

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENTFORM APPROVED  
OMB No. 1004-0137  
Expires: October 31, 2014**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.**5. Lease Serial No.  
NMNM02447

6. If Indian, Allottee or Tribe Name

**SUBMIT IN TRIPLICATE – Other instructions on page 2.**

## 1. Type of Well

☐ Oil Well ☐ Gas Well ☒ Other Salt Water Disposal2. Name of Operator  
BOPCO L.P.3a. Address  
522 W. Mernod, #704  
Carlsbad, NM 882203b. Phone No. (include area code)  
575-887-73294. Location of Well (Footage, Sec., T., R., M., or Survey Description)  
800' FNL and 825' FEL  
Section 34, T. 19S., R. 31E., NMPM

7. If Unit of CA/Agreement, Name and/or No.

8. Well Name and No.  
Big Eddy Unit Hackberry 34 Fed. #1 SWD9. API Well No.  
30-015-4028810. Field and Pool or Exploratory Area  
Devonian11. County or Parish, State  
Eddy, 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"/> Fracture Treat	<input type="checkbox"/> Reclamation	<input type="checkbox"/> Well Integrity
<input type="checkbox"/> Final Abandonment Notice	<input type="checkbox"/> Casing Repair	<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input 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.)

BOPCO L.P. respectfully requests approval for construction of an 8-inch buried SWD pipeline, a 6-inch buried gas pipeline, and a single phase overhead electric powerline beginning at the BEU Hackberry 34 Fed. #1 SWD well in section 34, T. 19S., R. 31 E., NMPM and ending at the Big Eddy Unit Drill Island 4 location in section 5, T. 19S., R. 31E., NMPM.

The route for the 8-inch buried SWD pipeline, the 6-inch buried gas pipeline, and the single phase overhead electric powerline will utilize existing disturbance for the length of the route. We will follow lease roads, two track roads, and existing ROW's for the entirety of the route. The pipelines and powerline will utilize the same ROW.

We are requesting a 50' width for the route and the following lengths are for the appropriate lines:

8-inch buried SWD pipeline will be 15,336.80 feet in length.

6-inch buried gas pipeline will be 15,194.10 feet in length.

Single phase overhead electric powerline will be 4,260.50 feet in length.

Total disturbance is 17.604 acres.

Accepted for record

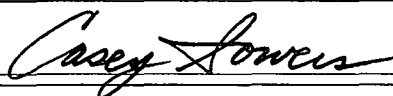
NMOCD 105  
8/28/14NM OIL CONSERVATION  
ARTESIA DISTRICT

AUG 28 2014

14. I hereby certify that the foregoing is true and correct. Name (Printed/Typed)  
Casey Sowers

Title Production Foreman/Regulatory

Signature



Date 06/11/2014

RECEIVED

## THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved by

/S/ STEPHEN J. CAFFEY

FIELD MANAGER

Title

Date AUG 20 2014

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 CARLSBAD FIELD OFFICE

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)

## GENERAL INSTRUCTIONS

This form is designed for submitting proposals to perform certain well operations and reports of such operations when completed as indicated on Federal and Indian lands pursuant to applicable Federal law and regulations. Any necessary special instructions concerning the use of this form and the number of copies to be submitted, particularly with regard to local area or regional procedures and practices, are either shown below, will be issued by or may be obtained from the local Federal office.

## SPECIFIC INSTRUCTIONS

*Item 4* - Locations on Federal or Indian land should be described in accordance with Federal requirements. Consult the local Federal office for specific instructions.

*Item 13* - Proposals to abandon a well and subsequent reports of abandonment should include such special information as is required by the local Federal office. In addition, such proposals and reports should include reasons for the abandonment; data on any former or present productive zones or other zones with present significant fluid contents not sealed off by cement or otherwise; depths (top and bottom) and method of placement of cement plugs; mud or other material placed below, between and above plugs; amount, size, method of parting of any casing, liner or tubing pulled and the depth to the top of any tubing left in the hole; method of closing top of well and date well site conditioned for final inspection looking for approval of the abandonment.

## NOTICES

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

**AUTHORITY:** 30 U.S.C. 181 et seq., 351 et seq., 25 U.S.C. 396; 43 CFR 3160.

**PRINCIPAL PURPOSE:** The information is used to: (1) Evaluate, when appropriate, approve applications, and report completion of subsequent well operations, on a Federal or Indian lease; and (2) document for administrative use, information for the management, disposal and use of National Resource lands and resources, such as: (a) evaluating the equipment and procedures to be used during a proposed subsequent well operation and reviewing the completed well operations for compliance with the approved plan; (b) requesting and granting approval to perform those actions covered by 43 CFR 3162.3-2, 3162.3-3, and 3162.3-4; (c) reporting the beginning or resumption of production, as required by 43 CFR 3162.4-1(c) and (d) analyzing future applications to drill or modify operations in light of data obtained and methods used.

**ROUTINE USES:** Information from the record and/or the record will be transferred to appropriate Federal, State, local or foreign agencies, when relevant to civil, criminal or regulatory investigations or prosecutions in connection with congressional inquiries or to consumer reporting agencies to facilitate collection of debts owed the Government.

**EFFECT OF NOT PROVIDING THE INFORMATION:** Filing of this notice and report and disclosure of the information is mandatory for those subsequent well operations specified in 43 CFR 3162.3-2, 3162.3-3, 3162.3-4.

The Paperwork Reduction Act of 1995 requires us to inform you that:

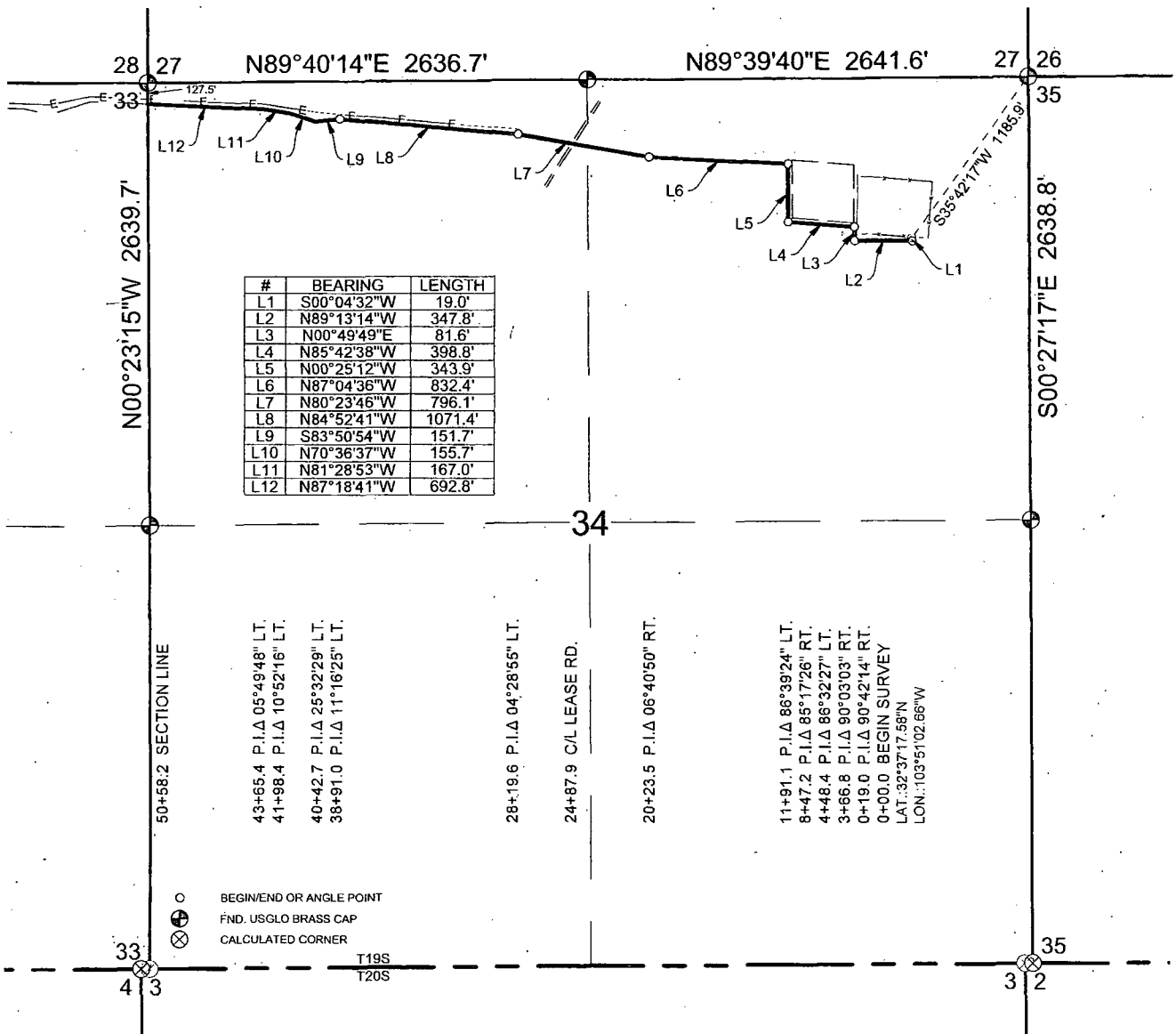
The BLM collects this information to evaluate proposed and/or completed subsequent well operations on Federal or Indian oil and gas leases.

Response to this request is mandatory.

The BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

**BURDEN HOURS STATEMENT:** Public reporting burden for this form is estimated to average 8 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0137), Bureau Information Collection Clearance Officer (WO-630), 1849 C St., N.W., Mail Stop 401 LS, Washington, D.C. 20240

SECTION 34, TOWNSHIP 19 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY CO., NM.



#	BEARING	LENGTH
L1	S00°04'32"W	19.0'
L2	N89°13'14"W	347.8'
L3	N00°49'49"E	81.6'
L4	N85°42'38"W	398.8'
L5	N00°25'12"W	343.9'
L6	N87°04'36"W	832.4'
L7	N80°23'46"W	796.1'
L8	N84°52'41"W	1071.4'
L9	S83°50'54"W	151.7'
L10	N70°36'37"W	155.7'
L11	N81°28'53"W	167.0'
L12	N87°18'41"W	692.8'

43+65.4 P.I.Δ 05°49'48" LT.  
41+98.4 P.I.Δ 10°52'16" LT.  
40+42.7 P.I.Δ 25°32'29" LT.  
38+91.0 P.I.Δ 11°16'25" LT.

28+19.6 P.I.Δ 04°28'55" LT.

24+87.9 C/L LEASE RD.

20+23.5 P.I.Δ 06°40'50" RT.

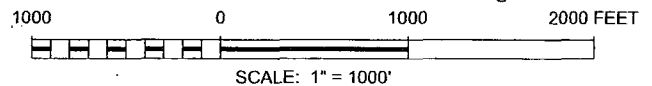
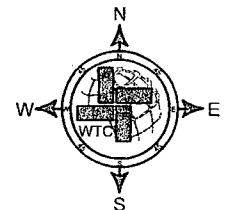
11+91.1 P.I.Δ 86°39'24" LT.  
8+47.2 P.I.Δ 85°17'26" RT.  
4+48.4 P.I.Δ 86°32'27" LT.  
3+66.8 P.I.Δ 90°03'03" RT.  
0+19.0 P.I.Δ 90°42'14" RT.  
0+00.0 BEGIN SURVEY  
LAT.: 32°37'17.58"N  
LON.: 103°51'02.66"W

○ BEGIN/END OR ANGLE POINT  
⊕ FND. USGLO BRASS CAP  
⊗ CALCULATED CORNER

T19S  
T20S

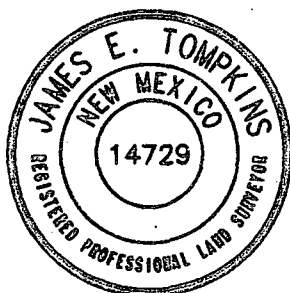
DESCRIPTION

A STRIP OF LAND 30 FEET IN WIDTH AND 5058.2 FEET, 0.96 MILES OR 306.56 RODS IN LENGTH, SITUATED IN SECTION 34, TOWNSHIP 19 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, NEW MEXICO, AND BEING 15 FEET LEFT AND 15 FEET RIGHT OF THE SURVEY OF CENTERLINE AS SHOWN HEREON.



NOTE:

1. BASIS OF BEARING IS A TRANSVERSE MERCATOR PROJECTION OF THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83, AND DISTANCES ARE OF GRID VALUE.



I, JAMES E. TOMPKINS, NEW MEXICO PROFESSIONAL SURVEYOR NO. 14729, DO HEREBY CERTIFY THAT THIS PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*James E. Tompkins*  
JAMES E. TOMPKINS, N.M. P.L.S.

