following provisions:

(1) That in the construction, operation, and maintenance of the project it will not discriminate against any employee or applicant for employment because of race, color, creed, or national origin, and will require an identical provision to be included in all subcontracts. (2) The applicant consents to the reservation to the United States pursuant to the Act of August 1, 1946 (60 stat. 255) of all subcontracts and the reservation of the

(2) The applicant consents to the reservation to the United States pursuant to the Act of August 1, 1946 (60 stat. 755), of all uranium, thorium, or other materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives, at any time to enter upon the land and prospect for, mine, and remove the same.

"In addition to the express conditions imposed by law and regulations, the right-of-way granted shall be subject to the further condition that the exercise thereof shall not interfere in any way with the enjoyment of surface rights by the United States or its permitees or lessees or with the administration of the Act of february 25, 1920 (41 Stat. 437), as amonded, including the Acts of February 7, 1927 (44 Stat. 1057), Dec. 11, 1928/45 Stat. 1019), and August 21, 1935 (49 Stat. 614), and any and all similar acts, or with prospecting, developing, and producing operations pursuant thereto; and that the pipe line shall be used solely for the transportation of oil produced, transported or withdrawn from storage in conformity with applicable State and Federal laws and regulations thereunder relating to the production, transportation, storage and conservation of oil."

(continued on Page 3)

(Page 2)

stinued from Page 2

Malco Refineries, Inc. further

Byrees that the granting of such right-of-Way shall be subject to the express condition that some will not interfere in any way with the leasing and development of the public lands crossed by said pipe line, by the United States, for the development of oil, gas, or potash therefrom; that the applicant hereby expressly agrees and consents to the use of such purtion of the right-of-way not actually occupied by the pipe line for and in connection with such drilling operations for oil, gas, or potash and the operation of wells thereon, and that permittee further expressly consents and agrees to bury such part of its pipe line as traverses the public lands of the United States within thirty days after receipt of written notice from properly accredited agent of the Sacretary of the Interior in such a manner that it will in no way interfere with the enjoyment of surface by the United States, its permittees or [casees."

This application has been prepared to be filed for the approval of the Secretary of the Interior, in order that the undersigned applicant may obtain the benefits of the Act of Congress of February 25, 1920(4) stat. 449) as amended by the Act of August 21, 1935 (49 Stat. 678); 30 U.S.C. 185) and any other acts that might pertain hereto.

In Witness Whereof Malco Refineries, Inc. has caused this instrument to be executed this 9th. day of August , 1951.

Malco Defineries, Inc. 71 L'allell Secretary . ; . 3 : (Page 3)

Original







TABULATION OF CE.	NTER LINE SURVEY
Bearing Station Description	Bearing Station Description
0+00 Beg of Pipeline	181+712 E-W Sec Line
STSTSE 8+05 ² E.W. Sec. Line	184+84 P.I.
5/3+45£ 12+555 Pl Defl.	187+733 N-S Sec. Line
510°30£ 28+76° P.T.	209+49 PT.
35+28° PT.	229+62 P.I.
) 14* 43 E 38 + 46 * 3" Pipe Bh. 4" Pipe 19hd.	235+63 - Cross 2" Pipe Line
6/+05° P.I.	235+66 P.I.
517-31 E 62+43 E-W Sec. Line	248+84 = E-W Sec Line
68+93° P.T.	264+73 D.T.
5/6*0/£ 71+112 N-5 Sec. Line	268+32 P.I.
84+11= P.T.	272+55ª N-5 Sec. Line
322342 93+42° P.I.	276+89 P.T.
52/*0/£ 108+75 Fence	0 42° 4×2 29/+69 P.T.
110+00 P.I.	294+00 P.I.
3/706 E 1/8+46ª E-W Sec Line	300+91 P.I.
129710 Cross 3 Pipeline 133+70 Pl.	304+00 P.1.
5 36 °06 £ 133+97 [‡] Cross under REA Line	308+00 P.T.
138+94 Cross Trail Road	371762 310+00 P.T.
150+12 Cross 4" Pipe Line	3/2+00 P.J.
15/+60 Toll Tel. Line	3/4+00 P.T.
152+263 P.I. and E.W. Fence	3/5+50 Cross 3" Pipe Line
152+78 & Highway	3/6+00 P.T.
153+18ª Cross 2" Pipe Line	318+175 Cross Fende
153+29 E-W Fence	321+05 = E. W. Twp. Line
153+312 Cross under PowerLine	322+00 P.I.
155+15 P.I.	324+00 P.J. 52/*42'N
155+205 Cross 3" Pipe Line	325+94 P.T. SG°/3'E
155+32 & EH Access Road	326+415 End R/W, Beg. Pump Plant Site
167+16 Cross under 2"Apeline	326+92 Earth Dyke
169+67 P.T. 545°50'E	327+11 Pump @ End Pipe Line.
172+23 P.T.	(Dune 7)

