

Form 3160-5  
(June 2015)UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENTFORM APPROVED  
OMB NO. 1004-0137  
Expires: January 31, 2018**SUNDRY NOTICES AND REPORTS ON WELLS**  
**Do not use this form for proposals to drill or to re-enter an**  
**abandoned well. Use form 3160-3 (APD) for such proposals.****SUBMIT IN TRIPLICATE - Other instructions on page 2**

1. Type of Well <input checked="" type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input type="checkbox"/> Other		5. Lease Serial No. NMNM117577
2. Name of Operator ENDURING RESOURCES LLC		6. If Indian, Allottee or Tribe Name EASTERN NAVAJO
Contact: LACEY GRANILLO E-Mail: lgranillo@enduringresources.com		7. If Unit or CA/Agreement, Name and/or No. NMNM135255A
3a. Address 1050 17TH STREET SUITE 2500 DENVER, CO 80265	3b. Phone No. (include area code) Ph: 505-636-9743	8. Well Name and No. KIMBETO WASH UNIT 791H
4. Location of Well (Footage, Sec., T., R., M., or Survey Description)  Sec 30 T23N R9W NWNW 660FNL 464FWL 36.203353 N Lat, 107.837417 W Lon		9. API Well No. 30-045-35733-00-X1
		10. Field and Pool or Exploratory Area BASIN MANCOS
		11. County or Parish, State SAN JUAN COUNTY, NM

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

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

13. Describe Proposed or Completed Operation: Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recompleat horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports must be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompleat in a new interval, a Form 3160-4 must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has determined that the site is ready for final inspection.

ATTN: MATTHEW WIRTH

Enduring Resources IV, LLC (Enduring) requests to place dual (2) 12-inch or smaller temporary surface lay-flat pipelines in the 1,048-foot pipeline corridors identified on the attached map. These surface lines would be placed within existing Enduring buried pipeline corridors. No new surface disturbance would result from this action. Lay-flat pipeline will be TETRA Steel lay-flat hose or similar. Attached is a product information page. These surface pipelines would be temporary for the duration of active drilling and completion operations in the surrounding area as needed or to move water between water recycling facilities. Thus, they may be deployed and picked-up as needed during intermittent completion operations as to not leave them lay unused. These pipelines would transport produced water, recycled water, and flowback water. Where surface lines cross

14. I hereby certify that the foregoing is true and correct.	
<b>Electronic Submission #503926 verified by the BLM Well Information System</b> <b>For ENDURING RESOURCES LLC, sent to the Farmington</b> <b>Committed to AFMSS for processing by ALBERTA WETHINGTON on 02/27/2020 (20AMW0065SE)</b>	
Name (Printed/Typed) LACEY GRANILLO	Title PERMITTING SPECIALIST
Signature (Electronic Submission)	Date 02/21/2020

**THIS SPACE FOR FEDERAL OR STATE OFFICE USE**

Approved By <u>DAVID J MANKIEWICZ</u>	Title <u>AFM MINERALS</u>	Date <u>12/15/2020</u>
Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.		Office <u>Farmington</u>

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

(Instructions on page 2)

**\*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\***

**Additional data for EC transaction #503926 that would not fit on the form**

**32. Additional remarks, continued**

roadways, dual 18-inch or 24-inch culverts would be installed within the roadway and used as casing for the pipelines. Prior to breaking down and picking up surface lines, they would be pigged multiple times with foam pigs and compressed air. Liquids would be recovered in a facility, recycling containment, or water hauler for reuse or disposal.

