

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

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

10621

- 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.

Operator: XTO Energy, Inc. OGRID #: 5380
Address: 382 Road 3100, Aztec, New Mexico 87410
Facility or well name: Jicarilla Apache #14
API Number: 30-039-20140 OCD Permit Number: _____
U/L or Qtr/Qtr M Section 34 Township 26N Range 5W County: Rio Arriba
Center of Proposed Design: Latitude N 36.43859 Longitude W -107.35198 NAD: 1927 1983
Surface Owner: Federal State Private Tribal Trust or Indian Allotment

RCVD JAN 23 '13
OIL CONS. DIV.
DIST. 3

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 NOV 14 '12
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: 60 bbl Type of fluid: Produced Water
Tank Construction material: Steel
 Secondary containment with leak detection Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off
 Visible sidewalls and liner Visible sidewalls only Not labeled
Liner type: Thickness _____ mil HDPE PVC Other _____

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.

6.

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 _____

7.

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

9.

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.

10.

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. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> Yes <input 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). - 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. (Applies to temporary, emergency, or cavitation pits and below-grade tanks) - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. (Applies to permanent pits) - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	<input type="checkbox"/> Yes <input type="checkbox"/> No <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. - NM Office of the State Engineer - iWATERS database search; 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.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within 500 feet of a wetland.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within the area overlying a subsurface mine. - 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. - 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. FEMA map	<input type="checkbox"/> Yes <input type="checkbox"/> No

11.

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: _____

12.

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)

13.

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 H₂S, 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

14.

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)

15.

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

16.
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

17.
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. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Ground water is between 50 and 100 feet below the bottom of the buried waste - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Ground water is more than 100 feet below the bottom of the buried waste. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> Yes <input type="checkbox"/> No <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). - 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. - 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. - 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. - 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. - 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. - 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. - 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. - FEMA map	<input type="checkbox"/> Yes <input type="checkbox"/> No

18.
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

19.
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): Logan Hixon Title: EH&S Technician
 Signature: Logan Hixon Date: 11/12/12
 E-mail address: Logan_Hixon@xtoenergy.com Telephone: 505-333-3683

20.
OCD Approval: Permit Application (including closure plan) Closure Plan (only) OCD Conditions (see attachment)
 OCD Representative Signature: Jonathan D. Kelly Approval Date: 11/14/2012
 Title: Compliance Officer OCD Permit Number: _____

21.
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: 1-4-2013

22.
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.

23.
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

25.
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): Logan Hixon Title: EH&S Technician
 Signature: Logan Hixon Date: 1-18-13
 E-mail address: Logan-Hixon@xtoenergy.com Telephone: 505 386 8018

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

Form C-141
Revised October 10, 2003

Submit 2 Copies to appropriate
District Office in accordance
with Rule 116 on back
side of form

Release Notification and Corrective Action

OPERATOR

Initial Report Final Report

Name of Company: XTO Energy, Inc.	Contact: Logan Hixon
Address: 382 Road 3100, Aztec, New Mexico 87410	Telephone No.: (505) 333-3683
Facility Name: Jicarilla Apache #14 (API 30-039-20140)	Facility Type: Gas Well (Dakota, Mesa Verde, Pictured Cliffs, Chacra)
Surface Owner: Jicarilla Apache	Mineral Owner:
Lease No.: JIC-54	

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
M	34	26N	5W	900	FSL	900	FWL	Rio Arriba

Latitude: 36.43859 Longitude: -107.35198

NATURE OF RELEASE

Type of Release: Produced Water	Volume of Release: Unknown	Volume Recovered: None
Source of Release: BGT	Date and Hour of Occurrence: Unknown	Date and Hour of Discovery: November 9, 2012
Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required	If YES, To Whom? N/A	
By Whom?	Date and Hour:	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	
If a Watercourse was Impacted, Describe Fully.*		
Describe Cause of Problem and Remedial Action Taken.* The below grade tank was taken out of service at the Jicarilla Apache #14 well site due to upgrades being made to this well site. A composite sample was collected beneath the location of the on-site BGT, and submitted for laboratory analysis for TPH via USEPA Method 418.1 and 8015, Benzene and BTEX via USEPA Method 8021, and for total chlorides. The sample returned results below the 'Pit Rule' spill confirmation standards for Benzene, Total BTEX and total chlorides, but above the 'pit rule' standards for TPH, confirming that a release has occurred at this location.		
Describe Area Affected and Cleanup Action Taken.* Based on TPH results of 16,500 PPM via USEPA Method 418.1, it has been confirmed that a release had occurred at this location.		
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.		

