

**HITP - 035**

**TEMPORARY  
PERMISSION  
2012-2013**

**ACKNOWLEDGEMENT OF RECEIPT  
OF CHECK/CASH**

I hereby acknowledge receipt of Check No. 356037 dated 12/2/12

or cash received on \_\_\_\_\_ in the amount of \$ 100<sup>00</sup>

from DCP Modifications LP

for HITP 35

Submitted by: Lawrence Romero Date: 12/13/12

Submitted to ASD by: [Signature] Date: 12/13/12

Received in ASD by: \_\_\_\_\_ Date: \_\_\_\_\_

Filing Fee  New Facility: \_\_\_\_\_ Renewal: \_\_\_\_\_

Modification \_\_\_\_\_ Other \_\_\_\_\_

Organization Code 521.07 Applicable FY \_\_\_\_\_

To be deposited in the Water Quality Management Fund.

Full Payment \_\_\_\_\_ or Annual Increment \_\_\_\_\_

**ACKNOWLEDGEMENT OF RECEIPT  
OF CHECK/CASH**

I hereby acknowledge receipt of Check No. 356036 dated 12/7/12  
or cash received on 12/13/12 in the amount of \$ 150<sup>00</sup>  
from DCP Midstream  
for HETP-35

Submitted by: LAWRENCE REACIO Date: 12/13/12

Submitted to ASD by: Laura Date: 12/13/12

Received in ASD by: \_\_\_\_\_ Date: \_\_\_\_\_

Filing Fee \_\_\_\_\_ New Facility: \_\_\_\_\_ Renewal: \_\_\_\_\_

Modification \_\_\_\_\_ Other TEMP PERMISSION

Organization Code 521.07 Applicable FY \_\_\_\_\_

To be deposited in the Water Quality Management Fund.

Full Payment \_\_\_\_\_ or Annual Increment \_\_\_\_\_

State of New Mexico  
Energy, Minerals and Natural Resources Department

---

**Susana Martinez**  
Governor

**John Bemis**  
Cabinet Secretary

**Brett F. Woods, Ph.D.**  
Deputy Cabinet Secretary

**Jami Bailey**  
Division Director  
Oil Conservation Division



December 12, 2012

Mr. Jim Allred  
DCP Midstream, L.P.  
139 W. US Hwy 62-180  
Hobbs, New Mexico 88240

**Re: Hydrostatic Test Individual Temporary Permission HITP-035  
DCP Midstream, L.P.  
Cimarex Dos Equis - Federal 1H Pipeline Project  
Location: NE/4, NE/4 of Section 12, Township 24 South, Range 32 East, NMPM,  
Lea County, New Mexico**

Dear Mr. Allred:

The Oil Conservation Division (OCD) has received DCP Midstream, L.P.'s (DCP) notice of intent, dated December 10, 2012, for authorization to withdraw and collect approximately 768 barrels (32,280 gallons) of wastewater generated from a hydrostatic test of an approximately 2.27 mile section of new 8-inch natural gas transmission pipeline, located between the Cimarex Dos Equis - Federal 1H site and the Cimarex Triste Draw pipeline; approximately 25 miles northwest of Jal, New Mexico. The proposed collection location is within DCP's pipeline right-of way, adjacent to the Dos Equis - Federal 1H site and approximately 25 miles west on NM Hwy 128 and 2.5 miles north of the highway, within the NE/4, NE/4 of Section 12, Township 24 South, Range 32 East, NMPM, Lea County, New Mexico. No surface discharge is proposed by DCP. The hydrostatic test wastewater will be discharged from the pipeline into frac tanks for temporary storage, transferred from the frac tanks to an OCD approved water hauler, and delivered to R360 Permian Basin LLC for disposal. OCD acknowledges the receipt of the filing fee (\$100.00) and the temporary permission fee (\$150.00) from the submittal dated December 10, 2012.

