ENSOLUM

September 21, 2023

New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: Closure Request
North Brushy Draw Federal 35 #010H
Incident Number nAPP2230034708
Eddy County, New Mexico

To Whom it May Concern:

Ensolum, LLC (Ensolum), on behalf of WPX Energy Permian, LLC. (WPX), has prepared this *Closure Request* to document additional excavation, and soil sampling activities performed at the North Brushy Draw Federal 35 #010H (Site) (Figure 1). The purpose of the excavation and soil sampling activities was to address remaining impacts to soil resulting from a release of produced water at the Site. On January 12, 2023, A *Closure Request* (CR), authored by Wescom, was submitted to the New Mexico Oil Conservation Division (NMOCD) for the release associated with Incident Number nAPP2230034708; however, the request was denied by NMOCD due to the presence of waste-containing soil located in confirmation sample area (CONF14) exceeding the reclamation requirement set forth in Title 19, Chapter 15, Part 29, Section 13 (19.15.29.13) of the New Mexico Administration Code (NMAC). The original CR and other supporting documents can be viewed on the NMOCD web portal.

Ensolum has prepared this *Closure Request* address NMOCD's concerns regarding waste-containing soil and based on the excavation activities and analytical results from the soil sampling events, WPX is requesting closure for Incident Number nAPP2230034708.

SITE DESCRIPTION AND RELEASE SUMMARY

The Site is located in Unit O, Section 35, Township 25 South, Range 29 East, in Eddy County, New Mexico (32.079725° N, 103.9516162°W) and is associated with oil and gas exploration and production operations on Federal Land managed by the Bureau of Land Management (BLM).

On October 17, 2022, an above ground water transfer line developed a leak, which resulted in the release of approximately 8 barrels (bbls) of produced water onto the caliche pad and onto an area off-pad on the north side of the tank battery as well as the caliche road on the west side of the Site. WPX reported the release to the NMOCD on a Release Notification Form C-141 (Form C-141) on October 17, 2022, and the release was assigned Incident Number nAPP2230034708.

On October 24, 2022, WPX contracted Wescom, Inc. (Wescom) to assess the spill area and to conduct lateral and vertical delineation soil sampling to the strictest Closure Criteria per NMOCD Table I. On November 8, 2022, excavation of the on-pad spill area was completed with hand tools and a skid steer. Wescom personnel returned to the Site on November 21, 2022, to oversee the exaction of the off-pad spill area. A total of 940 cubic yards of waste-containing soil was removed from the off-pad spill area and hauled to an approved disposal facility. Confirmation sampling was completed at the conclusion of the excavation, and 39 composite confirmation soil samples were collected.

Laboratory analytical results indicated confirmation soil samples collected on-pad were all in compliance with the Closure Criteria for the Site. Confirmation soil samples collected from the off-pad spill area were all in compliance with the reclamation requirement except (CONF14), which was located within a 10-foot radius of an electric pole. Due to the hazards associated with excavating near live electrical lines, waste containing soil located in the vicinity of confirmation sample area (CONF14) was left in place.

SITE CHARACTERIZATION AND CLOSURE CRITERIA

The Site was characterized to assess the applicability of Table I, Closure Criteria for Soils Impacted by a Release, of 19.15.29 NMAC. Results from the characterization desktop review are presented on page 3 of the Form C-141 (Appendix A), Site Assessment/Characterization. Potential Site receptors are identified on Figure 1.

The closest permitted groundwater well with depth to groundwater data is WPX well, MW-1, located onsite. The groundwater well has a reported depth to groundwater greater than 105 feet below ground surface (bgs) and a total depth of 105 feet bgs. There are no regional or Site-specific hydrological conditions, such as shallow surface water, karst features, wetlands, or vegetation that suggest the Site is conducive to shallower groundwater. The well used for depth to groundwater determination is presented on Figure 1. The referenced well record is included in Attachment B.

The closest continuously flowing or significant watercourse to the Site is a seasonal wetland, located approximately 431 feet North of the Site. The Site is greater than 200 feet from a lakebed, sinkhole, or playa lake and greater than 300 feet from an occupied residence, school, hospital, institution, church, or wetland. The Site is greater than 1,000 feet to a freshwater well or spring and is not within a 100-year floodplain or overlying a subsurface mine. The Site is not underlain by unstable geology (medium potential karst designation area). Site receptors are identified on Figure 1.

Based on the results of the Site Characterization, the following NMOCD Table I Closure Criteria (Closure Criteria) apply:

- Benzene: 10 milligrams per kilogram (mg/kg)
- Benzene, toluene, ethylbenzene, and total xylenes (BTEX): 50 mg/kg
- Total petroleum hydrocarbons (TPH)-gasoline range organics (GRO) and TPH-diesel range organics (DRO): 1,000 mg/kg
- TPH: 2,500 mg/kg
- Chloride: 20,000 mg/kg

A reclamation requirement of 600 mg/kg chloride and 100 mg/kg TPH was applied to the top 4 feet of the pasture area that was impacted by the release, per NMAC 19.15.29.13.D (1) for the top 4 feet of areas that will be reclaimed following remediation.

EXCAVATION SOIL SAMPLING ACTIVITIES

On August 25, 2023, Ensolum personnel were onsite to oversee the excavation of waste-containing soil in the vicinity of confirmation soil sample CONF14 as indicated by visible staining, laboratory analytical results, and field screening results. The electrical pole was moved 20 feet to the east in order to allow excavation activities to be performed using a backhoe and belly dump. The excavation occurred in the pasture area north of the well pad. To direct excavation activities, soil was screened for total petroleum

hydrocarbons utilizing PetroFLAG® and the MOHR titration method for chloride. The excavation was completed to a depth of 4 feet bgs. Photographic documentation of the excavation activities is included in Appendix C.

Following removal of the waste-containing soil, a 5-point composite soil sample was collected from the sidewalls and floor of the excavation. The 5-point composite samples were collected by placing five equivalent aliquots of soil into a 1-gallon, resealable plastic bag and homogenizing the samples by thoroughly mixing. Composite soil sample SW01 was collected from the sidewall of the excavation at depths ranging from the ground surface to 4 feet bgs. Composite soil sample FS01 was collected from the floor of the excavation at a depth of 4 feet bgs.

The soil samples were placed directly into pre-cleaned glass jars, labeled with the location, date, time, sampler name, method of analysis, and immediately placed on ice. The soil samples were transported under strict chain-of-custody procedures to Envirotech, Inc. (Envirotech) in Farmington, New Mexico, for analysis of the following contaminants of concern (COCs): BTEX following United States Environmental Protection Agency (EPA) Method 8021B; TPH-GRO, TPH-DRO, and TPH-oil range organics (ORO) following EPA Method 8015M/D; and chloride following EPA Method 300.0.

The excavation area measured approximately 200 square feet. A total of approximately 90 cubic yards of impacted soil was removed during the excavation activities. The impacted soil was transported and properly disposed of at the R360 Red Bluff Facility, New Mexico. The excavation extent and excavation soil sample locations are presented in Figure 2.

LABORATORY ANALYTICAL RESULTS

Laboratory analytical results for excavation sidewall sample SW01 and excavation floor sample FS01 indicated all COC concentrations were compliant with the Closure Criteria and compliant with the reclamation requirement. Laboratory analytical results are summarized in Table 1 and laboratory analytical reports are included as Appendix D.