OIL CONSERVATION DIVISION

Signature: <i>Logan Hixon</i>	Approved by District Supervisor:	
Printed Name: Logan Hixon		
Title: Environmental Technician	Approval Date:	Expiration Date:
E-mail Address: Logan_Hixon@xtoenergy.com	Conditions of Approval:	
Date: <i>1-18-13</i>	Phone: 505-333-3202	Attached <input type="checkbox"/>

XTO Energy Inc. San Juan Basin Below Grade Tank Closure Report

Lease Name: Jicarilla Apache #14

API No.: 30-039-20140

Description: Unit M, Section 34, Township 26N, Range 5W, Rio Arriba County

In accordance with Rule 19.15.17.13 NMAC the following information describes the closure requirements of below-grade tanks on XTO Energy Inc. (XTO) locations. This is XTO's standard procedure for all below-grade tanks. A separate plan will be submitted for any below-grade tank which does not conform to this plan.

General Plan

1. XTO will close below-grade tanks within the time periods provided in 19.15.17.13 NMAC, or by an earlier date that the division requires because of imminent danger to fresh water, public health or the environment.
Closure Date is January 4, 2013.
2. XTO will close a below-grade tank that does not meet the requirements of Paragraphs (1) through (4) of Subsection I of 19.15.17.11 NMAC or is not included in Paragraph (5) of Subsection I of 19.15.17.11 NMAC within five years after June 16, 2008, if not retrofitted to comply with Paragraphs (1) through (4) of Subsection I of 19.15.17.11 NMAC.
Closure Date is January 4, 2013.
3. XTO will close a permitted below-grade tank within 60 days of cessation of the below-grade tank's operation or as required by the transitional provisions of Subsection B of 19.15.17.17 NMAC in accordance with a closure plan that the appropriate division district office approves. The closure report will be filed on form C-144.
Required C-144 Form is attached to this document.
4. XTO will remove liquids and sludge from below-grade tanks prior to implementing a closure method and will dispose of the liquids and sludge in a division-approved facility. Approved facilities and waste streams include:
 - Envirotech Permit No. NM01-0011 and IEI Permit No. NM 01-0010B
 - Soil contaminated by exempt petroleum hydrocarbons
 - Produced sand, pit sludge and contaminated bottoms from storage of exempt wastes
 - Basin Disposal Permit No. NM01-005
 - Produced water**All liquids and sludge were removed from the tank prior to closure activities.**
5. XTO will remove the below-grade tank and dispose of it in a division approved facility or recycle, reuse, or reclaim it in a manner that the appropriate division district office approves.
XTO has removed the below grade tank, and will dispose of it at a division approved facility, or recycle, reclaim or reuse it in a manner that is approved by the division.

6. XTO will remove any on-site equipment associated with a below-grade tank unless the equipment is required for some other purpose.

The equipment at this site will remain for continued operations at the Jicarilla Apache #14.

7. XTO will test the soils beneath the below-grade tank to determine whether a release has occurred. At a minimum 5 point composite sample will be collected along with individual grab samples from any area that is wet, discolored or showing other evidence of a release. Samples will be analyzed for BTEX, TPH and chlorides to demonstrate that the benzene concentration, as determined by EPA SW-846 methods 8021B or 8260B or EPA method that the division approves, does not exceed 0.2 mg/kg; total BTEX concentration, as determined by EPA SW-846 methods 8021B or 8260B or other EPA method that the division approves, does not exceed 50 mg/kg; the TPH concentration, as determined by EPA method 418.1 or other EPA method that the division approves, does not exceed 100mg/kg; and the chloride concentration, as determined by EPA method 300.1 or other EPA method that the division approves, does not exceed 250 mg/kg, or the background concentration, whichever is greater. XTO will notify the division of its results on form C-141.

A five point composite sample was taken of the pit using sampling tools and all samples tested per Subsection B of 19.15.17.1 3(B)(1)(b). (Sample results attached).

Components	Test Method	Limit (mg/Kg)	Results
Benzene	EPA SW-846 8021B or 8260B	0.2	< 0.1 mg/kg
BTEX	EPA SW-846 8021B or 8260B	50	.0145 mg/kg
TPH	EPA SW-846 418.1	100	16,500 mg/kg
Chlorides	EPA 300.1	250 or background	30 mg/kg
TPH	EPA SW-846 8015M	100	1,720 mg/kg

8. If XTO or the division determines that a release has occurred, XTO will comply with 19.15.3.116 NMAC and 19.15.1.19NMAC as appropriate.

