District I
1625 N. French Dr., Hobbs, NM 88240
District II
811 S. First St., Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

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

Form C-144
Revised June 6, 2013

For temporary pits, below-grade tanks, and multi-well fluid management pits, submit to the appropriate NMOCD District Office.
For permanent pits submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.

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

13258

OIL CONS. DIV DIST. 3

NOV 09 2015

45-32643

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

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

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

1.
Operator: XTO Energy, Inc. OGRID #: 5380
Address: #382 County Road 3100, Aztec, NM 87410
Facility or well name: Pollock COM E #2
API Number: 30-045-32643 OCD Permit Number:
U/L or Qtr/Qtr A Section 28 Township 29N Range 10W County: San Juan
Center of Proposed Design: Latitude 36.702340 Longitude -107.884299 NAD: ☐ 1927 ☒ 1983
Surface Owner: ☐ Federal ☐ State ☒ Private ☐ Tribal Trust or Indian Allotment

2.
☐ **Pit:** Subsection F, G or J of 19.15.17.11 NMAC
Temporary: ☐ Drilling ☐ Workover
☐ Permanent ☐ Emergency ☐ Cavitation ☐ P&A ☐ Multi-Well Fluid Management Low Chloride Drilling Fluid ☐ yes ☐ no
☐ 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.
☒ **Below-grade tank:** Subsection I of 19.15.17.11 NMAC
Volume: 50 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 _____
Liner type: Thickness 40 mil ☒ HDPE ☐ PVC ☐ Other _____

4.
☐ **Alternative Method:**
Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

5.
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 4-Foot Hog-Wire Fencing

State of New Mexico
Energy, Minerals and Natural Resources Department

New Mexico Oil Conservation Division approval and conditions listed below are made in accordance with OCD Rule 19.15.5.11

Application Type:

☐ P&A ☐ Drilling/Casing Change ☐ Location Change

☐ Recomplete/DHC (For hydraulic fracturing operations review EPA Underground injection control Guidance #84)

☒ Other: C-144 Below Grade Tank Registration

API WELL #	Well Name	Well #	Operator Name	Type	Stat	County	Surf_Owner	UL	Sec	Twp	N/S	Rng	W/E
30-045-32643-00-00	POLLOCK COM E	002	XTO ENERGY, INC	G	A	San Juan	P	A	28	29	N	10	W

Conditions of Approval:

XTO submitted Below Grade Tank (BGT) Registration for the Pollock Com E #2 has been approved with the following Conditions:

- XTO will provide notification to the OCD 72 hours but no more than 1 week prior to the start of retrofit to include, date and estimated time.
- XTO will continue to inspect the BGT monthly and maintain a written record of each inspection for five years, the inspections will be made available to OCD upon request.
- XTO will close the BGT if the integrity is compromised pursuant to 19.15.17.12.I NMAC
- Please see the Design, and Operations and Maintenance portions of the plan for corrections to referenced rules.

If you have any questions please feel free to contact me at your leisure.

NMOCD Approved by Signature

Date 11/17/15

1220 South St. Francis Drive • Santa Fe, New Mexico 87505
Phone (505) 476-3460 • Fax (505) 476-3462 • www.emnrd.state.nm.us/ocd

6.

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)

7.

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 19.15.16.8 NMAC

8.

Variances 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:

☒ Variance(s): Requests must be submitted to the appropriate division district for consideration of approval.

☐ Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

9.

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. **Siting criteria does not apply to drying pads or above-grade tanks.**

General siting	
Ground water is less than 25 feet below the bottom of a low chloride temporary pit or below-grade tank. - ☒ NM Office of the State Engineer - iWATERS database search; ☐ USGS; ☐ Data obtained from nearby wells	☒ Yes ☐ No ☐ NA
Ground water is less than 50 feet below the bottom of a Temporary pit, permanent pit, or Multi-Well Fluid Management pit . NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
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. **(Does not apply to below grade tanks)** - Written confirmation or verification from the municipality; Written approval obtained from the municipality	☐ Yes ☐ No
Within the area overlying a subsurface mine. **(Does not apply to below grade tanks)** - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	☐ Yes ☐ No
Within an unstable area. **(Does not apply to below grade tanks)** - 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. **(Does not apply to below grade tanks)** - FEMA map	☐ Yes ☐ No
Below Grade Tanks	
Within 100 feet of a continuously flowing watercourse, significant watercourse, lake bed, sinkhole, wetland or playa lake (measured from the ordinary high-water mark). - Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☒ No
Within 200 horizontal feet of a spring or a fresh water well used for public or livestock consumption; - NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site	☐ Yes ☒ No
Temporary Pit using Low Chloride Drilling Fluid (maximum chloride content 15,000 mg/liter)	
Within 100 feet of a continuously flowing watercourse, or any other significant watercourse or within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). (Applies to low chloride temporary pits.) - Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within 300 feet from a occupied 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 200 horizontal feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, or 300feet of any other fresh water well or spring, in existence at the time of the initial application. NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site	☐ Yes ☐ No

Within 100 feet of a wetland.
- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site ☐ Yes ☐ No

Temporary Pit Non-low chloride drilling fluid

Within 300 feet of a continuously flowing watercourse, or any other significant watercourse, or within 200 feet of any 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 spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, or 1000 feet of any other fresh water well or spring, in the existence at the time of the initial application;
- NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site ☐ Yes ☐ No

Within 300 feet of a wetland.
- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site ☐ Yes ☐ No

Permanent Pit or Multi-Well Fluid Management Pit

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 1000 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 spring or a fresh water well used for domestic or stock watering purposes, 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 500 feet of a wetland.
- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site ☐ Yes ☐ No

10.
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: _____

11.
Multi-Well Fluid Management Pit 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.
- ☐ 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
- ☐ A List of wells with approved application for permit to drill associated with the pit.
- ☐ 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
- ☐ Hydrogeologic Data - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC
- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC

☐ Previously Approved Design (attach copy of design) API Number: _____ or Permit Number: _____

12.
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

13.
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 ☐ Multi-well Fluid Management Pit ☐ 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

14.
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 C 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 H of 19.15.17.13 NMAC
- ☒ Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC

15.
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 require justifications and/or demonstrations of equivalency. Please refer to 19.15.17.10 NMAC for guidance.

Ground water is less than 25 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 25-50 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 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 100 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, 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 300 horizontal feet of a private, domestic fresh water well or spring used for domestic or stock watering purposes, 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
Written confirmation or verification from the municipality; Written approval obtained from the municipality	☐ Yes ☐ No
Within 300 feet of a wetland. US Fish and Wildlife Wetland Identification map; Topographic map; 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 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

16.
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 E of 19.15.17.13 NMAC
- ☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of Subsection K 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 19.15.17.13 NMAC
- ☐ Waste Material Sampling Plan - based upon the appropriate requirements 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 H of 19.15.17.13 NMAC
- ☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC

17.
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): James McDaniel Title : EH&S Supervisor

Signature: [signature] Date: 11/5/15

e-mail address: James_McDaniel@xtoenergy.com Telephone: (505) 333-3701

18.
OCD Approval: ☒ Permit Application (including closure plan) ☐ Closure Plan (only) ☒ OCD Conditions (see attachment)

OCD Representative Signature: [signature] **Approval Date:** 11/17/15

Title: Environmental Spec. **OCD Permit Number:**

19.
Closure Report (required within 60 days of closure completion): 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:**

20.
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.

21.
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 for private land only)
- ☐ 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

22.

Operator Closure Certification:

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

Name (Print): _____ Title: _____

Signature: _____ Date: _____

e-mail address: _____ Telephone: _____

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

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 obtain approval of this closure plan prior to commencing closure of the below grade tank at this location pursuant to 19.15.17.13.C (1) NMAC

2. XTO will notify the surface owner by certified mail, return receipt requested, that the operator plans closure operations at least 72 hours, but no more than one week, prior to any closure operation. Notice will include:
    a. Well Name
    b. API #
    c. Well Location

3. XTO will notify the NMOCD Aztec Office by email that the operator plans closure operations at least 72 hours, but no more than one week, prior to any closure operation. Notice will include:
    a. Well Name
    b. API #
    c. Well Location

4. Within 60 days of cessation of operations, 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:

    a. Soils, tank bottoms, produced sand, pit sludge and other exempt wastes impacted by petroleum hydrocarbons will be disposed of at:
    Envirotech: Permit #NM01-0011 and *IEI: Permit # NM01-0010B*

    b. Produced Water will be disposed of at:
    Basin Disposal: Permit #NM01-005 and *XTO owned salt water Disposal Facilities*

5. Within six (6) months of cessation of operations, 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. If there is any equipment associated with a below-grade tank, then the operator shall remove the equipment, unless the equipment is required for some other purpose.

