

C-147 REGISTRATION PACKAGE

*North Alamito Unit Central Liquids Facility and
North Alamito Unit 2208-E01 Staging Area
Recycling Containment and Recycling Facility*

February 2025



ENDURING RESOURCES IV, LLC

DJR Operating, LLC A Subsidiary Company of Enduring Resource, LLC

**200 Energy Court
Farmington, New Mexico 87401
Phone: (505) 636-9720**

District I
1625 N. French Dr., Hobbs, NM 88240
District II
811 S. First St., Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

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

Form C-147
Revised April 3, 2017

Recycling Facility and/or Recycling Containment

Type of Facility: ☒ Recycling Facility ☒ Recycling Containment*
Type of action: ☒ Permit ☒ Registration
☐ Modification ☐ Extension
☐ Closure ☐ Other (explain) _____

* At the time C-147 is submitted to the division for a Recycling Containment, a copy shall be provided to the surface owner.

Be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.

1.
Operator: DJR Operating, LLC (For multiple operators attach page with information) OGRID #: 371838
Address: 200 Energy Court, Farmington, New Mexico 87401
Facility or well name (include API# if associated with a well): North Alamito Unit Central Liquids Facility and North Alamito Unit E01 Staging Area
OCD Permit Number: 3RF-86 (For new facilities the permit number will be assigned by the district office)
U/L or Qtr/Qtr Lot 1 and Lot 2 Section 1 Township 22N Range 08W County: San Juan
Surface Owner: ☒ Federal ☐ State ☐ Private ☐ Tribal Trust or Indian Allotment

2.
☒ **Recycling Facility:**
Location of recycling facility (if applicable): Latitude 36.173535 Longitude -107.628235 NAD83
Proposed Use: ☒ Drilling* ☒ Completion* ☒ Production* ☐ Plugging *
**The re-use of produced water may NOT be used until fresh water zones are cased and cemented*
☐ Other, *requires permit for other uses. Describe use, process, testing, volume of produced water and ensure there will be no adverse impact on groundwater or surface water.*
☒ Fluid Storage
☒ Above ground tanks ☒ Recycling containment ☐ Activity permitted under 19.15.17 NMAC explain type _____
☐ Activity permitted under 19.15.36 NMAC explain type: _____ ☐ Other explain _____
☐ For multiple or additional recycling containments, attach design and location information of each containment
☐ **Closure Report (required within 60 days of closure completion):** ☐ Recycling Facility Closure Completion Date: _____

3.
☒ **Recycling Containment:**
☐ Annual Extension after initial 5 years (attach summary of monthly leak detection inspections for previous year)
Center of Recycling Containment (if applicable): Latitude Registration Package Sec. 1 and Exhibit B Longitude Registration Package Sec. 1 and Exhibit B NAD83
☒ For multiple or additional recycling containments, attach design and location information of each containment
☒ Lined ☐ Liner type: Thickness 40 mil ☒ LLDPE ☐ HDPE ☐ PVC ☐ Other _____
☒ String-Reinforced
Liner Seams: ☒ Welded ☒ Factory ☐ Other _____ Volume: 180,000 bbl Dimensions: Radius x3 60K ASTs 95' x
Height 12'
☐ Recycling Containment Closure Completion Date: _____

4.

Bonding:

- ☒ 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.

5.

Fencing:

- ☐ Four foot height, four strands of barbed wire evenly spaced between one and four feet
- ☒ Alternate. Please specify See Registration Package Subsection 3.4 and Variance Request in Registration Package Exhibit H

6.

Signs:

- ☒ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers
- ☐ Signed in compliance with 19.15.16.8 NMAC

7.

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:

- ☒ 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.

8.

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 ☒ 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 ☒ No
☐ NA

Within the area overlying a subsurface mine.

- Written confirmation or verification or map from the NM EMNRD-Mining and Minerals Division

☐ Yes ☒ 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 ☒ 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 ☒ 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 ☒ No

9.

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.

- ☒ Design Plan - based upon the appropriate requirements. – **Section 3 of the C-147 Registration Package**
☒ Operating and Maintenance Plan - based upon the appropriate requirements. - **Section 4 of the C-147 Registration Package**
☒ Closure Plan - based upon the appropriate requirements. - **Section 5 of the C-147 Registration Package**
☒ Site Specific Groundwater Data – **Exhibit D of the C-147 Registration Package**
☒ Siting Criteria Compliance Demonstrations – **Section 2 of the C-147 Registration Package**
☒ Certify that notice of the C-147 (only) has been sent to the surface owner(s) – **C-147 package is being submitted concurrently to the Division and BLM FFO. See Exhibit C of the C-147 Registration Package for additional surface owner notification.**

10.

Operator Application Certification:

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): Heather Huntington Title: Permitting Technician
 Signature: Heather Huntington Date: 02/11/2025
 e-mail address: hhuntington@enduringresources.com Telephone: 505-636-9751

11.

OCD Representative Signature: Victoria Venegas Approval Date: 02/13/2025

Title: Environmental Specialist OCD Permit Number: 3RF-86

- ☒ OCD Conditions _____
☒ Additional OCD Conditions on Attachment _____

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1. INTRODUCTION

Applicant	DJR Operating, LLC - Enduring Resources, LLC & DJR Operating, LLC are wholly owned subsidiaries of Enduring Resources, LLC. Leases, rights of ways, wells, and other property interests will continue to be held in their current entity names.
OGRID	371838
Project Name	North Alamito Unit Central Liquids Facility and North Alamito Unit 2208-E01 Staging Area Recycling Containment and Recycling Facility
Project Type	Recycling Facility & Recycling Containment
Legal Location	Lot 1 and Lot 2 of Section 1, Township 22N, Range 08W
Surface Owner	Federal surface managed by the Bureau of Land Management Farmington Field Office

The above ground storage tank (AST) recycling containments being registered in this C-147 package are located on adjacent locations; the North Alamito Unit Central Liquids Facility (NAU CLF) held and operated by Whiptail Gallup Gathering, LLC (Whiptail) and the North Alamito Unit 2208-E01 Staging Area (E01 Staging Area) held and operated by DJR Operating, LLC (DJR). Enduring Resources IV, LLC (Enduring) parent company of DJR has entered into and executed a Surface Use Agreement with Whiptail for use of the NAU CLF pad for AST water storage. This surface use agreement is attached hereto in Exhibit C. DJR is the operator of the applicable oil and gas mineral rights at the E01 Staging Area and will operate the site via those rights. Throughout the remainder of this registration package, these sites will be further referenced to as the NAU CLF and E01 Staging Area combined and operated as such.

In accordance with 19.15.34 NMAC, DJR a subsidiary company of Enduring requests registration of the NAU CLF and E01 Staging Area Recycling Containment and Recycling Facility through the approval of this C-147 registration and permit package.

The recycling containment will consist of three 60,000 barrel ASTs for a combined volume of 180,000 barrels. Per 19.15.34.7 B. NMAC a ***“Recycling containment”*** is a storage containment which incorporates a synthetic liner as the primary and secondary containment device and is used solely in conjunction with a recycling facility for the storage, treatment or recycling of produced water only for the purpose of drilling, completion, production or plugging of wells used in connection with the development of oil or gas or both. These three AST containments fall within this definition and must meet all applicable requirements of a Recycling Containment in Rule 19.15.34 NMAC.

The recycling facility will consist of up to thirty 400 bbl vertical frac tanks with a consolidated volume of 12,000 barrels to treat (mechanical and chemical reconditioning process) produced water for reuse (DJR will only set as many tanks are anticipated to be needed based on incoming volumes and extent of treatment necessary). As defined in 19.15.34.7 A. NMAC a ***“Recycling facility”*** is a stationary or portable facility used exclusively for the treatment, re-use or recycling of produced water. A recycling facility does not include oilfield equipment such as separators, heater treaters and scrubbers in which produced water may be used. These tanks will be used as upright gun barrel oil water separators. This oil separation process will prevent having any visible layer of oil on the surface of the recycling containments in accordance with Rule 19.15.34.13 B.(1).

Per 19.15.34.9 A. water (produced water and Entrada water) stored/processed through this temporary recycling facility will be used as part of a permitted operation for drilling, completion, and production of DJR and Enduring wells.

See Exhibit A for site survey plats and Exhibit B for a site diagram of the proposed ASTs and recycling facility layout. This facility will not be used for the disposal of produced water.

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The NAU CLF and E01 Staging Area Recycling Containment and Recycling Facility is located in Lot 1 and Lot 2 of Section 01, Township 22N, Range 08W, in San Juan County, New Mexico. The recycling facility and each AST is located as follows:

- Recycling Facility: 36.173535, -107.628235
- NAU 2208-E01 Staging Area: 36.174089, -107.632586
- NAU CLF West AST: 36.173515, -107.629571
- NAU CLF East AST: 36.173522, -107.628885

The NAU CLF and E01 Staging Area is located on federal lands managed by the Bureau of Land Management Farmington Field Office (BLM FFO). BLM FFO has been notified and was provided the Surface Use Agreement between Whiptail and DJR/Enduring explaining use of the NAU CLF site for water storage and water recycling. BLM-FFO has also been notified and approved of the NAU E01 Staging Area for water storage and water recycling as it was planned as associated infrastructure to DJR's North Alamito Unit 2208-E01 well pad project and permitted via two approved Applications for Permit to Drill (APD). DJR submitted a Notice of Intent Sundry to the BLM FFO for reopening this staging area for water storage. The approved sundry is attached hereto in Exhibit C.

Per New Mexico Oil Conservation Division (NMOCD) Form C-147, DJR will provide A copy of this registration package to the BLM FFO concurrently with submittal to the division.

This document provides supplemental information to NMOCD Form C-147 that is required for registration, including siting criteria and demonstrations, design and construction plan, operating and maintenance plan, closure plan, site reclamation requirements, and surface owner notification.

Upon approval of this registration package, the recycling containments located at this facility will be operated for up to five years.

If the AST containments are found to be needed beyond five years, DJR will submit annual extensions to NMOCD on Form C-147 at least 30 days prior to expiration. The extension request will include a summary of all monthly inspections, including monitoring of the leak detection systems indicating that the containments integrity has not been compromised.

2. SITING CRITERIA

2.1. Depth to Groundwater 19.15.34.11 A.(1)

Per 19.15.34.11 B. NMAC, DJR requests use of POD SJ-00949-S in the Southwest ¼ of the Northeast ¼ of Section 1, Township 22N, Range 08W. This water well was drilled to a total depth of 2,647 feet with depth to ground water measured at 1,106 feet. This water well is located approximately 870 feet south of the NAU CLF and E01 Staging Area. With the proposed containments being ASTs on ground surface, the groundwater depth is greater than 50 feet below the bottom of the recycling containments. See Exhibit D for the water well summary. Additional average depth to ground water information can be found below for the nearest four townships.

Average, Minimum, and Maximum depth to ground water within T23N R07W = 540', 180', 900'

Average, Minimum, and Maximum depth to ground water within T23N R08W = 203', 40', 290'

Average, Minimum, and Maximum depth to ground water within T22N R07W = No well data.

Average, Minimum, and Maximum depth to ground water within T22N R08W = 705', 220', 1106'

The water well with a depth to ground water at 40' is SJ01334 located over 5.89 miles North in Section 1, Township 23N, Range 08 West. A second well was drilled adjacent to this well being SJ01304 to 100-feet and documented as a dry hole.

2.2. Distance to Surface Water 19.15.34.11 A.(2)

There are no continuously flowing watercourses within 300 feet; nor, any significant watercourses, lakebeds, sinkholes, or playa lakes within 200 feet of the proposed AST as shown in Exhibit E Map 2.

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DJR contracted Barr Engineering Co. (Barr) in January and February of 2025 to assess all surrounding drainages per 19.15.34.11 A.(2) NMAC. In the reports provided to DJR, Barr Summarized the following. The reports completed per site are attached hereto as Exhibit F:

NAU CLF:

Based on the regulatory framework (Section 1), evaluation of the survey area, and the USACE Albuquerque District's current policies regarding jurisdictional determinations, it is Barr's professional opinion that under the current CWA rule, there are no features present in the survey area that would be considered jurisdictional WOTUS.

Pursuant to 19.15.34 NMAC, no drainages with an OHWM were observed within 300 feet of the NAU CLF pad. No FEMA 100-year flood zones are in the survey area. These conclusions are based on Barr's professional opinion.

NAU E01 Staging Area:

Based on the regulatory framework (Section 1), evaluation of the survey area, and the USACE Albuquerque District's current policies regarding jurisdictional determinations, it is Barr's professional opinion that under the current CWA rule, there are no features present in the survey area that would be considered jurisdictional WOTUS.

Pursuant to 19.15.34 NMAC, no drainages with an OHWM were observed within 300 feet of the NAU E01 staging area. No FEMA 100-year flood zones are in the survey area. These conclusions are based on Barr's professional opinion.

2.3. Distance to Structures 19.15.34.11 A.(3)

The recycling facility/containments are not located within 1,000 feet of a permanent residence, school, hospital, institution, or church in existence at the time of this application. As shown on the aerial map in Exhibit E Map 2, there are no permanent residences, schools, hospitals, institutions, or churches within the 1000-foot buffer ring of the pad. A field visit verified there has been no new structure erected since the aerial imagery was obtained. The nearest residence is located 6,923 feet northwest.

2.4. Distance to Non-Public Water Supply and Springs 19.15.34.11 A.(4)

The recycling facility/containments are not located within 500 horizontal feet of a spring or fresh water well used for domestic or stock watering purposes in existence at the time of this application as shown on Exhibit E Map 1 and 2. Map 1 shows wells and springs/seeps regardless of use type in the surrounding area and Map 2 shows that no water wells, springs, or seeps are located within the 500-foot buffer of the pad. The nearest fresh water well according to New Mexico Office of the State Engineer (NM-OSE) is referenced above in subsection 2.1 at 870 feet south and documented use for Mineral Mining or Milling or Oil. Nearest spring/seep according to the National Hydrologic Dataset (NHD) is 3.17 miles Southwest.

2.5. Distance to Municipal Boundaries and Defined Municipal Fresh Water Well Fields 19.15.34.11 A.(5)

The recycling facility is not within any incorporated municipal boundaries nor within a defined municipal fresh water well field covered by a municipal ordinance adopted pursuant to Section 3- 27-3 NMSA 1978, as amended. Please see Exhibit E Map 1 showing the nearest municipal boundary being Cuba, New Mexico over 37.14 miles Southeast.

2.6. Distance to Wetland 19.15.34.11 A.(6)

The recycling facility/containments are not located within 500 feet of a wetland as seen in Exhibit E Map 2 and additional evidence provided in Exhibit F.

Upon field investigation it was determined that there were no hydric soils or hydrophytes indicative of wetland habitat. Nor was there cottonwood, willow, elm, invasive salt cedar or russian olive trees indicative of riparian habitat. Nearby drainages have no defined bed and bank and no isolated pockets or pools to hold water.

2.7. Distance to Subsurface Mines 19.15.34.11 A.(7)

According to New Mexico Energy, Minerals and Natural Resources Department (EMNRD) Mining and Minerals Divisions database, there are no subsurface mines in Township 22N, Range 08W, San Juan County, New Mexico. See Exhibit E Map 1 showing mines near the project area. The nearest EMNRD permit is a Humate pit approximately 11.4 miles South-Southwest.

2.8. Site Stability 19.15.34.11 A.(8)

The recycling containments are not located in an unstable area. DJR's construction practices will provide adequate compaction of the pad surfaces for the anticipated load of the recycling facility and AST containments.

The following additional best management practices are implemented during pad construction to prevent equipment settling and ensure site stability.

- Prior to earthwork, all trees (if applicable) and slash/brush is mulched and incorporated into the topsoil. Tree roots and trunks are removed from the site. The topsoil (vegetative root layer) and mulched organic matter is stripped from location and windrowed along the perimeter of location. Topsoil is not used for pad construction as the organic matter mixed within the soil prevents adequate compaction.
- Subsoil horizons are then utilized to construct a balanced (high areas are cut and used to fill low areas) location. Fill slopes are deposited and compacted in approximate 6-inch lifts with optimal soil moisture content.
- If soil is deemed too wet from inclement weather, it is not utilized as adequate compaction cannot be achieved. Additionally, if construction occurs during winter months, the frost layer if applicable is stripped and sub frost line soil horizons are utilized for construction to achieve adequate compaction that will not settle with warming temperatures.
- Cut and fill slopes around location are 3:1 or better to ensure surface and slope stability.
- The windrowed topsoil and any additional diversions found to be necessary are used to prevent surface sheet flow from entering location.
- Each AST containment will have a properly constructed foundation consisting of a firm, unyielding base, smooth and free of rocks, debris, sharp edges or irregularities to prevent the liner's rupture or tear.

Other factors contributing to site stability include:

- Per 19.15.34.11 A.(7) the location is not in an area overlying a subsurface mine according to the New Mexico EMNRD Mining and Minerals Divisions database.
- This area of New Mexico is not known for underlying caves and karst features.

2.9. Distance to 100-Year Floodplain 19.15.34.11 A.(9)

The recycling facility/containments are not located within a 100-year (1% annual) floodplain. As shown in Exhibit E Map 2, the project is in Zone X (area of minimal flood hazard). The nearest 100-year flood hazard area shown in Exhibit E Map 2 is 2,215 feet Northwest.

3. DESIGN AND CONSTRUCTION SPECIFICATIONS

Pursuant to 19.15.34.12 NMAC, the following Design Plan presents the minimum standards and specifications for the design and construction of the proposed recycling containments at the NAU CLF and E01 Staging Area. The facility and recycling containments have been designed to prevent release and potential overtopping due to wave action (by wind) or rainfall. To supplement the information provided below, the manufacturers specifications for the design and construction of the aboveground containments are provided as Exhibit G.

3.1. Foundation Construction

The containment ASTs will be constructed on the existing NAU CLF and interim reclaimed NAU E01 Staging Area. The AST footprints will have properly constructed foundations 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 containments will ensure confinement of produced water, to prevent releases and to prevent overtopping due to wave action or rainfall.

Geotextile is used under the liner to reduce localized stress-strain or protuberances that otherwise may compromise the liner's integrity. The containments are above ground and are not subject to water run-on.

3.2. Liner and Leak Detection

The containments will be double-lined frac water tank systems. These tank systems are designed to incorporate a 40-mil thickness LLDPE primary (upper) string-reinforced liner and a 30-mil LLDPE secondary (lower) string-reinforced liner. The primary liner is designed to be impervious, synthetic material that will resist deterioration by ultraviolet light, petroleum hydrocarbons, salt solutions, and acidic/alkaline solutions. Liners meet or exceed the compatibility requirements of EPA SW-846 Method 9090A. Steel bolts secure the liners to the top of the AST tanks. Specifications provided by Well Water Solutions and Rentals, Inc. are attached as Exhibit G.

Liner seams are minimized and are oriented vertically up and down the containment walls, not horizontally across the containment. Factory welded seams are incorporated, where possible. Field seams, welding, and testing on the geosynthetic liners is performed by a manufacturer qualified person. For any field seams, the liners overlap 4 to 6 inches and are thermally sealed. Field seams are avoided or minimized in corners and irregularly shaped areas. At a point of discharge into, or suction from, the recycling containment, the liner is protected from excessive hydrostatic force or mechanical damage. External discharge or suction lines do not penetrate the liners.

