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January 30, 2025

EMNRD – Oil Conservation Division  
506 W. Texas  
Artesia, New Mexico 88210

SUBJECT: Liner Inspection and Closure Report for Snapping 2 CTB –December 26, 2025 Site Visit

Incident ID: nAPP2532443520  
Facility ID (Name): fAPP2123649646 (SNAPPING 2 CTB)  
Facility Location: Unit D of Section 2, Township 26 South, Range 31 East, New Mexico  
Facility GPS Coordinates: 32.077356, -103.749828  
Eddy County, New Mexico

**Introduction**

KLJ Engineering (KLJ) has prepared this report on behalf of Devon Energy Production Company, LP (Devon) to detail the recent liner inspection conducted at the Snapping 2 CTB (Site) on December 26, 2025. The inspection followed the release of produced water that occurred on November 19, 2025 (Incident ID nAPP2532443520).

**Site Information and Background**

The Site is located approximately 24.16 miles southeast of Loving, New Mexico, on New Mexico State Land Office (NMSLO) Trust Land. The Site lies within Unit D, Section 2, Township 26 South, Range 31 East, in Eddy County. KLJ conducted a liner inspection and associated site characterization in accordance with 19.15.29.11 and 19.15.29.12 of the New Mexico Administrative Code (NMAC) to assess the integrity of the containment system and evaluate any potential environmental impacts resulting from a release.

**Release Description and Immediate Response**

On November 19, 2025, a Devon lease operator identified a pinhole leak in a pump plug located within the secondary containment, resulting in the release of approximately 13 barrels (bbls) of produced water. On November 20, 2025, Devon Energy submitted the initial Notice of Release (NOR) to the New Mexico Energy, Minerals, and Natural Resources Department – Oil Conservation Division (NMOCD) via the Operator’s Electronic Permitting and Payment Portal.

The November 19, 2025, release was less than 25 bbls and therefore does not meet the criteria for a major release as defined under 19.15.29.7 (A)(1) NMAC. Accordingly, enhanced notification procedures outlined in 19.15.29.10(A) NMAC were not applicable to this incident.

**Site Characterization Summary**

The Site is underlain by Qoa (Quaternary alluvium, undivided), composed of clay, silt, sand, gravel, and minor caliche, with gravel containing sedimentary and igneous clasts. Terrain for the Site and immediate surrounding area includes terraces, piedmonts, dunes fields, or upland plains at elevations ranging from 2,842 to 4,500 feet above mean sea level (amsl). Parent material consists of mixed loamy eolian deposits and alluvium derived from igneous and sedimentary bedrock, with 8 to 13 inches of average annual precipitation. Soil within the Site tends to be well-drained, with very high runoff potential and very low to moderately low water-holding capacity.

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The USDA – Web Soil Survey (WSS) identifies the predominant soil type at the Site as Simona-Bippus complex that is very shallow to shallow, typically less than 20 inches in depth. Surface and subsurface textures are gravelly loamy sand, gravelly fine sandy loam or fine sandy loam. An indurated caliche layer occurs at depths of 6 to 25 inches and is at an average of 15 inches from the surface. Underlying material textures are very gravelly fine sandy loam, very gravelly sandy loam, and gravelly fine sandy loam. Gravels are calcium carbonate concretions, and calcium carbonate content ranges from 30 to 65 percent.

Vegetation reflects a black grama dominated grassland sparsely dotted with shrubs. Shrubs, especially mesquite and creosote bush can increase or colonize due to the dispersal of shrub seeds by livestock or wildlife. Fire suppression, and the loss of grass cover due to overgrazing or drought may facilitate the increase and encroachment of shrubs. Persistent loss of grass cover, competition for resources by shrubs, and periods of climate with increased winter precipitation and dry summers, may initiate the transition to a shrub-dominated state.

The nearest significant watercourse, a riverine, is located 0.30 miles southwest of the Site. A freshwater emergent wetland surface water feature, classified as a playa/wetland, was identified immediately south of the Site footprint. Review of aerial imagery indicates the tank battery is directly adjacent to the playa and wetland feature. In accordance with the closure criteria and exposure pathways outlined in 19.15.29.12(C)(4) NMAC, the proximity of this surface water feature was evaluated as part of the site assessment to identify potential environmental receptors and to support determination of applicable remediation and closure requirements.

Per the New Mexico Office of the State Engineer (NMOSE) Points of Diversion (POD) Map, the nearest POD is C-04637-POD1, which is used to reference depth to groundwater (DTGW), is located 0.94 miles south on an adjacent well pad. The POD is identified as a temporary borehole/monitoring well used to determine DTGW. The well record indicates that the temporary borehole was drilled to a depth of 55 ft below ground surface (bgs), and no groundwater was encountered. The nearest water source, a domestic well used for stock watering purposes, is NMOSE POD, C-04999-POD1, located 1.38 miles southeast of the Site.

Karst potential for the Site is identified as medium, with the nearest area of non-karst potential located 0.31 miles to the north and nearest area of high karst potential 10.9 miles west of the Site. The Site is in a FEMA flood hazard area identified as FEMA Zone X (undetermined hazard); the nearest identified FEMA flood hazard area, classified as Zone A, is 1.31 miles to the southeast.

Additional information detailing the results of the Site characterization findings can be found in **Appendix B**.

#### **Closure Criteria**

Table 1 summarizes key Site and incident information relevant to closure evaluation, as required under 19.15.29.12 NMAC. This includes details such as release source, location, containment status, and site-specific features that may influence closure requirements. While contamination thresholds, sampling depths, and applicable concentration limits are not listed in this table, the information provided supports regulatory assessment of whether the release meets criteria for closure. In accordance with NMAC 19.15.29.11(A)(5)(b), if the release occurred within lined, impermeable secondary containment with no evidence of escape, it may qualify for reduced remediation requirements or a No Further Action (NFA)

determination. Due to the Site’s location within 200 feet of the nearest playa lake, the release is treated as if it occurred less than 50 feet of groundwater in accordance with 19.15.29.12(C)(4) NMAC.

Table 1: Release Information and Closure Criteria Limits			
Depth to Ground Water Determination: < 50 feet bgs			
Site Name	Snapping 2 CTB	Company	Devon Energy Production Company, LP
Facility ID	fAPP2123649646	PLSS GPS	D-2-26S-31E 32.077356, -103.749828
Lease ID	LG06900002	Land Status	State Trust Land
Incident ID(s)	nAPP2532443520	Date Of Release(s)	11/19/2025
Source of Release	Plug on pump developed leak	Volume Released/Recovered	13 bbls/ 13 bbls pw
Specific Features	No DTGW PODs within a 0.5-mile radius; medium karst potential; Riverine located 0.30 miles; playa/wetland surface water feature immediately adjacent to the Site; FEMA Zone X		

**Liner Inspection Activities**

For incident nAPP2532443520, a notification of inspection was submitted to Devon via email on December 22, 2025, with official notification submitted through the Operator's Electronic Permitting and Payment Portal on December 24, 2025, in accordance with 19.15.29.11(A)(5)(a)(iii) NMAC. A copy of the notification is included in **Appendix C**.

KLJ Environmental Specialists conducted the site visit on December 26, 2025 and performed the liner inspection. During the visit, KLJ personnel conducted a visual inspection of the secondary containment to verify liner integrity. Observations included checks for perforations, tears, cuts, or weathering that could compromise containment performance. The liner was confirmed to be intact, with no observed integrity issues or conditions requiring repair or replacement. Photographic documentation is included in the Liner Inspection Field Notes & Photolog Report (**Appendix A**).

**Conclusion**

Based on the findings of the liner inspection, KLJ concludes that liner integrity is adequate to contain fluids and there are no further actions required in relation to incident nAPP2532443520.

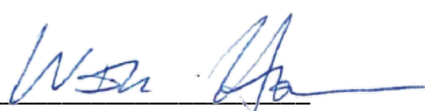
Based on the site assessment and activities conducted, Devon respectfully requests closure of incident nAPP2532443520 with a No Further Action (NFA) determination.

Submitted and prepared by:  
KLJ Engineering

Written By  
Name: Monica Peppin  
Title: Environmental Specialist II

Reviewed By  
Name: Will Harmon, P.G.  
Title: Environmental Project Manager

Signature: 

Signature: 

**Included Appendices**

Appendix A – LINER INSPECTION FIELD NOTES & PHOTOLOG REPORT

Appendix B – CLOSURE CRITERIA RESEARCH

Appendix C – CORRESPONDENCE

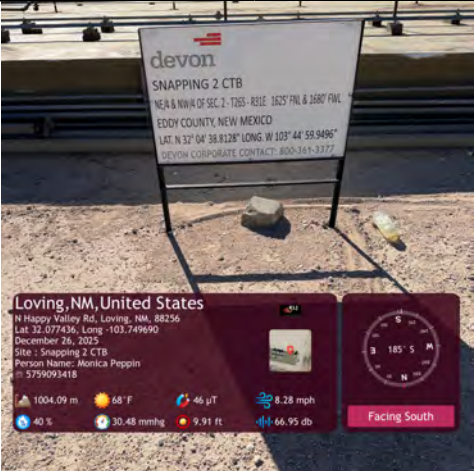
## APPENDIX A

### LINER INSPECTION FIELD NOTES & PHOTOLOG REPORT

# Environmental Liner Inspection Field Notes & Photolog Report



## Site & Incident Information

<b>Client:</b>	Devon Energy	<b>Date:</b>	December 26, 2026
<b>Site:</b>	Snapping 2 CTB	<b>Arrival Time:</b>	10:05 AM
<b>Incident ID:</b>	nAPP2532443520	 <p><b>Photo of Lease Sign</b></p>	
<b>Client Contact:</b>	Jim Raley		
<b>Land Status:</b>	State Trust Land		
<b>County:</b>	Lea		
<b>Lease ID:</b>	LG06900002		
<b>Facility ID:</b>	fAPP2123649646		
32.077817, -103.749931			

## Observations and Field Notes

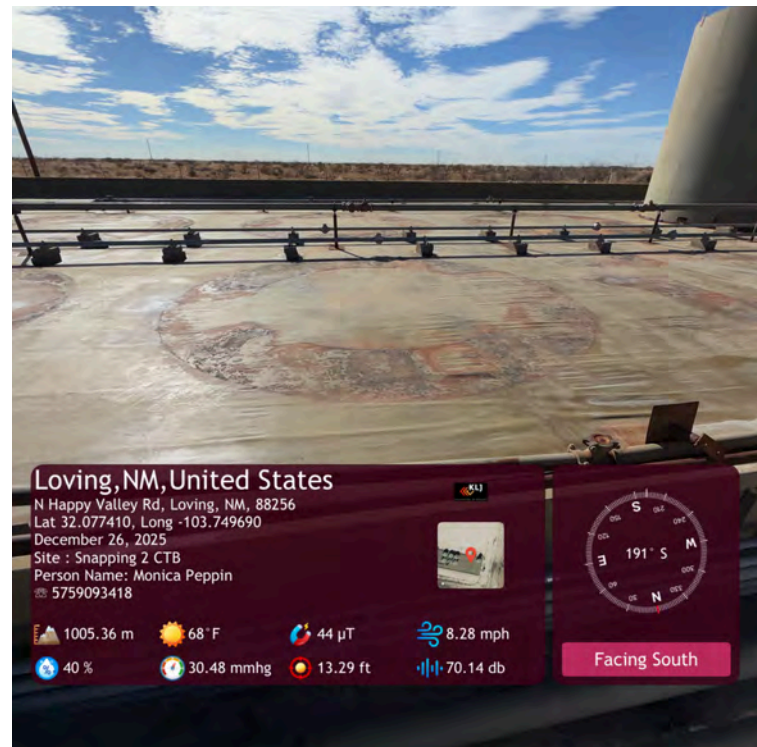
- 10:08 AM – Arrived on site. Observed overall site conditions for potential hazards and completed required safety documentation.
- 10:12 AM – Initiated liner inspection by conducting a visual assessment while walking the perimeter of the containment.
- 10:17 AM – The liner surface was observed to be clean, intact, and in good overall condition.
- 10:24 AM – No rips, tears, punctures, or other areas of concern were identified. Seams were intact and showed no signs of separation, deterioration, or degradation.
- 10:28 AM – Liner inspection completed. Photographs were collected from all cardinal directions, between tanks, and at multiple angles around the equipment and containment.
- 10:32 AM – Based on visual observations, the liner passed inspection and was determined to be in compliance with applicable standards and completed safety documentation.



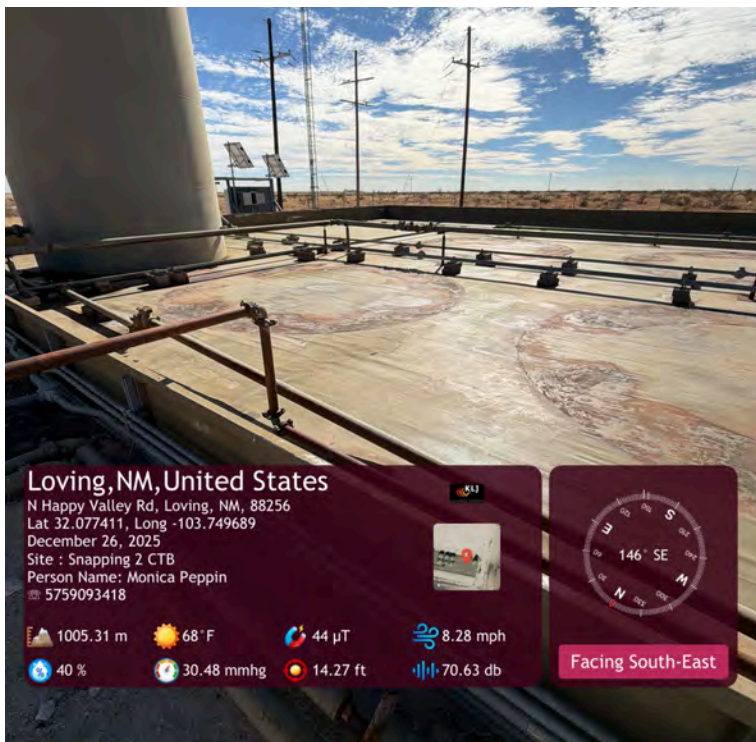
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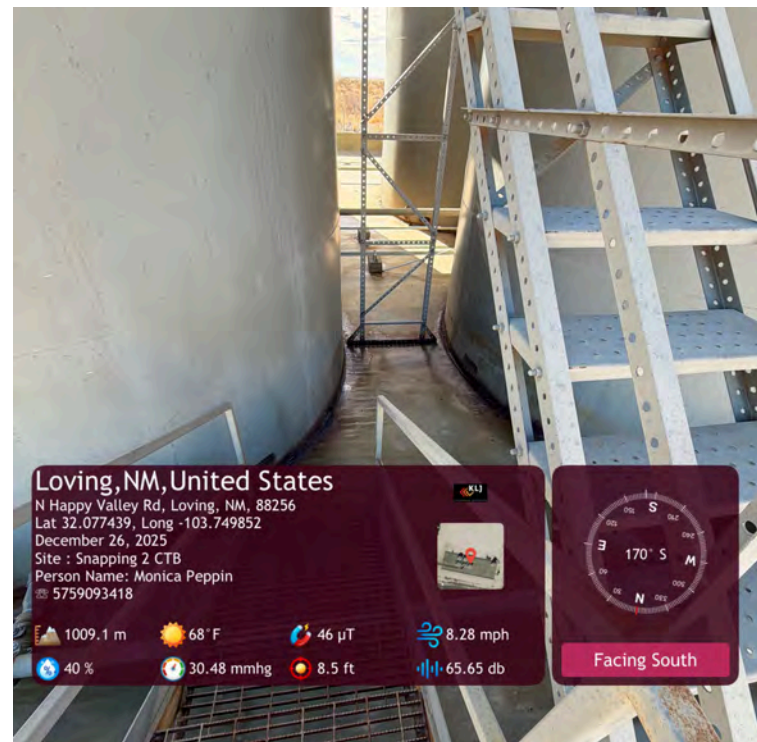
East area of containment.



Open area of containment.



East and south wall of containment.



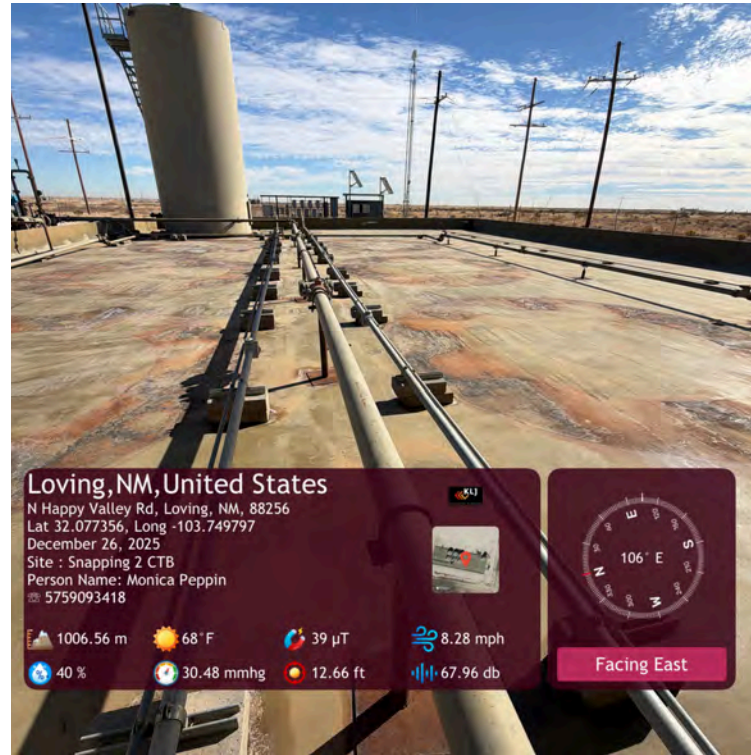
Liner between tanks near stairs.



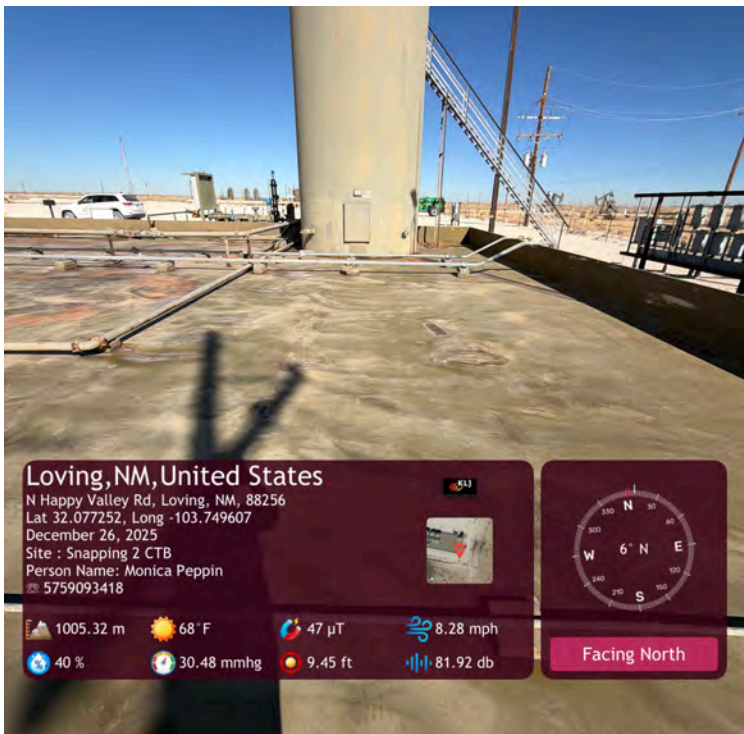
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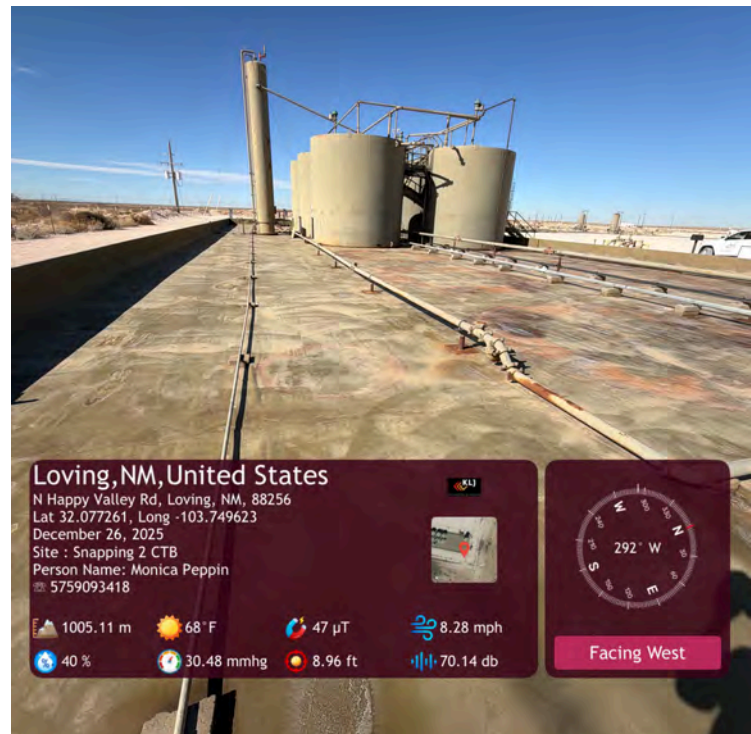
Facing west from east wall.



Facing east wall standing near tanks.



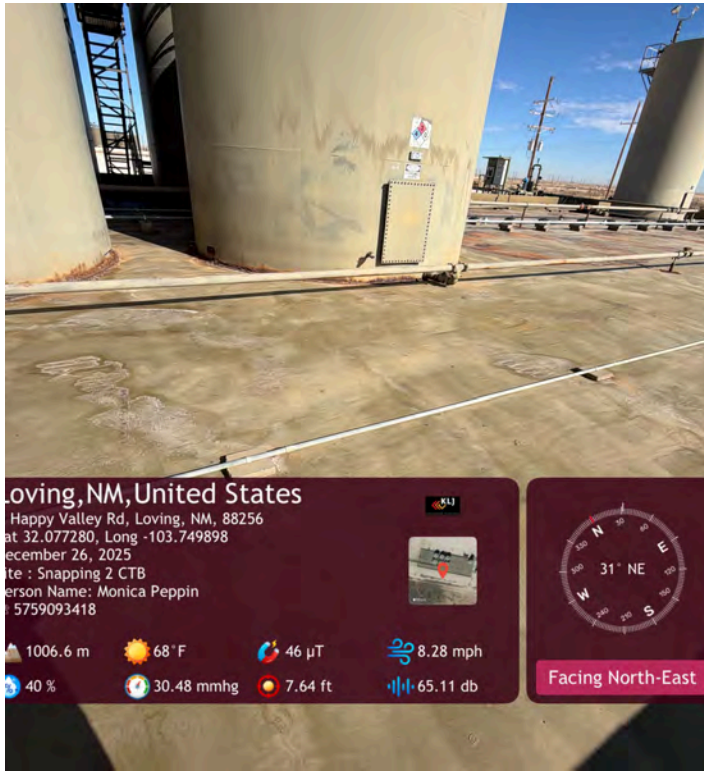
Facing north from southeast corner.



