

District I  
1625 N French Dr, Hobbs, NM 88240  
District II  
1301 W Grand Avenue, 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-144  
July 21, 2008

**For temporary pits, closed-loop systems, and below-grade tanks,** submit to the appropriate NMOCD District Office  
**For permanent pits and exceptions** submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office

Pit, Closed-Loop System, Below-Grade Tank, or  
Proposed Alternative Method Permit or Closure Plan Application

1127  
Type of action: ☒ Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method  
☐ Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method  
☐ Modification to an existing permit  
☐ Closure plan only submitted for an existing permitted or non-permitted pit, closed-loop system, below-grade tank, or proposed alternative method

**Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, below-grade tank or alternative request**

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

1.  
Operator CDX Gas LLC OGRID # 222374  
Address: 2700 Farmington Ave, Building K, Suite #1  
Facility or well name Jicarilla Contract 155 #003  
API Number 30-039-06248 OCD Permit Number \_\_\_\_\_  
U/L or Qtr/Qtr F Section 32 Township 26N Range 5W County Rio Arriba  
Center of Proposed Design Latitude 36 44594 Longitude 107 38534 NAD. ☐ 1927 ☒ 1983  
Surface Owner ☐ Federal ☐ State ☐ Private ☒ Tribal Trust or Indian Allotment

2.  
☐ **Pit:** Subsection F or G of 19 15 17.11 NMAC  
Temporary ☐ Drilling ☐ Workover  
☐ Permanent ☐ Emergency ☐ Cavitation ☐ P&A  
☐ Lined ☐ Unlined Liner type Thickness \_\_\_\_\_ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
☐ String-Reinforced  
Liner Seams ☐ Welded ☐ Factory ☐ Other \_\_\_\_\_ Volume \_\_\_\_\_ bbl Dimensions L \_\_\_\_\_ x W \_\_\_\_\_ x D \_\_\_\_\_

RCVD SEP 12 10 08  
OIL CONS. DIV.  
DIST. 3

3.  
☐ **Closed-loop System:** Subsection H of 19 15 17 11 NMAC  
Type of Operation: ☐ P&A ☐ Drilling a new well ☐ Workover or Drilling (Applies to activities which require prior approval of a permit or notice of intent)  
☐ Drying Pad ☐ Above Ground Steel Tanks ☐ Haul-off Bins ☐ Other \_\_\_\_\_  
☐ Lined ☐ Unlined Liner type Thickness \_\_\_\_\_ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
Liner Seams ☐ Welded ☐ Factory ☐ Other \_\_\_\_\_

4.  
☒ **Below-grade tank:** Subsection I of 19 15 17 11 NMAC  
Volume 45 bbl Type of fluid: \_\_\_\_\_ Produced water \_\_\_\_\_  
Tank Construction material Fiberglass Reinforced Plastic  
☐ Secondary containment with leak detection ☐ Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off  
☐ Visible sidewalls and liner ☒ Visible sidewalls only ☒ Other See closure plan  
Liner type Thickness \_\_\_\_\_ mil ☐ HDPE ☐ PVC ☒ Other Below grade tank to be closed per new rule \_\_\_\_\_

5.  
☐ **Alternative Method:**  
Submittal of an exception request is required Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval

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**Fencing:** Subsection D of 19 15 17.11 NMAC (*Applies to permanent pits, temporary pits, and below-grade tanks*)

- ☐ Chain link, six feet in height, two strands of barbed wire at top (*Required if located within 1000 feet of a permanent residence, school, hospital, institution or church*)
- ☐ Four foot height, four strands of barbed wire evenly spaced between one and four feet
- ☒ Alternate Please specify\_Four foot hog wire\_\_\_\_\_

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**Netting:** Subsection E of 19 15 17 11 NMAC (*Applies to permanent pits and permanent open top tanks*)

- ☒ Screen ☐ Netting ☐ Other\_\_\_\_\_
- ☐ Monthly inspections (If netting or screening is not physically feasible)

8.

**Signs:** Subsection C of 19 15 17 11 NMAC

- ☐ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers
- ☒ Signed in compliance with 19 15.3 103 NMAC

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**Administrative Approvals and Exceptions:**

Justifications and/or demonstrations of equivalency are required Please refer to 19.15 17 NMAC for guidance

**Please check a box if one or more of the following is requested, if not leave blank:**

- ☐ Administrative approval(s) Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau office for consideration of approval
- ☐ Exception(s) Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

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**Siting Criteria (regarding permitting):** 19 15 17 10 NMAC

**Instructions:** The applicant must demonstrate compliance for each siting criteria below in the application. Recommendations of acceptable source material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. Siting criteria does not apply to drying pads or above-grade tanks associated with a closed-loop system.

|                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank.<br>- NM Office of the State Engineer - iWATERS database search, USGS, Data obtained from nearby wells                                                                                                                                                                                      | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |
| Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)<br>- Topographic map, Visual inspection (certification) of the proposed site                                                                                                                                   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |
| Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application ( <i>Applies to temporary, emergency, or cavitation pits and below-grade tanks</i> )<br>- Visual inspection (certification) of the proposed site, Aerial photo, Satellite image                                                                                    | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA |
| Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application ( <i>Applies to permanent pits</i> )<br>- Visual inspection (certification) of the proposed site, Aerial photo, Satellite image                                                                                                                                   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA |
| Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application<br>- NM Office of the State Engineer - iWATERS database search, Visual inspection (certification) of the proposed site | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |
| Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended<br>- Written confirmation or verification from the municipality; Written approval obtained from the municipality                                                                                            | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |
| Within 500 feet of a wetland.<br>- US Fish and Wildlife Wetland Identification map, Topographic map, Visual inspection (certification) of the proposed site                                                                                                                                                                                                                                             | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |
| Within the area overlying a subsurface mine<br>- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division                                                                                                                                                                                                                                                              | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |
| Within an unstable area<br>- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources, USGS, NM Geological Society, Topographic map                                                                                                                                                                                                                                  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |
| Within a 100-year floodplain.<br>- FEMA map                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |

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**Temporary Pits, Emergency Pits, and Below-grade Tanks Permit Application Attachment Checklist:** Subsection B of 19 15 17.9 NMAC**Instructions:** Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☒ Hydrogeologic Report (Below-grade Tanks) - based upon the requirements of Paragraph (4) of Subsection B of 19 15 17.9 NMAC
- ☒ Hydrogeologic Data (Temporary and Emergency Pits) - based upon the requirements of Paragraph (2) of Subsection B of 19.15 17.9 NMAC
- ☒ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19 15 17.10 NMAC
- ☒ Design Plan - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☒ Operating and Maintenance Plan - based upon the appropriate requirements of 19 15 17 12 NMAC
- ☒ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19 15 17.9 NMAC and 19 15 17 13 NMAC