Due to TPH results of 16,500 PPM via USEPA 418.1, a release has been confirmed for this location. A C-141 Release Notification form will be sent outlining any remediation activities taken regarding this release.

9. If the sampling program demonstrates that a release has not occurred or that any release does not exceed the concentrations specified in Paragraph (4) of Subsection E of 19.15.17.13 NMAC, XTO will backfill the excavation with compacted, non-waste containing, earthen material; construct a division prescribed soil cover; recontour and re-vegetate the site.

The pit cellar was backfilled using compacted, non-waste containing earthen material, with a division prescribed soil cover.

10. Notice of Closure operations will be given to the Aztec Division District III office between 72 hours and one week prior to the start of closure activities via email or verbally.

The notification will include the following:

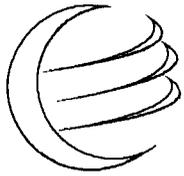
- i. Operator's name
- ii. Well Name and API Number
- iii. Location by Unit Letter, Section, Township, and Range

Notification was provided to Mr. Brandon Powell with the Aztec office of the OCD via email on November 9, 2012; see attached email printout.

The surface owner shall be notified of XTO's proposal to close the BGT as per the approved closure plan using certified mail, return receipt requested.

The surface owner was notified on November 9, 2012 via email. Email has been approved as a means of surface owner notification to the BLM by Brandon Powell, NMOCD Aztec Office.

11. Re-contouring of location will match fit, shape, line, form and texture of the surrounding area. Re-shaping will include drainage control, prevent ponding, and prevent erosion. Natural drainages will be unimpeded and water bars and/or silt traps will be placed in areas where needed to prevent erosion on a large scale. Final re-contour shall have a uniform appearance with smooth surface, fitting the natural landscape.
The location will not be re-contoured at this time for the use of continued operations.
12. A minimum of 4 feet of cover shall be achieved and the cover shall include 1 foot of suitable material to establish vegetation at the site, or the background thickness of topsoil, whichever is greater.
The site will not be re-contoured at this time for the use of continued operations.
13. XTO will seed the disturbed areas the first growing season after the operator closes the pit. Seeding will be accomplished via drilling on the contour whenever practical or by other division-approved methods. BLM or Forest Service stipulated seed mixes will be used on federal lands. Vegetative cover will equal 70% of the native perennial vegetative cover (un-impacted) consisting of at least three native plant species, including at least one grass, but not including noxious weeds, and maintain that cover through two successive growing seasons. Repeat seeding or planting will be continued until successful vegetative growth occurs.
Site has not been reclaimed at this time for the use of continued operations.
14. All closure activities will include proper documentation and be available for review upon request and will be submitted in closure report form to OCD within 60 days of closure of the below-grade tank. Closure report will be filed on form C-144 and incorporate the following:
 - i. Proof of closure notice to division and surface owner; **attached**
 - ii. Details on capping and covering, where applicable; **per OCD Specifications**
 - iii. Inspection reports; **attached**
 - iv. Confirmation sampling analytical results; **attached**
 - v. Disposal facility name(s) and permit number(s); **see above**
 - vi. Soil backfilling and cover installation; **per OCD Specifications**
 - vii. Re-vegetation application rates and seeding techniques, (or approved alternative to re-vegetation requirements if applicable); **Will be completed at P&A'ing of the well site.**
 - viii. Photo documentation of the site reclamation. **attached**



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Analytical Laboratory

Report Summary

Client: XTO

Chain of Custody Number: 14645

Samples Received: 11-08-12

Job Number: 98031-0528

Sample Number(s): 63636

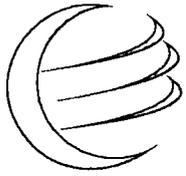
Project Name/Location: Jicarilla Apache #14

Entire Report Reviewed By:

Date:

11/09/12

The analytical results in this report are based upon information supplied by you, the client, and are for your exclusive use. If you have any questions regarding this data package, please do not hesitate to call.