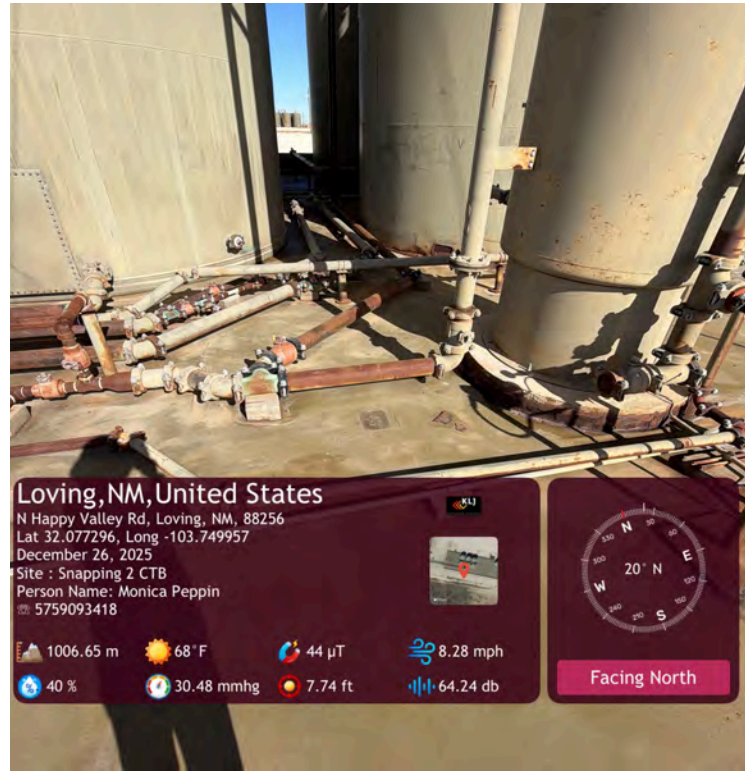
West view of south wall towards tanks.



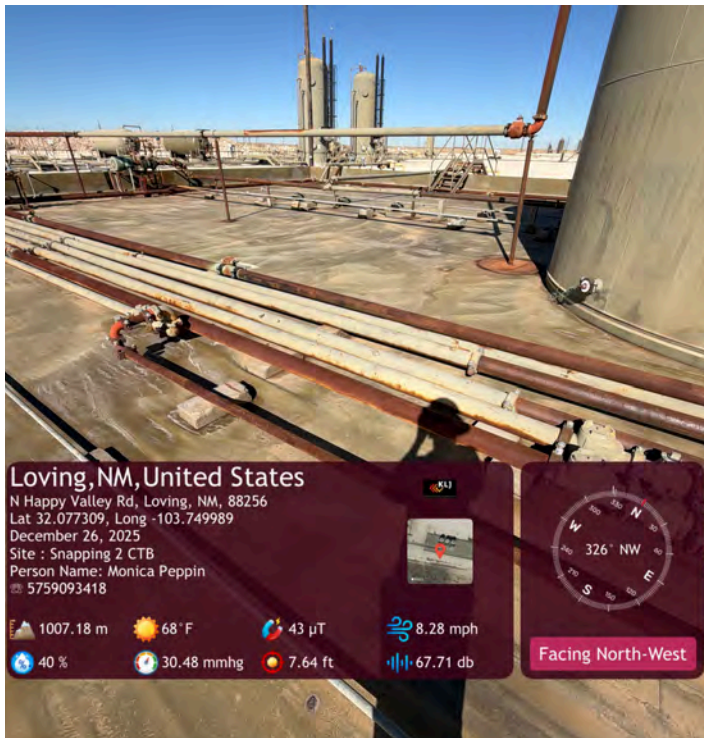
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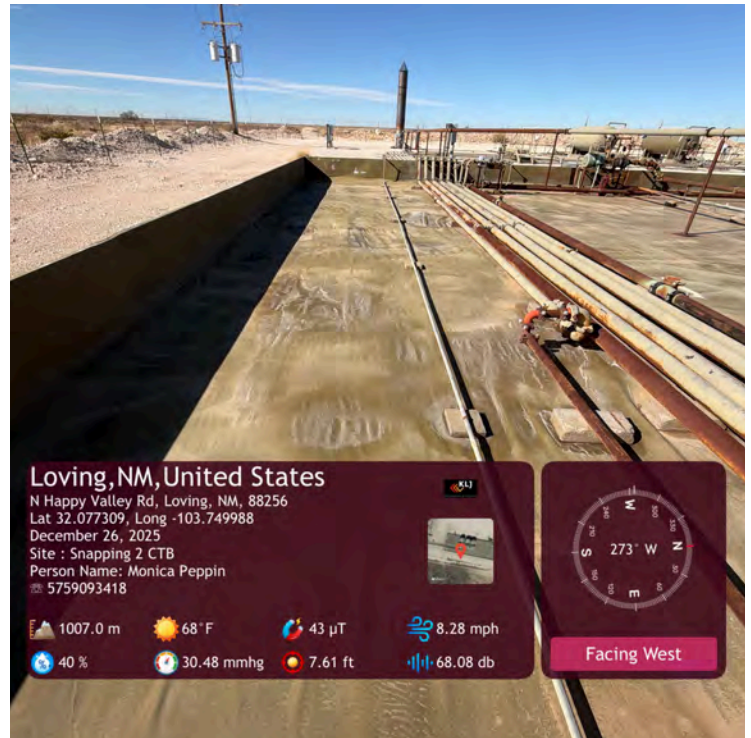
Mid area of liner from south wall.



liner under equipment and piping near south wall.



West area of liner from south wall.



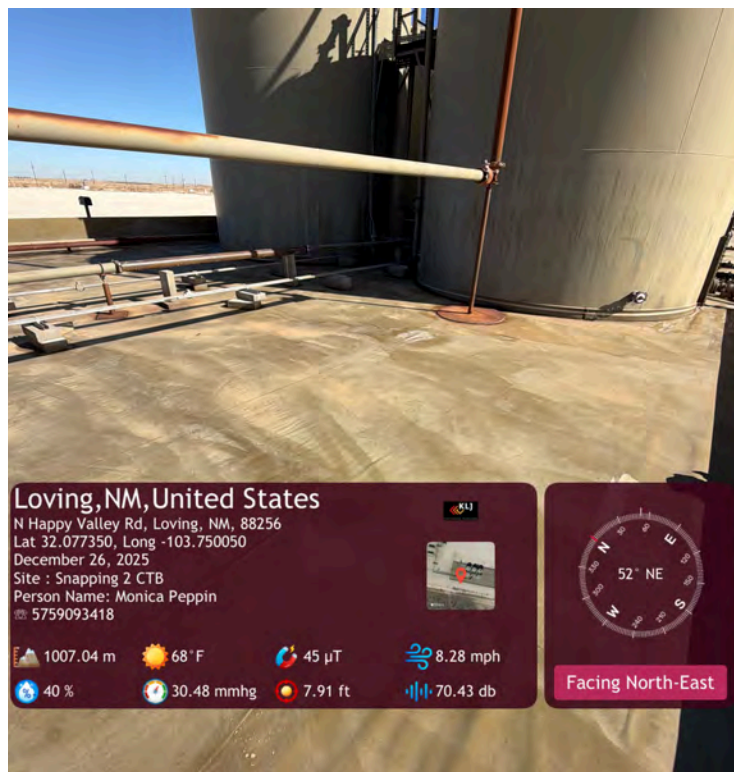
South wall area facing west.



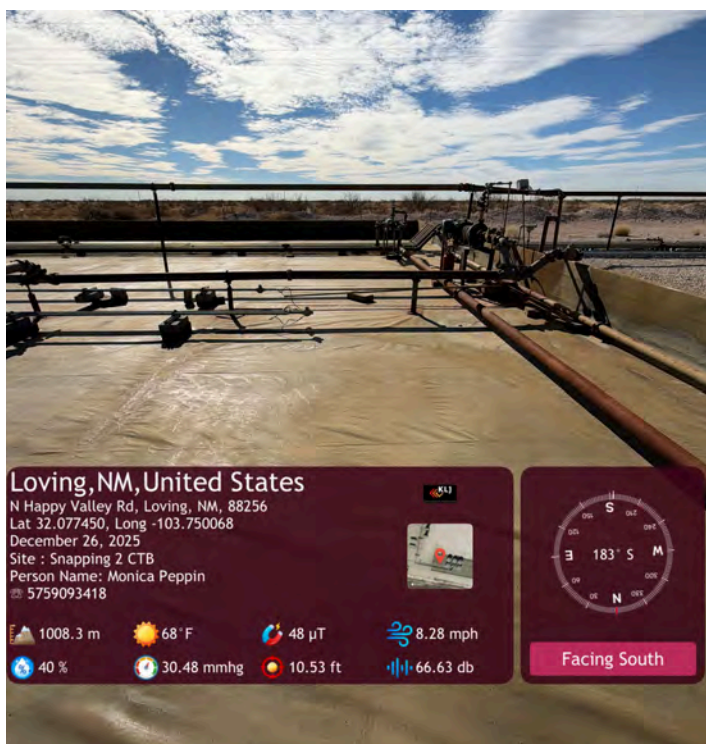
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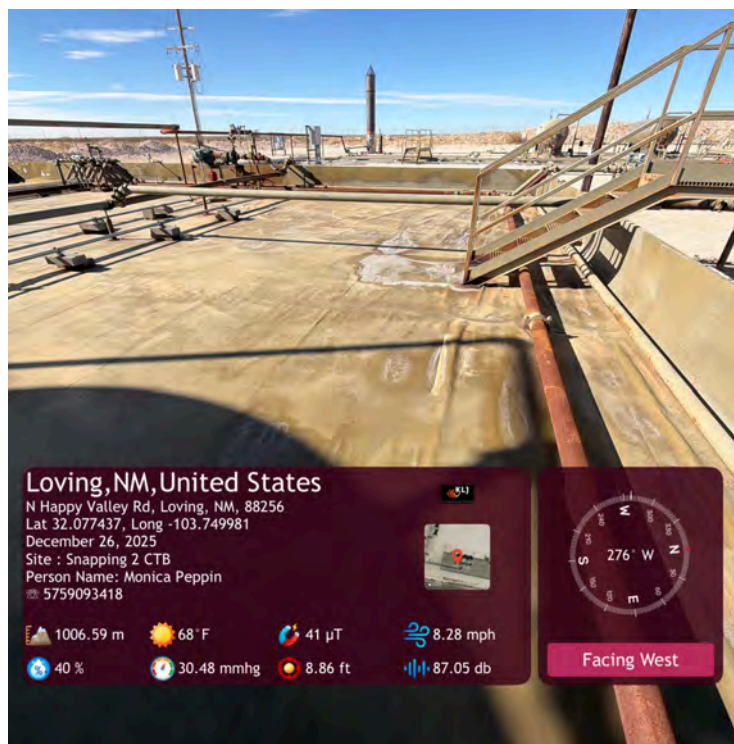
East view from west wall.



West area of liner near tanks.



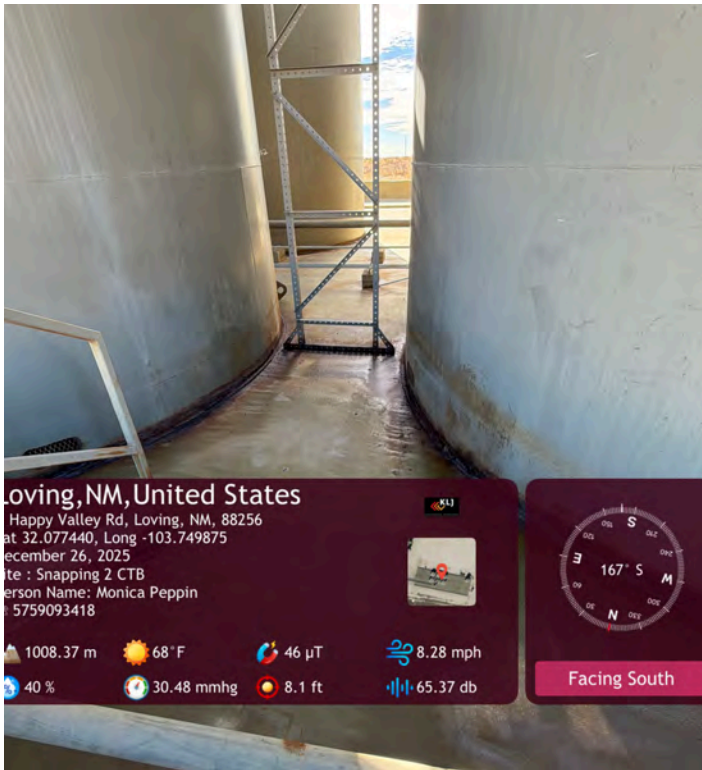
South view of liner on west end of containment.



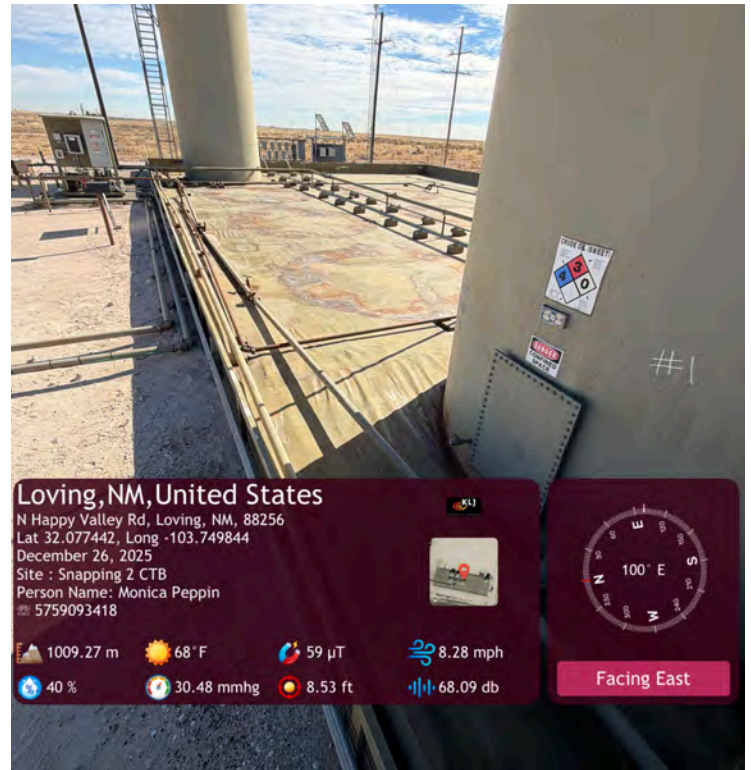
North wall of containment.



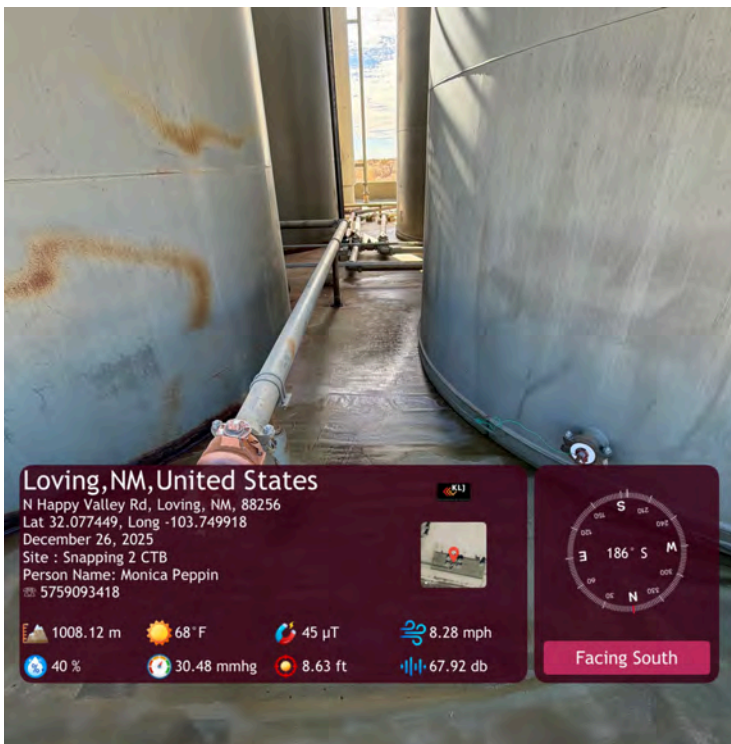
# Photolog



Liner between tanks on far west end.



Liner view from steps facing southeast.




Liner between tanks in middle under steps.



## Additional Notes & Recommendations

- Inspection complete. Liner meets standards and is in compliance.
- NFA (No Further Action) is recommended.
- Complete backend work for reporting and submission of closure request to applicable regulatory agencies.

## Acknowledgement & Signature

Technician: Monica Peppin Date: December 26, 2025  
Signature:  Departure Time: 11:33 AM



## APPENDIX B

### CLOSURE CRITERIA RESEARCH


# Snapping 2 CTB

Incident ID: nAPP2532443520  
Containment Coordinates: 32.077356, -103.749828  
Containment Area: Approx 10,611 sq ft

**Legend**

-  Containment Area
-  Snapping 2 CTB



Snapping 2 CTB 

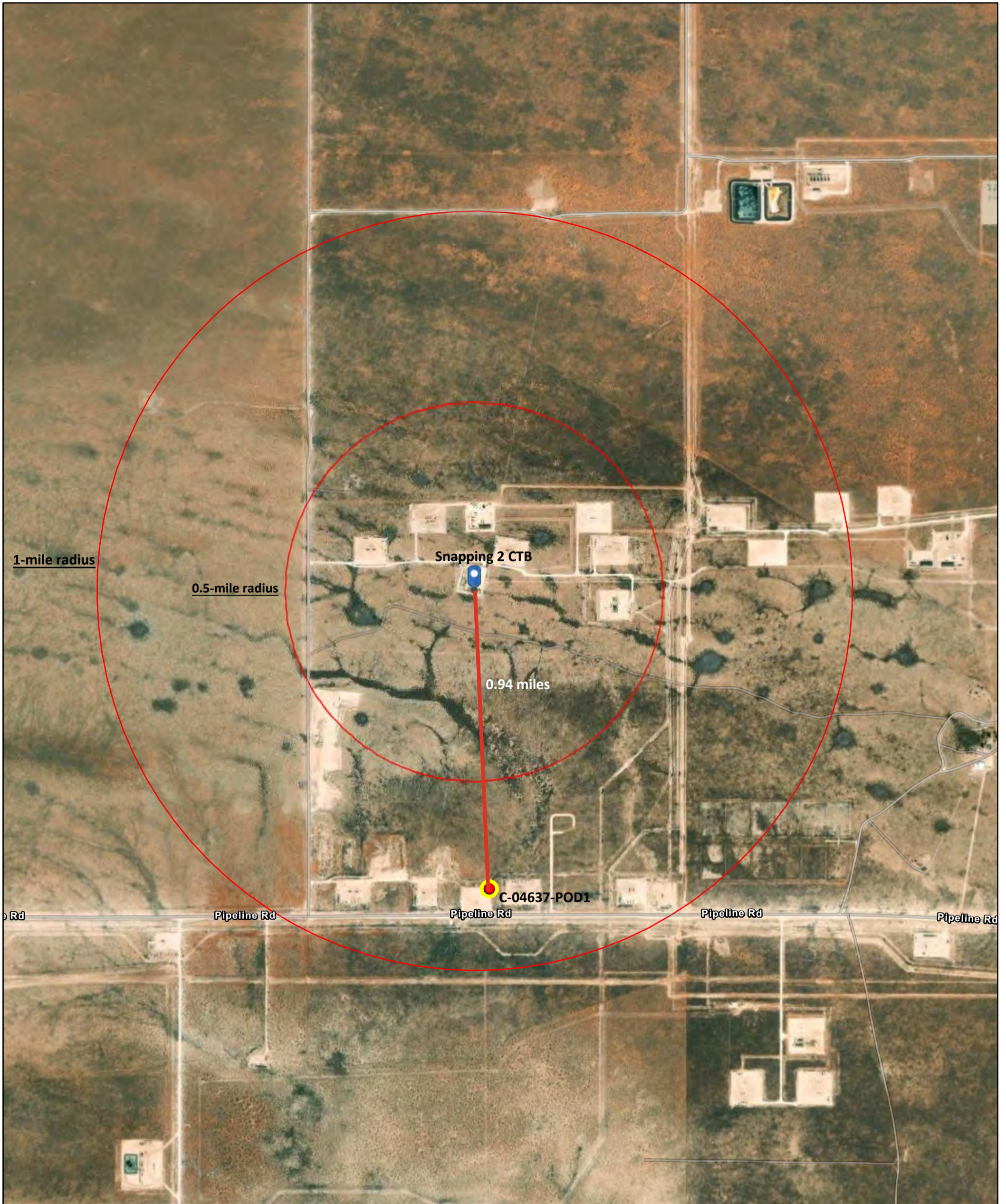
Google Earth

Image © 2025 Airbus



300 ft

# Snapping 2 CTB DTGW Proximity Map



1/7/2026, 1:29:38 PM

● OSE Pod C-04637-POD1

**No wells within 0.5-mile radius**

**Nearest Pod for DTGW Determination**

OSE Pod C-04637-POD1

**Distance**

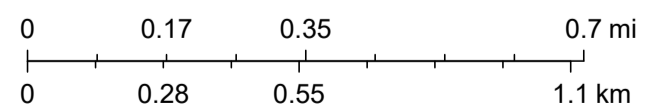
0.94 miles

**Depth of Well**

51 ft bgs

No groundwater encountered

1:18,056



Vantor, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community



# WELL RECORD & LOG

OFFICE OF THE STATE ENGINEER

www.ose.state.nm.us

2022 JUN 8 2:02:22 PM -0500

1. GENERAL AND WELL LOCATION	OSE POD NO. (WELL NO.) POD 1 (TW-1)		WELL TAG ID NO. N/A		OSE FILE NO(S). C-4637		
	WELL OWNER NAME(S) Devon Energy				PHONE (OPTIONAL) 575-748-1838		
	WELL OWNER MAILING ADDRESS 6488 7 Rivers Hwy				CITY Artesia	STATE NM	ZIP 88210
	WELL LOCATION (FROM GPS)	DEGREES LATITUDE 32	MINUTES 3	SECONDS 57.21	N	* ACCURACY REQUIRED: ONE TENTH OF A SECOND * DATUM REQUIRED: WGS 84	
DESCRIPTION RELATING WELL LOCATION TO STREET ADDRESS AND COMMON LANDMARKS - PLSS (SECTION, TOWNSHIP, RANGE) WHERE AVAILABLE SE SE SW Sec.2 T26S R31S NMPM							

2. DRILLING & CASING INFORMATION	LICENSE NO. 1249	NAME OF LICENSED DRILLER Jackie D. Atkins			NAME OF WELL DRILLING COMPANY Atkins Engineering Associates, Inc.			
	DRILLING STARTED 6/15/2022	DRILLING ENDED 6/15/2022	DEPTH OF COMPLETED WELL (FT) Temporary Well	BORE HOLE DEPTH (FT) ±51	DEPTH WATER FIRST ENCOUNTERED (FT) N/A			
	COMPLETED WELL IS: <input type="checkbox"/> ARTESIAN <input checked="" type="checkbox"/> DRY HOLE <input type="checkbox"/> SHALLOW (UNCONFINED)				STATIC WATER LEVEL IN COMPLETED WELL (FT) N/A	DATE STATIC MEASURED 6/15/2022, 7/19/2022		
	DRILLING FLUID: <input type="checkbox"/> AIR <input type="checkbox"/> MUD ADDITIVES - SPECIFY:							
	DRILLING METHOD: <input type="checkbox"/> ROTARY <input type="checkbox"/> HAMMER <input type="checkbox"/> CABLE TOOL <input checked="" type="checkbox"/> OTHER - SPECIFY: Hollow Stem Auger					CHECK HERE IF PITLESS ADAPTER IS INSTALLED <input type="checkbox"/>		
	DEPTH (feet bgl)		BORE HOLE DIAM (inches)	CASING MATERIAL AND/OR GRADE (include each casing string, and note sections of screen)	CASING CONNECTION TYPE (add coupling diameter)	CASING INSIDE DIAM. (inches)	CASING WALL THICKNESS (inches)	SLOT SIZE (inches)
	FROM	TO						
	0	55	±6.5	Boring-HSA	--	--	--	--

3. ANNULAR MATERIAL	DEPTH (feet bgl)		BORE HOLE DIAM. (inches)	LIST ANNULAR SEAL MATERIAL AND GRAVEL PACK SIZE-RANGE BY INTERVAL	AMOUNT (cubic feet)	METHOD OF PLACEMENT
	FROM	TO				

FOR OSE INTERNAL USE		WR-20 WELL RECORD & LOG (Version 01/28/2022)			
FILE NO.	C-04637-Pod1	POD NO.	1	TRN NO.	726494
LOCATION	26S.31E.02.4.4.3.	WELL TAG ID NO.		PAGE 1 OF 2	





2904 W 2nd St.  
Roswell, NM 88201  
voice: 575.624.2420  
fax: 575.624.2421  
www.atkinseng.com

August 4, 2022

DII-NMOSE  
1900 W 2<sup>nd</sup> Street  
Roswell, NM 88201

*Hand Delivered to the DII Office of the State Engineer*

Re: Well Record C-4637 Pod1

To whom it may concern:

Attached please find a well log & record and a plugging record, in duplicate, for a one (1) soil borings, C-4637 Pod1.