CLOSURE REQUEST

Site assessment and excavation activities were conducted at the Site to address the October 17, 2022, release of produced water and issues stated in the denial of the report authored by Wescom. Laboratory analytical results for the excavation soil samples, collected from the final excavation extent, indicated all COC concentrations were compliant with the Site Closure Criteria and with the reclamation requirement. Based on the soil sample analytical results, no further remediation was required. WPX will backfill the excavation with material purchased locally and recontour the Site to match pre-existing site conditions. The disturbed pasture area will be re-seeded with an approved BLM seed mixture.

Excavation of waste-containing soil has mitigated adverse effects at this Site. Depth to groundwater has been estimated to be greater than 100 feet bgs and no other sensitive receptors were identified near the release extent. WPX believes these remedial actions are protective of human health, the environment, and groundwater. As such, WPX respectfully requests closure for Incident Number nAPP2230034708.

If you have any questions or comments, please contact Ms. Ashley Giovengo at (575) 988-0055 or agiovengo@ensolum.com.

Sincerely,
Ensolum, LLC

Ashley Giovengo
Senior Engineer

Daniel R. Moir, PG
Senior Managing Geologist

cc: Jim Raley, WPX
BLM

Appendices:

Figure 1	Site Location Map
Figure 2	Excavation Soil Sample Locations
Table 1	Soil Sample Analytical Results
Appendix A	Form C-141
Appendix B	Referenced Wells
Appendix C	Photographic Log
Appendix D	Laboratory Analytical Reports & Chain-of-Custody Documentation
Appendix E	Email Correspondence

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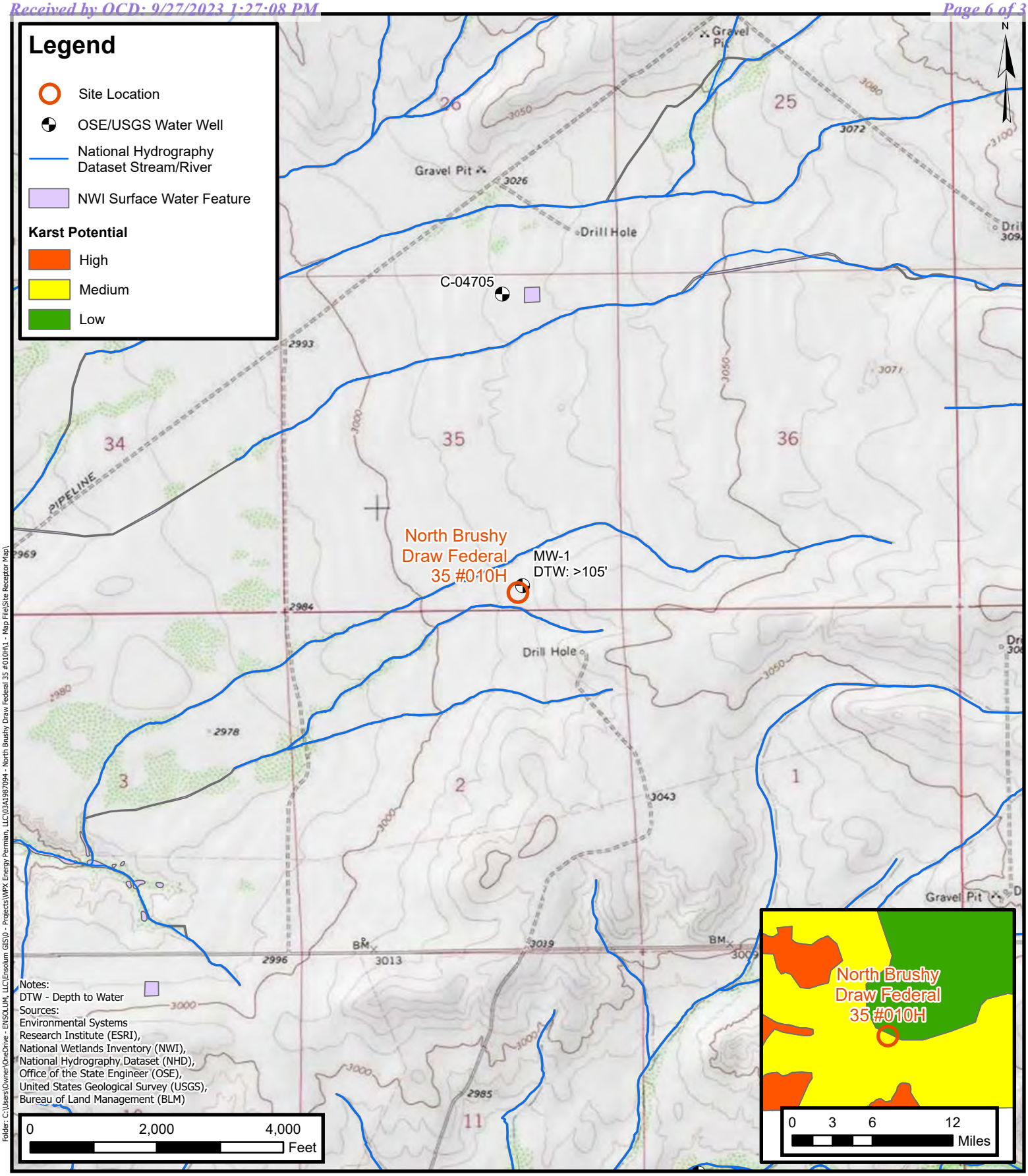
FIGURES



Folder: C:\Users\Owner\OneDrive - ENSOLUM, LLC\Ensolum GIS\0 - Projects\WPX Energy Permian, LLC\03A1987094 - North Brushy Draw Federal 35 #010H\1 - Map Files\Site Receptor Map)

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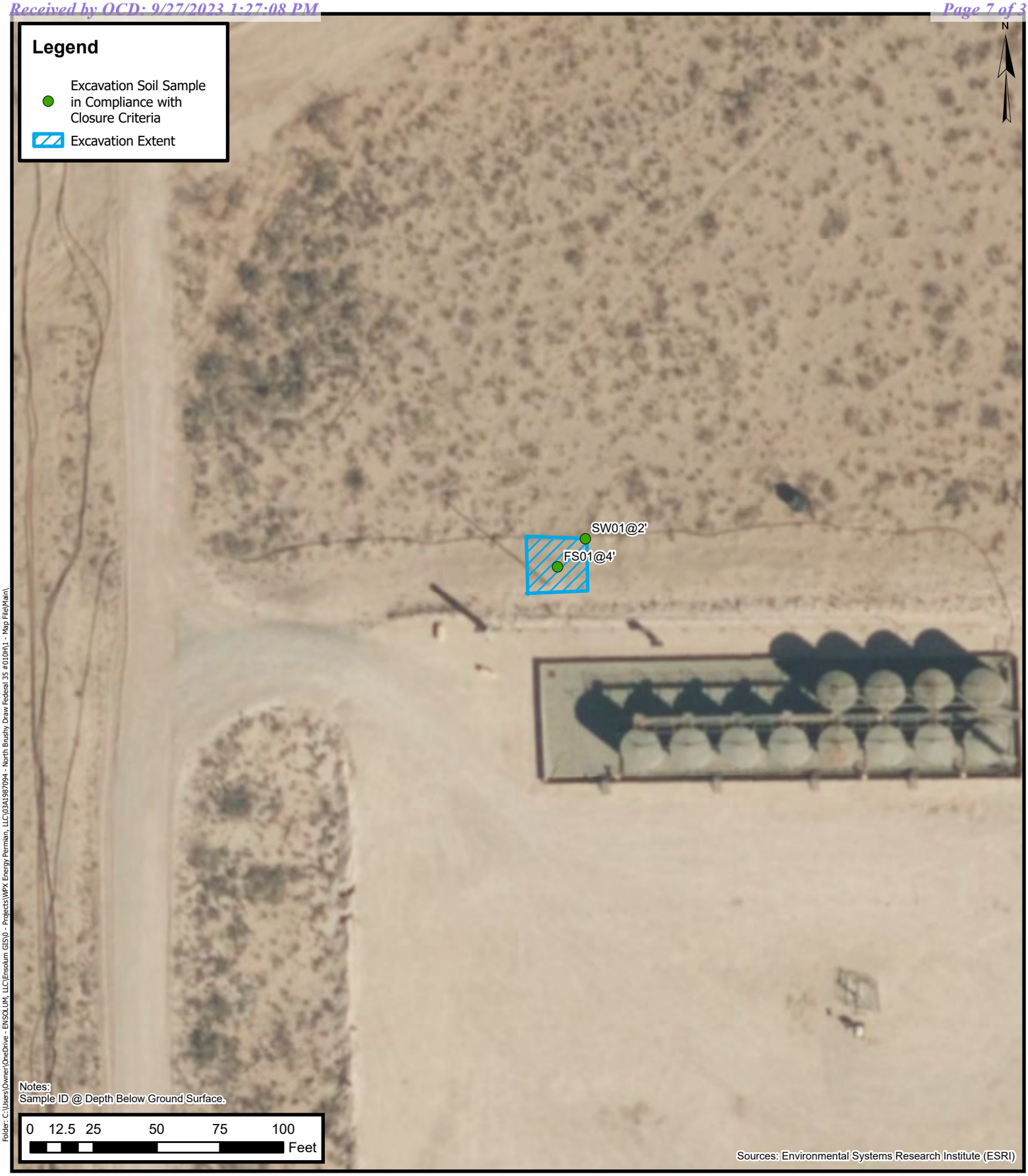
Environmental, Engineering and Hydrogeologic Consultants

