OIL CONS. DIV DIST. 3

AUG 22 2014

Form C-144
July 21, 2008

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.

12171

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

45-11165

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: Ute Indian A # 3

API Number: 30-045-11165 OCD Permit Number:

U/L or Qtr/Qtr H Section 35 Township 32N Range 14W County: San Juan

Center of Proposed Design: Latitude 36.483245 Longitude -108.19471 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 ___'

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: 120 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 ☒ Other Visible sidewalls, vaulted, automatic high-level shut off, no liner

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.

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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: Four foot high, steel mesh field fence (hogwire) with pipe top railing

7.

Netting: Subsection E of 19.15.17.11 NMAC *(Applies to permanent pits and permanent open top tanks)*

☐ Screen ☐ Netting ☒ Other: Expanded metal or solid vaulted top

☐ 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	☐ Yes ☒ 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	☐ Yes ☒ 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	☐ Yes ☒ No ☐ 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	☐ Yes ☐ No ☒ 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	☐ Yes ☒ 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.	☐ Yes ☒ No
Within 500 feet of a wetland.	☐ Yes ☒ No
Within the area overlying a subsurface mine. - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	☐ Yes ☒ No
Within an unstable area. - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map	☐ Yes ☒ No
Within a 100-year floodplain. FEMA map	☐ Yes ☒ 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 H_2S, 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 indentify 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	☐ Yes ☐ No ☐ 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	☐ Yes ☐ No ☐ 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	☐ Yes ☐ No ☐ 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	☐ Yes ☐ 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	☐ Yes ☐ 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	☐ Yes ☐ 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	☐ Yes ☐ No
Within 500 feet of a wetland. - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within the area overlying a subsurface mine. - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	☐ Yes ☐ No
Within an unstable area. - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map	☐ Yes ☐ No
Within a 100-year floodplain. - FEMA map	☐ Yes ☐ 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): Kurt Hoekstra Title: EHS Coordinator

Signature: Kurt Hoekstra Date: 8-19-2014

E-mail address: Kurt_Hoekstra@xtoenergy.com Telephone: 505-333-3100

20.
OCD Approval: ☐ Permit Application (including closure plan) ☒ Closure ~~Plan (only)~~ ☐ OCD Conditions (see attachment)

OCD Representative Signature: Jonathan D. Kelly **Approval Date:** 9/19/2014

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:** 7-17-2013

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 indentify 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) Kurt Hoekstra Title : EHS Coordinator

Signature: Kurt Hoekstra Date: 8-19-2014

E-mail address Kurt_Hoekstra@xtoenergy.com Telephone: 505-333-3100

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1625 N. French Dr., Hobbs, NM 88240
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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 August 8, 2011

Submit 1 Copy to appropriate District Office in accordance with 19.15.29 NMAC.

Release Notification and Corrective Action

OPERATOR

☐ Initial Report ☒ Final Report

Name of Company: XTO Energy, Inc.	Contact: Kurt Hoekstra
Address: 382 Road 3100, Aztec, New Mexico 87410	Telephone No.: (505) 333-3100
Facility Name: Ute Indians A # 3	Facility Type: Gas Well (Ute Dome Dakota)

Surface Owner: Ute Mountain Tribe	Mineral Owner	API No.: 30-045-11165

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
H	35	32N	14W	1650	FNL	990	FEL	San Juan

Latitude 36.94770 **Longitude** -108.27181

NATURE OF RELEASE

Type of Release: N/A	Volume of Release: N/A	Volume Recovered: N/A
Source of Release: N/A	Date and Hour of Occurrence: N/A	Date and Hour of Discovery: N/A
Was Immediate Notice Given? ☐ Yes ☐ No ☒ Not Required	If YES, To Whom?	
By Whom?	Date and Hour	
Was a Watercourse Reached? ☐ Yes ☒ 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 removed at the Ute Indians A # 3 well site due to P & A of the well. The soil beneath the BGT was sampled for TPH via USEPA Method 8015 and 418.1, for BTEX via USEPA Method 8021, and for total chlorides. The sample returned results below the 'Pit Rule' spill confirmation standards of 100 ppm TPH, 0.2 ppm benzene,10 ppm total BTEX and 250 ppm chlorides, confirming that a release has not occurred at this location.

Describe Area Affected and Cleanup Action Taken.* No release has been confirmed for this location, and no further action is required.

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.

Signature: Kurt Hoekstra	OIL CONSERVATION DIVISION Approved by Environmental Specialist:	
Printed Name: Kurt Hoekstra		
Title: EHS Coordinator	Approval Date:	Expiration Date:
E-mail Address: Kurt_Hoekstra@xtoenergy.com	Conditions of Approval:	Attached ☐
Date: 8-19-14 Phone: 505-333-3100		

* Attach Additional Sheets If Necessary

envirotech
Analytical Laboratory

Analytical Report

Report Summary

Client: XTO Energy Inc.

