

AE Order Number Banner

Report Description

This report shows an AE Order Number in Barcode format for purposes of scanning. The Barcode format is Code 39.

App Number: pCS1828842329

3RF - 29

ENDURING RESOURCES, LLC

10/15/2018

<u>District I</u> 1625 N. French Dr., Hobbs, NM 88240 <u>District II</u> 811 S. First St., Artesia, NM 88210 <u>District III</u> 1000 Rio Brazos Road, Aztec, NM 87410	State of New Mexico Energy Minerals and Natural Resources Department Oil Conservation Division	Form C-147 Revised April 3, 2017
District IV 1220 S. St. Francis Dr., Santa Fe, NM 87505	Santa Fe, NM 87505	-
NMOCD Recycling I Type of Facility	Facility and/or Recycling C : X Recycling Facility Recyclir	ng Containment*
OCT 0 4 2018 Type of DISTRICT III * At the time C-147 is submitted to the div	Action: [A] Permit [A] Registration [A] Registration [A] Extension [A] Closure [A] Cl	in) provided to the surface owner.
Be advised that approval of this request does not reli Nor does approval relieve the operator of its respons	eve the operator of liability should operations result in pollution bility to comply with any other applicable governmental author	n of surface water, ground water or the environment. rity's rules, regulations or ordinances.
1. Operator: Enduring Resources IV, LLC Address: 200 Energy Court, Farm	(For multiple operators attach page with	information) OGRID #: 372286
Facility or well name (include API# if associated	WLU 2309-24N	ad baseline district a QC and
U/L or Otr/Otr SE/4 SW/4 & SW/4 Section	24 Township 23N Range 9W C	County: San Juan
Surface Owner: X Federal State Private	Tribal Trust or Indian Allotment	
Image: Note of the constraint of t	36.205958 Longitude Image: Set in the set	-107.740891 NAD83 DENIED Incomplete BY: Cory Smith DATE: 0/5/1% (505) 334-6178 Ext. 115 C explain type Other eventsin
Activity permitted under 19.15.36	NMAC explain type:	Other explain
Closure Report (required within 60 days of	<u>f closure completion</u>): Recycling Facility Closure Com	npletion Date:
3. X Recycling Containment: X Annual Extension after initial 5 years (attach Center of Recycling Containment (if applicable) □ For multiple or additional recycling X Liped □ Lipet □	summary of monthly leak detection inspections for previou Latitude 36.205958 Longitude containments, attach design and location information of ea	s year) -107.740891 NAD83 ich containment
String-Reinforced		
Liner Seams: X Welded X Factory Other	Volume: <u>265,385</u> bbl D Date:	Dimensions: L_350' x W_400' x D_25'

Page 1 of 3

Smith, Cory, EMNRD

From:	Smith, Cory, EMNRD
Sent:	Monday, October 15, 2018 11:33 AM
То:	'Andrea Felix'
Cc:	Fields, Vanessa, EMNRD
Subject:	WLU 2309-24N Assigned 3RF-29

Good morning Andrea,

OCD has received the C-147 for the Recycling containment at the Enduring WLU 2309-24N on October 4, 2018. Upon further review the application is incomplete and has been denied for the following

- The design plan needs to state how the pond is designed to prevent surface water run on.
- The design plan needs to state how the pond inside Levey grade is no steeper than 2H:1V grade
- The design plan needs to state how the ponds outside Levey grade is no steeper than 3H:1V grade.
- The design plan needs to state/describe how the liner is protected from fluid force or mechanical damage
- The primary Liner must be resistant to UV light, petroleum hydrocarbons, salt and acidic/alkaline solutions.
- In the closure plan, the operator shall notify the OCD when reclamation and revegetation are completed.

Please correct the above issues and resubmit a complete and correct registration. Since this application has no API# for record keeping I have assigned it to 3RF-29 the denied application will be scanned into the online file as soon as possible.

If you have any questions please give me a call.

Thanks,

Cory Smith Environmental Specialist Oil Conservation Division Energy, Minerals, & Natural Resources 1000 Rio Brazos, Aztec, NM 87410 (505)334-6178 ext 115 cory.smith@state.nm.us

Bonding:

4.

Covered under bonding pursuant to 19.15.8 NMAC per 19.15.34.15(A)(2) NMAC (These containments are limited to only the wells owned or

operated by the owners of the containment.)

Bonding in accordance with 19.15.34.15(A)(1). Amount of bond \$_____ (work on these facilities cannot commence until bonding

amounts are approved)

Attach closure cost estimate and documentation on how the closure cost was calculated.

Fencing:

5.

Four foot height, four strands of barbed wire evenly spaced between one and four feet

X Alternate. Please specify See attached variance request

Signs:

6.

7.

12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers

X Signed in compliance with 19.15.16.8 NMAC

Variances:

Justifications and/or demonstrations that the proposed variance will afford reasonable protection against contamination of fresh water, human health, and the environment.

Check the below box only if a variance is requested:

X Variance(s): Requests must be submitted to the appropriate division district for consideration of approval. If a Variance is requested, include the variance information on a separate page and attach it to the C-147 as part of the application.

If a Variance is requested, it must be approved prior to implementation.

Siting Criteria for Recycling Containment

Instructions: The applicant must provide attachments that demonstrate compliance for each siting criteria below as part of the application. Potential examples of the siting attachment source material are provided below under each criteria.

General siting

Ground water is less than 50 feet below the bottom of the Recycling Containment. NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes X No ☐ NA
 Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended. Written confirmation or verification from the municipality; written approval obtained from the municipality 	☐ Yes X No ☐ NA
 Within the area overlying a subsurface mine. Written confirmation or verification or map from the NM EMNRD-Mining and Minerals Division 	Yes X No
 Within an unstable area. Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; topographic map 	🗌 Yes 🔀 No
Within a 100-year floodplain. FEMA map	Yes X No
 Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). Topographic map; visual inspection (certification) of the proposed site 	🗌 Yes 🕅 No
 Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. Visual inspection (certification) of the proposed site; aerial photo; satellite image 	Yes X No
 Within 500 horizontal feet of a spring or a fresh water well used for domestic or stock watering purposes, in existence at the time of initial application. NM Office of the State Engineer - iWATERS database search; visual inspection (certification) of the proposed site 	🗌 Yes 🕅 No
 Within 500 feet of a wetland. US Fish and Wildlife Wetland Identification map; topographic map; visual inspection (certification) of the proposed site 	Yes X No

Recycling Facility and/or Containment Checklist:

Instructions: Each of the following items must be attached to the application. Indicate, by a check mark in the box, that the documents are attached.

X Design Plan - based upon the appropriate requirements.

- X Operating and Maintenance Plan based upon the appropriate requirements.

- Site Specific Groundwater Data Siting Criteria Compliance Demonstrations –
 Certify that notice of the C-147 (only) has been sent to the surface owner(s)

Operator Application Certification:

Additional OCD (

10

I hereby certify that the information and attachments submitted with this application are true, accurate and complete to the best of my knowledge and belief.

Name (Print): Andrea Felix	Title: Regulatory Manager
Signature:	Date: October 3rd, 2018
e-mail address:afelix@enduringresources.com	Telephone: (505) 386-8205
DCD Representative Sign Title:	Approval Date: OCD Permit Number: 3RF - 29
□ OCD Conditions	

C-147 Registration Package

Prepared for



Enduring Resources, LLC 200 Energy Court Farmington, NM 87401 (505) 386-8205

Developed by



Energy Inspection Services 479 Wolverine Drive Bayfield, Colorado 81122

Phone: (970) 881-4080

TABLE OF CONTENTS

1. Introduction1
2. Variance Explanation1
3. Siting Criteria1
3.1. Distance to Groundwater1
3.2. Distance to Surface Water2
3.3. Distance to Structures2
3.4. Distance to Non-Public Water Supply2
3.5. Distance to Municipal Boundaries and Defined Fresh Water Fields2
3.6. Distance to Subsurface Mines2
3.7 Distance to 100-Year Floodplain2
4. Design and Construction Plan
4.1. Foundation Construction
4.2. Liner Construction
4.3. Leak Detection System4
4.4. Signage 4
4.5. Entrance Protection4
4.6. Wildlife Protection
5. Maintenance and Operating Plan5
5.1. Inspection Timing5
5.2. Maintenance
5.3. Cessation of Operations
6. Closure Plan
6.1 Fluid Removal6
6.2 Soil Sampling6
6.3 Reclamation7
7. iWaters Report
8. Aerial Map9
9. Торо Мар10
10. Mines Mills Map11
11. FEMA Map12
12. Hydrology Report
13. Surface Owner Notification
Attachment A - Migratory Bird Plan16
Attachment B - Containment Construction Plans

achment C - GeoMat Report21

1. INTRODUCTION

Applicant	Enduring Resources, LLC	
Project Name	WLU 2309-24N	
Project Type	Recycling Containment Registration	
Legal Location	SE/4 SW/4 & SW/4, Section 24, T23N, R9W	
Lease Number(s)	NMNM-135216-A	

In accordance with NMAC 19.15.34, Enduring Resources, LLC (Enduring) requests the registration of the proposed Recycling Containment through the approval of this C-147 registration package. The facility and containments will be used to treat and recycle produced water for re-use in Enduring Resources, LLC completion activities.

This package contains the C-147 form and associated documents for registration of the WLU 2309-24N Recycling Containment.

A copy of the C-147 has been submitted to the land owner, the Bureau of Land Management.

2. VARIANCE EXPLANATION

All requested variance provide equal or better protection of fresh water, public health, and the environment.

C-147 #5 Fencing

19.15.34.12.D(1) NMAC states "Recycling containments shall be fenced with a four foot fence that has at least four strands of barbed wire evenly spaced in the interval between one foot and four feet above ground level."

