

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Field Office

FORM APPROVED
OMB NO. 1004-0137
Expires: January 31, 2018**SUNDRY NOTICES AND REPORTS ON WELLS**
*Do not use this form for proposals to drill or to re-enter an abandoned well. Use form 3160-3 (APD) for such proposals.*Hobbs
OCD
Hobbs
OCD

JUN 13 2018

RECEIVED

SUBMIT IN TRIPLICATE - Other instructions on page 2

1. Type of Well <input checked="" type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input type="checkbox"/> Other		5. Lease Serial No. NMNM0127A
2. Name of Operator MEWBOURNE OIL COMPANY Contact: JACKIE LATHAN E-Mail: jlathan@mewbourne.com		6. If Indian, Allottee or Tribe Name
3a. Address P O BOX 5270 HOBBS, NM 88241	3b. Phone No. (include area code) Ph: 575-393-5905	7. If Unit or CA/Agreement, Name and/or No.
4. Location of Well (Footage, Sec., T., R., M., or Survey Description) Multiple--See Attached		8. Well Name and No. Multiple--See Attached
		9. API Well No. Multiple--See Attached
		10. Field and Pool or Exploratory Area Multiple--See Attached
		11. County or Parish, State LEA COUNTY, NM

12. CHECK THE APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION	TYPE OF ACTION			
<input checked="" type="checkbox"/> Notice of Intent	<input type="checkbox"/> Acidize	<input type="checkbox"/> Deepen	<input type="checkbox"/> Production (Start/Resume)	<input type="checkbox"/> Water Shut-Off
<input type="checkbox"/> Subsequent Report	<input type="checkbox"/> Alter Casing	<input type="checkbox"/> Hydraulic Fracturing	<input type="checkbox"/> Reclamation	<input type="checkbox"/> Well Integrity
<input type="checkbox"/> Final Abandonment Notice	<input type="checkbox"/> Casing Repair	<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input type="checkbox"/> Other
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon	
	<input type="checkbox"/> Convert to Injection	<input type="checkbox"/> Plug Back	<input type="checkbox"/> Water Disposal	

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 recompletable horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports must be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompletable in a new interval, a Form 3160-4 must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has determined that the site is ready for final inspection.

Mewbourne Oil Company has an approved APD for the above well. Mewbourne requests to have an offsite battery for all of Sec 9 wells, see attachments & below for list of wells that will be in this battery.

MOC also requests to install a buried 4" steel gas line, buried 8" poly SWD line and install 2 7/8" surface steel flowlines. See attachments and below for details on all items.

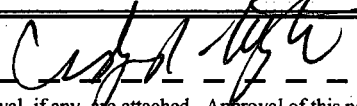
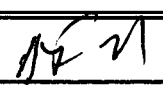

Wells that will go to off-site battery.

1. Salado Draw 9/16 W0AP Fed Com #3H ? APD approved, not drilled.
2. Salado Draw 9/16 W0BO Fed Com #2H ? APD approved, drilled.
3. Salado Draw 9/16 W1BO Fed Com #3H ? APD approved, drilled.

OK per Bud Bellard DOJ- BLM-NM-P20-2018-0525-PA 5-27-2018

14. I hereby certify that the foregoing is true and correct. Electronic Submission #413009 verified by the BLM Well Information System For MEWBOURNE OIL COMPANY, sent to the Hobbs Committed to AFMSS for processing by DUNCAN WHITLOCK on 05/01/2018 (18DW0149SE)	
Name (Printed/Typed) BRADLEY BISHOP	Title REGULATORY
Signature (Electronic Submission)	Date 05/01/2018

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved By 	Title 	Date 05/24/2018
Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.		Office 

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

(Instructions on page 2)

** BLM REVISED ** BLM REVISED ** BLM REVISED ** BLM REVISED ** BLM REVISED **

MJB/OCD
6/14/2018

Additional data for EC transaction #413009 that would not fit on the form

7. If Unit or CA/Agreement, Name and No., continued

NMNM130058
NMNM132691
NMNM133202
NMNM135614

Wells/Facilities, continued

Agreement	Lease	Well/Fac Name, Number	API Number	Location
NMNM0127A	NMNM0127A	SALADO DRAW 9 W1BO FED COM	80025-44497-00-S1	Sec 9 T26S R33E NWNE 310FNL 2310FEL
NMNM0127A	NMNM0127A	SALADO DRAW 9 W1AP FED COM 2H		Sec 9 T26S R33E NENE 330FNL 210FEL
NMNM0127A	NMNM0127A	SALADO DRAW 9 W1CN FED COM 2H		Sec 9 T26S R33E NENW 310FNL 2010FWL
NMNM0127A	NMNM0127A	SALADO DRAW 9 W1DM FED COM	80025-43376-00-X1	Sec 9 T26S R33E NWNW 320FNL 500FWL
NMNM0127A	NMNM0127A	SALADO DRAW 9/16 W0AP FED COM	80025-44648-00-X1	Sec 9 T26S R33E NENE 330FNL 260FEL
				32.064354 N Lat, 103.569557 W Lon
NMNM0127A	NMNM0127A	SALADO DRAW 9/16 W1BO FED COM	80025-44540-00-X1	Sec 9 T26S R33E NWNE 310FNL 2260FEL
				32.064419 N Lat, 103.576012 W Lon
NMNM130058	NMNM0127A	SALADO DRAW 9 AP FEDERAL COM	80025-40755-00-S1	Sec 9 T26S R33E NENE 310FNL 380FEL
NMNM132691	NMNM0127A	SALADO DRAW 9 DM FEDERAL COM	80025-41142-00-S1	Sec 9 T26S R33E NWNW 320FNL 330FWL
NMNM133202	NMNM0127A	SALADO DRAW 9 BO FED COM	80025-41732-00-S1	Sec 9 T26S R33E NWNE 350FNL 2150FEL
				32.064183 N Lat, 103.575188 W Lon
NMNM135614	NMNM0127A	SALADO DRAW 9 A3CN FED COM	80025-42437-00-S1	Sec 9 T26S R33E NENW 305FNL 2355FWL
				32.035198 N Lat, 103.344141 W Lon

10. Field and Pool, continued

WILDCAT;WOLFCAMP

32. Additional remarks, continued

4. Salado Draw 9 A3CN Fed Com #1H ? APD approved, drilled.
5. Salado Draw 9 AP Fed Com #1H ? APD approved, drilled.
6. Salado Draw 9 BO Fed Com #1H ? APD approved, drilled.
7. Salado Draw 9 DM Fed Com #1H ? APD approved, drilled.
8. Salado Draw 9 W0DM Fed Com #2H ? APD approved, not drilled.
9. Salado Draw 9 W1AP Fed Com #2H ? APD not approved, not drilled.
10. Salado Draw 9 W1CN Fed Com #2H ? APD not approved, not drilled. (will submit new APD info to move to East side of Salado Draw 9 A3CN Fed Com #1H.
11. Salado Draw 9 W1DM Fed Com #3H ? APD not approved, not drilled.

OFF-SITE BATTERY INFORMATION

Exhibit A

Battery pad size: 450' x 450'

Center of battery GPS coordinates: 32.0631046, -103.5725788

Exhibit B

Lease road to battery site: 648.30' ? Sec 9 T26S R33E.

Exhibit C

Gas line from battery site to existing MOC meter: 970.32' of buried 4.5" steel, 220# line pressure.

Sec 9 T26S R33E.

Exhibit D

SWD line from battery site to existing MOC SWD line: 1,976.47' of buried 8" poly SWD line. 200# line pressure. Sec 9 T26S R33E.