If you have any questions, please contact me at 575.499.9244 or [lucas@atkinseng.com](mailto:lucas@atkinseng.com).

Sincerely,

A handwritten signature in black ink that reads "Lucas Middleton". The signature is written in a cursive, flowing style.

Lucas Middleton

Enclosures: as noted above

2022 AUG 8 10:22 AM

File No. C-04637

## NEW MEXICO OFFICE OF THE STATE ENGINEER



### WR-07 APPLICATION FOR PERMIT TO DRILL A WELL WITH NO WATER RIGHT



(check applicable box):

For fees, see State Engineer website: <http://www.ose.state.nm.us/>

Purpose:	<input type="checkbox"/> Pollution Control And/Or Recovery	<input type="checkbox"/> Ground Source Heat Pump
<input type="checkbox"/> Exploratory Well (Pump test)	<input type="checkbox"/> Construction Site/Public Works Dewatering	<input checked="" type="checkbox"/> Other(Describe): Groundwater Determination
<input type="checkbox"/> Monitoring Well	<input type="checkbox"/> Mine Dewatering	
A separate permit will be required to apply water to beneficial use regardless if use is consumptive or nonconsumptive.		
<input type="checkbox"/> Temporary Request - Requested Start Date:		Requested End Date:
Plugging Plan of Operations Submitted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

#### 1. APPLICANT(S)

Name: Devon Energy	Name:
Contact or Agent: <span style="float: right;">check here if Agent <input type="checkbox"/></span> Dale Woodall	Contact or Agent: <span style="float: right;">check here if Agent <input type="checkbox"/></span>
Mailing Address: 6488 7 Rivers Hwy	Mailing Address:
City: Artesia	City:
State: <span style="float: right;">Zip Code:</span> NM <span style="float: right;">88210</span>	State: <span style="float: right;">Zip Code:</span>
Phone: 575-748-1838 <span style="float: right;"><input type="checkbox"/> Home <input checked="" type="checkbox"/> Cell</span> Phone (Work):	Phone: <span style="float: right;"><input type="checkbox"/> Home <input type="checkbox"/> Cell</span> Phone (Work):
E-mail (optional): Dale.Woodall@dvn.com	E-mail (optional):

OSE DIT MAY 11 2022 AM 8:37

FOR OSE INTERNAL USE

Application for Permit, Form WR-07, Rev 11/17/16

File No.: <u>C-04637</u>	Trn. No.: <u>726494</u>	Receipt No.: <u>2-44561</u>
Trans Description (optional): <u>2 265 312 4.4.3</u>		
Sub-Basin: <u>C</u>	PCW/LOG Due Date: <u>5/24/23</u>	

**2. WELL(S)** Describe the well(s) applicable to this application.

**Location Required: Coordinate location must be reported in NM State Plane (NAD 83), UTM (NAD 83), or Latitude/Longitude (Lat/Long - WGS84). District II (Roswell) and District VII (Cimarron) customers, provide a PLSS location in addition to above.**

NM State Plane (NAD83) (Feet)
  UTM (NAD83) (Meters)
  Lat/Long (WGS84) (to the nearest 1/10<sup>th</sup> of second)

NM West Zone
  Zone 12N

NM East Zone
  Zone 13N

NM Central Zone

Well Number (if known):	X or Easting or Longitude:	Y or Northing or Latitude:	Provide if known: -Public Land Survey System (PLSS) (Quarters or Halves, Section, Township, Range) OR - Hydrographic Survey Map & Tract; OR - Lot, Block & Subdivision; OR - Land Grant Name
C-04637-POD1(FW-1)	-103°44'57"	32°3'57.21"	SE SE SW Sec.2 T26S R31E NMPM

**NOTE: If more well locations need to be described, complete form WR-08 (Attachment 1 – POD Descriptions)**  
 Additional well descriptions are attached:  Yes  No If yes, how many \_\_\_\_\_

Other description relating well to common landmarks, streets, or other:  
 Site ID:25  
 Location Name:Snapping 2 State 013H

Well is on land owned by: State of New Mexico

**Well Information: NOTE: If more than one (1) well needs to be described, provide attachment. Attached?**  Yes  No  
 If yes, how many \_\_\_\_\_

Approximate depth of well (feet): 55	Outside diameter of well casing (inches): 2.375 or 1.315
Driller Name: Jackie D. Atkins	Driller License Number: 1249

**3. ADDITIONAL STATEMENTS OR EXPLANATIONS**

A Soil Boring to determine depth up to 55 feet. Temporary PVC well material will be placed to total depth and secured at surface. Temporary well will be in place for minimum of 72 hours. If ground water is encountered the boring will be plugged immediately using augers as tremie to land a slurry of Portland TYPE I/II Neat cement less than 6.0 gallons of water per 94 lb. sack. If no water is encountered then drill cuttings will be used to (10) ten feet of land surface and plugged using hydrated bentonite.

OSE DTI MAY 11 2022 AMB:38

FOR OSE INTERNAL USE

Application for Permit, Form WR-07

File No.: C-04637	Trn No.: 72094
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**4. SPECIFIC REQUIREMENTS:** The applicant must include the following, as applicable to each well type. Please check the appropriate boxes, to indicate the information has been included and/or attached to this application:

<p><b>Exploratory:</b>  <input type="checkbox"/> Include a description of any proposed pump test, if applicable.</p>	<p><b>Pollution Control and/or Recovery:</b>  <input type="checkbox"/> Include a plan for pollution control/recovery, that includes the following:  <input type="checkbox"/> A description of the need for the pollution control or recovery operation.  <input type="checkbox"/> The estimated maximum period of time for completion of the operation.  <input type="checkbox"/> The annual diversion amount.  <input type="checkbox"/> The annual consumptive use amount.  <input type="checkbox"/> The maximum amount of water to be diverted and injected for the duration of the operation.  <input type="checkbox"/> The method and place of discharge.</p>	<p><b>Construction De-Watering:</b>  <input type="checkbox"/> Include a description of the proposed dewatering operation,  <input type="checkbox"/> The estimated duration of the operation,  <input type="checkbox"/> The maximum amount of water to be diverted,  <input type="checkbox"/> A description of the need for the dewatering operation, and,  <input type="checkbox"/> A description of how the diverted water will be disposed of.</p>	<p><b>Mine De-Watering:</b>  <input type="checkbox"/> Include a plan for pollution control/recovery, that includes the following:  <input type="checkbox"/> A description of the need for mine dewatering.  <input type="checkbox"/> The estimated maximum period of time for completion of the operation.  <input type="checkbox"/> The source(s) of the water to be diverted.  <input type="checkbox"/> The geohydrologic characteristics of the aquifer(s).  <input type="checkbox"/> The maximum amount of water to be diverted per annum.  <input type="checkbox"/> The maximum amount of water to be diverted for the duration of the operation.  <input type="checkbox"/> The quality of the water.</p>
<p><b>Monitoring:</b>  <input type="checkbox"/> Include the reason for the monitoring well, and,  <input type="checkbox"/> The duration of the planned monitoring.</p>	<p><input type="checkbox"/> The method of measurement of water produced and discharged.  <input type="checkbox"/> The source of water to be injected.  <input type="checkbox"/> The method of measurement of water injected.  <input type="checkbox"/> The characteristics of the aquifer.  <input type="checkbox"/> The method of determining the resulting annual consumptive use of water and depletion from any related stream system.  <input type="checkbox"/> Proof of any permit required from the New Mexico Environment Department.  <input type="checkbox"/> An access agreement if the applicant is not the owner of the land on which the pollution plume control or recovery well is to be located.</p>	<p><b>Ground Source Heat Pump:</b>  <input type="checkbox"/> Include a description of the geothermal heat exchange project,  <input type="checkbox"/> The number of boreholes for the completed project and required depths.  <input type="checkbox"/> The time frame for constructing the geothermal heat exchange project, and,  <input type="checkbox"/> The duration of the project.  <input type="checkbox"/> Preliminary surveys, design data, and additional information shall be included to provide all essential facts relating to the request.</p>	<p><input type="checkbox"/> The method of measurement of water diverted.  <input type="checkbox"/> The recharge of water to the aquifer.  <input type="checkbox"/> Description of the estimated area of hydrologic effect of the project.  <input type="checkbox"/> The method and place of discharge.  <input type="checkbox"/> An estimation of the effects on surface water rights and underground water rights from the mine dewatering project.  <input type="checkbox"/> A description of the methods employed to estimate effects on surface water rights and underground water rights.  <input type="checkbox"/> Information on existing wells, rivers, springs, and wetlands within the area of hydrologic effect.</p>

**ACKNOWLEDGEMENT**

I, We (name of applicant(s)), Dale Woodall (Devon Energy)  
 Print Name(s)

affirm that the foregoing statements are true to the best of (my, our) knowledge and belief.

Dale Woodall  
Dale Woodall (Apr 25, 2022 11:13 MDT)  
 Applicant Signature

\_\_\_\_\_  
 Applicant Signature

**ACTION OF THE STATE ENGINEER**

This application is:  
 approved       partially approved       denied

provided it is not exercised to the detriment of any others having existing rights, and is not contrary to the conservation of water in New Mexico nor detrimental to the public welfare and further subject to the attached conditions of approval.

Witness my hand and seal this 26 day of May 20 22, for the State Engineer,

Mike Hamman, P.E. State Engineer

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By: K. Parekh Signature      Kashyap Parekh Print

Title: Water Resource Manager I  
 Print

FOR OSE INTERNAL USE

Application for Permit, Form WR-07

File No.: <u>C-04637</u>	Trn No.: <u>726494</u>
--------------------------	------------------------

Jesse Baker



STATE OF NEW MEXICO )  
: ss  
COUNTIES OF LEA & EDDY )

SURFACE USE AGREEMENT

This Agreement made effective this 19 day of February 2013 by and between Jesse T. Baker and/or Susan Baker, Co-Owners, dba Baker Ranch, P.O. Box 24, Silver City, New Mexico 88062 (hereinafter referred to as "Owner") and Devon Energy Production Company, L.P., whose address is 333 W. Sheridan, Oklahoma City, Oklahoma 73102 (hereinafter referred to as "Operator"), witnesseth:

Whereas, Owner owns the surface estate of various lands identified on the attached Exhibit "A" as "fee" lands and is also the grazing lessee under Agricultural Lease(s) issued by the New Mexico Commissioner of Public Lands for various state owned surface identified as "state" lands, all in Lea and Eddy County, New Mexico, sometimes hereafter collectively referred to as "Owner's Lands". This agreement does not cover federal surface, whether or not identified. Except in situations where there is damage to Owner's private property, Operator shall NOT pay any sums under this Agreement for lands where Owner has contractual rights to use certain lands owned by the United States of America unless the rules and/or regulations of the United States of America respectively provide otherwise.

Whereas, Owner actively conducts, upon its ranch properties including the Owner's Lands, the business of ranching, livestock raising and other agricultural related activities, including, but not limited to, practices for conservation of the land, habitat improvement and wildlife preservation;

Whereas, Operator is the leaseholder of certain oil and gas leases on portions of the Owner's Lands or lands adjacent thereto and in connection therewith Operator intends to cause the drilling of oil and gas wells on the Owner's Lands or lands adjacent thereto;

Whereas, subject to applicable statutes, rules, regulations, laws and the terms and provisions of this Agreement set forth below, Owner hereby acknowledges Operator has the right to enter upon and to use only so much of Owner's Lands as is reasonably necessary for the purpose of exploring for, capturing, producing and selling oil and gas underlying Owner's Lands or lands adjacent thereto; and

Whereas, the purpose of this Agreement is to set forth the agreed compensation to Owner from Operator in connection with the use of and damages to the Owner's Lands. Further the purpose of this Agreement is to assign responsibilities and obligations as between the Owner and Operator in regard to all activities associated with the locating, constructing, drilling, completing, re-working, re-completing, operating and producing Operator's wells on the Owner's Lands or lands adjacent thereto.

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NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE TERMS, PROVISIONS AND CONDITIONS HEREINAFTER SET FORTH IT IS MUTUALLY AGREED THAT UPON COMMENCEMENT OF OPERATIONS FOR EACH OF THE FOLLOWING, OPERATOR SHALL PAY OWNER AS FOLLOWS:

(1) COMPENSATION FOR USE OF AND DAMAGES TO FEE LANDS:

A. [REDACTED]

B. Electric Lines: [REDACTED]

C. Pipelines: [REDACTED]

D. Roads: [REDACTED]

[REDACTED]

(2) COMPENSATION FOR USE OF AND DAMAGES TO STATE LANDS:

A. Well Location: Operator shall pay to Owner the [REDACTED] for the drill site location, not to exceed a drilling location pad size of [REDACTED], which shall represent surface damages for the reasonable use of the surface, including the drill site and reserve pit. Operator also agrees to pay Owner the one-time payment of [REDACTED] for each successive well placed on the same drilling location. [REDACTED]

[REDACTED]

B. Electric Lines: Operator shall pay to Owner [REDACTED] overhead electric lines.

C. Pipelines: Operator shall pay to Owner [REDACTED]

D. Roads: Operator shall pay to Owner [REDACTED]

(3) [REDACTED]

(4) [REDACTED]

[REDACTED]

(5) [REDACTED]

(6) [REDACTED]

(7) Operator shall keep all of its production equipment located on Owner's Lands painted in accordance with the Bureau of Land Management and state rules and regulations.

(8) For so long as caliche and/or topsoil is available in sufficient quality and quantity to support Operator's operations on Owner's Lands as contemplated by this Agreement. Operator agrees to purchase caliche and/or topsoil from Owner's existing caliche and/or topsoil pit(s), for [REDACTED]

(9) If requested by Owner, Operator shall fence off the entire well location, including drill site pad, reserve pit, and, if applicable, tank batteries and pumping unit, so as to prevent any livestock from coming on the drill site location at any time. If livestock enter upon the drill site location and become "oiled" or otherwise injured due to Operator's negligence in fencing off the location, Operator shall be liable to Owner for such damages.

(10) If one of Owner's bovine animals is hit by a vehicle owned or operated on behalf of Operator or its invitee, and such animal is killed, injured to the extent it has to be destroyed or injured to the extent it is no longer acceptable in a ranching operation, Operator shall pay Owner [REDACTED] if such animal is a bull, [REDACTED] if such animal is a cow, and [REDACTED] or if proof of value can be established by credible documentation then that value shall be paid.

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(11) Operator shall not conduct drilling activity with 1/2 mile of ranch headquarters [REDACTED]  
[REDACTED]  
[REDACTED]

(12) Operator or its invitees shall permit no dumping of trash, debris, litter or liquids of any sort on the Owner's Lands. Operator shall maintain metal trash containers at all work sites.

(13) Operator shall stockpile, adjacent to the location, the topsoil taken during the building of the drill site location. If the well is a producer, Operator shall redistribute the topsoil over the reserve pit area and restore the surface as near as practical to its condition prior to drilling operations. If the well is a dry hole, Operator shall pick up the caliche pad, redistribute the topsoil over the drill site location and restore the surface as near as practical to its condition prior to drilling operations.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Operator will cooperate with Owner as to the type and quantity of seed to be planted and the time of year and technique of planting grass seed until a native stand of grass has been established.

Operator agrees that it will not bring topsoil and/or caliche into the Owner's Lands from a source outside of the boundaries of the Owner's Lands unless the needed supply cannot be provided by the Owner as found in Section 8 above.

(14) Upon cessation of production, or if the well is non-commercial, Operator shall within six (6) months, remove all equipment, all production lines and all other items of equipment used directly or indirectly by Operator as it pertains to the well drilled, and restore the site as near as practical to its original condition.

(15) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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- (16) To the fullest extent permitted by applicable law, Operator, its successors and assigns, hereby agree to relieve, release, indemnify, and hold harmless and agree to defend Owner, its managers, members, successors, assigns, employees, agents, invitees, and licensees from any and all claim of damage to any person or property arising out of Operator's use of the Owner's Lands. Operator agrees specifically to comply with all lawful and applicable federal, state, tribal, and local environmental regulations in effect upon the Owner's Lands.
- (17) The parties agree, with respect to any other matters, damages or uses which are not provided for herein, that they will diligently and in good faith negotiate same on an issue by issue basis.
- (18) **Notice of Proposed Operations**

Except for routine maintenance or production operations, Operator shall give Owner ten (10) calendar days' notice prior to entry upon the Owner's Lands. Owner will be contacted by telephone or e-mail prior to entry upon the Owner's Lands for construction of well sites, pipelines, roads, etc. Operator's contact information is as follows:

Baker Ranch  
Name: Jesse T. Baker and/or Susan Baker, Co-Owners  
Telephone No.: 575-538-1523 cell  
E-mail: jskearc@hotmail.com

Operator's contact information for notice by Owner to it is as follows:

Devon Energy Production Company, LP  
Name: Richard Torres, Field Landman  
Telephone No.: 575-746-5542 office  
575-513-9431 cell  
E-mail: richard.torres@dvn.com

Operator shall consult with Owner as to the location of the drill sites, roads and other facilities, so as to cause the least interference with Owner's operations. The notice and consultation requirement provided herein is the result of the negotiations between the parties regarding both notice to the Owner and consultation with the Owner regarding Operator's plan of work and operations and other development plans and activities, and is in lieu of any other notice requirements and requirements to provide development related plans, including those set forth in the New Mexico Owners Protection Act, 2007 New Mexico Laws, Chapter 5 (HB827). By execution of this Agreement Owner hereby agrees the Operator is in full compliance with the New Mexico Owners Protection Act, 2007 New Mexico Laws, Chapter 5 (HB827) and the provisions contained herein are substituted therefore in all respects.

**(19) Confidentiality**

The parties hereto agree that this Agreement shall not be placed of record without the written consent of both parties. A memorandum of this Agreement may be recorded.

**(20) Term**

This Agreement shall remain in force and effect for a period of ten (10) years from the date hereof. At the end of the ten (10) year period all parties agree to work in good faith toward the re-negotiation of a new agreement if necessary.

[REDACTED]

**(21) Default**

If it is alleged that the provisions of this Agreement are violated or breached by either party, any dispute shall be first submitted to mediation before any party files a lawsuit or seeks intervention of a regulatory agency to force a cessation of all or part of Operator's activities. The prevailing party in any lawsuit related to or arising out of this Agreement shall recover its reasonable costs of litigation, including attorneys' fees. In the event of a default by Operator in the payment of any sums due hereunder, Owner shall notify Operator, in writing, of such default and Operator shall have thirty (30) days in which to make payment. Operator may make payment and reserve objection to the necessity of making such payment. In the event of a default by Operator regarding any other terms and conditions of this Agreement, Owner shall notify Operator, in writing, of such claimed default and Operator shall have sixty (60) days within which to cure the default, or, if the default cannot be cured within sixty (60) days, to begin diligent and good faith action to cure the default and carry the corrective action to completion.

**(22) Signing of Duplicate Originals**

This Agreement may be signed on any number of counterparts with the same effect as if signatures hereto and thereto were on the same instrument. Such executed counterparts considered together shall constitute the Agreement.

**(23) Force Majeure**

All express and implied covenants of this Agreement shall be subject to all federal, state, county or municipal laws, executive orders, rules and regulations, and Operator's

obligations and covenants hereunder, whether express or implied, shall be suspended at the time or from time to time as compliance with such obligations and covenants is prevented or hindered or is in conflict with federal, state, county or municipal laws, rules, regulations or executive orders asserted as official by or under public authority claiming jurisdiction, or Act of God, adverse field or weather conditions, inability to obtain materials in the open market or transportation thereof, wars, strikes, lockouts, riots or other conditions or circumstances not wholly controlled by Operator; and, this Agreement shall not be terminated in whole or in part, nor shall Operator be held liable for damages for failure to comply with any such obligations or covenants, if, after good faith effort made by Operator fails to remove such cause and compliance therewith is prevented or hindered by or is in conflict with any of the foregoing eventualities, provided Operator's compliance with such obligations and covenants is resumed within a reasonable time after removal of such cause.

(24) Successors and Assigns

THIS AGREEMENT shall be binding on Operator's successors, assigns and agents and it shall be binding on Owner's heirs, agents, successors, representatives, administrators and assigns. Operator agrees to provide copies of this Surface Use Agreement to its agents and independent contractors who will enter upon the Land and shall require that the agents and independent contractors comply with the terms and conditions set forth therein. The covenants hereunder shall be performable in Lea County, New Mexico.

OWNER: **Jesse T. Baker and/or Susan Baker, dba Baker Ranch**

SIGNED this 19 day of Feb, 2013

By: Jesse T. Baker  
Jesse T. Baker, Co-Owner

By: Susan Baker  
Susan Baker, Co-Owner

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OPERATOR: **Devon Energy Production Company, L.P.**

SIGNED this 13<sup>th</sup> day of March, 2013

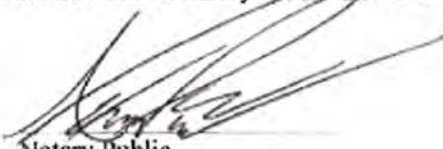
By: Bill A. Penhall  
Bill A. Penhall, Agent and Attorney-in-Fact

RT, SW

STATE OF NEW MEXICO )  
 )  
:SS )  
COUNTY OF Grant )

Before me, a notary public in and for said County and State, on this 19<sup>th</sup> day of Feb, 2013, personally appeared **Jesse T. Baker, Co-Owner, dba Baker Ranch** to me known to be the identical person who executed the foregoing instrument and acknowledged to me that he executed same as his free and voluntary act for the uses and purposes therein set forth.

My Commission Expires: 10/2016

  
Notary Public



STATE OF NEW MEXICO )  
 )  
:SS )  
COUNTY OF Grant )

Before me, a notary public in and for said County and State, on this 19<sup>th</sup> day of Feb, 2013, personally appeared **Susan Baker, Co-Owner, dba Baker Ranch** to me known to be the identical person who executed the foregoing instrument and acknowledged to me that he executed same as his free and voluntary act for the uses and purposes therein set forth.