Enduring will install an eight (8) foot chain link fence with one strand of barbed wire around the facility as requested by the surface owners to allow for greater protection to the facility than the requirements of 19.15.34.12.D(1)

3. SITING CRITERIA

3.1. Distance to Groundwater

The NM State Engineers Office iWaters Database shows a water well within section 25 of township 23N and range 9W. The elevation of the iWaters Data Point SJ01710 is approximately 6827' with a groundwater depth of 173'. The WLU 2309-24N has an elevation of 6870' which is an increase of 43' establishing the estimated groundwater depth for the WLU 2309-24N to be greater than 200'. Therefore, the groundwater depth is greater than 50 feet below the bottom of the recycling containment.

3.2. Distance to Surface Water

There are not any continuously flowing watercourses within 300' nor any other significant watercourse and lakebed or playa lake within 200' of the recycling containment as shown on the Aerial or Topo maps provided.

3.3. Distance to Structures

There are no permanent residence, school, hospital, institution or church at the time of initial registration within 1000' of the recycling containment as shown on the Aerial and Topo maps provided.

3.4. Distance to Non-Public Water Supply

There are no springs or fresh water wells used for domestic or stock water purposes within 500' in existence at the time of initial registration as shown on the Aerial and Topo maps provided.

3.5. Distance to Municipal Boundaries and Defined Fresh Water Fields

The recycling facility is not within any incorporated municipal boundaries within a defined municipal fresh water well field covered by a municipal ordinance adopted pursuant to Section 3-27-3 NMSA 1978, as amended.

3.6. Distance to Subsurface Mines

The recycling containment is not located in an "unstable" area. The location is not over a mine and is not on the side of a hill. The location of the excavated surface material will not be located within 100 feet of a continuously flowing or significant watercourse. According to the NM EMNRD Mining and Mineral Divisions database there are no subsurface mines in Section 24, Township 23N, Range 9W of San Juan County.

3.7 Distance to 100-Year Floodplain

The WLU 2309-24N proposed recycling containment is not located within a 100-year floodplain as demonstrated on the FEMA Map.

4. DESIGN AND CONSTRUCTION PLAN

In accordance with Rule 19.15.34 the following information describes the design and construction of the recycling containment on Enduring's locations.

The Enduring Design and Construction Plan assists Enduring personnel in ensuring compliance with the minimum design and construction requirements for recycling containments as defined by the NMOCD outlined in 19.15.34.12 NMAC. The plan applies to any Enduring Employee(s) and subcontractor(s) whose job requires them to assist with the design and construction of the recycling facility. The plan is designed to ensure compliance with the minimum design and construction requirements for recycling facilities as defined by the NMOCD outlined in 19.15.34.12 NMAC.

Enduring shall design and construct a recycling containment in accordance with the following specifications.

4.1. Foundation Construction

Approximately 6" of topsoil will be stripped and stockpiled for final cover at the time of closure. The topsoil will be stored on the perimeter of the permitted facility.

The recycling containment will have a properly constructed foundation and interior slopes consisting of a firm, unyielding base, smooth and free of rocks, debris, sharp edges or irregularities to prevent the liner's rupture or tear. The containment will ensure confinement of produced water, to prevent releases and to prevent overtopping due to wave action or rainfall. A geotextile under the liner will be used, if needed, to reduce the localized stress-strain or protuberances that otherwise may compromise the liner's integrity. The final sub grade shall be scarified to a minimum depth of 12 inches, moisture conditioned to near Optimum Moisture and compacted to 95% of maximum dry density as determined by a Standard Proctor (ASTM 698).

4.2. Liner Construction

Enduring's recycling containment shall incorporate, a primary (upper) liner and a secondary (lower) liner with a leak detection system. The primary (upper) liner will be a 45-mil LLDPE string reinforced with a single sided texture to increase traction for emergency escape from the pit and shall cover the bottom and sides of the pit including the minimum three (3) feet of freeboard per NMOCD 19.15.17.11.G.9. Integrity of the primary liner shall be tested using the Dipole Method - Water Covered Geomembrane (ASTM D7007). The secondary liner will be a 45-mil LLDPE string reinforced liner with a single sided conductive coating for initial leak detection and shall cover the bottom and sides of the pit including the minimum three (3) feet of freeboard per NMOCD 19.15.17.11.G.9. Integrity of the secondary liner shall be tested using the Conductive-Backed Geomembrane Spark Testing Method (ASTM D7240).

A secondary leak detection system will be installed at the designated corner of each pit. The pit bottom will be sloped to the detection system that will be comprised of SDR-17 HDPE solid and perforated pipe with 1-1/2" Type F coarse drain rock bedding. Enduring will install manufacturer recommended Geoconduct 250 geocomposite with a conductive grid between non-woven needle-punched geotextiles produced by Afitex Texel. The product consists of two geotextile layers comprised of short synthetic fibers of 100% polypropylene or polyester which are needle punched together with a structural conductive grid. The conductive grid comprises two conductive inox cables forming a 50 mm x 50 mm network. Geoconduct is compatible with geoelectrical leak location surveys.

Enduring shall ensure the subcontractor installing the recycling containment minimized liner seams and orient them up and down, not across, a slope of the levee. Enduring shall ensure that factory welded seams shall be used where possible. Enduring shall ensure the subcontractor installing the recycling containment ensures field seams in the geosynthetic material are thermally seamed and that prior to any field seaming, the installer overlaps the liners four to six inches. The subcontractor installing the liner shall minimize the number of field seams and corners and irregularly shaped areas. Enduring will only hire qualified personnel to perform field welding and testing.

Enduring shall install manufacturer recommended DrainTube gas ventilation geocomposite grid produced by Afitex Texel. This layer is intended to vent in situ gases that have potential to create "whale" in the produced water pit that would decrease storage capacity. The product consists of a drainage layer and a filter layer comprised of short synthetic staple fibers of 100% polypropylene needle-punched together with perforated corrugated polypropylene pipes regularly spaced, up to 4 pipes per meter, inside. The pipes have two perforations per corrugation at 180 degrees and alternating at 90 degrees. https://www.draintube.net/docs/en/download/technical_data_sheet/draintube_300p_st_series_fos.pdf

The liner system shall be anchored as designed in a 2 FT x 2.5 FT anchor trench and topped with 6 inches of road base.

4.3. Leak Detection System

Enduring shall place a leak detection system between the upper and lower geomembrane liners that shall consist of a 200-mil genet to facilitate drainage. The leak detection system shall consist of a properly designed drainage and collection and removal system placed above the lower geomembrane liner in depressions and sloped to facilitate the earliest possible leak detection. A 3 foot wide by 3 foot long by 2 foot deep depression will be contracted to allow for collection of any leaking liquid. A 4 inch PVC liner will be installed in between the primary and secondary liners from the top of the tank to the depression to allow for detection and removal of liquid.

Please refer to Attachment B- Containment Construction Plans for Leak Detection detail drawings.

4.4. Signage

Enduring will sign the containment with an upright sign no less than 12" by 24" with lettering not less than 2" in height in a conspicuous place near the containment. Enduring will provide the operator's name, location of the containment by quarter-quarter or unit letter, Section, Township, Range and emergency telephone numbers.

4.5. Entrance Protection

Enduring will surround the containment with an eight foot chain link fence. All gates leading in and out of the containment will be closed and locked when personnel are not on-site. The fencing

will be kept in good repair, and shall be inspected as part of the weekly inspection performed at the containment facility.

4.6. Wildlife Protection

Enduring will install a bird deterrent system pursuant to the attached *Migratory Bird Mitigation Plan*. The containment will be inspected weekly for dead migratory birds and will be reported accordingly.

5. MAINTENANCE AND OPERATING PLAN

In accordance with Rule 19.15.34 the following information describes the operation and maintenance of recycling containments on Enduring's locations.

5.1. Inspection Timing

Enduring shall inspect the recycling containment and associated leak detection systems weekly while it contains fluids. A current log of inspections will be maintained and the log will be made available for review upon division request. If fluids are found in the sump, a primary liner test utilizing the Dipole Method - Water Covered Geomembrane (ASTM D7007) will be conducted. In addition to human monitoring the pond fluid level will be determined via two (2) hydrostatic pressure gauges and a float gauge. At a fluid height of 22', an automated valve will close and prevent any more fluid from entering the containment.

5.2. Maintenance

- 1. Enduring shall maintain and operate the recycling containment as follows:
 - A. Removing any visible lay of oil from the surface of the containment.
 - B. Maintaining at least 3' of freeboard at each containment
 - C. The injection or withdrawal of fluids from the containment shall be accomplished through a header, diverter or other hardware that prevents damage to the liner by erosion, fluid jets, or impact from installation and removal of hoses and pipes
 - D. If the containment's primary liner is compromised above the fluid's surface, Enduring will repair the damage or initiate replacement of the primary liner within 48 hours of discovery or seek an extension from the division district office.
 - E. If the primary liner is compromised below the fluid's surface, Enduring will remove all fluid above the damage or leak within 48 hours of discovery, notify the divisions distraction office and repair the damage or replace the primary liner.
 - F. The containment will be operated to prevent the collection of surface water run-on with containment walls of 9.5' height.
 - G. Enduring will install, or maintain on site, an oil absorbent boom or other device to contain an unanticipated release.
 - H. Enduring will not store or discharge any hazardous waste at the facility or within the containment.

5.3. Cessation of Operations

Enduring will report the cessation of operations or if less than 20% of the total fluid capacity is used every six months following the first withdrawal of produced water for use to the appropriate division district office. If additional time is needed for closure, Enduring will request an extension from the appropriate division district office prior to the expiration of the initial six month time period.

6. Closure Plan

In accordance with Rule 19.15.34 the following information describes the closure requirements of recycling containments on Enduring's locations.

All closure activities will include proper documentation and be available for review upon request and will be submitted to the OCD within 60 days of closure. Closure report will be filed on C-147 and incorporate the following:

- Details on capping and covering, where applicable
- Inspection Reports
- Sampling Results

Once Enduring has ceased operations, all fluids will be removed within 60 days and the containment shall be closed within six months.

