Page 6

Oil Conservation Division

Incident ID	nAPP2227129446
District RP	
Facility ID	
Application ID	

Closure

The responsible party must attach information demonstrating they have complied with all applicable closure requirements and any conditions or directives of the OCD. This demonstration should be in the form of a comprehensive report (electronic submittals in .pdf format are preferred) including a scaled site map, sampling diagrams, relevant field notes, photographs of any excavation prior to backfilling, laboratory data including chain of custody documents of final sampling, and a narrative of the remedial activities. Refer to 19.15.29.12 NMAC.

Closure Report Attachment Checklist: Each of the following items must be included in the closure report. A scaled site and sampling diagram as described in 19.15.29.11 NMAC X Photographs of the remediated site prior to backfill or photos of the liner integrity if applicable (Note: appropriate OCD District office must be notified 2 days prior to liner inspection) Laboratory analyses of final sampling (Note: appropriate ODC District office must be notified 2 days prior to final sampling) Description of remediation activities I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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. The responsible party acknowledges they must substantially restore, reclaim, and re-vegetate the impacted surface area to the conditions that existed prior to the release or their final land use in accordance with 19.15.29.13 NMAC including notification to the OCD when reclamation and re-vegetation are complete.
 Printed Name:
 Jim Raley
 Title:
 Environmental Professional
 Signature: _____ Date: _____ Date: _____ email: jim.raley@dvn.com Telephone: 575-689-7597 **OCD Only** Received by: Jocelyn Harimon Date: 11/09/2022 Closure approval by the OCD does not relieve the responsible party of liability should their operations have failed to adequately investigate and remediate contamination that poses a threat to groundwater, surface water, human health, or the environment nor does not relieve the responsible party of compliance with any other federal, state, or local laws and/or regulations. Closure Approved by: <u>Robert Hamlet</u> Date: <u>02/01/2023</u> Printed Name: Robert Hamlet Title: Environmental Specialist - Advanced



November 9, 2022

Vertex Project #: 22E-03360

Spill Closure Report:	North Brushy Draw Federal #012H
	Section 35, Township 25 South, Range 29 East
	API: 30-015-43603
	County: Eddy
	Incident Report: nAPP2227129446

Prepared For:WPX Energy Permian, LLC5315 Buena Vista DriveCarlsbad, New Mexico 88220

New Mexico Oil Conservation Division – District 2 – Artesia 811 South 1st Street Artesia, New Mexico 88210

WPX Energy Permian, LLC (WPX) retained Vertex Resource Services Inc. (Vertex) to conduct a Spill Assessment for a release of produced water caused by a pinhole that developed in the water dump line at North Brushy Draw Federal #012H, API 30-015-43603, Incident nAPP2227129446 (hereafter referred to as "North Brushy"). WPX provided spill notification to the New Mexico Oil Conservation District (NMOCD) District 2, via submission of an initial C-141 Release Notification (Attachment 1). This letter provides a description of the Spill Assessment and includes a request for Spill Closure. The spill area is located at N 32.0797257, W -103.9514552.

Background

The site is located approximately 12.22 miles southeast of Malaga, New Mexico (Google Inc., 2022). The legal location for the site is Section 35, Township 25 South and Range 29 East in Eddy County, New Mexico. The spill area is located on Bureau of Land Management (BLM) property.

The Geological Map of New Mexico (New Mexico Bureau of Geology and Mineral Resources, 2022) indicates the site's surface geology is comprised primarily of Qoa - Older alluvial deposits of upland plains and piedmont areas and is characterized as calcic soils and eolian cover sediments of High Plains region (middle to lower Pleistocene). The Natural Resources Conservation Service *Web Soil Survey* characterizes the predominant soil texture on the site is Reagan-Upton association. It tends to be well drained with low runoff and moderate available moisture levels in the soil profile (United States Department of Agriculture, Natural Resources Conservation Service, 2022).

The surrounding landscape is associated with fan remnants and alluvial fans at elevations of 1,100 to 5,400 feet above sea level. The climate is semi-arid, with an annual precipitation ranging between 6 to 14 inches. Historically, the plant community had a grassland aspect, dominated by grasses with shrubs and half shrubs. Black grama, tobosa, and blue grama is dominant with a mixture of creosotebush, tarbush, and mesquite. Overgrazing and extended drought can reduce grass cover.