My Commission Expires: 10/2016

  
Notary Public

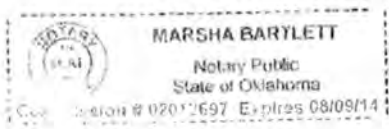


STATE OF OKLAHOMA )  
 )  
:SS )  
COUNTY OF OKLAHOMA )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of March, 2013, by **Bill A. Penhall, Agent and Attorney-in-Fact for Devon Energy Production Company, L.P.**, an Oklahoma limited partnership, on behalf of the partnership.

My Commission Expires: 8-9-14

Marsha Bartlett  
Notary Public



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FORM 72 - COP. LEASE NO. LG 0690

APPLICATION NO. LG 0690

OIL AND GAS LEASE

THIS AGREEMENT, dated this the 1st day of OCTOBER, A.D., 19 72, made and entered into by and between the state of New Mexico, acting by and through the undersigned, its commissioner of public lands, thereunto duly authorized, party of the first part and hereinafter called the "Lessor", and

**YATES PETROLEUM CORPORATION, A New Mexico Corporation**

**207 SOUTH 4th STREET, ARTESIA, NEW MEXICO 88210**

party of the second part, hereinafter called the "Lessee", whether one or more,

WITNESSETH:

WHEREAS, the said lessee has filed in the office of the commissioner of public lands an application for an oil and gas lease covering the lands hereinafter described and has tendered therewith the required first payment being not less than the amount required by law and by the rules and regulations of the New Mexico State Land Office; and

WHEREAS, all of the requirements of law relative to said application and tender have been duly complied with and said application has been approved and allowed by the commissioner of public lands;

THEREFORE, for and in consideration of the premises as well as the sum of SEVEN THOUSAND THREE HUNDRED NINETY TWO DOLLARS AND NO/100----- (\$ 7,392.00 ) Dollars,

the same being the amount of the tender above mentioned, paid in cash, and evidenced by official receipt no. \_\_\_\_\_ and of the further sum of \$ 10.00 filing fee, and of the covenants and agreements hereinafter contained on the part of the lessee to be paid, kept and performed, the said lessor has granted and demised, leased and let, and by these presents does grant, demise, lease and let unto the said lessee, exclusively, for the sole and only purpose of exploration, development and production of oil or gas, or both thereon and therefrom with the right to own all oil and gas so produced and saved therefrom and not reserved as royalty by the lessor under the terms of this lease, together with rights-of-way, easements and servitudes for pipelines, telephones and telegraph lines, tanks, power houses, stations, gasoline plants, and fixtures for producing, treating and caring for such products, and housing and boarding employees, and any and all rights and privileges necessary, incident to or convenient for the economical operation of said land, for oil and gas, with right for such purposes to the free use of oil, gas, casing-head gas, or water from said lands, but not from lessor's water wells, and with the rights of removing either during or after the term hereof, all and any improvements placed or erected on the premises by the lessee, including the right to pull all casing, subject, however, to the conditions hereinafter set out, the following described land situated in the county of EDDY, state of New Mexico, and more particularly described as follows:

Line	SUBDIVISION	Sec.	Twp.	Rge.	Acres	Institution	✓
1	ALL	2	26S	31E	640.00	C.S.	
2							
3	Lessee, including their heirs, assigns, agents, and contractors shall at their own expense fully comply with all laws, regulations, rules, ordinances, and requirements of the city, county, state, federal authorities and agencies, in all matters and things affecting the premises and operations thereon which may be enacted or promulgated under the governmental police powers pertaining to public health and welfare, including but not limited to conservation, sanitation, aesthetic, pollution, cultural properties, fire, and ecology.						
4							
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OCT 2 5 12 AM '72  
STATE LAND OFFICE  
SANTA FE, N.M.

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Said lands having been awarded to lessee and designated as Tract No. 14 at a public sale held by the commissioner of public lands on SEPTEMBER 19, 1972. (To be filled in only where lands are offered at public sale.)

To have and to hold said land, and all the rights and privileges granted hereunder, to and unto the lessee for a primary term of five years from the date hereof, and as long thereafter as oil and gas in paying quantities, or either of them is produced from said land by the lessee, subject to all of the terms and conditions as hereinafter set forth.

In consideration of the premises the parties covenant and agree as follows:

1. Subject to the free use without royalty, as hereinbefore provided, the lessee shall pay the lessor as royalty one-eighth part of the oil produced and saved from the leased premises or the cash value thereof, at the option of the lessor, such value to be the price prevailing the day oil is run into a pipeline, if the oil be run into a pipeline, or into storage tanks, if the oil be stored.

2. Subject to the free use without royalty, as hereinbefore provided, at the option of the lessor at any time and from time to time, the lessee shall pay the lessor as royalty one-eighth part of the gas produced and saved from the leased premises, including casing-head gas. Unless said option is exercised by lessor the lessee shall pay the lessor as royalty one-eighth of the cash value of the gas, including casing-head gas, produced and saved from the leased premises and marketed or utilized, such value to be equal to the greater of the following amounts:

(a) the net proceeds derived from the sale of such gas in the field, or

(b) five cents (\$0.05) per thousand cubic feet (m.c.f.) the volume of gas for such purposes to be computed on a pressure basis of 10 ounces above an assumed atmospheric pressure of 14.4 pounds per square inch, or 15.025 pounds per square inch absolute, at 60° Fahrenheit, and pursuant to appropriate regulations of the commissioner of public lands which may provide, among other things, for a flowing temperature of 60° Fahrenheit to be assumed and applied in volume computation in all cases where a recording thermometer is not employed by the lessee in gas measurement, and for specific gravity tests at the lessee's expense at intervals not greater than one year in all cases where a recording gravitometer is not employed by the lessee in gas measurement; provided, however, the cash value for royalty purposes of carbon dioxide gas and of hydrocarbon gas delivered to a gasoline plant for extraction of liquid hydrocarbons shall be equal to the net proceeds derived from the sale of such gas, including any liquid hydrocarbons recovered therefrom.

Notwithstanding the foregoing provisions, the lessor, acting by its commissioner of public lands may require the payment of royalty for all or any part of the gas produced and saved under this lease and marketed or utilized at a price per m.c.f. equal to the maximum price being paid for gas of like kind and quality and under like conditions in the same field or area or may reduce the royalty value of any such gas (to any amount not less than the net proceeds of sale thereof in the field) if the commissioner of public lands shall determine such action to be necessary to the successful operation of the lands for oil or gas purposes or to encouragement of the greatest ultimate recovery of oil or gas or to the promotion of conservation of oil or gas.

This lease shall not expire at the end of either the primary or secondary term hereof if there is a well capable of producing gas in paying quantities located upon some part of the lands embraced herein where such well is shut-in due to the inability of the lessee to obtain a pipeline connection or to market the gas therefrom; provided, however, the owner of this lease as to the lands upon which such well is located shall pay an annual royalty equal to the annual rental payable by such owner under the terms of this lease but not less than one hundred dollars (\$100) per well per year, said royalty to be paid on or before the annual rental paying date next ensuing after the expiration of ninety days from the date said well was shut-in and on or before said rental date thereafter. The payment of said annual royalty shall be considered for all purposes the same as if gas were being produced in paying quantities and upon the commencement of marketing of gas from said well or wells the royalty paid for the lease year in which the gas is first marketed shall be credited upon the royalty payable hereunder to the lessor for such year. The provisions of this section shall also apply where gas is being marketed from said leasehold premises and through no fault of the lessee, the pipeline connection or market is lost or ceases, in which case this lease shall not expire so long as said annual royalty is paid as herein provided. Notwithstanding the provisions of this section to the contrary, this lease shall not be continued after ten years from the date hereof for any period of more than five years by the payment of said annual royalty.

3. Lessee agrees to make full settlement on the 20th day of each month for all royalties due the lessor for the preceding month, under this lease, and to permit the lessor or its agents, at all reasonable hours, to examine lessee's books relating to the production and disposition of oil and gas produced. Lessee further agrees to submit to lessor annually upon forms furnished by lessor, verified reports showing lessee's operations for the preceding year.

4. It is expressly agreed that the consideration hereinbefore specified is a good, valid and substantial consideration and sufficient in all respects to support each and every covenant herein, including specifically the option granted the lessee to prevent the termination of this lease from year to year, by the payment or forfeiture of the further rental hereinafter provided for.

An annual rental at the rate of 25¢ per acre shall become due and payable to the lessor by the lessee, or by any transferee or assignee of the same, or any part hereof, where such transferee or assignee has been recognized, and such transfer or assignment approved by the lessor as hereinafter provided, upon each acre of the land above described and then claimed by such lessee, transferee or assignee hereunder, and the same shall be due and payable in advance to the lessor on the successive anniversary dates of this lease, but the annual rental on any assignment shall in no event be less than six dollars (\$6.00).

In the event the lessee shall elect to surrender any or all of said acreage, he shall deliver to the commissioner a duly executed release thereof and in event said lease has been recorded, then he shall upon request furnish and deliver to said commissioner a certified copy of a duly recorded release.

5. The lessee may at any time by paying to the state of New Mexico, acting by its commissioner of public lands, or other authorized officer, all amounts then due as provided herein and the further sum of ten dollars (\$10.00), surrender and cancel this lease insofar as the same covers all or any portion of the lands herein leased and be relieved from further obligations or liability hereunder, in the manner as hereinbefore provided. Provided, this surrender clause and the option herein reserved to the lessee shall cease and become absolutely inoperative immediately and concurrently with the institution of any suit in any court of law or equity by the lessee, lessor, or any assignee, to enforce this lease, or any of its terms expressed or implied.

6. All payments due hereunder shall be made on or before the day such payment is due, in cash or by certified exchange at the office of the commissioner of public lands in Santa Fe, New Mexico.

7. The lessee with the consent of the lessor, shall have the rights to assign this lease in whole or in part. Provided, however, that no assignment of an undivided interest in the lease or in any part thereof nor any assignment of less than a legal subdivision shall be recognized or approved by the lessor. Upon approval in writing by the lessor of an assignment, the assignor shall stand relieved from all obligations to the lessor with respect to the lands embraced in the assignment and the lessor shall likewise be relieved from all obligations to the assignor as to such tracts, and the assignee shall succeed to all of the rights and privileges of the assignor with respect to such tracts and shall be held to have assumed all of the duties and obligations of the assignor to the lessor as to such tracts.

8. In the event a well or wells producing oil or gas in paying quantities should be brought in on adjacent land draining the leased premises, lessee shall drill such offset well or wells as a reasonably prudent operator would drill under the same or similar circumstances.

9. The lessee agrees to notify the lessor of the location of each well before commencing drilling thereon; to keep a complete and accurate log of each well drilled and to furnish a copy thereof, verified by some person having actual knowledge of the facts, to the lessor upon the completion of any well, and to furnish the log of any unfinished well at any time when requested to do so by the lessor.

If any lands embraced in this lease shall be included in any deed or contract of purchase outstanding and subsisting issued pursuant to any sale made of the surface of such lands prior to the date of this lease, it is agreed and understood that no drilling operation shall be commenced on any such lands so sold unless and until the lessee or his assignee shall have filed a good and sufficient bond with the lessor as required by law, to secure the payment for such damage to the livestock, range, water, crops or tangible improvements on such lands as may be suffered by the purchaser holding such deed or contract of purchase, or his successors, by reason of the developments, use and occupation of such lands by such lessee. Provided, however, that no such bond shall be required if such purchaser shall waive the right to require such bond to be given in the manner provided by law.

10. In drilling wells all water-bearing strata shall be noted in the log, and the lessor reserves the right to require that all or any part of the casing shall be left in any nonproductive well when lessor deems it to be in the interest of the state of New Mexico to maintain said well or wells for water. For such casing so left in wells the lessor shall pay to the lessee the reasonable value thereof.

11. Lessee shall be liable and agree to pay for all damages to the range, livestock, growing crops or improvements caused by lessee's operations on said lands. When requested by the lessor, the lessee shall bury pipelines below plow depth.

12. The lessee shall not remove any machinery or fixtures placed on said premises, nor draw the casing from any well unless and until all payments and obligations due the lessor under the terms of this agreement shall have been paid or satisfied. The lessee's right to remove the casing is subject to the provision of Paragraph 10 above.

13. Upon failure or default of the lessee or any assignee to comply with any of the provisions or covenants hereof, the lessor is hereby authorized to cancel this lease and such cancellation shall extend to and include all rights hereunder as to the whole of the tract so claimed; or possessed by the lessee or assignee so defaulting, but shall not extend to, nor affect the rights of any other lessee or assignee claiming any portion of the lands upon which no default has been made; provided, however, that before any such cancellation shall be made, the lessor shall mail to the lessee, or assignee so defaulting, by registered or certified mail, addressed to the post office address of such lessee or assignee as shown by the records of the state land office, a notice of intention of cancellation specifying the default for which cancellation is to be made, and if within thirty days from the date of mailing said notice the said lessee or assignee shall remedy the default specified in said notice, cancellation shall not be made.

USE UNTIL MAY 11 2022 AMB:39

14. All the terms of this agreement shall extend to and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

15. If the lessee shall have failed to make discovery of oil or gas in paying quantities during the primary term hereof or if such discovery shall have been made and production shall have ceased for any reason, the lessee may continue this lease in full force and effect for an additional term of five years and as long thereafter as oil and gas in paying quantities or either of them is produced from the leased premises by paying each year in advance, as herein provided, double the rental provided herein for the primary term, or the highest rental prevailing at the commencement of the secondary term in any rental district, or districts in which the lands, or any part thereof, may be situated, if it be greater than double the rental provided for the primary term; provided, however, such rental shall be paid within the time provided by Section 13 hereof, and provided, further, that if oil or gas in paying quantities should be discovered during the secondary term hereof but production should cease, this lease shall continue for the remainder of said secondary term of five years so long as said rental is paid, and if oil or gas in paying quantities is being produced at the end of the secondary term of five years so long thereafter as oil and gas in paying quantities or either of them is produced from the leased premises.

16. If this lease shall have been maintained in accordance with the provisions hereof and if at the expiration of the secondary term provided for herein oil or gas is not being produced on said land but lessee or any assignee is then engaged in bona fide drilling or reworking operations thereon, this lease shall remain in full force and effect so long as such operations are diligently prosecuted and, if they result in the production of oil or gas, so long thereafter as oil and gas in paying quantities, or either of them, is produced from said land; provided, however, such operations extending beyond the secondary term shall be approved by the lessor upon written application filed with the lessor on or before the expiration of said term; and a report of the status of all of such operations shall be made by the lessee to the lessor every thirty days and a cessation of such operations for more than twenty consecutive days shall be considered as an abandonment of such operations and thereupon the provisions hereof shall be of no further force or effect.

If during the drilling or reworking of any well under this section, lessee loses or junks the hole or well and after diligent efforts in good faith is unable to complete said operations, then within twenty days after the abandonment of said operations, lessee may commence another well within three hundred thirty feet of the lost or junked hole or well and drill the same with due diligence. Operations commenced and continued as herein provided shall extend this lease as to all lands as to which the same is in full force and effect as of the time said drilling operations are commenced; provided, however, this lease shall be subject to cancellation in accordance with Section 13 hereof for failure to pay rentals or file reports which may become due while operations are being conducted hereunder.

17. Should production of oil or gas or either of them in paying quantities be obtained while this lease is in force and effect and should thereafter cease from any cause after the expiration of ten years from the date hereof this lease shall not terminate if lessee commences additional drilling or reworking operations within sixty days after the cessation of such production and shall remain in full force and effect so long as such operations are prosecuted in good faith with no cessation of more than twenty consecutive days, and if such operations result in the production of oil or gas in paying quantities, so long thereafter as oil or gas in paying quantities is produced from said land; provided, however, written notice of intention to commence such operations shall be filed with the lessor within thirty days after the cessation of such production, and a report of the status of such operations shall be made by the lessee to the lessor every thirty days, and the cessation of such operations for more than twenty consecutive days shall be considered as an abandonment of such operations and this lease shall thereupon terminate.

In witness whereof, the party of the first part has hereunto signed and caused its name to be signed by its commissioner of public lands thereunto duly authorized, with the seal of his office affixed, and the lessee has signed this agreement the day and year first above written.

STATE OF NEW MEXICO

By: Alfred J. Jennings  
Commissioner of Public Lands, Lessor

ATTEST:  
[Signature]  
Assistant Secretary  
SEP 19 1972

~~YATES PETROLEUM CORPORATION~~  
By: John A. Yates (Seal) <sup>pm</sup>  
Vice President Lessee

Distributed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(PERSONAL ACKNOWLEDGMENT)

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.  
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_

My commission expires: \_\_\_\_\_ Notary Public

(ACKNOWLEDGMENT BY ATTORNEY-IN-FACT)

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.  
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ as attorney-in-fact in behalf of \_\_\_\_\_

My commission expires: \_\_\_\_\_ Notary Public

(ACKNOWLEDGMENT BY CORPORATION)

STATE OF NEW MEXICO }  
COUNTY OF EDDY } ss.  
The foregoing instrument was acknowledged before me this 28th day of September, 1972, by \_\_\_\_\_

John A. Yates (Name) Vice President (Title) of YATES PETROLEUM CORPORATION (Corporation)

a New Mexico corporation, on behalf of said corporation.

My commission expires: December 30, 1970 Edward S. Sebastian Notary Public

**NEW MEXICO STATE ENGINEER OFFICE  
PERMIT TO EXPLORE**

**SPECIFIC CONDITIONS OF APPROVAL**

- 17-16 Construction of a water well by anyone without a valid New Mexico Well Driller License is illegal, and the landowner shall bear the cost of plugging the well by a licensed New Mexico well driller. This does not apply to driven wells, the casing of which does not exceed two and three-eighths inches outside diameter.
- 17-1A Depth of the well shall not exceed the thickness of the valley fill.
- 17-4 No water shall be appropriated and beneficially used under this permit.
- 17-6 The well authorized by this permit shall be plugged completely using the following method per Rules and Regulations Governing Well Driller Licensing, Construction, Repair and Plugging of Wells; Subsection C of 19.27.4.30 NMAC unless an alternative plugging method is proposed by the well owner and approved by the State Engineer upon completion of the permitted use. All pumping appurtenance shall be removed from the well prior to plugging. To plug a well, the entire well shall be filled from the bottom upwards to ground surface using a tremie pipe. The bottom of the tremie shall remain submerged in the sealant throughout the entire sealing process; other placement methods may be acceptable and approved by the state engineer. The well shall be plugged with an office of the state engineer approved sealant for use in the plugging of non-artesian wells. The well driller shall cut the casing off at least four (4) feet below ground surface and fill the open hole with at least two vertical feet of approved sealant. The driller must fill or cover any open annulus with sealant. Once the sealant has cured, the well driller or well owner may cover the seal with soil. A Plugging Report for said well shall be filed with the Office of the State Engineer in a District Office within 30 days of completion of the plugging.

Trn Desc: C 04637 POD1

File Number: C 04637

Trn Number: 726494

**NEW MEXICO STATE ENGINEER OFFICE  
PERMIT TO EXPLORE**

**SPECIFIC CONDITIONS OF APPROVAL (Continued)**

- 17-7 The Permittee shall utilize the highest and best technology available to ensure conservation of water to the maximum extent practical.
- 17-B The well shall be drilled by a driller licensed in the State of New Mexico in accordance with 72-12-12 NMSA 1978. A licensed driller shall not be required for the construction of a well driven without the use of a drill rig, provided that the casing shall not exceed two and three-eighths (2 3/8) inches outside diameter.
- 17-C The well driller must file the well record with the State Engineer and the applicant within 30 days after the well is drilled or driven. It is the well owner's responsibility to ensure that the well driller files the well record.  
The well driller may obtain the well record form from any District Office or the Office of the State Engineer website.
- 17-C2 No water shall be diverted from this well except for testing purposes which shall not exceed ten (10) cumulative days, and well shall be plugged or capped on or before , unless a permit to use water from this well is acquired from the Office of the State Engineer.
- 17-G If artesian water is encountered, the well driller shall comply with all rules and regulations pertaining to the drilling and casing of artesian wells.
- 17-P The well shall be constructed, maintained, and operated to prevent inter-aquifer exchange of water and to prevent loss of hydraulic head between hydrogeologic zones.

Trn Desc: C 04637 POD1

File Number: C 04637  
Trn Number: 726494

**NEW MEXICO STATE ENGINEER OFFICE  
PERMIT TO EXPLORE**

**SPECIFIC CONDITIONS OF APPROVAL (Continued)**

- 17-Q The State Engineer retains jurisdiction over this permit.
- 17-R Pursuant to section 72-8-1 NMSA 1978, the permittee shall allow the State Engineer and OSE representatives entry upon private property for the performance of their respective duties, including access to the ditch or acequia to measure flow and also to the well for meter reading and water level measurement.
- LOG The Point of Diversion C 04637 POD1 must be completed and the Well Log filed on or before 05/26/2023.

IT IS THE PERMITTEE'S RESPONSIBILITY TO OBTAIN ALL AUTHORIZATIONS AND PERMISSIONS TO DRILL ON PROPERTY OF OTHER OWNERSHIP BEFORE COMMENCING ACTIVITIES UNDER THIS PERMIT.

**ACTION OF STATE ENGINEER**

Notice of Intention Rcvd:	Date Rcvd. Corrected:
Formal Application Rcvd: 05/11/2022	Pub. of Notice Ordered:
Date Returned - Correction:	Affidavit of Pub. Filed:

This application is approved provided it is not exercised to the detriment of any others having existing rights, and is not contrary to the conservation of water in New Mexico nor detrimental to the public welfare of the state; and further subject to the specific conditions listed previously.

Witness my hand and seal this 26 day of May A.D., 2022

Mike A. Hamman, P.E., State Engineer

By: K. Parekh  
KASHYAP PAREKH

Trn Desc: C 04637 POD1

File Number: C 04637  
Trn Number: 726494

41851, 67235

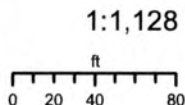
Larry Brotman, Esri, HERE, Garmin, (c) OpenStreetMap contributors, U.S. Department of Energy Office of Legacy Management

**Coordinates**  
UTM - NAD 83 (m) - Zone 13  
 Easting 618068.317  
 Northing 3548423.017

State Plane - NAD 83 (f) - Zone E  
 Easting 722296.799  
 Northing 388196.777

Degrees Minutes Seconds  
 Latitude 32 : 3 : 57.210000  
 Longitude -103 : 44 : 57.000000  
 Location pulled from Coordinate Search

NEW MEXICO OFFICE OF THE STATE ENGINEER



M. TELLES 5/26/2022



Responsible efforts have been made by the New Mexico Office of the State Engineer (OSE) to verify that these maps accurately integrate the source data used in their preparation, however, a degree of error is inherent in all maps, and these maps may contain omissions and errors in scale, resolution, rectification, positional accuracy, the depiction methodology, interpretation of source data, and other circumstances. These maps are distributed "as is" without warranty of any kind.