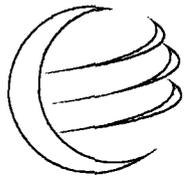
Client:	XTO	Project #:	98031-0528
Sample ID:	BGT Cellar	Date Reported:	11-09-12
Laboratory Number:	63636	Date Sampled:	11-08-12
Chain of Custody No:	14645	Date Received:	11-08-12
Sample Matrix:	Soil	Date Extracted:	11-09-12
Preservative:	Cool	Date Analyzed:	11-09-12
Condition:	Intact	Analysis Requested:	8015 TPH

Parameter	Concentration (mg/Kg)	Det. Limit (mg/Kg)
Gasoline Range (C5 - C10)	0.7	0.2
Diesel Range (C10 - C28)	1,720	0.1
Total Petroleum Hydrocarbons	1,720	

ND - Parameter not detected at the stated detection limit.

References: Method 8015B, Nonhalogenated Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Comments: **Jicarilla Apache #14**



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Analytical Laboratory

EPA Method 8015 Modified
Nonhalogenated Volatile Organics
Total Petroleum Hydrocarbons

Quality Assurance Report

Client:	QA/QC	Project #:	N/A
Sample ID:	1109TCAL QA/QC	Date Reported:	11-09-12
Laboratory Number:	63636	Date Sampled:	N/A
Sample Matrix:	Methylene Chloride	Date Received:	N/A
Preservative:	N/A	Date Analyzed:	11-09-12
Condition:	N/A	Analysis Requested:	TPH

	I-Cal Date	I-Cal RF:	C-Cal RF:	% Difference	Accept. Range
Gasoline Range C5 - C10	11-09-12	9.9960E+02	1.0000E+03	0.04%	0 - 15%
Diesel Range C10 - C28	11-09-12	9.9960E+02	1.0000E+03	0.04%	0 - 15%

Blank Conc. (mg/L - mg/Kg)	Concentration	Detection Limit
Gasoline Range C5 - C10	ND	0.2
Diesel Range C10 - C28	ND	0.1
Total Petroleum Hydrocarbons	ND	

Duplicate Conc. (mg/Kg)	Sample	Duplicate	% Difference	Accept. Range
Gasoline Range C5 - C10	0.7	0.7	0.0%	0 - 30%
Diesel Range C10 - C28	1,720	1,720	0.0%	0 - 30%

Spike Conc. (mg/Kg)	Sample	Spike Added	Spike Result	% Recovery	Accept. Range
Gasoline Range C5 - C10	0.7	250	292	116%	75 - 125%
Diesel Range C10 - C28	1,720	250	2,460	125%	75 - 125%

ND - Parameter not detected at the stated detection limit.

References: Method 8015B, Nonhalogenated Volatile Organics, Test Methods for Evaluating Solid Was SW-846, USEPA, December 1996.

Comments: QA/QC for Samples 63632-63636



EPA METHOD 8021
AROMATIC VOLATILE ORGANICS

Client:	XTO	Project #:	98031-0528
Sample ID:	BGT Cellar	Date Reported:	11-09-12
Laboratory Number:	63636	Date Sampled:	11-08-12
Chain of Custody:	14645	Date Received:	11-08-12
Sample Matrix:	Soil	Date Analyzed:	11-09-12
Preservative:	Cool	Date Extracted:	11-09-12
Condition:	Intact	Analysis Requested:	BTEX
		Dilution:	50

Parameter	Concentration (ug/Kg)	Det. Limit (ug/Kg)
Benzene	ND	10.0
Toluene	14.5	10.0
Ethylbenzene	ND	10.0
p,m-Xylene	ND	10.0
o-Xylene	ND	10.0
Total BTEX	14.5	

ND - Parameter not detected at the stated detection limit.

Surrogate Recoveries:	Parameter	Percent Recovery
	Fluorobenzene	83.3 %
	1,4-difluorobenzene	92.2 %
	Bromochlorobenzene	82.7 %

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Method 8021B, Aromatic Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Comments: Jicarilla Apache #14



**EPA METHOD 8021
AROMATIC VOLATILE ORGANICS**

Client:	N/A	Project #:	N/A
Sample ID:	1109BCAL QA/QC	Date Reported:	11-09-12
Laboratory Number:	63636	Date Sampled:	N/A
Sample Matrix:	Soil	Date Received:	N/A
Preservative:	N/A	Date Analyzed:	11-09-12
Condition:	N/A	Analysis:	BTEX
		Dilution:	50