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There is no surface water located at North Brushy. The nearest significant watercourse, as defined in Subsection P of 19.15.17.7 New Mexico Administrative Code (NMAC; New Mexico Oil Conservation Division, 2018), is the Pecos River located approximately 3.14 miles southwest of the site (Google Inc., 2022; United States Fish and Wildlife Service, 2022). There are no continuous flowing watercourses or significant watercourses, lakebeds, sinkholes, playa lakes, or other critical water or community features as outlined in Paragraph (4) of Subsection C of 19.15.29.12 NMAC.

Incident Description

The spill occurred on September 23, 2022, due to pinhole leak on the produced water dump line. The spill was reported on September 23, 2022, and involved the release of approximately 35 barrels (bbl.) of produced water into the lined containment of the tank battery. Approximately 35 bbl. of free fluid was removed during initial spill clean-up. The NMOCD C-141 Report: nAPP2227129446 is included in Attachment 1. The Daily Field Report (DFR) and site photographs are included in Attachment 2.

Closure Criteria Determination

The depth to groundwater was determined using information from the United States Geological Survey National Water Information Mapping System and Office of the State Engineers Water Rights Database. A 0.5-mile search radius was used to determine groundwater depth. The closest recorded depth to groundwater was determined to be 173 feet below ground surface and 2.7 miles from the site. Documentation used in Closure Criteria Determination research is included in Attachment 3.

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North Brushy Draw Federal 35 #012H, nAPP2227129446

2022 Spill Assessment and Closure November 2022

oill Coc	ordinates:	X: 32.0797257	Y: -103.9514552
ite Spe	cific Conditions	Value	Unit
1	Depth to Groundwater	173	feet
2	Within 300 feet of any continuously flowing	46.562	fact
2	watercourse or any other significant watercourse	16,562	feet
	Within 200 feet of any lakebed, sinkhole or playa		
3	lake (measured from the ordinary high-water	32,897	feet
	mark)		
4	Within 300 feet from an occupied residence,	41,708	feet
4	school, hospital, institution or church	41,708	ieet
	i) Within 500 feet of a spring or a private, domestic		
	fresh water well used by less than five households	19,569	feet
5	for domestic or stock watering purposes, or		
	ii) Within 1000 feet of any fresh water well or	19,569	feet
	spring	19,309	leet
	Within incorporated municipal boundaries or		
	within a defined municipal fresh water field	Na	(Y/N)
6	covered under a municipal ordinance adopted		
0	6 pursuant to Section 3-27-3 NMSA 1978 as No		(1/1)
	amended, unless the municipality specifically		
	approves		
7	Within 300 feet of a wetland	331	feet
8	Within the area overlying a subsurface mine	No	(Y/N)
			Critical
9	Within an unstable area (Karst Map)	N 4 a di una	High
9	(Karst Map)	Medium	Medium
			Low
10		Needetar	
10	Within a 100-year Floodplain	Nondetermined	year
11	Soil Type	Reagan-Upton	
**			
12	Ecological Classification	Loamy	
13	Geology	Qoa	
			<50'
	NMAC 19.15.29.12 E (Table 1) Closure Criteria	<50'	51-100'
			>100'

Based on data included in the closure criteria determination worksheet, the release at North Brushy would not be vertex.ca

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WPX Energy Permian, LLC
North Brushy Draw Federal 35 #012H, nAPP2227129446

subject to the requirements of Paragraph (4) of Subsection C of 19.15.29.12 NMAC and the closure criteria for the site would be determined to be associated with the following constituent concentration limits based on depth to groundwater. The closure criteria determined for the site are associated with the following constituent concentration limits as presented in Table 1.

Table 1. Closure Criteria for Soils Impacted by a Release		
Minimum depth below any point within the horizontal boundary of the release to groundwater less than 10,000 mg/l TDS	Constituent	Limit
	Chloride	600 mg/kg
	TPH (GRO+DRO+MRO)	100 mg/kg
< 50 feet	BTEX	50 mg/kg
	Benzene	10 mg/kg

TDS - Total dissolved solids

TPH - Total petroleum hydrocarbons = gasoline range organics (GRO) + diesel range organics (DRO) + motor oil range organics (MRO) BTEX - Benzene, toluene, ethylbenzene, and xylenes

Remedial Actions Taken

An initial site inspection of the spill area was completed on November 4, 2022, which identified the area of the spill specified in the initial C-141 Report. The DFR associated with the site inspection is included in Attachment 2.