AFFIDAVIT OF APPLICANT'S SURVEYOR AND CERTIFICATE OF APPLICANT

State of New Mexico))--ss: County of Chaves)

Aubrey B. Gregg, being duly sworn, says he is the Registered Land Surveyor, employed by Malco Refineries, Inc. to make the survey and map of said company's Crude Oil Pipe Line, and that the accompanying map was prepared under his supervision from actual field surveys made by him or under his direction, and that the same correctly represents the location of the works described in the accompanying application, to the bast of histonewledge and belief.

HO Land Surgeyor, New Merieo Cert. No. 334 Udba Roswell Map & Blue Print Co. scholar to before me this 9th day of August, Sworn and SUS 1951. hally & malker My Commission Expires: July 3, 1955

I, Robert O, Anderson, do hereby certify that I am president of Malco Refineries, Inc.; that Aubrey B. Gregg, who subscribed the accompanying affidavit, is the Degistered Land Surveyor employed by said company tomake the survey and prepare the accompanying map of the company's Crude Oil Pipe Line as shown on said map; that said survey and map was made under authority of the company; that the company is duly authorized by its articles of incorporation to construct said Pipe Line upon the location; that said Pipe Line, as represented an this map, was adopted by the company, by resolution of its board of directors on the 13th. day of march ,1951, as the definite location of said Pipe Line; and that the map has been prepared to be filed for the approval of the Secretary of the Interior, in order that the company may obtain the benefits of the Act of Congress of February 25, 1920 (41 Stat. 449) as amended by the Actor August 21, 1935 (49 Stat. 678; 30 U.S.C. 185), and any other Acts that might pertain hereto; and I further certify that the right of way herein described is desired for the main purpose of transportation of oil.



of Malco Refineries, Inc. President Attes Secretary

Page 8

Original

ATTACHMENT 2

NEW MEXICO OFFICE OF THE STATE ENGINEER POINT OF DIVERSION REPORTS



New Mexico Office of the State Engineer Active & Inactive Points of Diversion

(with Ownership Information)

No PODs found.