6.1 Fluid Removal

The containment will be closed by first removing all fluids, contents and synthetic liners and disposed of in a division-approved facility or recycle, reuse or reclaim the liquids in a manner that the appropriate division district office approves.

6.2 Soil Sampling

Enduring will test the soils beneath the containment for contamination with a five-point composite sample which includes stained or wet soils, if any, and that sample shall be analyzed for the constituents listed in Table I below:

Components	Test Method	51' - 100' GW Depth Limit (mg/kg)	>100' GW Depth Limit (mg/kg)
Chloride	EPA 300.0	10,000	20,000
TPH (GRO+DRO+MRO)	EPA SW-846 Method 8015M	2,500	2,500
GRO + DRO	EPA SW-846 Method 8015M	1,000	1,000
BTEX	EPA SW-846 Method 8021B or 8260B	50	50

Components	Test Method	51' - 100' GW Depth Limit (mg/kg)	>100' GW Depth Limit (mg/kg)
Benzene	EPA SW-846 Method 8021B or 8260B	10	10

- a. If any containment concentration is higher than the parameters listed in Table I, Enduring will receive approval before proceeding with closures as the division may required additional delineation upon review of the results.
- b. If all contaminant concentrations are less than or equal to the parameters listed in Table I then Enduring will proceed to backfill with non-waste containing, uncontaminated, earthen material.

6.3 Reclamation

The topsoil and subsoil will be replaced to their original relative positions and contoured so as to achieve erosion control, long-term stability and preservation of surface water flow patterns.

Enduring will reclaim and reseed the recycling containment area pursuant to the requirements listed in 19.15.34.14. Once Enduring has closed the recycling containment, we will reclaim the containment's location to a safe and stable condition that blends with the surrounding undisturbed area and matches the existing grade. Topsoils and subsoils shall be replaced to their original relative positions and contoured so as to prevent ponding and erosion. The disturbed area shall then be reseeded in the first favorable growing season following closure of a recycling containment. Enduring will restore the impacted surface area to the condition that existed prior to the construction of the recycling containment.

Reclamation of all disturbed areas no longer in use shall be considered completed when all ground surface disturbing activities at the site have been completed, and a uniform vegetative cover has been established that reflects a life-form ratio of plug or minus fifty percent (50%) of predisturbance levels and a total percent plant cover of at least seventy percent (70%) of predisturbance levels, excluding noxious weeds.

The re-vegetation and reclamation obligations imposed by federal, state trust land or tribal agencies on lands managed by those agencies shall supersede these provisions and govern the obligations of any operator subject to those provisions, provided that the other requirements provide equal or better protection of fresh water, human health and the environment.

7. IWATERS REPORT

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WLU 2309-24N C-147 Registration Package

8. AERIAL MAP



9. TOPO MAP





11. FEMA MAP



12. HYDROLOGY REPORT

Hydrogeological Report for WLU 2309-24N Water Recycle Facility

Regional Geological context:

The Nacimiento Formation is of Paleocene age (Baltz, 1967, p. 35). It crops out in a broad band inside the southern and western margins of the central basin and in a narrow band along the west face of the Nacimiento Uplift. The Nacimiento is a nonresistant unit and typically erodes to low, rounded hills or forms badland topography.

The Nacimiento Formation occurs in approximately only the southern two-thirds of the San Juan Basin where it conformably overlies and intertongues with the Ojo Alamo Sandstone (Fassett, 1974, p. 229). The Nacimiento Formation grades laterally into the main part of the Animas Formation (Fassett and Hinds, 1971, p. 34); thus, in this area, the two formations occupy the same stratigraphic interval.

Strata of the Nacimiento Formation were deposited in lakebeds in the central basin area with lesser deposition in stream channels (Brimhall, 1973, p. 201). In general, the Nacimiento consists of drab, interbedded black and gray shale with discontinuous, white, medium- to very coarse grained arkosic sandstone (Stone e al., 1983, p.30). Stone et al. indicated that the formation may contain more sandstone than commonly reported because some investigators assume the slope-forming strata in the unit area shales, whereas in many places the strata actually are poorly consolidated sandstones. Total thickness of the Nacimiento Formation ranges from about 500 to 1,300 feet. The unit generally thickens from the basin margins toward the basin center (Steven et al., 1974). The sandstone deposits within the Nacimiento Formation are much thinner than the total thickness of the formation because their environment of deposition was localized stream channels (Brimhall, 1973, p. 201). The thickness of the combined San Jose, Animas, and Nacimiento Formations ranges from 500 to more than 3.500 feet.

Hydraulic Properties:

Reported well yields for 53 wells completed in either the Animas or Nacimiento Formations range from 2 to 90 gallons per minute and the median yield is 7.5 gallons per minute. The primary use of water from Nacimiento and Animas Formations is domestic and livestock supplies. There are no known aquifer tests for the Animas or Nacimiento Formations, but specific capacities reported for six wells range from 0.24 to 2.30 gallons per minute per foot of drawdown (Levings et al., 1990).

The Animas and Nacimiento Formations are in many ways hydrologically similar to the San Jose Formation because sands in both units produce approximately the same quantities of water. However, the greater percentage of fine materials in the Animas and Nacimiento Formations may restrict downward vertical leakage to the Ojo Alamo Sandstone or Kirtland Shale. The poorly cemented fine material is highly erodible, forms a badland terrain, and supports only spotty vegetation. These conditions are more conductive to runoff than retention of precipitation.

References:

Baltz, E.H., 1967, Stratigraphy and regional tectonic implications of part of Upper Cretaceous rocks, east-central San Juan Basin, New Mexico: USGS Professional Paper 552, 101 p.

Brimhall, R.M., 1973, Ground-water hydrology of Tertiary rocks of the San Juan Basin, New Mexico, in Fassett, J.E., ed., Cretaceous and Tertiary rocks of the Southern Colorado Plateau: Four Corners Geological Society Memoir, p. 197-207.

Fassett, J.E., 1974, Cretaceous and Tertiary rocks of the eastern San Juan Basin, New Mexico and Colorado, in Guidebook of Ghost Ranch, central-northern New Mexico: New Mexico Geological Society, ₂₅th Field Conference, p. 225-230.

Fassett, J.E., and Hinds, J.S., 1971, Geology and fuel resources of the Fruitland Formation and Kirtland Shale of the San Juan Basin, New Mexico and Colorado: USGS Professional Paper 676, 76 p.

Levings, G.W., Craigg, S.d., Dam, W.L., Kernodle, J.M., and Thorn, C.R., 1990, Hydrogeology of the San Jose, Nacimiento, and Animas Formations in the San Juan structural basin, New Mexico, Colorado, Arizona, and Utah: USGS Hydrologic Investigations Atlas HA-720-A, 2 sheets.

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

13. SURFACE OWNER NOTIFICATION

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		RECE	IVED		
Form 3160-5 June 2015) D	UNITED STA EPARTMENT OF THI JREAU OF LAND MA	TES JUL 0 E INTERIOR NAGEMENT Farmington	2 2013 Field Offi	FOF OM Expire 5. Lease Serial No.	M APPROVED B No. 1004-0137 s: January 31, 2018
SUNDR) Do not use thi abandoned wel	Y NOTICES AND RE is form for proposal II. Use Form 3160-3	PORTS ON WELLS ^{f Lan} s to drill or to re-enter a (APD) for such proposa	d Manage <i>n</i> Is.	6. If Indian, Allottee or Tr	ibe Name
SUBMIT	IN TRIPLICATE - Other in:	structions on page 2		7. If Unit of CA/Agree NMNM 135216A	ment, Name and/or No.
Type of Well Oil Well	Gas Well Othe	r		8. Well Name and No. W Lybrook Unit 9. API Well No.	
Enduring Resources, LLC		3h Phone No. (include area co	(de)	10 Field and Pool or F	xploratory Area
332 Cr 3100 Aztec, NM 87410 505-636-9741				Lybrook Mancos W	
4. Location of Well (Footage, Sec., 1	T.R.M. or Survey Description	n)		11. Country or Parish, Sta San Juan, NM	te
12. C	HECK THE APPROPRIATE	BOX(ES) TO INDICATE NATU	RE OF NOT	ICE, REPORT OR OTHER	DATA
TYPE OF SUBMISSION		TY	PE OF ACT	ION	
Notice of Intent	Acidize	Deepen	Pro	duction (Start/Resume)	Water ShutOff
Bud Control of Children	Alter Casing	Hydraulic Fracturing	Rec	lamation	Well Integrity
Subsequent Report	Casing Repair	New Construction	Rec	complete	\Box Other \underline{W}
Final Abandonment Notice	Change Plans	Plug and Abandon	Ter	mporarily Abandon	LYBROOK
Last man Assandonment Monce	Convert to Injection		□Wa	ter Disposal	STAGING

13 Describe Proposed or Completed Operation Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recomplete horizontally, approximate duration thereof. If the proposal is to deepen directionally or recomplete horizontally, approximate duration thereof. If the proposal is to deepen directionally or recomplete horizontally, the field within 10 days following completion of the involved operations. If the operation results in a multiple completion or recompletion in a new interval, a Form 3160-4 must be field once testing has been completed. Final Abandonment is ready for final impection.)

W LYBROOK UNIT-

Enduring Resources IV, LLC is changing the well completion operation from a nitrogen to a slick water completion operation. This change in completion operations will allow for the use and reuse of nonpotable water and will significantly reduce the amount of flaring needed to clean a well up to pipeline quality.

Enduring would like to utilize the approved West Lybrook Unit staging area as a Water Recycling Facility in order to achieve the goal of a slick water completion operation.