Chain Of Custody Number: 0403

Samples Received: 6/10/2013 4:20:00PM

Job Number: 98031-0528

Work Order: P306041

Project Name/Location: Ute Indians A #3

Entire Report Reviewed By: _____ Date: 6/17/13

Tim Cain, Laboratory Manager

The results in this report apply to the samples submitted to Envirotech's Analytical Laboratory and were analyzed in accordance with the chain of custody document supplied by you, the client, and as such are for your exclusive use only. The results in this report are based on the sample as received unless otherwise noted. Partial or incomplete reproduction of this report is prohibited, unless approved by Envirotech, Inc. If you have any questions regarding this analytical report, please don't hesitate to contact Envirotech's Laboratory Staff.

envirotech
Analytical Laboratory

XTO Energy Inc.	Project Name:	Ute Indians A #3	
382 CR 3100	Project Number:	98031-0528	**Reported:**
Aztec NM, 87410	Project Manager:	James McDaniel	17-Jun-13 17:37

Analyical Report for Samples

Client Sample ID	Lab Sample ID	Matrix	Sampled	Received	Container
BGT Cellar	P306041-01A	Soil	06/10/13	06/10/13	Glass Jar, 4 oz.

envirotech
Analytical Laboratory

XTO Energy Inc.	Project Name:	Ute Indians A #3	
382 CR 3100	Project Number:	98031-0528	**Reported:**
Aztec NM, 87410	Project Manager:	James McDaniel	17-Jun-13 17:37

BGT Cellar

P306041-01 (Solid)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
Total Petroleum Hydrocarbons by 418.1									
Total Petroleum Hydrocarbons	**88.0**	20.0	mg/kg	1	1324038	14-Jun-13	14-Jun-13	EPA 418.1	

envirotech
Analytical Laboratory

XTO Energy Inc.	Project Name:	Ute Indians A #3	
382 CR 3100	Project Number:	98031-0528	**Reported:**
Aztec NM, 87410	Project Manager:	James McDaniel	17-Jun-13 17:37

Total Petroleum Hydrocarbons by 418.1 - Quality Control

Envirotech Analytical Laboratory

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch 1324038 - 418 Freon Extraction										
Blank (1324038-BLK1)				Prepared & Analyzed: 14-Jun-13						
Total Petroleum Hydrocarbons	ND	19.9	mg/kg							
Duplicate (1324038-DUP1)		**Source: P306040-01**		Prepared & Analyzed: 14-Jun-13						
Total Petroleum Hydrocarbons	17000	160	mg/kg		17100			0.543	30	
Matrix Spike (1324038-MS1)		**Source: P306040-01**		Prepared & Analyzed: 14-Jun-13						
Total Petroleum Hydrocarbons	19400	160	mg/kg	2000	17100	115	80-120			

envirotech
Analytical Laboratory

XTO Energy Inc.	Project Name:	Ute Indians A #3	
382 CR 3100	Project Number:	98031-0528	**Reported:**
Aztec NM, 87410	Project Manager:	James McDaniel	17-Jun-13 17:37

Notes and Definitions

DET	Analyte DETECTED
ND	Analyte NOT DETECTED at or above the reporting limit
NR	Not Reported
dry	Sample results reported on a dry weight basis
RPD	Relative Percent Difference

XTO ENERGY
Western Division

Quote Number		Page ___ of ___
XTO Contact: KURT HOEKSTRA		XTO Contact Phone #: 505-486-9543
Email Results to: JAMES McDANIEL, KURT HOEKSTRA, LOGAN HIXON		
Well Site/Location: UTE INDIANS A #3	API Number: 30-045-11165	Test Reason: BGT CLOSURE
Collected By: KURT HOEKSTRA	Samples on Ice: (Y) N	Turnaround: X Standard; ___ Next Day; ___ Two Day; ___ Three Day; ___ Std. 5 Bus. Days (by contract)
Company: XTO	QA/QC Requested	
Signature: Kurt Hoekstra	Gray Areas for Lab Use Only!	Date Needed ___

Analysis: 418.1

Lab Information: 98031-0528

Office Abbreviations
Farmington = FAR
Durango = DUR
Bakken = BAK
Raton = RAT
Piceance = PC
Roosevelt = RSV
La Barge = LB
Orangeville = OV

Sample ID	Sample Name	Media	Date	Time	Preservative	No. of Conts.	Analysis	Sample Number
FARJM-061013-1115	BGT CELLAR	S	6/10	1115	ON ICE	(1) 4oz JAR	X	P301041-01