04/17/2014

No. 14729

SURVEY DATE: 04/14/14  
JOB NO.: WTC49840

DRAFT: FH  
SHEET: 01 OF 03

BOPCO L.P.  
A PROPOSED SWD LINE IN  
SECTION 34, T19S, R31E, N.M.P.M.,  
EDDY COUNTY, NEW MEXICO



WTC, INC.  
405 S.W. 1st Street  
Andrews, TX 79714  
(432) 523-2181

#	BEARING	LENGTH
L1	N87°18'41"W	341.9'
L2	S72°07'26"W	252.2'
L3	N79°02'14"W	162.1'
L4	N88°18'07"W	171.7'
L5	S72°29'15"W	170.1'
L6	S31°19'02"W	1633.1'
L7	S20°32'24"W	166.1'
L8	S68°11'58"W	161.4'
L9	S56°20'14"W	236.0'
L10	S42°16'27"W	162.0'
L11	S70°55'11"W	156.4'
L12	S56°18'21"W	451.9'

#	BEARING	LENGTH
L1	N87°18'41"W	341.9'
L2	S72°07'26"W	252.2'
L3	N79°02'14"W	162.1'
L4	N88°18'07"W	171.7'
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[illegible]

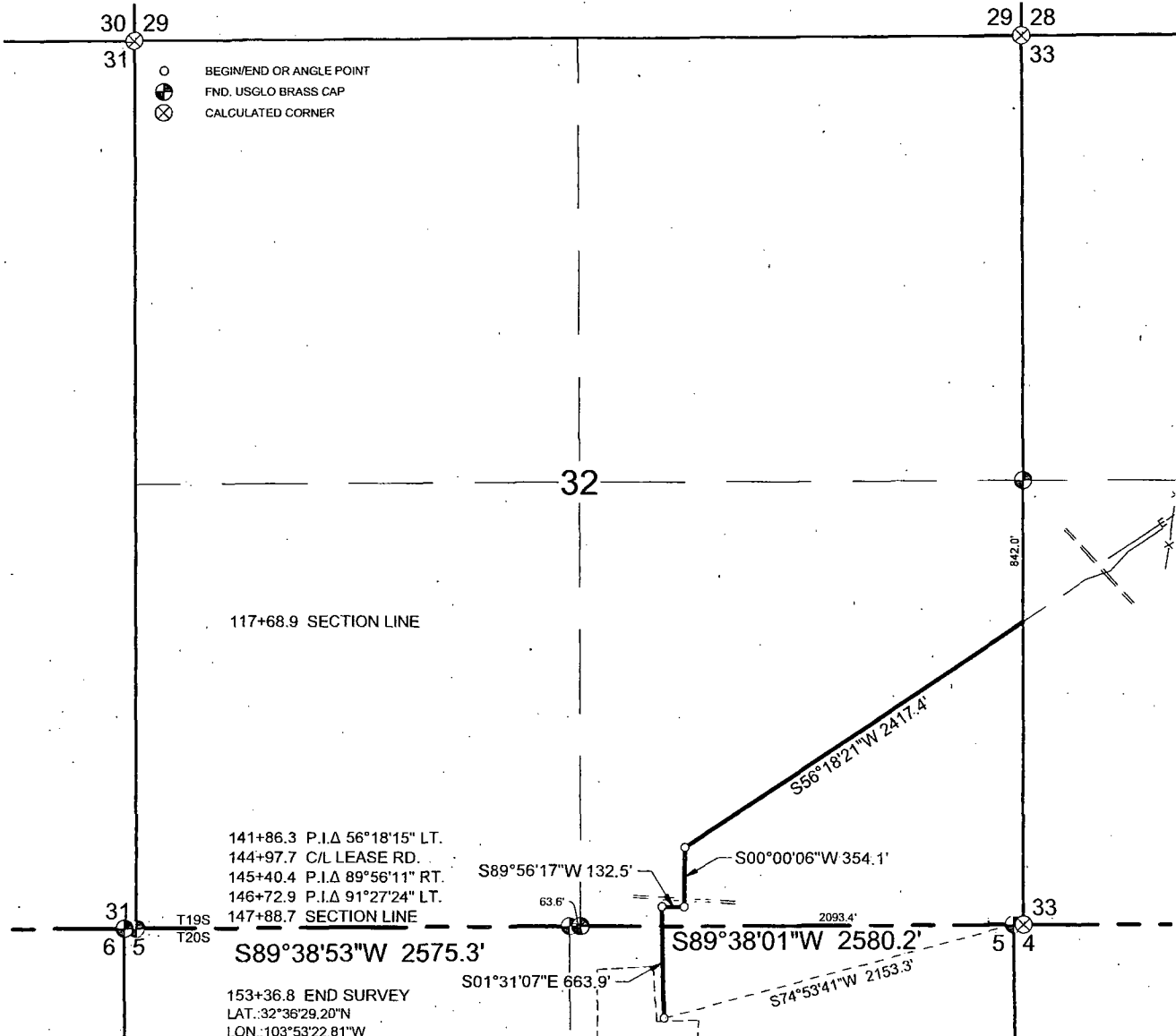
A circular professional seal for James E. Tompkins, a Registered Professional Land Surveyor in New Mexico. The seal features concentric circles. The outermost ring contains the text "JAMES E. TOMPKINS" at the top and "REGISTERED PROFESSIONAL LAND SURVEYOR" at the bottom. The middle ring contains "NEW MEXICO" at the top and the license number "14729" in the center.

James E. Tompkins



405 S.W. 1st Street  
Andrews, TX 79714  
(432) 523-2181

SEC. 32, T 19 S, R 31 E, & SEC. 5, T 19 S, R 31 E, N.M.P.M., EDDY CO., NM.



DESCRIPTION

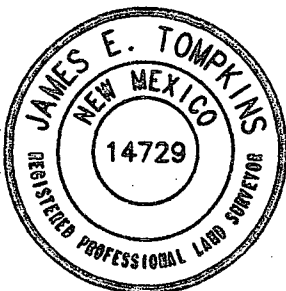
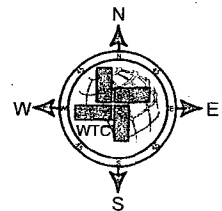
A STRIP OF LAND 30 FEET IN WIDTH AND 3567.9 FEET, 0.68 MILES OR 216.24 RODS IN LENGTH, SITUATED IN SECTION 32, TOWNSHIP 19 SOUTH, RANGE 31 EAST, & SECTION 5, TOWNSHIP 20 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, NEW MEXICO, AND BEING 15 FEET LEFT AND 15 FEET RIGHT OF THE SURVEY OF CENTERLINE AS SHOWN HEREON.