**Spatial Information**  
**County:** Eddy  
**Groundwater Basin:** Carlsbad  
**Abstract Area:** Carlsbad 72-12-1  
 Carlsbad Underground Basin  
**Land Grant:**  
 Not in Land Grant  
**Restrictions:**  
 NA  
**PLSS Description**  
 NESESESW Qtr of Sec 02 of 026S 031E

Derived from CADNSDI- Qtr Sec. locations are calculated and are only approximations

**Parcel Information**  
 UPC/DocNum: 4185151267235  
 Parcel Owner: State Of New Mexico  
 Address: null null null

**Legal:** Quarter: Ne S: 2 T: 26S R: 31E Quarter: Nw S: 2 T: 26S R: 31E Quarter: Sw S: 2 T: 26S R: 31E Quarter: Se S: 2 T: 26S R: 31E All Sec Loc Off Buckthorn Road Yates Petroleum In Section 2 Exempt

**POD Information**  
**Owner:**  
**File Number:**  
**POD Status:** NoData  
**Permit Status:** NoData  
**Permit Use:** NoData  
**Purpose:**

- |   |   |   |  |  |   |   |
|---|---|---|--|--|---|---|
| <input type="checkbox"/> Calculated PLSS                  | <input checked="" type="checkbox"/> Catron County Parcels 2021  | <input type="checkbox"/> Doña Ana County Parcels 2021             | <input type="checkbox"/> Lea County Parcels 2021             | <input type="checkbox"/> Otero County Parcels 2021           | <input type="checkbox"/> San Juan County Parcels 2021   | <input type="checkbox"/> Taos County Parcels 2021             |
| <input checked="" type="checkbox"/> Coord Search Location | <input type="checkbox"/> Chaves County Parcels 2021             | <input type="checkbox"/> Eddy County Parcels 2021                 | <input type="checkbox"/> Lincoln County Parcels 2021         | <input checked="" type="checkbox"/> Quay County Parcels 2021 | <input type="checkbox"/> San Miguel County Parcels 2021 | <input type="checkbox"/> Torrance County Parcels 2021         |
| <input type="checkbox"/> OSE District Boundary            | <input type="checkbox"/> Cibola County Parcels 2021             | <input type="checkbox"/> Grant County Parcels 2021                | <input type="checkbox"/> Los Alamos County Parcels 2021      | <input type="checkbox"/> Rio Arriba County Parcels 2021      | <input type="checkbox"/> Santa Fe County Parcels 2021   | <input checked="" type="checkbox"/> Union County Parcels 2021 |
| <input type="checkbox"/> New Mexico State Trust Lands     | <input type="checkbox"/> Colfax County Parcels 2021             | <input type="checkbox"/> Harding County Parcels 2021              | <input type="checkbox"/> Luna County Parcels 2021            | <input type="checkbox"/> Roosevelt County Parcels 2021       | <input type="checkbox"/> Socorro County Parcels 2021    | <input type="checkbox"/> Valencia County Parcels 2021         |
| <input type="checkbox"/> Both Estates                     | <input type="checkbox"/> Curry County Parcels 2021              | <input type="checkbox"/> Hidalgo County Parcels 2021              | <input type="checkbox"/> McKinley County Parcels 2021        | <input type="checkbox"/> Sandoval County Parcels 2021        | <input type="checkbox"/> SiteBoundaries                 |   |
| <input type="checkbox"/> Bernalillo County Parcels 2021   | <input checked="" type="checkbox"/> De Baca County Parcels 2021 | <input checked="" type="checkbox"/> Guadalupe County Parcels 2021 | <input checked="" type="checkbox"/> Mora County Parcels 2021 |  |   |   |

Mike A. Hamman, P.E.  
State Engineer



Roswell Office  
1900 WEST SECOND STREET  
ROSWELL, NM 88201

**STATE OF NEW MEXICO  
OFFICE OF THE STATE ENGINEER**

Trn Nbr: 726494  
File Nbr: C 04637

May. 26, 2022

DALE WOODALL  
DEVON ENERGY  
6488 7 RIVERS HWY  
ARTESIA, NM 88210

Greetings:

Your approved copy of the above numbered permit to drill a well for non-consumptive purposes is enclosed. You must obtain an additional permit if you intend to use the water. It is your responsibility to provide the contracted well driller with a copy of the permit that must be made available during well drilling activities.

Carefully review the attached conditions of approval for all specific permit requirements.

- \* If use of this well is temporary in nature and the well will be plugged at the end of the well usage, the OSE must initially approve of the plugging. If plugging approval is not conditioned in this permit, the applicant must submit a Plugging Plan of Operations for approval prior to the well being plugged. The Plugging Record must be properly completed and submitted to the OSE within 30 days of the well plugging.
- \* If the final intended purpose and condition requires a well ID tag and meter installation, the applicant must immediately send a completed meter report form to this office.
- \* The well record and log must be submitted within 30 days of the completion of the well or if the attempt was a dry hole.
- \* This permit expires and will be cancelled if no well is drilled and/or a well log is not received by the date set forth in the conditions of approval.

Appropriate forms can be downloaded from the OSE website [www.ose.state.nm.us](http://www.ose.state.nm.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Megen Telles".

Megen Telles  
(575) 622-6521

Enclosure

explore



# WELL PLUGGING PLAN OF OPERATIONS



**NOTE:** A Well Plugging Plan of Operations shall be filed with and accepted by the Office of the State Engineer prior to plugging. This form may be used to plug a single well, or if you are plugging multiple monitoring wells on the same site using the same plugging methodology.

**Alert!** Your well may be eligible to participate in the Aquifer Mapping Program (AMP)-NM Bureau of Geology [geoinfo.nmt.edu/resources/water/cgmn/](http://geoinfo.nmt.edu/resources/water/cgmn/) if within an area of interest and meets the minimum construction requirements, such as there is still water in your well, and the well construction reflected in a well record and log is not compromised, contact AMP at 575-835-5038 or -6951, or by email [nmbg-waterlevels@nmt.edu](mailto:nmbg-waterlevels@nmt.edu), prior to completing this prior form. Showing proof to the OSE that your well was accepted in this program, may delay the plugging of your well until a later date.

**I. FILING FEE:** There is no filing fee for this form.

**II. GENERAL / WELL OWNERSHIP:**  Check here if proposing one plan for multiple monitoring wells on the same site and attaching WD-08m

Existing Office of the State Engineer POD Number (Well Number) for well to be plugged: C- 4637- (POD-1)

Name of well owner: Devon Energy

Mailing address: 6488 7 Rivers Hwy County: Eddy

City: Artesia State: NM Zip code: 88210

Phone number: 575-748-1838 E-mail: Dale.Woodall@dvn.com

### III. WELL DRILLER INFORMATION:

Well Driller contracted to provide plugging services: Jackie D. Atkins (Atkins Engineering Associates)

New Mexico Well Driller License No.: 1249 Expiration Date: 04/30/2023

**IV. WELL INFORMATION:**  Check here if this plan describes method for plugging multiple monitoring wells on the same site and attach supplemental form WD-08m and skip to #2 in this section.

Note: A copy of the existing Well Record for the well(s) to be plugged should be attached to this plan.

1) GPS Well Location: Latitude: 32 deg, 3 min, 57.21 sec  
Longitude: 103 deg, 44 min, 57.00 sec, NAD 83

2) Reason(s) for plugging well(s):

Soil boring to determine groundwater level

3) Was well used for any type of monitoring program? NO If yes, please use section VII of this form to detail what hydrogeologic parameters were monitored. If the well was used to monitor contaminated or poor quality water, authorization from the New Mexico Environment Department may be required prior to plugging.

4) Does the well tap brackish, saline, or otherwise poor quality water? N/A If yes, provide additional detail, including analytical results and/or laboratory report(s):

5) Static water level: Unknown feet below land surface / feet above land surface (circle one)

6) Depth of the well: 55 feet

OSE DJT MAY 11 2020  
WD-08 Well Plugging Plan  
Version: July 31, 2019  
Page 1 of 5

- 7) Inside diameter of innermost casing: 1" or 2" inches.
- 8) Casing material: Temporary PVC SCH 40
- 9) The well was constructed with:
  - an open-hole production interval, state the open interval: \_\_\_\_\_
  - a well screen or perforated pipe, state the screened interval(s): \_\_\_\_\_
- 10) What annular interval surrounding the artesian casing of this well is cement-grouted? N/A
- 11) Was the well built with surface casing? NO If yes, is the annulus surrounding the surface casing grouted or otherwise sealed? \_\_\_\_\_ If yes, please describe:
- 12) Has all pumping equipment and associated piping been removed from the well? N/A If not, describe remaining equipment and intentions to remove prior to plugging in Section VII of this form.

**V. DESCRIPTION OF PLANNED WELL PLUGGING:**  If plugging method differs between multiple wells on same site, a separate form must be completed for each method.

Note: If this plan proposes to plug an artesian well in a way other than with cement grout, placed bottom to top with a tremie pipe, a detailed diagram of the well showing proposed final plugged configuration shall be attached, as well as any additional technical information, such as geophysical logs, that are necessary to adequately describe the proposal. Attach a copy of any signed OSE variance to this plugging plan.

Also, if this planned plugging plan requires a variance to 19.27.4 NMAC, attach a detailed variance request signed by the applicant.

- 1) Describe the method by which cement grout shall be placed in the well, or describe requested plugging methodology proposed for the well:  

The temporary 1" or 2" well material will be removed. Tremied from bottom to land Neat Cement in lifts
- 2) Will well head be cut-off below land surface after plugging? N/A

**VI. PLUGGING AND SEALING MATERIALS:**

Note: The plugging of a well that taps poor quality water may require the use of a specialty cement or specialty sealant. Attach a copy of the batch mix recipe from the cement company and/or product description for specialty cement mixes or any sealant that deviates from the list of OSE approved sealants.

- 1) For plugging intervals that employ cement grout, complete and attach Table A.
- 2) For plugging intervals that will employ approved non-cement based sealant(s), complete and attach Table B.
- 3) Theoretical volume of grout required to plug the well to land surface: 87
- 4) Type of Cement proposed: Type I/II Neat Cement
- 5) Proposed cement grout mix: <6.0 gallons of water per 94 pound sack of Portland cement.
- 6) Will the grout be: \_\_\_\_\_ batch-mixed and delivered to the site  
X mixed on site

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7) Grout additives requested, and percent by dry weight relative to cement:

N/A

8) Additional notes and calculations:

Site ID:25  
Location Name:Snapping 2 State 013H

**VII. ADDITIONAL INFORMATION:** List additional information below, or on separate sheet(s):

The temporary well material will be removed. If no water is encountered then drill cuttings will be used to (10) ten feet of land surface and plugged using hydrated bentonite. If ground water is encountered the boring will be plugged tremie from bottom to a slurry of Portland TYPE I/II Neat cement in lifts. A 6.5" borehole will be plugged.

**VIII. SIGNATURE:**

I, Dale Woodall (Devon Energy), say that I have carefully read the foregoing Well Plugging Plan of Operations and any attachments, which are a part hereof; that I am familiar with the rules and regulations of the State Engineer pertaining to the plugging of wells and will comply with them, and that each and all of the statements in the Well Plugging Plan of Operations and attachments are true to the best of my knowledge and belief.

Dale Woodall  
Dale Woodall (Dev E) 2022 04 25 10:07

04/25/2022

Signature of Applicant

Date

**IX. ACTION OF THE STATE ENGINEER:**

This Well Plugging Plan of Operations is:

- Approved subject to the attached conditions.
- Not approved for the reasons provided on the attached letter.

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Witness my hand and official seal this 26<sup>th</sup> day of May, 2022  
Mike A. Hamman  
John R. D'Antonio Jr. P.E., New Mexico State Engineer

By: K. Parekh  
KASHYAP PAREKH  
M. R. M. I



**TABLE A - For plugging intervals that employ cement grout. Start with deepest interval.**

	<b>Interval 1 – deepest</b>	<b>Interval 2</b>	<b>Interval 3 – most shallow</b>
			Note: if the well is non-artesian and breaches only one aquifer, use only this column.
Top of proposed interval of grout placement (ft bgl)	N/A	N/A	N/A
Bottom of proposed interval of grout placement (ft bgl)	N/A	N/A	55
Theoretical volume of grout required per interval (gallons)	N/A	N/A	87
Proposed cement grout mix gallons of water per 94-lb. sack of Portland cement	N/A	N/A	<6.0
Mixed on-site or batch-mixed and delivered?	N/A	N/A	On-Site
Grout additive 1 requested	N/A	N/A	N/A
Additive 1 percent by dry weight relative to cement	N/A	N/A	N/A
Grout additive 2 requested	N/A	N/A	N/A
Additive 2 percent by dry weight relative to cement	N/A	N/A	N/A

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**TABLE B - For plugging intervals that will employ approved non-cement based sealant(s). Start with deepest interval.**

	<b>Interval 1 – deepest</b>	<b>Interval 2</b>	<b>Interval 3 – most shallow</b>
			Note: if the well is non-artesian and breaches only one aquifer, use only this column.
Top of proposed interval of sealant placement (ft bgl)	N/A	N/A	0
Bottom of proposed sealant of grout placement (ft bgl)	N/A	N/A	10
Theoretical volume of sealant required per interval (gallons)	N/A	N/A	15
Proposed abandonment sealant (manufacturer and trade name)	N/A	N/A	Bariod Hole Plug

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**STATE OF NEW MEXICO**  
**OFFICE OF THE STATE ENGINEER**  
**ROSWELL**

**Mike A. Hamman, P.E.**  
State Engineer

**DISTRICT II**  
1900 West Second St.  
Roswell, New Mexico 88201  
Phone: (575) 622-6521  
Fax: (575) 623-8559

May 26, 2022

Devon Energy  
6488 7 Rivers Highway  
Artesia, NM 88210

RE: Well Plugging Plan of Operations for **C-4637-POD1**

Greetings:

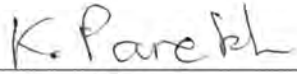
Enclosed is your copy of the Well Plugging Plan of Operations for the above referenced project. The proposed method of operation is found to be acceptable and in accordance with the Rules and Regulations Governing Well Driller Licensing; Construction, Repair and Plugging of Wells 19.27.4 NMAC adopted June 30, 2017 by the State Engineer.

- (1) Plugging operations shall also be conducted in accordance with NMED, NMOCD, or other State or Federal agencies having oversight for the above described project.
- (2) In accordance with Subsection A of 19.27.4.29 NMAC, on-site supervision of well drilling/plugging by the holder of a New Mexico Well Driller License or a NMOSE-registered Drill Rig Supervisor is required. The New Mexico licensed Well Driller shall ensure that well drilling activities are completed in accordance with 19.27.4.29, 19.27.4.30, 19.27.4.31, 19.27.4.33 NMAC, and all specific conditions of approval. While conducting the well drilling activities, the Well Driller shall maintain a copy of the approved permit, conditions and Well Plugging Plan of Operations on-site and available for inspection upon request.
- (3) Well that encounters water - Maximum 6 gallons water per 94 lb. sack Portland Cement
- (4) Dry hole – Drill cuttings used to ten feet of land surface. Hydrated bentonite – Fresh water to be added above water column at rate of 5 gallons per 50-lb sack/bucket.
- (5) Any deviation from this plan must obtain an approved variance from this office prior to implementation.

Well Plugging Plan of Operations form (WD-08) has been updated. Current form can be found on the OSE website at the following link <https://www.ose.state.nm.us/Statewide/wdForms.php>.

Within 30 days after the well is plugged, the well driller is required to file a complete plugging record with the OSE and the permit holder.

Sincerely,



---

Kashyap Parekh  
Water Resources Manager I



# PLUGGING RECORD



**NOTE: A Well Plugging Plan of Operations shall be approved by the State Engineer prior to plugging - 19.27.4 NMAC**

## I. GENERAL / WELL OWNERSHIP:

State Engineer Well Number: C-4637  
 Well owner: Devon Energy Phone No.: 575-748-1838  
 Mailing address: 6488 7 Rivers Hwy  
 City: Artesia State: New Mexico Zip code: 88210

## II. WELL PLUGGING INFORMATION:

- 1) Name of well drilling company that plugged well: Jackie D. Atkins ( Atkins Engineering Associates Inc.)
- 2) New Mexico Well Driller License No.: 1249 Expiration Date: 04/30/23
- 3) Well plugging activities were supervised by the following well driller(s)/rig supervisor(s): Shane Eldridge, Cameron Pruitt
- 4) Date well plugging began: 7/19/2022 Date well plugging concluded: 7/19/2022
- 5) GPS Well Location: Latitude: 32 deg, 3 min, 57.21 sec  
Longitude: 103 deg, 44 min, 57.0 sec, WGS 84
- 6) Depth of well confirmed at initiation of plugging as: 51 ft below ground level (bgl),  
by the following manner: water level probe
- 7) Static water level measured at initiation of plugging: n/a ft bgl
- 8) Date well plugging plan of operations was approved by the State Engineer: 5/26/2022
- 9) Were all plugging activities consistent with an approved plugging plan? Yes If not, please describe differences between the approved plugging plan and the well as it was plugged (attach additional pages as needed):

2022 JUL 28 8 2022 10:20

10) Log of Plugging Activities - Label vertical scale with depths, and indicate separate plugging intervals with horizontal lines as necessary to illustrate material or methodology changes. Attach additional pages if necessary.

For each interval plugged, describe within the following columns:

<u>Depth</u> (ft bgl)	<u>Plugging Material Used</u> (include any additives used)	<u>Volume of Material Placed</u> (gallons)	<u>Theoretical Volume of Borehole/ Casing</u> (gallons)	<u>Placement Method</u> (tremie pipe, other)	<u>Comments</u> ("casing perforated first", "open annular space also plugged", etc.)
0-10'	Hydrated Bentonite	Approx. 15 gallons	15 gallons	Augers	
10'-55'	Drill Cuttings	Approx. 71 gallons	71 gallons	Boring	

MULTIPLY	BY	AND OBTAIN
cubic feet x	7.4805	= gallons
cubic yards x	201.97	= gallons

**III. SIGNATURE:**

I, Jackie D. Atkins, say that I am familiar with the rules of the Office of the State Engineer pertaining to the plugging of wells and that each and all of the statements in this Plugging Record and attachments are true to the best of my knowledge and belief.

*Jack Atkins*

8/4/2022

Signature of Well Driller

Date






# 25\_C-4637\_WR-20 Well Record and Log\_forsign

Final Audit Report

2022-08-04

Created:	2022-08-04
By:	Lucas Middleton (lucas@atkinseng.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA3EdjRmQPqn1xeRYOe6rYRvRZ8YCOq73K

## "25\_C-4637\_WR-20 Well Record and Log\_forsign" History

-  Document created by Lucas Middleton (lucas@atkinseng.com)  
2022-08-04 - 8:45:00 PM GMT- IP address: 64.17.71.25
-  Document emailed to Jack Atkins (jack@atkinseng.com) for signature  
2022-08-04 - 8:45:29 PM GMT
-  Email viewed by Jack Atkins (jack@atkinseng.com)  
2022-08-04 - 9:18:41 PM GMT- IP address: 64.90.153.232
-  Document e-signed by Jack Atkins (jack@atkinseng.com)  
Signature Date: 2022-08-04 - 9:19:45 PM GMT - Time Source: server- IP address: 64.90.153.232
-  Agreement completed.  
2022-08-04 - 9:19:45 PM GMT

09:07:40 AUG 8 2022 PM 10:20

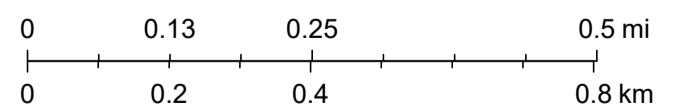
# Snapping 2 CTB Stock Watering Pod Distance



1/8/2026, 10:51:04 AM

- Override 1
- Override 1

1:12,601



Vantor, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

No. C-04999 POD1

## NEW MEXICO OFFICE OF THE STATE ENGINEER



### APPLICATION FOR PERMIT TO USE UNDERGROUND WATERS IN ACCORDANCE WITH SECTIONS 72-12-1.1, 72-12-1.2, OR 72-12-1.3 NEW MEXICO STATUTES



For fees, see State Engineer website: <http://www.ose.state.nm.us/>

**1. APPLICANT(S)**

Name: <input type="checkbox"/> check if Owner <input checked="" type="checkbox"/> check if User Susan and Jesse Baker	Name: <input type="checkbox"/> check if Owner <input type="checkbox"/> check if User
Contact or Agent: <input type="checkbox"/> check if Agent	Contact or Agent: <input type="checkbox"/> check if Agent
Mailing Address: P.O. Box 24	Mailing Address:
City: Silver City	City:
State: NM      Zip Code: 88062	State:      Zip Code:
Phone: <input type="checkbox"/> Home <input checked="" type="checkbox"/> Cell Phone (Work): 575-538-1523	Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell Phone (Work):
E-mail (optional): jjsearc@hotmail.com	E-mail (optional):

Check here if existing well. Enter OSE File No. C-3696 C-3639

Note: if there is known artesian conditions, contamination or high mineral content at the drilling location check box and attach form WD-09 to this form.

**2. WELL LOCATION Required:** Coordinate location must be New Mexico State Plane (NAD 83), UTM (NAD 83), or Lat/Long (WGS84). You may use a GPS, Google Earth or OSE POD Location maps to estimate location. District II (Roswell) and District VII (Cimarron) applicants must also provide PLSS!

NM State Plane (NAD83) - In feet	NM West Zone <input type="checkbox"/> NM Central Zone <input type="checkbox"/> NM East Zone <input type="checkbox"/>	X (in feet): Y (in feet):
UTM (NAD83) - In meters	UTM Zone 13N <input type="checkbox"/> UTM Zone 12N <input type="checkbox"/>	Easting (in meters): Northing (in meters):
Lat/Long (WGS84) - To 1/10 <sup>th</sup> of second <input type="checkbox"/> Check if seconds are decimal format	Lat: <u>32 4 24.21</u> deg Long: <u>103 43 36.51</u> deg	min      sec min      sec
Other Location Information (complete the below, if applicable): PLSS Quarters or Halves: <u>SW 1/4 SE 1/4 NE 1/4</u> Section: <u>1</u> Township: <u>26 S</u> Range: <u>31 E</u> County: <u>Eddy</u> <u>3, 4, 2</u> Land Grant Name (if applicable):		
Lot No:      Block No:      Unit/Tract:      Subdivision:	OSE DISTRICT ROSWELL - NM 15 AUG '25 PM 5:28	
Hydrographic Survey:      Map:      Tract:	Other description relating well to common landmarks, streets, or other:	

**\*Well is on Land Owned by (Required):** Applicant

*\*Any application for which the Applicant is not the landowner must be accompanied by a signed written consent of the land owner pursuant to 19.27.5.9(B) NMAC.*

FOR OSE INTERNAL USE		Application for Permit, Form wr-01, Rev 1/30/2024
File No.: <u>C-04999 POD1</u>	Trn. No.: <u>790806</u>	Receipt No.: <u>2-48276</u>
Well Tag ID No. (if applicable): <u>21FF7</u>	Sub-Basin: <u>CUB</u>	Log Due Date: _____

3. PURPOSE OF USE: CHECK THOSE THAT APPLY

Domestic use for one household

Livestock watering

Domestic use for more than one household. Number of households \_\_\_\_ Complete and attach form WR-01m "MULTIPLE home-owner info"

Drinking and sanitary uses that are incidental to the operations of a governmental, commercial, or non-profit facility

Prospecting, mining or drilling operations to discover or develop natural resources

Construction of public works, highways and roads

Domestic use for one household and livestock watering

Domestic use for multiple households and livestock watering \_\_\_\_ Complete and attach form WR-01m "MULTIPLE home-owner info"

Domestic well to accompany a house or other dwelling unit constructed for sale

New well (with new purpose)

Amend purpose of use on existing well

No change in purpose

4. WELL INFORMATION: CHECK THOSE THAT APPLY  Existing Well  Known Artesian

File Information: (If existing well, provide OSE no. & indicate below if well is to be replacement, repaired or deepened, or supplemental. If new well, leave blank, as OSE must assign no.)