UTMNAD83 Ra	dius Search (in me	ters):			
Easting (X):	597396	Northing (Y):	3627591.85	Radius:	305
Usage Filter:					
Use: AGR (A	GRICULTURE OT	HER THAN IRRIGATION)		
AUG (A	UGMENTATION V	WELL)			
BPW (B	RINE PRODUCTIC	DN WELL)			
CLS (CI	LOSED FILE)				
COM (C	COMMERCIAL)				
CON (C	CONSTRUCTION)				
CPS (CA	ATHODIC PROTEC	TION WELL)			
DAI (DA	AIRY OPERATION)			
DCN (D	OMESTIC CONST	RUCTION)			
DEW (E	DEWATERING WEI	LL)			
DOL (72	2-12-1 DOMESTIC	AND LIVESTOCK WATE	RING)		
DOM (7	2-12-1 DOMESTIC	ONE HOUSEHOLD)			
EXP (EX	XPLORATION)				
FCD (Fl	iood Control)				
FGP (FI	SH AND GAME PF	ROPOGATION)			
FPO (FI	EED PEN OPERATI	ION)			
GEO (G	EOTHERMAL BOR	REHOLES)			
HWY (H	HIGHWAY CONST	RUCTION)			
IND (IN	IDUSTRIAL)				
INJ (IN	JECTION)				
IRR (IR	RIGATION)				
MDW (COMMUNITY TYP	PE USE - MDWCA, PRIVA	TE OR COMMER	CIAL SUPPLIED)	
MFG (N	ANUFACTURING				
MIL (M	ILITARY - MILITA	RY INSTALLATIONS)			
MIN (M	IINING OR MILLIN	NG OR OIL)			
MOB (N	MOBILE HOME PA	RKS)			
MON (F	MUNITORING WEI				
MPP (N	1EA I PACKING PL	ANI)	20		
MUL (7	Z-12-1 MULTIPLE	DOMESTIC HOUSEHOLI	JS) WATER		
NOT (N	O PRE 1007 WATE	P DICUT EVISTS ON TH	(SLAND)		
NON (N	JON-PROFIT ORGA	NIZATIONAL USE)	S LAND.)		
NOT (N	IO USE OF RIGHT	OR POD			
NRT (N	O RIGHT)	OKTOD)			
OBS (O	BSERVATION				
OFM (C	DIL FIELD MAINTE	ENANCE)			
	L PRODUCTION)	DIVINCE)			
PDL (N	ON 72-12-1 DOMES	STIC & LIVESTOCK)			
PDM (N	NON 72-12-1 DOME	ESTIC)			
PLS (NO	ON 72-12-1 LIVEST	OCK WATERING)			
PMH (N	NON 72-12-1 MULT	IPLE HOUSEHOLD USE)			

POL (POLLUTION CONTROL WELL) POU (POULTRY AND EGG OPERATION) PPP (PETROLEUM PROCESSING PLANT) PRO (72-12-1 PROSPECTING OR DEVELOPMENT OF NATURAL RESOURCE) PUB (72-12-1 CONSTRUCTION OF PUBLIC WORKS) REC (RECREATION) SAN (72-12-1 SANITARY IN CONJUNCTION WITH A COMMERCIAL USE) SCH (SCHOOL USE - PUBLIC, PRIVATE, PAROCHIAL, & UNIVERSITIES) SRO (SECONDARY RECOVERY OF OIL) STK (72-12-1 LIVESTOCK WATERING) STO (STORAGE) SUB (SUBDIVISION) UTL (PUBLIC UTILITY)

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.

6/20/13 10:37 AM

ACTIVE & INACTIVE POINTS OF DIVERSION



New Mexico Office of the State Engineer Water Column/Average Depth to Water

(A CLW##### in the POD suffix indicates the POD has been replaced & no longer serves a	(R=POD replaced, O=orpha C=the fil	has beer ned, e is	n	(quar	ters	аге	1=NW	V 2=NE	5 3=SW 4=S	E)					
water right file.)	closed)			(quar	ers	are	smalle	est to la	rgest) (1	NAD83 UT	M in m	eters)	(In feet)		
		POD Sub-		Q	Q	Q									Wa	ter
POD Number	Code	basin	County	64	16	4 S	Sec	Tws	Rng	X		Y	DistanceDepth	WellDepthWa	ater Colu	mn
RA 11914 PODL			ED	2	4	2 2	20	17S	30E	594801	36320	02	5117	85	80	5
L_01978		L	LE		1	3 2	23	18S	30E	598469	362196	4* 🦕	5729	65	44	21
RA 11590 POD1			ED	2	1	3 3	32	17S	31E	603315	36285	45	5995	158		
RA 11590 POD4			ED	4	1	1	32	17S	31E	603308	36292	53 🧳	6140	55		
RA 11590 POD3			ED	3	1	2 3	32	17S	31E	603932	36292	60	6745	60		
<u>CP 00818</u>			LE		1	4 2	26	18S	30E	599289	362036	4* 🦤	7471	240		
<u>CP 00819</u>			LE		2	4 3	32	18S	30E	594878	361872	0* 🧼	9222	150		
												Averag	ge Depth to Water:		62 feet	
													Minimum Depth	:	44 feet	
													Maximum Depth:		80 feet	
Record Count: 7																
UTMNAD83 Radius	Search (in	n meters	<u>s):</u>													
Easting (X): 597	396		North	aing	(Y):	3	627	591.85	5		Radius:	10000				
*UTM location was derived	d from PLS	S - see ł	lelp													
The data is furnished by the concerning the accuracy, com	ne NMOSE/ npleteness, r	ISC and eliability	is accepted	d by or s	/ the itabi	reci lity f	ipier for a	nt with	the ex ticular p	pressed unde ourpose of the	erstanding 1 e data.	hat the	OSE/ISC make no v	varranties, expres	sed or imp	olied,
6/00/42 4:46 DM													WATER COLU	MN/ AVERAG	E DEPTH	TO