Media: Filter = F Soil = S Wastewater = WW Groundwater = GW Drinking Waster = DW Sludge = SG Surface Water = SW Air = A Drill Mud = DM Other = OT

Relinquished By: (Signature) Kurt Hoekstra	Date: 6-10-13	Time: 4:20	Received By: (Signature)	Number of Bottles	Sample Condition
Relinquished By: (Signature)	Date:	Time:	Received By: (Signature)	Temperature:	Other Information
Relinquished By: (Signature)	Date:	Time:	Received for Lab by: (Signature)	Date: 6/10/13 Time: 16:20	

Comments:

* Sample ID will be the office and sampler-date-military time FARJM-MMDDYY-1200

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Fax (615) 758-5859

Tax I.D. 62-0814289

Est. 1970

James McDaniel
XTO Energy - San Juan Division
382 County Road 3100
Aztec, NM 87410

Report Summary

Tuesday June 18, 2013

Report Number: L640556
Samples Received: 06/11/13
Client Project: 30-045-11165

Description: Ute Indians A #3

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.

Entire Report Reviewed By: Daphne R Richards

Daphne Richards , ESC Representative

Laboratory Certification Numbers

A2LA - 1461-01, AIHA - 100789, AL - 40660, CA - 01157CA, CT - PH-0197, FL - E87487, GA - 923, IN - C-TN-01, KY - 90010, KYUST - 0016, NC - ENV375/DW21704/BIO041, ND - R-140. NJ - TN002, NJ NELAP - TN002, SC - 84004, TN - 2006, VA - 460132, WV - 233, AZ - 0612, MN - 047-999-395, NY - 11742, WI - 998093910, NV - TN000032011-1, TX - T104704245-11-3, OK - 9915, PA - 68-02979, IA Lab #364

Accreditation is only applicable to the test methods specified on each scope of accreditation held by ESC Lab Sciences.
Note: The use of the preparatory EPA Method 3511 is not approved or endorsed by the CA ELAP.

Where applicable, sampling conducted by ESC is performed per guidance provided in laboratory standard operating procedures: 060302, 060303, and 060304.

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REPORT OF ANALYSIS

James McDaniel
XTO Energy - San Juan Division
382 County Road 3100
Aztec, NM 87410

June 18,2013

ESC Sample # : L640556-01

Site ID :

Project # : 30-045-11165

Date Received : June 11, 2013
Description : Ute Indians A #3

Sample ID : FARKH-061013-1115

Collected By : Kurt Hoekstra
Collection Date : 06/10/13 11:15

Parameter	Dry Result	Det. Limit	Units	Method	Date	Dil.
Chloride	160	10.	mg/kg	9056	06/13/13	1
Total Solids	95.1	0.100	%	2540 G-2011	06/18/13	1
Benzene	BDL	0.0026	mg/kg	8021/8015	06/12/13	5
Toluene	BDL	0.026	mg/kg	8021/8015	06/12/13	5
Ethylbenzene	BDL	0.0026	mg/kg	8021/8015	06/12/13	5
Total Xylene	BDL	0.0079	mg/kg	8021/8015	06/12/13	5
TPH (GC/FID) Low Fraction	BDL	0.52	mg/kg	GRO	06/12/13	5
Surrogate Recovery-%						
a,a,a-Trifluorotoluene(FID)	101.		% Rec.	8021/8015	06/12/13	5
a,a,a-Trifluorotoluene(PID)	99.9		% Rec.	8021/8015	06/12/13	5
TPH (GC/FID) High Fraction	30.	4.2	mg/kg	3546/DRO	06/17/13	1
Surrogate recovery(%)						
o-Terphenyl	79.9		% Rec.	3546/DRO	06/17/13	1

Results listed are dry weight basis.
BDL - Below Detection Limit
Det. Limit - Practical Quantitation Limit(PQL)
Note:

The reported analytical results relate only to the sample submitted
Reported: 06/18/13 15:52 Printed: 06/18/13 15:53

Summary of Remarks For Samples Printed
06/18/13 at 15:53:22

TSR Signing Reports: 288
R5 - Desired TAT

Domestic Water Well Sampling-see L609759 Lobato for tests EDD's

Sample: L640556-01 Account: XTORNM Received: 06/11/13 09:30 Due Date: 06/18/13 00:00 RPT Date: 06/18/13 15:52

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XTO Energy - San Juan Division
James McDaniel
382 County Road 3100