**Revisions to Operator-Submitted EC Data for Sundry Notice #503926**

	<b>Operator Submitted</b>	<b>BLM Revised (AFMSS)</b>
Sundry Type:	OTHER NOI	OTHER NOI
Lease:	NMNM117577	NMNM117577
Agreement:	NMNM135255A	NMNM135255A (NMNM135255A)
Operator:	ENDURING RESOURCES IV, LLC 200 ENERGY COURT FARMINGTON, NM 87401 Ph: 505-636-9743	ENDURING RESOURCES LLC 1050 17TH STREET SUITE 2500 DENVER, CO 80265 Ph: 5053868205
Admin Contact:	LACEY GRANILLO PERMITTING SPECIALIST E-Mail: LGRANILLO@ENDURINGRESOURCES.COM  Ph: 505-636-9743	LACEY GRANILLO PERMITTING SPECIALIST E-Mail: lgranillo@enduringresources.com  Ph: 505-636-9743
Tech Contact:	LACEY GRANILLO PERMITTING SPECIALIST E-Mail: LGRANILLO@ENDURINGRESOURCES.COM  Ph: 505-636-9743	LACEY GRANILLO PERMITTING SPECIALIST E-Mail: lgranillo@enduringresources.com  Ph: 505-636-9743
Location: State: County:	NM SAN JUAN	NM SAN JUAN
Field/Pool:	BASIN MANCOS	BASIN MANCOS
Well/Facility:	KIMBETO WASH UNIT 791H Sec 30 T23N R9W Mer NMP 660FNL 464FWL 36.203353 N Lat, 107.837417 W Lon	KIMBETO WASH UNIT 791H Sec 30 T23N R9W NWNW 660FNL 464FWL 36.203353 N Lat, 107.837417 W Lon



**Legend**

- Access Road
- Edge of Disturbance
- Enduring Pipeline
- Well Pad
- Surface Line Route
- BLM
- Indian
- State

San Juan County

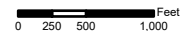
Kimbeto Wash Unit

West Lybrook Unit

Coordinate System: NAD 1983 BLM Zone 13N

Date: 2/19/2020

Coordinate System: NAD 1983 BLM Zone 13N





**Operator:** Enduring Resources, LCC  
**Well Name:** Kimbeto Wash UT 789H and 791H  
**Location:** 23 North, 9 West, Section 30, NWNW

**NEPA Log Number:** DOI-BLM-NM-F010-2016-0029-EA  
**Inspection Date:** 9-30-15  
**Lease Number:** NMNM 117577

### Conditions of Approval

The following conditions of approval will apply to the Enduring Resources, LCC, Kimbeto Wash UT 789H and 791H temporary lay flat pipelines and other associated facilities, unless a particular Surface Managing Agency or private surface owner has supplied to Bureau of Land Management and the operator a contradictory environmental stipulation. The failure of the operator to comply with these requirements may result in an assessment or civil penalties pursuant to 43 CFR 3163.1 or 3163.2.

**Copy of Plans:** A complete copy of the APD package and any approved sundry materials, including exhibits and the Plan(s) of Operation (if required), shall be at the project area and available to all persons.

**Surface Owner:** An agreement between the operator and fee land owner will take precedence over BLM surface stipulations unless (In reference to 43 CFR Part 3160) 1) BLM determines that the operator's actions will affect adjacent Federal or Indian surface, or 2) the operator does not maintain well area and lease premises in a workmanlike manner with due regard for safety, conservation and appearance, or 3) no such agreement exists, or 4) in the event of well abandonment, minimal Federal restoration requirements will be required. If surface owner changes any stipulations in the conditions of approval, the operator will contact the BLM authorized officer before implementing surface owner stipulation

**Disclaimers:** BLM's approval of this sundry does not relieve the lessee and operator from obtaining any other authorizations that may be required by the BIA, Navajo Tribe or other jurisdictional entities.

### Special Stipulations

**Cultural Resources:** Cultural resources are present within the immediate project area. See Cultural Resource Record of Review, NNHPD No. HPD-15-826 and BLM Report Number 2015(11) 007F for site specific stipulations.

**Migratory Bird:** The BLM/FFO migratory bird policy requires a bird nest survey between May 15-July 31 for any projects that would remove 4.0 or more acres of vegetation. The proposed project is a temporary lay flat line that will not require removal of vegetation.

**Diversion:** Divert water around the pad and place diversions and silt traps upon interim reclamation.

**Road:** All sections of the proposed access road associated with this permit shall be sited, designed, constructed, upgraded and maintained utilizing standards, requirements, guidelines and instructions specified in BLM Manual 9113 "Roads", BLM Manual 9113-1 "Roads Design

Handbook”, BLM Manual 9113-2 “Roads National Inventory and Condition Assessment Guidance & Instructions Handbook” and Surface Operations and Guidelines for Oil and Gas Exploration and Development “The Gold Book”.