WATER

6/20/13 4:16 PM



New Mexico Office of the State Engineer Active & Inactive Points of Diversion

(with Ownership Information)

		(acre	ft per annur	n)			(R=POD has been replaced and no longer serves this file, C=the file is closed)	(quarter (quarter	s are rs ar	e 1=N e sma	W 2=	=NE 3 to larg	=SW 4=SE) gest)	(NAD8	3 UTM in meter	5)
	Sub				_				9	9 9					v	Distance
WR File Nbr	basin	Use	Diversion	Owner	County	POD Number	Code Grant	Source	64	16 4	Sec	Tws	Kng	х	Y	Distance
<u>RA 11826</u>		MON	0	COG OPERATING COMPANY C/O CURA EMERGENCY SERVICES	ED	<u>RA 11826 POD1</u>			2	42	21	175	30E	596554	3632185	4669
					ED	<u>RA 11826 POD2</u>			2	4 2	21	175	30E	596554	3632185	4669
					ED	RA 11826 POD3			2	42	21	17S	30E	596554	3632185	4669

Radius: 5000

Record Count: 3

UTMNAD83 Radius Search (in meters):

Easting (X):	597396	Northing (Y):	3627591.85	
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Usage Filter:

Use: AGR (AGRICULTURE OTHER THAN IRRIGATION) AUG (AUGMENTATION WELL) BPW (BRINE PRODUCTION WELL) CLS (CLOSED FILE) COM (COMMERCIAL) CON (CONSTRUCTION) CPS (CATHODIC PROTECTION WELL) DAI (DAIRY OPERATION) DCN (DOMESTIC CONSTRUCTION) DEW (DEWATERING WELL) DOL (72-12-1 DOMESTIC AND LIVESTOCK WATERING) DOM (72-12-1 DOMESTIC ONE HOUSEHOLD) EXP (EXPLORATION) FCD (Flood Control) FGP (FISH AND GAME PROPOGATION) FPO (FEED PEN OPERATION) GEO (GEOTHERMAL BOREHOLES) HWY (HIGHWAY CONSTRUCTION) IND (INDUSTRIAL) INJ (INJECTION) IRR (IRRIGATION) MDW (COMMUNITY TYPE USE - MDWCA, PRIVATE OR COMMERCIAL SUPPLIED) MFG (MANUFACTURING) MIL (MILITARY - MILITARY INSTALLATIONS) MIN (MINING OR MILLING OR OIL) MOB (MOBILE HOME PARKS) MON (MONITORING WELL) MPP (MEAT PACKING PLANT) MUL (72-12-1 MULTIPLE DOMESTIC HOUSEHOLDS) MUN (MUNICIPAL - CITY OR COUNTY SUPPLIED WATER) N07 (NO PRE 1907 WATER RIGHT EXISTS ON THIS LAND.) NON (NON-PROFIT ORGANIZATIONAL USE) NOT (NO USE OF RIGHT OR POD) NRT (NO RIGHT) OBS (OBSERVATION) OFM (OIL FIELD MAINTENANCE)

OIL (OIL PRODUCTION) PDL (NON 72-12-1 DOMESTIC & LIVESTOCK) PDM (NON 72-12-1 DOMESTIC) PLS (NON 72-12-1 LIVESTOCK WATERING) PMH (NON 72-12-1 MULTIPLE HOUSEHOLD USE) POL (POLLUTION CONTROL WELL) POU (POULTRY AND EGG OPERATION) PPP (PETROLEUM PROCESSING PLANT) PRO (72-12-1 PROSPECTING OR DEVELOPMENT OF NATURAL RESOURCE) PUB (72-12-1 CONSTRUCTION OF PUBLIC WORKS) REC (RECREATION) SAN (72-12-1 SANITARY IN CONJUNCTION WITH A COMMERCIAL USE) SCH (SCHOOL USE - PUBLIC, PRIVATE, PAROCHIAL, & UNIVERSITIES) SRO (SECONDARY RECOVERY OF OIL) STK (72-12-1 LIVESTOCK WATERING) STO (STORAGE) SUB (SUBDIVISION) UTL (PUBLIC UTILITY)

Sorted by: Distance

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.