A leak detection system is installed between the upper and lower liners of each containment and consists of a 200-mil geonet drainage layer. The leak detection system covers the bottom and sides of the containment and includes a minimum of 3 feet of freeboard. A 6-inch PVC pipe is inserted in the sump at the bottom of the containment and between the liners. Each containment is slightly sloped, with the sump placed at the location with the lowest elevation to facilitate the earliest possible leak detection. A schematic of the leak detection system is included in Exhibit G.

The sump piping is checked weekly with a water-level meter to determine if leakage is occurring through the primary liner. If water is detected in the leak detection sump, water will be removed to assess if water returns indicating a leak in the primary liner. Controls for surface water run-on is not needed due to the containments being above ground tanks.

3.3. Signage

The facility will have a sign no less than 12" by 24" with lettering not less than 2" in height in a conspicuous place near the facility entrance. The sign will contain the operator's name, location of the facility by quarter-quarter or unit letter, Section, Township, Range, and emergency phone numbers.

3.4. Entrance Protection

The NAU CLF pad has an existing chain link fence with 40-foot automated gates that meet or exceed the requirements of NMAC 19.15.34.12 (D)(1) and (2) which applies to fencing or enclosing the containment.

Please see the variance request attached as Exhibit H for the NAU E01 Staging Area as it relates to fencing. With the recycling containment at this site being an AST with 12-foot walls, entrance would have to be intentional. There is no risk of accidental entrance into containment by wildlife or the public. The site will be maintained to prevent harm to wildlife and the public.

3.5. Netting

DJR will install bird netting provided by the tank manufacturer over each containment. The netting will be inspected monthly for disrepair. The containments will be inspected weekly for dead migratory birds. DJR will report dead migratory birds and/or other wildlife to the appropriate wildlife agency, surface management agency, and NMOCD.

4. MAINTENANCE AND OPERATING PLAN

4.1. Inspection Timing and Maintenance

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Pursuant to 19.15.34.13 NMAC, DJR will follow the maintenance and operational requirements described below. At a minimum, DJR will perform weekly inspections on the containments and leak detection systems while the containments hold fluid. DJR will maintain records and make them available for review by the NMOCD.

- If fluids are found in the sump, the fluids will be sampled and then pumped out.
- DJR will remove any visible oil from the surface of the containments upon discovery.
- DJR will maintain a minimum of three feet of freeboard in the containments at all times.
- The injection and withdrawal of fluids from the containments 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 or pipes.
- If a leak is discovered in the containments' primary liner above the liquid level, DJR will repair the primary liner within 48 hours, or request an extension on repair within the 48-hour time limit.
- If a leak is discovered in the containments' primary liner below the liquid level, DJR will notify the division office of the leak, remove all fluids above the leak level, and repair the primary liner within 48 hours, or request an extension on repair within the 48-hour time limit.
- The facility will be operated in such a way to prevent the collection of surface water.
- An oil absorbent boom or other device will be onsite to contain an unanticipated release.
- The facility will not be used for the storage or discharge of hazardous waste.

4.2. Reporting and Record Keeping

During operation of the recycling facility, DJR will keep accurate records and report monthly to the NMOCD the total volume of water received for recycling, with the volume of fresh water received listed separately, and the total volume of water leaving the facility for disposition of use. Water volume totals will be submitted on NMOCD Form C-148. Accurate records identifying the sources and disposition of recycled water will be maintained during the operation of the facility and made available for review to the NMOCD upon request.

4.3. Cessation of Operations

DJR will consider the recycling containments to have ceased operations if less than 20% of the total fluid volume is used every six (6) months following the first withdrawal of produced water for use. DJR will report cessation of operations to the appropriate NMOCD district office. If additional time is needed for closure, DJR will request an extension from the appropriate NMOCD district office prior to the expiration of the initial six (6) month time period.

5. CLOSURE PLAN

Pursuant to 19.15.34.14 NMAC, the activities summarized below describe the closure and reclamation requirements for the NAU CLF and E01 Staging Area. Within 60 days of closure completion, DJR will submit a closure report on NMOCD Form C-147 and include required attachments to document all closure activities, sampling results, and details on backfilling, capping, or covering, where applicable.

5.1. Containment Closure

DJR will remove all fluids from the facility within 60 days from the date that operations cease and close the containments from use within six months from the date that DJR ceases operations. Alternatively, DJR can request an extension for the removal of fluids from the NMOCD not to exceed an additional two months. DJR can also request an extension for the closure of the containments, not to exceed an additional six months.

DJR will remove all fluids, contents, synthetic liners, and leak detection piping and transfer these materials to an NMOCD-approved facility for disposal. All other equipment associated with the recycling containments and recycling facility will be removed from the site.

5.2. Closure Soil Sampling

Once the containments are removed, DJR will test the soils beneath each 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 the following table:

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TABLE 1. CONTAMINATED SOIL TEST CONSTITUENTS

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

If any contaminant concentration is higher than the parameter limits listed above, the NMOCD may require additional delineation upon review of the results and DJR must receive approval before proceeding with closure. If all contaminant concentrations are less than or equal to the parameter limits listed above, then DJR can proceed to backfill with non-waste containing, uncontaminated, earthen material.

5.3. Reclamation

As described in Section 1, DJR is utilizing an existing location permitted for the operation of the NAU CLF operated by Whiptail. Per the Surface Use Agreement made between Whiptail and Enduring (parent company), DJR will be responsible for returning the area utilized for the containment and recycling facility back to its previous condition. The site will be reclaimed upon completion of use in accordance with Whiptail's Right of Way Grants and agreements developed with, and approved by, the surface managing agency.

The NAU E01 Staging Area will be reclaimed upon completion of use in accordance with the reclamation plan attached to the North Alamito Unit 2208-E01 502H (30-045-38216) approved APD. This reclamation plan was developed with, and approved by, the surface managing agency.

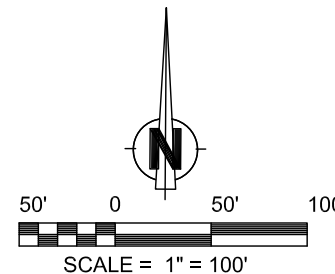
EXHIBIT A. PLAT

A

CENTER OF PAD
 LATITUDE: 36.174099° N
 LONGITUDE: 107.632588° W
 DATUM: NAD83

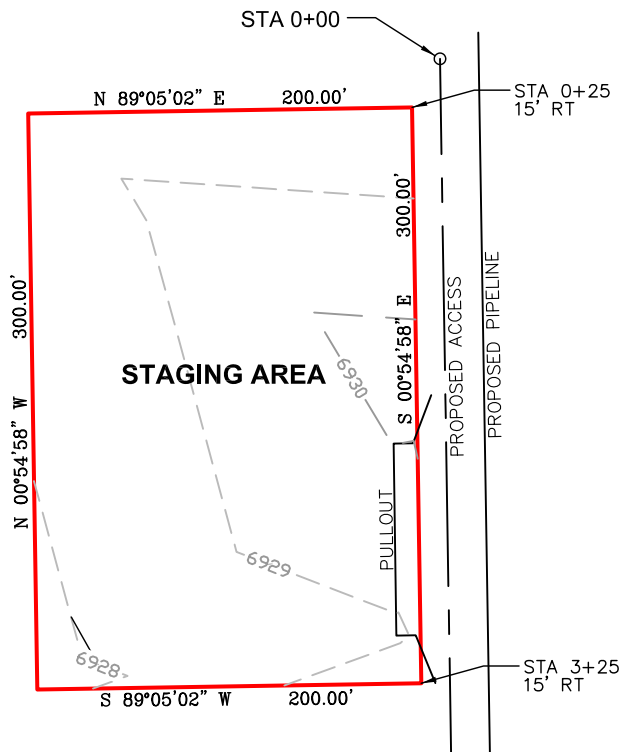
DJR OPERATING, LLC
NORTH ALAMITO UNIT #502H
STAGING AREA

LOCATED IN THE NW/4 NW/4 OF SECTION 1,
 T22N, R8W, N.M.P.M.,
 SAN JUAN COUNTY, NEW MEXICO
 FINISHED PAD ELEVATION: 6928.6', NAVD 88
 NAU E01-2208



NOTES:

- 1.) BASIS OF BEARING: BETWEEN FOUND MONUMENTS AT THE WEST QUARTER CORNER AND THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 22 NORTH, RANGE 8 WEST, N.M.P.M. SAN JUAN COUNTY, NEW MEXICO.
 LINE BEARS: N 00°34'54" E A DISTANCE OF 2694.18 FEET AS MEASURED BY G.P.S. AND BASED ON THE N.M.S.P. COORDINATE SYSTEM (WEST ZONE).
- 2.) LATITUDE, LONGITUDE AND ELLIPSOIDAL HEIGHT BASED ON AZTEC CORS L1 PHASE CENTER.
 DISTANCES SHOWN ARE GROUND DISTANCES USING A TRAVERSE MERCATOR PROJECTION FROM A WGS84 ELLIPSOID, CONVERTED TO NAD83.
 NAVD88 ELEVATIONS AS PREDICTED BY GEOID09.
- 3.) LOCATION OF UNDERGROUND UTILITIES DEPICTED ARE APPROXIMATE. PRIOR TO EXCAVATION UNDERGROUND UTILITIES SHOULD BE FIELD VERIFIED. ALL CONSTRUCTION ACTIVITIES SHOULD BE FIELD VERIFIED WITH NEW MEXICO ONE-CALL AUTHORITIES AT LWEST 48 HOURS PRIOR TO CONSTRUCTION.
- 4.) T-POSTS HAVE BEEN SET TO DEFINE THE EDGE OF DISTURBANCE LIMITS WHICH ARE 50' OFFSETS FROM THE EDGE OF THE STAKED WELL PAD.



~ SURFACE OWNERSHIP ~
 BUREAU OF LAND MANAGEMENT

TOTAL PERMITTED AREA
300' x 200' = 1.38 ACRES
SCALE: 1" = 100'
DATE: 03/05/20
DRAWN BY: GRR

NOTE:
 CHENAULT CONSULTING, INC. IS NOT LIABLE FOR UNDERGROUND UTILITIES OR PIPELINES. CONTRACTOR SHOULD CALL ONE-CALL FOR LOCATION OF ANY MARKED OR UNMARKED, BURIED PIPELINES OR CABLES ON WELL PAD, IN CONSTRUCTION ZONE AND/OR ACCESS ROAD AT LEAST TWO (2) WORKING DAYS PRIOR TO CONSTRUCTION.

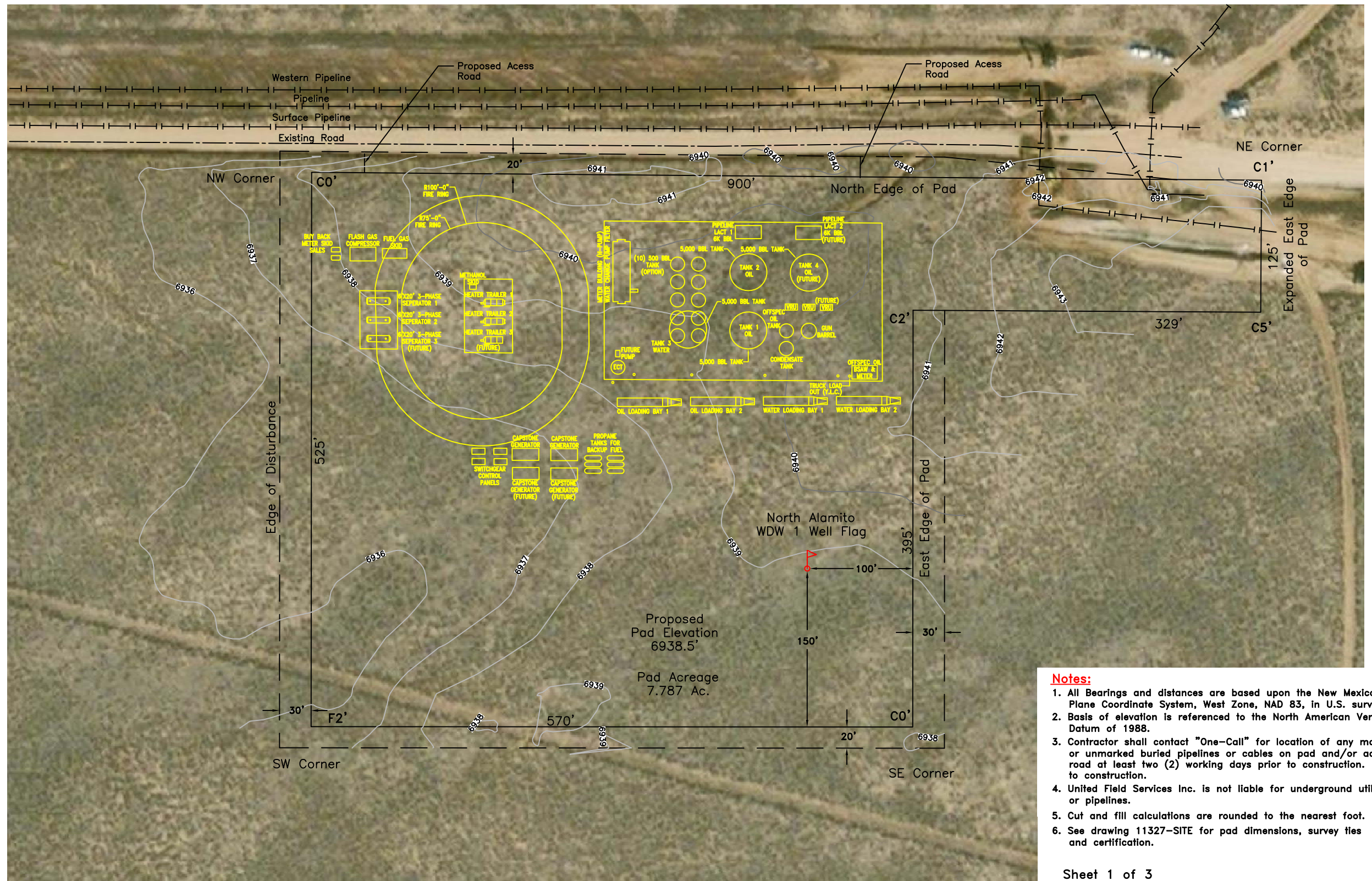
SLOPES TO BE CONSTRUCTED TO MATCH THE ORIGINAL CONTOURS AS CLOSE AS POSSIBLE.

CCI

CHENAULT CONSULTING INC.
 4800 COLLEGE BLVD.
 SUITE 201
 FARMINGTON, NM 87402
 (505)-325-7707




North Alamito Unit Liquids Facility and North Alamito WDW 1
Section 1 T22N R8W NMPM
San Juan County, NM



Notes:

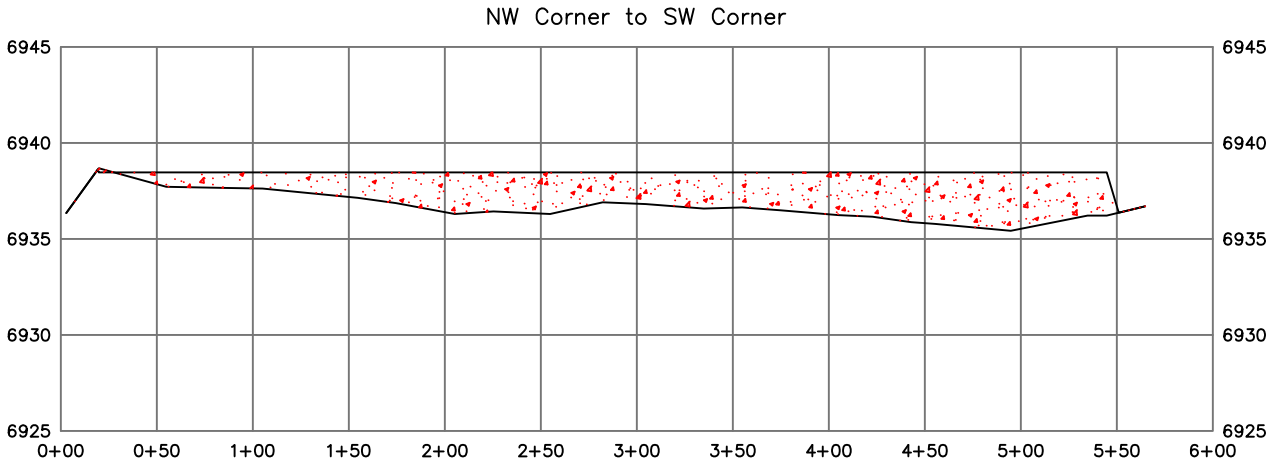
1. All Bearings and distances are based upon the New Mexico State Plane Coordinate System, West Zone, NAD 83, in U.S. survey feet.
2. Basis of elevation is referenced to the North American Vertical Datum of 1988.
3. Contractor shall contact "One-Call" for location of any marked or unmarked buried pipelines or cables on pad and/or access road at least two (2) working days prior to construction to construction.
4. United Field Services Inc. is not liable for underground utilities or pipelines.
5. Cut and fill calculations are rounded to the nearest foot.
6. See drawing 11327-SITE for pad dimensions, survey ties and certification.