OSE Well No. (If Existing) <del>C-3696</del> C-3639	New Well No. (provided by OSE)
Well Driller Name:	Well Driller License Number:
Approximate Depth of Well (feet):	Outside Diameter of Well Casing (inches):

<input type="checkbox"/> Replacement well (List all existing wells if more than one):	<input type="checkbox"/> Repair or Deepen: <input type="checkbox"/> Clean out well to original depth <input type="checkbox"/> Deepen well from ____ to ____ ft. <input type="checkbox"/> Other (Explain):	<input type="checkbox"/> Supplemental well (List OSE No. for all wells this will supplement):
--	--	--

5. ADDITIONAL STATEMENTS OR EXPLANATIONS (Use additional sheets if necessary)

Application is made to use existing well originally drilled for ~~natural prospecting~~ purposes to now be used for livestock purposes.  
*exploratory*

ACKNOWLEDGEMENT

I, We (name of applicant(s)), Susan and Jesse Baker  
 Print Name(s)

affirm that the foregoing statements are true to the best of (my, our) knowledge and belief.

*Susan and Jesse Baker*  
 Applicant Signature

OSE DII ROSWELL NM  
 15 AUG '25 P43:28

ACTION OF THE OFFICE OF THE STATE ENGINEER (FOR OSE USE ONLY)

This application is approved subject to the attached general and specific conditions of approval.

Witness my hand and seal this 22<sup>nd</sup> day of August 20 25, for the New Mexico State Engineer.

By: *Rodolfo Chavez*  
 Signature

*Rodolfo Chavez*  
 Print

FOR OSE INTERNAL USE  
 Well Tag ID Issued?  Yes  No

Application for Permit, Form wr-01, Rev. 1/30/2024

File No.: C-04999	Trn No.: 790806	Well ID Tag No.: 21FF7
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NEW MEXICO STATE ENGINEER OFFICE  
APPLICATION FOR PERMIT TO USE UNDERGROUND WATERS  
IN ACCORDANCE WITH SECTION 72-12-1 NEW MEXICO STATUTES

- 17-A The maximum combined diversion of all wells that may be appropriated under this permit is 3.000 acre-feet in any year (One acre-foot equals 325,851 gallons).
- 17-B The well shall be drilled by a driller licensed in the State of New Mexico in accordance with 72-12-12 NMSA 1978. A licensed driller shall not be required for the construction of a well driven without the use of a drill rig; provided that the casing shall not exceed two and three-eighths (2 3/8) inches outside diameter.
- 17-C The well driller must file the well record with the State Engineer and the applicant within 30 days after the well is drilled or driven. It is the well owner's responsibility to ensure that the well driller files the well record. The well driller may obtain the well record form from any District Office or the Office of the State Engineer website.
- 17-D The production casing shall not exceed 7 inches outside diameter except under specific conditions in which reasons satisfactory to the State Engineer are shown.
- 17-E To request a change to the purpose of use of water authorized under this permit, the permittee shall file an application with the State Engineer.
- 17-F An application for a new 72-12-1.1 NMSA 2003 domestic well permit where the proposed point of diversion is to be located on the same legal lot of record as an operational 72-12-1.1 NMSA domestic well shall be treated as an application for a supplemental well and the combined diversion may not exceed the maximum annual diversion permitted.
- 17-G If artesian water is encountered, the well driller shall comply with all rules and regulations pertaining to the drilling and casing of artesian wells.
- 17-H The drilling of the well and amount and uses of water permitted are subject to such limitations as may be imposed by a court or by lawful municipal or county ordinance which are more restrictive than the conditions of this permit and applicable State Engineer regulations.

Trn Desc: C 03639  
Log Due Date: \_\_\_\_\_  
Form: wr-01

File Number: C 04999  
Trn Number: 790806

NEW MEXICO STATE ENGINEER OFFICE  
APPLICATION FOR PERMIT TO USE UNDERGROUND WATERS  
IN ACCORDANCE WITH SECTION 72-12-1 NEW MEXICO STATUTES

GENERAL CONDITIONS OF APPROVAL (Continued)

- 17-I The permittee shall utilize the highest and best technology available to ensure conservation of water to the maximum extent practical.
- 17-J The well shall be set back a minimum of 50 ft. from an existing well of other ownership unless a variance has been granted by the State Engineer. The State Engineer may grant a variance for a replacement well or to allow for maximum spacing of the well from a source of groundwater contamination. The well shall be set back from potential sources of contamination in accordance with federal, state, and local requirements.
- 17-K Pursuant to section 72-8-1 NMSA 1978, the permittee shall allow the State Engineer and OSE representatives entry upon private property for the performance of their respective duties, including access to the ditch or acequia to measure flow and also to the well for meter reading and water level measurement.
- 17-L The permit is subject to cancellation for non-compliance with the conditions of approval or if otherwise not exercised in accordance with the terms of the permit.
- 17-M The right to divert water under this permit is subject to curtailment by priority administration as implemented by the State Engineer or a court.
- 17-N In the event of any change of ownership to this permit the new owner shall file a change of ownership form with the State Engineer in accordance with Section 72-1-2.1 NMSA 1978.
- 17-O This well permit shall automatically expire unless the well is completed and the well record is filed with the State Engineer within one year of the date of issuance of the permit.
- 17-P The well shall be constructed, maintained, and operated to prevent inter-aquifer exchange of water and to prevent loss of hydraulic head between hydrogeologic zones.
- 17-Q The State Engineer retains jurisdiction over this permit.

Trn Desc: C 03639  
Log Due Date: \_\_\_\_\_  
Form: wr-01

File Number: C 04999  
Trn Number: 790806

NEW MEXICO STATE ENGINEER OFFICE  
APPLICATION FOR PERMIT TO USE UNDERGROUND WATERS  
IN ACCORDANCE WITH SECTION 72-12-1 NEW MEXICO STATUTES

GENERAL CONDITIONS OF APPROVAL (Continued)

17-R The State Engineer shall supply a well identification tag for the well driller to firmly affix to the well casing or cap with a steel band upon completion in accordance with Subsection M of 19.27.4.29 NMAC.  
The permit holder is responsible for maintaining the well identification tag.

Well Tag(s) associated with this permit:  
21FF7

17-S Construction of a water well by anyone without a valid New Mexico Well Driller License is illegal, and the landowner shall bear the cost of plugging the well by a licensed New Mexico well driller. This does not apply to driven wells, the casing of which does not exceed two and three-eighths inches outside diameter.

17-T You, the permittee, are required to email nm.driller@ose.nm.gov with the following information when the driller is enroute to the drilling site:  
OSE File number, POD number, physical address, driller company and license number, and date/time driller is to be on site.

SPECIFIC CONDITIONS OF APPROVAL

17-1A Depth of the well shall not exceed the thickness of the valley fill.

17-10 Total diversion from all wells under this permit number shall not exceed 3.000 acre-feet per annum.

17-14 This permit authorizes the diversion of water for watering livestock. The total diversion of water under this permit shall not exceed 3.000 acre-feet per year.

Trn Desc: C 03639  
Log Due Date: \_\_\_\_\_  
Form: wr-01

File Number: C 04999  
Trn Number: 790806

NEW MEXICO STATE ENGINEER OFFICE  
APPLICATION FOR PERMIT TO USE UNDERGROUND WATERS  
IN ACCORDANCE WITH SECTION 72-12-1 NEW MEXICO STATUTES

ACTION OF STATE ENGINEER

This application is approved for the use indicated, subject to all general conditions and to specific conditions listed above.

Witness my hand and seal this 22 day of Aug A.D., 2025

Elizabeth K. Anderson, P.E., State Engineer

By: *Rodolfo Chavez*  
RODOLFO CHAVEZ



Trn Desc: C 03639  
Log Due Date: \_\_\_\_\_  
Form: wr-01

File Number: C 04999  
Trn Number: 790806



**Coordinates**

UTM - NAD 83 (m) - Zone 13  
 Easting: 620169.08  
 Northing: 3549279.12

State Plane - NAD 83 (ft) - Zone E  
 Easting: 729207.48  
 Northing: 390963.34

Degrees Minutes Seconds  
 Latitude: 32° 4' 24.21"  
 Longitude: -103° 43' 36.51"

Location pulled from Coordinate Search

**Spatial Information**  
 Land Grant: Not in Land Grant  
 County: Eddy  
 Groundwater Basin: Carlsbad  
 Abstract Area: Carlsbad 72-12-1  
 Carlsbad Underground Basin Regulation Area:  
**Artesian Plan Area**

PLSS Description  
 NWSWSENE Qtr of Sec 01 of 026S 031E

Derived from CADNSDI- Qtr Sec. locations are calculated and are only approximations

**File Number:**  
**Owner:**  
**Purpose:**  
**Author:**

---

**Parcel Information**  
 UPC/DocNum: 4186151267369  
 Parcel Owner: Baker, Jessie T & Susan Ann (Jt)

**Address:**  
 1644 Buck Jackson Road Carlsbad 88220

**Legal:** Quarter: NE S: 1 T: 26S R: 31E Quarter: NW S: 1 T: 26S R: 31E Quarter: SW S: 1 T: 26S R: 31E Quarter: SE S: 1 T: 26S R: 31E SENE, SW, E2NW, W2E2, E2SE (LESS BAKER FLOODWAY REMOVAL PLAT) DEED

- GIS WATERS PODs**
- Active
  - Pending
  - Changed Location of Well
  - Inactive
  - Capped
  - Plugged
  - Unknown
- Water Right Regulations**
- Critical Management Area - Guidelines
  - Closure Area
  - Local Ordinance Area
  - Negative Easement Area
  - Quality Restriction Area
  - Special Condition Area
  - OSE District Boundary
  - USGS Live Stream Gauges

- Current Perimeters**
- Wildfire Daily Fire Perimeter
  - Prescribed Fire
- Current Wildfire Incidents**
- 300,000 or more
  - 50,000-299,999
  - 10,000-49,999
  - 1,000-9,999

**NEW MEXICO OFFICE OF THE STATE ENGINEER**

Scale: 1:7,824  
 Date: 8/22/2025

Reasonable efforts have been made by the New Mexico Office of the State Engineer (OSE) to verify that these maps accurately represent the source data used in their preparation. However, a degree of error is inherent in all maps, and these maps may contain omissions and errors in scale, resolution, specification, positional accuracy, development methodology, interpretation of source data, and other circumstances. These maps are distributed "as is" without warranty of any kind.

Elizabeth K. Anderson, P.E.  
State Engineer



Roswell Office  
1900 WEST SECOND STREET  
ROSWELL, NM 88201

**STATE OF NEW MEXICO  
OFFICE OF THE STATE ENGINEER**

Trn Nbr: 790806  
File Nbr: C 04999

Aug. 22, 2025

JESSE BAKER  
P.O. BOX 24  
SILVER CITY, NM 88062

Greetings:

Enclosed is your copy of the above numbered permit that has been approved in accordance with NM Statute Section 72-12-1 subject to the conditions set forth on the approval page.

Carefully review the attached conditions of approval for these specific permit requirements:

- \* The applicant is responsible for providing the contracted driller with the permit Conditions of Approval and the enclosed well identification tag (if applicable), which must be firmly affixed to the well casing or cap.
- \* You, the permittee, are required to email nm.driller@ose.nm.gov with the following information when the driller is enroute to the drilling site: OSE File number, POD number, physical address, driller company and license number, and date/time driller is to be on site.
- \* If metering is required, a meter report form must be properly completed and submitted to this office upon installation.
- \* The well record and log must be submitted within 30 days of the completion of the well or if the attempt was a dry hole. When conditions require a replaced well be plugged, a plugging record must be properly completed and submitted to this office within 30 days of plugging.
- \* This permit expires and will be cancelled if no well is drilled and/or a well log is not received by the date set forth in the conditions of approval.

Appropriate forms can be downloaded from the OSE website [www.ose.nm.gov](http://www.ose.nm.gov) or will be mailed upon request.

Sincerely,

Rodolfo Chavez  
(575) 622-6521

Enclosure

wr\_01app

Elizabeth K. Anderson, P.E.  
State Engineer



Roswell Office  
1900 WEST SECOND STREET  
ROSWELL, NM 88201

**STATE OF NEW MEXICO  
OFFICE OF THE STATE ENGINEER**

Trn Nbr: 790806  
File Nbr: C 04999

Aug. 22, 2025

SUSAN BAKER  
P.O. BOX 24  
SILVER CITY, NM 88062

Greetings:

Enclosed is your copy of the above numbered permit that has been approved in accordance with NM Statute Section 72-12-1 subject to the conditions set forth on the approval page.

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- \* The well record and log must be submitted within 30 days of the completion of the well or if the attempt was a dry hole. When conditions require a replaced well be plugged, a plugging record must be properly completed and submitted to this office within 30 days of plugging.
- \* This permit expires and will be cancelled if no well is drilled and/or a well log is not received by the date set forth in the conditions of approval.

Appropriate forms can be downloaded from the OSE website [www.ose.nm.gov](http://www.ose.nm.gov) or will be mailed upon request.

Sincerely,

A handwritten signature in black ink that reads "Rodolfo Chavez".

Rodolfo Chavez  
(575) 622-6521

Enclosure

wr\_01app

# Water Right Summary



[get image list](#)

<b>WR File Number:</b>	C 04999	<b>Subbasin:</b>	C	<b>Cross Reference:</b>	
<b>Primary Purpose:</b>	STK 72-12-1 LIVESTOCK WATERING				
<b>Primary Status:</b>	PMT Permit				
<b>Total Acres:</b>		<b>Subfile:</b>		<b>Header:</b>	
<b>Total Diversion:</b>	3.000	<b>Cause/Case:</b>			
<b>Owner:</b>	JESSE BAKER	<b>Owner Class:</b>	Owner		
<b>Owner:</b>	SUSAN BAKER	<b>Owner Class:</b>	Owner		

## Documents on File

(acre-ft)

Transaction Images	Trn #	Doc	File/Act	Status 1	Status 2	Transaction Desc.	From/To	Acres	Diversion
<a href="#">_get images</a>	<a href="#">790806</a>	72121	2025-08-22	PMT	APR	C-3639 POD1	T		3.000

## Current Points of Diversion

POD Number	Well Tag	Source	Q64	Q16	Q4	Sec	Tws	Rng	X	Y	Map	Other Location Desc
<a href="#">C 04999 POD1</a>	NA		SW	SE	NE	01	26S	31E	620168.2	3549279.7		

\* 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.

1/5/26 3:35 PM MST

Water Rights Summary

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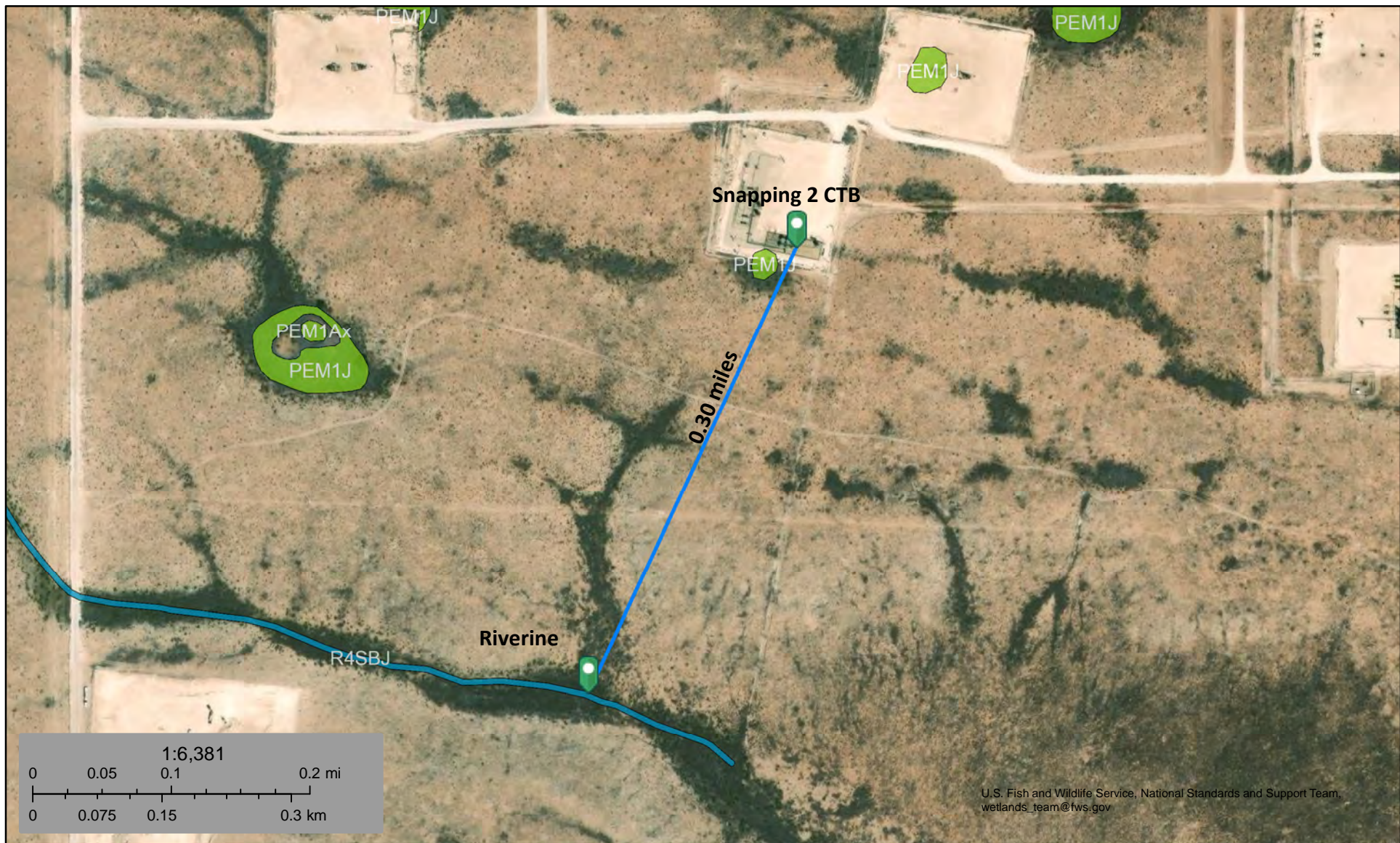
U.S. Fish and Wildlife Service

# National Wetlands Inventory

## Snapping 2 CTB

Nearest Significant Watercourse: Riverine

Distance: 0.30 miles



U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands\_team@fws.gov

January 20, 2026

### Wetlands

- |                                |                                   |          |
|--------------------------------|-----------------------------------|----------|
| Estuarine and Marine Deepwater | Freshwater Emergent Wetland       | Lake     |
| Estuarine and Marine Wetland   | Freshwater Forested/Shrub Wetland | Other    |
|                                | Freshwater Pond                   | Riverine |



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.




# Snapping 2 CTB Playa and Wetlands Proximity Map






January 21, 2026

**Wetlands**

-  Estuarine and Marine Deepwater
-  Estuarine and Marine Wetland

-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond



-  Lake
-  Other
-  Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

# Snapping 2 CTB

Nearest Residence Distance: 1.42 miles

## Legend

-  Distance to Residence
-  Snapping 2 CTB



Snapping 2 CTB

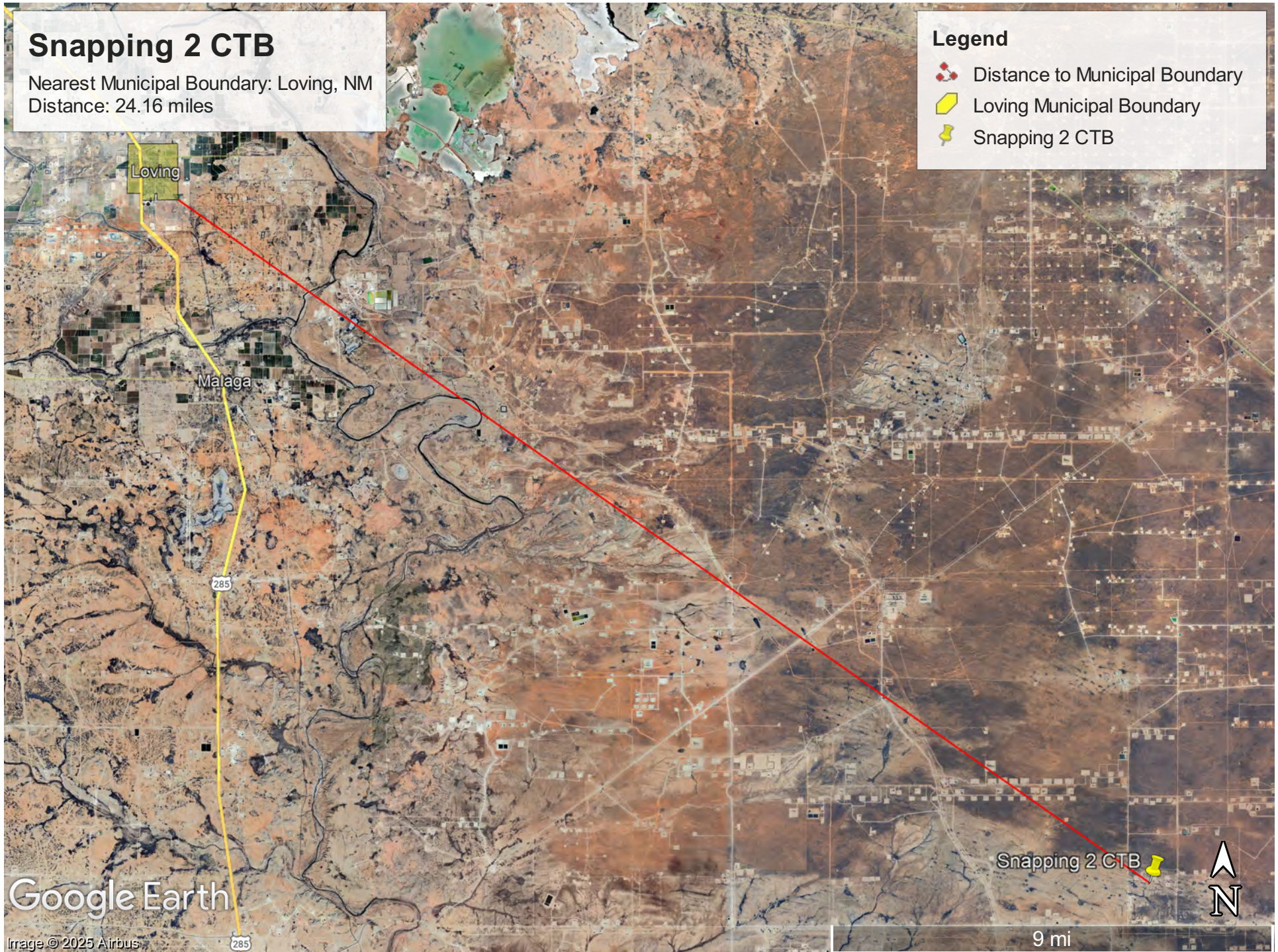
1.42 miles

Residence

Residence

Zoom in of Residence





# Snapping 2 CTB Mines Proximity Map



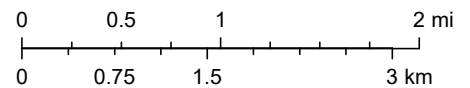
1/8/2026, 11:31:02 AM

Registered Mines

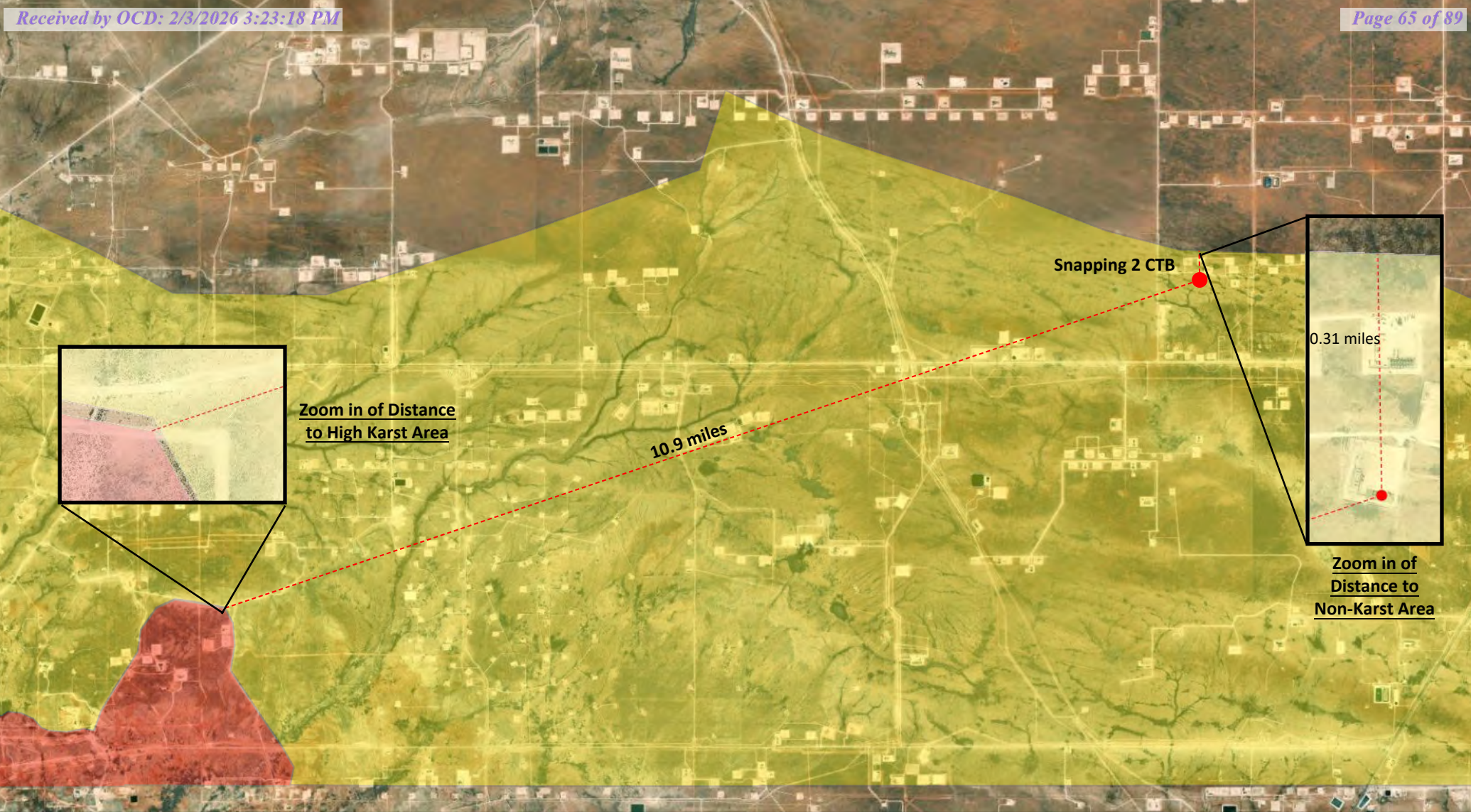
✕ Aggregate, Stone etc.