Site Receptor Map

WPX Energy Permian, LLC
North Brushy Draw Federal 35 #010H
Incident Number: nAPP2230034708
Unit O, Section 35, T 25S, R29E
Eddy County, New Mexico

FIGURE 1



Folder: C:\Users\Owner\OneDrive - ENSOLUM, LLC\Ensolum GIS\0 - Projects\WPX Energy Permian, LLC\03A1987094 - North Brushy Draw Federal 35 #010H\1 - Map Files\Main\

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Environmental, Engineering and Hydrogeologic Consultants

Confirmation Soil Sample Locations

WPX Energy Permian, LLC
North Brushy Draw Federal 35 #010H
Incident Number: nAPP2230034708
Unit O, Section 35, T 25S, R29E
Eddy County, New Mexico

FIGURE 2

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TABLES

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TABLE 1
SOIL SAMPLE ANALYTICAL RESULTS
WPX Energy Permian, LLC
North Brush Draw Federal 35 #010H
Eddy County, New Mexico

Sample Designation	Date	Depth (feet bgs)	Benzene (mg/kg)	Total BTEX (mg/kg)	TPH GRO (mg/kg)	TPH DRO (mg/kg)	TPH ORO (mg/kg)	GRO+DRO (mg/kg)	Total TPH (mg/kg)	Chloride (mg/kg)
NMOCD Table I Closure Criteria (NMAC 19.15.29)			**10**	**50**	**NE**	**NE**	**NE**	**1,000**	**2,500**	**20,000**
Excavation Soil Sample Analytical Results										
SW01	8/25/2023	2	<0.0250	<0.0250	<20.0	<25.0	<50.0	<50.0	<50.0	24.3
FS01	8/25/2023	4	<0.0250	<0.0250	<20.0	<25.0	<50.0	<50.0	<50.0	1,070

Notes:

bgs: below ground surface

mg/kg: milligrams per kilogram

NMOCD: New Mexico Oil Conservation Division

NMAC: New Mexico Administrative Code

Grey text represents samples that have been excavated

"<": Laboratory Analytical result is less than reporting limit

GRO: Gasoline Range Organics

DRO: Diesel Range Organics

ORO: Oil Range Organics

TPH: Total Petroleum Hydrocarbon

BTEX: Benzene, Toluene, Ethylbenzene, and Xylenes

*Concentrations in **bold** exceed the NMOCD Table I Closure Criteria or reclamation standard where applicable.*

** Indicates sample was collected in area to be reclaimed after remediation is complete; reclamation for chloride in the top 4 feet is 600 mg/kg and total TPH is 100 mg/kg.*

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APPENDIX A

Form C-141

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-141
Revised August 24, 2018
Submit to appropriate OCD District office

Incident ID	nAPP2230034708
District RP	
Facility ID	
Application ID	

Release Notification

Responsible Party

Responsible Party WPX Energy Permain, LLC	OGRID 246289
Contact Name Jim Raley	Contact Telephone 575-689-7597
Contact email Jim.Raley@dvn.com	Incident # *(assigned by OCD)* nAPP2230034708
Contact mailing address 5315 Buena Vista Drive, Carlsbad, NM 88220	

Location of Release Source

Latitude 32.079725 Longitude -103.9516162
(NAD 83 in decimal degrees to 5 decimal places)

Site Name: NORTH BRUSHY DRAW FEDERAL 35 #010H	Site Type Oil Well
Date Release Discovered 10/17/2022	API# *(if applicable) 30-015-43638*

Unit Letter	Section	Township	Range	County
O	35	25S	29E	Eddy

Surface Owner: ☐ State ☒ Federal ☐ Tribal ☐ Private (*Name:* _____)

Nature and Volume of Release

Material(s) Released (Select all that apply and attach calculations or specific justification for the volumes provided below)

☐ Crude Oil	Volume Released (bbls)	Volume Recovered (bbls)
☒ Produced Water	Volume Released (bbls) 8	Volume Recovered (bbls) 0
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	☒ Yes ☐ No
☐ Condensate	Volume Released (bbls)	Volume Recovered (bbls)
☐ Natural Gas	Volume Released (Mcf)	Volume Recovered (Mcf)
☐ Other (describe)	Volume/Weight Released (provide units)	Volume/Weight Recovered (provide units)

Cause of Release: Above ground produced water transfer line developed leak, allowing for the release of approx. 8 bbls to pad surface and off pad.

$$bbl\ estimate = \frac{saturated\ soil\ volume\ (ft^3)}{4.21\left(\frac{ft^3}{bbl\ equivalent}\right)} * estimated\ soil\ porosity(\%) + \text{recovered fluids (bbl)}$$

State of New Mexico
Oil Conservation Division

Incident ID	nAPP2230034708
District RP	
Facility ID	
Application ID	

Was this a major release as defined by 19.15.29.7(A) NMAC? ☐ Yes ☒ No	If YES, for what reason(s) does the responsible party consider this a major release?
If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)?	

Initial Response

The responsible party must undertake the following actions immediately unless they could create a safety hazard that would result in injury

☒ The source of the release has been stopped.

☒ The impacted area has been secured to protect human health and the environment.

☒ Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices.

☒ All free liquids and recoverable materials have been removed and managed appropriately.