NOTE:

1. BASIS OF BEARING IS A TRANSVERSE MERCATOR PROJECTION OF THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83, AND DISTANCES ARE OF GRID VALUE.

1000 0 1000 2000 FEET

SCALE: 1" = 1000'



I, JAMES E. TOMPKINS, NEW MEXICO PROFESSIONAL SURVEYOR NO. 14729, DO HEREBY CERTIFY THAT THIS PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*James E. Tompkins*

JAMES E. TOMPKINS, N.M. P.L.S.

SURVEY DATE: 04/14/14

JOB NO.: WTC49840

04/17/2014

No. 14729

DRAFT: FH

SHEET: 03 OF 03

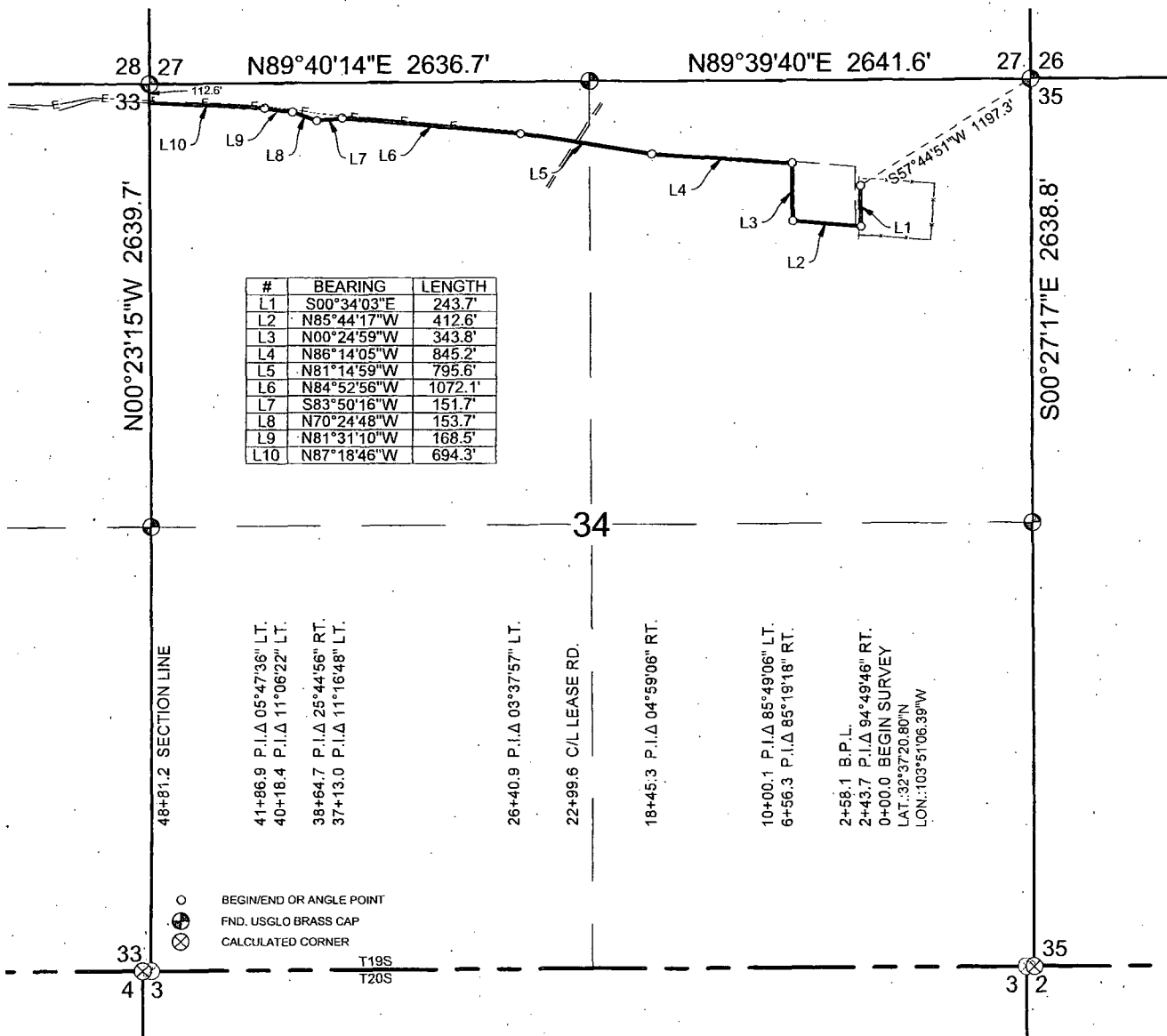
BOPCO L.P.  
A PROPOSED SWD LINE IN  
SEC. 32, T 19 S, R 31 E, &  
SEC. 5, T 19 S, R 31 E, N.M.P.M.,  
EDDY COUNTY, NEW MEXICO



WTC, INC.

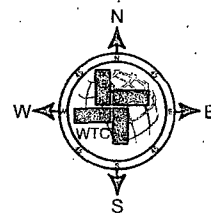
405 S.W. 1st Street  
Andrews, TX 79714  
(432) 523-2181

SECTION 34, TOWNSHIP 19 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY CO., NM.



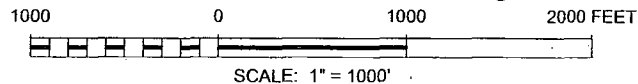
DESCRIPTION

A STRIP OF LAND 30 FEET IN WIDTH AND 4881.2 FEET, 0.92 MILES OR 295.83 RODS IN LENGTH, SITUATED IN SECTION 34, TOWNSHIP 19 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, NEW MEXICO, AND BEING 15 FEET LEFT AND 15 FEET RIGHT OF THE SURVEY OF CENTERLINE AS SHOWN HEREON.