☐ Previously Approved Design (attach copy of design) API Number \_\_\_\_\_ or Permit Number \_\_\_\_\_

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**Closed-loop Systems Permit Application Attachment Checklist:** Subsection B of 19 15 17.9 NMAC**Instructions:** Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19 15 17.9
- ☐ Siting Criteria Compliance Demonstrations (only for on-site closure) - based upon the appropriate requirements of 19 15 17.10 NMAC
- ☐ Design Plan - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19 15 17 12 NMAC
- ☐ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19 15 17.9 NMAC and 19 15 17 13 NMAC

☐ Previously Approved Design (attach copy of design) API Number. \_\_\_\_\_

☐ Previously Approved Operating and Maintenance Plan API Number \_\_\_\_\_ (Applies only to closed-loop system that use above ground steel tanks or haul-off bins and propose to implement waste removal for closure)

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**Permanent Pits Permit Application Checklist:** Subsection B of 19 15 17.9 NMAC**Instructions:** Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Hydrogeologic Report - based upon the requirements of Paragraph (1) of Subsection B of 19 15 17.9 NMAC
- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19 15 17 10 NMAC
- ☐ Climatological Factors Assessment
- ☐ Certified Engineering Design Plans - based upon the appropriate requirements of 19.15 17 11 NMAC
- ☐ Dike Protection and Structural Integrity Design - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Leak Detection Design - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Liner Specifications and Compatibility Assessment - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Quality Control/Quality Assurance Construction and Installation Plan
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19 15 17 12 NMAC
- ☐ Freeboard and Overtopping Prevention Plan - based upon the appropriate requirements of 19.15 17 11 NMAC
- ☐ Nuisance or Hazardous Odors, including H<sub>2</sub>S, Prevention Plan
- ☐ Emergency Response Plan
- ☐ Oil Field Waste Stream Characterization
- ☐ Monitoring and Inspection Plan
- ☐ Erosion Control Plan
- ☐ Closure Plan - based upon the appropriate requirements of Subsection C of 19 15 17.9 NMAC and 19 15 17 13 NMAC

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**Proposed Closure:** 19 15 17 13 NMAC**Instructions:** Please complete the applicable boxes, Boxes 14 through 18, in regards to the proposed closure plan.

Type: ☐ Drilling ☐ Workover ☐ Emergency ☐ Cavitation ☐ P&A ☐ Permanent Pit ☒ Below-grade Tank ☐ Closed-loop System

☐ Alternative

Proposed Closure Method ☒ Waste Excavation and Removal

☐ Waste Removal (Closed-loop systems only)

☐ On-site Closure Method (Only for temporary pits and closed-loop systems)

☐ In-place Burial ☐ On-site Trench Burial

☐ Alternative Closure Method (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)

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**Waste Excavation and Removal Closure Plan Checklist:** (19 15 17 13 NMAC) **Instructions:** Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.

- ☒ Protocols and Procedures - based upon the appropriate requirements of 19 15.17 13 NMAC
- ☒ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19 15.17.13 NMAC
- ☒ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings)
- ☒ Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19 15 17 13 NMAC
- ☒ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19 15 17 13 NMAC
- ☒ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19 15 17 13 NMAC

**Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:** (19 15 17 13.D NMAC)

**Instructions:** Please identify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if more than two facilities are required.

Disposal Facility Name \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Disposal Facility Name \_\_\_\_\_ Disposal Facility Permit Number \_\_\_\_\_

Will any of the proposed closed-loop system operations and associated activities occur on or in areas that *will not* be used for future service and operations?

☐ Yes (If yes, please provide the information below) ☐ No

*Required for impacted areas which will not be used for future service and operations*

☐ Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19 15 17 13 NMAC

☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19 15 17.13 NMAC

☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19 15.17.13 NMAC

**Siting Criteria (regarding on-site closure methods only):** 19 15 17 10 NMAC

**Instructions:** Each siting criteria requires a demonstration of compliance in the closure plan. Recommendations of acceptable source material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for guidance.

|                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| Ground water is less than 50 feet below the bottom of the buried waste<br>- NM Office of the State Engineer - iWATERS database search; USGS, Data obtained from nearby wells                                                                                                                                                                                                                     | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> NA |
| Ground water is between 50 and 100 feet below the bottom of the buried waste<br>- NM Office of the State Engineer - iWATERS database search, USGS, Data obtained from nearby wells                                                                                                                                                                                                               | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> NA |
| Ground water is more than 100 feet below the bottom of the buried waste<br>- NM Office of the State Engineer - iWATERS database search, USGS, Data obtained from nearby wells                                                                                                                                                                                                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> NA |
| Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)<br>- Topographic map, Visual inspection (certification) of the proposed site                                                                                                                            | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application<br>- Visual inspection (certification) of the proposed site, Aerial photo, Satellite image                                                                                                                                                                  | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application<br>- NM Office of the State Engineer - iWATERS database, Visual inspection (certification) of the proposed site | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended<br>- Written confirmation or verification from the municipality, Written approval obtained from the municipality                                                                                     | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within 500 feet of a wetland<br>- US Fish and Wildlife Wetland Identification map, Topographic map, Visual inspection (certification) of the proposed site                                                                                                                                                                                                                                       | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within the area overlying a subsurface mine<br>- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division                                                                                                                                                                                                                                                       | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within an unstable area<br>- Engineering measures incorporated into the design, NM Bureau of Geology & Mineral Resources, USGS, NM Geological Society, Topographic map                                                                                                                                                                                                                           | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within a 100-year floodplain<br>- FEMA map                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |

**On-Site Closure Plan Checklist:** (19 15 17 13 NMAC) **Instructions:** Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19 15 17.10 NMAC
- ☐ Proof of Surface Owner Notice - based upon the appropriate requirements of Subsection F of 19.15 17 13 NMAC
- ☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of 19 15.17 11 NMAC
- ☐ Construction/Design Plan of Temporary Pit (for in-place burial of a drying pad) - based upon the appropriate requirements of 19 15.17 11 NMAC
- ☐ Protocols and Procedures - based upon the appropriate requirements of 19 15 17 13 NMAC
- ☐ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19 15 17.13 NMAC
- ☐ Waste Material Sampling Plan - based upon the appropriate requirements of Subsection F of 19 15 17 13 NMAC
- ☐ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings or in case on-site closure standards cannot be achieved)
- ☐ Soil Cover Design - based upon the appropriate requirements of Subsection H of 19 15 17 13 NMAC
- ☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19 15 17 13 NMAC
- ☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19 15 17.13 NMAC

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**Operator Application Certification:**

I hereby certify that the information submitted with this application is true, accurate and complete to the best of my knowledge and belief

Name (Print) Lee Gardner Title: HSE Coordinator

Signature Lee Gardner Date: 8-28-08

e-mail address lee.gardner@cdxgas.com Telephone 505-324-5427

20.