**Silt Trap:** Will be installed at interim reclamation.

**Painting of Equipment:** Within 90 days of installation, all above ground structures not subject to safety requirements shall be painted by the Holder to blend with the natural color of the landscape. A reflective material may be used to reduce hazards that may occur when such structures are near roads. Otherwise, the paint use shall be a non-glare, non-reflective, non-chalking color of: Federal 595a-34127 (Juniper Green).

## General Conditions of Approval

**Best Management Plan:** Farmington Field Office established environmental Best Management Practices (BMP's) will be followed during construction and reclamation of well site pads, access roads, pipeline ties, facility placement or any other surface disturbing activity associated with this project. Bureau wide standard BMP's are found in the Gold Book, Fourth Edition-Revised 2007. Farmington Field Office BMP's are integrated into the general and site specific stipulations described below.

**Acquisition of Water:** Water acquired to construct, produce, and maintain actions authorized by this permit to drill must be acquired from permitted water sources, or water authorized for use by the New Mexico Oil Conservation Division (OCD). Upon request the AO shall be provided with documentation of water sources.

**Dust Abatement:** The operator shall implement dust abatement measures as needed to prevent fugitive dust from vehicular traffic, equipment operations, or wind events. The BLM may direct the operator to change the level and type of treatment (watering or application of various dust agents, surfactants, and road surfacing material) if dust abatement measures are observed to be insufficient to prevent fugitive dust.

**Grazing Permittee Notification:** For any and all construction activities the holder will notify the grazing lease operator(s) at least ten business days prior to beginning construction to ensure there will be no conflicts between construction activities and livestock grazing operations. The holder is in no way obligated to cease or delay construction unless directed by the authorized officer. Any range improvement (fences, pipelines, ponds, etc) disturbed by construction activities will be repaired immediately following construction and will be repaired to the condition they were in prior to disturbance.

## Construction:

**Authorized Use:** All activities associated within the construction, use/operation, maintenance, and abandonment or termination of the Enduring Resources, LCC, Kimbeto Wash UT 789H and 791H is limited to areas approved in the APD and this sundry. All roads on public land must be maintained in good passable condition year round.

**Construction & Reclamation Notification:** The operator or their contractor will contact the Bureau of Land Management, Farmington Field Office, Environmental Protection Staff, Reclamation Team (505) 564-7600 or by email, 48 hours prior to any construction or reclamation on this project.

**Top Soil:** What top soil material is there will be stripped and stockpiled in the construction zones approved in the APD. The stockpiled soil will be free of brush and tree limbs, trunks and roots. The stockpiled soil material will be spread on the reclaimed portions of the pad [including the reserve pit, cut and fill slopes] prior to re-seeding. Spreading shall not be done when the ground or topsoil is frozen or wet.

**Vegetation Removal:** Sage, grass and brush will be mowed and then scraped up and stockpiled for interim reclamation. Topsoil should be segregated and stored separately from substrate materials to avoid mixing during construction, storage and interim reclamation. Substrate materials should be placed on top of topsoil at any point in the operation. Stockpiles should be located and protected so that wind and water erosion are minimized and reclamation potential is maximized. No hardwood tree with a diameter of ten inches or more at the base or any Ponderosa pine, Douglas-fir or aspen tree is to be removed or damaged without approval from the Authorized Officer.

**Contouring of Cut and Fill Slopes:** The interim cut and fill slope shall grade as close to the original contour as possible. To obtain this ratio, pits and slopes shall be back sloped into the pad during interim reclamation. Only subsurface soil and material shall be utilized in the contouring of the cut and fill slopes. Under no circumstances shall topsoil be utilized as substrate material for contouring of cut and fill slopes.

**Weather:** No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 6 inches deep, the soil shall be deemed too wet.

## Access Road

**Access:** All sections of the proposed access road associated with this permit shall be sited, designed, constructed, upgraded and maintained utilizing standards, requirements, guidelines and instructions specified in BLM Manual 9113 "Roads", BLM Manual 9113-1 "Roads Design Handbook", BLM Manual 9113-2 "Roads National Inventory and Condition Assessment Guidance & Instructions Handbook" and Surface Operations and Guidelines for Oil and Gas Exploration and Development "The Gold Book".