Aztec, NM 87410

Quality Assurance Report
Level II

L640556

June 18, 2013

Laboratory Blank

Analyte	Result	Units	% Rec	Limit	Batch	Date Analyzed
Chloride	< 10	mg/kg			WG665971	06/12/13 18:54
Benzene	< .0005	mg/kg			WG666025	06/12/13 16:17
Ethylbenzene	< .0005	mg/kg			WG666025	06/12/13 16:17
Toluene	< .005	mg/kg			WG666025	06/12/13 16:17
TPH (GC/FID) Low Fraction	< .1	mg/kg			WG666025	06/12/13 16:17
Total Xylene	< .0015	mg/kg			WG666025	06/12/13 16:17
a,a,a-Trifluorotoluene(FID)		% Rec.	101.1	59-128	WG666025	06/12/13 16:17
a,a,a-Trifluorotoluene(PID)		% Rec.	101.0	54-144	WG666025	06/12/13 16:17
Total Solids	< .1	%			WG667045	06/18/13 10:08

Duplicate

Analyte	Units	Result	Duplicate	RPD	Limit	Ref Samp	Batch
Chloride	mg/kg	150.	150.	0	20	L640055-09	WG665971
Total Solids	%	27.0	27.5	1.54	5	L640617-02	WG667045

Laboratory Control Sample

Analyte	Units	Known Val	Result	% Rec	Limit	Batch
Chloride	mg/kg	200	204.	102.	80-120	WG665971
Benzene	mg/kg	.05	0.0479	95.8	76-113	WG666025
Ethylbenzene	mg/kg	.05	0.0481	96.3	78-115	WG666025
Toluene	mg/kg	.05	0.0476	95.1	76-114	WG666025
Total Xylene	mg/kg	.15	0.147	98.1	81-118	WG666025
a,a,a-Trifluorotoluene(PID)				102.2	54-144	WG666025
TPH (GC/FID) Low Fraction	mg/kg	5.5	5.75	105.	67-135	WG666025
a,a,a-Trifluorotoluene(FID)				102.1	59-128	WG666025
Total Solids	%	50	50.0	100.	85-115	WG667045

Laboratory Control Sample Duplicate

Analyte	Units	Result	Ref	%Rec	Limit	RPD	Limit	Batch
Chloride	mg/kg	199.	204.	100.	80-120	2.48	20	WG665971
Benzene	mg/kg	0.0461	0.0479	92.0	76-113	3.89	20	WG666025
Ethylbenzene	mg/kg	0.0462	0.0481	92.0	78-115	4.11	20	WG666025
Toluene	mg/kg	0.0455	0.0476	91.0	76-114	4.34	20	WG666025
Total Xylene	mg/kg	0.141	0.147	94.0	81-118	3.96	20	WG666025
a,a,a-Trifluorotoluene(PID)				100.0	54-144			WG666025
TPH (GC/FID) Low Fraction	mg/kg	5.60	5.75	102.	67-135	2.65	20	WG666025
a,a,a-Trifluorotoluene(FID)				100.8	59-128			WG666025

Matrix Spike

Analyte	Units	MS Res	Ref Res	TV	% Rec	Limit	Ref Samp	Batch
Chloride	mg/kg	577.	62.0	500	103.	80-120	L640055-11	WG665971

* Performance of this Analyte is outside of established criteria.
For additional information, please see Attachment A 'List of Analytes with QC Qualifiers.'

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James McDaniel
382 County Road 3100

Aztec, NM 87410

Quality Assurance Report
Level II

L640556

June 18, 2013

Matrix Spike

Analyte	Units	MS Res	Ref Res	TV	% Rec	Limit	Ref Samp	Batch
Benzene	mg/kg	2.37	0	.05	94.0	32-137	L640621-06	WG666025
Ethylbenzene	mg/kg	2.40	0	.05	95.0	10-150	L640621-06	WG666025
Toluene	mg/kg	2.39	0	.05	94.6	20-142	L640621-06	WG666025
Total Xylene	mg/kg	7.39	0	.15	97.5	16-141	L640621-06	WG666025
a,a,a-Trifluorotoluene(PID)					99.28	54-144		WG666025
TPH (GC/FID) Low Fraction	mg/kg	298.	2.19	5.5	106.	55-109	L640621-06	WG666025
a,a,a-Trifluorotoluene(FID)					102.4	59-128		WG666025