6. XTO will collect a closure sample of the soil beneath the location of the below grade tank that is being closed. The closure sample will consist of a five-point composite sample to include any obvious stained or wet soils, or other evidence of contamination. The closure sample will be analyzed for all constituents listed in Table I below, including DRO+GRO, Chlorides, TPH (C6-C36), benzene and BTEX.

TABLE I

Depth Below bottom of pit to groundwater less than 10,000 mg/l TDS	**Constituent**	**Method**	**Limit**
≤ 50 Feet	Chloride	EPA 9056	600 mg/kg
	TPH (C6-C36)	Method 8015	100 mg/kg
	BTEX	Method 8021B	50 mg/kg
	Benzene	Method 8021B	10 mg/kg
51 feet - 100 feet	Chloride	EPA 9056	10,000 mg/kg
	TPH (C6-C36)	Method 8015	2,500 mg/kg
	GRO + DRO	Method 8015	1,000 mg/kg
	BTEX	Method 8021B	50 mg/kg
	Benzene	Method 8021B	10 mg/kg
> 100 feet	Chloride	EPA 9056	20,000 mg/kg
	TPH (C6-C36)	EPA 8015	2,500 mg/kg
	GRO + DRO	Method 8015	1,000 mg/kg
	BTEX	Method 8021B	50 mg/kg
	Benzene	Method 8021B	10 mg/kg

7. XTO will meet the limits for <50' to groundwater detailed in table I.
   a. In accordance with Rule 19.15.17.13.C(3)(b) if contaminant concentrations exceed the proposed limit and groundwater is found to be deeper than 50', XTO may elect to submit additional groundwater information to the Division and request a higher closure limit. XTO will submit the additional groundwater data via email documenting the depth to groundwater at the location. XTO will wait for approval of the groundwater data by the NMOCD, prior to completing closure activities at the site.
   b. If a higher closure limit is submitted and approved by the Division, XTO will submit a copy of the request, the groundwater information and the received approval in their closure report

8. If any contaminant concentration is higher than the parameters listed in Table I of 19.15.17.13 NMAC, the division may require additional delineation upon review of the results and the operator must receive approval before proceeding with closure. If all contaminant concentrations are less than or equal to the parameters listed in Table I of 19.15.17.13 NMAC, then the operator can proceed to backfill the pit, pad, or excavation with non-waste containing, uncontaminated, earthen material.

9. After closure has occurred, XTO will reclaim the former BGT area, if it is no longer being used for extraction of oil and gas, by substantially restoring the impacted surface area to the condition that existed prior to oil and gas operations. XTO will construct the soil cover to the site's existing grade and prevent ponding of water and erosion of the cover materials. The soil cover shall consist of the background thickness of topsoil, or one foot of suitable materials to establish vegetation at the site, whichever is greater. All areas will be reclaimed as early as practicable, and as close to their original condition or land use as possible. They shall be maintained in a way as to control dust and minimize erosion.

10. XTO will complete reclamation of all disturbed areas no longer in use when the ground disturbance activities at the site have been completed. The reseeding shall take place during the first favorable growing season after closure. Reclamation activities will be considered completed when a uniform vegetative cover has been established that reflects a life-form ratio of plus or minus fifty percent (50%) of pre-disturbance levels, and a total percent plant cover of at least seventy percent (70%) of pre-disturbance levels, excluding noxious weeds.

    *Re-vegetation and reclamation obligations imposed by other applicable federal, state or tribal agencies on lands managed by those agencies shall supersede the above requirements, provided they provide equal or better protection of fresh water, human health and the environment.

11. XTO will notify the Aztec Office of the NMOCD by C-103 when reclamation and closure activities are completed, unless the site is managed by another regulatory agency whose reclamation requirements provide equal or greater cover than NMOCD requirements. In those instances, the requirements of the other regulatory agency will be followed.

12. Within 60 days of closure, XTO will submit a closure report to the Aztec office of the NMOCD, filed on Form C-144. The report will include the following:
    a. Proof of closure notice to NMOCD and surface owner
    b. Confirmation sampling analytical results
    c. Soil backfill and cover installation information
    d. Photo documentation of site reclamation
    e. Alternative Table I groundwater criteria request, groundwater information and received approval. (If Needed)

XTO Energy Inc.
San Juan Basin
Below Grade Tank
Operation and Maintenance Procedures

In accordance with Rule 19.15.17.~~15~~ 12 NMAC the following information describes the operation and maintenance requirements of below-grade tanks on XTO Energy Inc. (XTO) locations. This is XTO's standard operation procedure for all below-grade tanks.

Procedures

1. XTO will operate below grade tanks in such a way as to contain liquids, and maintain the integrity of the liner, liner system, and secondary containment, prevent contamination of fresh water, and protect public health and the environment.

2. XTO will not discharge into or store any hazardous waste into a below grade tank.

3. In the event of a leak in the below grade tank, XTO will:

    a. Remove all liquids above the leak within 48 hours
    b. Notify the Aztec Office of the NMOCD of the leak within 48 hours
    c. Repair the leak, or replace the below grade tank as necessary

4. All below grade tanks will be installed and operated in such a way as to prevent surface water run on or collection.

5. XTO will remove any measurable layer of oil from the fluid surface of a below grade tank.

6. XTO will inspect the below grade tank for leaks and damage at least monthly, documenting the inspections, and maintaining a record of the inspections for five (5) years.

7. XTO will operate the below grade tank in such a way as to maintain adequate freeboard to prevent overtopping of the below grade tank.

8. In the event the below grade tank no longer demonstrates integrity, XTO will repair the damage, or close the below grade tank in accordance with the requirements of 19.15.17.13 NMAC.

XTO Energy Inc.
San Juan Basin
Below Grade Tank
Variance Page

In accordance with Rule 19.15.17.15 NMAC, the following outlines all variances that are being requested for below grade tanks at XTO facilities. All variances requested provide equal or better protection of fresh water, public health and the environment.

Fencing

XTO requests a variance on rule 19.15.17.11.D(3) NMAC which requires fencing around below grade tanks to have at least four (4) strands of barbed wire evenly spaced in the interval between one foot and four feet above ground level. XTO instead requests to utilize hogwire fencing at least four (4) feet high with a top rail for fencing around below grade tanks. This will provide equal protection for livestock from the below grade tank.

Closure Requirements

XTO requests a variance on rule 19.15.17.13.C(3)(a) NMAC which requires operators to analyze closure samples for the constituents listed in Table I of 19.15.17.13 NMAC. XTO instead requests to replace the USEPA analytical method 300.0 for total chloride to USEPA Method 9056. The SW846 9056 method Determination of Inorganic Anions By Ion Chromatography, from *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*, which also contains methods for the analysis of groundwater, is customarily used to comply with RCRA regulations. EPA Method 300.0 Determination of Inorganic Anions by Ion Chromatography is taken from *Methods for Chemical Analysis of Waters and Wastes*, and includes test procedures that are approved for monitoring under the Safe Drinking Water Act (SDWA) and the National Pollutant Discharge Elimination System (NPDES). The Scope of Application for each method is the same, and both methods utilize ion chromatograph instrumentation. Following either procedure, steps for instrument calibration and data calculation are equivalent. Sample preservation, holding time, handling and storage is identical between the two methods. It is expected that data produced from either method should be consistent.