If all the actions described above have not been undertaken, explain why:

Per 19.15.29.8 B. (4) NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please attach a narrative of actions to date. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see 19.15.29.11(A)(5)(a) NMAC), please attach all information needed for closure evaluation.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Printed Name: __Jim Raley_____ Title: ___Environmental Professional_____

Signature: ___Jim Raley_____ Date: __10/27/2022_____

email: ___jim.raley@dvn.com_____ Telephone: 575-689-7597_____

OCD Only

Received by: _____ Date: _____

District I
1625 N. French Dr., Hobbs, NM 88240
Phone:(575) 393-6161 Fax:(575) 393-0720
District II
811 S. First St., Artesia, NM 88210
Phone:(575) 748-1283 Fax:(575) 748-9720
District III
1000 Rio Brazos Rd., Aztec, NM 87410
Phone:(505) 334-6178 Fax:(505) 334-6170
District IV
1220 S. St Francis Dr., Santa Fe, NM 87505
Phone:(505) 476-3470 Fax:(505) 476-3462

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

CONDITIONS

Operator: WPX Energy Permian, LLC Devon Energy - Regulatory Oklahoma City, OK 73102	OGRID: 246289
	Action Number: 154296
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
jharimon	None	10/27/2022

Incident ID	nAPP2230034708
District RP	
Facility ID	
Application ID	

Site Assessment/Characterization

This information must be provided to the appropriate district office no later than 90 days after the release discovery date.

What is the shallowest depth to groundwater beneath the area affected by the release?	>105 (ft bgs)
Did this release impact groundwater or surface water?	☐ Yes ☒ No
Are the lateral extents of the release within 300 feet of a continuously flowing watercourse or any other significant watercourse?	☐ Yes ☒ No
Are the lateral extents of the release within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)?	☐ Yes ☒ No
Are the lateral extents of the release within 300 feet of an occupied permanent residence, school, hospital, institution, or church?	☐ Yes ☒ No
Are the lateral extents of the release within 500 horizontal feet of a spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes?	☐ Yes ☒ No
Are the lateral extents of the release within 1000 feet of any other fresh water well or spring?	☐ Yes ☒ No
Are the lateral extents of the release within incorporated municipal boundaries or within a defined municipal fresh water well field?	☐ Yes ☒ No
Are the lateral extents of the release within 300 feet of a wetland?	☐ Yes ☒ No
Are the lateral extents of the release overlying a subsurface mine?	☐ Yes ☒ No
Are the lateral extents of the release overlying an unstable area such as karst geology?	☐ Yes ☒ No
Are the lateral extents of the release within a 100-year floodplain?	☐ Yes ☒ No
Did the release impact areas **not** on an exploration, development, production, or storage site?	☐ Yes ☒ No

Attach a comprehensive report (electronic submittals in .pdf format are preferred) demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined. Refer to 19.15.29.11 NMAC for specifics.

Characterization Report Checklist: ***Each of the following items must be included in the report.***

☒ Scaled site map showing impacted area, surface features, subsurface features, delineation points, and monitoring wells.
☒ Field data
☒ Data table of soil contaminant concentration data
☒ Depth to water determination
☒ Determination of water sources and significant watercourses within ½-mile of the lateral extents of the release
☒ Boring or excavation logs
☒ Photographs including date and GIS information
☒ Topographic/Aerial maps
☒ Laboratory data including chain of custody

If the site characterization report does not include completed efforts at remediation of the release, the report must include a proposed remediation plan. That plan must include the estimated volume of material to be remediated, the proposed remediation technique, proposed sampling plan and methods, anticipated timelines for beginning and completing the remediation. The closure criteria for a release are contained in Table 1 of 19.15.29.12 NMAC, however, use of the table is modified by site- and release-specific parameters.

State of New Mexico
Oil Conservation Division

Incident ID	nAPP2230034708
District RP	
Facility ID	
Application ID	

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Printed Name: Jim Raley

Title: Environmental Specialist

Signature: Jim Raley

Date: 1/15/2023

email: jim.raley@dvn.com

Telephone: 575-689-7597

OCD Only

Received by: _____

Date: _____

Incident ID	nAPP2230034708
District RP	
Facility ID	
Application ID	

Closure

The responsible party must attach information demonstrating they have complied with all applicable closure requirements and any conditions or directives of the OCD. This demonstration should be in the form of a comprehensive report (electronic submittals in .pdf format are preferred) including a scaled site map, sampling diagrams, relevant field notes, photographs of any excavation prior to backfilling, laboratory data including chain of custody documents of final sampling, and a narrative of the remedial activities. Refer to 19.15.29.12 NMAC.

Closure Report Attachment Checklist: ***Each of the following items must be included in the closure report.***

☒ A scaled site and sampling diagram as described in 19.15.29.11 NMAC

☒ Photographs of the remediated site prior to backfill or photos of the liner integrity if applicable (Note: appropriate OCD District office must be notified 2 days prior to liner inspection)

☒ Laboratory analyses of final sampling (Note: appropriate ODC District office must be notified 2 days prior to final sampling)

☒ Description of remediation activities

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations. The responsible party acknowledges they must substantially restore, reclaim, and re-vegetate the impacted surface area to the conditions that existed prior to the release or their final land use in accordance with 19.15.29.13 NMAC including notification to the OCD when reclamation and re-vegetation are complete.

Printed Name: Jim Raley Title: Environmental Specialist

Signature: Jim Raley Date: 01/15/2023

email: jim.raley@dvn.com Telephone: 575-689-7597

OCD Only

Received by: _____ Date: _____

Closure approval by the OCD does not relieve the responsible party of liability should their operations have failed to adequately investigate and remediate contamination that poses a threat to groundwater, surface water, human health, or the environment nor does not relieve the responsible party of compliance with any other federal, state, or local laws and/or regulations.

Closure Approved by: Scott Rodgers Date: 03/01/2024

Printed Name: Scott Rodgers Title: Environmental Specialist Adv.

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APPENDIX B

Referenced Wells

HRL COMPLIANCE SOLUTIONS

BORING LOG/MONITORING WELL COMPLETION DIAGRAM

Boring/Well Number: MW-1		Location: North Brushy Federal 35 # 010H	
Date: 12/8/2020		Client: WPX Energy	
Drilling Method: Air Rotary	Sampling Method: None	Logged By: J. Linn, PG	Drilled By: Talon LPE
Gravel Pack Type: 10/20 Sand	Gravel Pack Depth Interval: 3 Bags	Seal Type: None / Seal Depth Interval: None	Latitude: 32.079909
Casing Type: PVC / Diameter: 2-inch / Depth Interval: 0-100 feet bgs		Boring Total Depth (ft. BGS): 105	Longitude: -103.951386
Screen Type: PVC / Slot: 0.010-inch / Diameter: 2-inch / Depth Interval: 100 - 105 ft		Well Total Depth (ft. BGS): 105	Depth to Water (ft. BTOC): > 105 / DTW Date: 12/16/2020

Depth Interval (ft)	Recovery (ft)	Plasticity	Moisture	Odor	Staining	PID (ppm)	USCS	Sample ID	Lithology/Remarks	Well Completion
0	NM	L	D	N	N	NM	CE	NS	Buff to pale pink caliche	
5										
10										
15										
20	NM	L	D	N	N	NM	SM	NS	Tan to pale red silty sand	
25										
30										
35										
40										
45										
50										
55	NM	M	M	N	N	NM	ML	NS	Tan to pale red sandy silt with minor medium sand	
60										
65	NM	H	M	N	N	NM	CL	NS	Tan clay with minor gravel	
70	NM	L	D	N	N	NM	SP	NS	Pale red poorly graded fine sand with minor silt	
75										
80										
85	NM	H	D/SLM	N	N	NM	CL	NS	Grey sandy lean clay with minor medium sand and minor angular gravel	
90	NM	M/H	M	N	N	NM	CL	NS	Brown with orange sandy lean clay with minor medium sand and angular gravel - TD Boring: 105'	
95										
100										