Matrix Spike Duplicate

Analyte	Units	MSD	Ref	%Rec	Limit	RPD	Limit	Ref Samp	Batch
Chloride	mg/kg	567.	577.	101.	80-120	1.75	20	L640055-11	WG665971
Benzene	mg/kg	2.42	2.37	95.9	32-137	2.03	39	L640621-06	WG666025
Ethylbenzene	mg/kg	2.41	2.40	95.6	10-150	0.630	44	L640621-06	WG666025
Toluene	mg/kg	2.40	2.39	95.1	20-142	0.470	42	L640621-06	WG666025
Total Xylene	mg/kg	7.52	7.39	99.3	16-141	1.78	46	L640621-06	WG666025
a,a,a-Trifluorotoluene(PID)				99.59	54-144				WG666025
TPH (GC/FID) Low Fraction	mg/kg	306.	298.	110.*	55-109	2.95	20	L640621-06	WG666025
a,a,a-Trifluorotoluene(FID)				102.1	59-128				WG666025

Batch number /Run number / Sample number cross reference

WG665971: R2706104: L640556-01
WG666025: R2706261: L640556-01
WG667045: R2711384: L640556-01
WG666781: R2711605: L640556-01

* * Calculations are performed prior to rounding of reported values.
* Performance of this Analyte is outside of established criteria.
For additional information, please see Attachment A 'List of Analytes with QC Qualifiers.'

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James McDaniel
382 County Road 3100

Aztec, NM 87410

Quality Assurance Report
Level II

L640556

June 18, 2013

The data package includes a summary of the analytic results of the quality control samples required by the SW-846 or CWA methods. The quality control samples include a method blank, a laboratory control sample, and the matrix spike/matrix spike duplicate analysis. If a target parameter is outside the method limits, every sample that is effected is flagged with the appropriate qualifier in Appendix B of the analytic report.

Method Blank - an aliquot of reagent water carried through the entire analytic process. The method blank results indicate if any possible contamination exposure during the sample handling, digestion or extraction process, and analysis. Concentrations of target analytes above the reporting limit in the method blank are qualified with the "B" qualifier.

Laboratory Control Sample - is a sample of known concentration that is carried through the digestion/extraction and analysis process. The percent recovery, expressed as a percentage of the theoretical concentration, has statistical control limits indicating that the analytic process is "in control". If a target analyte is outside the control limits for the laboratory control sample or any other control sample, the parameter is flagged with a "J4" qualifier for all effected samples.

Matrix Spike and Matrix Spike Duplicate - is two aliquots of an environmental sample that is spiked with known concentrations of target analytes. The percent recovery of the target analytes also has statistical control limits. If any recoveries that are outside the method control limits, the sample that was selected for matrix spike/matrix spike duplicate analysis is flagged with either a "J5" or a "J6". The relative percent difference (%RPD) between the matrix spike and the matrix spike duplicate recoveries is all calculated. If the RPD is above the method limit, the effected samples are flagged with a "J3" qualifier.

XTO ENERGY
Western Division

Quote Number		Page ___ of ___
XTO Contact: Kurt Hoekstra		XTO Contact Phone #: 505-486-9543
Email Results to: James McDaniel, Kurt Hoekstra, Logan Hixon		
Well Site/Location: Ute Indians A #3	API Number: 30-045-11165	Test Reason
Collected By: Kurt Hoekstra	Samples on Ice: (Y)/N	Turnaround: X Standard; ___ Next Day; ___ Two Day; ___ Three Day; ___ Std. 5 Bus. Days (by contract)
Company: XTO	QA/QC Requested: YES	
Signature: Kurt Hoekstra	Gray Areas for Lab Use Only!	Date Needed: _____

Analysis: 8015 (GRO-DRO); 8021 (BTEX); Chlorides

Lab Information: D242

Office Abbreviations
Farmington = FAR
Durango = DUR
Bakken = BAK
Raton = RAT
Piceance = PC
Roosevelt = RSV
La Barge = LB
Orangeville = OV

Sample ID	Sample Name	Media	Date	Time	Preservative	No. of Conts.	8015 (GRO-DRO)	8021 (BTEX)	Chlorides	Sample Number
FARKH-061013-1115	BGT Cellar	S	6/10	11:15	On Ice	(1) 4oz Jar	X	X	X	L640556-01

Media: Filter = F Soil = S Wastewater = WW Groundwater = GW Drinking Waster = DW Sludge = SG Surface Water = SW Air = A Drill Mud = DM Other = OT

Relinquished By: (Signature) Kurt Hoekstra	Date: 6-10-13	Time: 2:30	Received By: (Signature)	Number of Bottles: 1-4 oz	Sample Condition: Ok
Relinquished By: (Signature)	Date:	Time:	Received By: (Signature)	Temperature: 3.6 °C (5)	Other Information
Relinquished By: (Signature)	Date:	Time:	Received for Lab by: (Signature) Ursula Kondelka	Date: 6-11-13	Time: 11:30

Comments

* Sample ID will be the office and sampler-date-military time FARJM-MMDDYY-1200

0402

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

Lease Name: Ute Indian A # 3
API No.: 30-045-11165
Description: Unit H, Section 35, Township 32N, Range 14W, San Juan 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 July 17, 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 July 17, 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.

