

Incident ID	nAPP2224926102
District RP	
Facility ID	
Application ID	

Site Assessment/Characterization

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

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

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

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

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

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

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

Printed Name: Dale Woodall Title: Env. Professional

Signature: Dale Woodall Date: 10/2/2023

email: dale.woodall@dvn.com Telephone: 575-748-1838

OCD Only

Received by: _____ Date: _____

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Closure

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

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

- A scaled site and sampling diagram as described in 19.15.29.11 NMAC
- Photographs of the remediated site prior to backfill or photos of the liner integrity if applicable (Note: appropriate OCD District office must be notified 2 days prior to liner inspection)
- Laboratory analyses of final sampling (Note: appropriate ODC District office must be notified 2 days prior to final sampling)
- Description of remediation activities

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

Printed Name: Dale Woodall Title: Env. Professional

Signature: *Dale Woodall* Date: 10/2/2023

email: dale.woodall@dvn.com Telephone: 575-748-1838

OCD Only

Received by: _____ Date: _____

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

Closure Approved by: _____ Date: _____

Printed Name: _____ Title: _____



209 W McKay St
Carlsbad, New Mexico 88220
Tel. 432.701.2159
www.ntgenvironmental.com

September 25, 2023

Mike Bratcher
District Supervisor
Oil Conservation Division, District 2
811 S. First Street
Artesia, New Mexico 88210

**Re: Closure Report
Thistle Unit 33 CTB #1
Devon Energy Production Company
Site Location: Unit P, S33, T23S, R33E
(Lat 32.257147°, Long -103.572883°)
Lea County, New Mexico
Incident ID: nAPP2224926102**

Mr. Bratcher:

On behalf of Devon Energy Production Company (Devon), New Tech Global Environmental, LLC (NTGE) has prepared this letter to document site assessment and remedial action activities at the Thistle Unit 33 CTB #1 (Site). The Site is located approximately 24.76 miles west/northwest of Jal, New Mexico in Eddy County (Figures 1 and 2).

Background

Based on the initial C-141 obtained from the New Mexico Oil Conservation Division (NMOCD), the release, occurred on September 4th, 2022, was due to equipment failure which released fluid into lined container and released approximately 10.94 barrels (bbls) of produces water of which all 10.94 bbls were recovered. Upon discovery, the equipment was shut-in, repaired and the area secured. The release is shown on Figure 3. The initial C-141 form is attached.

Site Characterization

The site is located within a low karst area. Based on a review of the New Mexico Office of State Engineers and USGS databases, there is one known water source within a ½-mile radius of the location. The nearest identified well is located 0.46 miles east of the Site in, Sec 34 T23S R33E. The well was drilled in 2013 to a reported depth of 55 feet below ground surface (ft bgs) with no groundwater encountered at that depth. A site characterization information packet with the associated USGS and NMSEO summary report is attached.

Regulatory Criteria

In accordance with the NMOCD regulatory criteria established in 19.15.29.12 NMAC, the following criteria are applicable to the Site.

- Benzene: 10 milligrams per kilogram (mg/kg).
- Benzene, toluene, ethylbenzene, and total xylenes (BTEX): 50mg/kg.
- GRO + DRO: 1,000 mg/kg
- TPH: 2,500 mg/kg (GRO + DRO + MRO).

Mr. Mike Bratcher
September 25, 2023
Page 2 of 2

- Chloride: 10,000 mg/kg

Liner Inspection

On September 7th, 2023, NTGE conducted site assessment activities to assess the integrity and state of the tank battery's secondary containment liner. Upon inspection it was noted that the liner was intact with no visible holes or breaches, and free of any standing fluids.

Closing

Based on the initial response and subsequent site assessment activities, the Site is compliant, and no further actions are required. A copy of the final C- 141 is attached, and Devon formally requests a no further action designation for the Site (nAPP2224926102). If you have any questions regarding this report or need additional information, please contact us at 432-701-2159.

Sincerely,
NTG Environmental



Ethan Sessums
Project Manager

Attachments:

Initial And Final C-141
Site Characterization Information
Figures
Photographic Log

INITIAL AND FINAL C-141

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

State of New Mexico
Energy Minerals and Natural
Resources Department

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

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

Incident ID	
District RP	
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Release Notification

Responsible Party

Responsible Party	OGRID
Contact Name	Contact Telephone
Contact email	Incident # (assigned by OCD)
Contact mailing address	

Location of Release Source

Latitude _____ Longitude _____
(NAD 83 in decimal degrees to 5 decimal places)

Site Name	Site Type
Date Release Discovered	API# (if applicable)

Unit Letter	Section	Township	Range	County

Surface Owner: State Federal Tribal Private (Name: _____)

Nature and Volume of Release

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

<input type="checkbox"/> Crude Oil	Volume Released (bbls)	Volume Recovered (bbls)
<input type="checkbox"/> Produced Water	Volume Released (bbls)	Volume Recovered (bbls)
	Is the concentration of total dissolved solids (TDS) in the produced water >10,000 mg/l?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Condensate	Volume Released (bbls)	Volume Recovered (bbls)
<input type="checkbox"/> Natural Gas	Volume Released (Mcf)	Volume Recovered (Mcf)
<input type="checkbox"/> Other (describe)	Volume/Weight Released (provide units)	Volume/Weight Recovered (provide units)

Cause of Release

State of New Mexico
Oil Conservation Division

Incident ID	
District RP	
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Was this a major release as defined by 19.15.29.7(A) NMAC? <input type="checkbox"/> Yes <input type="checkbox"/> No	If YES, for what reason(s) does the responsible party consider this a major release?
If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)?	

Initial Response

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

<input type="checkbox"/> The source of the release has been stopped. <input type="checkbox"/> The impacted area has been secured to protect human health and the environment. <input type="checkbox"/> Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices. <input type="checkbox"/> All free liquids and recoverable materials have been removed and managed appropriately.
If all the actions described above have <u>not</u> been undertaken, explain why:
Per 19.15.29.8 B. (4) NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please attach a narrative of actions to date. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see 19.15.29.11(A)(5)(a) NMAC), please attach all information needed for closure evaluation.
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.
Printed Name: _____ Title: _____ Signature: <u>Kendra Ruiz</u> Date: _____ email: _____ Telephone: _____
<u>OCD Only</u> Received by: <u>Jocelyn Harimon</u> Date: <u>09/14/2022</u>

Spills In Lined Containment	
Measurements Of Standing Fluid	
Length(Ft)	50
Width(Ft)	30
Depth(in.)	2
Total Capacity without tank displacements (bbls)	44.53
No. of 500 bbl Tanks In Standing Fluid	6
No. of Other Tanks In Standing Fluid	0
OD Of Other Tanks In Standing Fluid(feet)	0
Total Volume of standing fluid accounting for tank displacement.	10.94

District I
 1625 N. French Dr., Hobbs, NM 88240
 Phone:(575) 393-6161 Fax:(575) 393-0720

District II
 811 S. First St., Artesia, NM 88210
 Phone:(575) 748-1283 Fax:(575) 748-9720

District III
 1000 Rio Brazos Rd., Aztec, NM 87410
 Phone:(505) 334-6178 Fax:(505) 334-6170

District IV
 1220 S. St Francis Dr., Santa Fe, NM 87505
 Phone:(505) 476-3470 Fax:(505) 476-3462

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

CONDITIONS
 Action 143311

CONDITIONS

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 143311
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
jharimon	None	9/14/2022

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Printed Name: Dale Woodall Title: Env. Professional

Signature: *Dale Woodall* Date: 10/2/2023

email: dale.woodall@dvn.com Telephone: 575-748-1838

OCD Only

Received by: _____ Date: _____

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

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

Printed Name: Scott Rodgers Title: Environmental Specialist Adv.