The facility will consist of a water supply well sourcing nonpotable water from the Entrada formation for oil and gas completion and recycling purposes which will be permitted with the Office of the State Engineer. This facility will supply water for Enduring Resources IV, LLC operations only and within the approved West Lybrook, Rodeo and Kimbeto units. Surface water lines will be utilized within the already approved pineline ROW corridors to transfer the water to each location for completion activities. No new surface approvals are necessary for this request, Enduring will follow all existing supulations and COAs A C102 of the approved West Lybrook staging area is attached. **OPERATOR FROM OBTAINING ANY OTHER**

	AUTHORIZATION REQUIRED FOR OPERATIONS
14. I hereby certify that the foregoing is true and correct. Name (Printed/Typed)	ON FEDERAL AND INDIAN LANDS
Andrea Felix	Title Regulatory Manager
Signature	Date 7/2/18
THE SPACE FOR FEDE	RAL OR STATE OFICE USE
Approved by	Tule PE Date 7/9/18
Conditions of approval of the second	or ise Office PFO
Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any any false, fictitious or fraudulent statements or representations as to any matter within	person knowingly and willfully to make to any department or agency of the United States its jurisdiction.

AREA

ATTACHMENT A - MIGRATORY BIRD PLAN

Enduring Resources, LLC's Recycling Containment Migratory Bird Mitigation Plan

Enduring Resources, LLC (Enduring) is proposing this Migratory Bird Mitigation Plan (Mitigation Plan) in compliance with the New Mexico Oil Conservation Division (NMOCD) Rule 19.15.34.12.E Enduring shall ensure that the recycling containment is protective of wildlife by implementing the following proposed Mitigation Plan. Enduring employees will inspect the containment weekly for and, within 30 days of discovery, report the discovery of dead migratory birds or other wildlife to the appropriate wildlife agency and to the division district office in order to facilitate assessment and implementation of measures to prevent incidents from reoccurring. This Mitigation Plan will utilize a combination of visual and audio deterrents to discourage wildlife, particularly birds and bats, from the recycling containment in order to mitigate potential impacts. This Mitigation Plan would be implemented while the Recycling Containment is active and in use, as to not desensitize birds to the deterrents.

The following mitigations will be implemented to reduce any wildlife impacts that may occur from the Recycling Containment:

- The following visual bird deterrents will be installed (Appendix A):
 - Bird-X Prowler Owl decoys will be installed at all four corners of the Containment.
 - Scare-Eye Balloons will be installed along the perimeter of the Containment.
- A Bird-X BroadBand PRO System will be installed at the Containment facility. It utilizes sonic (naturally-recorded bird destress calls & predator cries) to deter birds; as well as, ultrasonic high-frequency sound waves to deter bats. Bird propane cannons were avoided, so as not to disturb other wildlife species.
- The containment will be inspected on a monthly basis when water is present in the containment. All inspectors will insure the containment is receiving only filtered produced water with no hydrocarbons, as well as being trained to inspect the premises for, and respond to any wildlife incident, should it occur.
- Inspection will include:
 - An inspection of the filtration system and all visual and audio deterrents to insure they are in working order and functioning properly.
 - A thorough search of the entire containment facility, and just beyond, for the presence of any wildlife (entrapped, injured, dead, etc.).
- In the event a wildlife incident should occur, James McDaniel with Enduring will be contacted immediately and he will notify the appropriate wildlife agency and division district office. Enduring, appropriate wildlife agency, and division district office will then work collaboratively to address the incident appropriately to insure the incident does not reoccur.

	. Willie						
BIRD-X		Search	2				
Pest control for today's env	Workwart 3	Call Us 888.683.1834	Morme About	Nevs Blog	International GSA	Retail Products	Contect
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All Bird-X Products			Broad	Band PRO			
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Bird Gels, Taste Aversi & OvoControl [®] P	ons, • Option to a	add 3 Visual Scares to packa mbination of audible noises & h	age for added effic	acy 1d waves that are :	silent-to-most-huma	ns	
For Songbird Lovers	- SONIC - ULTR/	: Uses naturally-recorded bird ASONIC: Uses high-frequency	distress calls & pre sound waves, cove	dator ones; cover irs up to 3.600 sq	s up to 6 acres ft.		
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Retail Products	 Weather re Option to a 	sistant - NEMA type box is de dd an assortment of three (3) ?	signed to withstand	outdoor use			

Accessories

BIRD-X	Nercol.	Search Call Us 888.	.683.1834) Home	About	News Blog	Internation	el GSA	Relai Producta	Cont
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Bird Gels, Taste Aversion	s. Reviews	Diatesira	Applications	Be	nefits	Add & Con	ibine	Specs		
& OvoControl® P										
	Predator o	at replica, life-s	ze owl							
For Songbird Lovers	 Owl scare 	repels pest bird	s & other small	animals						
	 Always-mo 	ving "hunting" s	osture keeps t	ords away						
Remote Control Drone	 4-toot wing 	span & accurat	e markings							
	 Safe, huma 	ane, non-taxic, s	seent							
Retail Products	 Covers up 	to 0.000 sq. ft.								

Accessories

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All Bird-X Products		S	care-Eye Ba	lloons			
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Solar Panel Products		// (3	-Pack)				
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Bird Spikes Kits		276	e wind & intimidate ;	pest birds within vis	bie range		
Stainless Steel Spikes			Includes three b	alloons - one white	, one yells	ow, one black	
Plastic Spikes			· Easy to use, cos	st-effective solution	n – hang ti	he balloons anyw	hara
			 Balloons move in 	the wind for rear of	movemen	5	
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Visual Scares and Predator							
Decoys >	 Predator decoy: 3D balloons 						
	 Three balloons included: one 	(1) white, one (1) black,	and one (1) yello	W.			
Bird Gels, Taste Aversions,	 includes mylar eyes, mylar tai 	is, and strings for each	balloon				
& OvoControl® P	 Weatherproof, vinyl, inflatable 	belloon					
	 Oesign exaggerates the glann 	ig stare and gaping mo.	ith of natural pred	stors			
For Songbird Lovers	 Wind causes the Scare-Eye B 	alloons to move in the i	who, increasing el	meady			
	 Clask Ligrangrou 						

Remote Control Drone

ATTACHMENT B - CONTAINMENT CONSTRUCTION PLANS

ENDURING RESOURCES 24N RECYCLING CONTAINMENT PIT PROJECT CONSTRUCTION PLANS

SITE CONTROL

CENTER OF PRODUCED WATER PIT

Lat 36°12'21"N Long 107°44'26"W

SECTION 24, TOWNSHIP 23 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN. SAN JUAN COUNTY, NEW MEXICO

SAN JUAN COUNTY, NEW MEXICO September 2018

PROJECT DESCRIPTION: WEST LYBROOK RECYCLING PIT



Sheet Title

LINER BALLAST TUBES AND PIT GEOCOMPOSITE VENTILATION GRID LAYOUT

LEAK DETECTION SYSTEM AND PIT MAINTENANCE ROAD DETAILS

THESE DETAILED PLANS AND SPECIFICATIONS WERE PREPARED UNDER MY DIRECTION AND SUPERVISION ON BEHALF OF SOUDER. MILLER & ASSOCIATES.

O McDanue HEATHER D. MCDANIEL, P.E. NM #22047

eptember 28,2018 DATE

Copyright 2018 All Rights Re

ion	Ву	Chk'd	SOUDER, MILLER & ASSOCIATES
			SMA 8000 W. 14th Avenue Lakewood, CO 80214
			Phone (363) 239-0011 Fax (363) 239-0014 Surveying the Southwest & Rocky Mountains
		-	Albuquerque, Carlibid, Firmington, Hobbs, Las Cruces, Roswell, Santa Fe, NM Cortez, Grand Junction, Lakewood, CO - Safford, AZ - El Paso, TX