All Equipment will be removed due to the plugging and abandoning of Ute Indian A # 3 well.

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 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 (mg/Kg)
Benzene	EPA SW-846 8021B or 8260B	0.2	**< 0.0026 mg/kg**
BTEX	EPA SW-846 8021B or 8260B	50	**< 0.0391 mg/kg**
TPH	EPA SW-846 418.1	100	**88 mg/kg**
Chlorides	EPA 300.1	250 or background	**160 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.
No release has been confirmed at this site.

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 June 10th, 2013; 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 June 10th, 2013 via email. Email has been approved as a means of surface owner notification to the Ute Mountain Ute Tribe 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 be recontoured to match the above specifications after the well has been P & A'd.

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 has been backfilled to match these specifications.

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.
The location will be reclaimed pursuant to the BIA, BLM MOU

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); **Per BIA, BLM MOU**
    viii. Photo documentation of the site reclamation. **attached**

15. The closure date is past the one week notification requirement date due to unforeseen delays in the P & A activities at this well site.

16. This closure report is being submitted after the 60 day deadline required by the 'Pit Rule' due to a delay of final reclamation of this well site.

Hoekstra, Kurt

From: Hoekstra, Kurt
Sent: Monday, June 10, 2013 3:25 PM
To: Brandon Powell (brandon.powell@state.nm.us)
Subject: BGT Closure Notifications Ute Indians A # 3 & A # 16

Brandon,

Please accept this email as the required notification for BGT closure activities at the Ute Indians A # 3 well site (API # 30-045-11165) located in Unit H, Section 35, Township 32N, Range 14W, San Juan County, New Mexico. This below grade tank is being closed due to the P & A of this well.

Please accept this email as the required notification for BGT closure activities at the Ute Indians A # 16 well site (API # 30-045-24610) located in Unit P, Section 36, Township 32N, Range 14W, San Juan County, New Mexico. This below grade tank is being closed due to the P & A of this well.

Thank you for your time in regards to this matter .

Kurt Hoekstra
EHS Coordinator
XTO Energy
505-333-3202 Office
505-486-9543 Cell
Kurt_Hoekstra@xtoenergy.com

Hoekstra, Kurt

From: Hoekstra, Kurt
Sent: Monday, June 10, 2013 3:32 PM
To: ghammond@utemountain.org
Subject: BGT Closure Notifications Ute Indian A # 3 & A # 16

Mr. Hammond,

Please accept this email as the required notification for BGT closure activities at the Ute Indians A # 3 well site (API # 30-045-11165) located in Unit H, Section 35, Township 32N, Range 14W, San Juan County, New Mexico. This below grade tank is being closed due to the P & A of this well.

Please accept this email as the required notification for BGT closure activities at the Ute Indians A # 16 well site (API # 30-045-24610) located in Unit P, Section 36, Township 32N, Range 14W, San Juan County, New Mexico. This below grade tank is being closed due to the P & A of this well.

Thank you for your time in regards to this matter .

Kurt Hoekstra
EHS Coordinator
XTO Energy
505-333-3202 Office
505-486-9543 Cell
Kurt_Hoekstra@xtoenergy.com