**Driving Surface Area:** All activities associated within the construction, operation, maintenance, and abandonment of the well location is limited to areas approved in the APD or ROW permit. During the production of the well, vehicular traffic is limited to the daily driving surface area established during interim reclamation construction operations. This area typically forms a keyhole or teardrop driving surface from which all production facilities may be serviced or inspected. A v-type ditch may be constructed on the outside of the driving surface to further define the driving surface and to deter vehicular traffic from entering onto the interim reclamation areas.

**Culverts:** Culvert(s) of sufficient size (minimum 24 inches) will be placed Per SOUP. Silt Traps will be built upstream of all culvert locations.

**Surfacing:** Surfacing may be applied at the Holder's discretion, however, is not required at this time. However, if it becomes evident there is resource damage or it becomes evident the road is receiving excess damage, surfacing will be required.

## Well Site

**Facility Layout:** Production facilities shall be placed to allow for maximum interim reclamation and revegetation of the well location. Production facilities shall be clustered to maximize the opportunity for interim reclamation. Production facility layout and placement is submitted in the Surface Use Plan and approved as part of the APD package. Any deviation from the approved facility layout and/or the addition of any equipment, including compressors and fencing, must be approved prior to installation or construction. Production, cathodic equipment, and meter runs associated with pipeline construction shall be placed on location near tear drop road as not to interfere with reclaiming the cut and fill slopes to their proper ratio. Gas metering equipment shall face to the interior of the well pad to provide easy access to equipment from the driving surface. Production equipment [including any facilities associated with pipeline construction] shall be placed on location as not to interfere with reclaiming the cut and fill slopes to their proper ratio. If equipment is found to interfere with the proper reclamation of the slope, the company will be required to move the equipment so proper re-contouring can occur. In instances where chain link fences are constructed around the location, the fence should be engineered and constructed so that the interim reclamation, seeded areas and vegetation are not compromised or degraded. Additionally, the enclosed area shall not be utilized as a storage facility. Berms or firewalls will be constructed around all storage facilities sufficient in size to contain the storage capacity of tanks, or the combined capacity of tanks if a rupture could drain more than one tank. Berm walls will be compacted with appropriate equipment to assure proper construction. Containment dikes around oil/water facilities shall not be constructed with topsoil. Gravel shall not be unloaded or relocated into areas where interim reclamation will occur or onto areas where interim reclamation has been completed.

**Storage Facility Berms:** Berms or firewalls will be constructed around all storage facilities sufficient in size to contain the storage capacity of tanks, or the combined capacity of tanks if a rupture could drain more than one tank. Berm walls will be compacted with appropriate equipment to assure proper construction.

**Compressors:** Compressor units on this well location not equipped with a drip pan for containment of fluids shall be lined with an impervious material at least 8 mils thick and a 12 inch berm. The compressor will be painted to match the well facilities. Compressor units not equipped with a drip pan for containment of fluids shall be lined with an impervious material at least 8 mils thick and surrounded by a 12 inch berm. Any variance to this will be approved by the Authorized Officer (AO). When compressor units are washed, or any other equipment associated with the locations, the fluids (i.e., scrubber cleaners) will be properly disposed of to avoid ground contamination or hazard to livestock or wildlife.

**Hazardous Waste:** All fluids (i.e. scrubber cleaners) used during washing of production equipment, including compressors, will be properly disposed of to avoid ground contamination or hazard to livestock or wildlife.

**Storage Tanks:** All open top permanent production or storage tanks regardless of diameter made of fiberglass, steel, or other material used for the containment of oil, condensate, produced water and or other production waste shall be screened, netted or otherwise covered to protect migratory birds and other wildlife from access.

**Maintenance:** In order to perform subsequent well operations or install new/additional equipment, it may be necessary to drive, park, and operate on restored, interim vegetation within



the previously disturbed area. This is generally acceptable provided damage is promptly repaired and reclaimed following use. Where vehicular travel has occurred as a “convenience” and interim reclamation/vegetation has been compromised, immediate remediation of the affected areas is required. Additionally, where erosion has occurred and compromised the reclamation of the well location, the affected area must be promptly remediated so that future erosion is prevented and the landform is stabilized.