**OCD Approval:** ☒ Permit Application (including closure plan) ☐ Closure Plan (only) ☐ OCD Conditions (see attachment)

OCD Representative Signature: John D. Kelly Approval Date: 4/9/2012

Title: Compliance Officer OCD Permit Number: \_\_\_\_\_

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**Closure Report (required within 60 days of closure completion):** Subsection K of 19 15 17 13 NMAC

**Instructions:** Operators are required to obtain an approved closure plan prior to implementing any closure activities and submitting the closure report. The closure report is required to be submitted to the division within 60 days of the completion of the closure activities. Please do not complete this section of the form until an approved closure plan has been obtained and the closure activities have been completed.

☐ Closure Completion Date: \_\_\_\_\_

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**Closure Method:**

☐ Waste Excavation and Removal ☐ On-Site Closure Method ☐ Alternative Closure Method ☐ Waste Removal (Closed-loop systems only)  
☐ If different from approved plan, please explain.

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**Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:**

**Instructions:** Please identify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized.

Disposal Facility Name \_\_\_\_\_ Disposal Facility Permit Number. \_\_\_\_\_

Disposal Facility Name \_\_\_\_\_ Disposal Facility Permit Number. \_\_\_\_\_

Were the closed-loop system operations and associated activities performed on or in areas that will not be used for future service and operations?

☐ Yes (If yes, please demonstrate compliance to the items below) ☐ No

Required for impacted areas which will not be used for future service and operations

- ☐ Site Reclamation (Photo Documentation)  
☐ Soil Backfilling and Cover Installation  
☐ Re-vegetation Application Rates and Seeding Technique

24.

**Closure Report Attachment Checklist:** Instructions: Each of the following items must be attached to the closure report. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Proof of Closure Notice (surface owner and division)  
☐ Proof of Deed Notice (required for on-site closure)  
☐ Plot Plan (for on-site closures and temporary pits)  
☐ Confirmation Sampling Analytical Results (if applicable)  
☐ Waste Material Sampling Analytical Results (required for on-site closure)  
☐ Disposal Facility Name and Permit Number  
☐ Soil Backfilling and Cover Installation  
☐ Re-vegetation Application Rates and Seeding Technique  
☐ Site Reclamation (Photo Documentation)

On-site Closure Location Latitude \_\_\_\_\_ Longitude \_\_\_\_\_ NAD ☐ 1927 ☐ 1983

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**Operator Closure Certification:**

I hereby certify that the information and attachments submitted with this closure report is true, accurate and complete to the best of my knowledge and belief I also certify that the closure complies with all applicable closure requirements and conditions specified in the approved closure plan

Name (Print) \_\_\_\_\_ Title \_\_\_\_\_

Signature \_\_\_\_\_ Date: \_\_\_\_\_

e-mail address \_\_\_\_\_ Telephone. \_\_\_\_\_



Hydrogeological Report  
Jicarilla 155 #3  
Peter Kondrat

**CDX Gas, LLC Tapicito Project**  
**Jicarilla Apache Nation, San Juan Basin**

**Jicarilla Contract 155 #003**

**Below Grade Tank**

**Well API: 30-039-06248**

**TWP: 26 N - Range: 5 W - Sec. 32; 1695 FNL 1695 FWL**

**Siting Criteria Compliance**

- Ground water is not less than 50 feet below the bottom the subject location
- The subject location is not within 300 feet of a continuously flowing watercourse.
- The subject location is not within 200 feet of any significant watercourse, lakebed, sinkhole or playa lake
- The subject location is not within 300 feet of a known permanent residence, school, hospital, institution or church
- The subject location is not within 500 feet of any known private domestic fresh water well or 1000 feet of any other fresh water well spring
- The subject location is not within any known incorporated municipal boundary
- The subject location is not within 500 feet of a known wetland
- The subject location is not within a known unstable area
- The subject location is not within a known 100 year flood plain
- The subject location is not over any known subsurface or surface mine

**Regional Geologic Setting**

At CDX's Tapicito Project located in the eastern-central portion of the San Juan Basin, within the Jicarilla Apache Indian Nation, the San Jose Formation outcrops and forms the surface landscape.