6/20/13 10:49 AM

ACTIVE & INACTIVE POINTS OF DIVERSION

Ê				New Active 8	Mex k In	cico Office nactive	e of th PO	ne State En ints of	ngine Div	er Vei	S	ion		
907-25 8 32+48 (4878)			(acre ſt per	annum)		(with Owner	(R=P no lo C=th	OD has been replaced a nger serves this file, e file is closed)	und (quarte (quart	ers are 1= ers are sr	NW 2	ente 3=SW	/ 4=SE) (NAD83 UTM	in meters)
WR File Nbr <u>RA_[1590</u>	Sub basin	Use	Diversion	Owner) NEW MEXICO STATE LAND OFFICE	County ED	7 POD Number <u>RA 11590 POD1</u>	Code	e Grant	Source	q q q 6416 4 2 1 3	Sec 32	Tws Rng 17S 31E	X 603314	Y 3628545
Record Count: POD Sear POD No Sorted by:	1 ch: umber: F File Nu	tA 11 mber	1590 POD I											

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.

6-25-13 9:48 AM

ACTIVE & INACTIVE POINTS OF DIVERSION



New Mexico Office of the State Engineer Point of Diversion Summary

		(quarte	rs are 1=	NW 2= nallest	=NE 3=	SW 4=SE)	(NAD83 UT	M in meters)	
POD	Number	Q64 (Q16 Q4	Sec	Tws	Rng	X	Y	
RA 1	1590 POD1	2	1 3	32	17S	31E	603315	3628545	
Driller License: Driller Name:	RODGERS & CO.	, INC.							
Drill Start Date:	01/20/2010	Drill Fi	nish Da	te:	0	01/26/2010) Plu	g Date:	
Log File Date:	04/23/2010	PCW F	cv Date	:			Sou	irce:	
Pump Type:		Pipe Di	scharge	Size			Est	imated Yield:	

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.

6/25/13 9:49 AM

POINT OF DIVERSION SUMMARY



WELL RECORD & LOG

OFFICE OF THE STATE ENGINEER

www.ose.state.nm.us

Image: Construct Robits Prove (or moval) New Mexico State Land Office/Contact: Dallas Rippy 505-827-5760 VelL With Robits State Seconds VelL OVER RAMERS CitY PO Box 1148 CitY VelL OVER RAMERS CitY VelL OVER RAMERS CitY VelL OVER RAMERS DECREES New Mexico State Land Office/Contact: Dallas Rippy Seconds VelL OVER RAMERS CitY VelL OVER RAMERS CitY VelL OVER RAMERS Seconds VelL OVER RAMERS No Representation of a second New Representation Representation of a second of second of second of a	NO	POD NUME	BER (WE	LL NU	JMBER)			1484 - 14 - 1			ose file number(s) RA 11590							
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Image: Constraint of the	-																	
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Number Name of Licensed DatiLler LOT NUMBER BLOCK NUMBER UNIT/TRACT INCENSE NUMBER INALE OF WELL DRILLING COMPANY NAME OF WELL DRILLING COMPANY Rodgers & Co., Inc. INCENSE NUMBER NAME OF VICESED DATILLER NAME OF WELL DRILLING COMPANY Rodgers & Co., Inc. DRILLING STARTED DRILLING ENDED DEPTH OF COMPLETED WELL (FT) NORE HOLE DEPTH (FT) DEPTH WATER FIRST EXCOUNTERED (FT) 1/20/10 1/26/10 DRILLING STARTED DRILLING ENDED DEPTH OF COMPLETED WELL (FT) 0BILLING STARTED DRILLING ENDED DEPTH OF COMPLETED WELL (FT) NORE HOLE DEPTH (FT) DEPTH WATER FIRST EXCOUNTERED (FT) 0BILLING FLUID ARTESIAN DRY HOLE SHALLOW (UNCONFINED) DEPTH (FT) TO MATERIAL DEPTH (FT) BORE HOLE CASING CONNECTION INSIDE DIA. CASING WALL (FT) DEPTH (FT) BORE HOLE CASING CONNECTION INSIDE DIA. CASING WALL (FT) DEPTH (FT) BORE HOLE CASING CONNECTION INSIDE DIA. CASING WALL (FT) THICKNESS INTO DIA. (IN) MATERIAL TYPE (CASING) CASING (IN) THICKNESS (IN) SUCT" <td></td> <td colspan="10"></td> <td>17</td> <td>NORTH</td> <td>31</td> <td>() EAST</td>												17	NORTH	31	() EAST			
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FOR OSE INTERNAL USE	WELL RECORD & LO	WELL RECORD & LOG (Version 6/9/08)		
FILE NUMBER	POD NUMBER	TRN NUMBER		
LOCATION			PAGE 2 OF 2	