SITE CHARACTERIZATION INFORMATION

NMOCD Closure Criteria

Thistle Unit 33 CTB 1

Site Information (19.15.29.11.A (2,3, & 4) NMAC)		Source/Notes
Depth to Groundwater (ft bgs)	>55	Office of the State Engineer (OSE) - 0.53 miles from site
Horizontal Distance from All Water Sources Within 0.5 mile (ft)	N/A	National Wetlands Inventory (NWS)
Horizontal Distance to Nearest Significant Watercourse (ft)	N/A	National Wetlands Inventory (NWS)

Closure Criteria (19.15.29.12.B(4) and Table 1 NMAC)						
Depth to Groundwater (ft)		Closure Criteria (mg/kg)				
		Chloride*	TPH	GRO + DRO	BTEX	Benzene
< 50		600	100	--	50	10
51 - 100	x	10,000	2,500	1,000	50	10
>100		20,000	2,500	1,000	50	10
Surface Water		in yes, then				
<300 ft from a continuously flowing watercourse or other significant watercourse?	No	600	100		50	10
<200 ft from a lakebed, sinkhole, or playa lake?	No					
Water Well or Water Source						
<500 ft from a spring or a private, domestic fresh water well used by less than 5 households for domestic or livestock purposes?	No					
<1,000 ft from a fresh water well or spring?	No					
Human and Other Area						
<300 ft from an occupied permanent residence, school, hospital, institution or church?	No					
Within incorporated municipal boundaries or within a defined municipal fresh water well field?	No					
<100 ft from a wetland?	No					
Within an area overlying a subsurface mine?	No					
Within an unstable area?	Yes					
Within a 100 yr floodplain?	No					

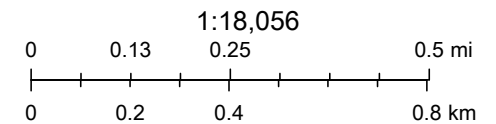
* - numerical limit or background, whichever is greater

Thistle Unit 33 CTB 1, 0.5 mile radius



9/25/2023, 3:58:16 PM

- Override 1
- Plugged
- OSE District Boundary
- Closure Area
- Both Estates
- SiteBoundaries



U.S. Department of Energy Office of Legacy Management, Maxar

Online web user

This is an unofficial map from the OSE's online application.

File No. **C-4595**

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? Yes No

1. APPLICANT(S)

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

OSE DTI JAN 26 2022 PM 1:22

FOR OSE INTERNAL USE Application for Permit, Form WR-07, Rev 11/17/16

File No.: C-4595	Trn. No.: 719171	Receipt No.: 2-44170
Trans Description (optional): MON		
Sub-Basin: CUB	PCW/LOG Due Date: 2/16/2023	

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 1/10th 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-4595 POD1(TW-1)	103°33'54.92"W	32°15'16.73"N	SE SW SW Sec. 34T23S R33E, 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:

Well is on land owned by: State of New Mexico- State Land Office

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): 51 Outside diameter of well casing (inches): 2.375

Driller Name: Jackie D. Atkins Driller License Number: 1249

3. ADDITIONAL STATEMENTS OR EXPLANATIONS

A Soil Boring to determine depth up to 11 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 DIT JAN 25 2022 PM 1:22

FOR OSE INTERNAL USE

Application for Permit, Form WR-07

File No.: C-4595	Trn No.: 719271
------------------	-----------------

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>Exploratory: <input type="checkbox"/> Include a description of any proposed pump test, if applicable.</p>	<p>Pollution Control and/or Recovery: <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>Construction De-Watering: <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>Mine De-Watering: <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>Monitoring: <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>Ground Source Heat Pump: <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.

R. Dale Woodall
R. Dale Woodall (Jan 24, 2022 10:36 MST)
 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 16th day of Feb 20 22, for the State Engineer,

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

OSE DII JAN 26 2022 PM 1:22

By: K. Parekh Signature Kashyap Parekh Print

Title: Water Resources Manager I.
 Print

FOR OSE INTERNAL USE

Application for Permit, Form WR-07

File No.: <u>C-4595</u>	Trn No.: <u>719171</u>
-------------------------	------------------------

**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 04595 POD1

File Number: C 04595

Trn Number: 719171

**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-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.
- 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.

Trn Desc: C 04595 POD1

File Number: C 04595

Trn Number: 719171

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

SPECIFIC CONDITIONS OF APPROVAL (Continued)

LOG The Point of Diversion C 04595 POD1 must be completed and the Well Log filed on or before 02/16/2023.

IT IS THE PERMITTEES 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: 01/26/2022 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 16 day of Feb A.D., 2022