Calibration and Detection Limits (ug/L)	I-Cal RF	C-Cal RF	%Diff	Blank Conc	Detect Limit
	Accept. Range 0-15%				
Benzene	8.1317E-05	8.1798E-05	0.006	ND	0.2
Toluene	7.5444E-05	7.4970E-05	0.006	ND	0.2
Ethylbenzene	8.1551E-05	8.1481E-05	0.001	ND	0.2
p,m-Xylene	6.7338E-05	6.7338E-05	0.000	ND	0.2
o-Xylene	8.5510E-05	8.4472E-05	0.012	ND	0.2

Duplicate Conc. (ug/Kg)	Sample	Duplicate	%Diff	Accept Range	Detect. Limit
Benzene	ND	ND	0.00	0 - 30%	10
Toluene	14.5	15.1	0.04	0 - 30%	10
Ethylbenzene	ND	ND	0.00	0 - 30%	10
p,m-Xylene	ND	ND	0.00	0 - 30%	10
o-Xylene	ND	ND	0.00	0 - 30%	10

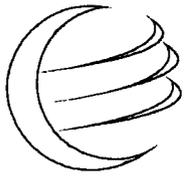
Spike Conc. (ug/Kg)	Sample	Amount Spiked	Spiked Sample	% Recovery	Accept Range
Benzene	ND	2500	2240	89.6	39 - 150
Toluene	14.5	2500	2210	87.9	46 - 148
Ethylbenzene	ND	2500	2240	89.6	32 - 160
p,m-Xylene	ND	5000	4280	85.6	46 - 148
o-Xylene	ND	2500	2170	86.8	46 - 148

ND - Parameter not detected at the stated detection limit.

Dilution: Spike and spiked sample concentration represent a dilution proportional to sample dilution.

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.
Method 8021B, Aromatic and Halogenated Volatiles by Gas Chromatography Using Photoionization and/or Electrolytic Conductivity Detectors, SW-846, USEPA December 1996.

Comments: QA/QC for Samples 63632-63633 and 63636



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EPA METHOD 418.1
TOTAL PETROLEUM HYDROCARBONS

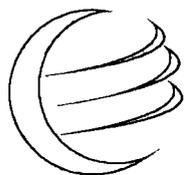
Client:	XTO	Project #:	98031-0528
Sample ID:	BGT Cellar	Date Reported:	11-09-12
Laboratory Number:	63636	Date Sampled:	11-08-12
Chain of Custody No:	14645	Date Received:	11-08-12
Sample Matrix:	Soil	Date Extracted:	11-09-12
Preservative:	Cool	Date Analyzed:	11-09-12
Condition:	Intact	Analysis Needed:	TPH-418.1
		Dilution:	10

Parameter	Concentration (mg/kg)	Det. Limit (mg/kg)
Total Petroleum Hydrocarbons	16,500	79.3

ND = Parameter not detected at the stated detection limit.

References: Method 418.1, Petroleum Hydrocarbons, Total Recoverable, Chemical Analysis of Water and Waste, USEPA Storet No. 4551, 1978.

Comments: **Jicarilla Apache #14**



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Analytical Laboratory

EPA METHOD 418.1

TOTAL PETROLEUM HYDROCARBONS

QUALITY ASSURANCE REPORT

Client:	QA/QC	Project #:	N/A
Sample ID:	QA/QC	Date Reported:	11-09-12
Laboratory Number:	11-09-TPH.QA/QC 63636	Date Sampled:	N/A
Sample Matrix:	Freon-113	Date Analyzed:	11-09-12
Preservative:	N/A	Date Extracted:	11-09-12
Condition:	N/A	Analysis Needed:	TPH

Calibration	I-Cal Date	C-Cal Date	I-Cal RF:	C-Cal RF:	% Difference	Accept. Range:
	07-11-12	11-09-12	1,650	1,670	1.2%	+/- 10%

Blank Conc. (mg/Kg)	Concentration:	Detection Limit
TPH	ND	7.9

Duplicate Conc. (mg/Kg)	Sample	Duplicate	% Difference	Accept. Range:
TPH	16,500	15,200	7.9%	+/- 30%

Spike Conc. (mg/Kg)	Sample	Spike Added	Spike Result	% Recovery	Accept Range
TPH	16,500	2,000	18,500	100%	80 - 120%

ND = Parameter not detected at the stated detection limit.

References: Method 418.1, Petroleum Hydrocarbons, Total Recoverable, Chemical Analysis of Water and Waste, USEPA Storet No. 4551, 1978.

Comments: QA/QC for Samples 63636.