**Noxious Weeds:** Inventory the proposed route or site for the presence of noxious weeds. Noxious weeds are those listed on the New Mexico Noxious Weed List. Construction equipment should be inspected and cleaned prior to coming onto the work site. This is especially important on vehicles from out of state or if coming from a weed infested area. If fill dirt or gravel will be required, the source shall to be noxious weed free. The well pad, access road and pipeline tie shall be monitored for the life of the road for the presence of noxious weeds (includes maintenance and construction activities). If weeds are found, the FFO Weed Coordinator will be notified at (505) 564-6900 and the coordinator will determine the best method for the control of the particular weed species. Treat existing weeds prior to new surface disturbance. Use of pesticides and herbicides shall comply with applicable federal/state laws. Pesticides and herbicides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, holder shall obtain from the AO written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary. Emergency use of pesticides shall be approved in writing by the AO prior to use.

The following noxious weeds have been identified as occurring on lands within the boundaries of the Farmington Field Office (FFO).

Russian Knapweed ( <i>Centaurea repens</i> )	Musk Thistle ( <i>Carduus nutans</i> )
Bull Thistle ( <i>Cirsium vulgare</i> )	Canada Thistle ( <i>Cirsium arvense</i> )
Scotch Thistle ( <i>Onopordum acanthium</i> )	Hoary Cress ( <i>Cardaria draba</i> )
Perennial Pepperweed ( <i>Lepidium latifolium</i> )	Halogeton ( <i>Halogeton glomeratus</i> )
Spotted Knapweed ( <i>Centaurea maculosa</i> )	Dalmation Toadflax ( <i>Linaria genistifolia</i> )
Yellow Toadflax ( <i>Linaria vulgaris</i> )	Camelthorn ( <i>Alhagi pseudalhagi</i> )
African Rue ( <i>Peganum harmala</i> )	Saltcedar ( <i>Tamarix spp.</i> )
Diffuse Knapweed ( <i>Centaurea diffusa</i> )	Leafy Spurge ( <i>Euphorbia esula</i> )

**Pesticides and Herbicide Use:** Use of pesticides and herbicides will comply with applicable federal/state laws. Pesticides and herbicides will only be used in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. A written plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary will be approved by the Authorized Officer(AO) prior to the use of pesticides. Emergency use of pesticides shall be approved in writing by the AO prior to use.

**Air Quality:** All air pollutant emissions from federally conducted or approved activities shall comply with all applicable local, state, tribal, and federal air quality laws, statutes, regulations, standard and implementation plans.

**Emission Control Standard:** Compressor engines 300 horsepower or less used during well production must be rated by the manufacturer as emitting NOx at 2 grams per horsepower hour

or less to comply with the New Mexico Environmental Department, Air Quality Bureau's guidance.

**Threatened, Endangered or Sensitive Species:** If, in operations the operator/holder discovers any T&E / Sensitive species, then work in the vicinity of the discovery will be suspended and the discovery promptly reported to the BLM T&E specialist @ (505) 564-7600. BLM will then specify what action is to be taken. Failure to notify the BLM about a discovery may result in civil or criminal penalties in accordance with the Endangered Species Act (as amended).

**Nesting:** If a bird nest containing eggs or young is encountered in the path of construction the operator will cease construction and consult with BLM to determine appropriate actions.

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

**Public Access:** Public access will not be restricted without specific written approval being granted by the AO. Gates or cattle-guards on the public land will not be locked or closed to public use unless specifically determined by the AO.

**Land Farming:** No excavation, remediation or closure activities will be authorized without prior approval on any federal or Indian mineral estate, federal surface or federal ROW. A Sundry Notice (DOI, BLM Form 3160-5) must be submitted with an explanation of the remediation or closure plan for on-lease actions.

**Site Condition:** Well area and lease premises will be maintained in a workmanlike manner and sanitary condition with due regard to safety, conservation and appearance at all times. A regular maintenance program shall include.

**Waste Disposal:** Waste materials produced during all phases of operation will be disposed of promptly in an approved manner so it will not impact the air, soil, water, vegetation or animals. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes and equipment. All liquid waste, completion fluids and drilling products associated with oil and gas operations will be removed and deposited in an approved disposal site. Portable toilets will remain on site throughout well pad construction, drilling and reclamation.