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

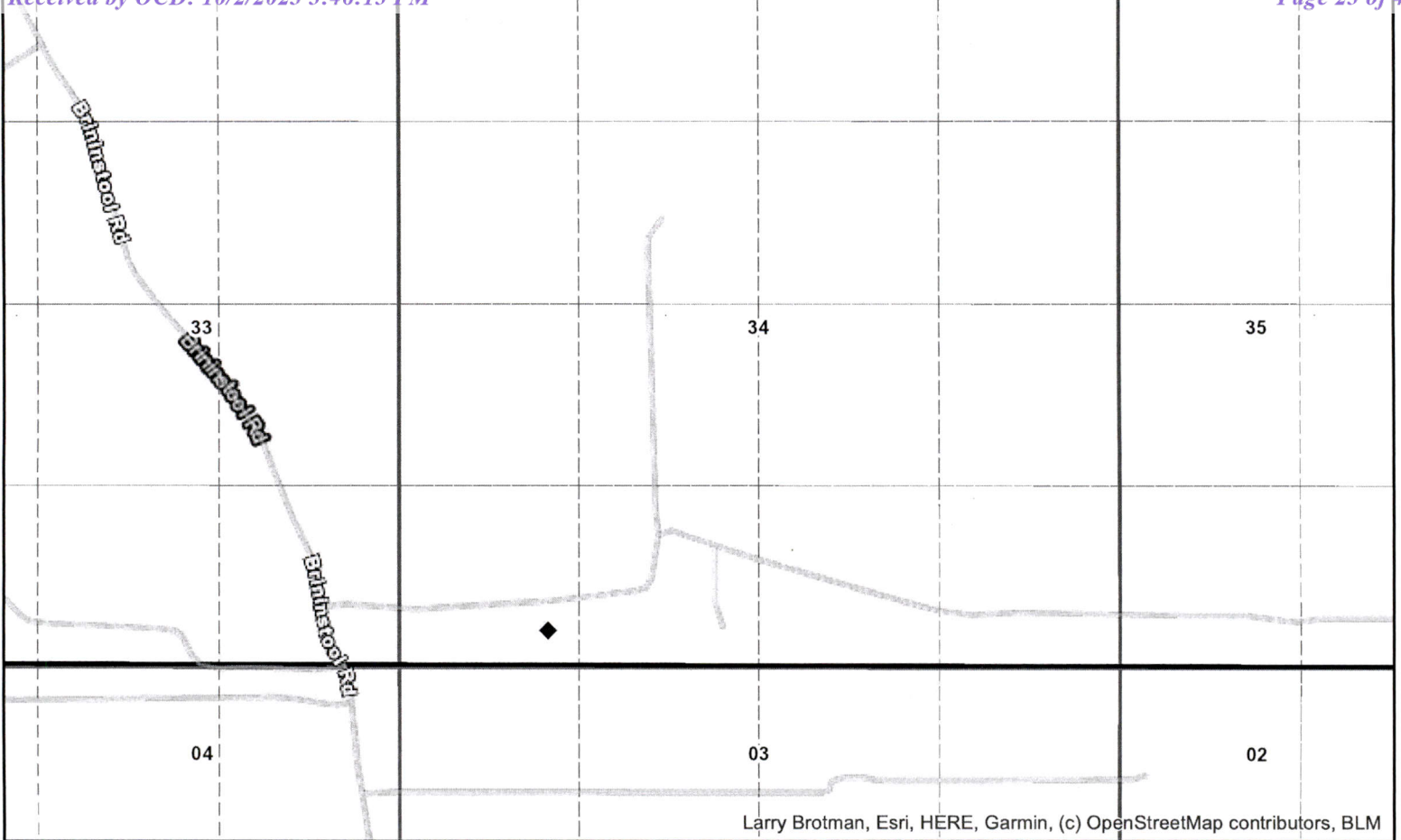
By: K. Parekh
KASHYAP PAREKH



Trn Desc: C 04595 POD1

File Number: C 04595

Trn Number: 719171

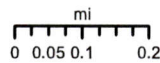


Larry Brotman, Esri, HERE, Garmin, (c) OpenStreetMap contributors, BLM

Coordinates
UTM - NAD 83 (m) - Zone 13
 Easting 635150.390
 Northing 3569564.586
State Plane - NAD 83 (f) - Zone E
 Easting 778777.969
 Northing 457221.378
Degrees Minutes Seconds
 Latitude 32 : 15 : 16.730000
 Longitude -103 : 33 : 54.920000
 Location pulled from Coordinate Search

NEW MEXICO OFFICE OF THE STATE ENGINEER

1:18,056



N



GUILLEN 2/16/2022



Reasonable efforts have been made by the New Mexico Office of the State Engineer (OSE) to verify that these maps accurately interpret 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, development methodology, interpretation of source data, and other circumstances. These maps are distributed "as is" without warranty of any kind.

Spatial Information
 County: Lea
 Groundwater Basin: Carlsbad
 Abstract Area: Carlsbad 72-12-1
 Carlsbad Underground Basin
 Land Grant:
 Not in Land Grant
 Restrictions:
PLSS Description
 SESESWSW Qtr of Sec 34 of 023S 033E
 Derived from CADNSDI- Qtr Sec. locations are calculated and are only approximations

Parcel Information
 UPC/DocNum:
 Parcel Owner:
 Address: null null null
 Legal:

POD Information
 Owner: DEVON
 File Number: C-4595 POD1
 POD Status: NoData
 Permit Status: NoData
 Permit Use: NoData
 Purpose: MON

- ◆ Coord Search Location
- PLSSTownship
- Counties
- PLSSFirstDiv...
- Lea County Parcels 2021
- PLSSSecond...
- BLM Land Grant



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: 719171
File Nbr: C 04595

Feb. 16, 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.

Sincerely,

Claudia Guillen
(575) 622-6521

Enclosure

explores



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

01/26/2022

DII-NMOSE
1900 W 2nd Street
Roswell, NM 88201

Hand Delivered to the DII Office of the State Engineer

Re: Application to Drill a Well with No Water Right for Groundwater Determination

To whom it may concern:

Atkins Engineering Associates, Inc. (AEA) has been contracted to install one (1) Soil boring/temporary monitoring well at 32°15'16.73" 103°33'54.92"W at THISTLE UNIT #066H in Lea County, NM.

Please find, in triplicate, an *Application to Drill a Well with No Water Right and Plugging Plan of Operation*

A check is attached for \$5.00 to process the application.

If you, have any questions, please contact me at 575.499.9244 or lucas@atkinseng.com.

Sincerely,

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

Lucas Middleton
lucas@atkinseng.com

Enclosures: As noted above.

DSE DII JAN 26 2022 PM1:22

OSE OIT FEB 16 2022 PM 3:03

Lease #: V0 2798 0001
 Lessee Name: 106129 - DEVON ENERGY PRODUCTION COMPANY, L.P.
 Bill To: 106129 - DEVON ENERGY PRODUCTION COMPANY, L.P.
 Issued Date: 01/01/1989
 Termination Date: 12/31/9999
 Total Acres: 640.00
 Last Billing Date: 12/02/2021
 Current Term: EXPM
 Prod Status: PROD - Producing

Revenue Source: 8 - Oil & Gas
 Billing Frequency: A - Annual
 Expiration Date: 01/01/1994
 Termination Reason:
 Annual Rent \$: 640.00
 Next Due Date: 01/01/2023
 Current Term Expiration Date: 12/31/9999

 New / Modify

and drop it here to group by that column

S	Subdivision	Acres	State Acreage	County	Beneficiary Group Name	Improvements / Reservations / Restrictions / LURCS	Effective Date	Partial Termination Date	Par Res
S33E34	NW4SW4	40.00	40.00	Lea	Schools	Restrictions: 0 LURCS: 0	09/01/1993	12/31/9999	
S33E34	SW4SW4	40.00	40.00	Lea	01 - Common Schools	Improvements: 0 Reservations: 0 Restrictions: 0 LURCS: 0	09/01/1993	12/31/9999	
						Improvements: 0			

66221

2-23-47-8400-113903

LEASE NO. V-2798

APPLICATION NO. V-2798

OIL AND GAS LEASE
(Discovery Form)

THIS AGREEMENT, dated JANUARY 1, 19 89, between the state of New Mexico, acting by and through its commissioner of public lands, hereinafter called the "lessor", and _____

UNION OIL COMPANY OF CALIFORNIA

whose address is P.O. BOX 3100

MIDLAND, TEXAS 79702

hereinafter called the "lessee",

WITNESSETH:

WHEREAS, the 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; and

WHEREAS, all of the requirements of law relative to the application and tender have been duly complied with;

THEREFORE, in consideration of the premises as well as the sum of FIFTY-SEVEN THOUSAND SIX HUNDRED AND 00/100----- dollars (\$ 57,600.00),

the same being the amount of the tender above mentioned, and the further sum of \$ 30.00 filing fee, and of the covenants and agreements hereinafter contained, the lessor does hereby 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 (including carbon dioxide and helium), 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, telephone 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 covenants and conditions hereinafter set out, the following described land situated in the county of LEA, state of New Mexico, and more particularly described as follows:

Line	SUBDIVISION	Sec.	Twp.	Rge.	Acres	Institution
1	ALL	34	23S	33E	640.00	C.S.
2						
3						
4						
5						
6						
7						

RECEIVED
JAN 20 8 20 AM '89
STATE LAND OFFICE
SANTA FE, N.M.