XTO Energy is requesting this variance on the grounds that USEPA Method 418.1 is an outdated analytical method that reports a full range of hydrocarbons from C_8 through C_{40}. (*Reference: American Petroleum Institute*). This range of hydrocarbons is above the range that can reasonably be expected to be found in our field in both drilling pits and beneath below grade tanks. USEPA Method 8015M (GRO/DRO + extended analysis) will report hydrocarbons ranging from C_6-C_{10} for GRO, C_{10}-C_{28} for DRO, and C_{28}-C_{36} for extended analysis. This information was provided by Environmental Science Corporation Laboratories. As the information demonstrates, the 8015M analytical method reports as low as C_6, reporting lower than USEPA Method 418.1. Utilizing analytical method 8015M, lighter range hydrocarbons will be reported instead of higher range, heavy hydrocarbons that may not be reasonably expected to be found in our field. Utilization of USEPA Method 8015M will better protect groundwater resources by identifying lighter, more mobile hydrocarbons that USEPA Method 418.1 cannot identify. The heavier range hydrocarbons, C_{36}-C_{40}, that are not identified by USEPA Method 8015M are not a mobile form of hydrocarbon, and are not a threat to human health and the environment.

XTO requests a variance on rule 19.15.17.13.E(2) requiring that operators notify the appropriate division office verbally AND in writing at least 72 hours prior to any closure operation. XTO instead requests that the verbal notification be waived, as suggested by the local division office. XTO will provide written notification to the division office in the form of an email at least 72 hours prior to beginning closure activities.

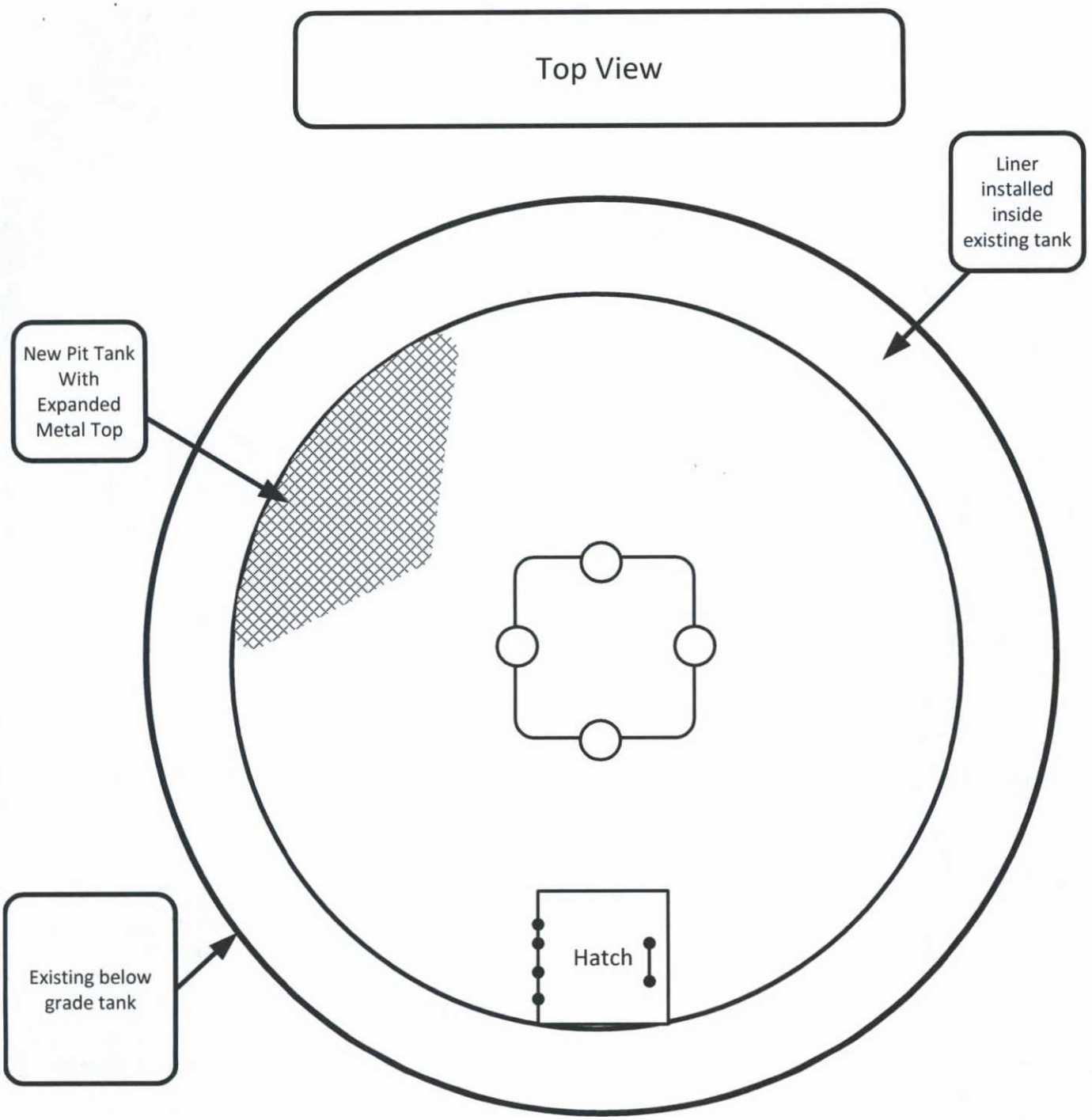
XTO Energy Inc.
San Juan Basin
Below Grade Tank
General Design and Construction Plan

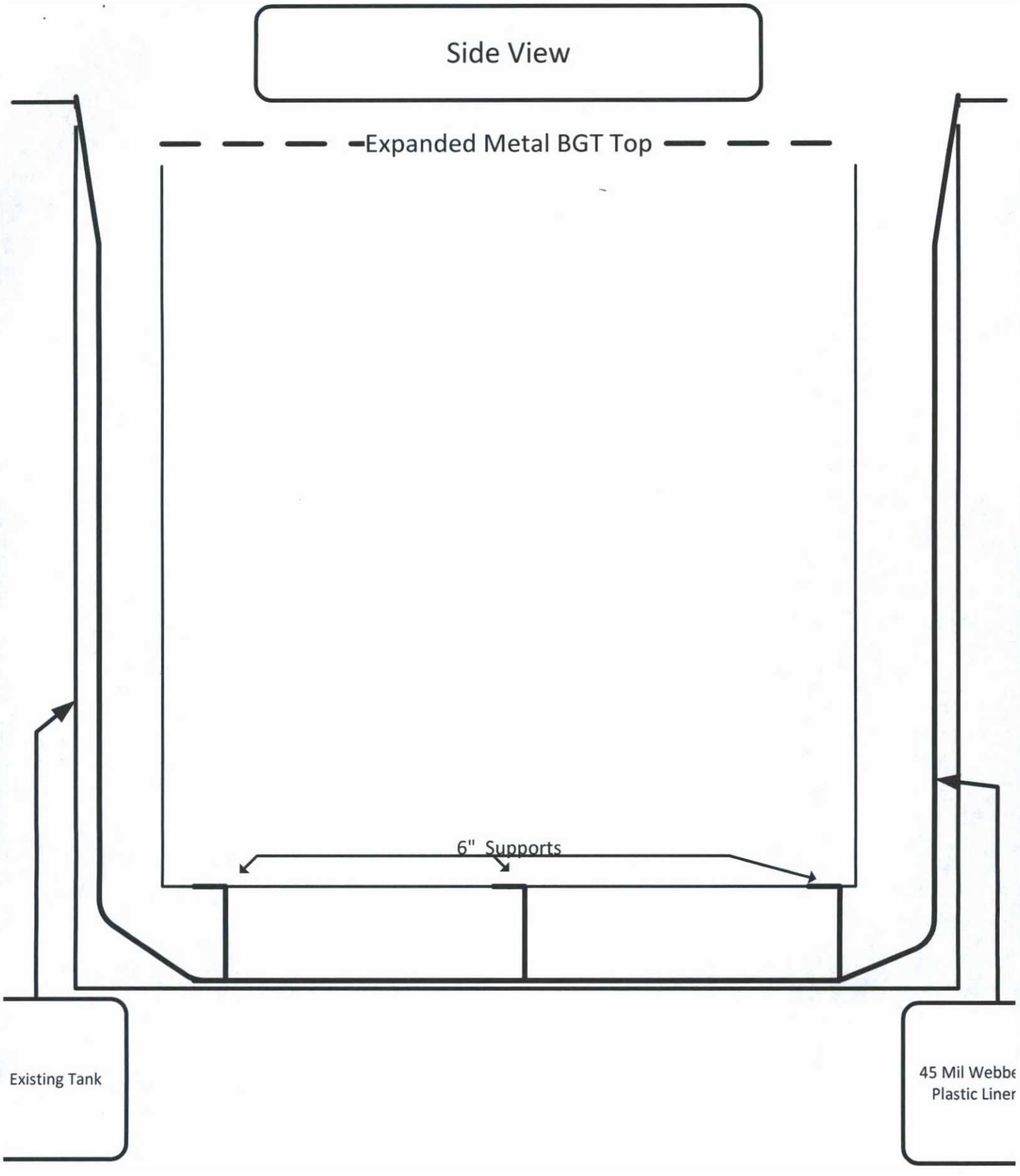
In accordance with Rule 19.15.17.~~13~~ 11 NMAC the following information describes the general design and construction requirements of below-grade tanks on XTO Energy Inc. (XTO) locations. This is XTO's standard design and construction for all below-grade tanks. Because this below-grade tank is already installed, this design and construction plan would apply only if the below grade tank was upgraded or replaced.