**No subsurface mines  
in proximity of  
Snapping 2 CTB**

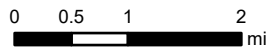
1:72,224



Esri, HERE, Garmin, Earthstar Geographics



### Snapping 2 CTB Karst Potential Map



**New Mexico State Land Office**

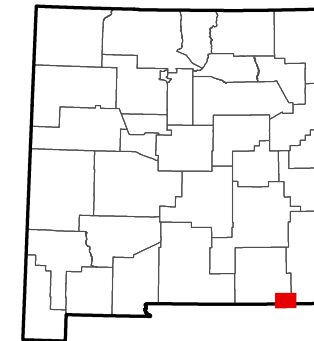
Disclaimer:  
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Data pertaining to New Mexico State Trust Lands are provisional and subject to revision, and do not constitute an official record of title. Official records may be reviewed at the New Mexico State Land Office in Santa Fe, New Mexico.

Released to Imaging: 2/18/2026 1:50:07 PM  
 map Created: 12/24/2025

- - - - User drawn lines
- User drawn points
- Karst\_Potential\_NM
- Potential
- High
- Medium
- Critical

**Snapping 2 CTB**  
**Karst Potential**  
 Medium  
**Distance to Non-Karst Area**  
 0.31 miles  
**Distance to High Karst Area**  
 10.9 miles



# National Flood Hazard Layer FIRMette

103°45'18"W 32°4'55"N
























## Snapping 2 CTB

FEMA Zone X

Proximity to Nearest FEMA Zone A: 1.31 miles

### Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- |                                    |   |  |
|------------------------------------|---|--|
| <b>SPECIAL FLOOD HAZARD AREAS</b>  |    | Without Base Flood Elevation (BFE)<br><i>Zone A, V, A99</i>  |
|                                    |    | With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>   |
|                                    |    | Regulatory Floodway  |
| <b>OTHER AREAS OF FLOOD HAZARD</b> |    | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i> |
|                                    |    | Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>  |
|                                    |    | Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>  |
|                                    |    | Area with Flood Risk due to Levee <i>Zone D</i>  |
| <b>OTHER AREAS</b>                 |    | NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>   |
|                                    |    | Effective LOMRs  |
| <b>GENERAL STRUCTURES</b>          |    | Area of Undetermined Flood Hazard <i>Zone D</i>  |
|                                    |    | Channel, Culvert, or Storm Sewer   |
|                                    |    | Levee, Dike, or Floodwall  |
| <b>OTHER FEATURES</b>              |    | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation  |
|                                    |    | 17.5 Coastal Transect  |
|                                    |    | Base Flood Elevation Line (BFE)  |
|                                    |    | Limit of Study   |
|                                    |    | Jurisdiction Boundary  |
|                                    |    | Coastal Transect Baseline  |
|                                    |   | Profile Baseline   |
|                                    |  | Hydrographic Feature   |
| <b>MAP PANELS</b>                  |  | Digital Data Available   |
|                                    |  | No Digital Data Available  |
|                                    |  | Unmapped   |



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/5/2026 at 5:23 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

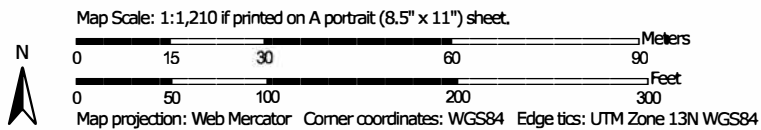


Soil Map—Eddy Area, New Mexico

# Snapping 2 CTB - Simona-Bippus complex



Soil Map may not be valid at this scale.



Natural Resources  
Conservation Service


Web Soil Survey  
National Cooperative Soil Survey

12/8/2025  
Page 1 of 3

Soil Map—Eddy Area, New Mexico

**MAP LEGEND**

**Area of Interest (AOI)**

 Area of Interest (AOI)




















**Soils**

 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

**Special Point Features**






-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features

**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

**MAP INFORMATION**

The soil surveys that comprise your AOI were mapped at 1:20,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Eddy Area, New Mexico  
 Survey Area Data: Version 21, Sep 9, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 7, 2020—May 12, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Soil Map—Eddy Area, New Mexico

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## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
SM	Simona-Bippus complex, 0 to 5 percent slopes	6.2	100.0%
<b>Totals for Area of Interest</b>		<b>6.2</b>	<b>100.0%</b>

Map Unit Description: Simona-Bippus complex, 0 to 5 percent slopes---Eddy Area, New Mexico

## Eddy Area, New Mexico

### SM—Simona-Bippus complex, 0 to 5 percent slopes

#### Map Unit Setting

*National map unit symbol:* 1w5x  
*Elevation:* 1,800 to 5,000 feet  
*Mean annual precipitation:* 8 to 24 inches  
*Mean annual air temperature:* 57 to 70 degrees F  
*Frost-free period:* 180 to 230 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Simona and similar soils:* 55 percent  
*Bippus and similar soils:* 30 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Simona

##### Setting

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

##### Typical profile

*H1 - 0 to 19 inches:* gravelly fine sandy loam  
*H2 - 19 to 23 inches:* indurated

##### Properties and qualities

*Slope:* 0 to 3 percent  
*Depth to restrictive feature:* 7 to 20 inches to petrocalcic  
*Drainage class:* Well drained  
*Runoff class:* Very high  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 15 percent  
*Maximum salinity:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Sodium adsorption ratio, maximum:* 1.0  
*Available water supply, 0 to 60 inches:* Very low (about 2.1 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 7e  
*Hydrologic Soil Group:* D

Map Unit Description: Simona-Bippus complex, 0 to 5 percent slopes---Eddy Area, New Mexico

---

*Ecological site:* R070BD002NM - Shallow Sandy  
*Hydric soil rating:* No

### **Description of Bippus**

#### **Setting**

*Landform:* Alluvial fans, flood plains  
*Landform position (three-dimensional):* Talf, rise  
*Down-slope shape:* Linear, convex  
*Across-slope shape:* Linear  
*Parent material:* Mixed alluvium

#### **Typical profile**

*H1 - 0 to 37 inches:* silty clay loam  
*H2 - 37 to 60 inches:* clay loam

#### **Properties and qualities**

*Slope:* 0 to 5 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Runoff class:* Very low  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.60 to 2.00 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* Occasional  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 40 percent  
*Maximum salinity:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Sodium adsorption ratio, maximum:* 1.0  
*Available water supply, 0 to 60 inches:* Moderate (about 8.7 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* 2e  
*Land capability classification (nonirrigated):* 3e  
*Hydrologic Soil Group:* B  
*Ecological site:* R070BC017NM - Bottomland  
*Hydric soil rating:* No

### **Minor Components**

#### **Simona**

*Percent of map unit:* 8 percent  
*Ecological site:* R070BD002NM - Shallow Sandy  
*Hydric soil rating:* No

#### **Bippus**

*Percent of map unit:* 7 percent  
*Ecological site:* R070BC017NM - Bottomland

Map Unit Description: Simona-Bippus complex, 0 to 5 percent slopes---Eddy Area, New Mexico

---

*Hydric soil rating:* No

## Data Source Information

Soil Survey Area: Eddy Area, New Mexico  
Survey Area Data: Version 21, Sep 9, 2025



## Ecological site R070BD002NM Shallow Sandy

Accessed: 01/08/2026

### General information

**Provisional.** A provisional ecological site description has undergone quality control and quality assurance review. It contains a working state and transition model and enough information to identify the ecological site.

**Figure 1. Mapped extent**

Areas shown in blue indicate the maximum mapped extent of this ecological site. Other ecological sites likely occur within the highlighted areas. It is also possible for this ecological site to occur outside of highlighted areas if detailed soil survey has not been completed or recently updated.

### Associated sites

R070BD004NM	<b>Sandy</b> Sandy sites often occur in association or in a complex with Shallow Sandy Sites.
-------------	--

### Similar sites

R070BD004NM	<b>Sandy</b> Sandy ecological sites are similar to Shallow Sandy sites in species composition and Transition pathways.
-------------	---

**Table 1. Dominant plant species**

Tree	Not specified
Shrub	Not specified
Herbaceous	Not specified

### Physiographic features

This site occurs on plains, alluvial fans, uplands, or fan piedmonts. The parent material consists of mixed loamy alluvium or eolian material derived from igneous and sedimentary bedrock. The petrocalcic layer is at a depth of 10 to 25 inches and undulating.

Slopes are nearly level to undulating, usually less than 9 percent. Elevations range from 2,842 to 4,500 feet.

**Table 2. Representative physiographic features**

Landforms	(1) Plain (2) Fan piedmont (3) Alluvial fan
-----------	---

Elevation	2,842–4,500 ft
Slope	1–9%
Aspect	Aspect is not a significant factor

### Climatic features

The average annual precipitation ranges from 8 to 13 inches. Variations of 5 inches, more or less, are common. Over 80 percent of the precipitation falls from April through October. Most of the summer precipitation comes in the form of high intensity – short duration thunderstorms.

Temperatures are characterized by distinct seasonal changes and large annual and diurnal temperature changes. The average annual temperature is 61 degrees with extremes of 25 degrees below zero in the winter to 112 degrees in the summer.

The average frost-free season is from 207 to 220 days. The last killing frost is in late March or early April, and the first killing frost is in late October or early November.

Temperature and rainfall both favor warm season perennial plant growth. In years of abundant spring moisture, annual forbs and cool season grasses can make up an important component of the site. The vegetation of this site can take advantage of the moisture and the time it falls. Because of the soil profile, little moisture can be stored in the soil for any length of time. Moisture is readily available to the plants from the time it falls. Strong winds from the southwest blow from January through June which rapidly dries out the soil profile during a critical period for plant growth.

Climate data was obtained from <http://www.wrcc.sage.dri.edu/summary/climsmnm.html> web site using 50% probability for freeze-free and frost-free seasons using 28.5 degrees F and 32.5 degrees F respectively.

**Table 3. Representative climatic features**

Frost-free period (average)	221 days
Freeze-free period (average)	240 days
Precipitation total (average)	13 in

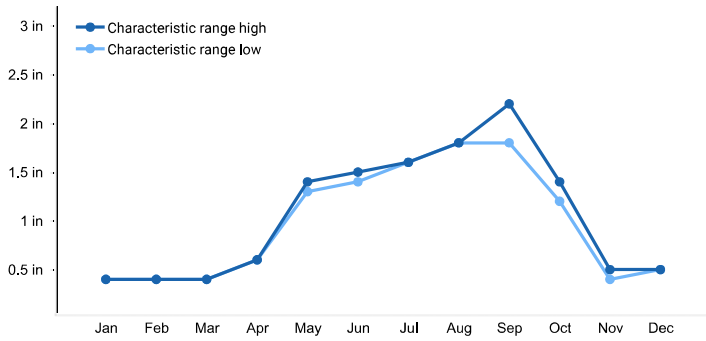


Figure 2. Monthly precipitation range

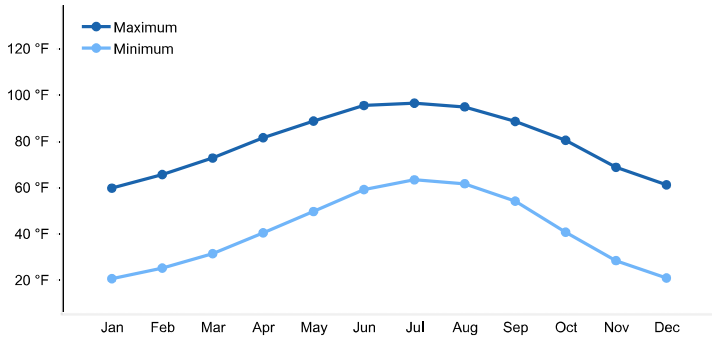


Figure 3. Monthly average minimum and maximum temperature

**Influencing water features**

This site is not influenced from water from wetlands or streams.

**Soil features**

Soils are very shallow to shallow, less than 20 inches in depth. Surface and subsurface textures are gravelly loamy sand, gravelly fine sandy loam or fine sandy loam.

An indurated caliche layer occurs at depths of 6 to 25 inches and is at an average of 15 inches from the surface. Underlying material textures are very gravelly fine sandy loam, very gravelly sandy loam, gravelly fine sandy loam. Gravels are calcium carbonate concretions, calcium carbonate content ranges from 30 to 65 percent.

The indurated caliche layer typically holds water up in the profile for short periods within the root zone of plants. These soils will blow if left unprotection by vegetation.

Minimum and maximum values listed below represent the characteristic soils for this site.

Characteristic soils are:

- Simona
- Jerag

Table 4. Representative soil features

Surface texture	(1) Fine sandy loam (2) Loamy fine sand (3) Gravelly fine sandy loam
Family particle size	(1) Loamy
Drainage class	Well drained to moderately well drained
Permeability class	Moderately slow to moderate
Soil depth	7–24 in
Surface fragment cover <=3"	5–25%
Surface fragment cover >3"	Not specified
Available water capacity (0–40in)	1–2 in
Calcium carbonate equivalent (0–40in)	5–15%
Electrical conductivity (0–40in)	4 mmhos/cm
Sodium adsorption ratio (0–40in)	Not specified
Soil reaction (1:1 water) (0–40in)	7.4–8
Subsurface fragment volume <=3" (Depth not specified)	5–25%
Subsurface fragment volume >3" (Depth not specified)	Not specified

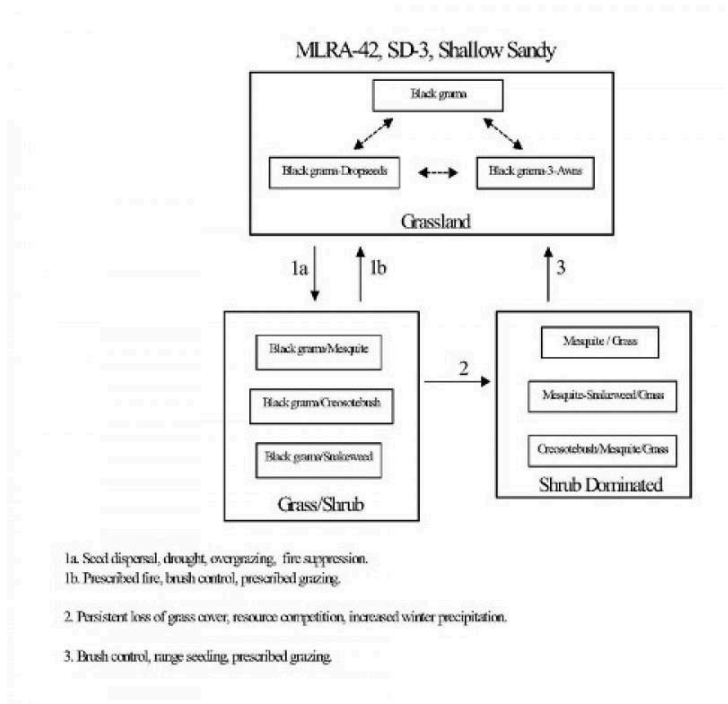
## Ecological dynamics

### Overview

The Shallow Sandy site occurs on upland plains, and tops of low ridges and mesas, associated with Sandy, Loamy Sand, and Shallow sites. Coarse to moderately coarse soil surface textures, shallow depth (<20 inches) to an indurated caliche layer (petrocalcic horizon), and an overwhelming dominance by black grama help to distinguish this site. The historic plant community of the Shallow Sandy site is a black grama dominated grassland sparsely dotted with shrubs. Shrubs, especially mesquite and creosotebush can increase or colonize due to the dispersal of shrub seeds by livestock or wildlife. This increase in mesquite and colonization of creosotebush may be enhanced by proximity to areas with existing high shrub densities. Fire suppression, and the loss of grass cover due to overgrazing or drought may facilitate the increase and encroachment of shrubs. Persistent loss of grass cover, competition for resources by shrubs, and periods of climate with increased winter precipitation and dry summers, may initiate the transition to a shrub-dominated state.

## State and transition model

Plant Communities and Transitional Pathways (diagram)



## State 1 Historic Climax Plant Community

### Community 1.1 Historic Climax Plant Community

**Grassland:** This site responds well to management and is resistant to state change, due to the shallow depth to petrocalcic horizon and sandy surface textures. The sandy surface textures allow rapid water infiltration and the petrocalcic horizon helps to keep water perched and available to shallow rooted grasses. Black grama is

the dominant species in the historic plant community, averaging 50 to 60 percent of the total production for this site. Bush muhly, blue grama, and dropseeds are present as sub-dominants. Typically, yucca, javalinabush, range ratany, prickly pear, and mesquite are sparsely dotted across the landscape. Leatherweed croton, cutleaf happlopappus, wooly groundsel, and threadleaf groundsel are common forbs. Continuous heavy grazing or extended periods of drought will cause a loss of grass cover characterized by a decrease in black grama, bush muhly, blue and sideoats grama, plains bristlegrass, and Arizona cottontop. Dropseeds and or threeawns may increase and become sub-dominant to black grama. Continued loss of grass cover in conjunction with dispersal of shrub seeds and fire suppression is believed to cause the transition to a state with increased amounts of shrubs (Grass/Shrub state). Diagnosis: Black grama is the dominant grass species. Grass cover uniformly distributed. Shrubs are a minor component averaging only two to five percent canopy cover. Litter cover is high (40-50 percent of area), and litter movement is limited to smaller size class litter and short distances (<. 5m). Other grasses that could appear on this site would include: six-weeks grama, fluffgrass, false-buffalograss, hairy grama, little bluestem, bristle panicum, cane bluestem, Indian ricegrass, tridens spp., and red lovegrass. Other woody plants include: pricklypear, cholla, fourwing saltbush, catclaw mimosa, winterfat, American tarbush and mesquite. Other forbs include: globemallow, verbena, desert holly, senna, plains blackfoot, trailing fleabane, fiddleneck, deerstongue, wooly Indianwheat, and locoweed.

Table 5. Annual production by plant type

Plant Type	Low (Lb/Acre)	Representative Value (Lb/Acre)	High (Lb/Acre)
Grass/Grasslike	474	652	830
Forb	78	107	136
Shrub/Vine	48	66	84
<b>Total</b>	<b>600</b>	<b>825</b>	<b>1050</b>

Table 6. Ground cover

Tree foliar cover	0%
Shrub/vine/liana foliar cover	0%
Grass/grasslike foliar cover	30-35%
Forb foliar cover	0%
Non-vascular plants	0%
Biological crusts	0%
Litter	40-50%
Surface fragments >0.25" and <=3"	0%
Surface fragments >3"	0%
Bedrock	0%
Water	0%
Bare ground	15-25%

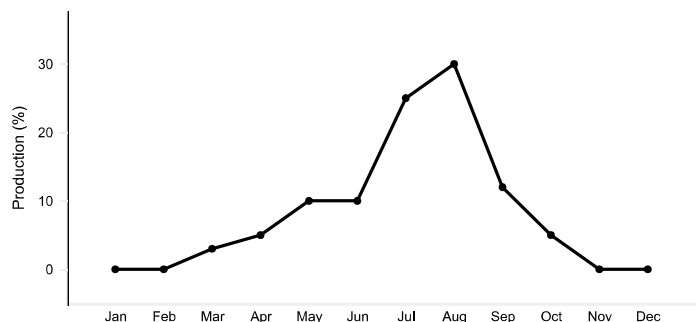


Figure 5. Plant community growth curve (percent production by month). NM2802, R042XC002NM-Shallow Sandy-HCPC, SD-3 Shallow Sandy - Warm season plant community.

## State 2 Grass/Shrub

### Community 2.1 Grass/Shrub

Grass/Shrub: This state is characterized by the notable presence of shrubs, especially mesquite, broom snakeweed, and/or creosotebush, however grasses remain as the dominant species. Black grama is the dominant grass species. Threeawns and or dropseeds are sub-dominant. The susceptibility of the Shallow Sandy site to shrub encroachment may be higher when located adjacent to other sites with high densities of mesquite or creosotebush. Retrogression within this site is characterized by decreases in grass cover and increasing densities of shrubs. Diagnosis: Black grama remains as the dominant grass species. Grass cover varies in response to the amount of shrub increase, ranging from uniform to patchy. Shrubs are found at increased densities relative to the grassland state, especially mesquite, creosotebush, or broom snakeweed. Transition to Grass/Shrub (1a) Historically fire may have kept mesquite and other shrubs in check by completely killing some species and disrupting seed production cycles and suppressing the establishment of shrub seedlings in others. Fire suppression combined with seed dispersal by livestock and wildlife is believed to be the factors responsible for the establishment and increase in shrubs.<sup>1, 3</sup> Loss of grass cover due to overgrazing, prolonged periods of drought, or their combination, reduces fire fuel loads and increases the susceptibility of the site to shrub establishment. Key indicators of approach to transition: Increase in the relative abundance of dropseeds and threeawns Presence of shrub seedlings Loss of organic matter—evidenced by an increase in physical soil crusts <sup>8</sup> Transition back to Grassland (1b) Brush control is necessary to initiate the transition back to the grassland state. If adequate fuel loads remain, possibly the reintroduction of fire as a management tool will assist in the transition back, however, mixed results have been observed concerning the effects of fire on black grama grasslands.<sup>6</sup> Prescribed grazing will help ensure adequate rest following brush control and will assist in the establishment and maintenance of grass cover capable of sustaining fire.