Exhibit E

Flowline from Salado Draw 9/16 AP well pad to Salado Draw battery: 675.84' of surface 2 7/8" steel flowline. Working pressure 100#.

Exhibit F

Flowline from Salado Draw 9/16 BO well pad to Salado Draw battery: 904.97' of surface 2 7/8" steel flowline. Working pressure 100#.

Exhibit G

Flowline from Salado Draw 9 DM & 9 CN well pads to Salado Draw battery: 4,787' of surface 2 7/8" steel flowline. Working pressure 100#.

Call Bradley Bishop with any questions.

Salado Draw 9 sundry notice for off-site battery, lease road, SWD PL & gas PL.

Wells that will go to off-site battery.

1. Salado Draw 9/16 WOAP Fed Com #3H – APD approved, not drilled.
2. Salado Draw 9/16 WOBO Fed Com #2H – APD approved, drilled.
3. Salado Draw 9/16 W1BO Fed Com #3H – APD approved, drilled.
4. Salado Draw 9 A3CN Fed Com #1H – APD approved, drilled.
5. Salado Draw 9 AP Fed Com #1H – APD approved, drilled.
6. Salado Draw 9 BO Fed Com #1H – APD approved, drilled.
7. Salado Draw 9 DM Fed Com #1H – APD approved, drilled.
8. Salado Draw 9 W0DM Fed Com #2H – APD approved, not drilled.
9. Salado Draw 9 W1AP Fed Com #2H – APD not approved, not drilled.
10. Salado Draw 9 W1CN Fed Com #2H – APD not approved, not drilled. (will submit new APD info to move to East side of Salado Draw 9 A3CN Fed Com #1H.
11. Salado Draw 9 W1DM Fed Com #3H – APD not approved, not drilled.

OFF-SITE BATTERY INFORMATION

Exhibit A

Battery pad size: 450' x 450'

Center of battery GPS coordinates: 32.0631046, -103.5725788

Exhibit B

Lease road to battery site: 648.30' – Sec 9 T26S R33E.

Exhibit C

Gas line from battery site to existing MOC meter: 970.32' of buried 4.5" steel, 220# line pressure. Sec 9 T26S R33E.

Exhibit D

SWD line from battery site to existing MOC SWD line: 1,976.47' of buried 8" poly SWD line. 200# line pressure. Sec 9 T26S R33E.

Exhibit E

Flowline from Salado Draw 9/16 AP well pad to Salado Draw battery: 675.84' of surface 2 7/8" steel flowline. Working pressure 100#.

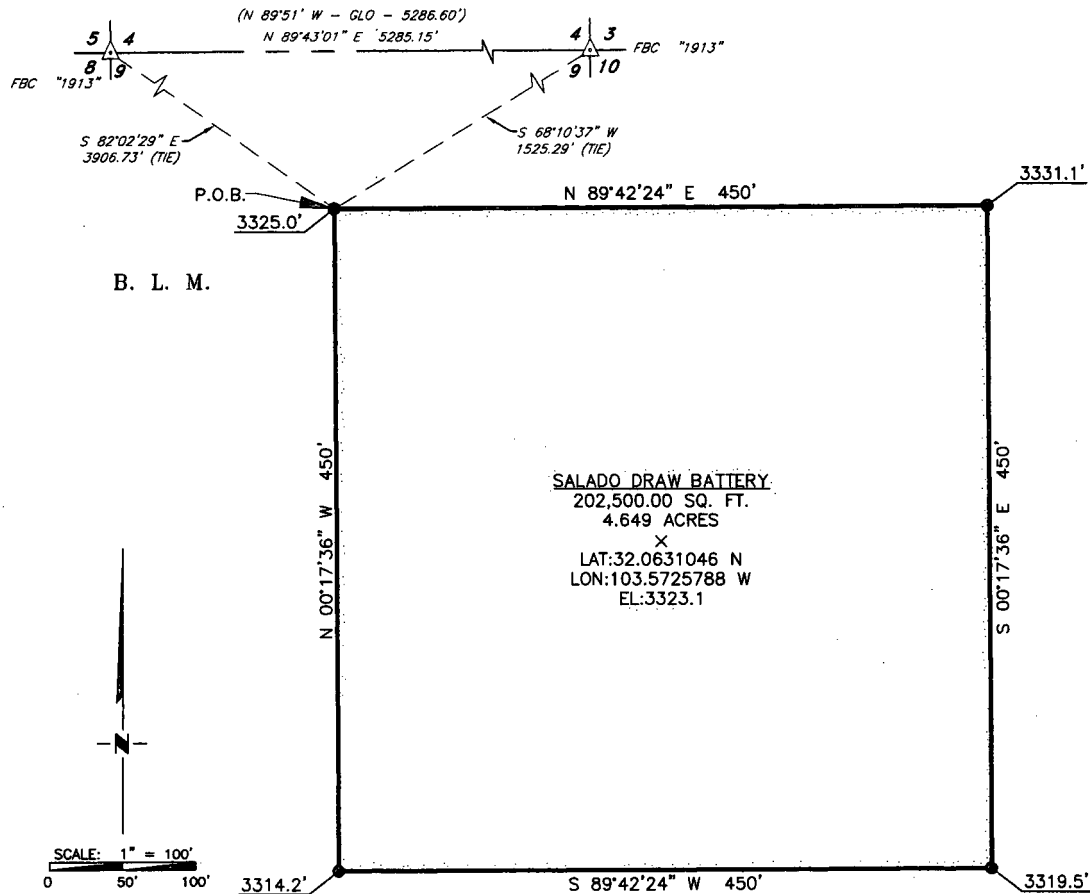
Exhibit F

Flowline from Salado Draw 9/16 BO well pad to Salado Draw battery: 904.97' of surface 2 7/8" steel flowline. Working pressure 100#.

Exhibit G

Flowline from Salado Draw 9 DM & 9 CN well pads to Salado Draw battery: 4,787' of surface 2 7/8" steel flowline. Working pressure 100#.

**MEWBOURNE OIL COMPANY
SURVEY OF THE PROPOSED SALADO DRAW BATTERY
SECTION 9, T26S, R33E,
N. M. P. M., LEA CO., NEW MEXICO**



BEARINGS ARE GRID NAD 83
NM EAST
DISTANCES ARE HORIZ. GROUND.

LEGEND

- () RECORD DATA - GLO
 ▲ FOUND MONUMENT
 AS NOTED
 P.O.B. POINT OF BEGINNING



I, R. M. Howett, a N. M. Professional Surveyor, hereby certify that I prepared this plat from an actual survey made on the ground under my direct supervision, said survey and plat meet the Min. Stds. for Land Surveying in the State of N. M. and are true and correct to the best of my knowledge and belief.

Robert M. Howett
 Robert M. Howett NM PS 19680

DESCRIPTION

A tract of land situated within the Northeast quarter of Section 9, Township 26 South, Range 33 East, N. M. P. M., Lea County, New Mexico, across B. L. M. land, and being more particularly described by metes and bounds as follows:

BEGINNING at a point which bears, S 82°02'29" E, 3,906.73 feet from a brass cap, stamped "1913", found for the Northwest corner of Section 9 and being S 68°10'37" W, 1,525.29 feet from a brass cap, stamped "1913", found for the Northeast corner of Section 9;

Thence N 89°42'24" E, 450 feet, to a point;

Thence S 00°17'36" E, 450 feet, to a point;

Thence S 89°42'24" W, 450 feet, to a point;

Thence N 00°17'36" W, 450 feet, to the Point of Beginning.