General Plan

1. XTO will design and construct below-grade tanks to contain liquids and solids and prevent contamination of fresh water, and protect human health and the environment.
2. XTO will post a well sign, pursuant to 19.15.~~3.103~~ 16.8 NMAC, on the existing well site where the below grade tank is located. The sign will list the Operator, the location of the well site by Unit letter, section, township and range, county, and an emergency telephone number.
3. XTO is requesting approval of an alternative fencing to be used on below grade tank locations. XTO instead requests to utilize hogwire fencing at least four (4) feet high with a top rail for fencing around below grade tanks. This will provide equal protection for livestock from the below grade tank. A 6' chain link fence with two strands of barbed wire on top will be used on locations within city limits or within ¼ mile of a permanent residence, school, hospital, institution or church.
4. XTO shall construct below grade tanks with an expanded metal covering.
5. XTO will ensure that below grade tanks are constructed of materials that are resistant to the contents that the tank can reasonably expected to hold, and reasonably resistant to damage from sunlight.
6. The below grade tank cellar will be filled with soil as requested in the attached letter from the NMOCD date on October 22, 2015. The tank will be placed inside the existing below grade tank, on top of a liner.
7. Below grade tanks will be constructed inside a berm in order to prevent the collection of surface water and run on.
8. XTO will use single walled below grade tanks. The tank will be placed inside the existing 95 bbl tank.
9. XTO will equip below grade tanks with a properly functioning, automatic high level high-level shut off control device, as well as manual controls, to prevent overflows.
10. The geomembrane liner will be compliant with the specifications outlined in 19.15.17.~~13~~ 11 NMAC. The liner will be composed of an impervious material that is resistant to hydrocarbons, salts and acids, and sunlight.

Top View


Liner installed inside existing tank
New Pit Tank With Expanded Metal Top
Existing below grade tank
Hatch


Side View
Expanded Metal BGT Top
6" Supports
Existing Tank
45 Mil Webbe
Plastic Liner

Well Below Tank Inspection Report

RouteName	StopName	Pumper	Foreman	WellName	APIWellNumber	Section	Range	Township
DEN NM Run 43B	POLLOCK COM E 002	Goodwin, Mark	Bramwell, Chris	POLLOCK COM E 02	3004532643	28	10W	29N

InspectorName	Inspection Date	Inspection Time	Visible LinerTears	VisibleTankLeak Overflow	Collection OfSurfaceRun	Visible LayerOil	Visible Leak	Freeboard EstFT	PitLocation	PitType	Notes
BRUCE FRANTZ	10/28/2008	10:00	No	No	No	Yes	No	3	CDP Water Pit	Below Ground	
BRUCE FRANTZ	11/01/2008	11:00	No	No	No	Yes	No	3	CDP Water Pit	Below Ground	
BRUCE FRANTZ	12/02/2008	10:00	No	No	Yes	Yes	No	3	CDP Water Pit	Below Ground	
BRUCE FRANTZ	01/09/2009	09:00	No	No	Yes	Yes	No	1	CDP Water Pit	Below Ground	
BRUCE FRANTZ	02/10/2009	09:00	No	No	Yes	Yes	No	2	CDP Water Pit	Below Ground	
BRUCE FRANTZ	03/04/2009	09:00	No	No	Yes	Yes	No	3	CDP Water Pit	Below Ground	
Linsey Ross	05/19/2009	08:30	No	No	Yes	Yes	No	2	CDP Water Pit	Below Ground	
Linsey Ross	06/09/2009	01:01	No	No	Yes	Yes	No	2	CDP Water Pit	Below Ground	
Bill Smith	10/26/2009	12:50	No	No	No	Yes	No	2	CDP Water Pit	Below Ground	
BRUCE FRANTZ	11/02/2009	12:00	No	No	No	Yes	No	3	CDP Water Pit	Below Ground	
BRUCE FRANTZ	12/11/2009	01:00	No	No	No	Yes	No	3	CDP Water Pit	Below Ground	
BRUCE FRANTZ	01/01/2010	10:00	No	No	No	Yes	No	3	CDP Water Pit	Below Ground	
BRUCE FRANTZ	02/28/2010	01:00	No	No	No	Yes	No	2	CDP Water Pit	Below Ground	
Adam Wheeler	01/31/2011	01:00	No	No	No	Yes	No	2	CDP Water Pit	Below Ground	
Adam Wheeler	04/29/2011	01:00	No	No	No	Yes	No	2	CDP Water Pit	Below Ground	Water in cellar
Adam Wheeler	05/24/2011	01:00	No	No	No	Yes	No	2	CDP Water Pit	Below Ground	Water in cellar
Adam Wheeler	08/07/2011	01:00	No	No	No	Yes	No	2	CDP Water Pit	Below Ground	Water in cellar
Adam Wheeler	09/15/2011	01:00	No	No	No	Yes	No	2	CDP Water Pit	Below Ground	Water in cellar
Adam Wheeler	10/18/2011	01:00	No	No	No	Yes	No	2	CDP Water Pit	Below Ground	Water in cellar
Adam Wheeler	11/02/2011	01:00	No	No	No	Yes	No	2	CDP Water Pit	Below Ground	Water in cellar
jj	02/06/2012	01:00	No	No	No	Yes	No	2	CDP Water Pit	Below Ground	Water in cellar
jr	06/11/2012	01:33	No	No	No	Yes	No	2	CDP Water Pit	Below Ground	
jr	07/10/2012	11:26	No	No	No	Yes	No	2	CDP Water Pit	Below Ground	
jr	08/01/2012	10:34	No	No	No	No	No	3	CDP Water Pit	Below Ground	Good condition
jr	09/05/2012	10:34	No	No	No	No	No	2	CDP Water Pit	Below Ground	Good condition
jr	10/01/2012	08:57	No	No	No	No	No	2	CDP Water Pit	Below Ground	Good condition
jr	11/07/2012	10:48	No	No	No	No	No	2	CDP Water Pit	Below Ground	Good condition
jr	12/03/2012	11:02	No	No	No	No	No	2	CDP Water Pit	Below Ground	Good condition
MEG	01/21/2013	13:01	No	No	No	No	No	2	CDP Water Pit	Below Ground	Good condition
MEG	04/03/2013	09:30	No	No	No	No	No	2	CDP Water Pit	Below Ground	Good condition
MEG	06/05/2013	13:04	No	No	No	No	No	2	CDP Water Pit	Below Ground	Good condition
MEG	07/01/2013	08:42	No	No	No	No	No	3	CDP Water Pit	Below Ground	Good condition
MEG	09/04/2013	08:11	No	No	No	No	No	3	CDP Water Pit	Below Ground	Good condition
MEG	10/15/2013	13:56	No	No	No	No	No	3	CDP Water Pit	Below Ground	Good condition
MEG	01/13/2014	10:15	No	No	No	No	No	3	CDP Water Pit	Below Ground	Good condition
MEG	02/03/2014	08:45	No	No	No	No	No	3	CDP Water Pit	Below Ground	Good condition
MEG	04/07/2014	08:30	No	No	No	No	No	3	CDP Water Pit	Below Ground	
MEG	06/02/2014	12:12	No	No	No	No	No	3	CDP Water Pit	Below Ground	Good condition
MEG	07/08/2014	10:27	No	No	No	No	No	3	CDP Water Pit	Below Ground	Good condition
MEG	08/11/2014	14:00	No	No	No	No	No	3	CDP Water Pit	Below Ground	Good condition
MEG	09/02/2014	14:00	No	No	No	No	No	3	CDP Water Pit	Below Ground	BROKEN PIT BOARDS
MEG	10/06/2014	14:25	No	No	No	No	No	3	CDP Water Pit	Below Ground	BROKEN PIT BOARDS
MEG	11/03/2014	12:45	No	No	No	No	No	3	CDP Water Pit	Below Ground	BROKEN PIT BOARDS
MEG	12/01/2014	15:10	No	No	No	No	No	3	CDP Water Pit	Below Ground	BROKEN PIT BOARDS
MEG	01/19/2015	12:15	No	No	No	No	No	3	CDP Water Pit	Below Ground	BROKEN PIT BOARDS
MEG	04/07/2015	12:30	No	No	No	No	No	3	CDP Water Pit	Below Ground	BROKEN PIT BOARDS
MEG	05/04/2015	11:19	No	No	No	No	No	3	CDP Water Pit	Below Ground	BROKEN PIT BOARDS
MEG	06/30/2015	07:30	No	No	No	No	No	3	CDP Water Pit	Below Ground	BROKEN PIT BOARDS
MEG	07/22/2015	08:40	No	No	No	No	No	3	CDP Water Pit	Below Ground	BROKEN PIT BOARDS
MEG	08/02/2015	11:32	No	No	No	No	No	3	CDP Water Pit	Below Ground	BROKEN PIT BOARDS
MEG	09/08/2015	09:41	No	No	No	No	No	3	CDP Water Pit	Below Ground	BROKEN PIT BOARDS
MEG	11/01/2015	10:41	No	No	No	No	No	3	CDP Water Pit	Below Ground	