O&G OIL, JAN 26 2023 PM 1:25
A615093

REG 453 PAGE 158

V-2798

Said lands having been awarded to lessee and designated as Tract No. V-25 at a public sale held by the commissioner of public lands on DECEMBER 20, 19 88.

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, or either of them, is produced in paying quantities from said land by 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-sixth 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 the pipeline, if the oil be run into a pipeline, or into storage tanks, if the oil is 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-sixth, 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-sixth 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 net proceeds derived from the sale of such gas in the field; 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 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 or conservation of oil or gas or in the public interest.

660579V

This lease shall not expire at the end of the primary term hereof if there is a well capable of producing gas in paying quantities located upon some part of the lands embraced herein, or upon lands pooled or communitized herewith, where such well is shut-in due to the inability of the lessee to obtain a pipeline connection or to market the gas therefrom, and if the lessee timely pays an annual royalty 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. The amount of any annual royalty payable under this section shall equal twice the annual rental due by the lessee under the terms of this lease but not less than three hundred twenty dollars (\$320) per well per year; provided, however, that any such annual royalty for any year beginning on or after ten years from the date hereof shall equal four times the annual rental due by the lessee under the terms of this lease but not less than two thousand dollars (\$2,000) per well per year; provided further, that no annual royalty shall be payable under this section if equivalent amounts are timely paid pursuant to another lease issued by lessor and if such other lease includes lands communitized with lands granted hereunder for the purpose of proratically sharing in the shut-in well. Notwithstanding the provisions of this section to the contrary, this lease shall not be continued after five years from the date hereof for any period of more than ten years by the payment of said annual royalty unless, for good cause shown, the commissioner of public lands, in his discretion, grants such a continuance.

3. Lessee agrees to make full settlement on the twentieth 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. \$1.00

4. An annual rental at the rate of _____ per acre shall become due and payable to the lessor by the lessee upon each acre of the land above described and then claimed by such lessee 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 forty dollars (\$40.00).

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

5. The lessee may at any time by paying to the lessor all amounts then due as provided herein and the further sum of forty dollars (\$40.00), 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, 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.

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O.R.G. 453 PAGE 160

- 18. Lessor reserves a continuing option to purchase at any time and from time to time, at the market price prevailing in the area on the date of purchase, all or any part of the minerals (oil and gas) that will be produced from the lands covered by this lease.
- 19. Lessor reserves the right to execute leases for geothermal resource development and operation thereon; the right to sell or dispose of the geothermal resources of such lands; and the right to grant rights-of-way and easements for these purposes.
- 20. All terms of this agreement shall extend to and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

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.

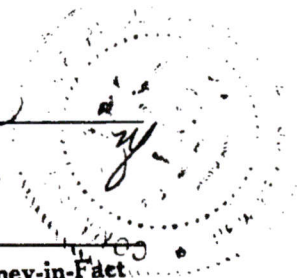
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 JAN 20 8 30 AM '89
 STATE LAND OFFICE
 SANTA FE, N.M.

STATE OF NEW MEXICO

By: W.R. Humphries
 Commissioner of Public Lands, Lessor
 UNION OIL COMPANY OF CALIFORNIA

John Hansen
 JOHN HANSEN Attorney-in-Fact

 Lessee (Seal)



960519V

(PERSONAL ACKNOWLEDGEMENT)

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

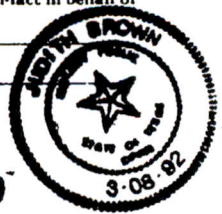
My commission expires: _____ Notary Public

(ACKNOWLEDGEMENT BY ATTORNEY-IN-FACT)

STATE OF TEXAS }
 COUNTY OF MIDLAND } ss.
 The foregoing instrument was acknowledge before me this 13th day of January, 1989 by JOHN HANSEN as attorney-in-fact in behalf of UNION OIL COMPANY OF CALIFORNIA

My commission expires: 3/8/92 Judith Brown Notary Public

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(ACKNOWLEDGEMENT BY CORPORATION)

STATE OF _____ }
 COUNTY OF _____ } ss.
 The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by _____ of _____ (Name) _____ (Title) _____ corporation on behalf of said corporation.

My commission expires: _____

STATE OF NEW MEXICO COUNTY OF LEA

FILED _____, 19____, by _____

AUG 7 1980

at 2:40 o'clock PM
 and recorded in 453
 Page 157
 Shirley Hooper, Lea County Clerk
 By Ben Hensch Deputy

66221

STC

8. In the event a well or wells producing oil or gas in paying quantities should be brought in on adjacent land which is 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, provided that no such offset well shall be required if compensatory royalties are paid pursuant to an agreement between the lessor and the lessee.

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 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 the interest of the beneficiaries of the lands granted hereunder 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 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, 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 so defaulting, by registered or certified mail, addressed to the post office address of such lessee 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 shall remedy the default specified in said notice, cancellation shall not be made.

14. If this lease shall have been maintained in accordance with the provisions hereof and if at the expiration of the primary term provided for herein oil or gas is not being produced on said land but lessee 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 primary 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 this lease shall thereupon terminate.

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 Paragraph 13 hereof for failure to pay rentals or file reports which may become due while operations are being conducted hereunder.

15. Should production of oil and 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 five 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.

16. Lessees, 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, aesthetics, pollution, cultural properties, fire and ecology. Such agencies are not to be deemed third party beneficiaries hereunder, however, this clause is enforceable by the lessor in any manner provided in this lease or by law.