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APPENDIX C

Photographic Log

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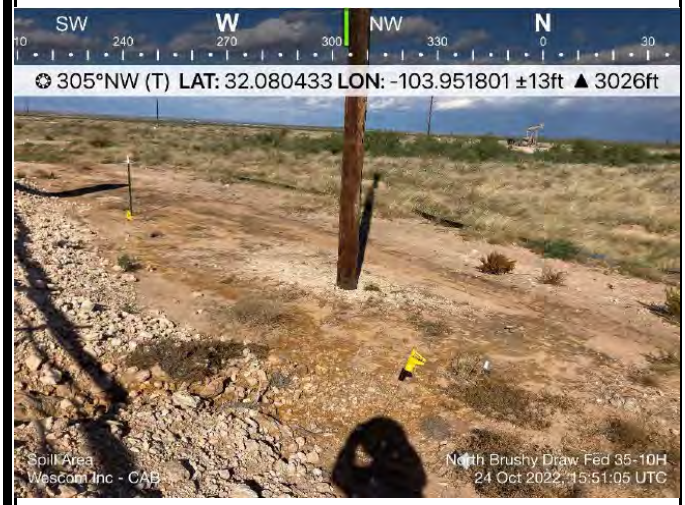
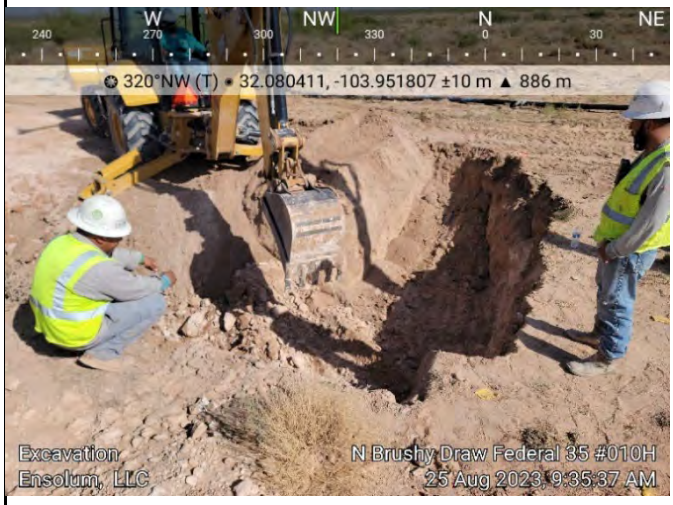
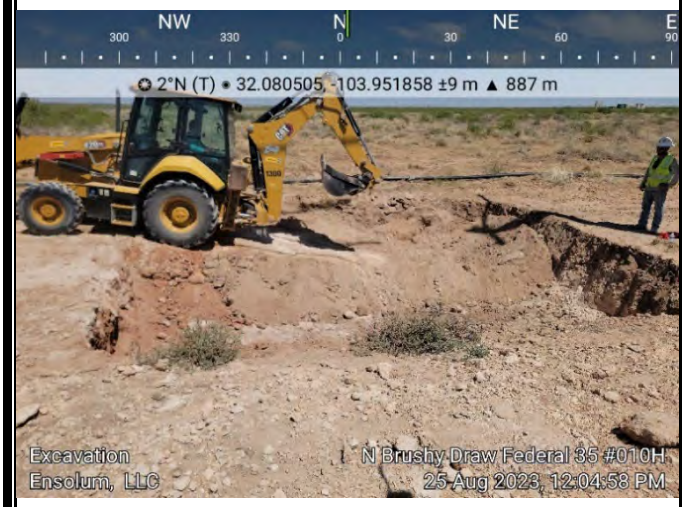
Photographic Log
WPX Energy Permian, LLC
North Brushy Draw Federal 35 #10H
nAPP2230034708



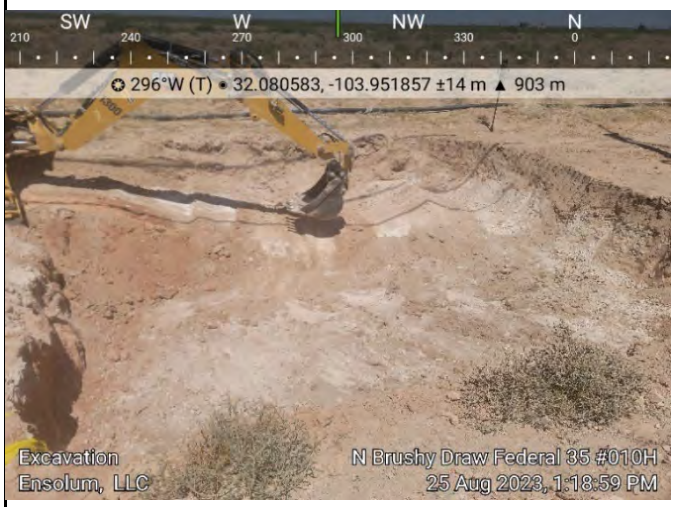
Photograph 1 Date: 10/24/2022
Description: Defered area around electrical pole.
View: Northwest



Photograph 2 Date: 8/25/2023
Description: Excavation of wast containing soil.
View: Northwest



Photograph 3 Date: 8/25/2023
Description: Excavation of wast containing soil.
View: North



Photograph 4 Date: 8/25/2023
Description: Excavated area.
View: Northwest

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APPENDIX D

Laboratory Analytical Reports & Chain-of-Custody Documentation

Report to:

Ashley Giovengo

5796 U.S. Hwy 64
Farmington, NM 87401

Phone: (505) 632-1881
Envirotech-inc.com

envirotech

Practical Solutions for a Better Tomorrow

Analytical Report

Ensolum, LLC

Project Name:	North Brushy Draw Federal 35 #010H
Work Order:	E308220
Job Number:	01058-0007
Received:	8/29/2023

Revision: 2

Report Reviewed By:

Walter Hinchman
Laboratory Director
9/1/23

Envirotech Inc. certifies the test results meet all requirements of TNI unless noted otherwise.
Statement of Data Authenticity: Envirotech Inc, attests the data reported has not been altered in any way.
Partial or incomplete reproduction of this report is prohibited, unless approved by Envirotech Inc.
Envirotech Inc, holds the Utah TNI certification NM00979 for data reported.
Envirotech Inc, holds the Texas TNI certification T104704557 for data reported.

Date Reported: 9/1/23

Ashley Giovengo
3122 National Parks Hwy
Carlsbad, NM 88220

Project Name: North Brushy Draw Federal 35 #010H
Workorder: E308220
Date Received: 8/29/2023 8:15:00AM

Ashley Giovengo,

Thank you for choosing Envirotech, Inc. as your analytical testing laboratory for the sample(s) received on, 8/29/2023 8:15:00AM, under the Project Name: North Brushy Draw Federal 35 #010H.

The analytical test results summarized in this report with the Project Name: North Brushy Draw Federal 35 #010H apply to the individual samples collected, identified and submitted bearing the project name on the enclosed chain-of-custody. Subcontracted sample analyses not conducted by Envirotech, Inc., are attached in full as issued by the subcontract laboratory.

Please review the Chain-of-Custody (COC) and Sample Receipt Checklist (SRC) for any issues reguarding sample receipt temperature, containers, preservation etc. To best understand your test results, review the entire report summarizing your sample data and the associated quality control batch data.