Said tract of land contains 202,500 square feet or 4.649 acres, more or less, and is allocated by forties as follows:

NW 1/4 NE 1/4 44,730.09 SQ. FT. 1.027 ACRES
 NE 1/4 NE 1/4 157,769.91 SQ. FT. 3.622 ACRES

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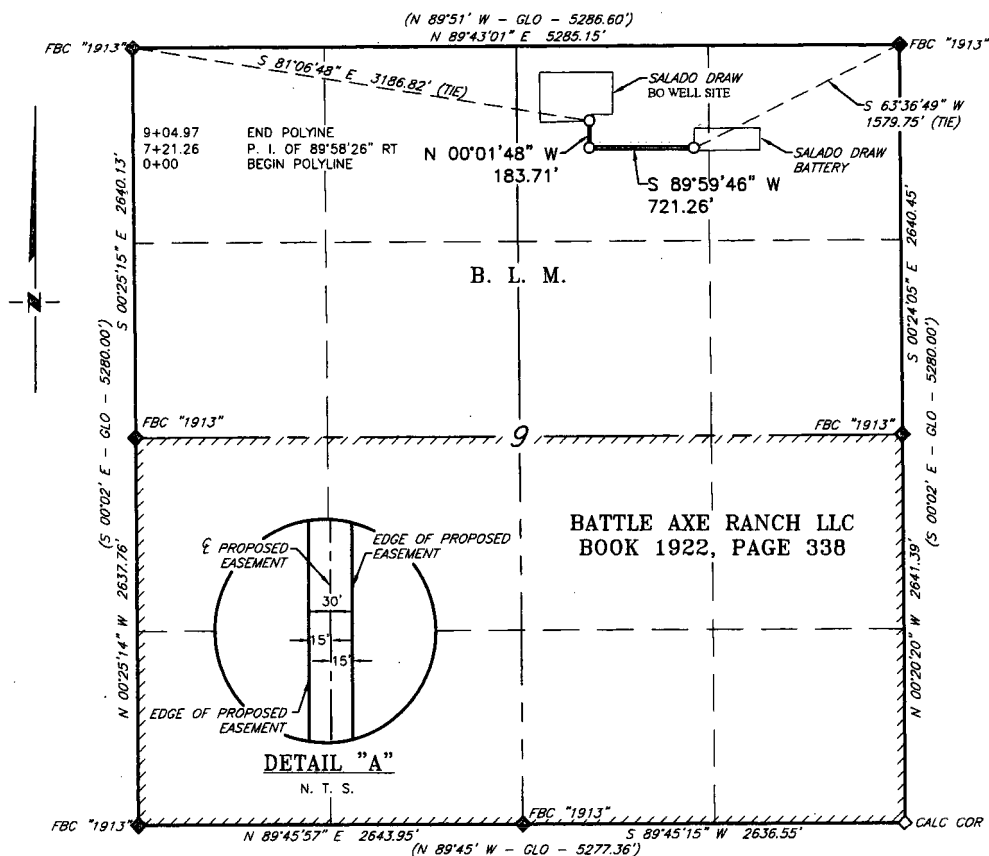
NO.	REVISION	DATE
JOB NO.:	LS1802261R	
DWG. NO.:	1802261R-1	

RRC

308 W. BROADWAY ST., HOBBS, NM 88240 (575) 964-8200

SCALE: 1" = 100'
DATE: 03/20/2018
SURVEYED BY: ML/TF
DRAWN BY: KAKN
APPROVED BY: RMH
SHEET: 1 OF 1

**MEWBOURNE OIL COMPANY
PROPOSED SURFACE POLYLINE FROM THE SALADO DRAW BATTERY
TO THE SALADO DRAW 9 BO WELL SITE
SECTION 9, T26S, R33E,
N. M. P. M., LEA CO., NEW MEXICO**



DESCRIPTION

A strip of land 30 feet wide, being 904.97 feet or 54.847 rods in length, lying in Section 9, Township 26 South, Range 33 East, N. M. P. M., Lea County, New Mexico, being 15 feet left and 15 feet right of the following described survey of a centerline across B. L. M. land:

BEGINNING at Engr. Sta. 0+00, a point in the Northeast quarter of Section 9, which bears, S 63°36'49" W, 1,579.75 feet from a brass cap, stamped "1913", found for the Northeast corner of Section 9;

Thence S 89°59'46" W, 721.26 feet, to Engr. Sta. 7+21.26, a P. I. of 89°58'26" right;

Thence N 00°01'48" W, 183.71 feet, to Engr. Sta. 9+04.97, the End of Survey, a point in Northeast quarter of Section 9, which bears, S 81°06'48" E, 3,186.82 feet from a brass cap, stamped "1913", found for the Northwest corner of Section 9.

Said strip of land contains 0.623 acres, more or less, and is allocated by forties as follows:

NW 1/4 NE 1/4 54.847 Rods 0.623 Acres

SCALE: 1" = 1000'
0 500' 1000'

BEARINGS ARE GRID NAD 83
NM EAST
DISTANCES ARE HORIZ. GROUND.

LEGEND

- () RECORD DATA - GLO
◆ FOUND MONUMENT AS NOTED
◇ CALCULATED CORNER
— PROPOSED POLYLINE

I, R. M. Howett, a N. M. Professional Surveyor, hereby certify that I prepared this plat from an actual survey made on the ground under my direct supervision, said survey and plat meet the Min. Stds. for Land Surveying in the State of N. M. and are true and correct to the best of my knowledge and belief.