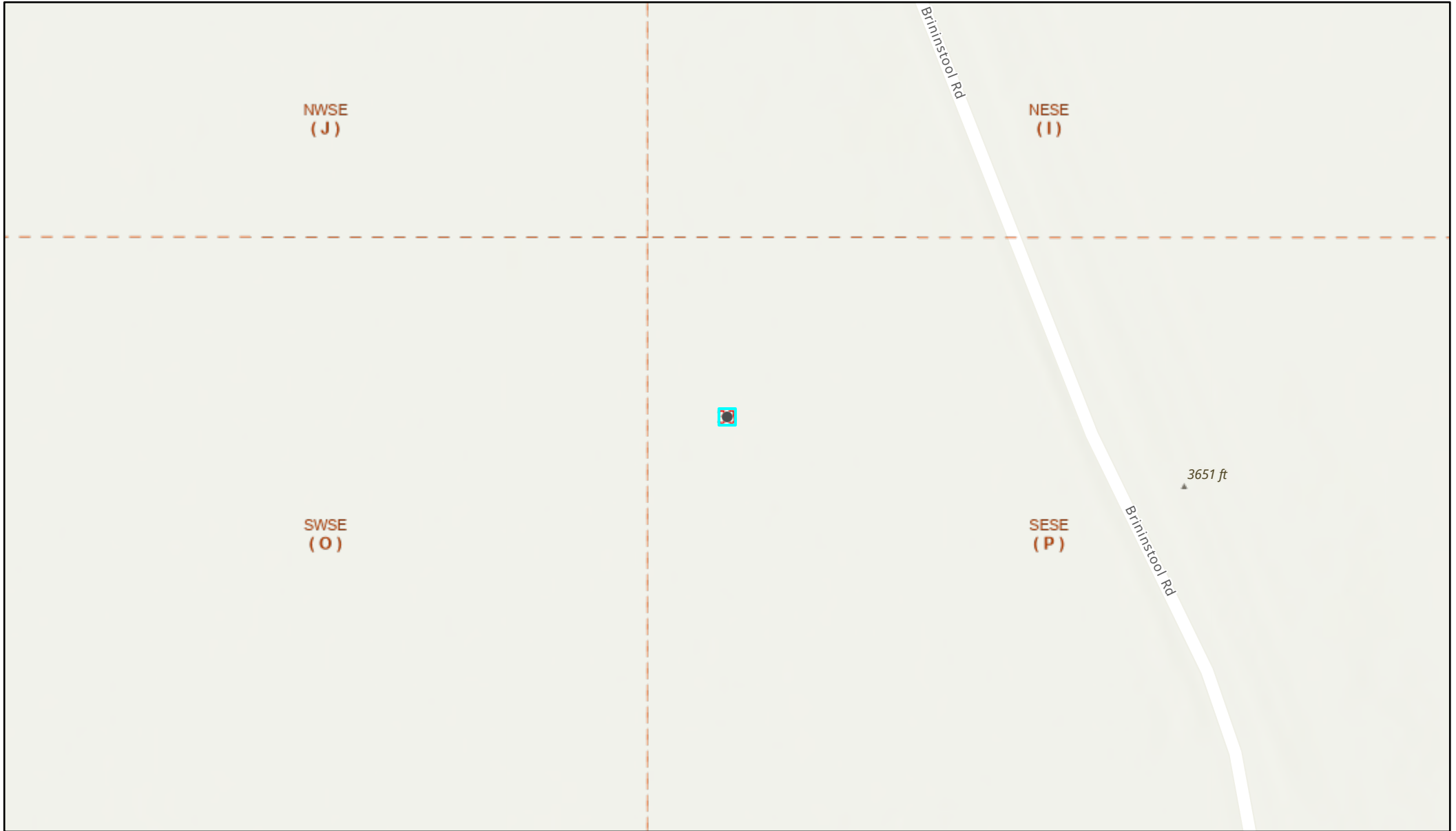
17. Should lessor desire to exercise its rights to take in-kind its royalty share of oil, gas or associated substances or purchase all or any part of the oil, gas or associated substances produced from the lands covered by this lease, the lessee hereby irrevocably consents to the lessor exercising its right. Such consent is a consent to the termination of any supplier/purchaser relationship between the lessor and the lessee deemed to exist under federal regulations. Lessee further agrees that it will require any purchaser of oil, gas or associated substances to likewise waive any such rights.

0-23 6/14/85

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A615095

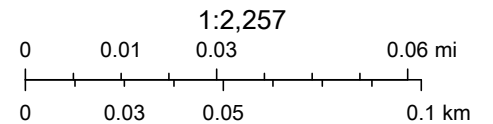
OCD Well Locations



8/11/2023, 3:25:39 PM

 PLSS Second Division

 PLSS First Division



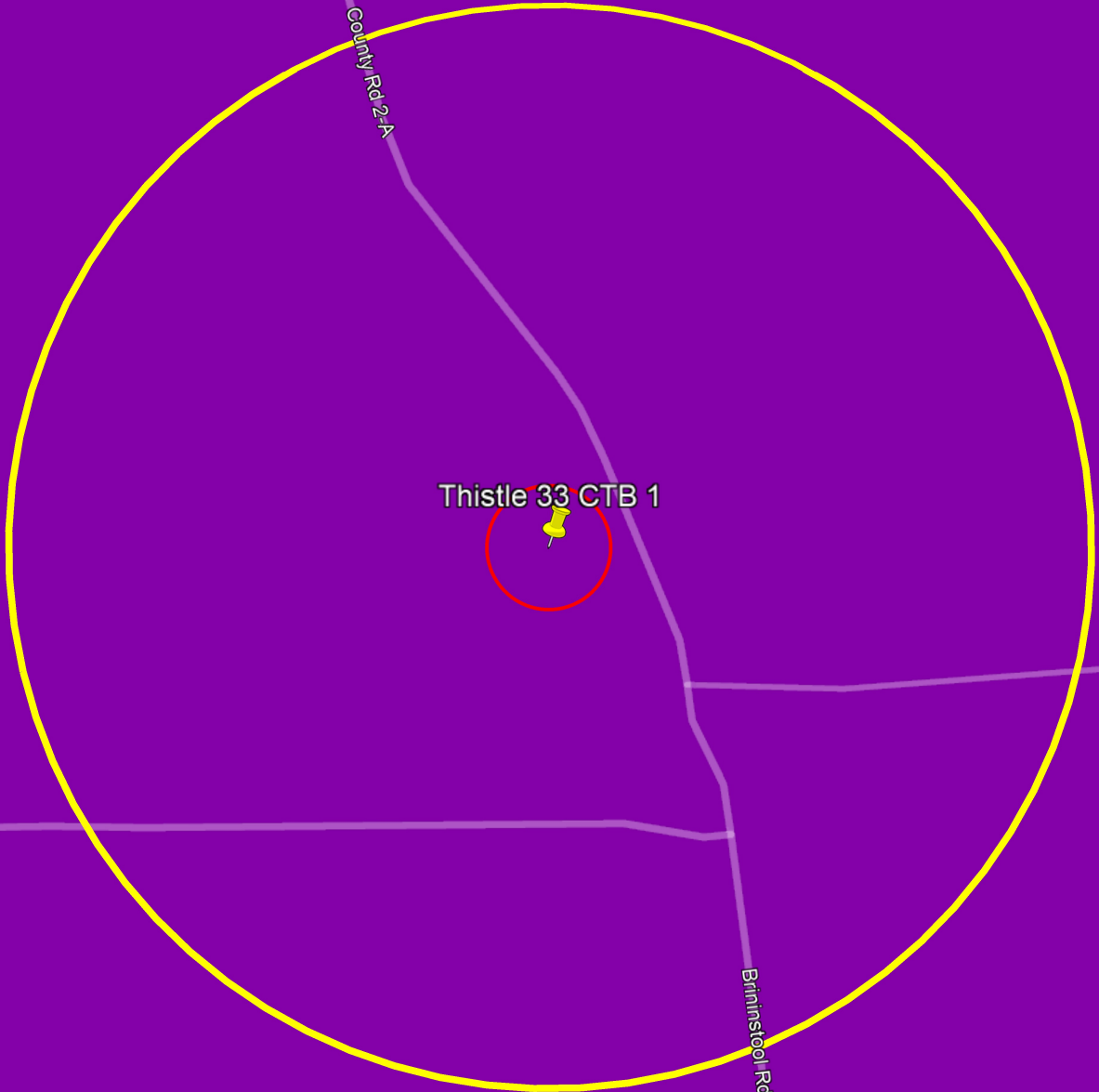
Oil Conservation Division of the New Mexico Energy, Minerals and Natural Resources Department., Esri Community Maps Contributors, New Mexico State University, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA,