Sheet 1 of 3

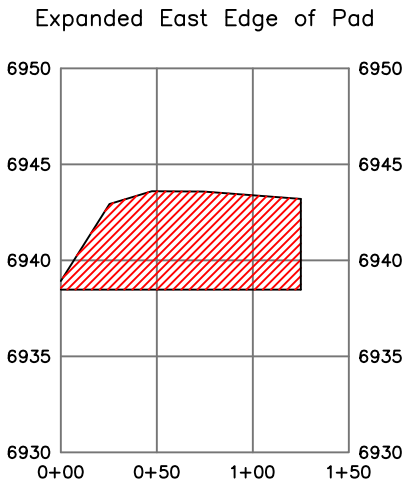
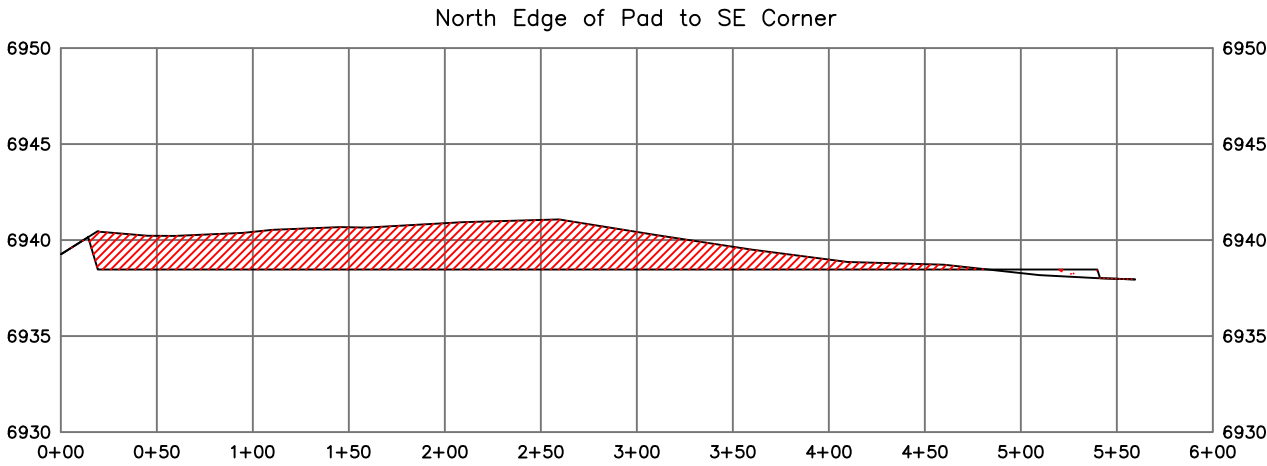
			P.O. Box 3651 Farmington, NM 87499 Office: (505) 334-0408	
Surveyed: 3/29/19 THRU 8/21/19	Rev./By: 8/28/19/H.J.	App. by: M.W.L.		
Drawn by: A.D.	Date drawn: 4/29/19	File name: NAUCLF		

DJR Operating, LLC

North Alamito Unit Liquids Facility and North Alamito WDW 1
Section 1 T22N R8W NMPM
San Juan County, NM



Horizontal Scale: 1" = 100'
Vertical Scale: 1" = 10'

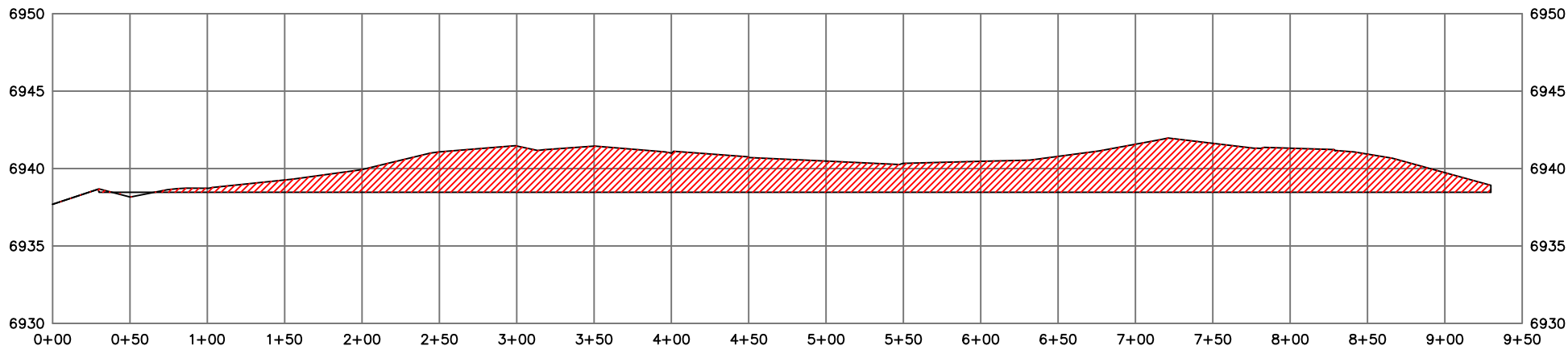


Sheet 2 of 3

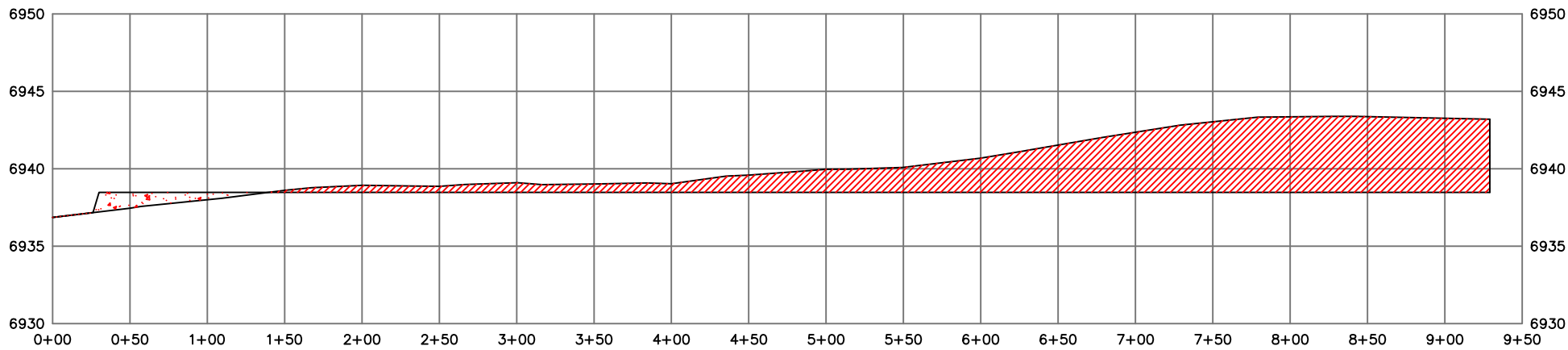
<div><div><div><div><div></div><div>United</div></div><div>Field Services Inc.</div></div><div><div>P.O. Box 3651</div><div>Farmington, NM 87499</div><div>Office: (505) 334-0408</div></div></div></div>		
Surveyed: 3/29/19 THRU 8/21/19	Rev./By: 8/28/19/A.D.	App. by: M.W.L.
Drawn by: A.D.	Date drawn: 4/29/19	File name: NAUCLF

DJR Operating, LLC
North Alamito Unit Liquids Facility and North Alamito WDW 1
Section 1 T22N R8W NMPM
San Juan County, NM

NW Corner to NE Corner

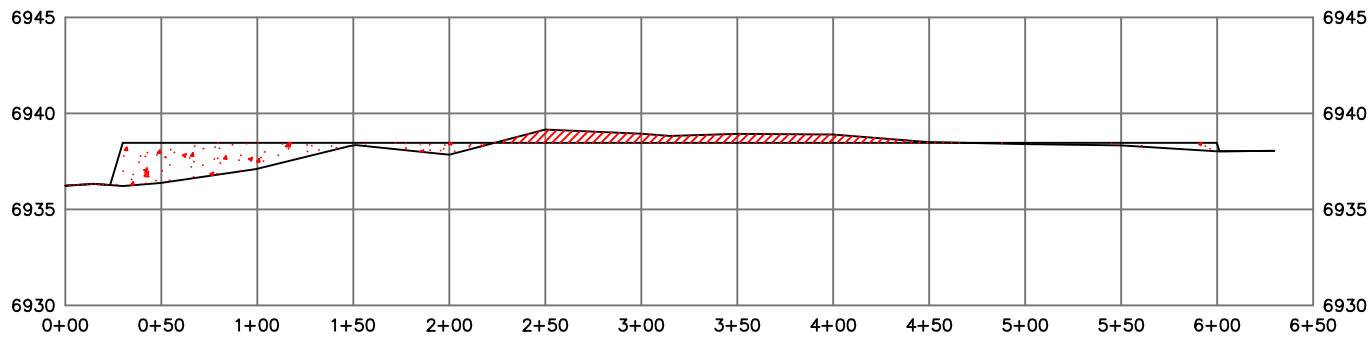


West Edge of Pad to Expanded East Edge of Pad



Horizontal Scale: 1" = 100'
Vertical Scale: 1" = 10'

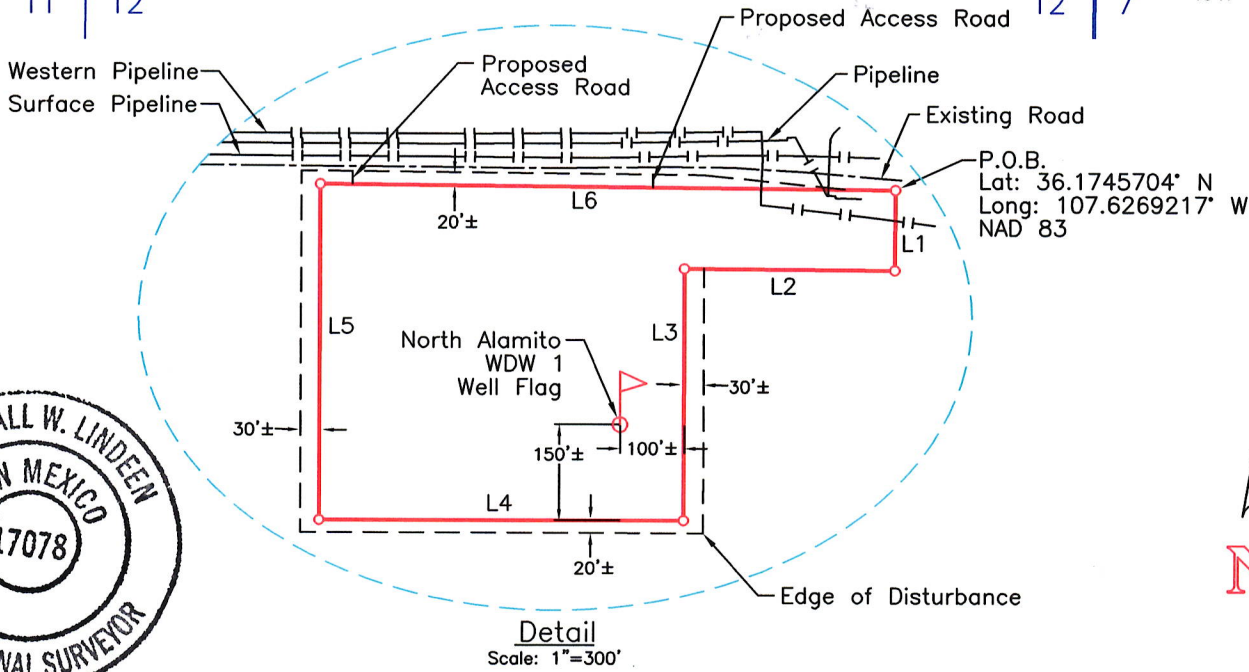
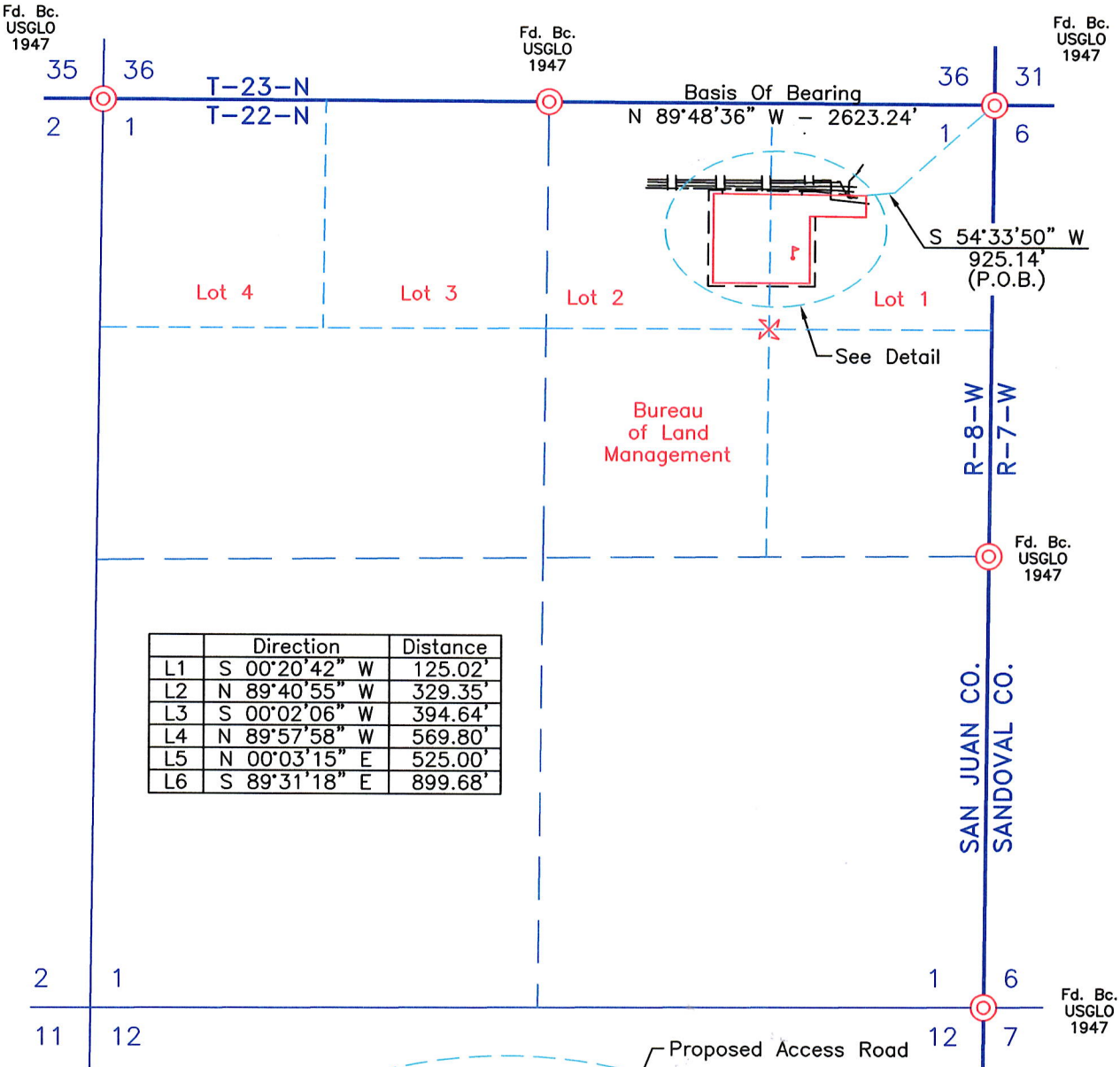
SW Corner to SE Corner



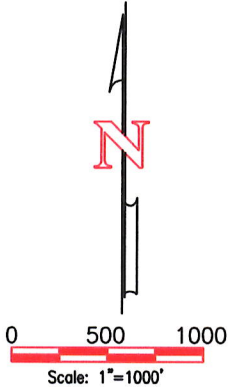
Sheet 3 of 3

<div><div><div><div><div></div><div>United</div><div>Field Services Inc.</div></div></div><div><div>P.O. Box 3651</div><div>Farmington, NM 87499</div><div>Office: (505) 334-0408</div></div></div></div>		
Surveyed: 3/29/19 THRU 8/21/19	Rev./By: 8/28/19/A.D.	App. by: M.W.L.
Drawn by: A.D.	Date drawn: 4/29/19	File name: 11327-Pad

DJR Operating, LLC
North Alamito Unit Liquids Facility & North Alamito WDW 1
Lot 1 & Lot 2 of Sec. 1, T22N, R8W, NMPM,
San Juan County, New Mexico



NOTES:
1. Basis of Bearing: Monumented North line of the Northeast Quarter of Section 1, T22N, R8W, NMPM, San Juan County, New Mexico.
Bears: N 89°48'36" W - 2623.24'
2. All bearings & distances shown are based upon the New Mexico Coordinate System, West Zone, NAD 83, in U.S. survey feet.
I, Marshall W. Lindeen, New Mexico Professional Surveyor No. 17078, do hereby certify that this survey plat and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that I am responsible for this survey; that this survey meets the minimum standards for surveying in New Mexico; and that it is true and correct to the best of my knowledge and belief, I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act.



Owner	Square Feet	Acres
B.L.M.	339,213	7.787

P.O. Box 3651
Farmington, NM 87499
Office: (505) 334-0408

DWG. No. : 11327-SITE		Revision/By: 2/C.B.
Drawn by: A.A.D.	Date Drawn: 4/12/19	Rev. Date: 8/28/19
Surveyed: 3/29-8/21/19	App by: M.W.L.	Sheet: 1

Marshall W. Lindeen
Marshall W. Lindeen, P.S. #17078
8-28-19
Date

EXHIBIT B. RECYCLING FACILITY AND RECYCLING CONTAINMENT SITE DIAGRAM

B



EXHIBIT C. SURFACE OWNER NOTIFICATION

C

Well Name	Well Number	US Well Number	Lease Number	Case Number	Operator
BETONNIE	602H	3004538274	NMNM055836	NMNM135219A	DJR
BETONNIE	714H	3004538275	NMNM055836	NMNM135219A	DJR
BETONNIE	715H	3004538276	NMNM116055	NMNM135219A	DJR

Notice of Intent

Sundry ID: 2833648

Type of Submission: Notice of Intent

Date Sundry Submitted: 01/23/2025

Date proposed operation will begin: 01/27/2025

Type of Action: Reclamation

Time Sundry Submitted: 02:21

Procedure Description: To accommodate the completions of the Betonnie Tsosie Wash Unit E03 pad (3 wells listed below) DJR/Enduring is requesting to re-open the interim reclamation on preexisting staging areas within the Betonnie Tsosie Wash Unit and the North Alamito Unit that were used for G-tank/AST staging for Entrada water storage for completion activities. These G-tanks will connect to an already approved layflat route. The temporary G-tank/ASTs will be located along the access road to the BTWU G34-2308 pad Lat 36.183396, Long -107.648108; - NAU E01-2208 pad has a G-tank staging area located Lat 36.174099, Long -107.632588, see attached plats. DJR/Enduring would like to re-construct each site by stripping the topsoil and leveling the pads (very little dirt work, fairly flat) to accommodate completion activities which will take approximately 2.5 months. Following the completion of the wells and after the G-tanks are removed, interim reclamation will take place. The NAU E01-2208 and BTWU G34-2308 Cluster EA for these projects is DOI-BLM-NM-F010-2021-0003-EA. Betonnie Tsosie Wash Unit 602H, 714H, 715H are the wells to be completed for this project.

NOI Attachments

Procedure Description

- NAU_E01_Staging_area__01.23.25__20250123142021.pdf
- BTWU_G34_E35_A35_Staging_area__01.23.25__20250123142007.pdf

Operator

I certify that the foregoing is true and correct. 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. Electronic submission of Sundry Notices through this system satisfies regulations requiring a

Operator Electronic Signature: HEATHER HUNTINGTON

Signed on: JAN 23, 2025 02:20 PM

Name: DJR OPERATING LLC

Title: Permitting Technician

Street Address: 200 ENERGY COURT

City: FARMINGTON**State:** NM

Phone: (505) 636-9751

Email address: HHUNTINGTON@ENDURINGRESOURCES.COM

Field

Representative Name:

Street Address:

City:**State:****Zip:**

Phone:

Email address:

BLM Point of Contact

BLM POC Name: DAVE J MANKIEWICZ

BLM POC Title: AFM-Minerals

BLM POC Phone: 5055647761

BLM POC Email Address: DMANKIEW@BLM.GOV

Disposition: Approved

Disposition Date: 02/05/2025

Signature: Dave J Mankiewicz

Additional Information

Batch Well Data

BETONNIE TSOSIE WASH UNIT 602H, US Well Number: 3004538274, Case Number: NMNM135219A, Lease Number: NMNM055836,
Operator:DJR OPERATING LLC

BETONNIE TSOSIE WASH UNIT 714H, US Well Number: 3004538275, Case Number: NMNM135219A, Lease Number: NMNM055836,
Operator:DJR OPERATING LLC

BETONNIE TSOSIE WASH UNIT 715H, US Well Number: 3004538276, Case Number: NMNM135219A, Lease Number: NMNM116055,
Operator:DJR OPERATING LLC

CONFIDENTIAL

From: [Heather Huntington](#)
To: jtafoya@blm.gov
Cc: [Casey Haga](#)
Subject: DJR/Enduring Resources Surface Owner Notification for North Alamito Unit CLF WRF/Containment
Date: Wednesday, February 12, 2025 11:16:07 AM
Attachments: [ExhibitB_Site_Diagram.pdf](#)
[ExhibitC_Signed_Whiptail - Enduring - Surface Rights Access and Use Agreement NAU CLF.pdf](#)

Good Morning Jeff,

DJR Operating/Enduring Resources will be submitting a C-147 Water Recycling Facility and Containment application to NMOCD for the North Alamito Unit Central Liquids Facility to set 2-60,000 bbl AST and associated recycling facilities. In accordance with 19.15.34.10.A NMAC, DJR Operating/Enduring Resources is required to notify the surface owner of the application, which in this case is BLM. Please consider this email as the surface owner notification of this C-147 facility application.