Note:



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Chloride

Client:	XTO	Project #:	98031-0528
Sample ID:	BGT Closure	Date Reported:	11-09-12
Lab ID#:	63636	Date Sampled:	11-08-12
Sample Matrix:	Soil	Date Received:	11-08-12
Preservative:	Cool	Date Analyzed:	01-09-12
Condition:	Intact	Chain of Custody:	14645

Parameter	Concentration (mg/Kg)
-----------	-----------------------

Total Chloride

30

Reference: U.S.E.P.A., 4500B, "Methods for Chemical Analysis of Water and Wastes", 1983.
Standard Methods For The Examination of Water And Waste Water", 18th ed., 1992.

Comments: **Jicarilla Apache #14**

RUSH

CHAIN OF CUSTODY RECORD

14645

Client: XTO			Project Name / Location: JICARILLA Apache # 14			ANALYSIS / PARAMETERS														
Email results to: JAMES MCDANIEL, KURT HOEKSTRA, LOGAN HIXON			Sampler Name: KURT			TPH (Method 8015)	BTEX (Method 8021)	VOC (Method 8260)	RCRA 8 Metals	Cation / Anion	RCI	TCLP with H/P	CO Table 910-1	TPH (418.1)	CHLORIDE			Sample Cool	Sample Intact	
Client Phone No.:			Client No.: 98031-0528																	
Sample No./ Identification	Sample Date	Sample Time	Lab No.	No./Volume of Containers	Preservative		TPH (Method 8015)	BTEX (Method 8021)	VOC (Method 8260)	RCRA 8 Metals	Cation / Anion	RCI	TCLP with H/P	CO Table 910-1	TPH (418.1)	CHLORIDE			Sample Cool	Sample Intact
					HgCl ₂	HCl														
BGT CEVAR	11/8	2:20	03036 P211018-01A	1 4oz JAR			X	X							X	X			Y	Y
Relinquished by: (Signature) <i>Kurt Hoekstra</i>				Date	Time	Received by: (Signature) <i>Dene Z...</i>				Date	Time									
Relinquished by: (Signature)						Received by: (Signature)														
Sample Matrix																				
Soil <input checked="" type="checkbox"/> Solid <input type="checkbox"/> Sludge <input type="checkbox"/> Aqueous <input type="checkbox"/> Other <input type="checkbox"/>																				

Sample(s) dropped off after hours to secure drop off area.



5795 US Highway 64 • Farmington, NM 87401 • 505-632-0615 • Three Springs • 65 Mercado Street, Suite 115, Durango, CO 81301 • laboratory@envirotech-inc.com

Kurt Hoekstra /FAR/CTOC
11/09/2012 07:08 AM

To Brandon Powell
cc
bcc
Subject BGT Closure notification

Brandon,

Please accept this email as the required notification for BGT closure activities at the Jicarilla Apache # 14 well site (API # 30-039-20140) located in Unit M, Section 34, Township 26N, Range 5W, Rio Arriba County, New Mexico. This below grade tank (drain tank for production tanks) is being closed due to facility upgrades at this well site. Thank you for your time in regards to this matter.

Kurt Hoekstra
Sr. Environmental Technician
XTO Energy
505-333-3202 Office
505-486-9543 Cell
Kurt_Hoekstra@xtoenergy.com

Kurt Hoekstra /FAR/CTOC
11/09/2012 07:14 AM

To hsandoval99@yahoo.com
cc
bcc

Subject BGT Closure Notification

Hobson & Dixon ,

Please accept this email as the required notification for BGT closure activities at the Jicarilla Apache # 14 well site (API # 30-039-20140) located in Unit M, Section 34, Township 26N, Range 5W, Rio Arriba County, New Mexico. This below grade tank (drain tank for production tanks) is being closed due to facility upgrades at this well site. Thank you for your time in regards to this matter.

Kurt Hoekstra
Sr. Environmental Technician
XTO Energy
505-333-3202 Office
505-486-9543 Cell
Kurt_Hoekstra@xtoenergy.com