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*James E. Tompkins*  
JAMES E. TOMPKINS, N.M. P.L.S.  
SURVEY DATE: 04/14/14  
JOB NO.: WTC49840

04/17/2014  
No. 14729  
DRAFT: FH  
SHEET: 01 OF 03

BOPCO L.P.  
A PROPOSED GAS LINE IN  
SECTION 34, T19S, R31E, N.M.P.M.,  
EDDY COUNTY, NEW MEXICO



WTC, INC.  
405 S.W. 1st Street  
Andrews, TX 79714  
(432) 523-2181

#	BEARING	LENGTH
L1	N87°18'46"W	343.0'
L2	S72°09'31"W	253.7'
L3	N78°41'58"W	159.1'
L4	N88°18'27"W	720.0'
L5	S72°28'00"W	178.2'
L6	S31°19'05"W	1639.1'
L7	S20°00'31"W	161.5'
L8	S68°25'40"W	158.8'
L9	S56°20'27"W	2336.5'
L10	S41°42'07"W	158.5'
L11	S70°56'11"W	158.5'
L12	S56°18'27"W	443.9'

115+92.0 SECTION LINE  
 111+48.1 P.I.Δ 14°37'44" LT.  
 110+29.5 C/L LEASE RD.  
 109+89.6 P.I.Δ 29°14'04" RT.  
 108+31.1 P.I.Δ 14°38'20" LT.  
 105+06.1 FENCE  
 48+81.2 SECTION LINE  
 48+35.2 P.I.Δ 41°08'55" LT.  
 63+57.0 P.I.Δ 19°13'33" LT.  
 56+37.0 P.I.Δ 09°36'29" LT.  
 54+77.9 P.I.Δ 29°08'31" RT.  
 52+24.2 P.I.Δ 20°31'43" LT.

84+94.6 P.I.Δ 12°05'13" LT.  
 83+35.8 P.I.Δ 48°25'09" RT.  
 81+74.3 P.I.Δ 11°18'34" LT.  
 74+73.6 B.W.L.  
 74+09.1 B.P.L.  
 73+49.0 B.P.L.

BEGIN/END OR ANGLE POINT  
 FND. USGLO BRASS CAP  
 CALCULATED CORNER

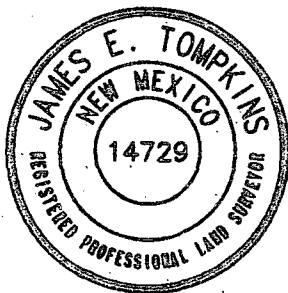
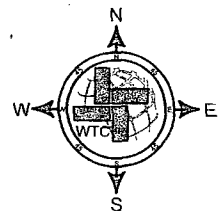
T19S  
 T20S

A STRIP OF LAND 30 FEET IN WIDTH AND 6710.8 FEET, 1.27 MILES OR 406.72 RODS IN LENGTH, SITUATED IN SECTION 33, TOWNSHIP 19 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, NEW MEXICO, AND BEING 15 FEET LEFT AND 15 FEET RIGHT OF THE SURVEY OF CENTERLINE AS SHOWN HEREON.

1. BASIS OF BEARING IS A TRANSVERSE MERCATOR PROJECTION OF THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83, AND DISTANCES ARE OF GRID VALUE.



SCALE: 1" = 1000'



*James E. Tompkins*  
JAMES E. TOMPKINS, N.M. P.L.S.

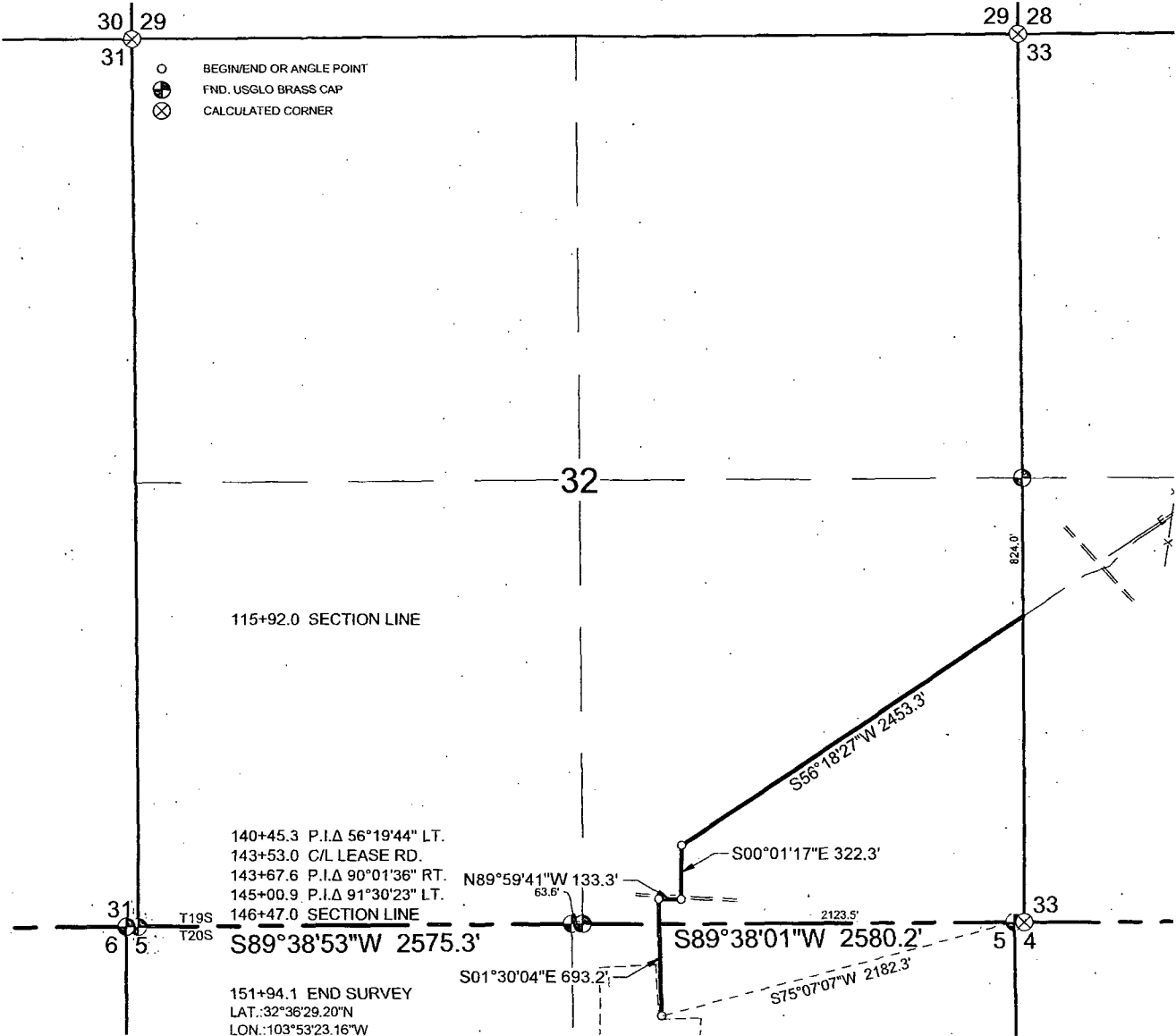
DRAFT: FH  
SHEET: 02 OF 03

BOPCO L.P.  
A PROPOSED GAS LINE IN  
SECTION 33, T19S, R31E, N.M.P.M.,  
EDDY COUNTY, NEW MEXICO



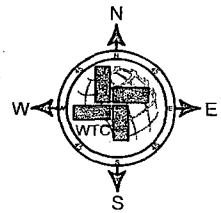
**W T C, INC.**  
405 S.W. 1st Street  
Andrews, TX 79714  
(432) 523-2181

SEC. 32, T 19 S, R 31 E, & SEC. 5, T 19 S, R 31 E, N.M.P.M., EDDY CO., NM.