All reported data in this analytical report were analyzed according to the referenced method(s) and are in compliance with the latest NELAC/TNI standards, unless otherwise noted. Samples or analytical quality control parameters not meeting specific QC criteria are qualified with a data flag. Data flag definitions are located in the Notes and Definitions section of this analytical report.

If you have any questions concerning this report, please feel free to contact Envirotech, Inc.

Respectfully,

Walter Hinchman
Laboratory Director
Office: 505-632-1881
Cell: 775-287-1762
whinchman@envirotech-inc.com

Raina Schwanz
Laboratory Administrator
Office: 505-632-1881
rainaschwanz@envirotech-inc.com

Alexa Michaels
Sample Custody Officer
Office: 505-632-1881
labadmin@envirotech-inc.com

Field Offices:

Southern New Mexico Area
Lynn Jarboe
Technical Representative/Client Services
Office: 505-421-LABS(5227)
Cell: 505-320-4759
ljarboe@envirotech-inc.com

West Texas Midland/Odessa Area
Rayny Hagan
Technical Representative
Office: 505-421-LABS(5227)

Envirotech Web Address: www.envirotech-inc.com

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Sample Summary

Ensolum, LLC	Project Name:	North Brushy Draw Federal 35 #010H	**Reported:**
3122 National Parks Hwy	Project Number:	01058-0007	
Carlsbad NM, 88220	Project Manager:	Ashley Giovengo	09/01/23 15:45

Client Sample ID	Lab Sample ID	Matrix	Sampled	Received	Container
FS01 - 4'	E308220-01A	Soil	08/25/23	08/29/23	Glass Jar, 2 oz.
SW01 - 2'	E308220-02A	Soil	08/25/23	08/29/23	Glass Jar, 2 oz.

Sample Data

Ensolum, LLC	Project Name:	North Brushy Draw Federal 35 #010H	
3122 National Parks Hwy	Project Number:	01058-0007	**Reported:**
Carlsbad NM, 88220	Project Manager:	Ashley Giovengo	9/1/2023 3:45:47PM

FS01 - 4'

E308220-01

Analyte	Result	Reporting Limit	Dilution	Prepared	Analyzed	Notes
Volatile Organics by EPA 8021B	mg/kg	mg/kg	Analyst: IY			Batch: 2335042
Benzene	ND	0.0250	1	08/29/23	08/30/23	
Ethylbenzene	ND	0.0250	1	08/29/23	08/30/23	
Toluene	ND	0.0250	1	08/29/23	08/30/23	
o-Xylene	ND	0.0250	1	08/29/23	08/30/23	
p,m-Xylene	ND	0.0500	1	08/29/23	08/30/23	
Total Xylenes	ND	0.0250	1	08/29/23	08/30/23	
Surrogate: 4-Bromochlorobenzene-PID		*95.9 %*	*70-130*	*08/29/23*	*08/30/23*	
Nonhalogenated Organics by EPA 8015D - GRO	mg/kg	mg/kg	Analyst: IY			Batch: 2335042
Gasoline Range Organics (C6-C10)	ND	20.0	1	08/29/23	08/30/23	
Surrogate: 1-Chloro-4-fluorobenzene-FID		*90.9 %*	*70-130*	*08/29/23*	*08/30/23*	
Nonhalogenated Organics by EPA 8015D - DRO/ORO	mg/kg	mg/kg	Analyst: KM			Batch: 2335067
Diesel Range Organics (C10-C28)	ND	25.0	1	08/30/23	08/31/23	
Oil Range Organics (C28-C36)	ND	50.0	1	08/30/23	08/31/23	
Surrogate: n-Nonane		*89.2 %*	*50-200*	*08/30/23*	*08/31/23*	
Anions by EPA 300.0/9056A	mg/kg	mg/kg	Analyst: BA			Batch: 2335039
Chloride	**1070**	20.0	1	08/29/23	09/01/23	

Sample Data

Ensolum, LLC	Project Name:	North Brushy Draw Federal 35 #010H	
3122 National Parks Hwy	Project Number:	01058-0007	**Reported:**
Carlsbad NM, 88220	Project Manager:	Ashley Giovengo	9/1/2023 3:45:47PM

SW01 - 2'

E308220-02

Analyte	Result	Reporting Limit	Dilution	Prepared	Analyzed	Notes
Volatile Organics by EPA 8021B	mg/kg	mg/kg	Analyst: IY			Batch: 2335042
Benzene	ND	0.0250	1	08/29/23	08/30/23	
Ethylbenzene	ND	0.0250	1	08/29/23	08/30/23	
Toluene	ND	0.0250	1	08/29/23	08/30/23	
o-Xylene	ND	0.0250	1	08/29/23	08/30/23	
p,m-Xylene	ND	0.0500	1	08/29/23	08/30/23	
Total Xylenes	ND	0.0250	1	08/29/23	08/30/23	
Surrogate: 4-Bromochlorobenzene-PID		*95.8 %*	*70-130*	*08/29/23*	*08/30/23*	
Nonhalogenated Organics by EPA 8015D - GRO	mg/kg	mg/kg	Analyst: IY			Batch: 2335042
Gasoline Range Organics (C6-C10)	ND	20.0	1	08/29/23	08/30/23	
Surrogate: 1-Chloro-4-fluorobenzene-FID		*91.6 %*	*70-130*	*08/29/23*	*08/30/23*	
Nonhalogenated Organics by EPA 8015D - DRO/ORO	mg/kg	mg/kg	Analyst: KM			Batch: 2335067
Diesel Range Organics (C10-C28)	ND	25.0	1	08/30/23	08/31/23	
Oil Range Organics (C28-C36)	ND	50.0	1	08/30/23	08/31/23	
Surrogate: n-Nonane		*93.0 %*	*50-200*	*08/30/23*	*08/31/23*	
Anions by EPA 300.0/9056A	mg/kg	mg/kg	Analyst: BA			Batch: 2335039
Chloride	**24.3**	20.0	1	08/29/23	09/01/23	

QC Summary Data

Ensolum, LLC	Project Name:	North Brushy Draw Federal 35 #010H	**Reported:**
3122 National Parks Hwy	Project Number:	01058-0007	
Carlsbad NM, 88220	Project Manager:	Ashley Giovengo	9/1/2023 3:45:47PM