Based on the information provided in the request, temporary permission is hereby granted for the collection, retention, and disposal of the hydrostatic test wastewater generated from the pipeline test with the following understandings and conditions:

1. DCP will be testing approximately 2.27 miles of a new 8-inch natural gas transmission pipeline, located between the Cimarex Dos Equis - Federal 1H site and Cimarex Triste Draw pipeline; approximately 25 miles northwest of Jal, New Mexico;

2. DCP shall ensure no discharge will occur at the hydrostatic test wastewater collection location: within DCP's pipeline right-of way, adjacent to the Dos Equis - Federal 1H site and approximately 25 miles west on NM Hwy 128 and 2.5 miles north of the highway, within the NE/4, NE/4 of Section 12, Township 24 South, Range 32 East, NMPM, Lea County, New Mexico;
3. DCP will acquire the hydrostatic test water from the M&M Fresh Water Station, located approximately 24 miles west of Jal, New Mexico on Highway 128;
4. DCP will generate approximately 768 barrels (32,280 gallons) of hydrostatic test wastewater from the test event that will be slowly discharged via a system of flexible hoses and temporary piping discharged into two (2) 500 barrel frac tanks for temporary storage, while awaiting being transferred to R360 Permian Basin LLC (Permit NM1-006/Order # 9166) for disposal;
5. DCP shall ensure that the temporary storage tanks shall have impermeable secondary containment (e.g., liners - geomembrane and berms - hay bales or a secondary containment tank), which will contain a volume of at least one-third greater than the total volume of the largest tank or one-third greater than the total volume of all tanks that are inter-connected, whichever is greater;
6. DCP will have personnel on-site to oversee and control the transfer and utilize collection pans placed below the collection points to prevent an unauthorized release;
7. DCP will not discharge any hydrostatic test wastewater generated from the test event to the ground or within the easement right-of-way;
8. DCP will not be analyzing the hydrostatic test wastewater because of the following: there will be no discharge the wastewater to the surface or surface water; the wastewater has been demonstrated to be RCRA exempt waste; ; and the proposal is to transfer the wastewater to R360 Permian Basin LLC (Permit NM1-006/Order # 9166) for disposal;
9. DCP will ensure the transfer the hydrostatic test wastewater via an OCD approved C-133 water hauler to R360 Permian Basin LLC (Permit NM1-006/Order # 9166) for disposal;
10. DCP shall remove all hydrostatic test wastewater from the collection/retention location within ten (10) calendar days of the completion of the hydrostatic test;
11. DCP shall restore any surface area impacted or disturb from the approved activities;
12. DCP shall implement best management practices to prevent unauthorized releases during the transfer/collection activities;
13. DCP shall ensure that the transfer/collection activities do not cause any fresh water supplies to be degraded or to exceed standards as set forth in Subsections A, B, and C of the 20.6.2.3103 NMAC (the New Mexico Water Quality Control Commission Regulations);

Mr. Allred  
DCP Midstream, L.P.  
Permit HITP-035  
December 12, 2012  
Page 3 of 3

14. DCP must properly notify the landowner(s) of the proposed collection/retention of the approved activities prior to the hydrostatic test event; and
15. DCP shall report all unauthorized discharges, spills, leaks and releases of hydrostatic test water and conduct corrective action pursuant to OCD Rule 29 (19.15.29 NMAC).

It is understood that the hydrostatic test will begin approximately April 12, 2013. This temporary permission will expire within 120 calendar days of its issue date. Temporary permission may be revoked or suspended for violation of any applicable provisions and/or conditions.

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

If there are any questions regarding this matter, please do not hesitate to contact me at (505) 476-3487 or [brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us).

Sincerely,



Brad A. Jones  
Environmental Engineer

BAJ/baj

Cc: OCD District I Office, Hobbs  
Daniel Borne, DCP Midstream, LP, 370 17<sup>th</sup> Street, Suite 2500, Denver, CO 80202