-	GENERAL NOTES. SIGNED AND SEALED CONSTRUCTION DRAMINGS ARE PREPARED BASED ON EXISTING SITE CONDITIONS AND REGULATIONS PER THE SEALED INATE ON THE DIANG IN IF TO POSGIALE CHANGES TO THE SITE CODES BEGULI ATIONS LINDERGROUND LITHINES FTC. BETWEEN THE SEALED	MATERIAL AND HAUL ASSETS TO EMPLACE AND REMOVE THE CORRECT VOLUMES USING LOOSE SOIL CORRECTION FACTORS. NO SEPARATE MEASUREMENT OR PAYMENT WILL BE MADE THEREFORE.	FACILITY/PI ENDURING RE	TOV
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2	CLARIFICATIONS AND/OR REQUESTS REGARDING PROJECT INTENT AND MODIFICATIONS SHALL BE SUBMITTED TO THE ENGINEER PRIOR OR DURING CONSTRUCTION IN A FORMAL WRITTEN REQUEST FOR INFORMATION (RFI). THE ENGINEER SHALL NOT BE HELD LIABLE IF RECOMMENDATION(S) ARE ALTERED BY OTHERS.	MINIMUM PERCENT MATERIAL (ASTM D688)	HEATHER D. N SOUDER, MILL 8000 WEST FO	ER &
ω	SITE CONDITIONS, EACH SUBCONTRACTOR DOING WORK ON THE PROJECT SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE SAFETY OF ALL PERSONS AND PROPERTY MITHIN THEIR WORK AREAS, DAY AND NIGHT, DURING BOTH WORKING AND NONWORKING HOURS, AND, SHALL PROVIDE ALL BARRICADES, SHORING, FLAG MEN, SIGNS, LIGHTING AND OTHER DEVICES REQUIRED THEREOF.	LINEK SUBGRADE SOLS BERLATT FLL NEKKANNUFACI LIKEKS S KECOMMENUA ITONS SUBGRADE SOLS BERLATT FLL AREAS ON SITE OR IMPORTED SOLL FILLS. BENEATH FOOTINGS AND SLABS ON GRADE	(303) 239-9011 SURFACE O	WNE
4	THE CONTRACTOR MILL BE RESPONSIBLE FOR THE REPAIR AND/OR REPLACEMENT OF ANY DAMAGE DETERMINED TO BE CAUSED BY THE CONSTRUCTION OF THIS PROJECT TO ROADS. FENCES, DRAMAGES, DRAMAGES, DRAMAGES, UTILITES, INCLUDING CONDUIT, MRING, EQUIPMENT, AND DERCOFTIOS. THE CONTRACTOR SHALL REPAIR AND/OR REPLACE ALL DESTROYED OR DAMAGED SURFACE IMPROVEMENTS MITH IMPROVEMENTS EQUAL TO THOSE REMOVED.	MAGNELAN E DAVE DENDAR DENDAR MAN DAVENTENT I SUMAN AND AND AND AND AND AND AND AND AND A	BUREAU OF L 6251 COLLEGE FARMINGTON, (505) 564-7600	NEW NEW
,cn	STOCKPILING OF TOP SOL: CONTRACTOR SHALL SEGREGATE AND STOCKPILE ALL TOPSOL OUTSIDE OF THE CONSTRUCTION AREA WITH APPROPRIATE SEMENT CONTROL. TOP SOLI SHALL DE REDISTRIBUTED ON THE OUTSIDE OF CONSTRUCTED BERNS, AND EITHER SEEDED. AND MULCHED OR PROTECTED WITH EROSION CONTROL MEASURES. REFER TO CONSTRUCTION PLANS FOR DETALLS.	30. BACKFILL MATERIALS TO BE PLACED UNDER CONCRETE SLABS SHALL COMPLY MITH ALL APPLICABLE TECHNICAL SPECIFICATIONS EXPANSIVE TYPE SOILS ARE PROHIBITED AS BACKFILL MATERIALS.		
ġ	ALL EXISTING TRAFFIC SIGNS, MILEPOST MARKERS AND DELINEATORS MITHIN CONSTRUCTION LIMITS SHALL BE REMOVED OR OFFSET BY THE CONTRACTOR AS DIRECTED BY THE OWNER'S DESIGNEE. INFORMATION SUGNS ARE TO BE CREMENTED AND ALL OTHERS ARE TO BE REMOVED. THIS WORK WILL BE INCLUDED IN THE UNIT BIG PRICE FOR REMOVAL OF STRUCTURES AND OBSTRUCTIONS.	31. THE EARTHWORK HAUL ON THIS PROJECT MILL BE CONSIDERED AS INCLUDED IN THE CONTRACT PRICE FOR UNCLASSIFIED EXCAVATION AND BORROW AS APPLICABLE, AND NO SEPARATE MEASUREMENT OR PAYMENT MILL BE MADE THEREFORE.		
7.	THE CONTRACTOR SHALL MAINTAIN REASONABLE ACCESS TO ALL ADJACENT PROPERTIES BY PROVIDING EASY RIDING CONNECTIONS TO TURNOUTS AND DRIVEWAYS AS DETERMINED ACCEPTABLE BY THE OWNER'S REPRESENTATIVE OR DESIGNEE. THIS WORK WILL BE CONSIDERED INCIDENTAL TO COMPLETION OF THE PROJECT AND IN MEASUREMENT OF PAYMENT WILL BE MADE THEREFORE.	32. THE PROJECT MILL HAVE ALTERATION, VERIFICATION, AND SUBGRADE DENSITY TESTS COMPLETED BY A GEOTECHNICAL ENGINEERING COMPANY TO VERIFY COMPACTION, PROOF ROLLING WILL BE COMPLETED ALONG THE PROJECT SUBGRADE AND ANY SOFT SPOTS WILL BE REMOVED AND RECONSTRUCTED BEFORE THE CONTRACTOR BEGINS WORK.		
.00	THE CONTRACTOR IS HEREBY ADVISED THAT UTILITY RELOCATION BY UTILITY COMPANIES MILL BE DONE CONCURRENTLY MITH CONSTRUCTION. THE CONTRACTOR SHALL PROVIDE FOR UTILITY WORK IN CONJUNCTION WITH CONSTRUCTION OPERATIONS AND SHALL COORDINATE THE SCHEDULING OF WORK WITH THE RESPECTIVE UTILITY WORK THE BOARCTOR SHALL PROVIDE FOR THE RESPECTIVE UTILITY COMPANIES IN ORDER TO AVOID DE TAYS DUE TO UTILITY WORK. THE COORDINATE THE SCHEDULING OF WORK WITH THE RESPECTIVE UTILITY COMPANIES IN ORDER TO AVOID DE TAYS DUE TO UTILITY WORK. THE COORDINATE THE SCHEDULING OF WORK WITH THE RESPECTIVE UTILITY COMPANIES IN ORDER TO AVOID DE TAYS DUE TO UTILITY WORK. THE COORDINATE THE SCHEDULING OF WORK WITH THE RESPECTIVE UTILITY COMPANIES IN ORDER TO AVOID DE TAYS DUE TO UTILITY WORK. THE	33. NOTMTHSTANDING THE APPROVAL OF THESE GRADING PLANS, THE CONTRACTOR IS RESPONSIBLE FOR THE PREVENTION OF DAMAGE TO ADJACENT PROPERTY, NO PERSON SHALL EXCAVATE ON LAND SO CLOSE TO THE PROPERTY LINE AS TO EMDANGER ANY SUCH PROPERTY FROM SETTLING, CRACKING, EROSION, SILTING, SCOUR OR OTHER DAMAGE, WHICH MIGHT RESULT FROM THE GRADING DESCRIBED ON THE PLAN.	ABBREVIATIONS	
Þ	BE ALLOWED. Theoder's no construintion of each tank doo legit the contrantion shall not stode equidment of material of itside of	34. SPECIAL CONDITION IF ANY ARCHEOLOGICAL RESOURCES ARE DISCOVERED ON THE SITE OF THIS GRADING OPERATION. SUCH OPERATION WILL CEASE IMMEDIATELY, AND THE PERMITTEE WILL NOTIFY THE OWNER'S REPRESENTATIVE.	CMP CORRUG	ATED
	THE PROJECT BOUNDARIES ON THIS PROJECT. THIS WORK SHALL BE CONSIDERED INCIDENTAL TO THE COMPLETION OF THE PROJECT AND NO SEPARATE MEASUREMENT OR PAYMENT MILL BE MADE THEREFORE CONTRACTOR TO COORDINATE WITH OWNER ON SITE STORAGE.	35. ALL PROJECT LIMITS AND CONSTRUCTION AREAS SHALL BE CLEARLY DELINEATED IN THE FIELD PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION AND/OR GRADING.	CU, FT. CUBIC FE	ARDS
11 10	EMERGENCY ACCESS SHALL REMAIN OPEN AT ALL TIMES. THE CONTRACTOR WILL REMAINE AND PROTECT ROAD NAME SIGNS DURING CONSTRUCTION AND REPLACE AS SOON AS POSSIBLE AFTER	35. DURING ROUGH GRADING OPERATIONS AND PRIOR TO THE CONSTRUCTION OF ANY PERMANENT DRAINAGE STRUCTURES, TEMPORARY DRAINAGE CONTROL SHALL BE PROVIDED TO PREVENT PONDING WATER AND DAMAGE TO CONTIGUOUS PROPERTIES.	DIA. DIAMETE	R (Ø)
	CONSTRUCTION	37. NO OBSTRUCTION OF FLOOD PLANS OR NATURAL WATER COURSES MILL BE PERMITTED.	EX EXISTING	9 92
12	THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPORTING AND CLEAN UP OF SHULLS ASSOCIATED WITH PROJECT CONSTRUCTION AND SHALL REPORT AND RESPOND TO SPLLS OF HAZAROUSI MATERIAL SUCH AS GASOLINE, DIESEL, MOTOR OILS, SOLVENTS, OHENCALS, TOXIC AND CORROSIVE SUBSTANCES, AND OTHER MATERIALS WHICH MAY BE A THREAT TO PUBLIC HEALTH OR THE ENVIRONMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPORTING AST SPLLS ENCOUNTERED DURING CONSTRUCTION AND GF CURRENT SPLLS NOT ASSOCIATED	38. ALL EXISTING DRAINAGE COURSES ON THE PROJECT SITE MUST CONTINUE TO FUNCTION DURING STORM CONDITIONS. PROTECTIVE MEASURERS AND TEMPORARY DRAINAGE PROVISIONS MUST BE USED TO PROTECT CONTIGUOUS PROPERTIES DURING GRADING OPERATIONS.	FT FEET	RADE