The surface agreement between Enduring Resources and Whiptail Midstream (operator of the facility) is attached.

Please let us know if you have any questions.

Heather Huntington
Enduring Resources Permitting Technician
505-636-9751

February 11, 2025

Enduring Resources IV LLC
1050 Seventeenth Street, Suite 2500
Denver, Colorado 80265

RE: Surface Rights

Ladies and Gentlemen:

This letter agreement (this "**Agreement**") memorializes the terms and conditions by which Whiptail Gallup Gathering LLC ("**Grantor**") has agreed to provide Enduring Resources IV LLC ("**Grantee**") and, together with Grantor, the "**Parties**") access to the surface of the real property identified in **Exhibit A** (the "**Access Area**") in connection with Grantee staging and storing equipment in the Access Area for use in Grantee's drilling and completion of oil and gas wells (the "**Permitted Uses**").

Grantee and Grantor agree as follows

1. **Access and Termination Date.** Subject to the provisions of this Agreement, Grantor grants Grantee permission to enter the Access Area and use the Access Area, in each case, solely for the Permitted Uses. Grantee shall not use or occupy any the Access Area for any other purpose, or any other property owned or occupied by Grantor for any purpose whatsoever. Grantee shall be permitted to use the Access Area for the Permitted Uses through and including the earlier of (a) December 31, 2026, and (b) the date that is 30 days after the date on which Grantor provides Grantee with written notice of its termination of Grantee's rights under this Agreement (such earlier date, the "**Termination Date**").

2. **Termination.** The Termination Date may be extended by mutual consent prior to and with notice by the Grantee before the initial Termination Date. Any extension would be subject to the same conditions and terms as provided in this Agreement.

3. **Notice to Grantor.** Grantee will provide Grantor 15 day notice of intent to occupy the site, and with a general description of the equipment and nature of the supplies stored onsite.

4. **Purpose of Access and Vacating the Access Area.**
(a) Grantee shall use the Access Area for the Permitted Uses in a manner which minimizes interference with Grantor's use and business operations at the Access Area and any other property owned or occupied by Grantor, and otherwise in accordance with this Agreement. In the event of a conflict with Grantor's use and business operations, the Grantee will adjust its operations accordingly to the satisfaction of the Grantor, after receiving sufficient time to make any requested adjustments.

(b) On or before the Termination Date, Grantee shall (i) remove any and all of its property from the Access Area, including, without limitation, Grantee's equipment; (ii) restore the Access Area to its condition immediately prior to Grantee's initial entry to the Access Area; and (iii) repair any

damages to the Access Area and, if applicable, to other property owned by Grantor, caused in whole or in part by Grantee's use of or access to the Access Area (or use of or access to the Access Area by any of its agents, employees, or contractors);

(c) If Grantee fails to timely and properly vacate the Access Area or any portion of the Grantor's property, then Grantor shall have the right to enforce any rights and remedies Grantor may have under this Agreement at law or in equity.

5. No Grantor Responsibility. Neither Grantor nor any other Indemnified Party (as defined below) has any responsibility, obligation, or liability whatsoever to Grantee or its agents, employees, or contractors, for any occurrence on or about the Access Area or other property owned by Grantor or with respect to any property of Grantee or its agents, employees, or contractors, including, without limitation, any loss, injury, or damage, all of such obligations or liabilities being hereby waived and released to the extent permitted by law.

6. Indemnification of Grantor.

(a) Grantee shall indemnify, defend, and hold harmless Grantor and its officers, directors, members, managers, partners, employees, agents, affiliates, successors, mortgagees, permitted assigns, contractors, and tenants (collectively, "**Indemnified Parties**") from and against any and all claims made or judicial or administrative actions filed (including, without limitation, attorneys' fees) suffered or incurred by Grantor or any other Indemnified Parties arising out of or in connection with: (a) any violation of, or failure to comply with, the provisions of this Agreement by Grantee; (b) the Permitted Uses; or (c) any other activity conducted by Grantee, its agents, employees, or contractors in connection with: (i) its access to Access Area or other property owned by Grantor for the Permitted Uses; or (ii) the exercise of Grantee's rights under this Agreement. The indemnity obligations outlined herein shall survive any cancellation, expiration, or termination, for any reason, of this Agreement.

(b) THE INDEMNITIES IN THIS AGREEMENT ARE INTENDED TO BE ENFORCEABLE AGAINST IN ACCORDANCE WITH THEIR EXPRESS TERMS AND SCOPE NOTWITHSTANDING ANY EXPRESS NEGLIGENCE RULE, DOCTRINE RELATING TO INDEMNIFICATION FOR STRICT LIABILITY, OR ANY SIMILAR DIRECTIVE THAT WOULD PROHIBIT OR OTHERWISE LIMIT INDEMNITIES BECAUSE OF THE ORDINARY NEGLIGENCE (WHETHER SOLE, CONCURRENT, ACTIVE, OR PASSIVE) OR OTHER FAULT OR STRICT LIABILITY OF ANY INDEMNIFIED PARTY.

7. Miscellaneous.

(a) All notices, requests, consents, claims, demands, waivers and other communications under this Agreement must be in writing and will be deemed to have been given (i) when delivered by hand (with written confirmation of receipt); (ii) when received by the addressee if sent by a nationally recognized overnight courier (receipt requested); or (ii) on the third business Day after the date mailed, by certified or registered mail, return receipt requested, postage prepaid. Communications must be sent to the respective parties at the addresses indicated at the top of the first page (or at another address for a Party specified by that Party in a notice given in accordance with this Section 4(a)).

(b) Grantee acknowledges and understands that Grantor makes no representation or warranty whatsoever, express or implied, with respect to the Access Area, including, without limitation, any hazards or dangers found at the Access Area. Grantee understands and acknowledges that it enters and uses the Access Area at its own risk.

(c) The terms and conditions of this Agreement shall apply to Grantor and Grantee, and their respective heirs, administrators, personal representatives, agents, and successors. Grantee cannot assign its rights under this Agreement. Any change in control of Grantee constitutes an assignment for purposes of this Agreement.

(d) This Agreement sets forth the entire understanding of Grantor and Grantee with respect to the subject matter of this Agreement.

(e) If any provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid, illegal, or unenforceable, the remainder of this Agreement (other than any provision held invalid, illegal, or unenforceable) shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

(f) This Agreement is governed by the Texas law, without regarding to any conflict-of-law principles that would apply the law of any other jurisdiction. Each Party irrevocably and unconditionally (i) consents to submit to the exclusive jurisdiction of Texas courts or United States federal courts located in Harris County, Texas for any action, suit, or proceeding arising out of or relating to this Agreement (and each Party agrees not to commence any such action, suit or proceeding in any other court); (ii) waives any objection to the laying of venue of any action, suit or proceeding arising out of this Agreement in such courts, and (iii) waives and agrees not to plead or claim in any such court that any such action, suit or proceeding brought in any such court has been brought in an inconvenient forum.

(g) EACH PARTY ACKNOWLEDGES AND AGREES THAT ANY DISPUTE ARISING OUT OF THIS AGREEMENT IS LIKELY TO INVOLVE COMPLICATED AND DIFFICULT ISSUES AND, THEREFORE, EACH PARTY IRREVOCABLY AND UNCONDITIONALLY WAIVES ANY RIGHT IT HAS TO A TRIAL BY JURY IN RESPECT OF ANY SUCH DISPUTE.

[SIGNATURE PAGE(S) ATTACHED]

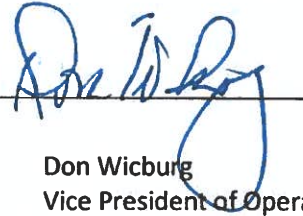
Please indicate your agreement to the terms and conditions outlined above by signing in the space provided on the signature page attached and return a signed copy to Grantor.

Sincerely,

"GRANTOR"

Whiptail Gallup Gathering LLC

By: _____



Don Wicburg
Vice President of Operations

ACCEPTED AND AGREED TO:

"GRANTEE"

Enduring Resources IV LLC

By: 

Name: _____

Title: _____

Alex B. Campbell

Vice President

EXHIBIT A
Access Area

DJR Operating, LLC an Enduring Resources, LLC Company
North Alamito Unit CLF and North Alamito Unit E01 Staging Area Pad Diagrams for Use of Three 60K BBL ASTs
Lot 1 and 2 of Section 1, T22N, R08W, NMPM, San Juan County, New Mexico

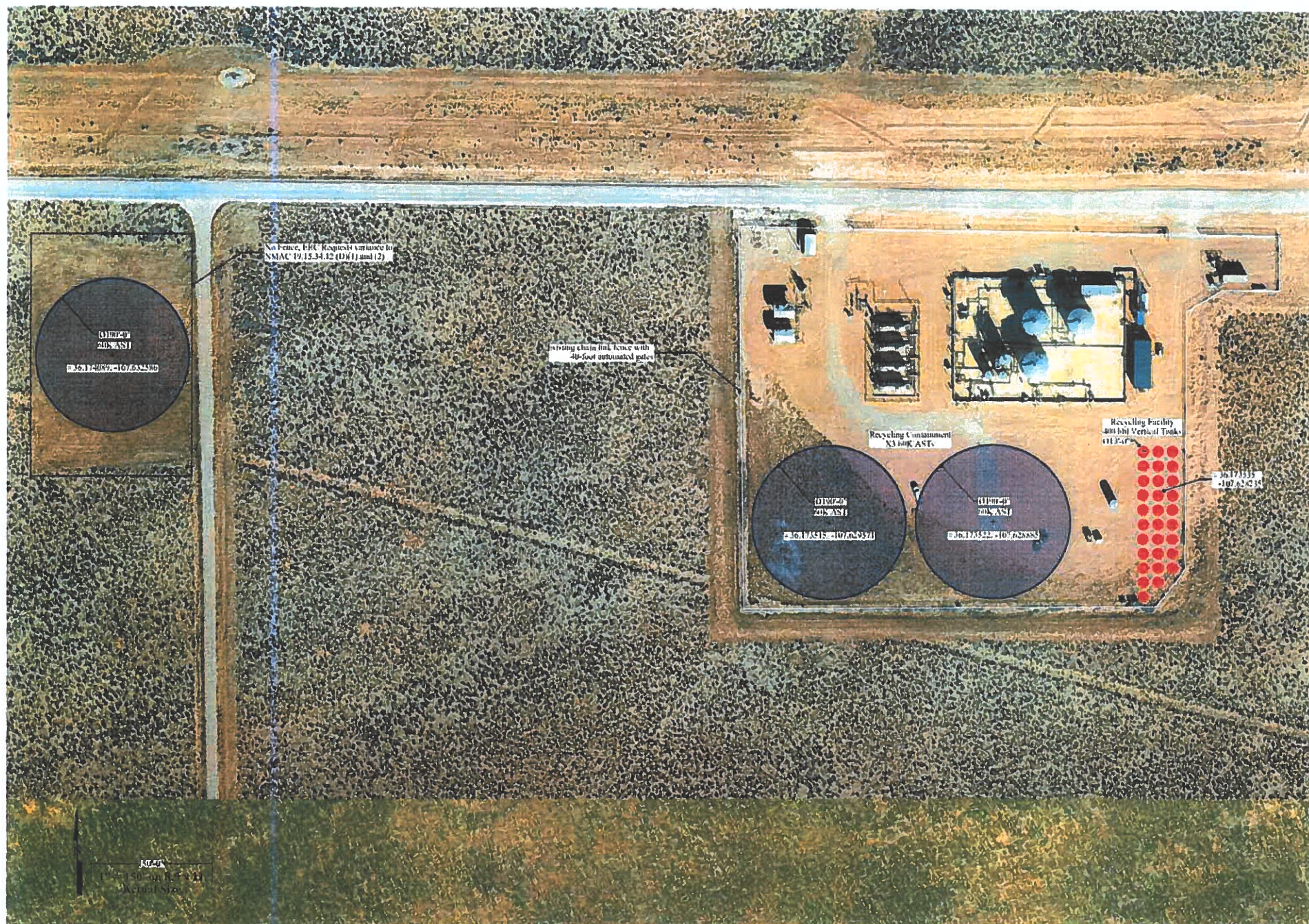


EXHIBIT D. GROUND WATER REPORT

D



New Mexico Office of the State Engineer

Point of Diversion Summary

(quarters are 1=NW 2=NE 3=SW 4=SE)
(quarters are smallest to largest)

(NAD83 UTM in meters)

Well Tag

POD Number

Q64 Q16 Q4 Sec Tws Rng

X

Y

SJ 00949 -S

1 3 2 01 22N 08W

263242 4006176*

Driller License: 709

Driller Company: KEY ENERGY SERVICES, INC.

Drill Start Date: 05/19/1980

Drill Finish Date: 05/29/1980

Plug Date:

Log File Date: 08/01/1980

PCW Rcv Date: 03/15/1984

Source: Artesian

Pump Type:

Pipe Discharge Size:

Estimated Yield: 400 GPM

Casing Size: 13.38

Depth Well: 2647 feet

Depth Water: 1106 feet

Water Bearing Stratifications:

Top Bottom Description

2037 2634 Sandstone/Gravel/Conglomerate

Casing Perforations:

Top Bottom

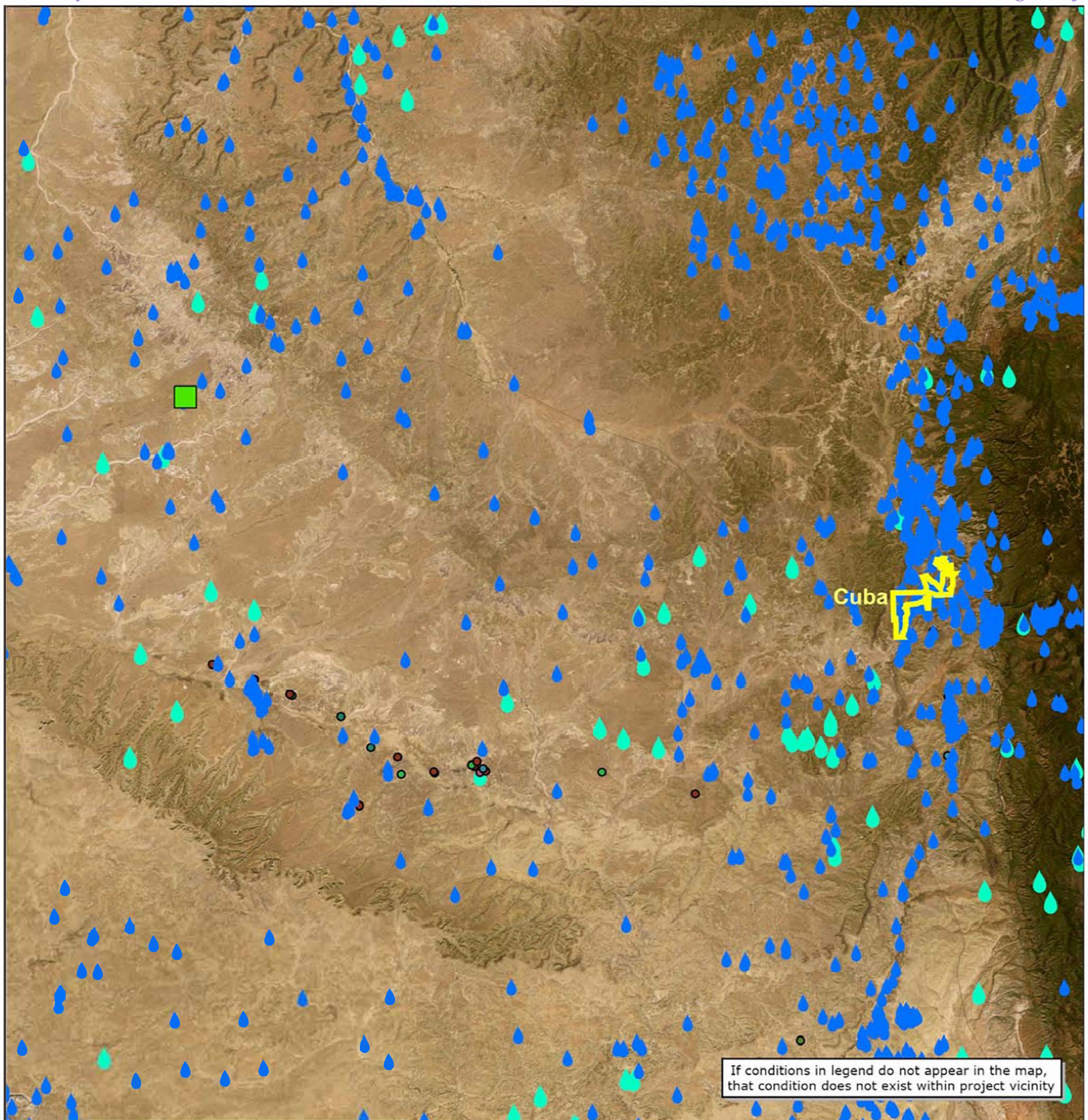
2046 2609

*UTM location was derived from PLSS - see Help

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

EXHIBIT E. SITING CRITERIA MAPS

E



NAU CLF and E01 Staging Area Containment Location Map 1 Siting Criteria

- | | | |
|----------------------|-----------------------------------|--|
| NAU CLF/STAGING AREA | Active Mining | Temporary Suspension |
| OSE Water Wells | Active Mining, Active Reclamation | Under Development |
| Spring Seep | Approved | New_Mexico_incorporated_places_April2023 |
| | Enforcement | |
| | No Permit | |
| | No Response | |
| | Pending | |
| | Released | |