Lodestar Services, Inc.
PO Box 4465, Durango, CO 81302

Pit Permit Siting Criteria Information Sheet

Client:	XTO Energy
Project:	Pit Permits
Revised:	20-Nov-08
Prepared by:	Devin Hencmann

API#:	3004532643	USPLSS:	29N, 10W, 28A
Name:	POLLOCK COM E #2	Lat/Long:	36.7025/-107.88305
Depth to groundwater:	< 50'	Geologic formation:	Naciemento
Distance to closest continuously flowing watercourse:	1,382' S to the 'San Juan River'		
Distance to closest significant watercourse, lakebed, playa lake, or sinkhole:	2,557' N to Slane Canyon wash		
		Soil Type:	Entisols
Permanent residence, school, hospital, institution or church within 300'	No		
		Annual Precipitation:	Bloomfield: 8.71" , Farmington: 8.21", Otis: 10.41"
Domestic fresh water well or spring within 500'	411' N to well SJ-03652 depth to water 6ft	Precipitation Notes:	Historical daily max: Bloomfield (4.19")
Any other fresh water well or spring within 1000'	729' NE to well SJ-03142 depth to water 22ft		
Within incorporated municipal boundaries	No	Attached Documents:	i-Waters report pdf
Within defined municipal fresh water well field	No		Topo map pdf, Aerial pdf, Mines and Quarries Map pdf,i-Waters Ground Water Data Map pdf, FEMA flood zone map pdf
Wetland within 500'	No	Mining Activity:	None
Within unstable area	No		
Within 100 year flood plain	No-FEMA Zone 'X'		

Additional Notes:

2,681' N to irrigation canal

POLLOCK COM E #2 Below Ground Tank
Siting Criteria and Closure Plan

Well Site Location
Legals: T29N, R10W, Section 28A
Latitude/Longitude: approximately 36.7025, -107.88305
County: San Juan County, NM
General Description: near the San Juan River

General Geology and Hydrology

The San Juan Basin is a typical Rocky Mountain basin with a gently dipping southern flank and a steeply dipping northern flank. Asymmetrically layered Tertiary sandstones and shales, along with Quaternary alluvial deposits dominate surficial geology (Dane and Bachman, 1965). The proposed below ground tank location will be near Slane Canyon, east of Bloomfield and north of the San Juan River. The Nacimiento Formation of Tertiary Age is exposed, along with Quaternary alluvial and aeoloian sands within dry washes and arroyos.

Cretaceous and Tertiary sandstones, as well as Quaternary alluvial deposits serve as the primary aquifers in the San Juan basin (Stone et al., 1983). In most of the proposed area, the Nacimiento Formation lies at the surface. Thickness of the Nacimiento ranges from 418 to 2232 feet (Stone et al., 1983). Aquifers within the coarser and continuous sandstone bodies of the Nacimiento Formation are between 0 and 1000' deep in this section of the basin (Stone et al., 1983). Groundwater within these aquifers flows toward the nearby San Juan River and its tributaries.

The prominent soil type at the proposed site is entisols, which are defined as soils that do not show any profile development. Soils are basically unaltered from their parent rock. Miles of arroyos, washes and intermittent streams exist as part of the drainage network towards the La Plata River (www.emnrd.state.nm.us). These features often cut into soil and other unconsolidated materials, contributing to sedimentation downstream. The sudden influx of water from storm events easily erodes soils that cover the area.

The climate of the region is arid, averaging just over 8 inches of rainfall annually. As is typical of the southwestern United States monsoonal weather patterns, most precipitation falls from August through October. The heaviest rainfall occurs in the summer in isolated, intense cloudbursts. November through June is relatively dry. Snow generally falls from December to mid-February and averages less than one-half inch in depth. However, most recharge occurs during the winter months during snowmelt periods from the upper elevations (Western Regional Climate Center www.wrcc.dri.edu).

The predominant vegetation is sagebrush and grasses with a more restricted pinon-juniper association (Dick-Peddie, 1993).

Site Specific Hydrogeology

Depth to groundwater is estimated to be less than 50 feet. This estimation is based on data from Stone and others, 1983 and depth to groundwater data published on the New Mexico State Engineer's iWaters Database website. Local topography and proximity to surface hydrologic features are also taken into consideration.

Local aquifers include sandstones within the Nacimiento Formation, which ranges from 0 to 1000 feet deep in this area, as well as shallow aquifers within Quaternary alluvial deposits (Stone et al., 1983). The 1000-foot depth range for Nacimiento aquifers covers an area over 20 miles wide, and depth decreases towards the margin of the San Juan Basin. The site in question is more centrally located, and depth to the aquifer is expected to be closer to 1000 feet. It is well known that groundwater close to the San Juan River can be shallow, as the Quaternary deposits near the river itself form shallow aquifers. The proposed site is situated 1,350 feet to the north of the San Juan River, and is approximately 5 feet higher in elevation (Google Earth).

Groundwater data available from the NM State Engineer's iWaters Database for wells near the proposed site are attached. A map showing the location of wells in reference to the proposed pit location is also included. Pinpoints show locations of wells and the labels for each pinpoint indicate depth to groundwater in feet. Wells are clustered to the north of the proposed site along the San Juan River. Depth to groundwater within the nearby wells ranges from 6 feet to 186 feet below ground surface. The closest well to the proposed site is located approximately 400 feet to the north, and has a similar topographic elevation as the proposed site (Google Earth). Depth to groundwater within the well is 6 feet below ground surface. Another well to the northeast is about 9 feet higher in elevation then the proposed site, and has a depth to groundwater of 22 feet.

References

Brister, B.S. and Hoffman, G.K., 2002, Fundamental Geology of San Juan Basin Energy Resources *in* New Mexico's Energy, Present and Future: New Mexico Bureau of Geology and Mineral Resources Decision-Makers Conference 2002, San Juan Basin, p. 20-25.