DESCRIPTION

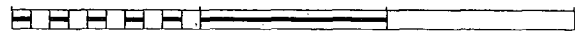
A STRIP OF LAND 30 FEET IN WIDTH AND 3602.1 FEET, 0.68 MILES OR 218.31 RODS IN LENGTH, SITUATED IN SECTION 32, TOWNSHIP 19 SOUTH, RANGE 31 EAST, & SECTION 5, TOWNSHIP 20 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, NEW MEXICO, AND BEING 15 FEET LEFT AND 15 FEET RIGHT OF THE SURVEY OF CENTERLINE AS SHOWN HEREON.



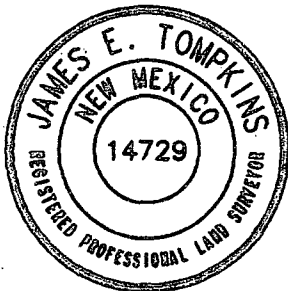
NOTE:

1. BASIS OF BEARING IS A TRANSVERSE MERCATOR PROJECTION OF THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83, AND DISTANCES ARE OF GRID VALUE.

1000 0 1000 2000 FEET



SCALE: 1" = 1000'



I, JAMES E. TOMPKINS, NEW MEXICO PROFESSIONAL SURVEYOR NO. 14729, DO HEREBY CERTIFY THAT THIS PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*James E. Tompkins*  
JAMES E. TOMPKINS, N.M. P.L.S.

SURVEY DATE: 04/14/14  
JOB NO.: WTC49840

04/17/2014

No. 14729

DRAFT: FH  
SHEET: 03 OF 03

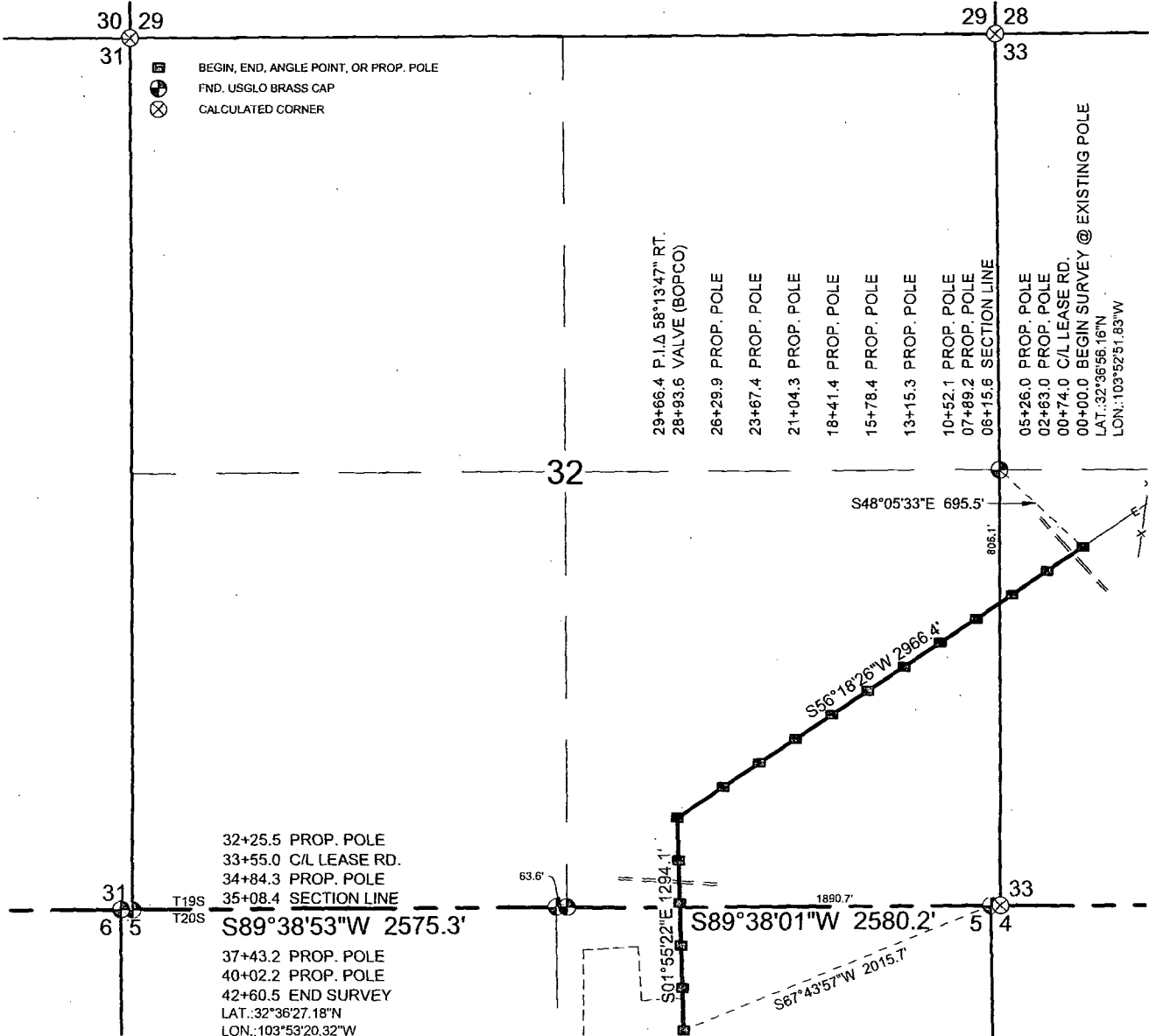
BOPCO L.P.  
A PROPOSED GAS LINE IN  
SEC. 32, T 19 S, R 31 E, &  
SEC. 5, T 19 S, R 31 E, N.M.P.M.,  
EDDY COUNTY, NEW MEXICO



WTC, INC.  
405 S.W. 1st Street  
Andrews, TX 79714  
(432) 523-2181



SECS. 32 & 33, T 19 S, R 31 E, & SEC. 5, T 19 S, R 31E, N.M.P.M., EDDY CO., NM.