Notification that a liner inspection was scheduled to be completed was provided to the NMOCD on November 1, 2022. Visual observation of the liner was completed on all sides and the base of the containment, around equipment, and of all seams in the liner. As evidenced in the DFR (Attachment 2), liner integrity was confirmed. The liner inspection notification email is included in Attachment 4.

Closure Request

Vertex recommends no remediation action to address the release at North Brushy Draw Federal 35 #012H. The secondary containment liner appeared to be intact and had the ability to contain the release, as shown in the inspection photographs included with the DFR (Attachment 2). There are no anticipated risks to human, ecological or hydrological receptors associated with the release site.

Vertex requests that incident nAPP2227129446 be closed as all closure requirements set forth in Subsection E of 19.15.29.12 NMAC have been met. WPX certifies that all information in this report and the attachments is correct, and that they have complied with all applicable closure requirements and conditions specified in Division rules and directives to meet NMOCD requirements to obtain closure on the open release at North Brushy Draw Federal 35 #012H.

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WPX Energy Permian, LLC North Brushy Draw Federal 35 #012H, nAPP2227129446

2022 Spill Assessment and Closure November 2022

Should you have any questions or concerns, please do not hesitate to contact the undersigned at 575.361.9880 or mpeppin@vertex.ca.

Monica Peppin PROJECT MANAGER, REPORTING

_____November 9, 2022 ______ Date

Attachments

Attachment 1. NMOCD C-141 Report

Attachment 2. Daily Field Report(s) with Pictures

- Attachment 3. Closure Criteria for Soils Impacted by a Release Research Determination Documentation
- Attachment 4. Required 48-hr Notification of Liner Inspection to Regulatory Agencies

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References

- Google Inc. (2022). *Google Earth Pro (Version 7.3.4)* [Software]. Retrieved from http://www.google.com/earth on November 1, 2022.
- New Mexico Bureau of Geology and Mineral Resources. (2022). *Interactive Geologic Map*. Retrieved from http://geoinfo.nmt.edu.
- New Mexico Oil Conservation Division. (2018). *New Mexico Administrative Code Natural Resources and Wildlife Oil and Gas Releases*. Santa Fe, New Mexico.
- United States Department of Agriculture, Natural Resources Conservation Service. (2022). *Web Soil Survey*. Retrieved from https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx.
- United States Department of the Interior, Bureau of Land Management. (2022). *New Mexico Cave/Karsts*. Retrieved from https://www.blm.gov/programs/recreation/recreation-programs/caves/new-mexico.
- United States Fish and Wildlife Service. (2022). *National Wetlands Inventory Surface Waters and Wetland*. Retrieved from https://www.fws.gov/ wetlands/data/Mapper.html.

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Limitations

This report has been prepared for the sole benefit of WPX Energy Permian, LLC. This document may not be used by any other person or entity, with the exception of the New Mexico Oil Conservation Division, without the express written consent of Vertex Resource Services Inc. (Vertex) and WPX Energy Permian, LLC. Any use of this report by a third party, or any reliance on decisions made based on it, or damages suffered as a result of the use of this report are the sole responsibility of the user.

The information and conclusions contained in this report are based upon work undertaken by trained professional and technical staff in accordance with generally accepted scientific practices current at the time the work was performed. The conclusions and recommendations presented represent the best judgement of Vertex based on the data collected during the assessment. Due to the nature of the assessment and the data available, Vertex cannot warrant against undiscovered environmental liabilities. Conclusions and recommendations presented in this report should not be considered legal advice.