Robert M. Howett
Robert M. Howett NM PS 19680



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NO.	REVISION	DATE

JOB NO.: LS1803275

DWG. NO.: 1803275-1

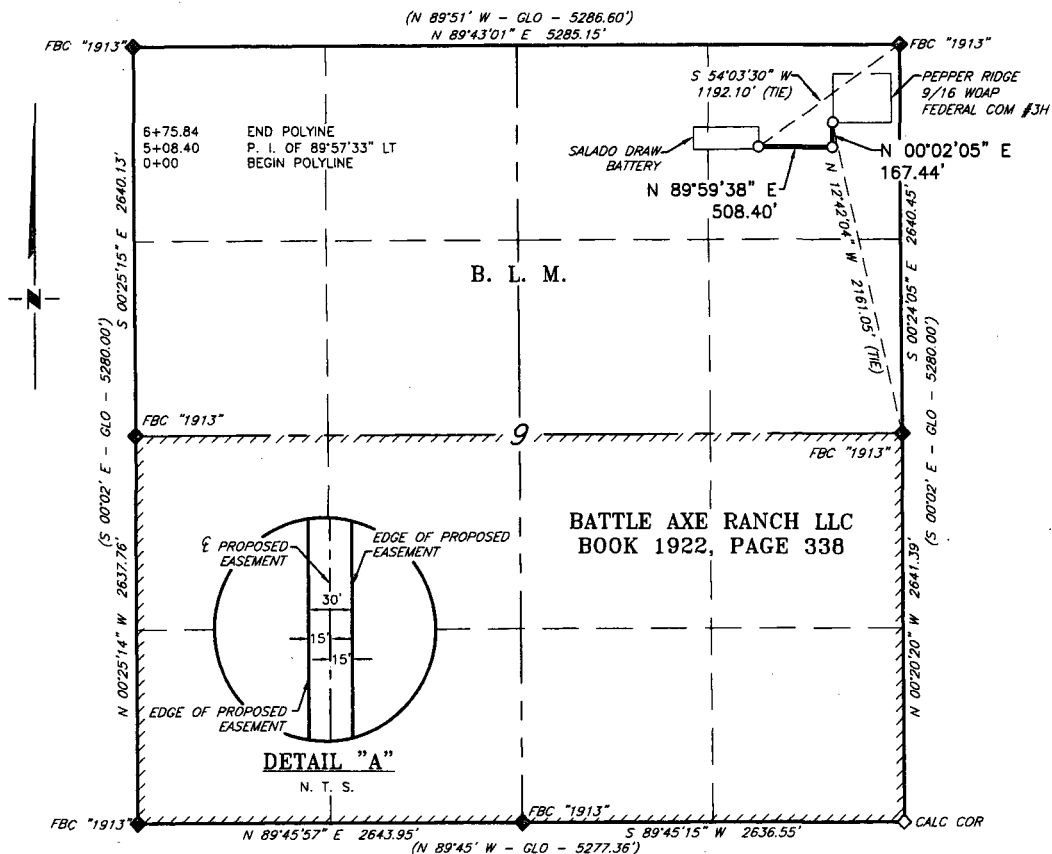
RRC

308 W. BROADWAY ST., HOBBS, NM 88240 (575) 964-8200

SCALE: 1" = 1000'
DATE: 03/07/2018
SURVEYED BY: JF/BK
DRAWN BY: KAKN
APPROVED BY: RMH
SHEET: 1 OF 1

**MEWBOURNE OIL COMPANY
PROPOSED SURFACE POLYLINE FROM THE SALADO DRAW BATTERY
TO THE SALADO DRAW 9/16 AP WELL SITE**

**SECTION 9, T26S, R33E,
N. M. P. M., LEA CO., NEW MEXICO**



DESCRIPTION

A strip of land 30 feet wide, being 675.84 feet or 40.960 rods in length, lying in Section 9, Township 26 South, Range 33 East, N. M. P. M., Lea County, New Mexico, being 15 feet left and 15 feet right of the following described survey of a centerline across B. L. M. land:

BEGINNING at Engr. Sta. 0+00, a point in the Northeast quarter of Section 9, which bears, S 54°03'30" W, 1,192.10 feet from a brass cap, stamped "1913", found for the Northeast corner of Section 9;

Thence N 89°59'38" E, 508.40 feet, to Engr. Sta. 5+08.40, a P. I. of 89°57'33" left;

Thence N 00°02'05" E, 167.44 feet, to Engr. Sta. 6+75.84, the End of Survey, a point in Northeast quarter of Section 9, which bears, N 12°42'04" W, 2,161.05 feet from a brass cap, stamped "1913", found for the East quarter corner of Section 9.

Said strip of land contains 0.465 acres, more or less, and is allocated by forties as follows:

NE 1/4 NE 1/4 40.960 Rods 0.465 Acres

SCALE: 1" = 1000'
0 500' 1000'

BEARINGS ARE GRID NAD 83
NM EAST
DISTANCES ARE HORIZ. GROUND.

LEGEND

() RECORD DATA - GLO

◆ FOUND MONUMENT
AS NOTED

◇ CALCULATED CORNER

— PROPOSED POLYLINE

I, R. M. Howett, a N. M. Professional Surveyor, hereby certify that I prepared this plat from an actual survey made on the ground under my direct supervision, said survey and plat meet the Min. Stds. for Land Surveying in the State of N. M. and are true and correct to the best of my knowledge and belief.

Robert M. Howett
Robert M. Howett NM PS 19680



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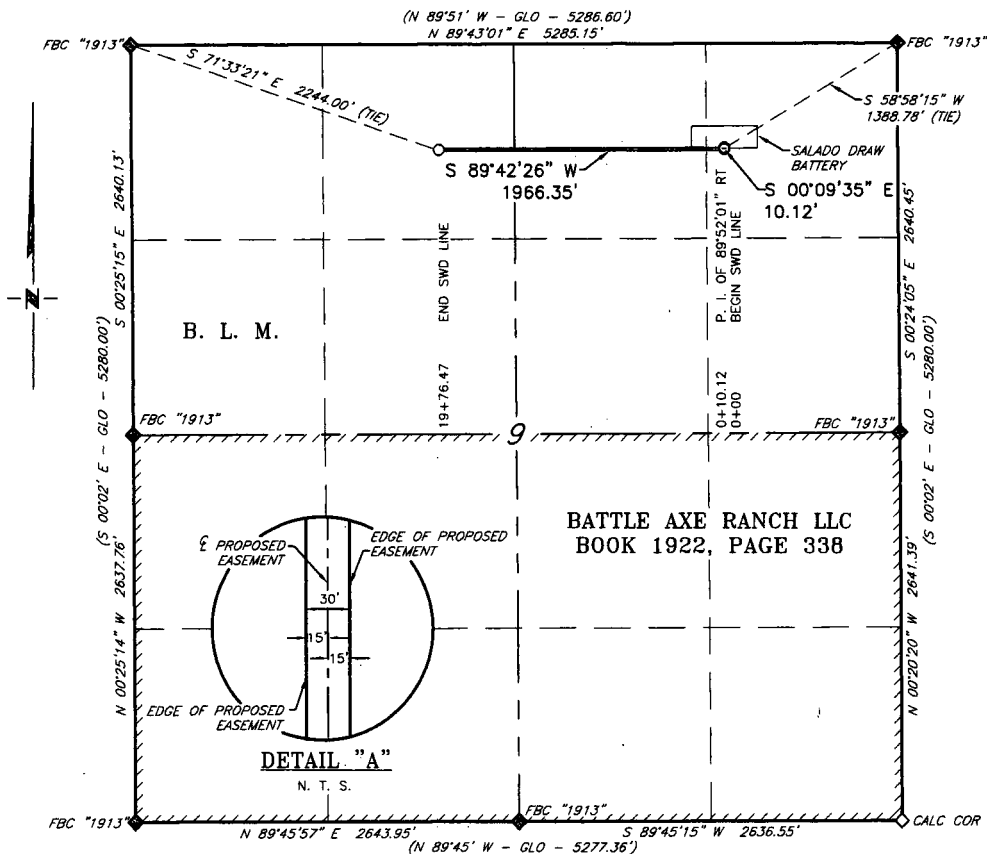
NO.	REVISION	DATE
JOB NO.:	LS1803273	
DWG. NO.:	1803273-1	

RRC

308 W. BROADWAY ST., HOBBS, NM 88240 (575) 964-8200

SCALE: 1" = 1000'
DATE: 03/07/2018
SURVEYED BY: JF/BK
DRAWN BY: KAKN
APPROVED BY: RMH
SHEET: 1 OF 1

**MEWBOURNE OIL COMPANY
PROPOSED SWD LINE FROM THE SALADO DRAW BATTERY
SECTION 9, T26S, R33E,
N. M. P. M., LEA CO., NEW MEXICO**



DESCRIPTION

A strip of land 30 feet wide, being 1,976.47 feet or 119.786 rods in length, lying in Section 9, Township 26 South, Range 33 East, N. M. P. M., Lea County, New Mexico, being 15 feet left and 15 feet right of the following described survey of a centerline across B. L. M. land:

BEGINNING at Engr. Sta. 0+00, a point in the Northeast quarter of Section 9, which bears, S 58°58'15" W, 1,388.78 feet from a brass cap, stamped "1913", found for the Northeast corner of Section 9;

Thence S 00°09'35" E, 10.12 feet, to Engr. Sta. 0+10.12, a P. I. of 89°52'01" right;

Thence S 89°42'26" W, 1,966.35 feet, to Engr. Sta. 19+76.478, the End of Survey, a point in Northwest quarter of Section 9, which bears, S 71°33'21" E, 2,244.00 feet from a brass cap, stamped "1913", found for the Northwest corner of Section 9.

Said strip of land contains 1.361 acres, more or less, and is allocated by forties as follows:

NE 1/4 NE 1/4	8.249 Rods	0.094 Acres
NW 1/4 NE 1/4	80.065 Rods	0.910 Acres
NE 1/4 NW 1/4	31.472 Rods	0.357 Acres

SCALE: 1" = 1000'
0 500' 1000'

BEARINGS ARE GRID NAD 83
NM EAST
DISTANCES ARE HORIZ. GROUND.