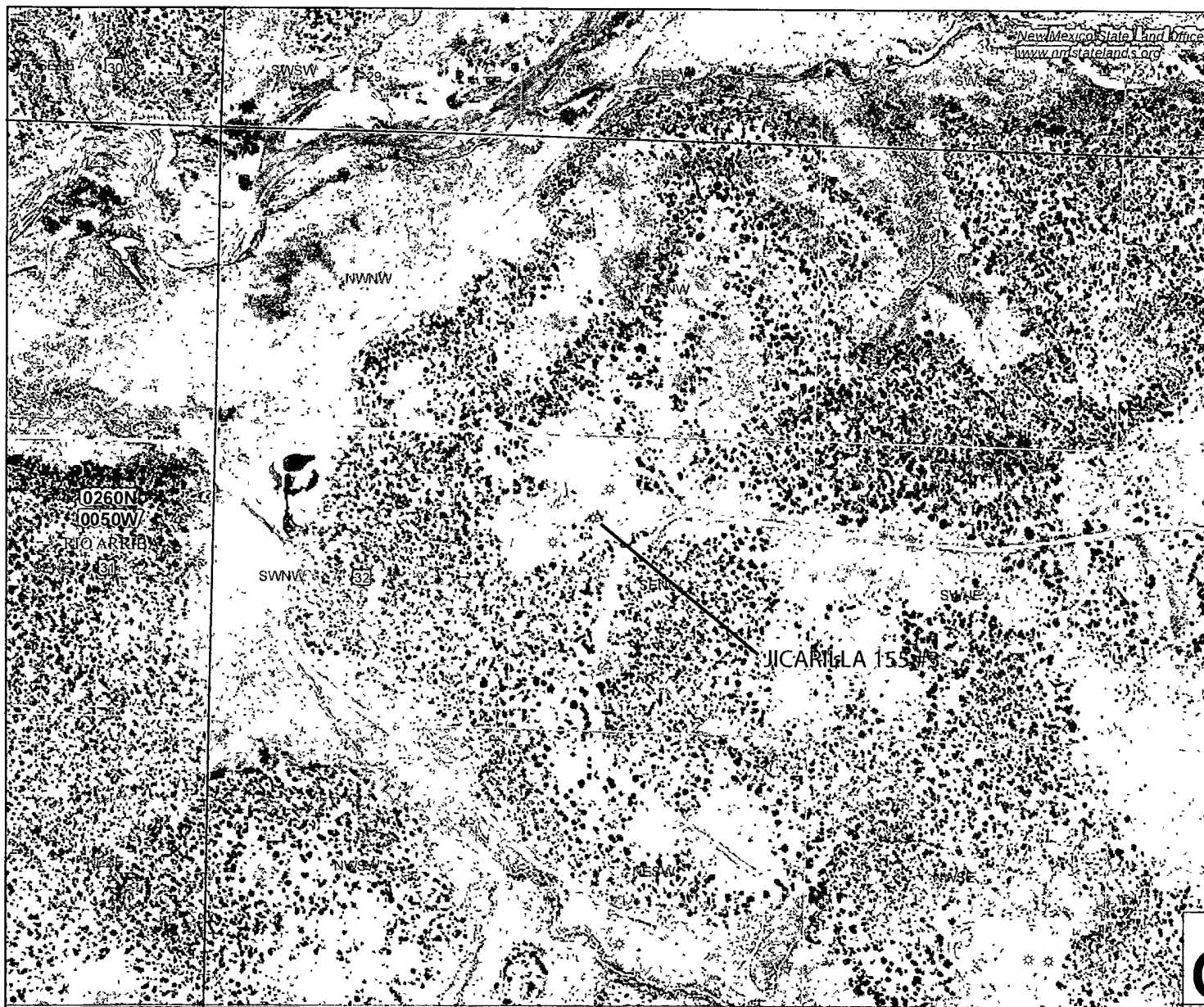
The San Jose Formation outcrops in the eastern-northeastern portion and covers ~1/6<sup>th</sup> of the San Juan Structural Basin. The San Jose Formation overlies the Nacimiento Formation in the area generally south of the CO-NM state line, and overlies the Animas Formation in the area generally north of the CO-NM state line (Fassett, 1974, p. 229). The basal contact of the San Jose varies with location in the basin. This contact is a disconformity along the basin margins, and it is an angular unconformity along the Nacimiento Uplift; the contact is conformable in the central basin (Baltz, 1967, p. 54; Fassett, 1974 p. 229).

The Eocene-aged San Jose Formation was deposited in various fluvial-type environments (Baltz, 1967, p 44-45) and consists of interbedded sequence of sandstone, siltstone and shale. The sandstone are buff to yellow and rusty-colored, crossbedded, very fine to coarse-grained arkose, which are locally conglomeratic and contain abundant silicified wood (Baltz, 1967, p. 46; Fassett, 1974, p 229; Anerholm, 1979, p. 23).



Hydrogeological Report  
Jicarilla 155 #3  
Peter Kondrat

Thickness of the San Jose Formation generally increases from west to east. Fassett (1974, p 229) reported a maximum thickness of 2,400 feet in the east-central part of the basin, and Stone and other (1983, p. 25) reported a range of from about 200 feet in the west and south to almost 2,700 feet in the center of the structural basin.



## LEGEND

- ( ) County Seats
- # SLO District Offices
- ((( City, Town or Village
- k Volcanic Vents

### NMOC Oil, Gas Wells

- ⊗ Carbon Dioxide
- ⊗ Gas
- Injection
- Miscellaneous
- Oil
- △ Salt Water Disposal
- ◆ Water
- ◇ DA or PA

### Federal Subsurface Ownership

- All Minerals
- Coal Only
- Oil and Gas Only
- Oil, Gas and Coal Only
- Other Minerals

### State Trust Lands Ownership

- Surface Estate
- Subsurface Estate
- Both Estates

### State Lease Types

- Commercial Leases
- Minerals Leases
- Oil and Gas Leases
- Agricultural Leases
- Oil, Gas Leasing Influenced By Restriction
- Not Available for Oil, Gas Leasing

### Other Boundaries

- Continental Divide
- State Boundary
- County Boundaries
- Oil and Gas Unit Boundary
- Geologic Regions

## New Mexico State Land Office

### Oil, Gas, and Minerals Land/Lease Information Map

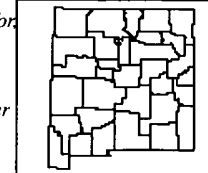
0 0.025 0.05 0.1 0.15 0.2 Miles

Universal Transverse Mercator Projection, Zone 13  
1983 North American Datum

The New Mexico State Land Office assumes no responsibility or liability for or in connection with, the accuracy, reliability or use of the information provided here, in State Land Office data layers or any other data layer.