	WTH CONSTRUCTION, REPORTS SHALL BE MADE IMMEDIATELY TO THE ENVIRONMENTAL EMERGENCY SPILL REPORTING LINE AT 1-886-428-635 AND TO THE OWNERS REPRESENTATIVE OR DESIGNEE. ANY UNREPORTED SPILLS IDENTIFIED AFTER CONSTRUCTION AND ASSOCIATED WTH PROJECT CONSTRUCTION SHALL BE CLEANED UP BY THE CONTRACTOR IN ACCORDANCE WITH THE CONTRACT. THE CONTRACTOR SHALL BEAR THE FULL COST OF CLEANUP OF SUCH UNREPORTED SPILLS.	 THE FINISHED GRADE SHALL BE SLOPED AWAY FROM ALL EXTERIOR BUILDING WALLS AND FACILITIES TO PROMOTE POSITIVE DRAINAGE AWAY FROM FOUNDATIONS. SAN JUAN COUNTY SHALL BE NOTIFIED 72 HOURS PRIOR TO COMMENCING ANY WORK IN THE PUBLIC RIGHT OF WAY. 	HORIZ HORIZON	VTAL
13	FINAL PAYMENT OF CONGRETE AND REINFORCING BARS SHALL BE BASED ON PLAN QUANTIES. IF THE DESIGN IS REVISED DURING CONSTRUCTION OR IF A QUANTITY CHANGE IS REQUIRED DUE TO ERRORS ON THE PLANS, THE PAYMENT SHALL BE BASED ON COMPUTED FIELD QUANTITIES MEASURED TO REAT LIVES.	41. ROADWAY SECTION REPLACEMENT SHALL MEET CURRENT SAN JUAN COUNTY AND UNITED STATES BUREAU OF LAND MANAGEMENT GOLD BOOK STANDARDS FOR DEPTH OR MATCH EXISTING DEPTH, WHICHEVER IS THICKER.	MAX. MAXIMUN	NOW-E
14	EXISTING FERCE. SIGNS AND OTHER ITEMS OF PRIVATE PROPERTY FOUND TO BE WITHIN THE RIGHT-OF-WAY ARE TO BE REMOVED AND REPLACED AT THE EDGE OF RIGHT-OF-WAY, BY THE CONTRACTOR. THIS WORK MILL BE CONSIDERED INCIDENTAL TO THE COMPLETION OF THE PROJECT AND NO MEASUREMENT OF PAYMENT WILL BE MADE THEREFORE.	 RECORD DRAMINGS OR WORK COMPLETED SHALL BE SUBMITTED TO ENGINEER PRIOR TO FINAL ACCEPTANCE OF THE INSTALLATIONS. IN THE EVENT A SERVICE OUTAGE IS REQUIRED, CONTRACTOR WILL NOTIFY ALL AFFECTED PARTIES WHEN AND HOW LONG THEY WILL BE WITHOUT SERVICE 	ME MATCH E MCC MECHAN	ICAL
15	THROUGHOUT THE LIFE OF THE PROJECT THE CONTRACTOR SHALL KEEP LOCAL LANDOWNERS INFORMED IN TIMELY FASHION OF ANY LANE CLOSURES WHICH MILL RESTRICT THE NORMAL FLOW OF TRAFFIC. THERE MILL BE NO DIRECT PAYMENT FOR THIS WORK.	44. OWNER WILL ENSURE THAT ALL INSTALLED EROSION AND SEDIMENTATION CONTROL MEASURES COMPLY WITH THEIR EXISTING ASSET STORMWATER POLLUTION PREVENTION PLAN (SWPPP).	MIL or MM MILLIME MIN. MINIMUM	
16	THE CONTRACTOR SHALL MAINTAIN UP TO DATE SETS OF AS-BUILT PLANS FOR THE PROJECT. THESE PLANS SHALL BE KEPT CURRENT, MITHIN PIFTEEN (15) DAYS, AT ALL TIMES AND SHALL BE SUBJECT TO REVIEW BY THE OWNER'S REPRESENTATIVE OR DESIGNEE THROUGHOUT THE PROJECT AND MILL BE REVIEWED BY THE OWNER'S REPRESENTATIVE OR DESIGNEE FOR ACCURACY AND COMPLETENESS AT LEAST ONCE EVERY 15 DAYS. THE FINAL AS-BUILT PLANS SHALL BE SUBMITTED TO THE OWNER'S REPRESENTATIVE OR DESIGNEE PROOF TO FINAL PAYMENT.	45. EROSION AND SEDMENTATION CONTROL MEASURES SHALL BE IMPLEMENTED AND SHALL BE KEPT IN PLACE UNTIL EROSION AND SEDMENTATION POTENTIAL IS MITIGATED. REMOVAL OF SILT AND SEDMENT IS REQUIRED ONCE SILT AND SEDMENT HAS REACHED HALF THE HEIGHT OF THE SILT FENCE. EROSION AND SEDMENTATION CONTROL DEVICES SHALL BE CHECKED AND MAINTAINED PER THE OWNERS PERMIT.	LEGEND	5
17	ALL WORK IN THE VICINITY OF LIVE STREAMS, WATER IMPOUNDMENTS, WETLANDS OR IRRIGATION SUPPLIES SHALL BE AFFECTED IN SUCH A MANNER AN MINIMIZ VEGETATION REMOVAL, SOL DISTURBANCE AND EROSON, CROSSNOS OF LIVE STREAMS WITH HEAVY EQUIPMENT SHALL BE MINIMIZED, AS DETERMINED BY THE OWNERS REPRESENTATIVE OR DESIGNEE. EQUIPMENT RELEMANS MAINTENAVICE AND CEMENT DUMPING IN THE VICINITY OF WATER COURSES IS STRUCTLY PROHIBITED AND SHALL BE PERFORMED IN PROPER CONTAINMENT AREAS.	46. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD. 47. THE CONTRACTOR SHALL COORDINATE STRUCTURAL DRAWINGS WITH OTHER DRAWINGS FOR INDIVIDUAL ITEMS. DISCREPANCIES UNCOVERED. 17. FARV SHALL BE REPORTED BEFORE STRUCTURAL DRAWINGS WITH OTHER DRAWINGS FOR INDIVIDUAL ITEMS. DISCREPANCIES UNCOVERED.		
18	TOPOGRAPHY SHOWN ON THESE PLANS IS ACCORDING TO FIELD LOCATION BY NCE SURVEYS, INC. JAMES C. EDWARDS P.L.S. #15299 DATED AUGUST 22, 2018.	48. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING SAFE AND ADEQUATE SHORING FOR ALL PARTS OF THE PROJECT DURING CONSTRUCTION. ALL STRUCTURES SHOWN ON THE DRAMMAS HAVE BEEN DESIGNED FOR STABILITY UNDER FINAL CONFIGURATION.		
19	THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL REMOVALS REQUIRED TO COMPLETE THE PROJECT. ADDITIONAL REMOVALS NOT SHOWN ON THE PLANS WILL BE DESIGNATED BY THE OWNER'S REPRESENTATIVE OR DESIGNEE. THIS WORK WILL BE CONSIDERED AS INCLUDED IN THE CONTRACT FRICE FOR REMOVAL OF STRUCTURES AND OBSTRUCTIONS AND THE CONTRACTOR WILL NOT RECEIVE ADDITIONAL COMPENSATION FOR UNLISTED REMOVALS.	49. THE OWNER WILL PROVIDE CONSTRUCTION OBSERVERS AND MATERIAL TESTERS TO OBSERVE AND TEST ALL CONTROLLED EARTHWORK. THE CONSTRUCTION OBSERVERS AND MATERIAL TESTERS SHALL PROVIDE CONTINUOUS ON-SITE OBSERVATION AND TESTING DURING CONSTRUCTION OF CONTROLLED EARTHWORK. THE CONTRACTOR SHALL NOTEY THE CONSTRUCTION OBSERVERS AND MATERIAL TESTERS AT CONSTRUCTION OF CONTROLLED EARTHWORK. THE CONTRACTOR SHALL NOTEY THE CONSTRUCTION OBSERVERS AND MATERIAL TESTERS AT CONSTRUCTION OF CONTROLLED EARTHWORK. THE CONTRACTOR SHALL NOTEY THE CONSTRUCTION OBSERVERS AND MATERIAL TESTERS AT CONSTRUCTION OF CONTROLLED EARTHWORK.	¢	6
20	UNSUITABLE CONSTRUCTION MATERIALS AND DEBRIS FROM CLEARING AND GRUBBING ARE TO BE PLACED IN AN ENVIRONMENTALLY SUITABLE DISPOSAL SITE.	50. CONTRACTOR SHALL COMPLY WITH ANY AND ALL CONDITIONS OF APPROVALS ISSUED BY THE REGULATORY AGENCIES AS DETERMINED BY		Ŷ
21	UTILITY LOCATIONS SHOWN WITHIN THE PROJECT BOUNDARY ARE BASED UPON THE BEST AVAILABLE EVIDENCE. BUT THE POSITIONS ARE NOT WARRANTED TO BE ACCURATE. CONTACT UTILITY PROVIDERS BEFORE STARTING ANY EXCAVATION WORK. SHOULD CONFLICTING INFORMATION OR INTERFERENCE PROBLEMS APPEAR IN THE CONSTRUCTION DRAWINGS THE CONTRACTOR SHALL BRING THAT INFORMATION TO THE ATTENTION OF THE ENGINEER IMMEDIATELY PRIOR TO INSTALLATION. FAILURE TO DO SO SHALL NOT BE A BASIS OF EXTRA PAYMENT TO THE CONTRACTOR.	51. ENGINEER HAS NO CONTROL OVER COST OF LABOR, MATERIALS, EQUIPMENT OR SERVICES FURNISHED BY OTHERS, COMPETITIVE BIDDING OR MARKET CONDITIONS.		
22	THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES BEFORE COMMENCING WORK AND SHALL BE RESPONSIBLE FOR COMPLYING WITH NEW MEXICO ONE-CALL PROCEDURES. ANY DAMAGE TO EXISTING UTILITIES MUST BE IMMEDIATELY REPORTED TO THE APPROPRIATE UTILITY COMPANY.			
23	NEW MEXICO 811 LOCATES SHALL BE FIELD VERIFIED BY THE CONTRACTOR THROUGH POTHOLING AND COORDINATION WITH UTILITY OWNER.			
24	THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE RESPECTIVE UTILITY COMPANIES PRIOR TO GRADING OR TRENCHING. THE CONTRACTOR SHALL REVIEW AND FOLLOW THE RECOMMENDATIONS PROVIDED IN THE 'GEOTECHNICAL ENGINEERING REPORT STUDY WLU			
	OCHTENT, MAXIMUM COMPACTED LIFT DEPTHS, AND MINMUM COMPACTION REQUIREMENTS FOR THE PRODUCT.			
24 FC	TRENCHER REFERENTIANS IN NETTA MIST DE SUCRER SI CRER DE SUEL REPORT DES ASUA DECHI ATIONS			
28	EARTHWORK ESTIMATES ARE BASED ON COMPACTED AND IN-PLACE MATERIAL. CONTRACTOR IS RESPONSIBLE FOR PROVIDING THE REQUIRED			
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GEOTECHNICAL ENGINEERING REPORT WLU REMOTE FACILITY FRACKING WATER POND SAN JUAN COUNTY, NEW MEXICO