Well Below Tank Inspection Report

Division Denver

Dates -

06/01/2008 - 07/01/2013

Type Route Stop

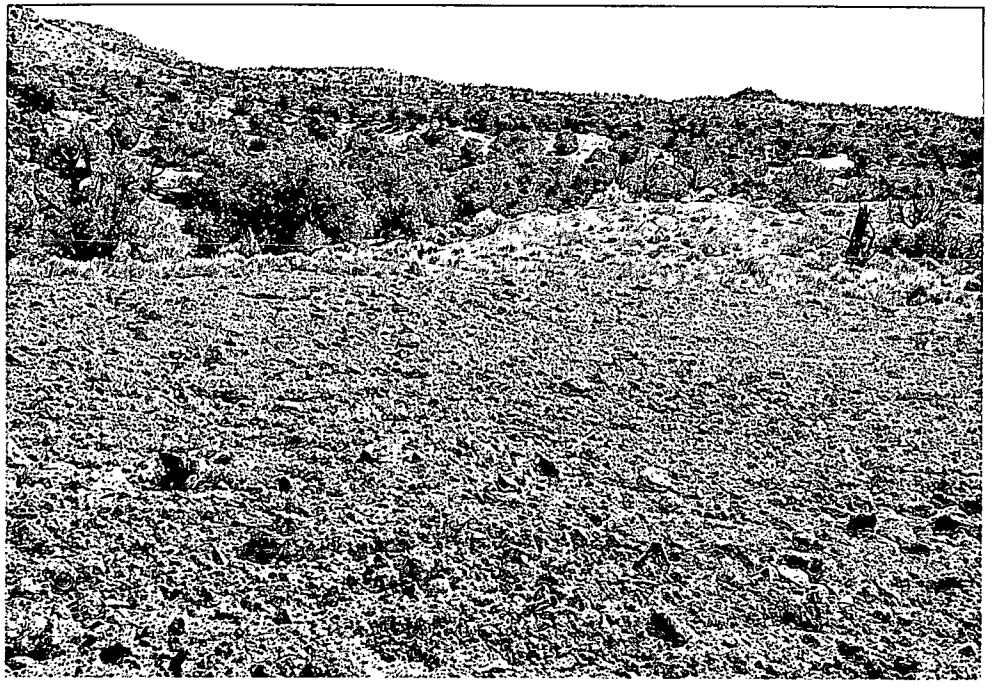
Type Value U

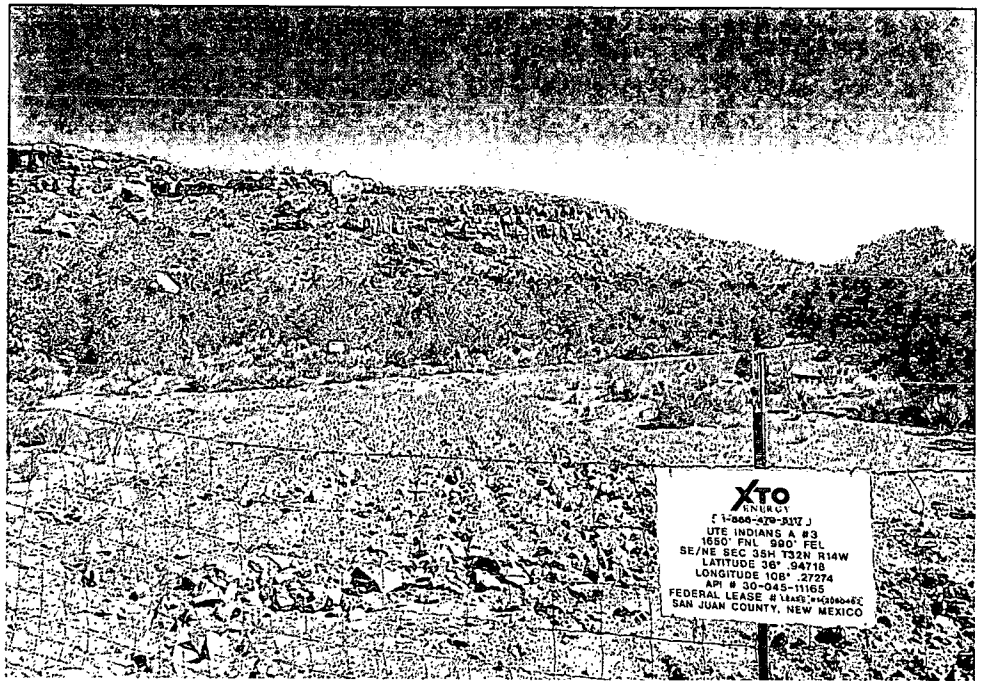
RouteName	StopName	Pumper	Foreman	WellName	APIWellNumber	3004511165	Section	Range	Township
DEN NM Run 87A	UTE INDIANS A 003	Magee, Chad	Morrow, Pete	UTE INDIANS A 03			35	14W	32N