LEGEND

- () RECORD DATA - GLO
◆ FOUND MONUMENT AS NOTED
◇ CALCULATED CORNER
— PROPOSED SWD LINE

I, R. M. Howett, a N. M. Professional Surveyor, hereby certify that I prepared this plat from an actual survey made on the ground under my direct supervision, said survey and plat meet the Min. Stds. for Land Surveying in the State of N. M. and are true and correct to the best of my knowledge and belief.

Robert M. Howett
Robert M. Howett NM PS 19680



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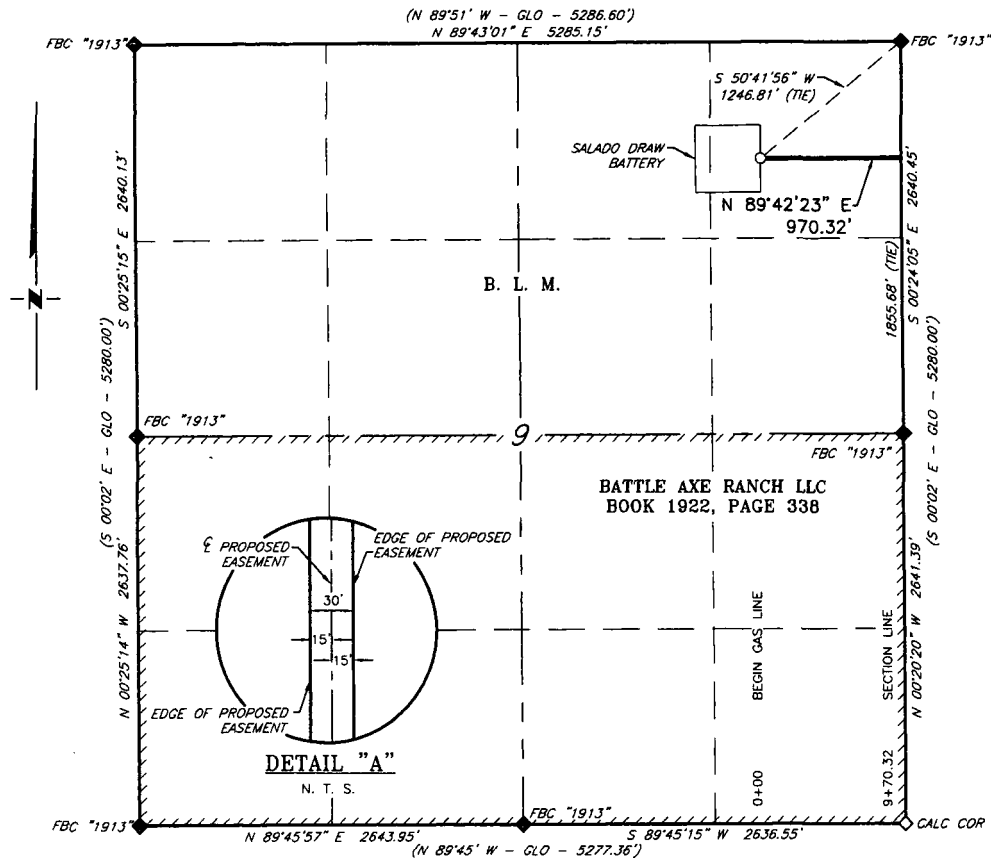
NO.	REVISION	DATE
JOB NO.:	LS1803274	
DWG. NO.:	1803274-1	

RRC

308 W. BROADWAY ST., HOBBS, NM 88240 (575) 964-8200

SCALE: 1" = 1000'
DATE: 03/07/2018
SURVEYED BY: JF/BK
DRAWN BY: KAKN
APPROVED BY: RMH
SHEET: 1 OF 1

**MEWBOURNE OIL COMPANY
PROPOSED GAS LINE FROM THE SALADO DRAW BATTERY
SECTION 9, T26S, R33E,
N. M. P. M., LEA CO., NEW MEXICO**



DESCRIPTION

A strip of land 30 feet wide, being 970.32 feet or 58.807 rods in length, lying in Section 9, Township 26 South, Range 33 East, N. M. P. M., Lea County, New Mexico, being 15 feet left and 15 feet right of the following described survey of a centerline across B. L. M. land:

BEGINNING at Engr. Sta. 0+00, a point in the Northeast quarter of Section 9, which bears, S 50°41'56" W, 1,246.81 feet from a brass cap, stamped "1913", found for the Northeast corner of Section 9;

Thence N 89°42'23" E, 970.32 feet, to Engr. Sta. 9+70.32, a point on East line of Section 9, which bears, N 00°24'05" W, 1,855.68 feet from a brass cap, stamped "1913", found for the East quarter corner of Section 9.

Said strip of land contains 0.668 acres, more or less, and is allocated by forties as follows:

NW 1/4 NE 1/4 58.807 Rods 0.668 Acres

SCALE: 1" = 1000'

0 500' 1000'

BEARINGS ARE GRID NAD 83
NM EAST
DISTANCES ARE HORIZ. GROUND.

LEGEND

() RECORD DATA - GLO

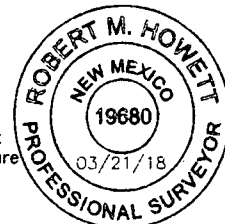
◆ FOUND MONUMENT
AS NOTED

◇ CALCULATED CORNER

— PROPOSED GAS LINE

I, R. M. Howett, a N. M. Professional Surveyor, hereby certify that I prepared this plat from an actual survey made on the ground under my direct supervision, said survey and plat meet the Min. Stds. for Land Surveying in the State of N. M. and are true and correct to the best of my knowledge and belief.

Robert M. Howett
Robert M. Howett NM PS 19680



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NO.	REVISION	DATE
JOB NO.:	LS1803353	
DWG. NO.:	1803353-1	

RRC

308 W. BROADWAY ST., HOBBS, NM 88240 (575) 964-8200

SCALE: 1" = 1000'