**ENDURING
RESOURCES, LLC**



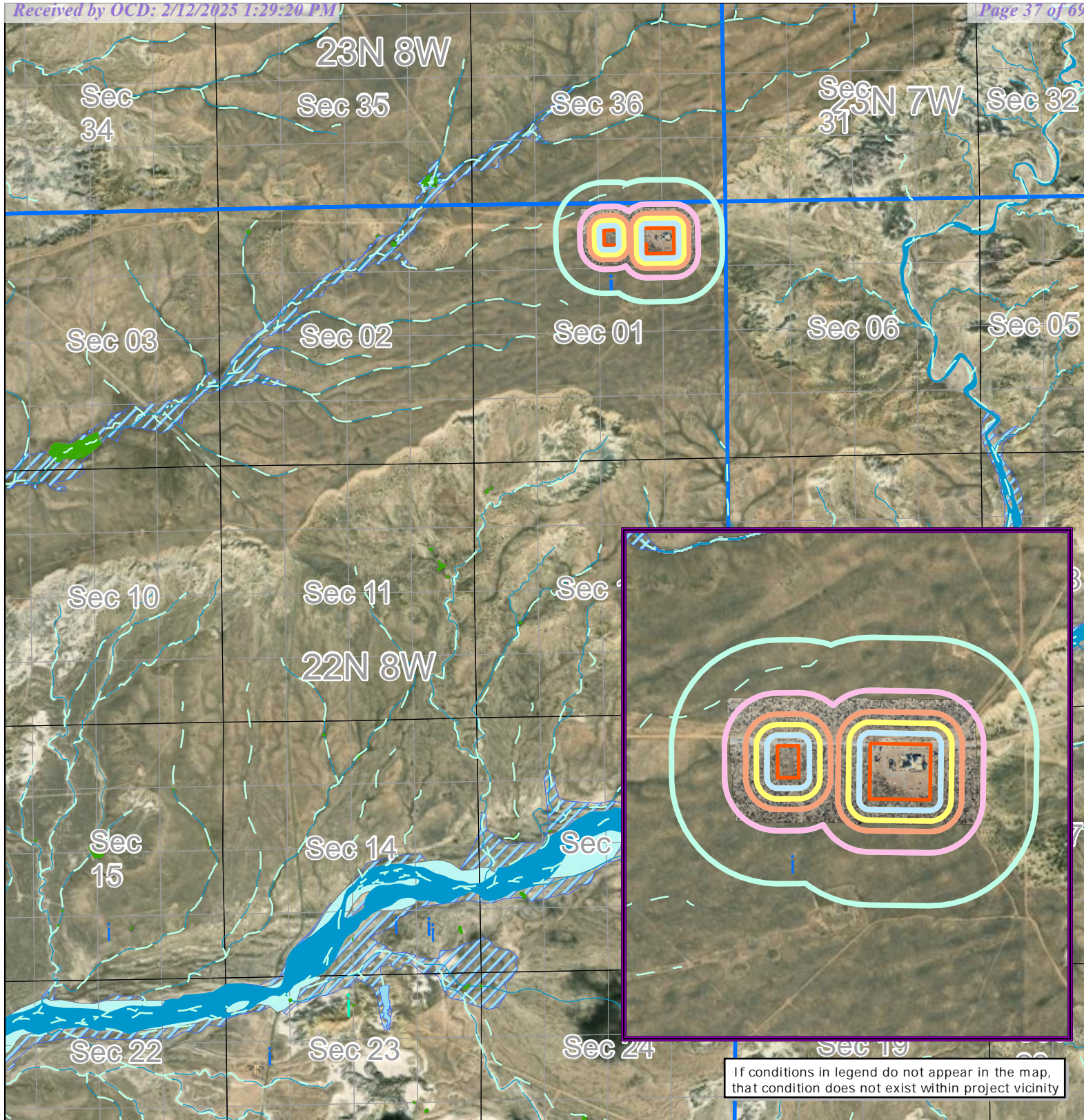
Data Source Statement:
BLM-FFO, Enduring Resources GIS, ESRI Inc.,
NCE Survsys, USGS

0 5 10 15 20 Miles

NAD 1983 2011 StatePlane New Mexico West FIPS 3003 Ft US

Author: drogers

Date: 2/7/2025



NAU CLF and E01 Staging Area Containment Location Map 2 Siting Criteria



ENDURING
RESOURCES, LLC

- | | | | | |
|---|---|---|--|--|
| <ul style="list-style-type: none"> OSE Water Wells Spring Seep Residence NAU CLF/Staging Area | <ul style="list-style-type: none"> Active Mining Active Mining, Active Reclamation Approved Enforcement No Permit No Response Pending Released Temporary Suspension Under Development | <ul style="list-style-type: none"> Marine Estuary Marsh, Swamp, Bog, Prairie Riverine Lake, Reservoir Wash NHDI Waterbody FEMA High Risk Flood Zone | <ul style="list-style-type: none"> 100 200 300 500 1000 | <ul style="list-style-type: none"> USGS Water Courses |
|---|---|---|--|--|

0 0.25 0.5 0.75 1 Miles

Data Source Statement:
BLM-FFO, Enduring Resources GIS, ESRI Inc.,
NCE Surveys, USGS

NAD 1983 2011 StatePlane New Mexico West FIPS 3003 Ft US

Author: drogers

Date: 2/7/2025

EXHIBIT F. AQUATIC RESOURCES INVENTORY REPORT

F

Technical Memorandum

To: Casey Haga, Enduring Resources IV, LLC
From: Joey Herring
Subject: Aquatic Resources Delineation
Date: February 7, 2025
Project: North Alamito Unit E01 Staging Area

Enduring Resources IV, LLC (Enduring) retained Barr Engineering Co. (Barr) to conduct an aquatic resources delineation survey for the North Alamito Unit (NAU) E01 staging area pad located in the NW ¼ NW ¼ of Section 1, Township 22 North, Range 8 West, New Mexico Principal Meridian, San Juan County (Map 1). The pad would be 300 feet long by 200 feet wide for a total disturbance of 1.4 acres. The center coordinates for the pad are 36.174099 N, -107.632588 W, North American Datum 1983 Zone 13N. The NAU E01 staging area is located on Bureau of Land Management (BLM) Farmington Field Office (FFO) managed land. The survey area included the NAU E01 staging area and a 300-foot buffer around the site.

The purpose of the aquatic resources delineation survey was to identify the potential presence and extent of features that may be considered jurisdictional Waters of the United States (WOTUS) under Section 404 of the Clean Water Act (CWA), as amended (33 United States Code §1251 et seq.). The United States Army Corps of Engineers (USACE) administers the CWA Section 404. Enduring is applying for a permit to transport, store, and recycle produced water for reuse in drilling and completing oil/natural gas wells per Title 19, Chapter 15, Part 34 (19.15.34) of the New Mexico Administrative Code (NMAC).

This technical memorandum reports the survey findings and aquatic resources that may be considered jurisdictional WOTUS, including wetlands and aquatic resources exhibiting an ordinary high-water mark (OHWM) following the USACE methods and guidance.

1 Regulatory Framework

1.1 Federal

In September 2023, USACE issued a final rule revising the definition of WOTUS to include traditional navigable waters, wetlands adjacent to traditional navigable waters, and relatively permanent waters defined as tributaries and wetlands adjacent to navigable waters that have a continuous surface connection and standing or continuously flowing bodies of water (EPA 2025). The USACE defines wetlands as special aquatic sites “that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (USACE 1987).

The USACE has the regulatory authority and discretion to determine the jurisdictional status of aquatic resources at a given site.

1.2 New Mexico State

19.15.34 NMAC applies to the transportation, disposal, recycling, reuse, or the direct surface or subsurface disposition by use of water produced or used in connection with the development or production of oil or gas or both; in road construction or maintenance, or other construction; and in the

To: Casey Haga, Enduring Resources IV, LLC
From: Joey Herring
Subject: Aquatic Resources Delineation
Date: February 7, 2025
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generation of electricity or other industrial processes. 19.15.34 NMAC also applies to transporting drilling fluids and liquid oil field waste.

Depending on the proposed activity, a permit or registration (Form C-147) for recycling and reuse of produced water, drilling fluids, and liquid oil field waste, including recycling containment, is required by the New Mexico Energy, Minerals and Natural Resources Department Oil Conservation Division (OCD). Form C-147 siting criteria require that recycling containment not be located:

- where groundwater is less than 50 feet below the bottom of the containment;
- 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 OHWM);
- within 500 feet of a spring or freshwater well used for domestic or stock watering purposes in existence at the time of the initial registration;
- within incorporated municipal boundaries or within a defined municipal freshwater well field covered by a municipal ordinance adopted under Section 3-27-3 New Mexico Statutes 1978, as amended, unless the municipality specifically approves the recycling containment in writing;
- within 500 feet of a wetland; or
- within a 100-year floodplain.

Watercourse is defined in 19.15.2.7 NMAC as “a river, creek, arroyo, canyon, draw or wash or other channel having definite banks and bed with visible evidence of the occasional flow of water.” Wetlands are defined in 19.15.2.7 NMAC as “areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions in New Mexico.” The term “significant” is not defined in NMAC.

2 Methods

Before initiating fieldwork, Barr completed a desktop evaluation of the survey area using the best available information, including the following:

- US Geological Survey (USGS) 7.5-minute topographic quadrangles for local and regional environmental settings relevant to the project area's surface waters, wetlands, and contours.
- National Hydrography Dataset (NHD) for mapped "bluelines"—perennial, intermittent, and ephemeral drainages—and other water features in the project area.
- National Wetlands Inventory (NWI) maps generated by the US Fish and Wildlife Service (USFWS) for the project area.
- Natural Resources Conservation Service (NRCS) Web Soil Survey information for the project area.
- Floodplain data from the Federal Emergency Management Agency (FEMA) Mapping Information Platform.

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Page: 3

- ESRI ArcGIS Online World Imagery.

2.1 Wetlands

The survey area was evaluated for the presence of wetlands using guidance provided in the *1987 Corps of Engineers Wetlands Delineation Manual* (USACE 1987) and the *Regional Supplement to the USACE Wetland Delineation Manual: Arid West Region* (USACE 2008). Under the delineation procedures identified in these manuals, an area must exhibit characteristic wetland hydrology, hydric soils, and hydrophytic vegetation to be considered a wetland. In addition, the USACE requires that under normal circumstances, all three conditions be met for an area to be defined as a wetland (USACE 1987).

2.2 Non-Wetland Waters

Barr biologists evaluated the presence/absence and characteristics of the (OHWM) along all non-wetland water features (e.g., streams, creeks, and ponds) mapped during the pre-field desktop evaluation. Guidance from *A Field Guide to the Identification of the Ordinary High-Water Mark in the Arid West Region of the Western United States* (USACE 2008) was used to identify drainage channel lateral limits. General characteristics for determining the OHWM in the project area were identified using guidance provided in USACE RGL 05-05 (USACE 2005).

For stream features exhibiting an OHWM, Barr conducted a streamflow duration assessment in the field using the *User Manual for a Beta Streamflow Duration Assessment Method for the Arid West of the United States* (Mazor et al. 2023). The Streamflow Duration Assessment Method (SDAM) is a rapid, field-based method to determine flow duration class at the reach scale without long-term hydrologic data. The use of the SDAM may inform a range of activities where information on streamflow duration is beneficial, including certain jurisdictional determinations under the CWA; however, the SDAM is not a jurisdictional determination (Mazor et al. 2023). The method is specific to the Arid West Region and relies on five indicators to determine stream flow classification: perennial, intermittent, ephemeral, at least intermittent, and need more information. Biologists recorded the status of these five indicators on a field form for every surface water feature in the survey area with an OHWM.

Handheld global positioning system (GPS) units with submeter accuracy were used to digitally record sampling points and any wetland or other features in the survey area. Geographic information system (GIS) software was used to analyze recorded features, calculate areas, and generate the survey area maps.

3 Results

3.1 Desktop Review

The NAU E01 staging area is in the Escavada Wash watershed (Hydrologic Unit Code 1408010603) (USGS 2021) and can be found on the Lybrook NW, New Mexico U.S. Geological Survey 7.5-minute quadrangle. One soil mapping unit is in the survey area—Doak-Sheppard-Shiprock association, rolling. This soil unit is not listed as hydric soil (NRCS 2025).

The survey area falls within a FEMA Flood Zone X, an area of minimal flood hazard. No FEMA-designated 100-year flood zones are in the survey area (FEMA 2025). The desktop review did not identify any NHD flowlines, NWI wetlands, or other surface water features within 500 feet of the project (USGS 2016; USFWS 2025).

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3.2 Field Survey

The aquatic resources delineation survey was conducted on February 3, 2025, by Barr biologists John Dodge and Olivia Sheldon. The field survey verified the absence of any wetlands or other surface water features in the survey area. No drainages or other flowlines were recorded within the survey area.

4 Conclusions

Based on the regulatory framework (Section 1), evaluation of the survey area, and the USACE Albuquerque District's current policies regarding jurisdictional determinations, it is Barr's professional opinion that under the current CWA rule, there are no features present in the survey area that would be considered jurisdictional WOTUS.

Pursuant to 19.15.34 NMAC, no drainages with an OHWM were observed within 300 feet of the NAU E01 staging area. No FEMA 100-year flood zones are in the survey area. These conclusions are based on Barr's professional opinion. The USACE has the final regulatory authority to determine the presence and extent of jurisdictional WOTUS. The NMOCDC has the final and regulatory authority for determining the presence of continuously flowing watercourses, significant watercourses, or wetlands and their boundaries for the permitting and registration applicable to 19.15.34 NMAC.

5 References

Environmental Protection Agency. 2025. Current Implementation of Waters of the United States.

Available at: <https://www.epa.gov/wotus/current-implementation-waters-united-states>. Accessed January 2025.

ESRI. 2025. World Imagery. Available online at: https://services.arcgisonline.com/ArcGIS/rest/services/World_Imagery/MapServer.

Federal Emergency Management Agency (FEMA). 2025. Flood map service center. U.S. Department of Homeland Security. Washington, D. C. Available online at: <https://msc.fema.gov/portal/>. Accessed February 2025.

Mazor, R. D., B. Topping, T. L. Nadeau, K. M. Fritz, J. Kelso, R. Harrington, W. Beck, K. McCune, H. Lowman, A. Allen, R. Leidy, J. T. Robb, and G. C. L. David. 2023. User Manual for a Beta Streamflow Duration Assessment Method for the Arid West of the United States. Version 1.1. Document No. EPA 800-5-21001.

Natural Resource Conservation Service (NRCS). 2025. Web Soil Survey. [Online digital data.] Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Available at: <http://websoilsurvey.sc.egov.usda.gov/>.

U.S. Army Corps of Engineers (USACE). 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1, Environmental Laboratory, US Army Corps of Engineer Waterways Experiment Station. Vicksburg, Mississippi.

USACE. 2005. Regulatory Guidance Letter No. 05-05, Ordinary High Water Mark Identification. December 7, 2005.

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USACE. 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0), edited by J.S. Wakeley, R.W. Lichvar, and C.V. Noble. ERDC/EL TR-08-28. Vicksburg, Mississippi: U.S. Army Engineer Research and Development Center.

U.S. Environmental Protection Agency. 2025. Current Implementation of Waters of the United States. Available at: <https://www.epa.gov/wotus/current-implementation-waters-united-states>. Accessed January 2025.

U.S. Fish and Wildlife Service (USFWS). 2025. National Wetlands Inventory. U.S. Fish and Wildlife Service Ecological Services. Available at: <https://www.fws.gov/program/national-wetlands-inventory>. Accessed January 2025.

U.S. Geological Survey (USGS). 2016. National Hydrography Dataset. Available at: <http://nhd.usgs.gov/index.html>. Accessed January 2025.

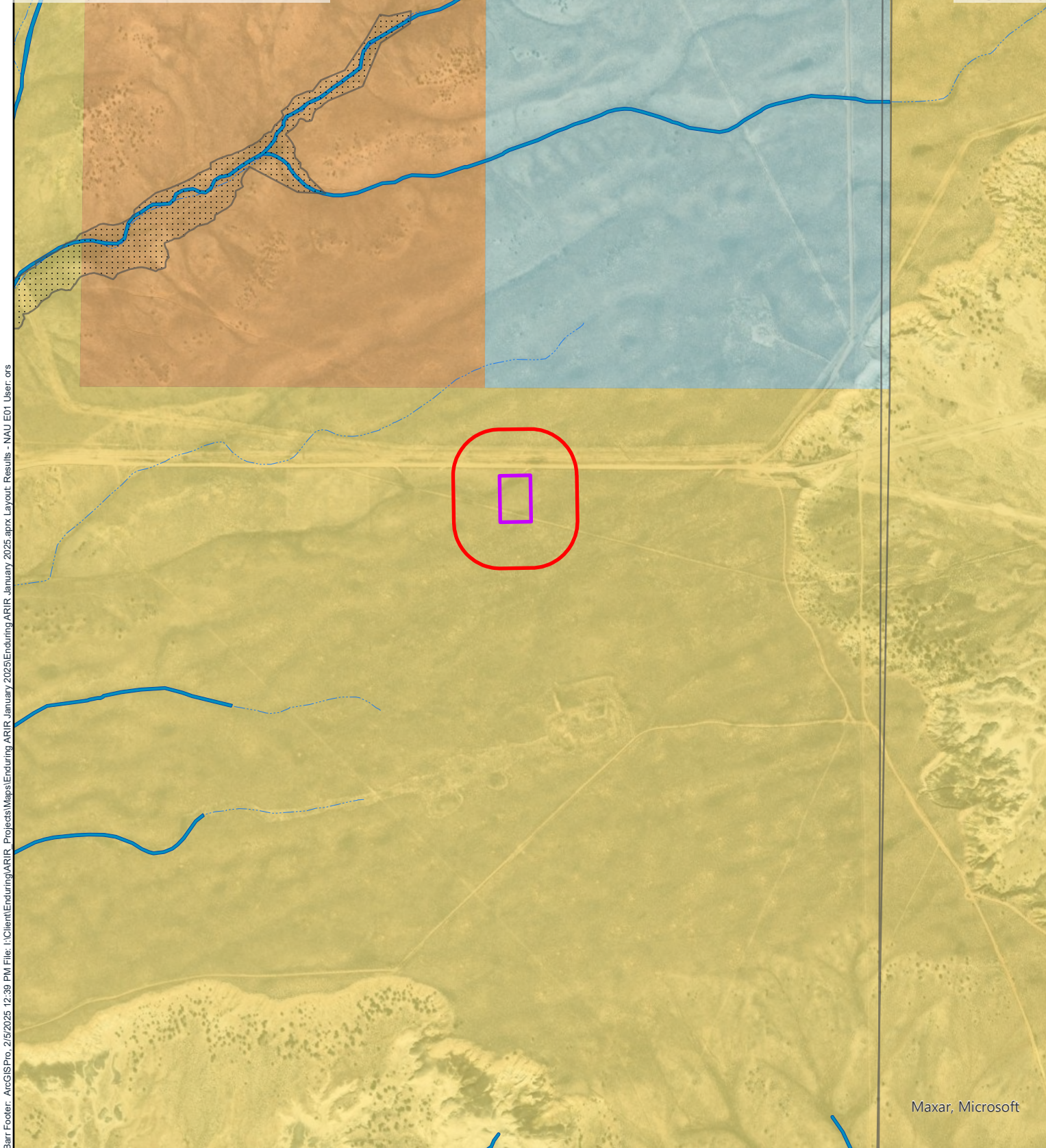
USGS. 2021. Watershed Boundary Dataset. Available at: <https://www.usgs.gov/national-hydrography/watershed-boundary-dataset>. Accessed January 2025.