Volatile Organics by EPA 8021B

Analyst: IY

Analyte	Result	Reporting Limit	Spike Level	Source Result	Rec	Rec Limits	RPD	RPD Limit	Notes
	mg/kg	mg/kg	mg/kg	mg/kg	%	%	%	%	
Blank (2335042-BLK1)									Prepared: 08/29/23 Analyzed: 08/30/23
Benzene	ND	0.0250							
Ethylbenzene	ND	0.0250							
Toluene	ND	0.0250							
o-Xylene	ND	0.0250							
p,m-Xylene	ND	0.0500							
Total Xylenes	ND	0.0250							
Surrogate: 4-Bromochlorobenzene-PID	*7.60*		*8.00*		*95.0*	*70-130*			
LCS (2335042-BS1)									Prepared: 08/29/23 Analyzed: 08/30/23
Benzene	4.09	0.0250	5.00		81.9	70-130			
Ethylbenzene	4.54	0.0250	5.00		90.8	70-130			
Toluene	4.44	0.0250	5.00		88.8	70-130			
o-Xylene	4.61	0.0250	5.00		92.2	70-130			
p,m-Xylene	9.28	0.0500	10.0		92.8	70-130			
Total Xylenes	13.9	0.0250	15.0		92.6	70-130			
Surrogate: 4-Bromochlorobenzene-PID	*7.62*		*8.00*		*95.2*	*70-130*			
Matrix Spike (2335042-MS1)				**Source: E308218-07**					Prepared: 08/29/23 Analyzed: 08/30/23
Benzene	3.81	0.0250	5.00	ND	76.2	54-133			
Ethylbenzene	4.24	0.0250	5.00	ND	84.7	61-133			
Toluene	4.14	0.0250	5.00	ND	82.9	61-130			
o-Xylene	4.30	0.0250	5.00	ND	86.0	63-131			
p,m-Xylene	8.66	0.0500	10.0	ND	86.6	63-131			
Total Xylenes	13.0	0.0250	15.0	ND	86.4	63-131			
Surrogate: 4-Bromochlorobenzene-PID	*7.71*		*8.00*		*96.3*	*70-130*			
Matrix Spike Dup (2335042-MSD1)				**Source: E308218-07**					Prepared: 08/29/23 Analyzed: 08/30/23
Benzene	4.23	0.0250	5.00	ND	84.6	54-133	10.4	20	
Ethylbenzene	4.70	0.0250	5.00	ND	94.0	61-133	10.4	20	
Toluene	4.59	0.0250	5.00	ND	91.9	61-130	10.3	20	
o-Xylene	4.77	0.0250	5.00	ND	95.4	63-131	10.3	20	
p,m-Xylene	9.61	0.0500	10.0	ND	96.1	63-131	10.3	20	
Total Xylenes	14.4	0.0250	15.0	ND	95.8	63-131	10.3	20	
Surrogate: 4-Bromochlorobenzene-PID	*7.68*		*8.00*		*96.0*	*70-130*			

QC Summary Data

Ensolum, LLC	Project Name:	North Brushy Draw Federal 35 #010H	**Reported:**
3122 National Parks Hwy	Project Number:	01058-0007	
Carlsbad NM, 88220	Project Manager:	Ashley Giovengo	9/1/2023 3:45:47PM

Nonhalogenated Organics by EPA 8015D - GRO

Analyst: IY

Analyte	Result	Reporting Limit	Spike Level	Source Result	Rec	Rec Limits	RPD	RPD Limit	Notes
	mg/kg	mg/kg	mg/kg	mg/kg	%	%	%	%	
Blank (2335042-BLK1)									Prepared: 08/29/23 Analyzed: 08/30/23
Gasoline Range Organics (C6-C10)	ND	20.0							
Surrogate: 1-Chloro-4-fluorobenzene-FID	*7.32*		*8.00*		*91.5*	*70-130*			
LCS (2335042-BS2)									Prepared: 08/29/23 Analyzed: 08/30/23
Gasoline Range Organics (C6-C10)	42.7	20.0	50.0		85.5	70-130			
Surrogate: 1-Chloro-4-fluorobenzene-FID	*7.76*		*8.00*		*97.0*	*70-130*			
Matrix Spike (2335042-MS2)				**Source: E308218-07**					Prepared: 08/29/23 Analyzed: 08/30/23
Gasoline Range Organics (C6-C10)	40.4	20.0	50.0	ND	80.7	70-130			
Surrogate: 1-Chloro-4-fluorobenzene-FID	*7.49*		*8.00*		*93.6*	*70-130*			
Matrix Spike Dup (2335042-MSD2)				**Source: E308218-07**					Prepared: 08/29/23 Analyzed: 08/30/23
Gasoline Range Organics (C6-C10)	43.9	20.0	50.0	ND	87.7	70-130	8.31	20	
Surrogate: 1-Chloro-4-fluorobenzene-FID	*7.41*		*8.00*		*92.6*	*70-130*			

QC Summary Data

Ensolum, LLC	Project Name:	North Brushy Draw Federal 35 #010H	**Reported:**
3122 National Parks Hwy	Project Number:	01058-0007	
Carlsbad NM, 88220	Project Manager:	Ashley Giovengo	9/1/2023 3:45:47PM

Nonhalogenated Organics by EPA 8015D - DRO/ORO

Analyst: KM

Analyte	Result	Reporting Limit	Spike Level	Source Result	Rec	Rec Limits	RPD	RPD Limit	Notes
	mg/kg	mg/kg	mg/kg	mg/kg	%	%	%	%	
Blank (2335067-BLK1)									Prepared: 08/30/23 Analyzed: 08/31/23
Diesel Range Organics (C10-C28)	ND	25.0							
Oil Range Organics (C28-C36)	ND	50.0							
Surrogate: n-Nonane	*46.8*		*50.0*		*93.6*	*50-200*			
LCS (2335067-BS1)									Prepared: 08/30/23 Analyzed: 08/31/23
Diesel Range Organics (C10-C28)	232	25.0	250		93.0	38-132			
Surrogate: n-Nonane	*43.1*		*50.0*		*86.2*	*50-200*			
Matrix Spike (2335067-MS1)				**Source: E308211-01**					Prepared: 08/30/23 Analyzed: 08/31/23
Diesel Range Organics (C10-C28)	253	25.0	250	ND	101	38-132			
Surrogate: n-Nonane	*43.9*		*50.0*		*87.9*	*50-200*			
Matrix Spike Dup (2335067-MSD1)				**Source: E308211-01**					Prepared: 08/30/23 Analyzed: 08/31/23
Diesel Range Organics (C10-C28)	257	25.0	250	ND	103	38-132	1.95	20	
Surrogate: n-Nonane	*46.6*		*50.0*		*93.2*	*50-200*			

QC Summary Data

Ensolum, LLC	Project Name:	North Brushy Draw Federal 35 #010H	**Reported:**
3122 National Parks Hwy	Project Number:	01058-0007	
Carlsbad NM, 88220	Project Manager:	Ashley Giovengo	9/1/2023 3:45:47PM

Anions by EPA 300.0/9056A

Analyst: BA

Analyte	Result	Reporting Limit	Spike Level	Source Result	Rec	Rec Limits	RPD	RPD Limit	Notes
	mg/kg	mg/kg	mg/kg	mg/kg	%	%	%	%	
Blank (2335039-BLK1)									Prepared: 08/29/23 Analyzed: 08/31/23
Chloride	ND	20.0							
LCS (2335039-BS1)									Prepared: 08/29/23 Analyzed: 08/31/23
Chloride	240	20.0	250		96.2	90-110			
Matrix Spike (2335039-MS1)				**Source: E308208-01**					Prepared: 08/29/23 Analyzed: 08/31/23
Chloride	699	20.0	250	412	114	80-120			
Matrix Spike Dup (2335039-MSD1)				**Source: E308208-01**					Prepared: 08/29/23 Analyzed: 08/31/23
Chloride	662	20.0	250	412	100	80-120	5.33	20	

QC Summary Report Comment:
Calculations are based off of the raw (non-rounded) data. However, for reporting purposes all QC data is rounded to three significant figures. Therefore, hand calculated values may differ slightly.

Definitions and Notes

Ensolum, LLC	Project Name:	North Brushy Draw Federal 35 #010H	
3122 National Parks Hwy	Project Number:	01058-0007	**Reported:**
Carlsbad NM, 88220	Project Manager:	Ashley Giovengo	09/01/23 15:45

ND	Analyte NOT DETECTED at or above the reporting limit
NR	Not Reported
RPD	Relative Percent Difference
DNI	Did Not Ignite

Note (1): Methods marked with ** are non-accredited methods.

Note (2): Soil data is reported on an "as received" weight basis, unless reported otherwise.