DATE: 03/20/2018

SURVEYED BY: ML/JF

DRAWN BY: KAKN

APPROVED BY: RMH

SHEET: 1 OF 2

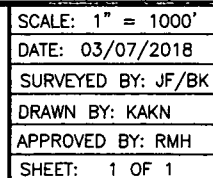
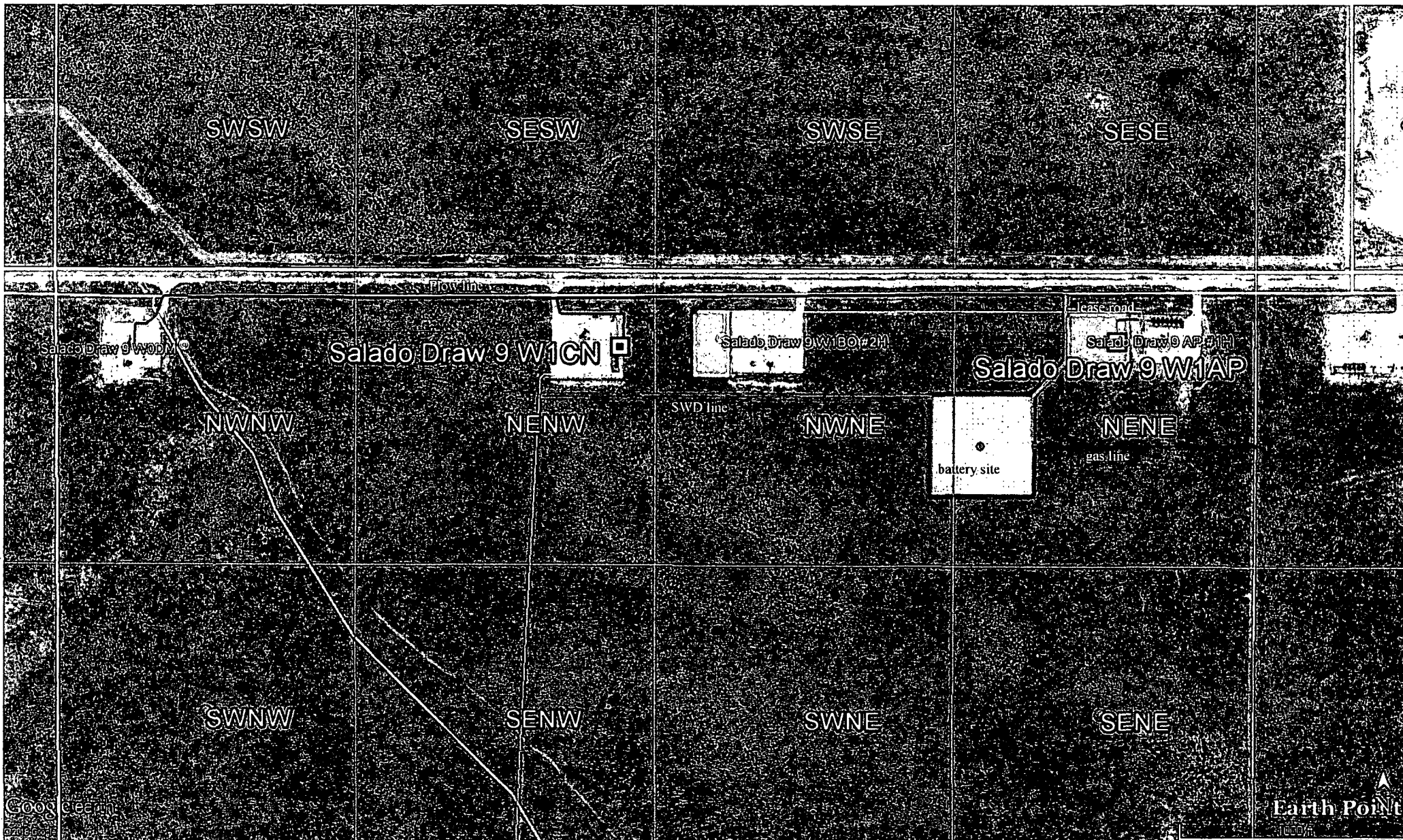


EXHIBIT G



BLM Lease Number:
Company Reference:
Well Name & Number:

STANDARD STIPULATIONS FOR OIL AND GAS RELATED SITES

A copy of the application (Grant/Sundry Notice) and attachments, including stipulations and map, will be on location during construction. BLM personnel may request to view a copy of your permit during construction to ensure compliance with all stipulations.

The holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer, BLM.

1. The holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant and for all response costs, penalties, damages, claims, and other costs arising from the provisions of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Chap. 82, Section 6901 et. seq., from the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. Chap. 109, Section 9601 et. seq., and from other applicable environmental statutes.
2. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et. seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized by this grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.
3. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et. seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et. seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
4. If, during any phase of the construction, operation, maintenance, or termination of the site or related pipeline(s), any oil or other pollutant should be discharged from site facilities, the pipeline(s) or from containers or vehicles impacting Federal lands, the control and total removal, disposal, and cleanup of such oil or other pollutant, wherever found, shall be the responsibility of the holder, regardless of fault. Upon failure of the holder to control, dispose of, or clean up such

discharge on or affecting Federal lands, or to repair all damages to Federal lands resulting therefrom, the Authorized Officer may take such measures as deemed necessary to control and cleanup the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve the holder of any liability or responsibility.

5. Sites shall be maintained in an orderly, sanitary condition at all times. Waste materials, both liquid and solid, shall be disposed of promptly at an appropriate, authorized waste disposal facility in accordance with all applicable State and Federal laws. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, petroleum products, brines, chemicals, oil drums, ashes, and equipment.

6. The operator will notify the Bureau of Land Management (BLM) authorized officer and nearest Fish and Wildlife Service (FWS) Law Enforcement office within 24 hours, if the operator discovers a dead or injured federally protected species (i.e., migratory bird species, bald or golden eagle, or species listed by the FWS as threatened or endangered) in or adjacent to a pit, trench, tank, exhaust stack, or fence. (If the operator is unable to contact the FWS Law Enforcement office, the operator must contact the nearest FWS Ecological Services office.)

7. All above-ground structures not subject to safety requirements shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be a color which simulates "Standard Environmental Colors" designated by the Rocky Mountain Five-State Interagency Committee. The color selected for this project is **Shale Green**, Munsell Soil Color Chart Number 5Y 4/2.

8. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on the holder's behalf, on public or Federal land shall be immediately reported to the Authorized Officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to the proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

9. A sales contract for removal of mineral material (caliche, sand, gravel, fill dirt) from an authorized pit, site, or on location must be obtained from the BLM prior to commencing construction. There are several options available for purchasing mineral material: contact the BLM office (575-234-5972).

10. The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes the roads, pads, associated pipeline corridor, and adjacent land affected by the establishment of weeds due to this action. The operator shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.

11. Once the site is no longer in service or use, the site must undergo final abandonment. At final abandonment, the site and access roads must undergo "final" reclamation so that the character and productivity of the land are restored. Earthwork for final reclamation must be completed within six (6) months of the abandonment of the site. All pads and facility locations and roads must be reclaimed to a satisfactory revegetated, safe, and stable condition, unless an agreement is made with the landowner or BLM to keep the road and/or pad intact. After all disturbed areas have been satisfactorily prepared, these areas need to be revegetated with the seed mixture provided. Seeding should be accomplished by drilling on the contour whenever practical or by other approved methods. Seeding may need to be repeated until revegetation is successful, as determined by the BLM.

Operators shall contact a BLM surface protection specialist prior to surface abandonment operations for site specific objectives (Jim Amos: 575-234-5909).

12. The holder shall stockpile an adequate amount of topsoil where blading occurs. The topsoil to be stripped is approximately 6 inches in depth. The topsoil will be segregated from other spoil piles. The topsoil will be used for final reclamation.

13. The holder will reseed all disturbed areas. Seeding will be done according to the attached seeding requirements, using the following seed mix.

- | | |
|---------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> seed mixture 1 | <input checked="" type="checkbox"/> seed mixture 3 |
| <input type="checkbox"/> seed mixture 2 | <input type="checkbox"/> seed mixture 4 |
| <input type="checkbox"/> seed mixture 2/LPC | <input type="checkbox"/> Aplomado Falcon Mixture |

14. In those areas where erosion control structures are required to stabilize soil conditions, the holder shall install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound management practices. Any earth work will require prior approval by the Authorized Officer.