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Attachment A

Maps



Bar Footer: ArcGISPro, 2/5/2025 12:39 PM File: I:\Client\Enduring\ARIR Projects\Maps\Enduring ARIR January 2025.aprx Layout: Results - NAU E01 User: ors

- North Alamito Unit E01 Staging Area
- 300-ft Buffer
- National Wetland Inventory
 - Riverine
- Flood Zone
 - Special Flood Hazard Area
 - Area of Minimal Flood Hazard (Zone X)

- National Hydrography Dataset - Flowline
 - River/Stream: Intermittent
- Surface Management Agency
 - Bureau of Land Management (BLM)
 - Bureau of Indian Affairs (BIA)
 - State

0 0.25 Miles

**Enduring Resources
IV, LLC**
**North Alamito Unit
E01 Staging Area**
**Aquatic Resources
Delineation Findings**

BARR.



Technical Memorandum

To: Casey Haga, Enduring Resources IV, LLC
From: Joey Herring
Subject: Aquatic Resources Delineation
Date: February 4, 2025
Project: North Alamito Unit Central Liquids Facility

Enduring Resources IV, LLC (Enduring) retained Barr Engineering Co. (Barr) to conduct an aquatic resources delineation survey for the North Alamito Unit (NAU) Central Liquids Facility (CLF) pad located in Lot 1 and Lot 2 of Section 1, Township 22 North, Range 8 West, New Mexico Principal Meridian, San Juan County (Map 1). The pad would be approximately irregularly shaped with a 20- to 30-foot-wide construction zone around the perimeter for a total disturbance of 7.8 acres. The NAU CLF pad is located on Bureau of Land Management (BLM) Farmington Field Office (FFO) managed land. The survey area includes the NAU CLF pad and a 300-foot-wide buffer.

The purpose of the aquatic resources delineation survey was to identify the potential presence and extent of features that may be considered jurisdictional Waters of the United States (WOTUS) under Section 404 of the Clean Water Act (CWA), as amended (33 United States Code §1251 et seq.). The United States Army Corps of Engineers (USACE) administers the CWA Section 404. Enduring is applying for a permit to transport, store, and recycle produced water for reuse in drilling and completing oil/natural gas wells per Title 19, Chapter 15, Part 34 (19.15.34) of the New Mexico Administrative Code (NMAC).

This technical memorandum reports the survey findings and aquatic resources that may be considered jurisdictional WOTUS, including wetlands and aquatic resources exhibiting an ordinary high-water mark (OHWM) following the USACE methods and guidance.

1 Regulatory Framework

1.1 Federal

In September 2023, USACE issued a final rule revising the definition of WOTUS to include traditional navigable waters, wetlands adjacent to traditional navigable waters, and relatively permanent waters defined as tributaries and wetlands adjacent to navigable waters that have a continuous surface connection and standing or continuously flowing bodies of water (EPA 2025). The USACE defines wetlands as special aquatic sites "that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (USACE 1987).

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To: Casey Haga, Enduring Resources IV, LLC
From: Joey Herring
Subject: Aquatic Resources Delineation
Date: February 5, 2025
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generation of electricity or other industrial processes. 19.15.34 NMAC also applies to transporting drilling fluids and liquid oil field waste.

Depending on the proposed activity, a permit or registration (Form C-147) for recycling and reuse of produced water, drilling fluids, and liquid oil field waste, including recycling containment, is required by the New Mexico Energy, Minerals and Natural Resources Department Oil Conservation Division (OCD). Form C-147 siting criteria require that recycling containment not be located:

- where groundwater is less than 50 feet below the bottom of the containment;
- 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 OHWM);
- within 500 feet of a spring or freshwater well used for domestic or stock watering purposes in existence at the time of the initial registration;
- within incorporated municipal boundaries or within a defined municipal freshwater well field covered by a municipal ordinance adopted under Section 3-27-3 New Mexico Statutes 1978, as amended, unless the municipality specifically approves the recycling containment in writing;
- within 500 feet of a wetland; or
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2 Methods

Before initiating fieldwork, Barr completed a desktop evaluation of the survey area using the best available information, including the following:

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- Natural Resources Conservation Service (NRCS) Web Soil Survey information for the project area.
- Floodplain data from the Federal Emergency Management Agency (FEMA) Mapping Information Platform.

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Date: February 5, 2025
Page: 3

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2.1 Wetlands

The survey area was evaluated for the presence of wetlands using guidance provided in the *1987 Corps of Engineers Wetlands Delineation Manual* (USACE 1987) and the *Regional Supplement to the USACE Wetland Delineation Manual: Arid West Region* (USACE 2008). Under the delineation procedures identified in these manuals, an area must exhibit characteristic wetland hydrology, hydric soils, and hydrophytic vegetation to be considered a wetland. In addition, the USACE requires that under normal circumstances, all three conditions be met for an area to be defined as a wetland (USACE 1987).

2.2 Non-Wetland Waters

Barr biologists evaluated the presence/absence and characteristics of the (OHWM) along all non-wetland water features (e.g., streams, creeks, and ponds) mapped during the pre-field desktop evaluation. Guidance from *A Field Guide to the Identification of the Ordinary High-Water Mark in the Arid West Region of the Western United States* (USACE 2008) was used to identify drainage channel lateral limits. General characteristics for determining the OHWM in the project area were identified using guidance provided in USACE RGL 05-05 (USACE 2005).

For stream features exhibiting an OHWM, Barr conducted a streamflow duration assessment in the field using the *User Manual for a Beta Streamflow Duration Assessment Method for the Arid West of the United States* (Mazor et al. 2023). The Streamflow Duration Assessment Method (SDAM) is a rapid, field-based method to determine flow duration class at the reach scale without long-term hydrologic data. The use of the SDAM may inform a range of activities where information on streamflow duration is beneficial, including certain jurisdictional determinations under the CWA; however, the SDAM is not a jurisdictional determination (Mazor et al. 2023). The method is specific to the Arid West Region and relies on five indicators to determine stream flow classification: perennial, intermittent, ephemeral, at least intermittent, and need more information. Biologists recorded the status of these five indicators on a field form for every surface water feature in the survey area with an OHWM.

Handheld global positioning system (GPS) units with submeter accuracy were used to digitally record sampling points and any wetland or other features in the survey area. Geographic information system (GIS) software was used to analyze recorded features, calculate areas, and generate the survey area maps.

3 Results

3.1 Desktop Review

The NAU CLF pad is located in the Escavada Wash watershed (Hydrologic Unit Code 1408010603) (USGS 2021) and can be found on the Lybrook NW, New Mexico U.S. Geological Survey 7.5-minute quadrangle. One soil mapping unit is in the survey area—Doak-Sheppard-Shiprock association, rolling. This soil unit is not listed as hydric soil (NRCS 2025).

The survey area falls within a FEMA Flood Zone X, an area of minimal flood hazard. No FEMA-designated 100-year flood zones are in the survey area (FEMA 2025). The desktop review did not identify any NHD flowlines, NWI wetlands, or other surface water features within 500 feet of the project (USGS 2016; USFWS 2025).

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Subject: Aquatic Resources Delineation
Date: February 5, 2025
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3.2 Field Survey

The aquatic resources delineation survey was conducted on February 3, 2025, by Barr biologists John Dodge and Olivia Sheldon. The field survey verified the absence of any wetlands or other surface water features in the survey area. No drainages or other flowlines were recorded within the survey area.

4 Conclusions

Based on the regulatory framework (Section 1), evaluation of the survey area, and the USACE Albuquerque District's current policies regarding jurisdictional determinations, it is Barr's professional opinion that under the current CWA rule, there are no features present in the survey area that would be considered jurisdictional WOTUS.

Pursuant to 19.15.34 NMAC, no drainages with an OHWM were observed within 300 feet of the NAU CLF pad. No FEMA 100-year flood zones are in the survey area. These conclusions are based on Barr's professional opinion. The USACE has the final regulatory authority to determine the presence and extent of jurisdictional WOTUS. The NMOCDC has the final and regulatory authority for determining the presence of continuously flowing watercourses, significant watercourses, or wetlands and their boundaries for the permitting and registration applicable to 19.15.34 NMAC.

5 References

Environmental Protection Agency. 2025. Current Implementation of Waters of the United States.

Available at: <https://www.epa.gov/wotus/current-implementation-waters-united-states>. Accessed January 2025.

ESRI. 2025. World Imagery. Available online at: https://services.arcgisonline.com/ArcGIS/rest/services/World_Imagery/MapServer.

Federal Emergency Management Agency (FEMA). 2025. Flood map service center. U.S. Department of Homeland Security. Washington, D. C. Available online at: <https://msc.fema.gov/portal/>. Accessed February 2025.

Mazor, R. D., B. Topping, T. L. Nadeau, K. M. Fritz, J. Kelso, R. Harrington, W. Beck, K. McCune, H. Lowman, A. Allen, R. Leidy, J. T. Robb, and G. C. L. David. 2023. User Manual for a Beta Streamflow Duration Assessment Method for the Arid West of the United States. Version 1.1. Document No. EPA 800-5-21001.

Natural Resource Conservation Service (NRCS). 2025. Web Soil Survey. [Online digital data.] Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Available at: <http://websoilsurvey.sc.egov.usda.gov/>.

U.S. Army Corps of Engineers (USACE). 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1, Environmental Laboratory, US Army Corps of Engineer Waterways Experiment Station. Vicksburg, Mississippi.

USACE. 2005. Regulatory Guidance Letter No. 05-05, Ordinary High Water Mark Identification. December 7, 2005.

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USACE. 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0), edited by J.S. Wakeley, R.W. Lichvar, and C.V. Noble. ERDC/EL TR-08-28. Vicksburg, Mississippi: U.S. Army Engineer Research and Development Center.

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U.S. Fish and Wildlife Service (USFWS). 2025. National Wetlands Inventory. U.S. Fish and Wildlife Service Ecological Services. Available at: <https://www.fws.gov/program/national-wetlands-inventory>. Accessed January 2025.

U.S. Geological Survey (USGS). 2016. National Hydrography Dataset. Available at: <http://nhd.usgs.gov/index.html>. Accessed January 2025.

USGS. 2021. Watershed Boundary Dataset. Available at: <https://www.usgs.gov/national-hydrography/watershed-boundary-dataset>. Accessed January 2025.

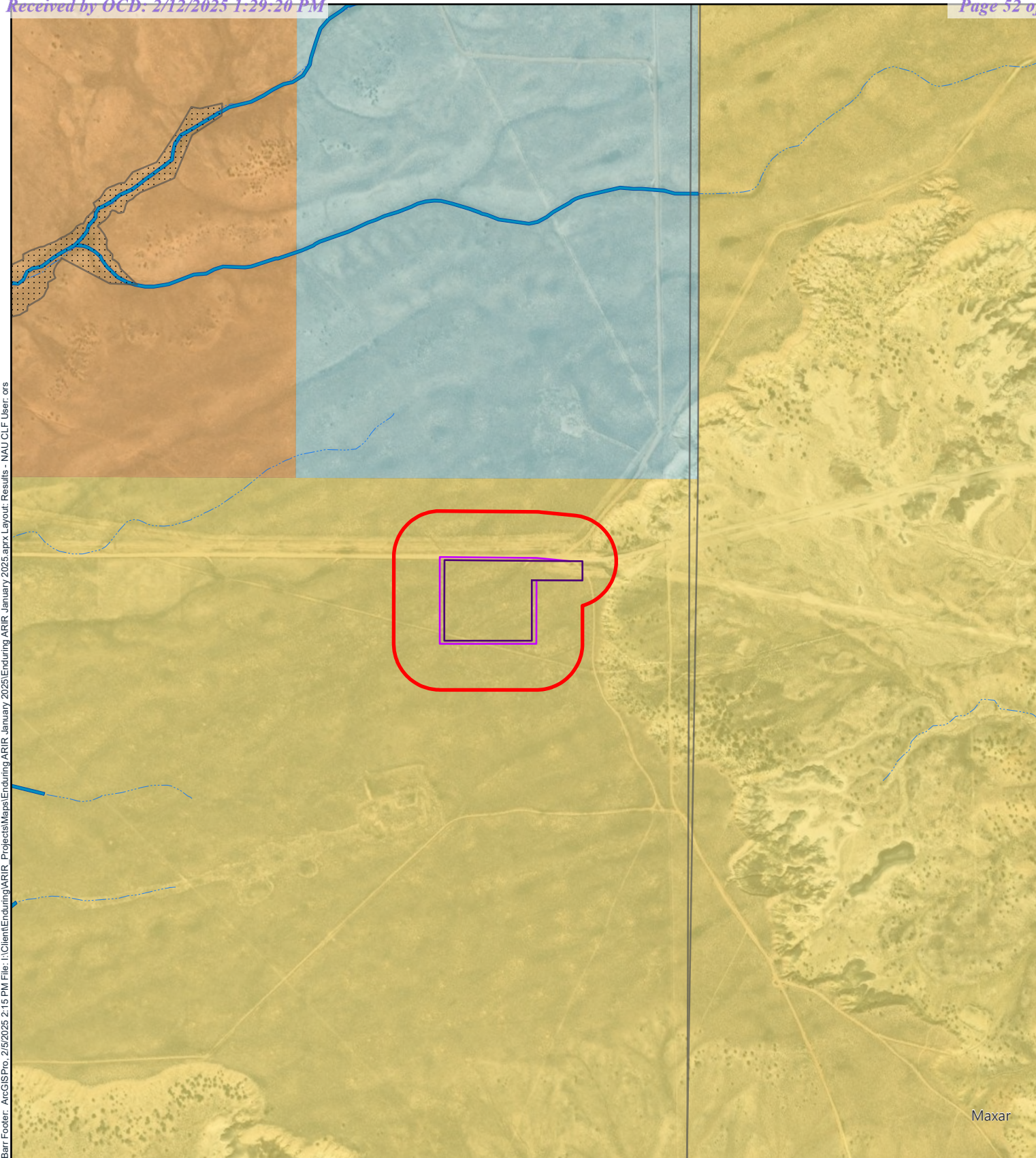


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Attachment A

Maps

Barr Footer: ArcGISPro: 2/5/2025 2:15 PM File: I:\Client\Enduring\ARIR Projects\Maps\Enduring ARIR January 2025.aprx Layout: Results - NAU CLF User: cns



- North Alamito Unit Central Liquids Facility Pad
- North Alamito Unit Central Liquids Facility Edge of Disturbance / Road
- 300-ft Buffer
- National Wetland Inventory**
- Riverine
- Flood Zone**
- Special Flood Hazard Area
- Area of Minimal Flood Hazard (Zone X)

- National Hydrography Dataset - Flowline**
- River/Stream: Intermittent
- Surface Management Agency**
- Bureau of Land Management (BLM)
- Bureau of Indian Affairs (BIA)
- State

0 0.25 Miles

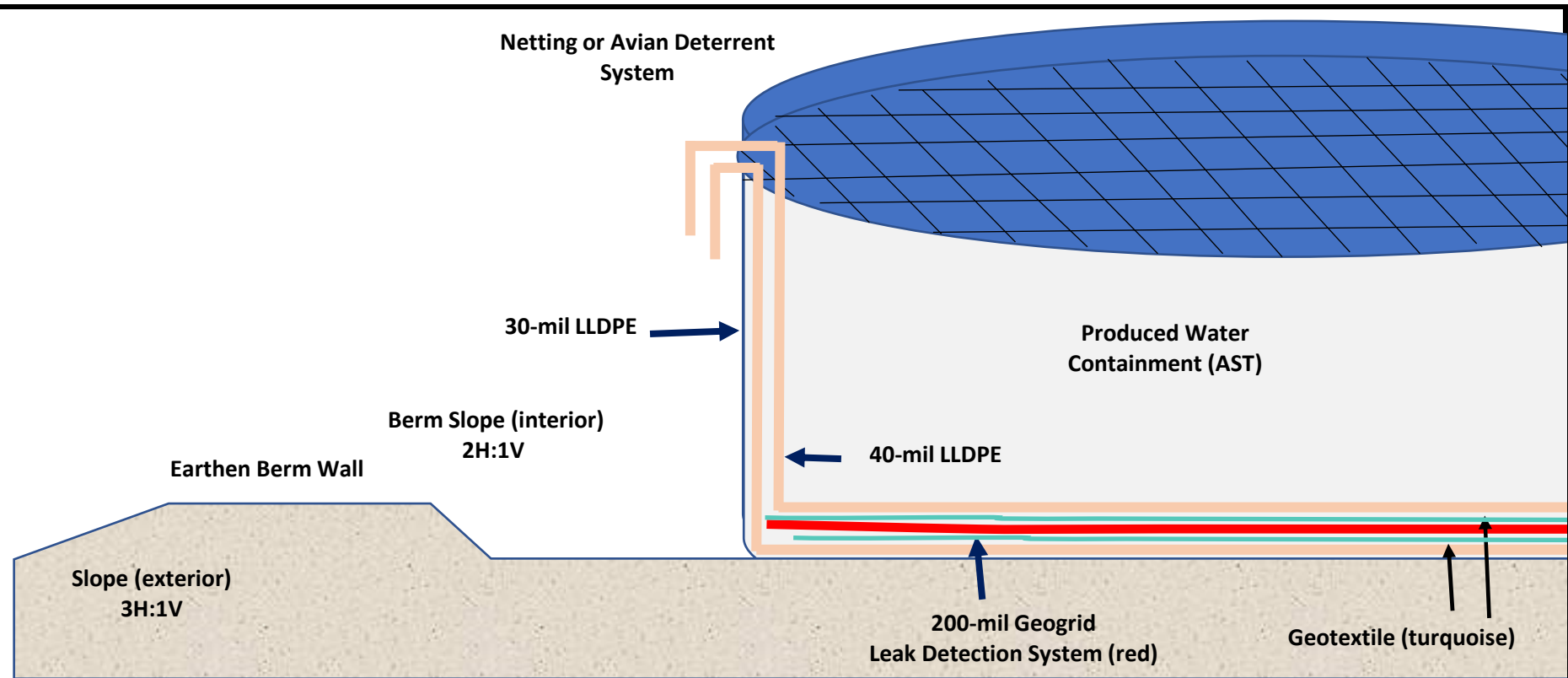


**Enduring Resources
IV, LLC**
**North Alamito Unit
Central Liquids Facility**
**Aquatic Resources
Delineation Findings**



EXHIBIT G. MANUFACTURE SPECIFICATION

G



Description of Leak Detection System

- 40-mil LLDPE comprise primary liner and 30-mil LLDPE comprise the secondary liner
- 200-mil geogrid drainage layer lies between the primary and secondary liner per Plate 2
- Geotextile between the geogrid and each liner
- > 3-inch deep sump excavated on down slope side of AST per Sump Design Drawing
- A small hose runs from the collection sump to top of AST via tube (see Section D)
- Every week, a portable self-priming peristaltic pump connects to the leak detection system.
- The self-priming pump discharge hose runs back into the AST, on top of the primary liner
- If fluid is detected, it is tested for conductance to determine the origin of the water (i.e. produced water or condensation)