Thistle 33 CTB 1

Karst

Legend

-  0.5 Mile Radius
-  300 Foot Radius
-  High
-  Low
-  Medium
-  Thistle 33 CTB 1






Thistle 33 CTB 1

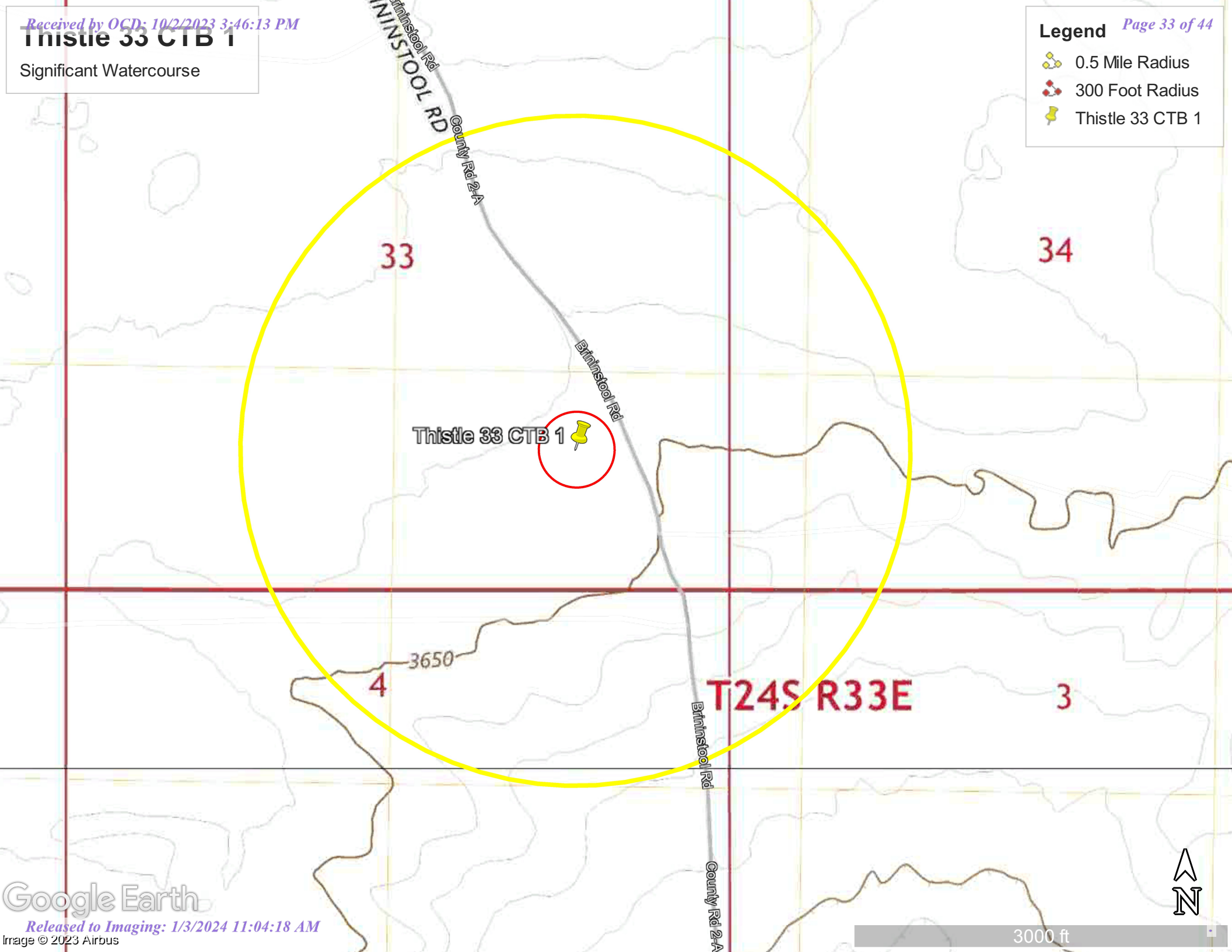


Thistle 33 CTB 1

Significant Watercourse

Legend

-  0.5 Mile Radius
-  300 Foot Radius
-  Thistle 33 CTB 1





U.S. Fish and Wildlife Service
National Wetlands Inventory









Thistle 33 CTB 1



U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands_team@fws.gov

August 14, 2023

Wetlands

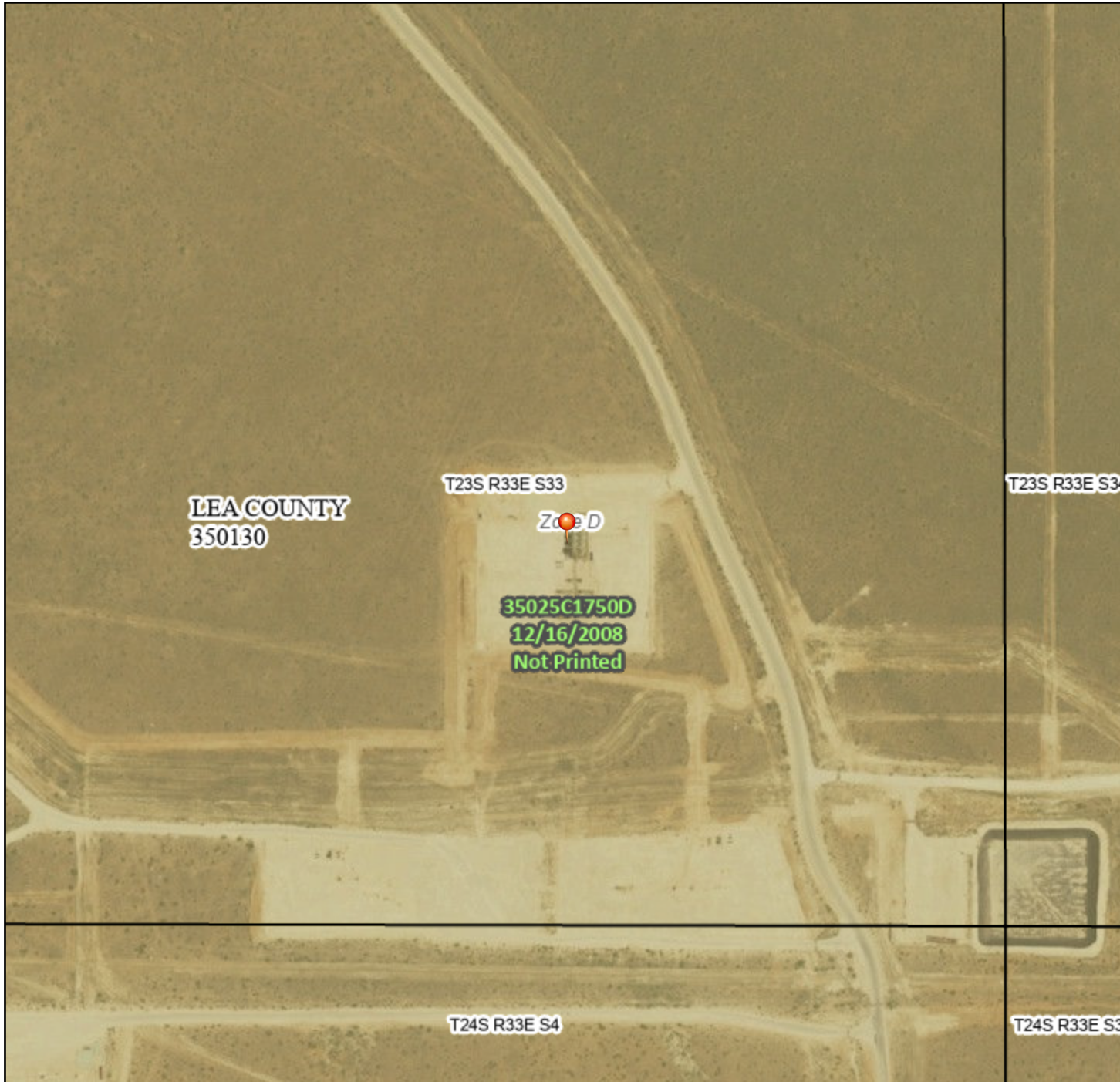
- | | | | | | |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland |  | Lake |
|  | Estuarine and Marine Wetland |  | Freshwater Forested/Shrub Wetland |  | Other |
| | |  | Freshwater Pond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