15. Open-topped Tanks - The operator will take actions necessary to prevent wildlife and livestock access, including avian wildlife, to all open-topped tanks that contain or have the potential to contain salinity sufficient to cause harm to wildlife or livestock, hydrocarbons, or Resource Conservation and Recovery Act of 1976-exempt hazardous substances. At a minimum, the operator will net, screen, or cover open-topped tanks to exclude wildlife and livestock and prevent mortality. If the operator uses netting, the operator will cover and secure the open portion of the tank to prevent wildlife entry. The operator will net, screen, or cover the tanks until the operator removes the tanks from the location or the tanks no longer contain substances that could be harmful to wildlife or livestock. Use a maximum netting mesh size of 1 ½ inches. The netting must not be in contact with fluids and must not have holes or gaps

16. The operator will prevent all hazardous, poisonous, flammable, and toxic substances from coming into contact with soil and water. At a minimum, the operator will install and maintain an impervious secondary containment system for any tank or barrel containing hazardous, poisonous, flammable, or toxic substances sufficient to contain the contents of the tank or barrel and any drips, leaks, and anticipated precipitation. The operator will dispose of fluids within the containment system that do not meet applicable state or U. S. Environmental Protection Agency

livestock water standards in accordance with state law; the operator must not drain the fluids to the soil or ground. The operator will design, construct, and maintain all secondary containment systems to prevent wildlife and livestock exposure to harmful substances. At a minimum, the operator will install effective wildlife and livestock enclosure systems such as fencing, netting, expanded metal mesh, lids, and grate covers. Use a maximum netting mesh size of 1 ½ inches.

17. Open-Vent Exhaust Stack Enclosures – The operator will construct, modify, equip, and maintain all open-vent exhaust stacks on production equipment to prevent birds and bats from entering, and to discourage perching, roosting, and nesting. (Recommended enclosure structures on open-vent exhaust stacks are in the shape of a cone.) Production equipment includes, but may not be limited to, tanks, heater-treaters, separators, dehydrators, flare stacks, in-line units, and compressor mufflers.

18. Containment Structures - Proposed production facilities such as storage tanks and other vessels will have a secondary containment structure that is constructed to hold the capacity of 1.5 times the largest tank, plus freeboard to account for precipitation, unless more stringent protective requirements are deemed necessary.

19. Special Stipulations:

Tank Battery:

The entire CTB pad will be bermed to prevent oil, salt, and other chemical contaminants from leaving the well pad. Topsoil shall not be used to construct the berm. No water flow from the uphill side(s) of the pad shall be allowed to enter the well pad. The berm shall be maintained through the life of the well and after interim reclamation has been completed. Any water erosion that may occur due to the construction of the well pad during the life of the well will be quickly corrected and proper measures will be taken to prevent future erosion. In addition, tank battery locations will be lined and bermed. A 20 mil permanent liner will be installed with a 4 oz. felt backing to prevent tears or punctures. Tank battery berms must be large enough to contain 1 ½ times the content of the largest tank or 24 hour production, whichever is greater. Automatic shut off, check valves, or similar systems will be installed for tanks to minimize the effects of catastrophic line failures used in production or drilling.

Karst Stips

Construction Mitigation

In order to mitigate the impacts from construction activities on cave and karst resources, the following Conditions of Approval will apply to this APD:

- In the event that any underground voids are encountered during construction activities, construction activities will be halted and the BLM will be notified immediately.
- No Blasting to prevent geologic structure instabilities.
- Pad Berming to minimize effects of any spilled contaminants.

Production Mitigation

In order to mitigate the impacts from production activities and due to the nature of karst terrain, the following Conditions of Approval will apply to this APD:

- Tank battery liners and berms to minimize the impact resulting from leaks.
- Leak detection system to provide an early alert to operators when a leak has occurred.
- Automatic shut off, check valves, or similar systems will be installed for pipelines and tanks to minimize the effects of line failures used in production or drilling.

Residual and Cumulative Mitigation

- Nontoxic fluorescent dyes will be added to the drilling fluid when the hole is spudded and will be circulated to the bottom of the karst layers. This provides data as part of a long-term monitoring study.
- Annual pressure monitoring will be performed by the operator. If the test results indicate a casing failure has occurred, remedial action will be undertaken to correct the problem to the BLM's approval.

Plugging and Abandonment Mitigation

Abandonment Cementing: Upon well abandonment in high cave karst areas additional plugging conditions of approval may be required. The BLM will assess the situation and work with the operator to ensure proper plugging of the wellbore.

STANDARD STIPULATIONS FOR SURFACE INSTALLED PIPELINES

A copy of the Grant and attachments, including stipulations, survey plat(s) and/or map(s), shall be on location during construction. BLM personnel may request to review a copy of your permit during construction to ensure compliance with all stipulations.

Holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer:

1. Holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant.
2. Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, Holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC § 2601 *et seq.* (1982) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant (*see* 40 CFR, Part 702-799 and in particular, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193). Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.
3. Holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. § 9601, *et seq.* or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, *et seq.*) on the Right-of-Way (unless the release or threatened release is wholly unrelated to activity of the Right-of-Way Holder's activity on the Right-of-Way), or resulting from the activity of the Right-of-Way Holder on the Right-of-Way. This provision applies without regard to whether a release is caused by Holder, its agent, or unrelated third parties.
4. Holder shall be liable for damage or injury to the United States to the extent provided by 43 CFR Sec. 2883.1-4. Holder shall be held to a standard of strict liability for damage or injury to the United States resulting from pipe rupture, fire, or spills caused or substantially aggravated by any of the following within the right-of-way or permit area:
 - a. Activities of Holder including, but not limited to: construction, operation, maintenance, and termination of the facility;
 - b. Activities of other parties including, but not limited to:
 - (1) Land clearing

- (2) Earth-disturbing and earth-moving work
- (3) Blasting
- (4) Vandalism and sabotage;

c. Acts of God.

The maximum limitation for such strict liability damages shall not exceed one million dollars (\$1,000,000) for any one event, and any liability in excess of such amount shall be determined by the ordinary rules of negligence of the jurisdiction in which the damage or injury occurred.

This section shall not impose strict liability for damage or injury resulting primarily from an act of war or from the negligent acts or omissions of the United States.

5. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any oil, salt water, or other pollutant should be discharged from the pipeline system, impacting Federal lands, the control and total removal, disposal, and cleaning up of such oil, salt water, or other pollutant, wherever found, shall be the responsibility of Holder, regardless of fault. Upon failure of Holder to control, dispose of, or clean up such discharge on or affecting Federal lands, or to repair all damages resulting therefrom, on the Federal lands, the Authorized Officer may take such measures as he/she deems necessary to control and clean up the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of Holder. Such action by the Authorized Officer shall not relieve Holder of any responsibility as provided herein.

6. All construction and maintenance activity shall be confined to the authorized right-of-way width of 20 feet. If the pipeline route follows an existing road or buried pipeline right-of-way, the surface pipeline shall be installed no farther than 10 feet from the edge of the road or buried pipeline right-of-way. If existing surface pipelines prevent this distance, the proposed surface pipeline shall be installed immediately adjacent to the outer surface pipeline. All construction and maintenance activity shall be confined to existing roads or right-of-ways.

7. No blading or clearing of any vegetation shall be allowed unless approved in writing by the Authorized Officer.

8. Holder shall install the pipeline on the surface in such a manner that will minimize suspension of the pipeline across low areas in the terrain. In hummocky or dune areas, the pipeline shall be "snaked" around hummocks and dunes rather than suspended across these features.

9. The pipeline shall be buried with a minimum of 24 inches under all roads, "two-tracks," and trails. Burial of the pipe will continue for 20 feet on each side of each crossing. The condition of the road, upon completion of construction, shall be returned to at least its former state with no bumps or dips remaining in the road surface.

10. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact

the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

11. In those areas where erosion control structures are required to stabilize soil conditions, the holder will install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound resource management practices.

12. Excluding the pipe, all above-ground structures not subject to safety requirement shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be a color which simulates "Standard Environmental Colors" – **Shale Green**, Munsell Soil Color No. 5Y 4/2; designated by the Rocky Mountain Five State Interagency Committee.

13. The pipeline will be identified by signs at the point of origin and completion of the right-of-way and at all road crossings. At a minimum, signs will state the holder's name, BLM serial number, and the product being transported. Signs will be maintained in a legible condition for the life of the pipeline.