Submitted To:

James McDaniel Enduring Resources 332 CR 3100 Aztec, New Mexico 87410

Submitted By:

GEOMAT Inc. 915 Malta Avenue Farmington, New Mexico 87401

July 6, 2018 GEOMAT Project 182-3038

TABLE OF CONTENTS

Page No.
INTRODUCTION
PROPOSED CONSTRUCTION
SITE EXPLORATION
Field Exploration
Laboratory Testing
SITE CONDITIONS
SUBSURFACE CONDITIONS
Soil Conditions
Groundwater Conditions
Laboratory Test Results4
OPINIONS AND RECOMMENDATIONS
Geotechnical Considerations 4
Pond Design and Construction
Slope Stability Analysis 4
Seismic Considerations
Lateral Earth Pressures
Earthwork
General Considerations
Site Clearing
Excavation7
Fill Materials7
Placement and Compaction
Compliance
Drainage
Surface Drainage
Subsurface Drainage
GENERAL COMMENTS

GEOTECHNICAL ENGINEERING REPORT WLU REMOTE FACILITY FRACKING WATER POND SAN JUAN COUNTY, NEW MEXICO GEOMAT PROJECT NO. 182-3038

INTRODUCTION

This report contains the results of our geotechnical engineering exploration for the proposed WLU Remote Facility fracking water pond to be located in San Juan County, New Mexico, as depicted on the Vicinity Map and Site Plan in Appendix A of this report.

The purpose of these services is to provide information and geotechnical engineering recommendations about:

- subsurface soil conditions
 - groundwater conditions
- slopes for pond walls
- drainage

- lateral soil pressures
- earthwork

The opinions and recommendations contained in this report are based upon the results of field and laboratory testing, engineering analyses, and experience with similar soil conditions, structures, and our understanding of the proposed project as stated below.

PROPOSED CONSTRUCTION

The WLU Remote Facility fracking water pond will have dimensions of approximately 350 feet by 350 feet and will be located at 36.210370° north latitude / 107.831582° west longitude. We understand the pond will be excavated (incised) into the existing grade at the site. The total depth of the pond will be 20 to 25 feet and it will be lined with a double HDPE liner system. The pond is located on relatively flat terrain.

SITE EXPLORATION

Our scope of services performed for this project included a site reconnaissance by a staff geologist, a subsurface exploration program, laboratory testing and engineering analyses.



Drill Rig at Boring B-2 View Toward the West

SUBSURFACE CONDITIONS

Soil Conditions:

As presented on the Boring Logs in Appendix A, in all four borings, B-1 through B-4, we encountered predominantly sandy soil conditions underlain by rock. Sandy soils were encountered in borings B-1 through B-4, to depths ranging from 2 to 6 feet below existing ground surface (bgs). Sandstone/Siltstone interlayered with shale lenses were encountered below the sandy soils in all the borings. The sandy soils were medium dense and were generally dry to damp. The sandstone/siltstone rock was generally slightly too moderately weathered.

Groundwater Conditions:

Groundwater was not encountered in any of the borings. Groundwater elevations can fluctuate over time depending upon precipitation, irrigation, runoff and infiltration of surface water. We do not have any information regarding the historical fluctuation of the groundwater level in this vicinity.

Based on the results of our subsurface exploration, laboratory testing, and engineering analyses, the maximum recommended inclinations for the pond walls are 2.5:1 in soils and 1:1 in rock.

We understand that no above-grade embankments are planned for the project. If the project scope changes to include embankments, GEOMAT should be notified to review the plans and confirm or modify our recommendations as necessary.

Seismic Considerations:

Based on the subsurface conditions encountered in the borings, we estimate that Site Class B is appropriate for the site according to Table 1613.5.2 of the 2009 International Building Code. This parameter was estimated based on extrapolation of data beyond the deepest depth explored, using methods allowed by the code. Actual shear wave velocity testing/analysis and/or exploration to a depth of 100 feet were not performed as part of our scope of services for this project.

Lateral Earth Pressures:

For soils above any free water surface, recommended equivalent fluid pressures for unrestrained foundation elements are presented in the following table:

• Active:

Granular soil backfill	(on-site sand)	35 psf/ft
Undisturbed subsoil		30 psf/ft

• Passive:

Shallow foundation walls	250 psf/ft
Shallow column footings	350 psf/ft
Sump walls	400 psf/ft

The coefficient of base friction should be reduced to 0.30 when used in conjunction with passive pressure.

Excavation:

We present the following general comments regarding our opinion of the excavation conditions for the designers' information with the understanding that they are opinions based on our boring data. More accurate information regarding the excavation conditions should be evaluated by contractors or other interested parties from test excavations using the equipment that will be used during construction.

Based on our subsurface evaluation it appears that shallow excavations in soils at the site will be possible using standard excavation equipment, however, rock was encountered at relatively shallow depths across the site. Excavations that encounter formational rock are expected to be difficult and may necessitate the use of heavy-duty equipment and/or specialized techniques.

On-site soils may pump or become unstable or unworkable at high water contents. Dewatering may be necessary to achieve a stable excavation. Workability may be improved by scarifying and drying. Over-excavation of wet zones and replacement with granular materials may be necessary. Lightweight excavation equipment may be required to reduce subgrade pumping.

Fill Materials:

- 1. Native soils could be used in any areas cut for facilitation of the pond excavation.
- 2. Select granular materials should be used as backfill behind walls that retain earth.
- 3. On site or imported soils to be used in structural fills should conform to the following:

	Percent finer by weight
Gradation	(ASTM C136)
3"	
No. 4 Sieve	
No. 200 Sieve	50 Max
Maximum expansive potential (%)*	1.5
 Measured on a sample compacted to approximate D698 maximum dry density at about 3 percent be The sample is confined under a 144-psf surcharge 	ely 95 percent of the ASTM low optimum water content. and submerged.

4. Aggregate base should conform to Type I Base Course as specified in Section 303 of the 2014 New Mexico Department of Transportation (NMDOT) "Standard Specifications for Road and Bridge Construction."

intercept and discharge water which would tend to saturate the backfill. Where used, drain lines should be embedded in a uniformly graded filter material and provided with adequate clean-outs for periodic maintenance. An impervious soil should be used in the upper layer of backfill to reduce the potential for water infiltration.

GENERAL COMMENTS

It is recommended that GEOMAT be retained to provide a general review of final design plans and specifications in order to confirm that grading recommendations in this report have been interpreted and implemented. In the event that any changes of the proposed project are planned, the opinions and recommendations contained in this report should be reviewed and the report modified or supplemented as necessary.

GEOMAT should also be retained to provide services during excavation, grading, and construction phases of the work. Construction testing, including field and laboratory evaluation of fill, backfill, and compacted slopes should be performed to determine whether applicable project requirements have been met.

The analyses and recommendations in this report are based in part upon data obtained from the field exploration. The nature and extent of variations beyond the location of test borings may not become evident until construction. If variations then appear evident, it may be necessary to re-evaluate the recommendations of this report.

Our professional services were performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable geotechnical engineers practicing in this or similar localities at the same time. No warranty, express or implied, is intended or made. We prepared the report as an aid in design of the proposed project. This report is not a bidding document. Any contractor reviewing this report must draw his own conclusions regarding site conditions and specific construction equipment and techniques to be used on this project.

This report is for the exclusive purpose of providing geotechnical engineering and/or testing information and recommendations. The scope of services for this project does not include, either specifically or by implication, any environmental assessment of the site or identification of contaminated or hazardous materials or conditions. If the owner is concerned about the potential for such contamination, other studies should be undertaken. This report has also not addressed any geologic hazards that may exist on or near the site.

This report may be used only by the Client and only for the purposes stated, within a reasonable time from its issuance. Land use, site conditions (both on and off site), or other factors may change over time and additional work may be required with the passage of time. Any party,

Appendix A



915 Malta Avenue Farmington, NM 87401 Tel (505) 327-7928 Fax (505) 326-5721										Borehole B-2 Page 1 of 1					
P C S R D S H H	rojec lient: ite Lo ig Ty rilling ampl amm	t Nar t Nur ocatio pe: g Met ing N ier W	ne: _ nber: _ on: _ hod: /eight all: _	V E 7 _7	VLU I 82-30 ndur an Ju ME- 25" 0 ting a 40 lb 0 inc	Rem 038 ing F uan 0 55 0.D. and S s hes	ote F Resou Count Hollc Split s	acility P Irces ty, New bw Stem poon sa	Mexico Auger mples	Date Drilled: 6/15/2018 Latitude: Not Determined Longitude: Not Determined Elevation: Not Determined Boring Location: See Site Plan Groundwater Depth: None Encountered Logged By: SY Remarks: NE Corner					
Labo	orator	y Res	sults	.9	e 🤉		be		<u> </u>						
Dry Density (pcf)	% Passing #200 Sieve	Plasticity Index	Moisture Content (%)	Blows per	Sample Typ & Length (in	Symbol	Material Ty	Soil Symb	Depth (ft	Soil Description					
114.3	19	2	10.5	19-29-41	R 18		SM		1 _ 2 _ 3 _ 4 _	Silty SAND, tan/brown, fine grained, medium dense, slightly damp to dry SANDSTONE, tan/gray, fine- to medium grained, weakly to					
				50/6"	SS 6	X			5 6 7 C 9 10 11 _ 12 _ 13 _ 14 _	moderately cemented, slightly weathered ontains intermittent shale lenses					
				50/3"	R 0										
				50/2"	R 0				15 16 _ 17 _ 18 _ 19 _						
				14-23-27	SS 18	\times	RK		20 21 _ 22 _ 23 _ 24	Contains intermittent shale lenses (gray/green shale at base of sample)					
				50/2"	R 0				25 26 27 28 29						
				50/4"	SS 4	~			30 31 _ 32 _ 33 _ 34 _ 35						
				5U/Z	2				36 - 37 - 38 - 39 - 40	Total Depth 35½ feet					