**R.T. Hicks Consultants
Albuquerque, NM**

Design Sketch

Plate 1

Well Water Solutions

May-21

Use laser level to determine slope of pad and low point of AST

200 mil geogrid placed

above 8-oz geotextile and 30-mil secondary liner

inside of AST after set up, before install of primary liner

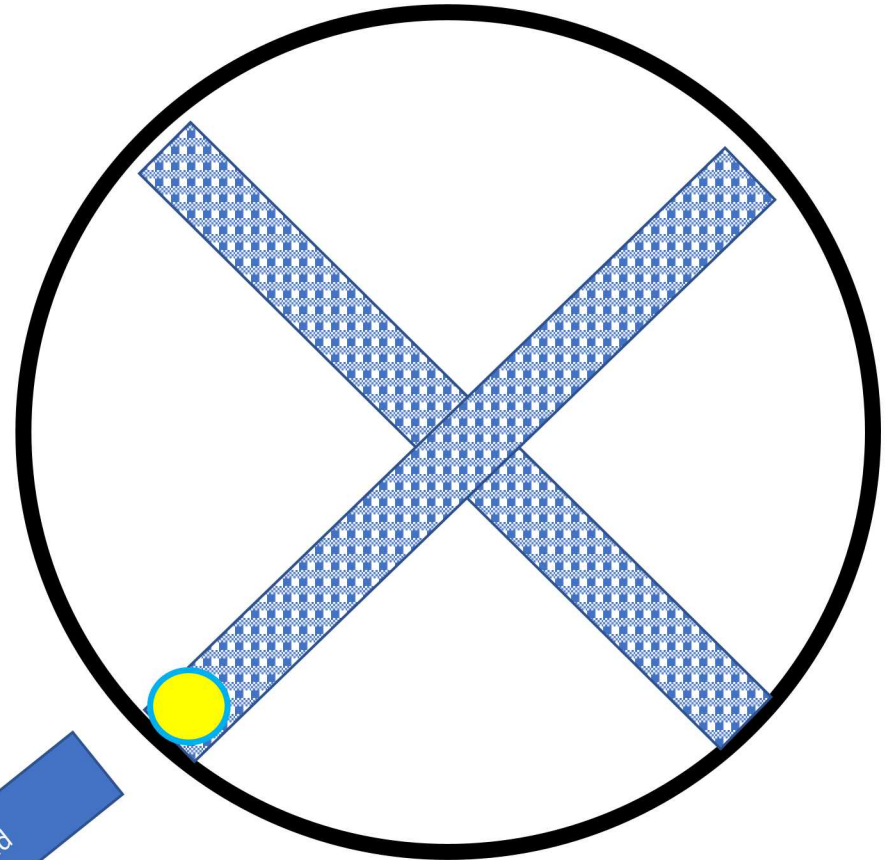
below 40-mil primary liner

8-oz geotextile is placed

over the 30-mil LLDPE liner inside the steel AST ring

under the 40-mil primary liner inside the AST

Sump at lowest point of the AST set up



**R.T. Hicks Consultants
Albuquerque, NM**

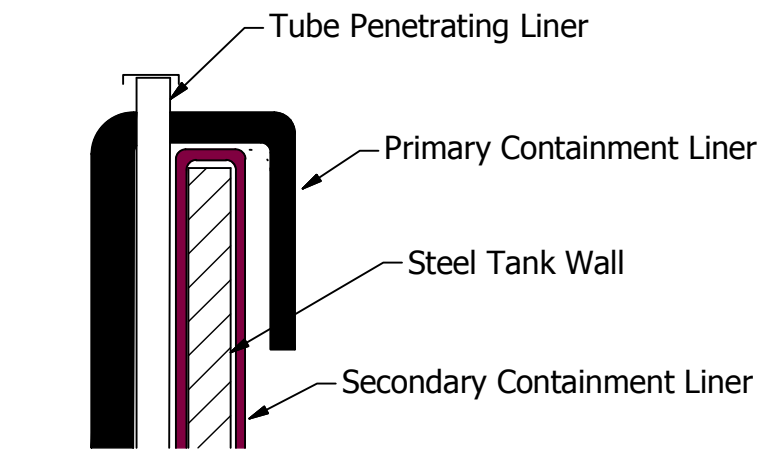
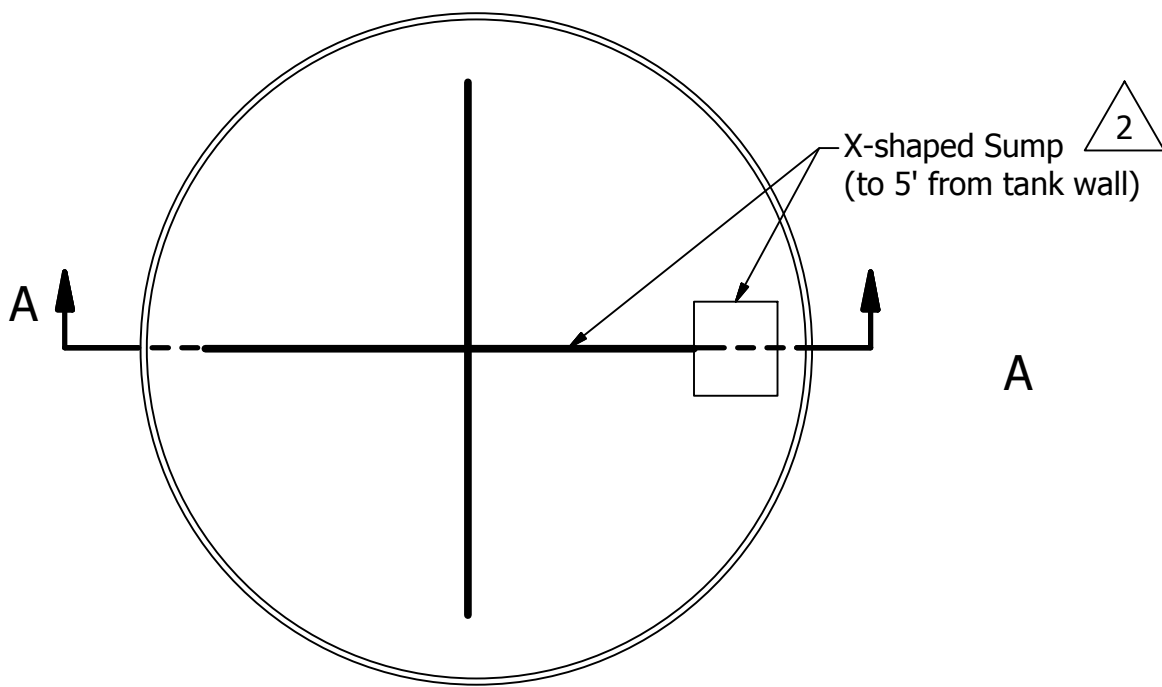
Layout of Geogrid Drainage Mat

Plate 1

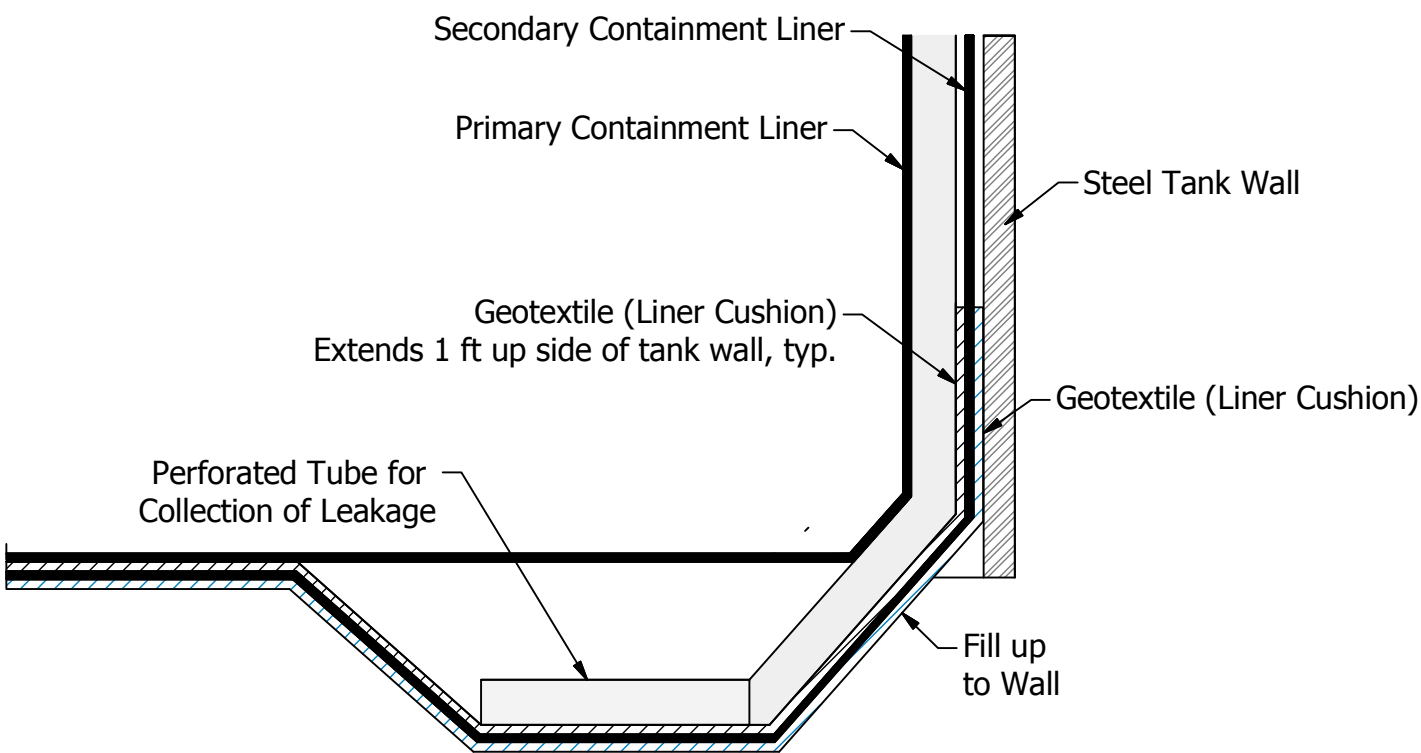
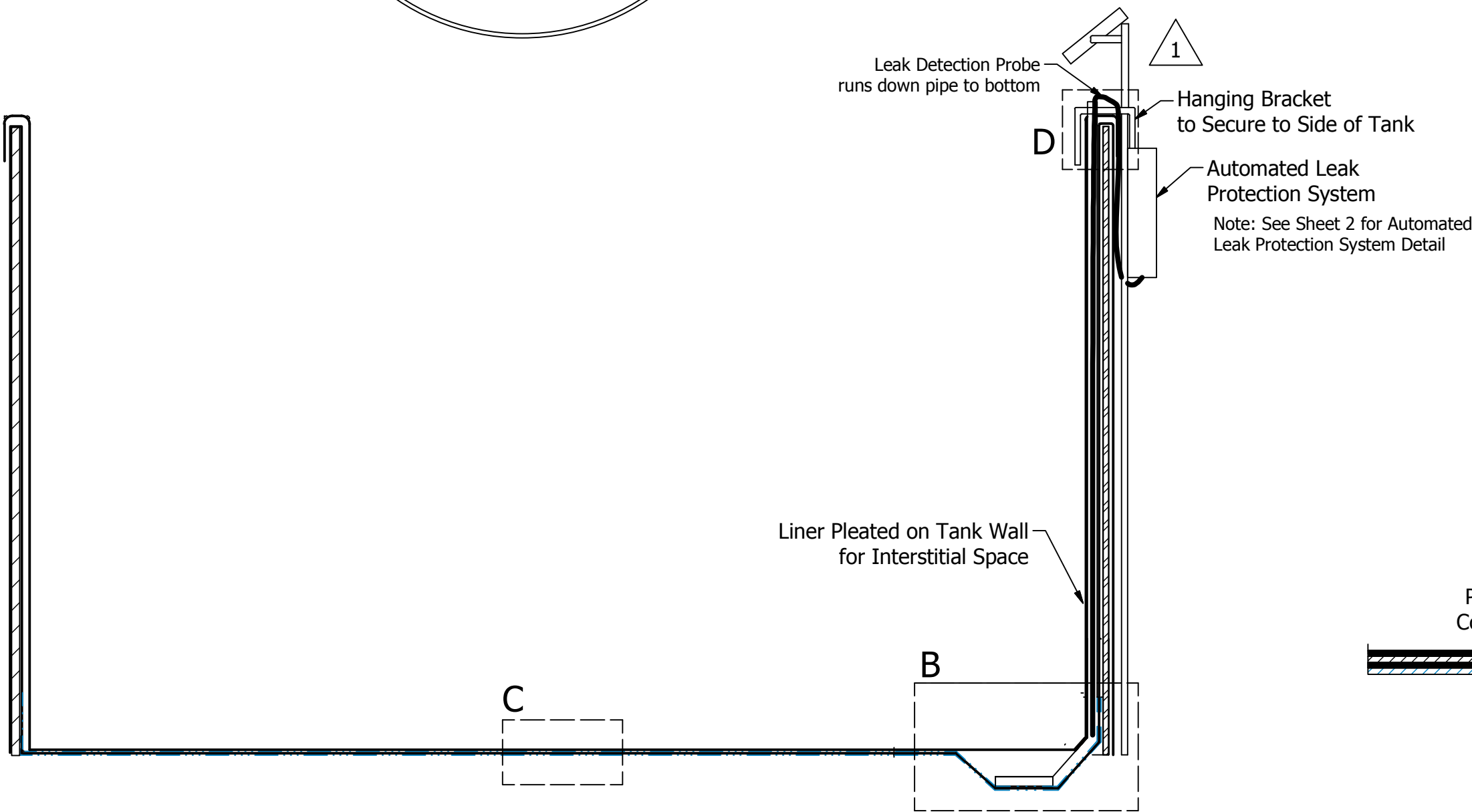
WWS - New Mexico Produced Water Set Up

June 2021

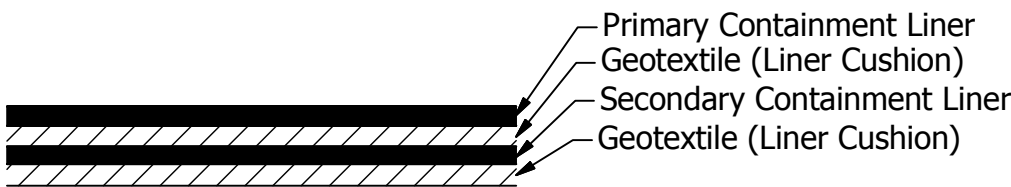
WWS DOUBLE-LINED FRAC WATER TANK SYSTEM



SECTION D
TUBE DETAIL
(Automated Leak Detection
System Removed for Clarity)



SECTION B
SUMP DETAIL



VIEW A-A
TANK DETAIL

SECTION C
LINER DETAIL



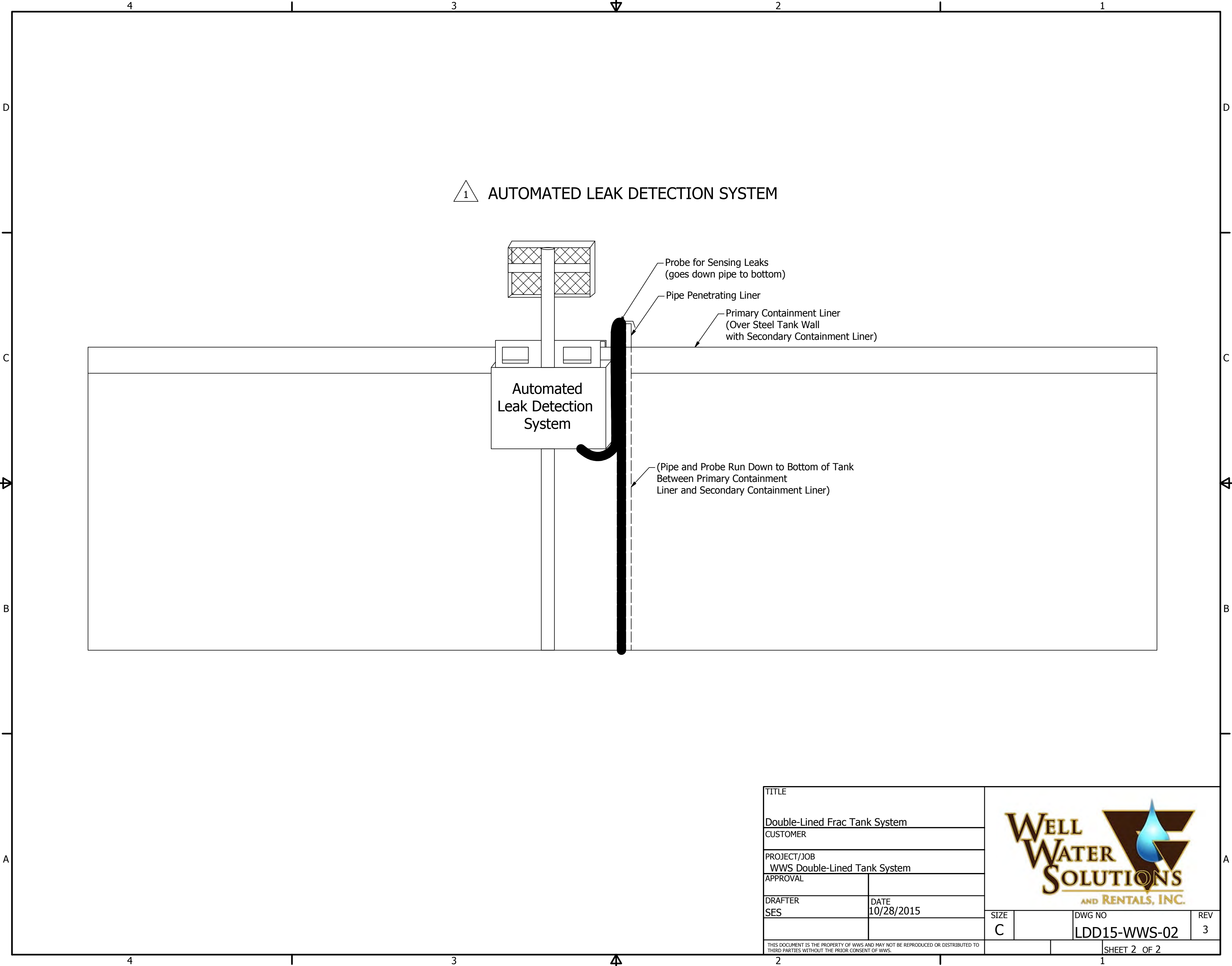
LUCID
DRAFTING & DESIGN LLC
sarah@luciddrafting.com 307.752.7388