## State 3 Shrub Dominated

### Community 3.1 Shrub Dominated

Shrub-Dominated: Across the range of soil types included in the Shallow Sandy site, mesquite is typically the dominant shrub, but it does occur as a co-dominant or sub-dominant species with creosotebush or broom snakeweed. Mesquite tends to dominate when the Shallow Sandy site occurs as part of a complex or in association with Sandy or Loamy Sand sites. Creosotebush tends to dominate on Shallow Sandy sites that occur as part of, or adjacent to Shallow Sites. Broom snakeweed increases in response to heavy grazing, but tends to cycle in and out depending on timing of rainfall. However, once the site is dominated by shrubs and snakeweed becomes well established, it tends to remain as a major component in the shrub dominated state. Diagnosis: Mesquite, creosotebush, or snakeweed cover is high, exceeding that of grasses. Grass cover is patchy with large connected bare areas present. Black grama, threeawns, or dropseeds may be the dominant grass. Evidence of accelerated wind erosion in the form of pedestalling of plants, and soil deposition around shrub bases may be common. Transition to Shrub-Dominated (2) Persistent loss of grass cover and the resulting increased competition between shrubs and remaining grasses for dwindling resources (especially soil moisture) may drive this transition.<sup>5</sup> Additionally periods of increased winter precipitation may facilitate periodic episodes of shrub expansion and establishment. <sup>4</sup> Key indicators of approach to transition: Increase in size and frequency of bare patches. Loss of grass cover in shrub interspaces. Increased signs of erosion, evidenced by pedestalling of plants, and soil and litter deposition on leeward side of plants. <sup>7</sup> Transition back to Grassland (3) Brush control is necessary to reduce competition from shrubs and reestablish grasses. Range seeding may be necessary if insufficient grasses remain, The benefits, and costs, will vary depending upon the degree of site degradation, and adequate precipitation following seeding.

## Additional community tables

Table 7. Community 1.1 plant community composition

Group	Common Name	Symbol	Scientific Name	Annual Production (Lb/Acre)	Foliar Cover (%)
<b>Grass/Grasslike</b>					
1	<b>Warm Season</b>			413–495	
	black grama	BOER4	<i>Bouteloua eriopoda</i>	413–495	–
2	<b>Warm Season</b>			41–83	
	bush muhly	MUPO2	<i>Muhlenbergia porteri</i>	41–83	–
3	<b>Warm Season</b>			41–83	
	blue grama	BOGR2	<i>Bouteloua gracilis</i>	41–83	–
4	<b>Warm Season</b>			25–41	
	sideoats grama	BOCU	<i>Bouteloua curtipendula</i>	25–41	–
5	<b>Warm Season</b>			41–83	
	spike dropseed	SPCO4	<i>Sporobolus contractus</i>	41–83	–
	sand dropseed	SPCR	<i>Sporobolus cryptandrus</i>	41–83	–
	mesa dropseed	SPFL2	<i>Sporobolus flexuosus</i>	41–83	–
6	<b>Warm Season</b>			17–41	
	threawn	ARIST	<i>Aristida</i>	17–41	–
7	<b>Warm Season</b>			41–83	
	Arizona cottontop	DICA8	<i>Digitaria californica</i>	41–83	–
	plains bristlegrass	SEVU2	<i>Setaria vulpiseta</i>	41–83	–
8	<b>Warm Season</b>			41–83	
	mat sandbur	CELO3	<i>Cenchrus longispinus</i>	41–83	–
	hooded windmill grass	CHCU2	<i>Chloris cucullata</i>	41–83	–
9	<b>Other Perennial Grasses</b>			25–41	
	Grass, perennial	2GP	<i>Grass, perennial</i>	25–41	–
<b>Shrub/Vine</b>					
10	<b>Shrub</b>			8–25	
	javelina bush	COER5	<i>Condalia ericoides</i>	8–25	–
11	<b>Shrub</b>			8–25	
	yucca	YUCCA	<i>Yucca</i>	8–25	–
12	<b>Shrub</b>			8–25	
	jointfir	EPHED	<i>Ephedra</i>	8–25	–
	littleleaf ratany	KRER	<i>Krameria erecta</i>	8–25	–
13	<b>Shrub</b>			8–25	
	featherplume	DAFO	<i>Dalea formosa</i>	8–25	–
14	<b>Shrub</b>			8–25	
	broom snakeweed	GUSA2	<i>Gutierrezia sarothrae</i>	8–25	–
15	<b>Other Shrubs</b>			25–41	
	Shrub (>.5m)	2SHRUB	<i>Shrub (&gt;.5m)</i>	25–41	–
<b>Forb</b>					
16	<b>Forb</b>			17–41	
	leatherweed	CRPOP	<i>Croton pottsii</i> var. <i>pottsii</i>	17–41	–
	Goodding's tansyaster	MAPIG2	<i>Machaeranthera pinnatifida</i> ssp. <i>gooddingii</i> var. <i>gooddingii</i>	17–41	–
17	<b>Forb</b>			17–41	

	woolly groundsel	PACA15	<i>Packera cana</i>	17-41	-
	threadleaf ragwort	SEFLF	<i>Senecio flaccidus var. flaccidus</i>	17-41	-
18	<b>Forb</b>			8-25	
	whitest evening primrose	OEAL	<i>Oenothera albicaulis</i>	8-25	-
19	<b>Other Forbs</b>			8-25	
	Forb (herbaceous, not grass nor grass-like)	2FORB	<i>Forb (herbaceous, not grass nor grass-like)</i>	8-25	-

**Animal community**

This site provides habitats which support a resident animal community that is characterized by pronghorn antelope, swift fox, black-tailed jackrabbit, spotted ground squirrel, Ord's kangaroo rat, northern grasshopper mouse, coyote, horned lark, meadowlark, lark bunting, scaled quail, morning dove, side-blotched lizard, round-tailed horned lizard, marbled whiptail, prairie rattlesnake and ornate box turtle.

**Hydrological functions**

The runoff curve numbers are determined by field investigations using hydraulic cover conditions and hydrologic soil groups.

Hydrologic Interpretations  
 Soil Series Hydrologic Group  
 Jarag D  
 Simona D

**Recreational uses**

This site offers recreation for hiking, horseback riding, nature observation and photography, and quail and dove hunting. During years of abundant spring moisture, this site displays a riot of color from wildflowers during May and June. A few summer and fall flowers also occur.

**Wood products**

The natural potential plant community of this site affords little or no wood products. Where the site has been invaded by mesquite or cholla cactus the roots and stems of these plants provide attractive material for a variety of curiosities, such as lamps and small furniture.

**Other products**

This site is suitable for grazing by all kinds and classes of livestock during all seasons of the year. Because of the sandy textures and shallow profile, this site will respond rapidly to management. As this site deteriorates, plants such as black grama, bush muhly, blue and sideoats grama, plains bristlegrass and Arizona cottontop, will decrease and be replaced by plants such as threeawns, mesquite, creosote bush, and broom snakeweed. This also causes a decrease in ground cover, leaving the soil to blow. This site responds best to a system of management that rotates the season of use.

**Other information**

Guide to Suggested Initial Stocking Rate Acres per Animal Unit Month  
 Similarity Index Ac/AUM  
 100 - 76 2.5 - 3.5  
 75 - 51 3.2 - 4.6  
 50 - 26 4.5 - 7.5  
 25 - 0 7.6 +

# Snapping 2 CTB - Geological Unit Map

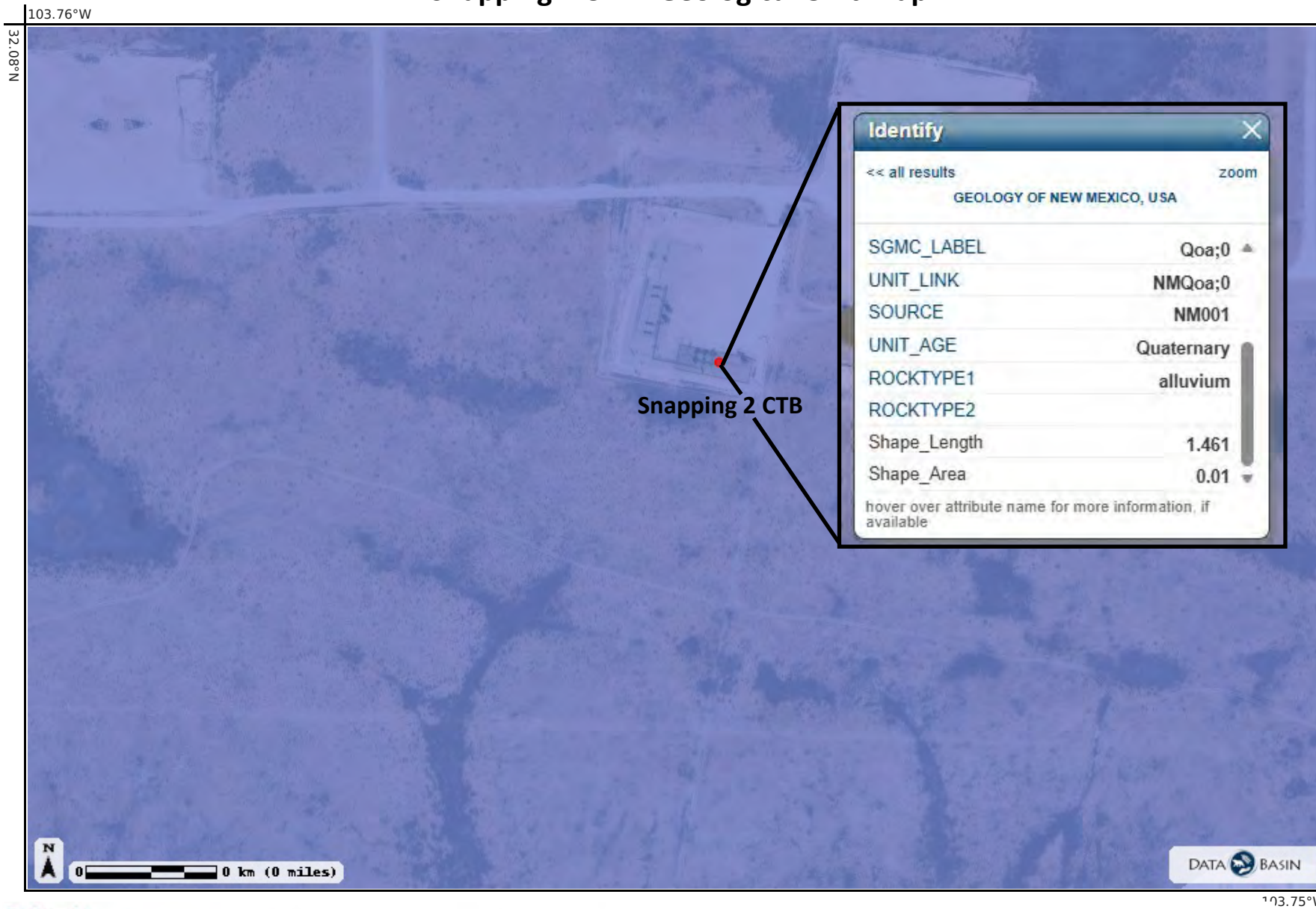
## Legend

### Geology of New Mexico, USA

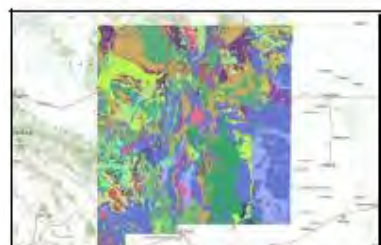
- alluvium
- andesite
- basalt
- carbonate
- clastic
- clay or mud
- coarse-grained mixed clastic
- conglomerate
- eolian
- evaporite
- felsic metavolcanic rock
- felsic volcanic rock
- fine-grained mixed clastic
- granodiorite
- indeterminate
- lake or marine deposit (non-glacial)
- landslide
- lava flow
- limestone
- mafic metavolcanic rock
- medium-grained mixed clastic
- metamorphic rock
- metasedimentary rock
- mudstone

(continued on next page)

## Geological Unit Qoa



## Datasets



### Geology of New Mexico, USA

<https://databasin.org/datasets/216c664011134afabb351937aff06f6d/>

**Credits:** Douglas B. Stoesser, Gregory N. Green, Laurie C. Morath, William D. Heran, Anna B. Wilson, David W. Moore, Bradley S. Van Gosen


**Layers:** ● Geology of New Mexico, USA



**Geology of New Mexico, USA (cont.)**

-  playa
-  plutonic rock (phaneritic)
-  pyroclastic
-  quartz monzonite
-  rhyolite
-  sandstone
-  sedimentary rock
-  shale
-  till
-  tuff
-  unconsolidated deposit
-  volcanic rock (aphanitic)
-  water

---

 -103.74982° Longitude,  
32.07735° Latitude

## APPENDIX C

## CORRESPONDENCE



Re: [EXTERNAL] nAPP2532443520 Snapping 2 CTB Liner Inspection Notification

From Raley, Jim <Jim.Raley@dvn.com>  
Date Wed 2025-12-24 10:50 PM  
To Monica Peppin <Monica.Peppin@kljeng.com>  
Cc Will Harmon <will.harmon@kljeng.com>

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Monica,  
Submitted for 12/26/2025 let me know if does not work.

Jim Raley - Enviro Professional  
Permian Basin - Devon Energy  
575-689-7597

**From:** Monica Peppin <Monica.Peppin@kljeng.com>  
**Date:** Monday, December 22, 2025 at 8:24 AM  
**To:** Raley, Jim <Jim.Raley@dvn.com>  
**Cc:** Will Harmon <will.harmon@kljeng.com>  
**Subject:** [EXTERNAL] nAPP2532443520 Snapping 2 CTB Liner Inspection Notification

Jim,

Here is the liner notice for Snapping 2 CTB. Let me know if you have any changes to time or date.

**Liner Inspection**

What is the liner inspection surface area in square feet	10,611
Have all the impacted materials been removed from the liner	Yes
Liner inspection date pursuant to Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC	12/25/2025
Time liner inspection will commence	1000AM
Please provide any information necessary for observers to liner inspection	Monica Peppin 575.909.3418
Please provide any information necessary for navigation to liner inspection site	32.077817, -103.749931
Incident	nAPP2532443520

Thank you,  
Monica

Monica Peppin, A.S.  
Environmental Specialist II



575-213-9010 Direct

575-909-3418 Cell

Carlsbad, NM 88220

[kljeng.com](http://kljeng.com)



[Book time to meet with me](#)

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**Energy, Minerals and Natural Resources**  
**Oil Conservation Division**  
**1220 S. St Francis Dr.**  
**Santa Fe, NM 87505**

QUESTIONS

Action 549948

**QUESTIONS**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 549948
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**QUESTIONS**

<b>Prerequisites</b>	
Incident ID (n#)	nAPP2532443520
Incident Name	NAPP2532443520 SNAPPING 2 CTB @ FAPP2123649646
Incident Type	Produced Water Release
Incident Status	Remediation Closure Report Received
Incident Facility	[fAPP2123649646] SNAPPING 2 CTB

**Location of Release Source**

Please answer all the questions in this group.

Site Name	SNAPPING 2 CTB
Date Release Discovered	11/19/2025
Surface Owner	State

**Incident Details**

Please answer all the questions in this group.

Incident Type	Produced Water Release
Did this release result in a fire or is the result of a fire	No
Did this release result in any injuries	No
Has this release reached or does it have a reasonable probability of reaching a watercourse	No
Has this release endangered or does it have a reasonable probability of endangering public health	No
Has this release substantially damaged or will it substantially damage property or the environment	No
Is this release of a volume that is or may with reasonable probability be detrimental to fresh water	No

**Nature and Volume of Release**

Material(s) released, please answer all that apply below. Any calculations or specific justifications for the volumes provided should be attached to the follow-up C-141 submission.

Crude Oil Released (bbls) Details	Not answered.
Produced Water Released (bbls) Details	Cause: Equipment Failure   Pump   Produced Water   Released: 13 BBL   Recovered: 13 BBL   Lost: 0 BBL.
Is the concentration of chloride in the produced water >10,000 mg/l	Yes
Condensate Released (bbls) Details	Not answered.
Natural Gas Vented (Mcf) Details	Not answered.
Natural Gas Flared (Mcf) Details	Not answered.
Other Released Details	Not answered.
Are there additional details for the questions above (i.e. any answer containing Other, Specify, Unknown, and/or Fire, or any negative lost amounts)	Plug on pump developed pinhole leak. Fluid released to lined secondary containment.

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QUESTIONS, Page 2

Action 549948

**QUESTIONS (continued)**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 549948
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**QUESTIONS**

<b>Nature and Volume of Release (continued)</b>	
Is this a gas only submission (i.e. only significant Mcf values reported)	<b>No, according to supplied volumes this does not appear to be a "gas only" report.</b>
Was this a major release as defined by Subsection A of 19.15.29.7 NMAC	<b>No</b>
Reasons why this would be considered a submission for a notification of a major release	<i>Unavailable.</i>
<i>With the implementation of the 19.15.27 NMAC (05/25/2021), venting and/or flaring of natural gas (i.e. gas only) are to be submitted on the C-129 form.</i>	

**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	<b>True</b>
The impacted area has been secured to protect human health and the environment	<b>True</b>
Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices	<b>True</b>
All free liquids and recoverable materials have been removed and managed appropriately	<b>True</b>
If all the actions described above have not been undertaken, explain why	<i>Not answered.</i>

*Per Paragraph (4) of Subsection B of 19.15.29.8 NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please prepare and attach a narrative of actions to date in the follow-up C-141 submission. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC), please prepare and attach all information needed for closure evaluation in the follow-up C-141 submission.*

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.

I hereby agree and sign off to the above statement	Name: James Raley Title: EHS Professional Email: jim.raley@dvn.com Date: 02/03/2026
--	--

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QUESTIONS, Page 3

Action 549948

**QUESTIONS (continued)**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 549948
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**QUESTIONS****Site Characterization**

Please answer all the questions in this group (only required when seeking remediation plan approval and beyond). 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 in feet below ground surface (ft bgs)	Between 51 and 75 (ft.)
What method was used to determine the depth to ground water	NM OSE iWaters Database Search
Did this release impact groundwater or surface water	No
<b>What is the minimum distance, between the closest lateral extents of the release and the following surface areas:</b>	
A continuously flowing watercourse or any other significant watercourse	Between 1000 (ft.) and ½ (mi.)
Any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)	Zero feet, overlying, or within area
An occupied permanent residence, school, hospital, institution, or church	Between 1 and 5 (mi.)
A spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes	Between 1 and 5 (mi.)
Any other fresh water well or spring	Between 1 and 5 (mi.)
Incorporated municipal boundaries or a defined municipal fresh water well field	Greater than 5 (mi.)
A wetland	Zero feet, overlying, or within area
A subsurface mine	Greater than 5 (mi.)
An (non-karst) unstable area	Greater than 5 (mi.)
Categorize the risk of this well / site being in a karst geology	Medium
A 100-year floodplain	Between 1 and 5 (mi.)
Did the release impact areas not on an exploration, development, production, or storage site	No

**Remediation Plan**

Please answer all the questions that apply or are indicated. This information must be provided to the appropriate district office no later than 90 days after the release discovery date.

Requesting a remediation plan approval with this submission	Yes
<i>Attach a comprehensive report demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined, pursuant to 19.15.29.11 NMAC and 19.15.29.13 NMAC.</i>	
Have the lateral and vertical extents of contamination been fully delineated	Yes
Was this release entirely contained within a lined containment area	Yes
<i>Per Subsection B of 19.15.29.11 NMAC unless the site characterization report includes completed efforts at remediation, the report must include a proposed remediation plan in accordance with 19.15.29.12 NMAC, which includes the anticipated timelines for beginning and completing the remediation.</i>	
On what estimated date will the remediation commence	12/26/2026
On what date will (or did) the final sampling or liner inspection occur	12/26/2026
On what date will (or was) the remediation complete(d)	12/26/2026
What is the estimated surface area (in square feet) that will be remediated	10611
What is the estimated volume (in cubic yards) that will be remediated	0

*These estimated dates and measurements are recognized to be the best guess or calculation at the time of submission and may (be) change(d) over time as more remediation efforts are completed.*

*The OCD recognizes that proposed remediation measures may have to be minimally adjusted in accordance with the physical realities encountered during remediation. If the responsible party has any need to significantly deviate from the remediation plan proposed, then it should consult with the division to determine if another remediation plan submission is required.*

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QUESTIONS, Page 4

Action 549948

**QUESTIONS (continued)**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 549948
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**QUESTIONS**

<b>Remediation Plan (continued)</b>	
<i>Please answer all the questions that apply or are indicated. This information must be provided to the appropriate district office no later than 90 days after the release discovery date.</i>	
<b>This remediation will (or is expected to) utilize the following processes to remediate / reduce contaminants:</b>	
<i>(Select all answers below that apply.)</i>	
Is (or was) there affected material present needing to be removed	Yes
Is (or was) there a power wash of the lined containment area (to be) performed	Yes
OTHER (Non-listed remedial process)	Not answered.
<i>Per Subsection B of 19.15.29.11 NMAC unless the site characterization report includes completed efforts at remediation, the report must include a proposed remediation plan in accordance with 19.15.29.12 NMAC, which includes the anticipated timelines for beginning and completing the remediation.</i>	
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.	
I hereby agree and sign off to the above statement	Name: James Raley Title: EHS Professional Email: jim.raley@dvnm.com Date: 02/03/2026
<i>The OCD recognizes that proposed remediation measures may have to be minimally adjusted in accordance with the physical realities encountered during remediation. If the responsible party has any need to significantly deviate from the remediation plan proposed, then it should consult with the division to determine if another remediation plan submission is required.</i>	

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QUESTIONS, Page 6

Action 549948

**QUESTIONS (continued)**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 549948
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**QUESTIONS**

<b>Liner Inspection Information</b>	
Last liner inspection notification (C-141L) recorded	<b>537650</b>
Liner inspection date pursuant to Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC	<b>12/26/2025</b>
Was all the impacted materials removed from the liner	<b>Yes</b>
What was the liner inspection surface area in square feet	<b>10611</b>

<b>Remediation Closure Request</b>	
<i>Only answer the questions in this group if seeking remediation closure for this release because all remediation steps have been completed.</i>	
Requesting a remediation closure approval with this submission	<b>Yes</b>
Have the lateral and vertical extents of contamination been fully delineated	<b>Yes</b>
Was this release entirely contained within a lined containment area	<b>Yes</b>
What was the total surface area (in square feet) remediated	<b>10611</b>
What was the total volume (cubic yards) remediated	<b>0</b>
Summarize any additional remediation activities not included by answers (above)	<b>Liner Inspected</b>

*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 (in .pdf format) 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.*

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.

I hereby agree and sign off to the above statement	Name: James Raley Title: EHS Professional Email: jim.raley@dmv.com Date: 02/03/2026
--	--

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CONDITIONS

Action 549948

**CONDITIONS**

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 549948
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**CONDITIONS**

Created By	Condition	Condition Date
scwells	None	2/18/2026