National Flood Hazard Layer FIRMette



103°34'41"W 32°15'40"N



Legend

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

- SPECIAL FLOOD HAZARD AREAS**
 - Without Base Flood Elevation (BFE) Zone A, V, A99
 - With BFE or Depth Zone AE, AO, AH, VE, AR
 - Regulatory Floodway
 - OTHER AREAS OF FLOOD HAZARD**
 - 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 Zone X
 - Future Conditions 1% Annual Chance Flood Hazard Zone X
 - Area with Reduced Flood Risk due to Levee. See Notes. Zone X
 - Area with Flood Risk due to Levee Zone D
 - OTHER AREAS**
 - NO SCREEN Area of Minimal Flood Hazard Zone X
 - Effective LOMRs
 - Area of Undetermined Flood Hazard Zone D
 - GENERAL STRUCTURES**
 - Channel, Culvert, or Storm Sewer
 - Levee, Dike, or Floodwall
 - OTHER FEATURES**
 - Cross Sections with 1% Annual Chance Water Surface Elevation
 - Coastal Transect
 - Base Flood Elevation Line (BFE)
 - Limit of Study
 - Jurisdiction Boundary
 - Coastal Transect Baseline
 - Profile Baseline
 - Hydrographic Feature
 - MAP PANELS**
 - 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 8/11/2023 at 4:38 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.