John R. D Antonio, Jr., P.E. State Engineer Roswell Office 1900 WEST SECOND STREET ROSWELL, NM 88201

STATE OF NEW MEXICO OFFICE OF THE STATE ENGINEER

 Trn Nbr:
 449198

 File Nbr:
 RA 11590

 Well File Nbr:
 RA 11590 POD1

May. 04, 2010

DALLAS RIPPY, ASST COMM OF RECR DIV NEW MEXICO STATE LAND OFFICE PO BOX 1148 SANTA FE, NM 87504

Greetings:

The above numbered permit was issued in your name on 01/22/2010.

The Well Record was received in this office on 04/23/2010, stating that it had been completed on 01/26/2010, and was a dry well. The well is to be plugged or capped or otherwise maintained in a manner satisfactory to the State Engineer.

Please note that another well can be drilled under this permit if the well is completed and the well log filed on or before 01/31/2011.

If you have any questions, please feel free to contact us.

Sincerely,

Melinda Spivey (575)622-6521

drywell

ATTACHMENT 3

U.S. NATURAL RESOURCES CONSERVATION SERVICE SOIL DESCRIPTION

Map Unit Description

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.



Soils that have profiles that are almost alike make up a *soil series*. All the soils of a series have major horizons that are similar in composition, thickness, and arrangement. Soils of a given series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An association is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Additional information about the map units described in this report is available in other soil reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the soil reports define some of the properties included in the map unit descriptions.

Eddy Area, New Mexico

KM—Kermit-Berino fine sands, 0 to 3 percent slopes

Map Unit Setting

Landscape: Uplands Elevation: 3,100 to 4,200 feet Mean annual precipitation: 10 to 14 inches Mean annual air temperature: 60 to 64 degrees F Frost-free period: 190 to 230 days

Map Unit Composition

Kermit and similar soils: 50 percent Berino and similar soils: 35 percent

USDA

Description of Kermit

Setting

Landform: Alluvial fans, plains Landform position (three-dimensional): Rise, talf Down-slope shape: Linear, convex Across-slope shape: Linear Parent material: Mixed alluvium and/or eolian sands

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Excessively drained
Capacity of the most limiting layer to transmit water (Ksat): Very high (20.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 1.0 mmhos/cm)
Sodium adsorption ratio, maximum: 1.0
Available water capacity: Low (about 3.1 inches)

Interpretive groups

Farmland classification: Not prime farmland Land capability (nonirrigated): 7e Hydrologic Soil Group: A Ecological site: Deep Sand (R042XC005NM)

Typical profile

0 to 7 inches: Fine sand 7 to 60 inches: Fine sand

Description of Berino

Setting

Landform: Fan piedmonts, plains Landform position (three-dimensional): Riser Down-slope shape: Convex Across-slope shape: Linear Parent material: Mixed alluvium and/or eolian sands