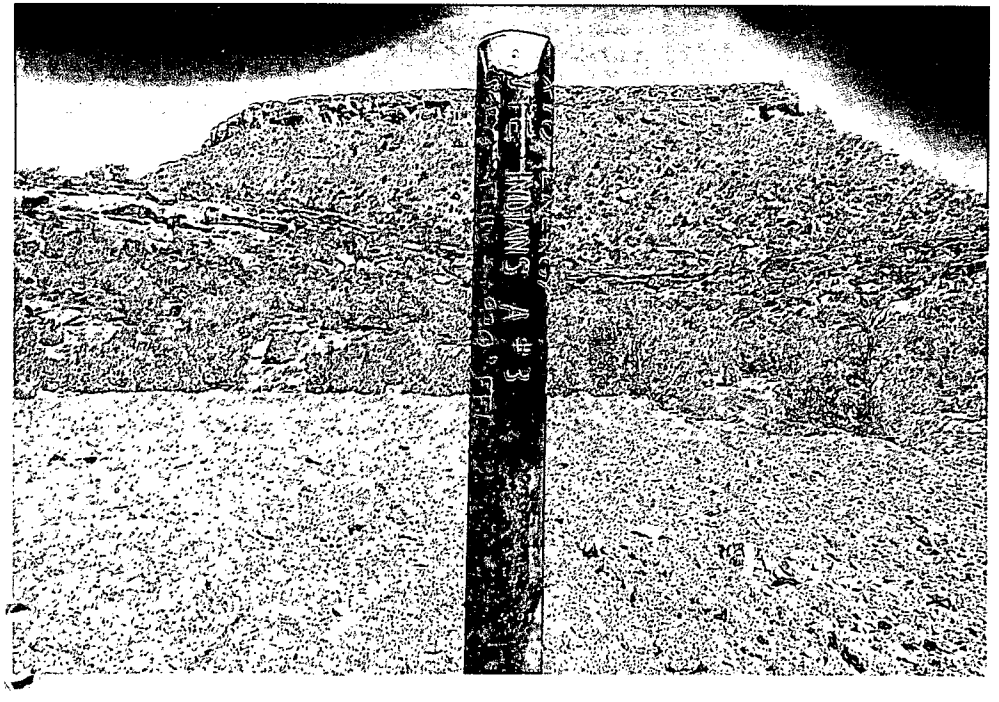
InspectorName	Inspection Date	Inspection Time	Visible LinerTears	VisibleTankLeak Overflow	Collection OfSurfaceRun	Visible LayerOil	Visible Leak	Freeboard EstFT	PitLocation	PitType	Notes
dr	02/23/2009	12:52	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
dr	03/13/2009	02:00	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
dr	04/22/2009	11:00	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
dr	06/18/2009	09:45	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
dr	07/06/2009	09:00	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
dr	08/18/2009	10:28	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
dr	10/12/2009	09:40	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
mth.	11/21/2009	02:00	No	No	No	Yes	No	5	Well Water Pit	Below Ground	
mth	12/13/2009	09:56	No	No	No	Yes	No	5	Well Water Pit	Below Ground	

mth	01/22/2010	11:00	No	No	No	Yes	No	5	Well Water Pit	Below Ground
mth	02/10/2010	12:29	No	No	No	Yes	No	5	Well Water Pit	Below Ground
mth	03/13/2010	02:03	No	No	No	Yes	No	5	Well Water Pit	Below Ground
mth	04/14/2010	11:48	No	No	No	Yes	No	5	Well Water Pit	Below Ground
mth	05/09/2010	11:47	No	No	No	Yes	No	5	Well Water Pit	Below Ground
mth	06/15/2010	13:19	No	No	No	Yes	No	6	Well Water Pit	Below Ground
mth	07/16/2010	13:24	No	No	No	Yes	No	6	Well Water Pit	Below Ground
mth	08/11/2010	10:55	No	No	No	Yes	No	6	Well Water Pit	Below Ground
mth	09/11/2010	10:59	No	No	No	Yes	No	6	Well Water Pit	Below Ground
mth	10/10/2010	11:02	No	No	No	Yes	No	6	Well Water Pit	Below Ground
mth	11/12/2010	10:19	No	No	No	Yes	No	6	Well Water Pit	Below Ground
mth	12/12/2010	13:22	No	No	No	Yes	No	6	Well Water Pit	Below Ground
mth	01/14/2011	12:02	No	No	No	Yes	No	6	Well Water Pit	Below Ground
mth	02/11/2011	11:58	No	No	No	Yes	No	6	Well Water Pit	Below Ground
mth	03/18/2011	10:51	No	No	No	Yes	No	6	Well Water Pit	Below Ground
mth	04/13/2011	10:01	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	05/27/2011	09:15	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	6/23/2011	10:04	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	7/13/2011	12:30	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	8/22/2011	1:10	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	9/23/2011	11:45	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	10/28/2011	1:45	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	11/18/2011	9:38	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	1/30/2012	1:34	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	2/19/2012	9:02	No	No	No	Yes	No	6	Well Water Pit	Below Ground

Chad Magee	3/12/2012	1:22	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	4/20/2012	1:20	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	5/31/2012	9:44	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	7/31/2012	12:15	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	8/27/2012	10:12	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	9/27/2012	9:12	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	10/15/2012	9:00	No	No	No	Yes	No	6	Well Water Pit	Below Ground
Chad Magee	11/15/2012	9:23	No	No	No	Yes	No	6	Well Water Pit	Below Ground




XTO
ENERGY
UTE INDIANS A #3
1650' FNL 990' FEL
SE/NE SEC 35H T32N R14W
LATITUDE 36° .94718
LONGITUDE 108° .27274
API # 30-045-11165
SAN JUAN COUNTY, NEW MEXICO


UTE INDIANS A #3