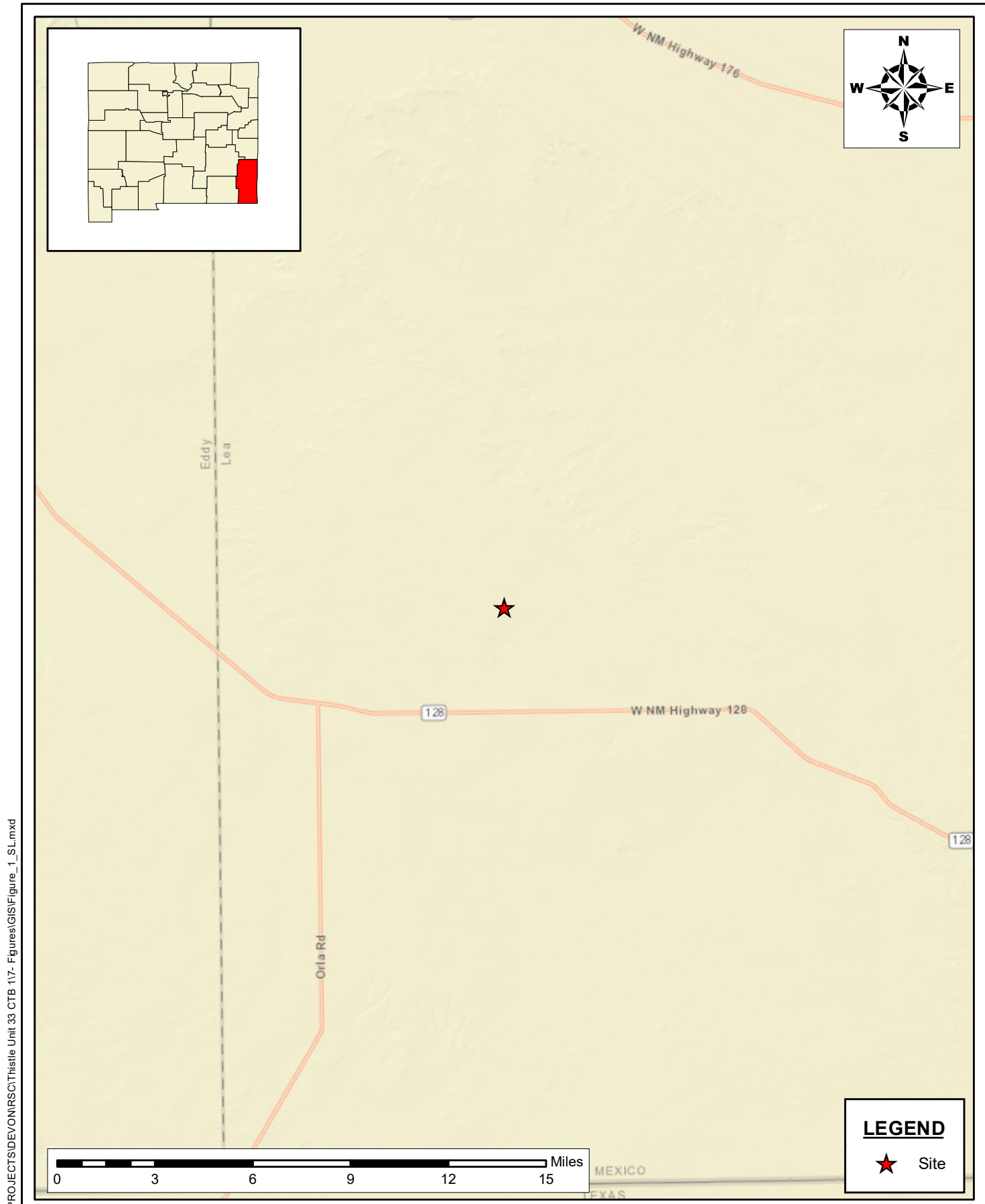


National Water Information System: Mapper



Site Information

FIGURES



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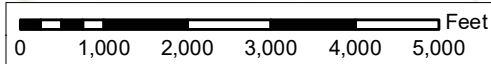
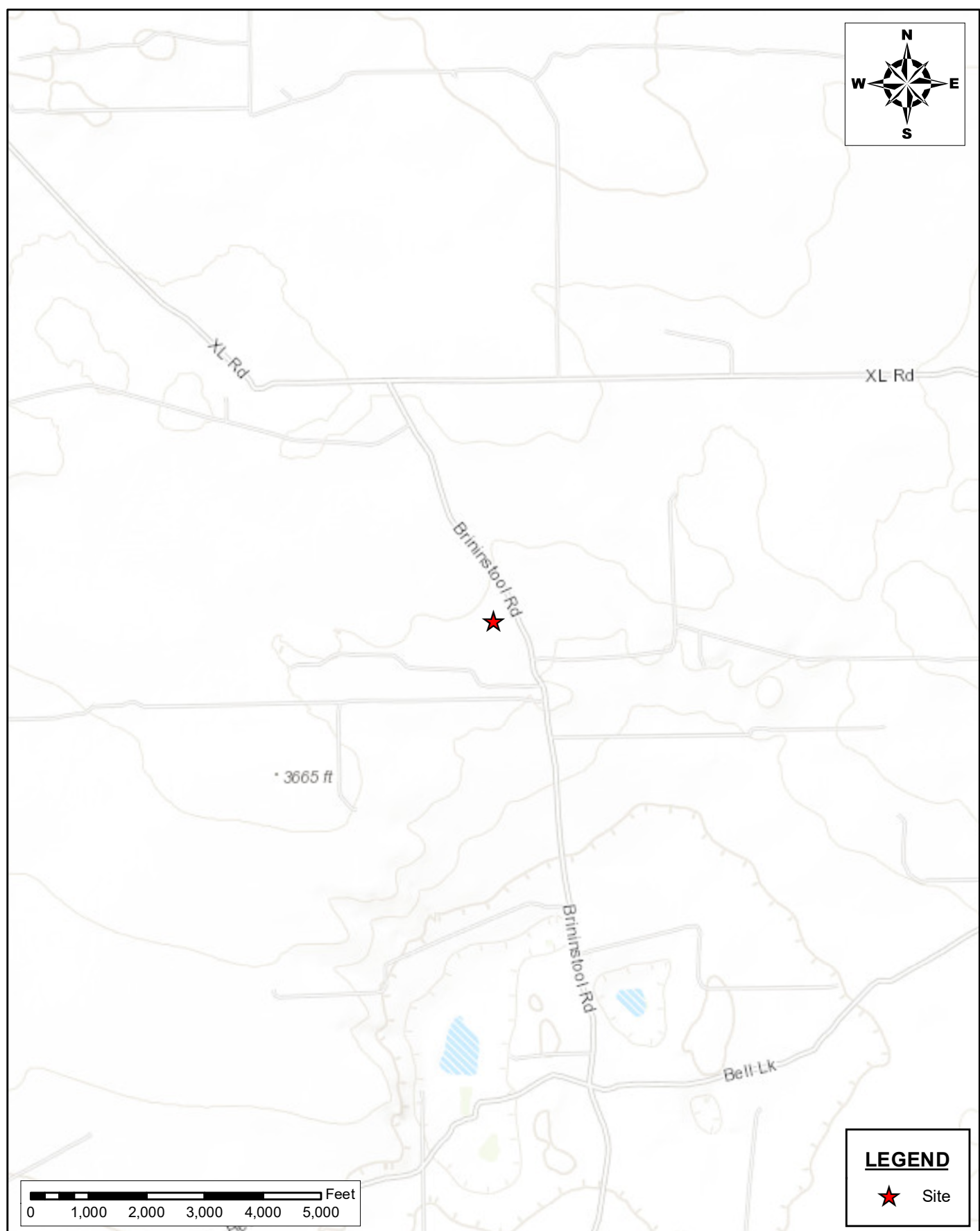
**SITE LOCATION MAP
CLOSURE REPORT**
 THISTLE UNIT 33 CTB 1
 DEVON ENERGY PRODUCTION CORPORATION
 LEA COUNTY, NEW MEXICO
 32.257147°, -103.572883°

SCALE: As Shown | Date: 9/13/2023 | PROJECT #: 237779


New Tech Global Environmental, LLC
 911 Regional Park Drive
 Houston, Texas 77060
 T - 281.872.9300
 F - 281.872.4521
 Web: www.ntgenviroinmental.com

NOTES:
 1. Base Image: ESRI Maps & Data 2013
 2. Map Projection: NAD 1983

DRAWING NUMBER:
FIGURE 1
 SHEET NUMBER:
1 of 1



LEGEND

★ Site

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**TOPOGRAPHIC MAP
CLOSURE REPORT**
 THISTLE UNIT 33 CTB 1
 DEVON ENERGY PRODUCTION CORPORATION
 LEA COUNTY, NEW MEXICO
 32.257147°, -103.572883°

SCALE: As Shown Date: 9/13/2023 PROJECT #: 237779



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NOTES:

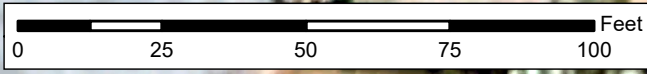
- 1. Base Image: ESRI Maps & Data 2013
- 2. Map Projection: NAD 1983

DRAWING NUMBER:

FIGURE 2

SHEET NUMBER:

1 of 1



LEGEND

 Inspected Liner

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**LINER INSPECTION MAP
CLOSURE REPORT**
 DEVON ENERGY PRODUCTION CORPORATION
 THISTLE 33 CTB 1
 LEA COUNTY, NEW MEXICO
 Lat 32.257147, Long -103.572883


New Tech Global Environmental, LLC
 911 Regional Park Drive
 Houston, Texas 77060
 T - 281.872.9300
 F - 281.872.4521
 Web: www.ntgenvironmental.com

NOTES:
 1. Base Image: ESRI Maps & Data 2017
 2. Map Projection: NAD 1983

DRAWING NUMBER:
FIGURE 3
 SHEET NUMBER:
1 of 1

PHOTOGRAPHIC LOG

PHOTOGRAPHIC LOG

Devon Energy Production Company

Photograph No. 1

Facility: Thistle Unit 33 CTB #1

County: Lea County, New Mexico

Description:
View of liner.



Photograph No. 2

Facility: Thistle Unit 33 CTB #1

County: Lea County, New Mexico

Description:
View of liner.



Photograph No. 3

Facility: Thistle Unit 33 CTB #1

County: Lea County, New Mexico

Description:
View of liner.



PHOTOGRAPHIC LOG

Devon Energy Production Company

Photograph No. 4

Facility: Thistle Unit 33 CTB #1
County: Lea County, New Mexico
Description: View of liner.



Photograph No. 5

Facility: Thistle Unit 33 CTB #1
County: Lea County, New Mexico
Description: View of liner.



Photograph No. 6

Facility: Thistle Unit 33 CTB #1
County: Lea County, New Mexico
Description: View of liner.



District I
 1625 N. French Dr., Hobbs, NM 88240
 Phone:(575) 393-6161 Fax:(575) 393-0720

District II
 811 S. First St., Artesia, NM 88210
 Phone:(575) 748-1283 Fax:(575) 748-9720

District III
 1000 Rio Brazos Rd., Aztec, NM 87410
 Phone:(505) 334-6178 Fax:(505) 334-6170

District IV
 1220 S. St Francis Dr., Santa Fe, NM 87505
 Phone:(505) 476-3470 Fax:(505) 476-3462

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

CONDITIONS
 Action 271525

CONDITIONS

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 271525
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
scott.rodgers	Operator did not meet 19.15.29.11 (5)(a)(ii) NMAC. Forbearance given on 01/03/20024. Release resolved.	1/3/2024