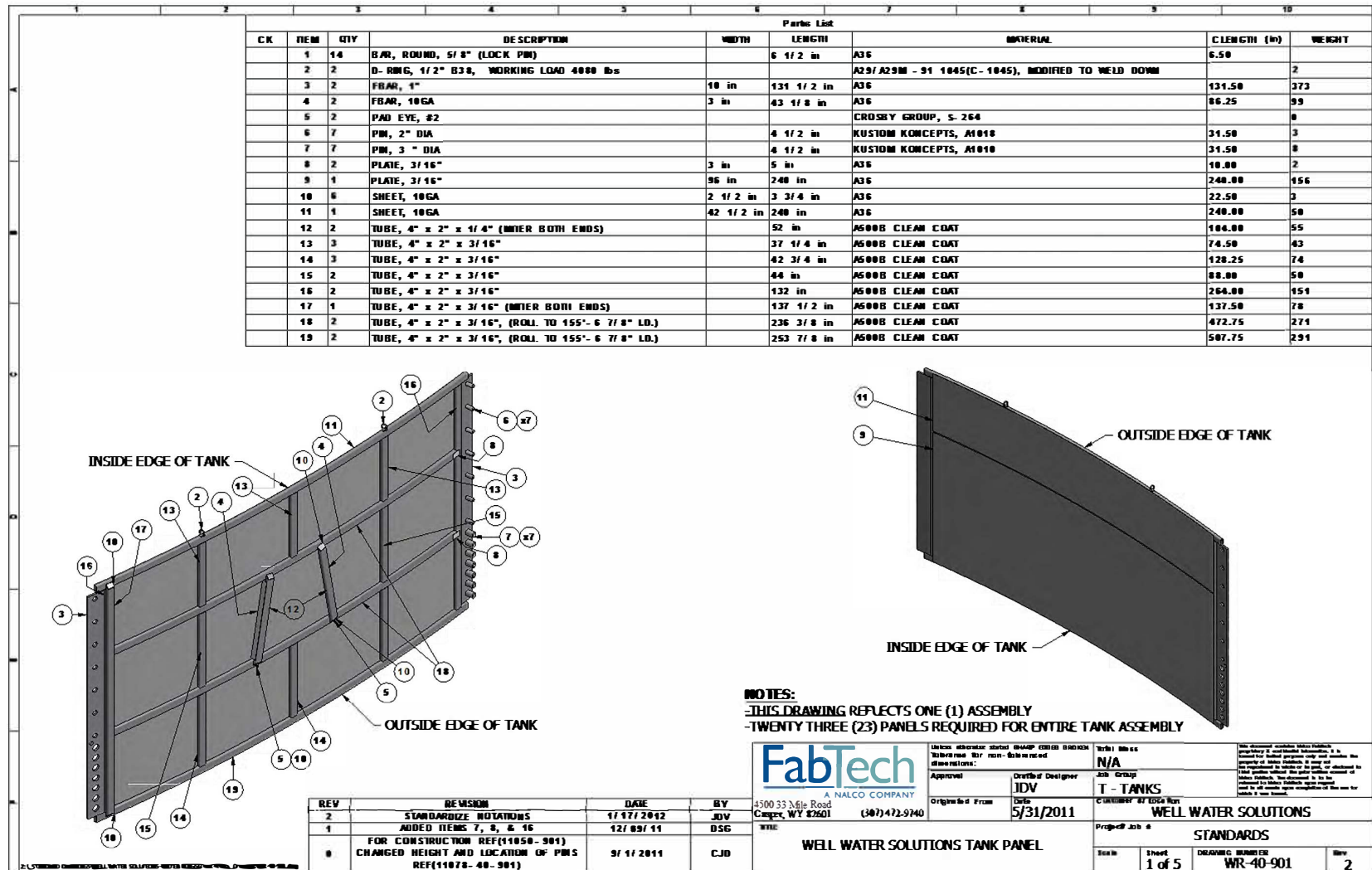
REVISION HISTORY				
REV	DESCRIPTION	DATE	BY	
0	INITIAL DWG	10/29/2015	SES	
1	ADDED LEAK DETECTION SYSTEM	11/6/2015	SES	
2	REVISED SUMP	11/6/2015	SES	
3	ADDED GEOTEXTILE UNDER AND BETWEEN LINERS	11/24/15	SES	

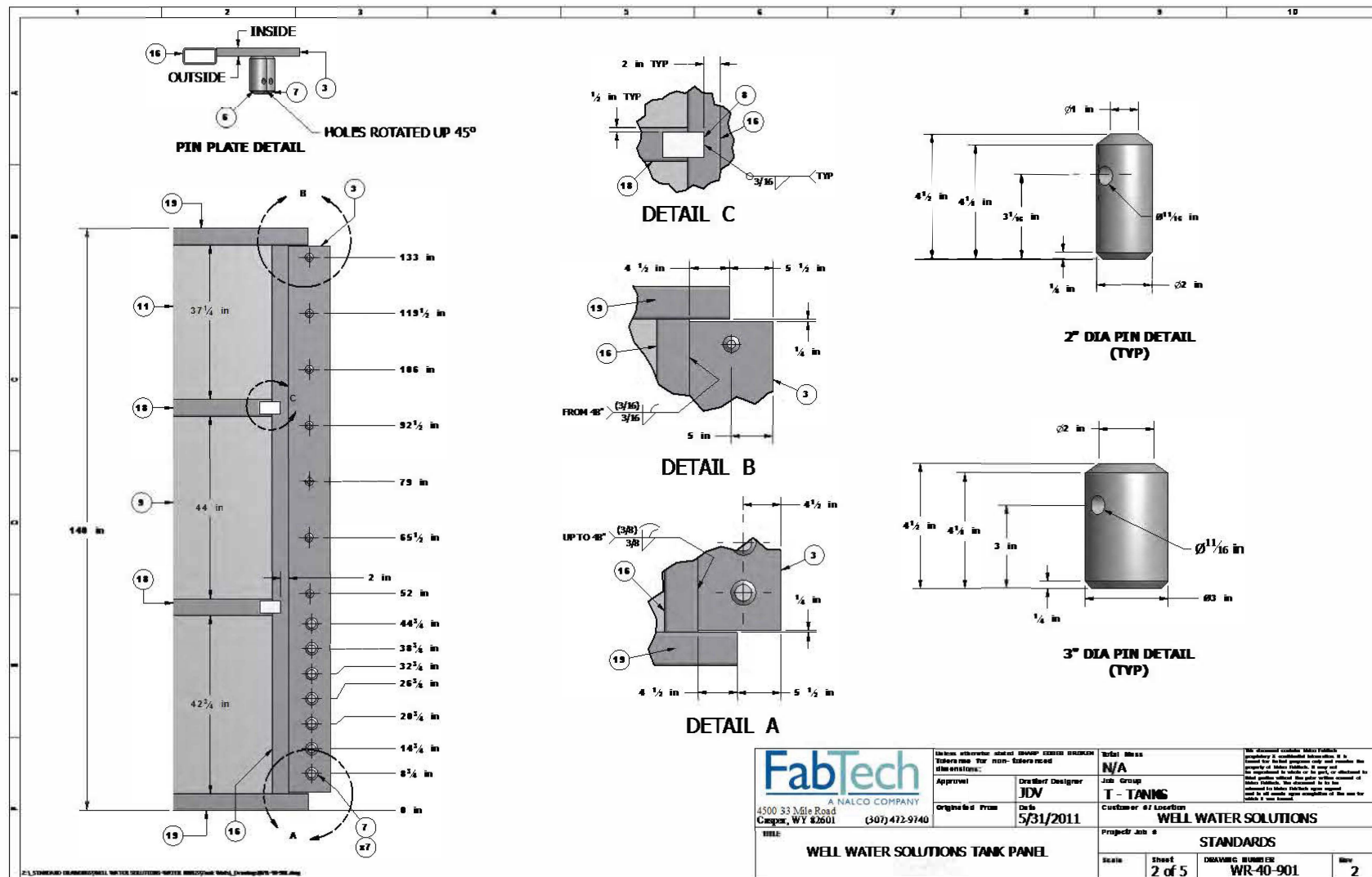
TITLE	
Double-Lined Frac Tank System	
CUSTOMER	
PROJECT/JOB	
WWS Double-Lined Tank System	
APPROVAL	
DRAFTER	DATE
SES	10/28/2015
THIS DOCUMENT IS THE PROPERTY OF WWS AND MAY NOT BE REPRODUCED OR DISTRIBUTED TO THIRD PARTIES WITHOUT THE PRIOR CONSENT OF WWS.	



SIZE	DWG NO	REV
C	LDD15-WWS-02	3
SHEET 1 OF 2		















TANK SIZE CHART

TANK SIZE BBLs	PANEL COUNT	INSIDE DIAMETER (FEET)	VOLUME BBLs	BBLs/INCH	SECONDARY CONTAINMENT (ADD 2 PANELS)	SECONDARY CONTAINMENT DIAMETER	TOTAL FEET OF CONTAINMENT
6,000	9	60' 2"	6,090	43.5	11	75'	234'
10,000	12	81' 2"	10,753	76.8	14	95'	298'
13,000	13	87' 10-5/8"	12,609	90.1	15	101'	318'
17,000	15	101.4285	16,800	120	17	115'	361'
20,000	16	108' 2"	19,115	136.53	18	122'	384'
22,000	17	114' 11-7/16"	21,564	154.03	19	135'	426'
27,000	19	128' 6-1/4"	26,954	192.53	21	142'	446"
30,000	20	135' 3-3/8"	29,867	213.35	22	149'	468'
33,000	21	142' 0-9/16"	32,928	235.2	23	156'	489'
36,000	22	148' 9-11/16"	36,139	258.14	24	163'	510'
40,000	23	155' 6-7/8"	39,499	282.14	25	170'	532'
43,000	24	162' 4-1/16"	43,008	307.2	26	176'	553'
47,000	25	169' 1-3/16"	46,667	333.34	27	183'	574'
50,000	26	175' 10-5/16"	50,475	360.54	28	190'	595'
55,000	27	182' 7-9/16"	54,433	388.8	29	196'	617'
60,000	28	189' 4-11/16"	58,539	418.14	30	203'	638'
62,500	29	196' 1/16"	62,500	446.43	31	210'	658'
67,000	30	202' 10 6/16"	66,885	477.75	32	216'	678'
72,000	31	209' 7-7/16"	71,705	512.18	33	223'	701'
77,000	32	216' 4-9/16"	76,405	545.75	34	230'	722'
81,000	33	223' 1-11/16"	81,254	580.39	35	237'	744'

EXHIBIT H. VARIANCE REQUESTS

H

*ENDURING RESOURCES IV LLC*

6300 S Syracuse Way Centennial, CO 80111
Field Office: 505.636.9720 | Main Office: 303.573.1222

Enduring Resources IV, LLC North Alamito Unit 2208-E01 Staging Area/AST Pad
Recycling Containment and Recycling Facility Variance Request to 19.15.34 NMAC

New Mexico Oil Conservation Division
Attn: Victoria Venegas

Enduring Resources is requesting variances to the below listed items as outlined in 19.15.34 NMAC. This Recycling Containment/Facility will consist of a self-contained free-standing structure instead of a lined earthen pit. The variances requested below will provide equal or better protection of fresh water, public health, and the environment.

Variance Requests:

Inside/Outside Levee Slopes: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(2) which applies to a lined earthen pit. The containment will be an above ground tank (AST) not an in-ground pond; therefore, will not have inside/outside levee slopes. The AST is a self-contained free-standing structures that will provide equal or better protection than the requirements listed in 19.15.34.12 (A)(2) NMAC.

Liner Anchoring: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(3) which applies to a lined earthen pit. This statute is not applicable to the circular steel AST with liners clamped to the top of the steel containment panels. We believe this will provide equal or better protection than the requirements listed in 19.15.34.12 (A)(3) NMAC.

Primary Liner: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(4) which applies to the thickness of the primary liner. Enduring Resources proposes the use of a 40-mil LLDPE primary liner and 30-mil LLPDE secondary liner. The proposed variance will provide equal or better protection of fresh water, public health and the environment, as the proposed liner meets all other the requirements of NMAC 19.15.34.12 (A)(4) and meets or exceeds the EPA SW-846 method 9090A or subsequent relevant publication.

Fencing: Enduring Resources requests a variance to NMAC 19.15.34.12 (D)(1) and (2) which applies to fencing or enclosing the containment. With the recycling containment being an AST with 12-foot walls, entrance would have to be intentional. There is no risk of accidental entrance into containment by wildlife or the public. The site will be maintained to prevent harm to wildlife and the public. The freestanding above grade AST will provide equal or better protection to public health and the environment, as the fencing requirements of NMAC 19.15.34.12 (D)(1) and (2).

Thank you,

Casey Haga
Regulatory Specialist
Enduring Resources, LLC.
970.769.8814 – Cell

*ENDURING RESOURCES IV LLC*

6300 S Syracuse Way Centennial, CO 80111
Field Office: 505.636.9720 | Main Office: 303.573.1222

Enduring Resources IV, LLC North Alamito Unit CLF Recycling Containment
and Recycling Facility Variance Request to 19.15.34 NMAC

New Mexico Oil Conservation Division
Attn: Victoria Venegas

Enduring Resources is requesting variances to the below listed items as outlined in 19.15.34 NMAC. This Recycling Containment/Facility will consist of self-contained free-standing structures instead of a lined earthen pit. The variances requested below will provide equal or better protection of fresh water, public health, and the environment.

Variance Requests:

Inside/Outside Levee Slopes: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(2) which applies to a lined earthen pit. The containments are above ground tanks (AST) not an in-ground pond; therefore, will not have inside/outside levee slopes. The ASTs are self-contained free-standing structures that will provide equal or better protection than the requirements listed in 19.15.34.12 (A)(2) NMAC.

Liner Anchoring: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(3) which applies to a lined earthen pit. This statute is not applicable to the circular steel ASTs with liners clamped to the top of the steel containment panels. We believe this will provide equal or better protection than the requirements listed in 19.15.34.12 (A)(3) NMAC.

Primary Liner: Enduring Resources requests a variance to NMAC 19.15.34.12 (A)(4) which applies to the thickness of the primary liner. Enduring Resources proposes the use of a 40-mil LLDPE primary liner and 30-mil LLPDE secondary liner. The proposed variance will provide equal or better protection of fresh water, public health and the environment, as the proposed liner meets all other the requirements of NMAC 19.15.34.12 (A)(4) and meets or exceeds the EPA SW-846 method 9090A or subsequent relevant publication.

Thank you,

Casey Haga
Regulatory Specialist
Enduring Resources, LLC.
970.769.8814 – Cell

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Friday, February 14, 2025 9:39 AM
To: Heather Huntington
Subject: 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473]
Attachments: C-147 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473].pdf

3RF-86 - North Alamito Unit Central Liquids Facility and North Alamito Unit E01 Staging Area [fVV2504449473].

Good morning Ms. Huntington.

NMOCD has reviewed the recycling containment permit application and related documents, submitted by [371838] DJR OPERATING, LLC on 02/12/2025, Application ID 431327, for 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] in A-01-22N-08W, San Juan County, New Mexico. [371838] DJR OPERATING, LLC requested variances from 19.15.34 NMAC for 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473].

The following variances have been approved:

- The variance to 19.15.34.12.A.(2) NMAC for the no side-slope requirement for the AST containment with vertical walls is approved.
- The variance to 19.15.34.12.A.(3) NMAC for the liners to be anchored to the top of the AST steel walls and no anchor trenches is approved.
- The variance to 19.15.34.12.A.(4) NMAC for the installation on the AST containment of a 40-mil non-reinforced LLDPE primary liner is approved. [371838] DJR OPERATING, LLC proposes the use of a 40-mil LLDP E primary liner and 30-mil LLPDE secondary liner provided by Water Well Solutions and Rentals, Inc.
- [371838] DJR OPERATING, LLC requests a variance to NMAC 19.15.34.12 (D)(l) and (2) which applies to fencing or enclosing the containment. The freestanding 12-foot wall height above grade ASTs will provide equal or better protection to public health and the environment, as the fencing requirements of NMAC 19.15.34.12 (D)(l) and (2). This variance is approved.

The form C-147 and related documents for 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] are approved with the following conditions of approval:

- The purpose of this permit is for oil and gas activities regulated under the NMAC 19.15.34.3 STATUTORY AUTHORITY: 19.15.34 NMAC is adopted pursuant to the Oil and Gas Act, Paragraph (15) of Section 70-2-12(B) NMSA 1978, which authorizes the division to regulate the disposition of water produced or used in connection with the drilling for or producing of oil and gas or both and Paragraph (21) of Section 70-2-12(B) NMSA 1978 which authorizes the regulation of the disposition of nondomestic wastes from the exploration, development, production or storage of crude oil or natural gas.
- 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] is approved for five years of operation from the date of permit application of 02/12/2025. 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] permit expires on 02/12/2030. If [371838] DJR OPERATING, LLC wishes to extend operations past five years, an annual permit extension request must be submitted using an OCD form C-147 through OCD Permitting by 01/12/2030.

- 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] consists of two (2) 60,000 barrels above ground storage tank (AST). The recycling facility will consist of up to thirty 400 bbl vertical frac tanks with a consolidated volume of 12,000 bbl. [371838] DJR OPERATING, LLC must submit a "recycling facility" modification in the event the number of frac tanks exceeds the approved number of thirty (30) 400 bbl vertical frac tanks.
- Water reuse and recycling from 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] is limited to wells owned or operated by [371838] DJR OPERATING, LLC per 19.15.34.15(A)(2) NMAC.
- [371838] DJR OPERATING, LLC shall construct, operate, maintain, close, and reclaim 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] in compliance with NMAC 19.15.34 NMAC.
- [371838] DJR OPERATING, LLC shall notify OCD, through OCD Permitting when construction of 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] commences.
- [371838] DJR OPERATING, LLC shall notify NMOCD through OCD Permitting when recycling operations commence and cease at 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473].
- A minimum 3-feet freeboard must be maintained at 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] at all times during operations.
- If less than 20% of the total fluid capacity is utilized every six months, beginning from the first withdrawal, operations of the 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] are considered ceased and a notification of cessation of operations should be sent electronically to OCD Permitting. A request to extend the operations, not to exceed six months, may be submitted using a C-147 form through OCD Permitting. If after that 6-month extension period, the 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] is not utilized at a minimum of 20% fluid capacity, no additional extensions would be granted, and the operator would be directed to remove all fluids and proceed with the closure requirements.
- [371838] DJR OPERATING, LLC shall submit monthly reports of recycling and reuse of produced water, drilling fluids, and liquid oil field waste on OCD form C-148 via OCD Permitting even if there is zero activity.
- [371838] DJR OPERATING, LLC shall inspect the recycling containment and associated leak detection systems weekly while it contains fluids. The operator shall maintain a current log of such inspections and make the log available for review by the division upon request according to 19.15.34.13.A.
- [371838] DJR OPERATING, LLC shall comply with 19.15.29 NMAC Releases in the event of any release of produced water or other oil field waste at 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473].
- Per 19.15.34.14.G The re-vegetation and reclamation obligations imposed by federal, state trust land or tribal agencies on land 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.

Please reference number 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] in all future communications.

Regards,

Victoria Venegas • Environmental Specialist Advanced
 EMNRD - Oil Conservation Division
 506 W. Texas Ave. Artesia, NM 88210
 575.909.0269 | Victoria.Venegas@emnrd.nm.gov

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

General Information
Phone: (505) 629-6116

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

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

CONDITIONS

Action 431327

CONDITIONS

Operator: DJR OPERATING, LLC 200 Energy Court Farmington, NM 87401	OGRID: 371838
	Action Number: 431327
	Action Type: [C-147] Water Recycle Long (C-147L)

CONDITIONS

Created By	Condition	Condition Date
vvenegas	<ul style="list-style-type: none">• 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] is approved for five years of operation from the date of permit application of 02/12/2025. 3RF-86 - NORTH ALAMITO UNIT CENTRAL LIQUIDS FACILITY AND NORTH ALAMITO UNIT E01 STAGING AREA [fVV2504449473] permit expires on 02/12/2030. If [371838] DJR OPERATING, LLC wishes to extend operations past five years, an annual permit extension request must be submitted using an OCD form C-147 through OCD Permitting by 01/12/2030.	2/14/2025