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*James E. Tompkins*  
 JAMES E. TOMPKINS, N.M. P.L.S.  
 SURVEY DATE: 04/14/14  
 JOB NO.: WTC49840

04/17/2014

No. 14729

DRAFT: FH  
 SHEET: 01 OF 01

**BOPCO L.P.**  
 A PROPOSED POWER LINE IN  
 SECS. 32 & 33, T 19 S, R 31 E, &  
 SEC. 5, T 19 S, R 31E, N.M.P.M.,  
 EDDY COUNTY, NEW MEXICO



**WTC, INC.**  
 405 S.W. 1st Street  
 Andrews, TX 79714  
 (432) 523-2181

**BLM LEASE NUMBER:** NMNM 02447

**COMPANY NAME:** BOPCO

**ASSOCIATED WELL NAME:** Big Eddy Unit Hackberry 34 Fed 1 SWD

### BURIED PIPELINE STIPULATIONS

A copy of the application (Grant, APD, or Sundry Notice) and attachments, including conditions of approval, survey plat and/or map, will be on location during construction. BLM personnel may request to you a copy of your permit during construction to ensure compliance with all stipulations.

Holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer:

1. The Holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant.
2. The Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC 2601 et seq. (1982) with regards to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
3. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq.) on the Right-of-Way (unless the release or threatened release is wholly unrelated to the Right-of-Way holder's activity on the Right-of-Way), or resulting from the activity of the Right-of-Way holder on the Right-of-Way. This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
4. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any oil or other pollutant should be discharged from the pipeline system, impacting Federal lands, the control and total removal, disposal, and cleaning up of such oil or other pollutant, wherever found, shall be the responsibility of holder, regardless of fault. Upon failure of holder to control, dispose of, or clean up such discharge on or affecting Federal lands, or to repair all damages resulting therefrom, on the Federal lands, the Authorized Officer may take such measures as he deems necessary to control and clean up the discharge and restore the area, including where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve holder of any responsibility as provided herein.

5. All construction and maintenance activity will be confined to the authorized right-of-way.
6. The pipeline will be buried with a minimum cover of 36 inches between the top of the pipe and ground level.
7. The maximum allowable disturbance for construction in this right-of-way will be 30 feet:
- Blading of vegetation within the right-of-way will be allowed: maximum width of blading operations will not exceed 20 feet. The trench is included in this area. (*Blading is defined as the complete removal of brush and ground vegetation.*)
  - Clearing of brush species within the right-of-way will be allowed: maximum width of clearing operations will not exceed 30 feet. The trench and bladed area are included in this area. (*Clearing is defined as the removal of brush while leaving ground vegetation (grasses, weeds, etc.) intact. Clearing is best accomplished by holding the blade 4 to 6 inches above the ground surface.*)
  - The remaining area of the right-of-way (if any) shall only be disturbed by compressing the vegetation. (*Compressing can be caused by vehicle tires, placement of equipment, etc.*)
8. The holder shall stockpile an adequate amount of topsoil where blading is allowed. The topsoil to be stripped is approximately 6 inches in depth. The topsoil will be segregated from other spoil piles from trench construction. The topsoil will be evenly distributed over the bladed area for the preparation of seeding.
9. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer.
10. Vegetation, soil, and rocks left as a result of construction or maintenance activity will be randomly scattered on this right-of-way and will not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. The entire right-of-way shall be recontoured to match the surrounding landscape. The backfilled soil shall be compacted and a 6 inch berm will be left over the ditch line to allow for settling back to grade.
11. In those areas where erosion control structures are required to stabilize soil conditions, the holder will install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound resource management practices.
12. The holder will reseed all disturbed areas. Seeding will be done according to the attached seeding requirements, using the following seed mix.

- |   |  |
|---|--|
| <input type="checkbox"/> seed mixture 1     | <input type="checkbox"/> seed mixture 3          |
| <input type="checkbox"/> seed mixture 2     | <input type="checkbox"/> seed mixture 4          |
| <input type="checkbox"/> seed mixture 2/LPC | <input type="checkbox"/> Aplomado Falcon Mixture |

13. All above-ground structures not subject to safety requirements shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be color which simulates "Standard Environmental Colors" – **Shale Green**, Munsell Soil Color No. 5Y 4/2.

14. The pipeline will be identified by signs at the point of origin and completion of the right-of-way and at all road crossings. At a minimum, signs will state the holder's name, BLM serial number, and the product being transported. All signs and information thereon will be posted in a permanent, conspicuous manner, and will be maintained in a legible condition for the life of the pipeline.

15. The holder shall not use the pipeline route as a road for purposes other than routine maintenance as determined necessary by the Authorized Officer in consultation with the holder before maintenance begins. The holder will take whatever steps are necessary to ensure that the pipeline route is not used as a roadway. As determined necessary during the life of the pipeline, the Authorized Officer may ask the holder to construct temporary deterrence structures.

16. Any cultural and/or paleontological resources (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.

17. The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes associated roads, pipeline corridor and adjacent land affected by the establishment of weeds due to this action. The operator shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.

18. Escape Ramps - The operator will construct and maintain pipeline/utility trenches that are not otherwise fenced, screened, or netted to prevent livestock, wildlife, and humans from becoming entrapped. At a minimum, the operator will construct and maintain escape ramps, ladders, or other methods of avian and terrestrial wildlife escape in the trenches according to the following criteria:

- a. Any trench left open for eight (8) hours or less is not required to have escape ramps; however, before the trench is backfilled, the contractor/operator shall inspect the trench for wildlife, remove all trapped wildlife, and release them at least 100 yards from the trench.
- b. For trenches left open for eight (8) hours or more, earthen escape ramps (built at no more than a 30 degree slope and spaced no more than 500 feet apart) shall be placed in the trench.

19. Special Stipulations:

**Dunes Sagebrush Lizard Trenching Monitor Stipulation**

- Pre-construction contact with a BLM wildlife biologist is required before any ground disturbing activities associated with the project occurs.