Land Office Geographic Information Center  
logic@slo.state.nm.us

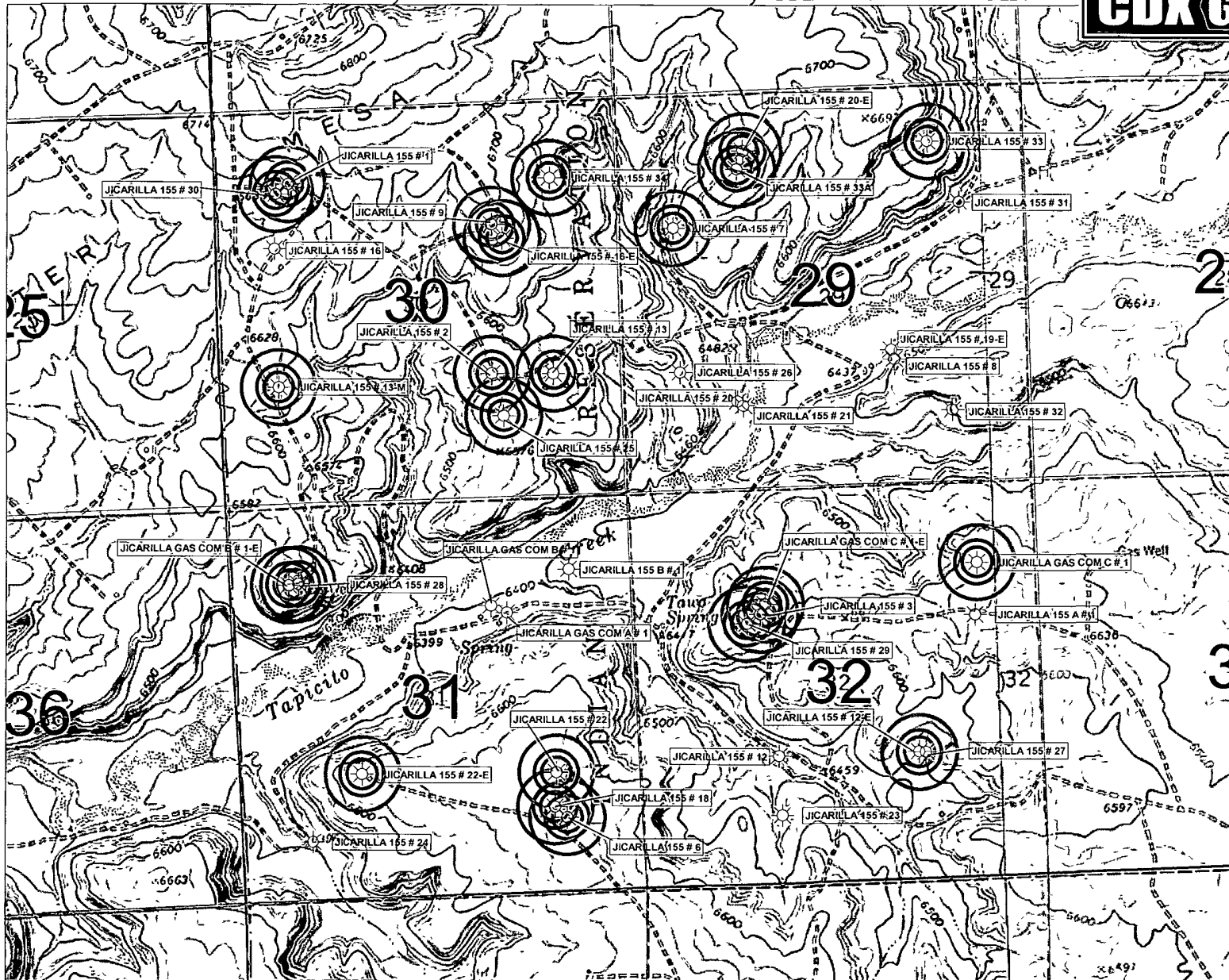
Created On 8/22/2008 9:17:08 AM



For detailed legend of the  
Geologic Map of New Mexico,  
Please see <http://geoinfo.nmt.edu/>

# CDX RIO LLC, JICARILLA 155 LEASE, SAN JUAN BASIN

**CDX GAS**



○ 200 FT RADIUS FROM WELLHEAD    ○ 300 FT RADIUS FROM WELLHEAD    ○ 500 FT RADIUS FROM WELLHEAD

500 0 500 1000 1500 ft



Hydrogeological Report  
Jicarilla 155 #3  
Peter Kondrat

**Ground Water Data, Water Well Locations**

**Hydraulic Properties:** Levings and Others (1990) reported well yields from 79 water wells completed in the San Jose, Nacimiento and Animas Formations ranged from 1 to 61 gallons per minute and median is 6 gallons per minute. Transmissivity data for the San Jose, Nacimiento and Animas Formations are minimal. Values of 40 and 120 feet squared per day were determined from two aquifer tests (Stone and Others, 1983, table 5). The San Jose, Nacimiento and Animas Formations are a source of water for public supply, commercial, private-domestic and livestock use in areas where drilling depths and pumping levels are economically feasible and where water quality is suitable.

The San Jose, Nacimiento and Animas Formations are all hydrologically similar because sands in all units produce approximately the same quantities of water. The great percentage of fine material in all may restrict the downward vertical leakage to the Ojo Alamo Sandstone or Kirtland Shale. The poorly cemented material is highly erodible, forms a badland terrain and supports only spotty vegetation. These conditions are more conducive to runoff than retention of precipitation.

**iWaters Database:** The search showed no reported wells with groundwater information in the **T26N-R5W**. Attached are the results for the three query engines: 1) POD/Surface Data Report, 2) Avg Depth to Water Report, 3) Water Column Report

- Ground water is not less than 50 feet below the bottom the subject location
- No known private water wells are within 500 feet of the subject location
- No known public water wells are within 1000 feet of the subject location
- No water wells around the subject area are listed in the iWaters Database

*New Mexico Office of the State Engineer*  
**POD Reports and Downloads**

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Township: 26N Range: 05W Sections:

NAD27 X: Y: Zone: ☐ Search Radius:

County: ☐ Basin: ☐ Number: Suffix:

Owner Name: (First)  (Last)  ☐ Non-Domestic ☐ Domestic ☒ All

POD / Surface Data Report

Avg Depth to Water Report

Water Column Report

Clear Form

iWATERS Menu

Help

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**WATER COLUMN REPORT 08/26/2008**

(quarters are 1=NW 2=NE 3=SW 4=SE)

(quarters are biggest to smallest)

| POD Number | Tws | Rng | Sec | q | q | q | Zone | X | Y | Depth<br>Well | Depth<br>Water | Water (in feet)<br>Column |
|------------|-----|-----|-----|---|---|---|------|---|---|---------------|----------------|---------------------------|
|------------|-----|-----|-----|---|---|---|------|---|---|---------------|----------------|---------------------------|

No Records found, try again

*New Mexico Office of the State Engineer*  
**POD Reports and Downloads**

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Township: 26N Range: 05W Sections:

NAD27 X: Y: Zone: ☐ Search Radius:County: ☐ Basin: ☐ Number: Suffix:Owner Name: (First)  (Last)  ☐ Non-Domestic ☐ Domestic ☒ All

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**AVERAGE DEPTH OF WATER REPORT 08/26/2008**

(Depth Water in Feet)

| Bsn | Tws | Rng | Sec | Zone | X | Y | Wells | Min | Max | Avg |
|-----|-----|-----|-----|------|---|---|-------|-----|-----|-----|
|-----|-----|-----|-----|------|---|---|-------|-----|-----|-----|