All fluids (i.e., scrubber cleaners) used during washing of production equipment, including compressors, will be properly disposed of to avoid ground contamination or hazard to livestock or wildlife.

Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes and equipment.

## Cultural Resources

Construction, construction maintenance or any other activity outside the areas permitted by the APD will require additional approval and may require a new cultural survey and clearance.

**Employee Education:** All employees of the project, including the Project Sponsor and its contractors and sub-contractors will be informed that cultural sites are to be avoided by all personnel, personal vehicles and company equipment. This includes all personnel associated with construction, use, maintenance and abandonment of the well pad, well facilities, access and pipeline. They will also be notified that it is illegal to collect, damage, or disturb cultural resources, and that such activities are punishable by criminal and or administrative penalties under the provisions of the Archaeological Resources Protection Act (16U.S.C. 470aa-mm).

**Discovery of Cultural Resources in the Absence of Monitoring:** If, in its operations, operator/holder discovers any previously unidentified historic or prehistoric cultural resources, then work in the vicinity of the discovery will be suspended and the discovery promptly reported to Bureau of Land Management Field Manager. The Bureau of Land Management will then specify what action is to be taken. If there is an approved "discovery plan" in place for the project, then the plan will be executed. In the absence of an approved plan, the Bureau Land Management will evaluate the significance of discovery and consult with the State Historic Preservation Officer in accordance with 36 CFR Section 800.11. Minor recordation, stabilization, or data recovery may be performed by a Bureau of Land Management or permitted cultural resources consultant. If warranted, more extensive treatment by a permitted cultural resources consultant may be required of the operator/holder prior to allowing the project to proceed. Further damage to significant cultural resources will not be allowed until any required treatment is completed. Failure to notify the Bureau of Land Management about a discovery may result in civil or criminal penalties in accordance with the Archeological Resources Protection Act of 1979 (as amended).

**Discovery of Cultural Resources during Monitoring:** If monitoring confirms the presence of previously unidentified cultural resources, then work in the vicinity of the discovery will be suspended and the monitor will promptly report the discovery to the Bureau of Land Management Field Manager. The Bureau of Land Management will then specify what action is to be taken. If there is an approved "discovery plan" in place for the project, then the plan will be executed. In the absence of an approved plan, the Bureau of Land Management will evaluate the significance of the discovery and consult with the State Historic Preservation Officer in accordance with 36 CFR Section 800.11. A Bureau of Land Management or permitted cultural resources consultant may perform minor recordation, stabilization, or data recovery. If warranted, more extensive treatment by a permitted cultural resources consultant may be required of the operator/holder prior to allowing the project to proceed. Further damage to significant cultural resources will not be allowed until any required treatment is completed.

**Damage to Sites:** If, in its operations, operator/holder damages, or is found to have damaged any previously documented or undocumented historic or prehistoric cultural resources, excluding "discoveries" as noted above, the operator/holder agrees at his/her expense to have a permitted cultural resources consultant prepare and have executed a Bureau of Land Management approved data recovery plan. Damage to cultural resources may result in civil or criminal penalties in accordance with the Archeological Resources Protection Act of 1979 (as amended).

## Pipeline

**Construction Timing:** Construction of the pipeline or any other surface disturbing activity will not begin until the associated APD or sundry is approved. The holder will adhere to the general and pipeline specific stipulations in the APD Condition of Approval.

**Staking:** The holder shall mark the exterior boundaries of the right-of-way with stake and/or lath at 100 to 200 foot intervals. The intervals may be varied at the time of staking at the discretion of the AO. The tops of the stakes and/or laths will be painted and the laths flagged in a distinctive color as determined by the holder. The survey station numbers will be marked on the boundary stakes and/or laths at the entrance to and the exit from public land. The holder shall maintain all boundary stakes and/or laths in place until final cleanup and restoration is completed and approved by the AO. The stakes and/or laths will then be removed at the direction of the AO.

**Width:** Right-of-way clearing shall be limited to the access road plus 20 feet. Bury the pipeline in the existing road or no more than twenty (20) feet from the center of the traveled surface of the existing road.