Dane, C.H. and Bachman, G. O., 1965, Geologic Map of New Mexico: U.S. Geological Survey, 1 sheet, scale 1:500,000.

Dick-Peddie, W.A., 1993, New Mexico Vegetation – Past, Present and Future: Albuquerque, New Mexico, University of New Mexico Press, 244 p.

Stone, W.J., Lyford, F. P., Frenzel, P.F., Mizell, N.H. and Padgett, E.T., 1983, Hydrogeology and water resources of the San Juan Basin, New Mexico: HR-6 New Mexico Bureau of Geology and Mineral Resources Hydrology Report 6.

Western Region Climate Center, 2008, New Mexico climate summaries: Desert Research Institute at http://www.wrcc.dri.edu/summary/climsmnm.html.

New Mexico Energy, Minerals and Natural Resources Department, www.emnrd.state.nm.us

Attachments

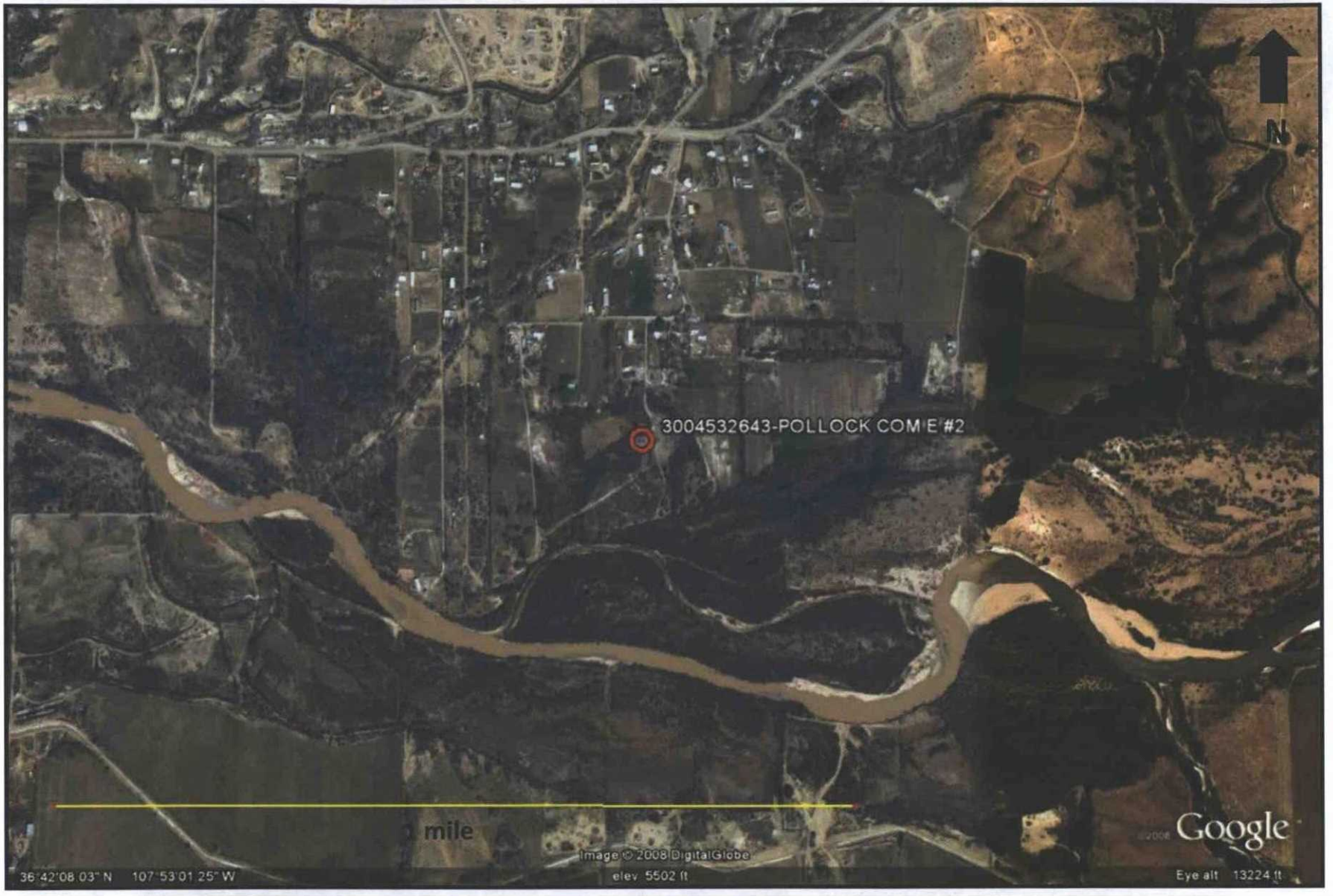
Location Map: Topographic Map and Aerial Photograph of Location

iWaters Database Groundwater Information

Aerial Photo showing location and depth information for nearby groundwater wells

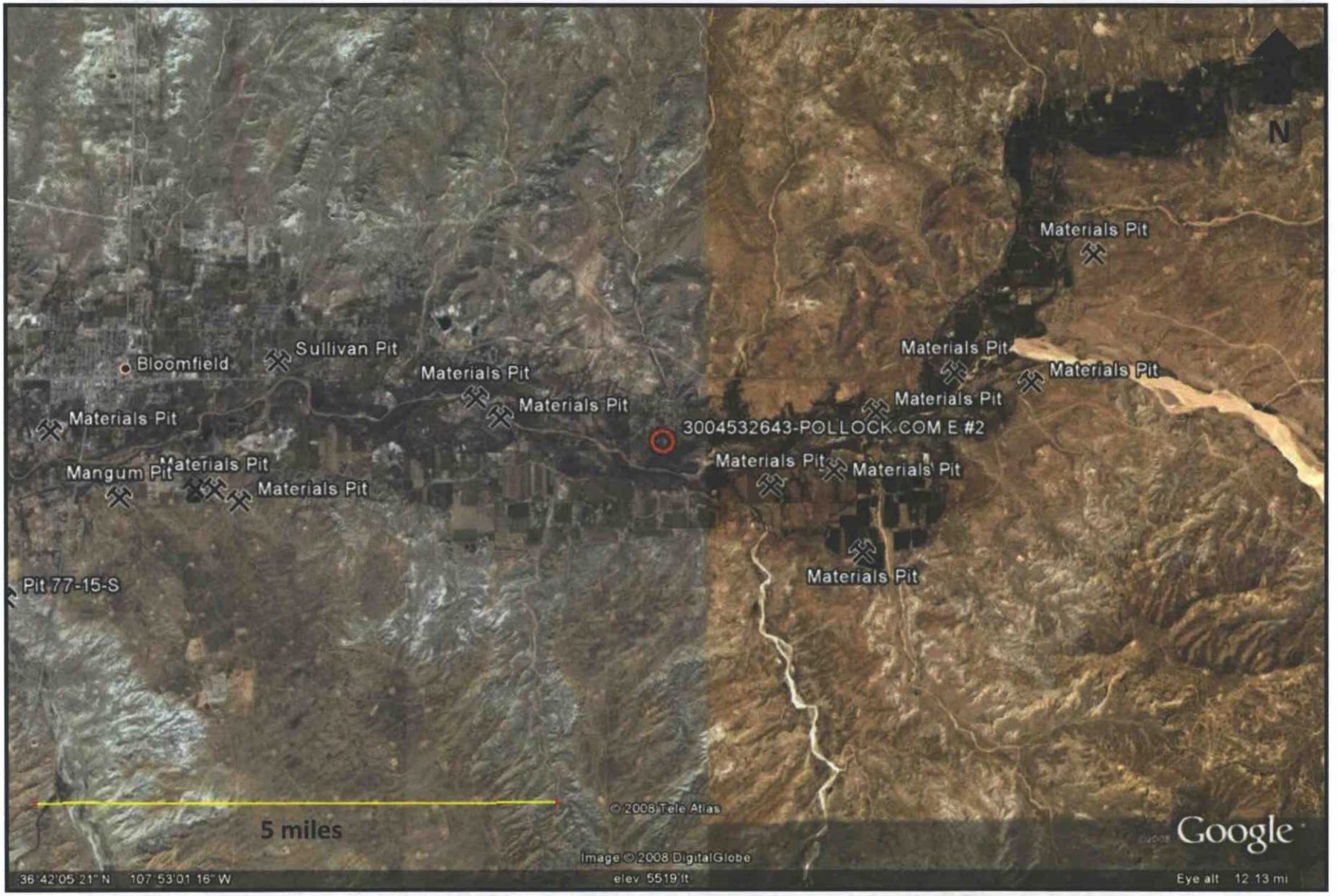
Google Earth Map Showing Location of Mines, Mills and Quarries