No Records found, try again

**New Mexico Office of the State Engineer**  
**POD Reports and Downloads**

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Township: 26N Range: 05W Sections:

NAD27 X: Y: Zone: ☐ Search Radius:County: ☐ Basin: ☐ Number: Suffix:Owner Name: (First)  (Last)  ☐ Non-Domestic ☐ Domestic ☒ All

POD / Surface Data Report

Avg Depth to Water Report

Water Column Report

Clear Form

iWATERS Menu

Help

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POD / SURFACE DATA REPORT 08/26/2008

| DB File Nbr | (acre ft per annum) | Use | Diversion | Owner                    | POD Number | Source | Tw  | Rng | Sec | q | q | q |
|-------------|---------------------|-----|-----------|--------------------------|------------|--------|-----|-----|-----|---|---|---|
| SJ 01098    |                     | OIL | 15        | AMOCO PRODUCTION COMPANY | SJ 01098   |        | 26N | 05W | 31  | 2 | 3 | 2 |

Record Count: 1

**New Mexico Office of the State Engineer  
Water Right Summary**

Back



DB File Nbr: SJ 01098

Primary Purpose: OIL OIL PRODUCTION

Primary Status: PMT Permit

Total Acres: 0

Total Diversion: 15

Owner: AMOCO PRODUCTION COMPANY

**Documents on File**

| Doc                                                                                     | File/Act   | Status | 1   | 2   | 3 | Trans_Desc | From/To | Acres | Diversion | Consumptive |
|-----------------------------------------------------------------------------------------|------------|--------|-----|-----|---|------------|---------|-------|-----------|-------------|
|  APPRO | 03/13/1980 | PMT    | APR | PRC |   | SJ 01098   | T       | 0     | 15        |             |

| Point of Diversion | (qtr are 1=NW 2=NE 3=SW 4=SE) |     |     |     | (qtr are biggest to smallest) |   | X Y are in Feet |      | UTM are in Meters) |   |          |         |          |    |
|--------------------|-------------------------------|-----|-----|-----|-------------------------------|---|-----------------|------|--------------------|---|----------|---------|----------|----|
| POD Number         | Source                        | Tws | Rng | Sec | q                             | q | q               | Zone | X                  | Y | UTM_Zone | Easting | Northing | La |
| SJ 01098           |                               | 26N | 05W | 31  | 2                             | 3 | 2               |      |                    |   | 13       | 285102  | 4036094  |    |

| Priority   | Status | Acres | Diversion | POD Number      | Source |
|------------|--------|-------|-----------|-----------------|--------|
| 12/06/1979 | PMT    | 0     | 15        | <u>SJ 01098</u> |        |

| Place of Use |     | (quarters are 1=NW 2=NE 3=SW 4=SE) |   |   |   | (quarters are biggest to smallest) |           |             |     | Use | Priority | Status                         | Other Location Description |
|--------------|-----|------------------------------------|---|---|---|------------------------------------|-----------|-------------|-----|-----|----------|--------------------------------|----------------------------|
| Tws          | Rng | Sec                                | q | q | q | Acres                              | Diversion | Consumptive |     |     |          |                                |                            |
| 26N          | 05W | 31                                 |   |   |   | 0                                  | 15        |             | OIL |     | PMT      | PLACE OF USE WILL BE AT DIFFER |                            |

**New Mexico Office of the State Engineer  
Transaction Summary**

Back

**APPRO Application to Appropriate**

Trn\_nbr: 222990

Trn\_desc: SJ 01098

File Date: 12/06/1979

Primary status: PMT Permit  
 Secondary status: APR Approved  
 Person assigned: \*\*\*\*\*  
 Applicant: AMOCO PRODUCTION COMPANY

**Events**

| Date       | Type | Description                  | Comment          | Processed By |
|------------|------|------------------------------|------------------|--------------|
| 12/06/1979 | APP  | Application Received         | *                | *****        |
| 12/06/1979 | MAP  | Map or Plat Received         | *                | *****        |
| 12/21/1979 | NFP  | Notice for Publication       |                  | *****        |
| 02/12/1980 | AOP  | Affidavit of Publication rcv |                  | *****        |
| 03/13/1980 | PUC  | PBU/PCW Approval             |                  | *****        |
| 03/13/1980 | FIN  | Final Action on application  |                  | *****        |
| 12/30/2002 | ARV  | Rec & Arch - file location   | SJ 01098 Box: 82 | *****        |
| 12/16/2003 | QAT  | Quality Assurance Completed  | SQ 1             | *****        |
| 03/24/2005 | QAT  | Quality Assurance Completed  | IMAGE MAP        | *****        |
| 10/19/2005 | QAT  | Quality Assurance Completed  | SQ2              | *****        |

| DB_File Nbr | Acres | Diversion | Consumptive | Purpose of Use     |
|-------------|-------|-----------|-------------|--------------------|
| SJ 01098    | 0     | 15        | 0           | OIL OIL PRODUCTION |

**Point of Diversion**

SJ 01098                      26N 05W 31 NE SW NE in Rio Arriba County

**Place Of Use**

| Tws | Rng | Sec | q | q | q | q | Acres | Diversion | Consumptive | Use | Priority | Status | Other Locati |
|-----|-----|-----|---|---|---|---|-------|-----------|-------------|-----|----------|--------|--------------|
| 26N | 05W | 31  |   |   |   |   | 0     | 15        |             | OIL |          | PMT    | PLACE OF USE |

**Remarks**

THIS WELL WILL BE DRILLED ON THE SAME LOCATION AS AMOCO'S

JICARILLA GAS COM "B" #1.

**Conditions**

5B :A totalizing meter shall be installed before the first branch of the discharge line from the well and the installation shall be acceptable to the State Engineer; the Engineer shall be advised of the make, model, serial number, date of installation, and initial reading of the meter prior to appropriation of water; pumping records shall be submitted to the District Supervisor on or before the 10th of Jan., April, July, and Oct. of each year for the 3 preceeding calendar months.

**Action of the State Engineer**

Approval Code: A Approved

Action Date: 03/13/1980

pcw due date: 03/31/1984

pbu due date: 03/31/1984

State Engineer: John R. D Antonio, Jr., P.E.

By:

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Hydrogeological Report  
Jicarilla 155 #3  
Peter Kondrat

**Wetland Maps and Data**

The US Fish and Wildlife for the **Jicarilla 155 #3** is unavailable due to its location being within the Jicarilla Apache Indian Nation. The US Fish and Wildlife does not have wetland information for the Jicarilla Apache Indian Nation. This well is not located near a wash or watercourse and is not in a wetland area as visible on the topographic map.