Project Information | Chain of Custody | Page 1 of 1

Client: Ensolum, LLC.	**Bill To**
Project: North Brushy Draw Federal 35 #010H	Attention: Jim Raley
Project Manager: Ashley Giovengo	Address: 5315 Buena Vista Dr
Address: 3122 National Parks Hwy	City, State, Zip: Carlsbad NM, 88220
City, State, Zip: Carlsbad NM, 88220	Phone: (575)689-7597
Phone: 575-988-0055	Email: jim.raley@dvn.com
Email: agiovengo@ensolum.com	
Report due by:	

Lab Use Only		TAT				EPA Program	
Lab WO#	Job Number	1D	2D	3D	Standard	CWA	SDWA
E308220	01058-0007				x		RCRA

State					
NM	CO	UT	AZ	TX	
x					

Time Sampled	Date Sampled	Matrix	No. of Containers	Sample ID	Lab Number	TPH GRO/DRO/ORO by 8015	BTEX by 8021	VOC by 8260	Metals 6010	Chloride 300.0			BGDOC NM		GDOC TX		Remarks
13:25	8/25/2023	Soil	1 Jar	FS01 - 4'	1								X				
12:20	8/25/2023	Soil	1 Jar	SW01 - 2'	2								X				

Additional Instructions: **Please CC: cburton@ensolum.com, agiovengo@ensolum.com, jim.raley@dvn.com, chamilton@ensolum.com**

I, (field sampler), attest to the validity and authenticity of this sample. I am aware that tampering with or intentionally mislabelling the sample location, date or time of collection is considered fraud and may be grounds for legal action. Sampled by:

Samples requiring thermal preservation must be received on ice the day they are sampled or received packed in ice at an avg temp above 0 but less than 6 °C on subsequent days.

Relinquished by: (Signature)	Date	Time	Received by: (Signature)	Date	Time
	08/28/23	1057	Michelle Georgedis	8.28.23	1057
Michelle Georgedis	8.28.23	1715	Andrew Nesso	8.28.23	1715
Andrew Nesso	8.28.23	2300	Caitlin Mann	8/29/23	8:15

Lab Use Only
Received on ice: (Y) / N
T1 T2 T3
AVG Temp °C 4

Sample Matrix: **S** - Soil, **Sd** - Solid, **Sg** - Sludge, **A** - Aqueous, **O** - Other _____

Container Type: **g** - glass, **p** - poly/plastic, **ag** - amber glass, v - VOA

Note: Samples are discarded 30 days after results are reported unless other arrangements are made. Hazardous samples will be returned to client or disposed of at the client expense. The report for the analysis of the above samples is applicable only to those samples received by the laboratory with this COC. The liability of the laboratory is limited to the amount paid for on the report.

envirotech

Envirotech Analytical Laboratory

Printed: 8/29/2023 9:32:51AM

Sample Receipt Checklist (SRC)

Instructions: Please take note of any NO checkmarks.
If we receive no response concerning these items within 24 hours of the date of this notice, all the samples will be analyzed as requested.

Client:	Ensolum, LLC	Date Received:	08/29/23 08:15	Work Order ID:	E308220
Phone:	(575) 988-0055	Date Logged In:	08/28/23 16:16	Logged In By:	Caitlin Mars
Email:	a.giovengo@ensolum.com	Due Date:	09/05/23 17:00 (4 day TAT)		

Chain of Custody (COC)

1. Does the sample ID match the COC?	Yes	
2. Does the number of samples per sampling site location match the COC	Yes	
3. Were samples dropped off by client or carrier?	Yes	Carrier: Courier
4. Was the COC complete, i.e., signatures, dates/times, requested analyses?	Yes	
5. Were all samples received within holding time? Note: Analysis, such as pH which should be conducted in the field, i.e, 15 minute hold time, are not included in this disucssion.	Yes	

Comments/Resolution

Sample Turn Around Time (TAT)

6. Did the COC indicate standard TAT, or Expedited TAT?	Yes	

Sample Cooler

7. Was a sample cooler received?	Yes	
8. If yes, was cooler received in good condition?	Yes	
9. Was the sample(s) received intact, i.e., not broken?	Yes	
10. Were custody/security seals present?	No	
11. If yes, were custody/security seals intact?	NA	
12. Was the sample received on ice? If yes, the recorded temp is 4°C, i.e., 6°±2°C Note: Thermal preservation is not required, if samples are received w/i 15 minutes of sampling	Yes	
13. If no visible ice, record the temperature. Actual sample temperature: 4°C		

Sample Container

14. Are aqueous VOC samples present?	No	
15. Are VOC samples collected in VOA Vials?	NA	
16. Is the head space less than 6-8 mm (pea sized or less)?	NA	
17. Was a trip blank (TB) included for VOC analyses?	NA	
18. Are non-VOC samples collected in the correct containers?	Yes	
19. Is the appropriate volume/weight or number of sample containers collected?	Yes	

Field Label

20. Were field sample labels filled out with the minimum information:		
Sample ID?	Yes	
Date/Time Collected?	Yes	
Collectors name?	No	

Sample Preservation

21. Does the COC or field labels indicate the samples were preserved?	No	
22. Are sample(s) correctly preserved?	NA	
24. Is lab filteration required and/or requested for dissolved metals?	No	

Multiphase Sample Matrix

26. Does the sample have more than one phase, i.e., multiphase?	No	
27. If yes, does the COC specify which phase(s) is to be analyzed?	NA	

Subcontract Laboratory

28. Are samples required to get sent to a subcontract laboratory?	No	
29. Was a subcontract laboratory specified by the client and if so who?	NA	Subcontract Lab: NA

Client Instruction

Signature of client authorizing changes to the COC or sample disposition.

Date

envirotech Inc.

ENSOLUM

APPENDIX E

Email Correspondence

From: Ashley Giovengo
To: Enviro, OCD, EMNRD; Morgan, Crisha A
Cc: Cole Burton; Chad Hamilton; Raley, Jim
Subject: 48-hour Confirmation Sampling Notification Email - North Brushy Draw Federal 35 #010H - Incident Number nAPP2230034708
Date: Monday, August 21, 2023 2:36:25 PM
Attachments: image001.png
image002.png
image003.png
image004.png

Hello,

We intend to collect confirmation samples at Devon Energy's North Brushy Draw Federal 35 #010H site (nAPP2230034708) on Friday, August 25, 2023, at 09:00 am MST.

Please let us know if you plan to be onsite to oversee the sampling.

Thanks,

Ashley Giovengo
Senior Engineer
575-988-0055
Ensolum, LLC

District I
1625 N. French Dr., Hobbs, NM 88240
Phone:(575) 393-6161 Fax:(575) 393-0720
District II
811 S. First St., Artesia, NM 88210
Phone:(575) 748-1283 Fax:(575) 748-9720
District III
1000 Rio Brazos Rd., Aztec, NM 87410
Phone:(505) 334-6178 Fax:(505) 334-6170
District IV
1220 S. St Francis Dr., Santa Fe, NM 87505
Phone:(505) 476-3470 Fax:(505) 476-3462

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

CONDITIONS

Action 269661

CONDITIONS

Operator: WPX Energy Permian, LLC Devon Energy - Regulatory Oklahoma City, OK 73102	OGRID: 246289
	Action Number: 269661
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
scott.rodgers	This Remediation Closure Report is approved. Areas reasonably needed for production or subsequent drilling operations will need to be reclaimed and revegetated as soon as they are no longer reasonably needed. A report for reclamation and revegetation will need to be submitted and approved prior to this incident receiving the final status of "Restoration Complete".	3/1/2024