**Side Cuts:** Side-hill cuts of more than three (3) feet are not permitted. Areas requiring cuts greater than this shall be terraced so none are greater than three (3) feet.

**Re-contouring:** All disturbed areas will be re-contoured to establish approximate original contours of right-of-way. This includes obliterating all earthwork by removing embankments, backfilling excavations, and grading to re-establish the approximate original contours of the land in the right-of-way.

**Berms:** Construct earthen berms at each end of the right-of-way where it is separated from the road. The berms will be a minimum of four (4) feet high with a one (1) foot cut at the base facing away from the right-of-way, i.e., towards the direction of potential traffic.

### Open Trenches:

Minimize the amount of open trench ahead of pipe laying and backfilling. No more than ½ mile of trench or the amount of trench that can be worked in one day will be open at any given time.

Backfilling operations would be performed within a reasonable amount of time of the lowering operation to ensure the trench is not left open for more than 24 hours. Trenches left open overnight will be fenced with a temporary fence or other methods approved by the Authorized Officer. The ends of the trench will be sloped (3:1) to allow animals to escape.

The ends of the strung pipe will be capped to prevent animals from crawling in.

Escape ramps/cross overs will be constructed every 1320 feet or every 500 feet in areas where active grazing is taking place or in designated wildlife areas. The ends of the trench will be sloped every night with a 4:1 slope.



Established livestock and wildlife trails will be left in place as a cross over. Escape ramp/crossovers will be constructed with a minimum 3:1 slope at each end of the crossover. Crossovers will be a minimum of 10 feet wide and will not be fenced.

Before trench is closed, inspect the trench for any animals that may be in the trench. Any trapped wildlife or livestock discovered will be promptly removed and released at least 150 yards from the open trench.

The ends of the strung pipe will be plugged to prevent animals from crawling in.

### **Abandonment**

Ninety days prior to Abandonment of the well pad, access road and/or pipeline, the operator shall contact the AO to arrange a joint inspection. This inspection will be held to agree to an acceptable termination (and rehabilitation) plan. The plan will include, but is not limited to, removal of facilities, drainage structures, or surfacing material, re-contouring, top soiling or seeding. The AO must approve the plan in writing prior to the Operators commencement of any termination actions. This was identified in the Bare Soils Reclamation Plan and all activities will meet the minimum standards of the FFO Bare Soil Reclamation Plan and the BLM "Gold Book".

### **Final Reclamation and Abandonment**

The goal of final reclamation of well pad would be to return all disturbed areas associated with the proposed project to pre-construction conditions, if possible, by diminishing the evidence of cuts, fills, and flat surfaces. Portions of the proposed project area that were not fully reclaimed during interim reclamation will be cleared (if vegetated), re-contoured to pre-construction topographical contours, covered with salvaged top soil (6 inches minimum), and seeded with the seed mix outlined in the Bare Soil Reclamation Plan. Sediment- and erosion-control measures will be implemented, as necessary. Water bars will be installed across the roads, and dead-end ditches and earthen barricades or fences will be constructed at the entrance of the reclaimed areas. Measures will be taken to control sedimentation and erosion, as necessary Under the BLM-FFO Bare Soil Reclamation Procedures (BLM 2013b).

If, upon abandonment of wells, the retention of access road is not considered necessary for the management and multiple use of the natural resources, it will be restored to the land form prior to existing disturbance and ripped a minimum of 12" in depth. After ripping, water bars will be installed. All ripped surfaces are to be protected from vehicular travel by construction of a dead end ditch and earthen barricade at the entrance to these ripped areas. Re-vegetation of the affected areas will be required and will meet the minimum standards of the FFO Bare Soil Reclamation Plan.

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

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

COMMENTS  
  
Action 12884

COMMENTS

Operator: ENDURING RESOURCES, LLC 6300 S Syracuse Way, Suite 525 Centennial, CO 80111	OGRID: 372286
	Action Number: 12884
	Action Type: [C-103] NOI General Sundry (C-103X)

COMMENTS

Created By	Comment	Comment Date
jagarcia	Accepted, John Garcia, Petroleum Engineer	11/7/2022

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Created By	Condition	Condition Date
jagarcia	None	11/7/2022