Well Below Tank Inspection Report

RouteName	StopName	Pumper	Foreman	WellName	APIWellNumber	Section	Range	Township	InspectorName	Inspection Date	Inspection Time	Visible LinerTears	VisibleTankLeak Overflow	Collection OfSurfaceRun	Visible LayerOil	Visible Leak	Freeboard EstFT	PitLocation	PitType	Notes	
DEN NM Run 56	JICARILLA APACHE 01	Noble, Brandon	Waggoner, Jeff	JICARILLA APACHE 14	3003920140	34	5W	26N													
									brandon noble	08/29/2008	05:20	No	No	Yes	Yes	Yes	3			production pit. pipe from sep to pit broken	
									DC	09/25/2008	03:00	No	Yes	Yes	Yes	Yes	4			production pit. pipe from sep to pit broken	
									BN	10/16/2008	12:38	No	Yes	Yes	Yes	No	5	Well Water Pi Below G		Production pit	
									BN	11/24/2008	01:18	No	Yes	Yes	Yes	No	4	Well Water Pi Below G		production pit	
									BN	12/18/2008	11:25	No	Yes	Yes	Yes	No	4	Well Water Pi Below G		production pit	
									DC	01/27/2009	09:00	No	Yes	No	Yes	No	2	Well Water Pi Below G		Drain pit	
									DC	01/28/2009	09:00	No	Yes	No	Yes	No	1	Well Water Pi Below G		production pit	
									DC	03/22/2009	01:55	No	Yes	Yes	Yes	No	3	Well Water Pi Below G		production pit	
									BN	04/30/2009	01:30	No	Yes	Yes	Yes	No	3	Well Water Pi Below G		production pit	
									BN	06/30/2009	02:45	No	Yes	Yes	Yes	No	4	Well Water Pi Below G		production pit	
									BN	07/30/2009	01:15	No	Yes	Yes	Yes	No	2	Well Water Pi Below G		production pit	
									BN	08/31/2009	12:45	No	Yes	Yes	Yes	No	3	Well Water Pi Below G		production pit	
									BN	09/30/2009	02:20	No	Yes	Yes	Yes	No	2	Well Water Pi Below G		production pit	
									BN	10/31/2009	11:25	No	Yes	Yes	Yes	No	2	Well Water Pi Below G		production pit	
									DC	11/29/2009	01:10	No	Yes	Yes	Yes	No	2	Well Water Pi Below G		production pit	
									DC	03/31/2010	10:00	No	Yes	Yes	Yes	No	3	Well Water Pi Below G		production pit	
									DC	04/30/2010	01:00	No	Yes	Yes	Yes	No	3	Well Water Pi Below G		production pit	
									DC	05/30/2010	09:00	No	Yes	Yes	Yes	No	3	Well Water Pi Below G		production pit	
									DC	06/26/2010	12:50	No	Yes	No	Yes	No	2	Well Water Pi Below G		production pit	
									BN	07/31/2010	12:30	No	Yes	No	Yes	No	2	Well Water Pi Below G		production pit	
									DC	09/21/2010	12:30	No	Yes	No	Yes	No	3	Well Water Pi Below G		production pit	
									DC	10/29/2010	12:30	No	Yes	No	Yes	No	1	Well Water Pi Below G		production pit	
									DC	11/30/2010	12:30	No	Yes	No	Yes	No	4	Well Water Pi Below G		production pit	
									DC	12/09/2010	12:30	No	Yes	No	Yes	No	4	Well Water Pi Below G		production pit	
									BN	01/31/2011	12:45	No	Yes	No	Yes	No	3	Well Water Pi Below G		production pit	
									DC	06/28/2011	12:45	No	Yes	No	Yes	No	4	Well Water Pi Below G		production pit	
									DC	07/23/2011	12:45	No	Yes	No	Yes	No	4	Well Water Pi Below G		production pit	
									DC	10/29/2011	12:45	No	Yes	No	Yes	No	2	Well Water Pi Below G		production pit	
									DC	05/30/2012	12:45	No	Yes	No	Yes	No	5	Well Water Pi Below G		pit has been removed for clean up	
									BN	09/20/2012	09:58	No	No	No	Yes	No	4	Well Water Pi Above Ground			

XTO Energy, Inc.
Jicarilla Apache #14
Section 34, Township 26N, Range 5W
Closure: 1/4/2013