**Flood Zone Maps and Data**

The FEMA Map for the **Jicarilla 155 #3** is unavailable due to its location being within the Jicarilla Apache Indian Nation. FEMA does not provide floodplain information for the Jicarilla Apache Indian Nation. This well is not located near a wash or watercourse and is not in a 100 year floodplain as visible on the topographic map.



Hydrogeological Report  
Jicarilla 155 #3  
Peter Kondrat

**References**

Baltz, E.H., 1967, Stratigraphy and Regional Tectonic Implications of part of Upper Cretaceous Rocks, east-central San Juan Basin, New Mexico: USGS Professional Paper 552, 101p

Brimhall, R.M., 1973, Ground-water hydrology of Tertiary Rocks of the San Juan Basin, New Mexico, in Fassett, J.E., ed., Cretaceous and Tertiary Rocks of the Southern Colorado Plateau: Four Corners Geological Society Memoir, p. 197-207

Fassett, J.E., 1974, Cretaceous and Tertiary rocks of the eastern San Juan Basin, New Mexico and Colorado, in Guidebook of Ghost Ranch, central-northern New Mexico: New Mexico Geological Society, 25<sup>th</sup> Field Conference, p. 225-230.

Fassett, J.E., and Hinds, J.S., 1971, Geology and fuel resources of the Fruitland Formation and Kirtland Shale of the San Juan Basin, New Mexico and Colorado: USGS Professional Paper 676, 76p.

Levings, G.W., Craig, S.D., Dam, W.L., Kernodle, J.M., and Thorn, C.R., 1990, Hydrogeology of the San Jose, Nacimiento, Animas Formations in the San Juan structural basin, New Mexico, Colorado, Arizona, and Utah: USGS Hydrologic Investigations Atlas HA-720-A, 2 sheets.

Stone, W.J., Lyford, F.P., Frenzel, P.F., Mizell, N.H., and Padgett, E.T., 1983, Hydrogeology and water resource of San Juan Basin, New Mexico: New Mexico Bureau of Mines and Mineral Resources, Hydrologic Report 6

Wells, S.G., Lambert, W., and Callender, J., 1981, Environmental Geology and Hydrology in New Mexico: New Mexico Geological Society Special Publication #10, 152p.

New Mexico Office of the State Engineer-iWATERS Database  
[http://www.ose.state.nm.us/water\\_db\\_index.html](http://www.ose.state.nm.us/water_db_index.html)

New Mexico EMNRD Mining and Mineral Division  
<http://www.emnrd.state.nm.us/MMD/coalminewebmap/coalminewebmap.html>  
<http://www.enrd.state.nm.us/MMD/MRRS/MinesMillsQuarriesWebMap.htm>

State Bureau of Mines and Minerals Resources  
<http://geoinfo.nmt.edu/index.html>

US Fish and Wildlife  
<http://www.fws.gov.html>

New Mexico Land Office



Hydrogeological Report  
Jicarilla 155 #3  
Peter Kondrat

<http://store.usgs.gov/mod/index.html>  
<http://terraserver-usa.com>

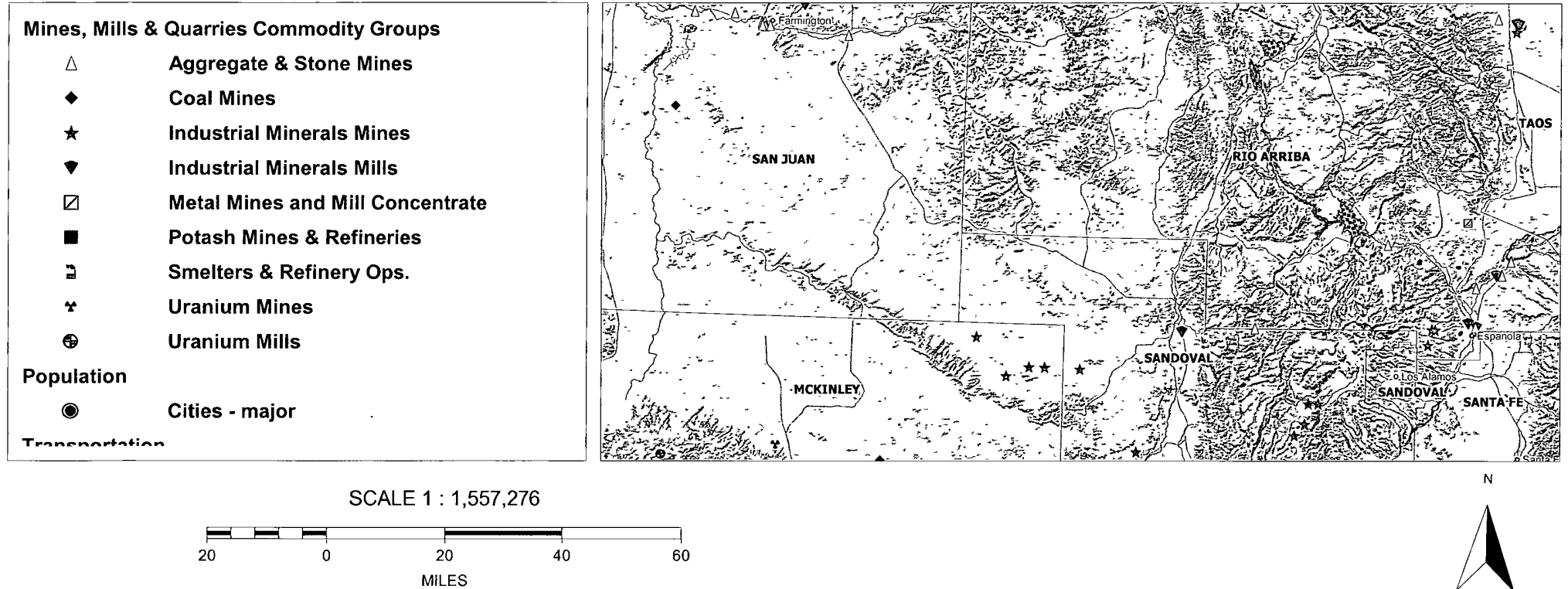
US Geological Survey (USGS)  
<http://store.usgs.gov/mod/index.html>  
<http://terraserver-usa.com/>