915 Malta Avenue Farmington, NM 8740 Tel (505) 327-7928 Fax (505) 326-5721										Borehole B-4						
Р	roiec	t Nar	ne:	V	VLU I	Rem	ote F	acility P	ond	Date Drilled: 6/15/2018						
P	rojec	t Nur	nber	: 1	82-30	038				Latitude: Not Determined						
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S	ite Lo	ocatio	on: _	S	an Ju	uan	Coun	ty, New	Mexico	Elevation: Not Determined						
R	lig Ty	pe:		С	ME-	55				Boring Location: See Site Plan						
D	rilling	g Met	thod:	7	.25" (0.D.	Hollo	w Stem	Auger	Groundwater Depth: None Encountered						
S	ampl	ling N	/lethc	od: _R	ting a	and S	Split s	poon sa	Logged By: SY							
Н	lamm	ner W	leigh	t: <u>1</u>	40 lb	S			Remarks: SW Corner							
H	Hammer Fall:30 inches															
Lab	orato	ry Res	sults				oe									
Į.	b e	~	(%	per	Type (in)	0	Tyl	p q u	(#)							
ens cf)	Sie	dex	sture	MS	ole 7	Symt	Material	Soil Sy	Depth	Soil Description						
D d	6 Ps	Plas	Moi	Blo	samp & Lei					-						
	°`#		0		0,00		2	যালন্দ্রনার	4	Silty SAND top/orange fine engined elightly down to dry						
	SM 1 Silty															
110.7			2.9	13-17-23	R 18 SS				3_	SANDSTONE, tan, tine- to medium grained, slightly damp, weakly cement, moderately weathered						
				14-15-25				· · · · · · · · · · · ·	5 _	-						
					18	Х			6 _	-						
									8	-						
				40 50/0"			DK		9 10							
104.4			12.8	19-50/3	9	\mathbf{X}	RK		11	Contains intermittent shale lenses						
									12 13							
								· · · · · · · · ·	14							
				32-50/5"	SS 11	\times			15 _ 16							
									17							
									18 19	SHALE gray with grange mottling slightly damp moderately						
				50/5"	R	\geq	RK		20	weathered						
					5				21 _	SANDSTONE, tan, fine- to medium grained, slightly damp,						
									23	weakly to moderately cemented, moderately weathered						
				50/4"	22			• • • • • • • •	24 _							
				50/4	4	~			26	Contains intermittent shale lenses						
							PK		28							
2							IXIX		29							
				50/5"	SS 5	\simeq			30 _	Contains intermittent shale lenses						
									32							
									34							
				50/2"	SS			· · · · · · · · · · · · · · · · · · ·	35							
					2				37	Total Depth 35½ feet						
-201									38							
									40 _	-						
A	= Auge	r Cuttir	ngs R	= Ring-L	ined Ba	arrel S	Sampler	SS = Spl	it Spoon (GRAB = Manual Grab Sample D = Disturbed Bulk Sample						

TEST DRILLING EQUIPMENT & PROCEDURES

Description of Subsurface Exploration Methods

Drilling Equipment – Truck-mounted drill rigs powered with gasoline or diesel engines are used in advancing test borings. Drilling through soil or softer rock is performed with hollow-stem auger or continuous flight auger. Carbide insert teeth are normally used on bits to penetrate soft rock or very strongly cemented soils which require blasting or very heavy equipment for excavation. Where refusal is experienced in auger drilling, the holes are sometimes advanced with tricone gear bits and NX rods using water or air as a drilling fluid.

Sampling Procedures - Dynamically driven tube samples are usually obtained at selected intervals in the borings by the ASTM D1586 test procedure. In most cases, 2" outside diameter, 1 3/8" inside diameter, samplers are used to obtain the standard penetration resistance. "Undisturbed" samples of firmer soils are often obtained with 3" outside diameter samplers lined with 2.42" inside diameter brass rings. The driving energy is generally recorded as the number of blows of a 140-pound, 30-inch free fall drop hammer required to advance the samplers in 6-inch increments. These values are expressed in blows per foot on the boring logs. However, in stratified soils, driving resistance is sometimes recorded in 2- or 3-inch increments so that soil changes and the presence of scattered gravel or cemented layers can be readily detected and the realistic penetration values obtained for consideration in design. "Undisturbed" sampling of softer soils is sometimes performed with thin-walled Shelby tubes (ASTM D1587). Tube samples are labeled and placed in watertight containers to maintain field moisture contents for testing. When necessary for testing, larger bulk samples are taken from auger cuttings. Where samples of rock are required, they are obtained by NX diamond core drilling (ASTM D2113).

Boring Records - Drilling operations are directed by our field engineer or geologist who examines soil recovery and prepares boring logs. Soils are visually classified in accordance with the Unified Soil Classification System (ASTM D2487), with appropriate group symbols being shown on the logs.

	BORING	SAMPLE DEPTH (ft)	ASTM	1 D698	MOISTURE CONT. (%)	DENSITY		ATTERBERG LIMITS			SWELL COM	CONSOL	% PASS	CLASSIFICATION
EAD NO.	NO.		Density	Moisture		WET (pcf)	DRY (pcf)	LL	PL	PI	(%)	TEST	#200 SIEVE	
6636	B-1	2.5		-	-	-	-	NLL	NPL	NP		-	18	Silty SAND (SM)
6637	B-1	5		-	12.0	123.9	110.6		-			-	-	Clayey SAND (SC)/SILTSTONE
6638	B-2	2.5		-	10.5	126.3	114.3	24	22	2		-	19	Silty SAND (SM)/SANDSTONE
6639	B-3	5			5.7	108.7	102.9		-		-		-	SANDSTONE
6640	B-3	15		-	10.1	118.3	107.5			-				SANDSTONE
6641	B-4	2.5		-	2.9	114.0	110.7	-		-				SANDSTONE
6642	B-4	10.0		-	12.8	117.7	104.4	-	-			-	-	SANDSTONE
	<u></u>								Project		WLU Remote Facility Pond			
							SUMMARY OF SOIL TESTS					Job No.		182-3038
								Location	l.	San Juan County, NM				
										Date of Exploration			6/15/2018	

Appendix C

This Report's Recommendations Are Confirmation-Dependent

The recommendations included in this report – including any options or alternatives – are confirmation-dependent. In other words, *they are not final*, because the geotechnical engineer who developed them relied heavily on judgment and opinion to do so. Your geotechnical engineer can finalize the recommendations *only after observing actual subsurface conditions* revealed during construction. If through observation your geotechnical engineer confirms that the conditions assumed to exist actually do exist, the recommendations can be relied upon, assuming no other changes have occurred. *The geotechnical engineer who prepared this report cannot assume responsibility or liability for confirmationdependent recommendations if you fail to retain that engineer to perform construction observation*.

This Report Could Be Misinterpreted

Other design professionals' misinterpretation of geotechnicalengineering reports has resulted in costly problems. Confront that risk by having your geotechnical engineer serve as a full-time member of the design team, to:

- confer with other design-team members,
- help develop specifications,
- review pertinent elements of other design professionals' plans and specifications, and
- be on hand quickly whenever geotechnical-engineering guidance is needed.

You should also confront the risk of constructors misinterpreting this report. Do so by retaining your geotechnical engineer to participate in prebid and preconstruction conferences and to perform construction observation.

Give Constructors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can shift unanticipated-subsurface-conditions liability to constructors by limiting the information they provide for bid preparation. To help prevent the costly, contentious problems this practice has caused, include the complete geotechnical-engineering report, along with any attachments or appendices, with your contract documents, *but be certain to note conspicuously that you've included the material for informational purposes only*. To avoid misunderstanding, you may also want to note that "informational purposes" means constructors have no right to rely on the interpretations, opinions, conclusions, or recommendations in the report, but they may rely on the factual data relative to the specific times, locations, and depths/elevations referenced. Be certain that constructors know they may learn about specific project requirements, including options selected from the report, *only* from the design drawings and specifications. Remind constructors that they may perform their own studies if they want to, and *be sure to allow enough time* to permit them to do so. Only then might you be in a position to give constructors the information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions. Conducting prebid and preconstruction conferences can also be valuable in this respect.

Read Responsibility Provisions Closely

Some client representatives, design professionals, and constructors do not realize that geotechnical engineering is far less exact than other engineering disciplines. That lack of understanding has nurtured unrealistic expectations that have resulted in disappointments, delays, cost overruns, claims, and disputes. To confront that risk, geotechnical engineers commonly include explanatory provisions in their reports. Sometimes labeled "limitations," many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely*. Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The personnel, equipment, and techniques used to perform an environmental study – e.g., a "phase-one" or "phase-two" environmental site assessment – differ significantly from those used to perform a geotechnical-engineering study. For that reason, a geotechnicalengineering report does not usually relate any environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated subsurface environmental problems have led to project failures*. If you have not yet obtained your own environmental information, ask your geotechnical consultant for risk-management guidance. As a general rule, *do not rely on an environmental report prepared for a different client, site, or project, or that is more than six months old.*

Obtain Professional Assistance to Deal with Moisture Infiltration and Mold

While your geotechnical engineer may have addressed groundwater, water infiltration, or similar issues in this report, none of the engineer's services were designed, conducted, or intended to prevent uncontrolled migration of moisture – including water vapor – from the soil through building slabs and walls and into the building interior, where it can cause mold growth and material-performance deficiencies. Accordingly, *proper implementation of the geotechnical engineer's recommendations will not of itself be sufficient to prevent moisture infiltration*. Confront the risk of moisture infiltration by including building-envelope or mold specialists on the design team. *Geotechnical engineers are not building envelope or mold specialists*.



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