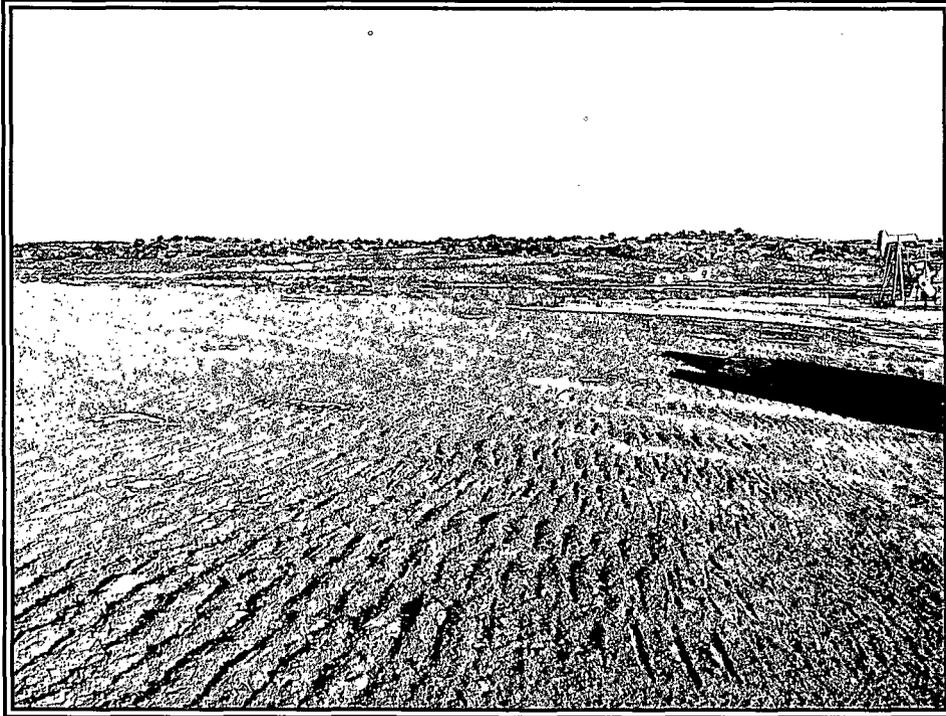


Photo 1: Jicarilla Apache #14 after Reconfigure.



Photo 2: Jicarilla Apache #14 after Reconfigure.

XTO Energy, Inc.
Jicarilla Apache #14
Section 34, Township 26N, Range 5W
Closure: 1/4/2013



Photo 3: Jicarilla Apache #14 after Reconfigure.

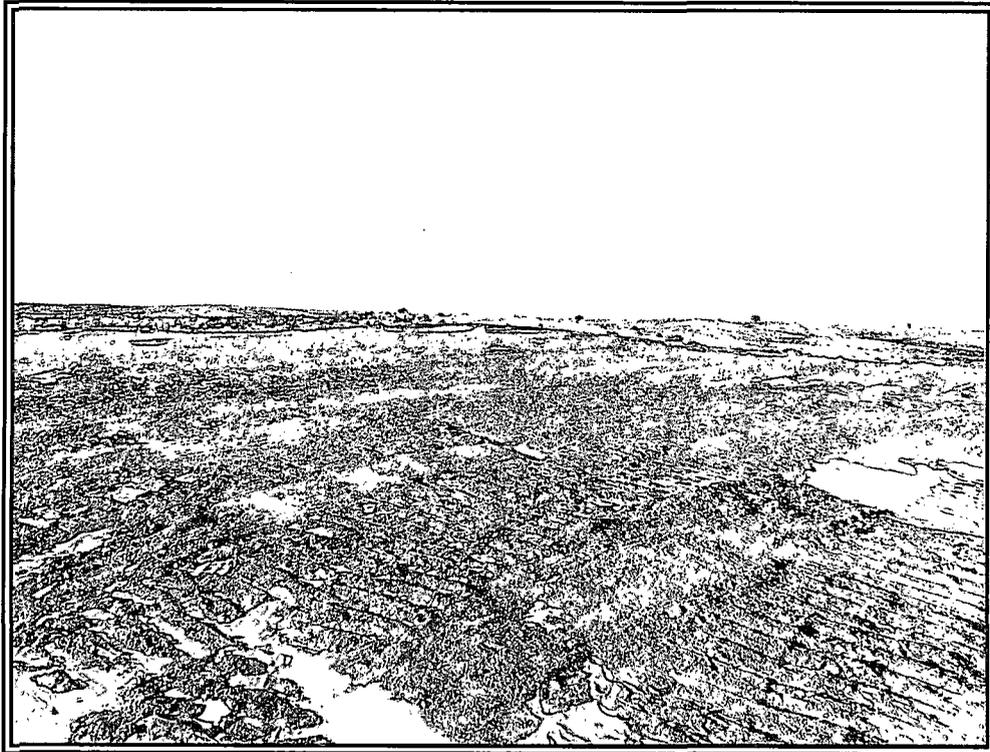


Photo 4: Jicarilla Apache #14 after Reconfigure.