FEMA Floodmap

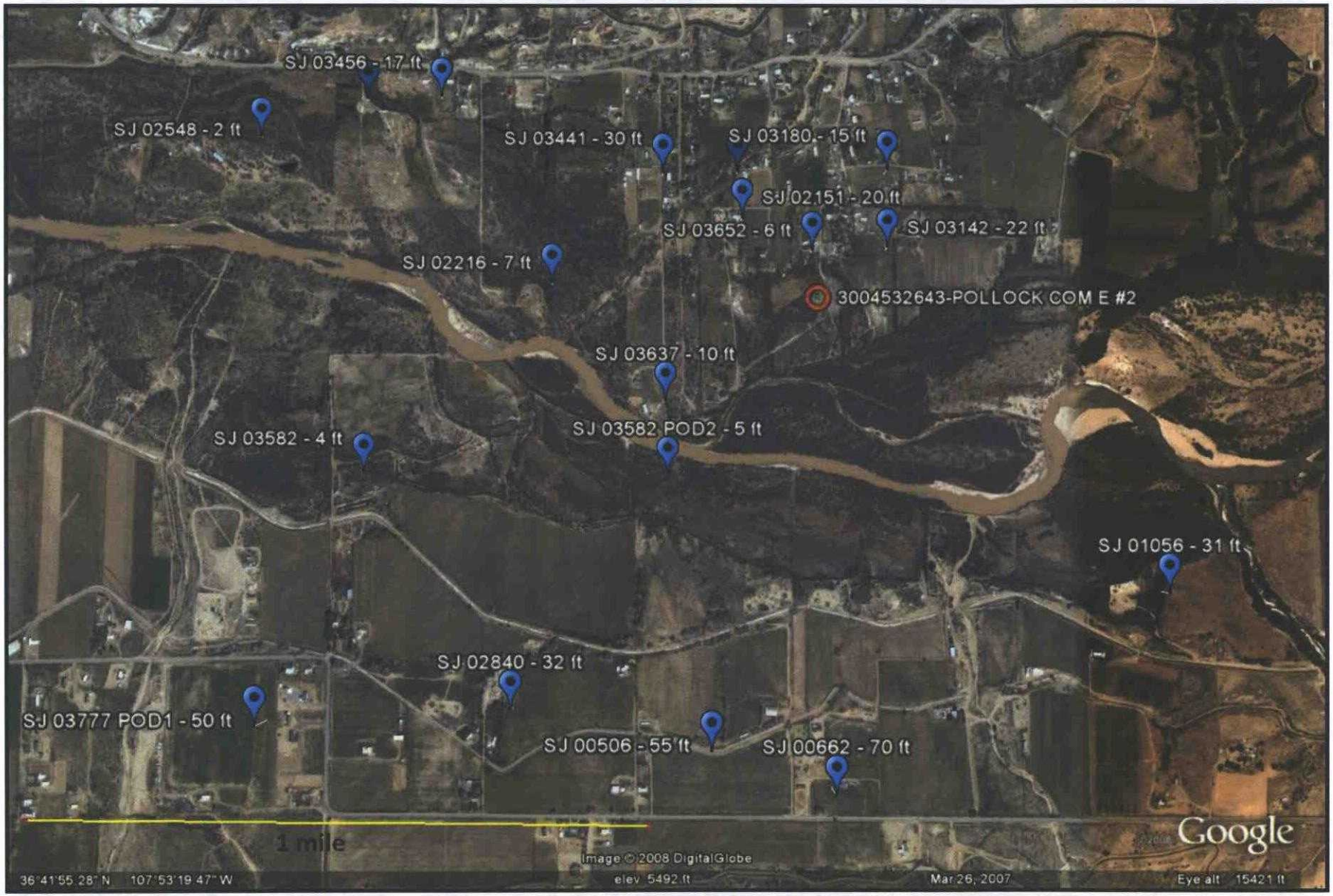


Lodestar Services, Inc PO Box 4465 Durango, CO 81302	POLLOCK COM E #2 T29N, R10W, S28A San Juan county, NM	AERIAL PHOTOGRAPH

Lodestar Services, Inc PO Box 4465 Durango, CO 81302	POLLOCK COM E #2 T29N, R10W, S28A San Juan county, NM	TOPOGRAPHIC MAP



Lodestar Services, Inc PO Box 4465 Durango, CO 81302	POLLOCK COM E #2 T29N, R10W, S28A San Juan county, NM	Mines and Quarries Map



Lodestar Services, Inc PO Box 4465 Durango, CO 81302	POLLOCK COM E #2 T29N, R10W, S28A San Juan county, NM	i-Waters Ground Water Data Map

New Mexico Office of the State Engineer
POD Reports and Downloads

WATER COLUMN REPORT 10/20/2008

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

POD Number	Tws	Rng	Sec	q	q	q	Zone	X	Y	Depth Well	Depth Water	Water Column (in feet)
SJ 00867	29N	11W	07	4						77	55	22
SJ 01302	29N	11W	07	4	1					260	210	40
SJ 01891	29N	11W	07	4	1	3				157		
SJ 01851	29N	11W	10	4	4					125	48	77
SJ 02466 S	29N	11W	11	4	3	3				65		
SJ 02466	29N	11W	11	4	3	3				66		
SJ 02991	29N	11W	13	3	4	2				60		
SJ 03136	29N	11W	13	3	4	4				20		
SJ 00987	29N	11W	13	4						415	300	115
SJ 01426	29N	11W	14	1	4					155	10	145
SJ 00007	29N	11W	14	2	2	3				752		
SJ 03550	29N	11W	14	3	2	1				10		
SJ 01774	29N	11W	14	3	4	2				82	6	76
SJ 03360	29N	11W	14	3	4	2				40		
SJ 03175	29N	11W	14	4	2	1				60	24	36
SJ 03164	29N	11W	14	4	2	1				75	56	19
SJ 03733 POD1	29N	11W	15	4	2	1				64	20	44
SJ 02378	29N	11W	15	4	3	2				75	12	63
SJ 03579	29N	11W	15	4	4	1				83	30	53
SJ 02141	29N	11W	16	4	3	4				110	40	70
SJ 02926	29N	11W	17	2	4	3				375	80	295
SJ 03399	29N	11W	17	4	2					100		
SJ 00487	29N	11W	17	4	4					60	6	54
SJ 02868	29N	11W	17	4	4	4				50		
SJ 01641	29N	11W	19	2	2	3				120	55	65
SJ 02026	29N	11W	19	3	1		440000	2077700		27	6	21
SJ 02970	29N	11W	19	4	3	2				100	18	82
SJ 01250	29N	11W	19	4	4					60	20	40
SJ 02869	29N	11W	20	2	2	1				50		
SJ 00583	29N	11W	20	3	3	2				150	30	120