Federal Emergency Management Agency (FEMA)  
<http://www.fema.gov/>  
<http://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1>

Google Earth  
<http://landstatus.nmstatelands.org/>  
<http://www.earthpoint.us/townships.html>

New Mexico Geological Society  
<http://nmgs.nmt.edu/>

# CDX'S TAPICITO PROJECT SAN JUAN BASIN MINES, MINERALS AND QUARRIES WEB MAP.





Below Grade Tank Management Plan  
Fiberglass Reinforced Plastic Tanks

**I. Siting Criteria**

1. No below grade tank may be located where:
  - a. Ground water is less than 50 feet below the bottom of the temporary pit or below grade tank.
  - b. Within 300 feet of a continuously flowing watercourse
  - c. Within 200 feet of any significant watercourse, lakebed, sinkhole or playa lake
  - d. Within 300 feet from a permanent residence, school, hospital, institution or church
  - e. Within 500 feet of a private domestic fresh water well or spring used by less than five households for domestic or stock watering purposes or within 1000 feet of any other fresh water well spring.
  - f. Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3 as amended, unless the municipality specifically approves
  - g. Within 500 feet of a wetland
  - h. Within an unstable area
  - i. Within a 100 year flood plain
  - j. Over or near any known or suspected mined area
2. If ground water is an issue, the tank shall be placed above ground in a lined berm.
3. All excavated material will be stored at least 300 feet from any continuous flowing water and 200 feet away from any other water way.

**II. Construction:**

1. After June 16, 2008 any below grade tank replacement will use only steel double walled, double bottom tanks with a leak detection system.
2. The below grade tank pit bottom shall be free on any rocks, debris, sharp edges, or irregularities
3. Prior to the installation of any tank, the soil shall be sampled for
  - a. Chlorides
  - b. Benzene, toluene, ethyl benzene, and xylene
  - c. Benzene
  - d. Total petroleum hydrocarbons.
4. A fence meeting one of the following requirements shall be erected around the tank site consisting of:
  - a. Four strands of barbed wire placed on a pole between one and four feet

- b. A chain link fence six feet tall and topped with at least two strands of barbed wire when the temporary pit is within 1000 feet of a residence, school, hospital, institution or church. The fence shall have a gate which is locked when responsible personnel are not on-site.
  - c. Oil Conservation Division approved alternative  
*Note: CDX Gas uses Jicarilla Apache Tribal approved hog wire with a barbed wire top*
- 5. Any open top tank shall be covered with netting, expanded metal, or "chicken wire" to prevent wildlife from entering the tank.
- 6. Any tank area shall be bermed to prevent the run on of water.

### **III. Operations and Maintenance:**

- 1. All tanks and existing pits shall be inspected each month as a part of the Spill Prevention Control and Countermeasure facility inspection.
- 2. The inspection shall be documented on the Spill Prevention Control and Countermeasures Plan inspection form and maintained for at least five years.
- 3. All sides of the below grade tanks existing before June 16, 2008 shall be visible.
- 4. Any dirt or debris shall be noted on the inspection form and removed promptly.
- 5. Any oil visible on the surface of the fluid in the below grade tank shall be promptly removed.
- 6. Absorbent materials shall be maintained on site for this purpose.
- 7. Each below grade tanks shall have enough free board to prevent overflowing.
- 8. Any spillage or leak shall be reported to the Oil Conservation Division within 48 hours of detection.
- 9. Any produced waste shall be disposed at either:
  - a. Basin Disposal (permit number NM-01-005)
  - b. Aquamoss (permit number SWD-1034A)

### **IV. Closure:**

- 1. Current configuration consists of one fiberglass reinforced plastic tank which does meet 19.15.17 NMAC. The tank will be replaced with steel, double walled, double bottomed tanks having a leak detection system by June 16 2013.
- 2. The tank shall be recycled, reused, reclaimed or disposed of in an Oil Conservation Division approved manner.
- 3. Any existing below grade tank which does not show integrity shall be immediately removed from service.
- 4. The soil under a pit shall be sampled for:
  - a. Benzene as determined by Environmental Protection Agency SW-846 method 8012B or 8260B or other Environmental Protection Agency method that the Oil conservation Division approves. The test shall not exceed 0.2 mg/kg.
  - b. Total Petroleum Hydrocarbons as determined by the Environmental Protection Agency SW-846 method 8021B or 8260B or other

- Environmental Protection Agency method that the Oil Conservation Division approves. The test shall not exceed 100 mg/kg.
- c. Total Benzene, Toluene, Ethyl Benzene, and Xylene as determined by Environmental Protection Agency SW-846 method 8021B or 8260B or other Environmental Protection Agency method that the Oil Conservation Division approves. The test shall not exceed 50 mg/kg.
  - d. Chlorides as determined by Environmental Protection Agency method 300.1. The test shall not exceed 250mg/kg or background concentration, whichever is greater.
5. If contaminated soil is found under the pit, the soil will be removed and transported to either:
    - a. TNT land farm (permit number NM-01-0008)
    - b. Industrial Ecosystems Landfarm (permit number NM 01-0010B)
  6. Any produced sludge shall be disposed of at either:
    - a. Basin Disposal (permit number NM-01-005)
    - b. Aquamoss (permit number SWD-1034A)
  7. Any equipment associated with the removed below grade tank shall be removed unless needed for some other purpose.
  8. Upon permanent closure of the below grade tank location:
    - a. Notify the land owner in writing by certified mail, return receipt requested, of the closure.
    - b. Notify the Oil Conservation Division at least 72 hours but not more than one week in advance of the closure.
    - c. Submit a closure report to the Oil Conservation Division within 60 days.

## **V. Site Reclamation**

### ***A. Contouring:***

1. The site shall be contoured to blend in with the surrounding terrain.
2. The soil cover shall consist of the background thickness of topsoil or one foot of suitable material for establishing vegetation at the site, whichever is greater.
3. The soil shall be spread in such a manner as to prevent the pooling of water.

### ***B. Reseeding:***

1. The area shall be reseeded at the first growing season after the completion of all work.
2. The seed mixture shall consist of three native plant species including one grass or Jicarilla Apache Tribal approved seed mix.
3. The seed mixture shall be drilled on the contour whenever practical.
4. At least 70 percent of the native perennial vegetative cover (unimpacted by overgrazing, fire, or other intrusive damage) shall be maintained through two successive growing seasons. Irrigation may not be used to accomplish the required ground cover.