14. The holder shall not use the pipeline route as a road for purposes other than routine maintenance as determined necessary by the Authorized Officer in consultation with the holder. The holder will take whatever steps are necessary to ensure that the pipeline route is not used as a roadway.

15. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.

16. The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes the roads, powerline corridor, and adjacent land affected by the establishment of weeds due to this action. The operator shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.

17. Surface pipelines shall be less than or equal to 4 inches and a working pressure below 125 psi.

18. Special Stipulations:

Tank Battery:

The entire CTB pad will be bermed to prevent oil, salt, and other chemical contaminants from leaving the well pad. Topsoil shall not be used to construct the berm. No water flow from the uphill side(s) of the pad shall be allowed to enter the well pad. The berm shall be maintained through the life of the well and after interim reclamation has been completed. Any water erosion that may occur due to the construction of the well pad during the life of the well will be quickly corrected and proper measures will be taken to prevent future erosion. In addition, tank battery locations will be lined and bermed. A 20 mil permanent liner will be installed with a 4 oz. felt backing to prevent tears or punctures. Tank battery berms must be large enough to contain 1 ½ times the content of the largest tank or 24 hour production, whichever is greater. Automatic shut off, check valves, or similar systems will be installed for tanks to minimize the effects of catastrophic line failures used in production or drilling.

BURIED PIPELINE STIPULATIONS

A copy of the application (Grant, APD, or Sundry Notice) and attachments, including conditions of approval, survey plat and/or map, will be on location during construction. BLM personnel may request to you a copy of your permit during construction to ensure compliance with all stipulations.

Holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer:

1. The Holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant.
2. The Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC 2601 et seq. (1982) with regards to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
3. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq.) on the Right-of-Way (unless the release or threatened release is wholly unrelated to the Right-of-Way holder's activity on the Right-of-Way), or resulting from the activity of the Right-of-Way holder on the Right-of-Way. This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
4. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any oil or other pollutant should be discharged from the pipeline system, impacting Federal lands, the control and total removal, disposal, and cleaning up of such oil or other pollutant, wherever found, shall be the responsibility of holder, regardless of fault. Upon failure of holder to control, dispose of, or clean up such discharge on or affecting Federal lands, or to repair all damages resulting therefrom, on the Federal lands, the Authorized Officer may take such measures as he deems necessary to control and clean up the discharge and restore the area, including where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve holder of any responsibility as provided herein.

5. All construction and maintenance activity will be confined to the authorized right-of-way.
6. The pipeline will be buried with a minimum cover of 36 inches between the top of the pipe and ground level.
7. The maximum allowable disturbance for construction in this right-of-way will be 30 feet:
- Blading of vegetation within the right-of-way will be allowed: maximum width of blading operations will not exceed 20 feet. The trench is included in this area. (*Blading is defined as the complete removal of brush and ground vegetation.*)
 - Clearing of brush species within the right-of-way will be allowed: maximum width of clearing operations will not exceed 30 feet. The trench and bladed area are included in this area. (*Clearing is defined as the removal of brush while leaving ground vegetation (grasses, weeds, etc.) intact. Clearing is best accomplished by holding the blade 4 to 6 inches above the ground surface.*)
 - The remaining area of the right-of-way (if any) shall only be disturbed by compressing the vegetation. (*Compressing can be caused by vehicle tires, placement of equipment, etc.*)
8. The holder shall stockpile an adequate amount of topsoil where blading is allowed. The topsoil to be stripped is approximately 6 inches in depth. The topsoil will be segregated from other spoil piles from trench construction. The topsoil will be evenly distributed over the bladed area for the preparation of seeding.
9. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer.
10. Vegetation, soil, and rocks left as a result of construction or maintenance activity will be randomly scattered on this right-of-way and will not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. The entire right-of-way shall be recontoured to match the surrounding landscape. The backfilled soil shall be compacted and a 6 inch berm will be left over the ditch line to allow for settling back to grade.
11. In those areas where erosion control structures are required to stabilize soil conditions, the holder will install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound resource management practices.
12. The holder will reseed all disturbed areas. Seeding will be done according to the attached seeding requirements, using the following seed mix.

- | | |
|------------------------|-----------------------------|
| () seed mixture 1 | (X) seed mixture 3 |
| () seed mixture 2 | () seed mixture 4 |
| () seed mixture 2/LPC | () Aplomado Falcon Mixture |

13. All above-ground structures not subject to safety requirements shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be color which simulates "Standard Environmental Colors" – **Shale Green**, Munsell Soil Color No. 5Y 4/2.

14. The pipeline will be identified by signs at the point of origin and completion of the right-of-way and at all road crossings. At a minimum, signs will state the holder's name, BLM serial number, and the product being transported. All signs and information thereon will be posted in a permanent, conspicuous manner, and will be maintained in a legible condition for the life of the pipeline.

15. The holder shall not use the pipeline route as a road for purposes other than routine maintenance as determined necessary by the Authorized Officer in consultation with the holder before maintenance begins. The holder will take whatever steps are necessary to ensure that the pipeline route is not used as a roadway. As determined necessary during the life of the pipeline, the Authorized Officer may ask the holder to construct temporary deterrence structures.

16. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the Authorized Officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

17. The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes associated roads, pipeline corridor and adjacent land affected by the establishment of weeds due to this action. The operator shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.

18. Escape Ramps - The operator will construct and maintain pipeline/utility trenches [that are not otherwise fenced, screened, or netted] to prevent livestock, wildlife, and humans from becoming entrapped. At a minimum, the operator will construct and maintain escape ramps, ladders, or other methods of avian and terrestrial wildlife escape in the trenches according to the following criteria:

- a. Any trench left open for eight (8) hours or less is not required to have escape ramps; however, before the trench is backfilled, the contractor/operator shall inspect the trench for wildlife, remove all trapped wildlife, and release them at least 100 yards from the trench.
- b. For trenches left open for eight (8) hours or more, earthen escape ramps (built at no more than a 30 degree slope and spaced no more than 500 feet apart) shall be placed in the trench.

Seed Mixture 3, for Shallow Sites

The holder shall seed all disturbed areas with the seed mixture listed below. The seed mixture shall be planted in the amounts specified in pounds of pure live seed (PLS)* per acre. There shall be no primary or secondary noxious weeds in the seed mixture. Seed will be tested and the viability testing of seed will be done in accordance with State law(s) and within nine (9) months prior to purchase. Commercial seed will be either certified or registered seed. The seed container will be tagged in accordance with State law(s) and available for inspection by the authorized officer.

Seed will be planted using a drill equipped with a depth regulator to ensure proper depth of planting where drilling is possible. The seed mixture will be evenly and uniformly planted over the disturbed area (smaller/heavier seeds have a tendency to drop the bottom of the drill and are planted first). The holder shall take appropriate measures to ensure this does not occur. Where drilling is not possible, seed will be broadcast and the area shall be raked or chained to cover the seed. When broadcasting the seed, the pounds per acre are to be doubled. The seeding will be repeated until a satisfactory stand is established as determined by the authorized officer. Evaluation of growth will not be made before completion of at least one full growing season after seeding.

Species to be planted in pounds of pure live seed* per acre:

<u>Species</u>	<u>lb/acre</u>
Plains Bristlegrass (<i>Setaria macrostachya</i>)	1.0
Green Sprangletop (<i>Leptochloa dubia</i>)	2.0
Sideoats Grama (<i>Bouteloua curtipendula</i>)	5.0

*Pounds of pure live seed:

Pounds of seed x percent purity x percent germination = pounds pure live seed