SJ 01355	29N	11W	20	4	4		36	3	33
SJ 00452	29N	11W	21				42	10	32
SJ 01969	29N	11W	21	2			65	55	10
SJ 00701 CLW312190	29N	11W	21	2	2		70	14	56
SJ 00701	29N	11W	21	2	2	1	73		
SJ 03350	29N	11W	21	2	2	3	50		
SJ 01090	29N	11W	21	2	4		31	12	19
SJ 02863	29N	11W	21	2	4	1	52	20	32
SJ 03659	29N	11W	21	3	2	2	45	10	35
SJ 01888	29N	11W	21	4	2	2	47	8	39
SJ 02200	29N	11W	22				60	22	38
SJ 01557	29N	11W	22	1	2		70	11	59
SJ 00796	29N	11W	22	1	2		50	8	42
SJ 00704	29N	11W	22	1	2		55	20	35
SJ 01703	29N	11W	22	1	2		68	3	65
SJ 03747 POD1	29N	11W	22	1	2	3	47	27	20
SJ 02813	29N	11W	22	1	2	3	59	16	43
SJ 01214	29N	11W	22	1	3		49	12	37
SJ 00484	29N	11W	22	1	3	1	37	10	27
SJ 00320	29N	11W	22	1	3	1	38	10	28
SJ 03532	29N	11W	22	1	3	3	49	14	35
SJ 00151	29N	11W	22	1	3	4	45	18	27
SJ 02721	29N	11W	22	1	4			59	
SJ 03503	29N	11W	22	2	3	3	72	18	54
SJ 02578	29N	11W	22	2	3	3	58	24	34
SJ 03093	29N	11W	22	2	3	4	42	22	20
SJ 03189	29N	11W	22	3	2	1	45	20	25
SJ 03188	29N	11W	22	3	2	2	45	11	34
SJ 02020	29N	11W	22	3	3		27	6	21
SJ 02138	29N	11W	22	4	2		40	7	33
SJ 02529	29N	11W	22	4	2	3	30	9	21
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SJ 01974	29N	11W	22	4	3	3	47	11	36
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SJ 00441	29N	11W	32	2 2					
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SJ 00103 S	29N	11W	32	4 4 4			254		
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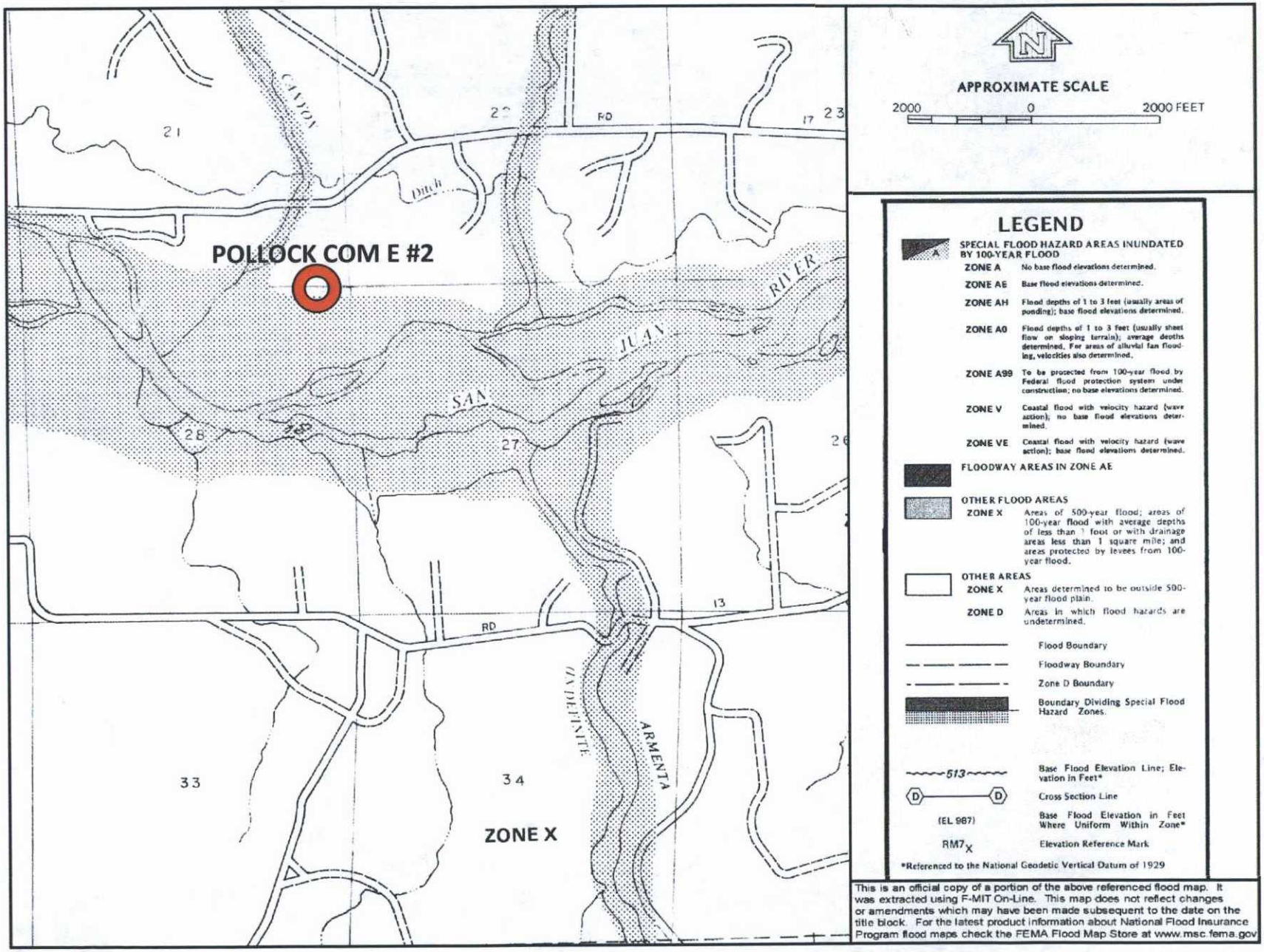

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

David Martin
Cabinet Secretary

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

David R. Catanach, Division Director
Oil Conservation Division

October 22, 2015

Certified Mail
Return Receipt #: 7013 1090 0001 7318 3954

Beatty & Wozniak, P.C.
ATTN: Mr. Bret Sumner
216 Sixteenth Street, Suite 1100
Denver, CO 80202-5115

Mr. Sumner,

We understand XTO's standing that they complied with the rules regarding the tanks installation and operation. However, we have concerns regarding the direct conduit to groundwater around the tank and XTO's submitted determination for groundwater. The groundwater is visible in the excavation and this information was excluded from the original application. Further review shows this tank is located in a flood plain, is within 500ft of a domestic water well and XTO has possibly created a wetland in the excavation around the tank. We have attached this information for your review. Because of these issues we still have concerns with the proposed design of the tank. A release on this location either associated with the tank or separate of the tank, including vandalism puts groundwater at imminent risk.

After further review and discussion we have concluded XTO's proposal is approvable with the following conditions;

- Back fill the area around the original tank eliminating the direct conduit to the groundwater.
- Installation of a high level shut off device on the new tank in accordance with 19.15.17.10.I (4) (a), to prevent overflows.
- Submittal of XTO's inspection records for the tank, for the past 5 years showing no integrity issues and no spills during the tanks operation. For reference, this was a condition in the original submittal. This can be a submittal separate from the C-144.
- Submittal of a new C-144 permit marked registration and modification with the required information.

It is our determination that XTO's proposal with these conditions would be protective of groundwater and would be a reasonable solution for both XTO and the OCD. If XTO personnel would still like to meet regarding this situation please contact us to schedule the meeting. If the above proposal is acceptable XTO can proceed with the permitting and installation accordingly.

As XTO failed to meet the initial 30 day deadline and has the impending 90 day deadline, we request a decision be made within 15 days of the date of this letter.

Thank you for your time and consideration.

Sincerely,

Charlie T. Perrin

Charlie T. Perrin
District III Supervisor
charlie.perrin@state.nm.us

ec: Daniel Sanchez, Compliance Manager, OCD
Keith Herrmann, Assistant General Counsel, OCD
Martin Nee, XTO Energy
James McDaniel, XTO Energy
Michael Cannon, XTO Energy
Jill Fulcher, Beatty & Wozniack P.C.


SJ 03652 DTW 6'
Pollock Com E #2
Imagery Date: 3/15/2015

Wet Land definition in accordance with 19.15.2.7.W(9);

"Wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions in New Mexico. This definition does not include constructed wetlands used for wastewater treatment purposes.

Pollock Com #2 FEMA Map OCT, 2015