- Successful completion of the BLM Trench Stipulation Workshop is required for a non-agency person to be approved as a monitor.
- Any trench left open for (8) hours or less is not required to have escape ramps; however, before the trench is backfilled, an agency approved monitor shall walk the entire length of the open trench and remove all trapped vertebrates. The bottom surface of the trench will be disturbed a minimum of 2 inches in order to arouse any buried vertebrates. All vertebrates will be released a minimum of 100 yards from the trench.
- For trenches left open for eight (8) hours or more the following requirements apply:
  - Earthen escape ramps and/or structures (built at no more than a 30 degree slope and spaced no more than 500 feet apart) shall be placed in the trench. Metal structures will not be authorized. Options will be discussed in detail at the required Trench Stipulation Workshop.
  - One approved monitor shall be required to survey up to three miles of trench between the hours of 11 AM-2 PM. A daily report (consolidate if there is more than one monitor) on the vertebrates found and removed from the trench shall be provided to the BLM (email/fax is acceptable) the following morning.
  - Prior to backfilling of the trench all structures used as escape ramps will be removed and the bottom surface of the trench will be disturbed a minimum of 2 inches in order to arouse any buried vertebrates. All vertebrates will be released a minimum of 100 yards from the trench.
- This stipulation shall apply to the entire length of the project in the DSL habitat polygon regardless of land ownership or CCA/CCAA enrollment status.
- A project closeout will be required within three business days of the completion of the project.

#### **Lesser Prairie-Chicken**

Oil and gas activities will not be allowed in lesser prairie-chicken habitat during the period from March 1st through June 15th annually. During that period, other activities that produce noise or involve human activity, such as the maintenance of oil and gas facilities, geophysical exploration other than 3-D operations, and pipeline, road, and well pad construction, will be allowed except between 3:00 am and 9:00 am. The 3:00 am to 9:00 am restriction will not apply to normal, around-the-clock operations, such as venting, flaring, or pumping, which do not require a human presence during this period. Normal vehicle use on existing roads will not be restricted. Exhaust

noise from pump jack engines must be muffled or otherwise controlled so as not to exceed 75 db measured at 30 ft. from the source of the noise.

**Hackberry Lake Off-Highway Vehicle Special Recreation Management Area**

Pipelines (including surface lines) shall be buried a minimum of 24 inches under all roads, "two-tracks," and trails. Burial of the pipe will continue for 20 feet on each side of each crossing. Power poles and associated ground structures (poles, guy wires) will not be placed within 20 feet of recreation trails. Guy wires must be equipped with a sleeve, tape or other industry approved apparatus that is highly visible during the day and reflective at night. Appropriate safety signage will be in place during all phases of the project. Upon completion of construction, the road shall be returned to pre-construction condition with no bumps or dips. All vehicle and equipment operators will observe speed limits and practice responsible defensive driving habits.

Company Reference: BQPCO  
Well No. & Name: Big Eddy Unit 34 Fed 1 SWD

#### STANDARD STIPULATIONS FOR OVERHEAD ELECTRIC DISTRIBUTION LINES

**A copy of the grant and attachments, including stipulations, survey plat and/or map, will be on location during construction. BLM personnel may request to you a copy of your permit during construction to ensure compliance with all stipulations.**

Holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer:

1. The holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant.
2. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC 2601 et seq. (1982) with regards to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
3. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq.) on the Right-of-Way (unless the release or threatened release is wholly unrelated to the Right-of-Way holder's activity on the Right-of-Way), or resulting from the activity of the Right-of-Way holder on the Right-of-Way. This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
4. There will be no clearing or blading of the right-of-way unless otherwise agreed to in writing by the Authorized Officer.
5. Power lines shall be constructed and designed in accordance to standards outlined in "Suggested Practices for Avian Protection on Power lines: The State of the Art in 2006" Edison Electric Institute, APLIC, and the California Energy Commission 2006. The holder shall assume the burden and expense of proving that pole designs not shown in the above publication deter raptor perching, roosting, and nesting. Such proof shall be provided by a raptor expert

approved by the Authorized Officer. The BLM reserves the right to require modification or additions to all powerline structures placed on this right-of-way, should they be necessary to ensure the safety of large perching birds. Such modifications and/or additions shall be made by the holder without liability or expense to the United States.

Raptor deterrence will consist of but not limited to the following: triangle perch discouragers shall be placed on each side of the cross arms and a nonconductive perching deterrence shall be placed on all vertical poles that extend past the cross arms.

6. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

7. The BLM serial number assigned to this authorization shall be posted in a permanent, conspicuous manner where the power line crosses roads and at all serviced facilities. Numbers will be at least two inches high and will be affixed to the pole nearest the road crossing and at the facilities served.

8. Upon cancellation, relinquishment, or expiration of this grant, the holder shall comply with those abandonment procedures as prescribed by the Authorized Officer.

9. All surface structures (poles, lines, transformers, etc.) shall be removed within 180 days of abandonment, relinquishment, or termination of use of the serviced facility or facilities or within 180 days of abandonment, relinquishment, cancellation, or expiration of this grant, whichever comes first. This will not apply where the power line extends service to an active, adjoining facility or facilities.

10. 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.

11. Special Stipulations:

- For reclamation remove poles, lines, transformer, etc. and dispose of properly.
- Fill in any holes from the poles removed.

**Timing Limitation Stipulation/Condition of Approval for Lesser Prairie-Chicken:**

Oil and gas activities including 3-D geophysical exploration, and drilling will not be allowed in



lesser prairie-chicken habitat during the period from March 1st through June 15th annually. During that period, other activities that produce noise or involve human activity, such as the maintenance of oil and gas facilities, geophysical exploration other than 3-D operations, and pipeline, road, and well pad construction, will be allowed except between 3:00 am and 9:00 am. The 3:00 am to 9:00 am restriction will not apply to normal, around-the-clock operations, such as venting, flaring, or pumping, which do not require a human presence during this period. Additionally, no new drilling will be allowed within up to 200 meters of leks known at the time of permitting. Normal vehicle use on existing roads will not be restricted. Exhaust noise from pump jack engines must be muffled or otherwise controlled so as not to exceed 75 db measured at 30 ft. from the source of the noise.

**Hackberry Lake Off Highway Vehicle Special Recreation Management Area**

Power poles and associated ground structures (poles, guy wires) will not be placed within 20 feet of recreation trails. Guy wires must be equipped with a sleeve, tape or other industry approved apparatus that is highly visible during the day and reflective at night. Appropriate safety signage will be in place during all phases of the project. Upon completion of construction, the road shall be returned to pre-construction condition with no bumps or dips. All vehicle and equipment operators will observe speed limits and practice responsible defensive driving habits.