Properties and qualities

Slope: 0 to 3 percent Depth to restrictive feature: More than 80 inches Drainage class: Well drained Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr) Depth to water table: More than 80 inches Frequency of flooding: None Frequency of ponding: None Calcium carbonate, maximum content: 40 percent Maximum salinity: Nonsaline to very slightly saline (2.0 to 4.0 mmhos/ cm) Sodium adsorption ratio, maximum: 1.0

USDA

Available water capacity: Moderate (about 7.2 inches)

Interpretive groups

Farmland classification: Not prime farmland Land capability classification (irrigated): 4e Land capability (nonirrigated): 7e Hydrologic Soil Group: B Ecological site: Loamy Sand (R042XC003NM)

Typical profile

0 to 17 inches: Fine sand 17 to 50 inches: Fine sandy loam 50 to 58 inches: Loamy sand

Data Source Information

Soil Survey Area: Eddy Area, New Mexico Survey Area Data: Version 9, Feb 20, 2009

ATTACHMENT 4

SITING

Certification of Siting Criteria

Hydrostatic Test Wastewater Tank Battery at Beeson Station, Eddy County, New Mexico

I, <u>David Boyer</u>, of <u>Safety & Environmental Solutions Inc. representing Holly Energy Partners</u> have performed a site visit and visual inspection to look for the presence of watercourses, lakebeds, playa lakes, residences, schools, churches, evidence of water wells, mines, and institutions within the specified distances (listed below) of the Beeson Station and frac tank staging area in the vicinity of latitude 32.781948, longitude -103.960641 (NE1/4 of NW ¼ of Section 3, Township 18 S, Range 30 E), in Eddy County New Mexico. The following criteria were used as a primary guideline for inspection of the Beeson Station and frac tank staging area. Based on visual observations, the frac tanks are not:

i. Within 200 feet of a watercourse, lakebed, sinkhole or playa lake;

- ii. Within an existing wellhead protection area or 100-year floodplain;
- iii. Within, or within 500 feet of, a wetland;
- iv. Within the area overlying a subsurface mine; or
- v. within 500 feet from the nearest permanent residence, school, hospital, institution, or church.

To the best of my ability and judgment the observations made at the site are true and accurate. I did not observe evidence of any of the above listed features within the above specified distances, or in surrounding areas. The area immediately to the south of the station pad appears to have been graded and leveled. There was no evidence of any other feature that would be negatively affected by the frac tank storage activity.

Signature: Name: David Boyer, P.G.

Title: Hydrogeologist

Date:	July	/ 8,	2013	
ATTACHMENT 5

CORRESPONDENCE WITH NEW MEXICO MINES AND MINERALS DIVISION

Grubb, Jubal

From: Sent:	Tompson, Mike, EMNRD < Mike.Tompson@state.nm.us> Thursday, June 20, 2013 3:24 PM
To:	Grubb, Jubal
Cc:	Kretzmann, John, EMNRD
Subject:	RE: Mine querry

JGG,

The New Mexico Abandoned Mine Land Program has no record of any abandoned mines within a ½-mile radius of these three points.

We do not have a geospatial portal available to the public at this time but I would be happy to look up any other inquiries for you in the future.

Please let me know if you have any other questions.

Mike Tompson (505) 476-3427

From: Grubb, Jubal [<u>mailto:JGrubb@trcsolutions.com</u>] Sent: Wednesday, June 19, 2013 4:34 PM To: Tompson, Mike, EMNRD Subject: Mine querry

Mr. Thompson,

Good Afternoon. Mr. Kretzmann recommended that I contact you regarding a querry for abandoned surface/subsurface mines in particular locations that I am working.

There is a client that is proposing pipelines in Eddy County. One of the information requirements through the New Mexico Oil Conservation District is a search for mines.

I have three locations from our client that I am requesting information for:

- 1. 32.781940, -103.959967
- 2. 32.833497, -103.997489
- 3. 32.830708, -104.022467

Could you let me know if there is a mapping portal that I could query, or would you need to do it?

Thanks Much, -JGG

Jubal Grubb, P.G. (TX 1058)



505 E. Huntland Dr., Suite 250, Austin, TX 78752 T: 512.684.3170| F: 512.329.8750| C: 512.589.2556

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