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ATTACHMENT 1

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-141 Revised August 24, 2018 Submit to appropriate OCD District office

)

Incident ID	nAPP2227129446
District RP	
Facility ID	
Application ID	

Release Notification

Responsible Party

Responsible Party WPX Energy Permain, LLC	OGRID 246289
Contact Name Jim Raley	Contact Telephone 575-689-7597
Contact email Jim.Raley@dvn.com	Incident # (assigned by OCD) nAPP2227129446
Contact mailing address 5315 Buena Vista Drive, Carlsbad, NM 88220	

Location of Release Source

Latitude _____32.0797257_____

Longitude ____-103.9514552___

(NAD 83 in decimal degrees to 5 decimal places)

Site Name NORTH BRUSHY DRAW FEDERAL 35 #012H	Site Type: Oil Well
Date Release Discovered: 9/23/2022	API# (if applicable) 30-015-43603

Unit Letter	Section	Township	Range	County
0	35	25S	29E	Eddy

Surface Owner: State Federal Tribal Private (Name:

Nature and Volume of Release

Crude Oil	Volume Released (bbls)	Volume Recovered (bbls)
Produced Water	Volume Released (bbls) 35	Volume Recovered (bbls) 35
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	Yes No
Condensate	Volume Released (bbls)	Volume Recovered (bbls)
Natural Gas	Volume Released (Mcf)	Volume Recovered (Mcf)
Other (describe)	Volume/Weight Released (provide units)	Volume/Weight Recovered (provide units)

Released Volume estimate = Recovered Volume as lined containment.

m C-141	2 2:59:14 PM State of New Mexico	Incident ID	nAPP2227129446
2	Oil Conservation Division	District RP	
		Facility ID	
		Application ID	
release as defined by 19.15.29.7(A) NMAC? ⊠ Yes □ No	Volume exceeded 25 bbls.		
	otice given to the OCD? By whom? To whom? Whether the other via email on 9/23/2022.	nen and by what means (phone, o	email, etc)?

Initial Response

The responsible party must undertake the following actions immediately unless they could create a safety hazard that would result in injury

 \boxtimes The source of the release has been stopped.

The impacted area has been secured to protect human health and the environment.

Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices.

 \square All free liquids and recoverable materials have been removed and managed appropriately.

If all the actions described above have not been undertaken, explain why:

Per 19.15.29.8 B. (4) NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please attach a narrative of actions to date. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see 19.15.29.11(A)(5)(a) NMAC), please attach all information needed for closure evaluation.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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.

Printed Name: __Jim Raley_____ Title: ___Environmental Professional_____

Signature: _____ fin Rdy _____ Date: ___9/28/2022_____

email: jim.raley@dvn.com Telephone: 575-689-7597

OCD Only

Received by: _____ Date: _____

Received by OCD: 11/9/2022 2:59:14 PM Form C-141 State of New Mexico

Oil Conservation Division

	Page 12 of 7
Incident ID	nAPP2227129446
District RP	
Facility ID	
Application ID	

Site Assessment/Characterization

This information must be provided to the appropriate district office no later than 90 days after the release discovery date.

What is the shallowest depth to groundwater beneath the area affected by the release?	<u>173</u> (ft bgs)
Did this release impact groundwater or surface water?	🗌 Yes 🔀 No
Are the lateral extents of the release within 300 feet of a continuously flowing watercourse or any other significant watercourse?	🗌 Yes 🔀 No
Are the lateral extents of the release within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)?	🗌 Yes 🔀 No
Are the lateral extents of the release within 300 feet of an occupied permanent residence, school, hospital, institution, or church?	🗌 Yes 🗶 No
Are the lateral extents of the release 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?	🗌 Yes 🗶 No
Are the lateral extents of the release within 1000 feet of any other fresh water well or spring?	🗌 Yes 🗶 No
Are the lateral extents of the release within incorporated municipal boundaries or within a defined municipal fresh water well field?	🗌 Yes 🔀 No
Are the lateral extents of the release within 300 feet of a wetland?	Yes X No
Are the lateral extents of the release overlying a subsurface mine?	Yes X No
Are the lateral extents of the release overlying an unstable area such as karst geology?	Yes X No
Are the lateral extents of the release within a 100-year floodplain?	Yes X No
Did the release impact areas not on an exploration, development, production, or storage site?	🗌 Yes 🔀 No

Attach a comprehensive report (electronic submittals in .pdf format are preferred) demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined. Refer to 19.15.29.11 NMAC for specifics.

Characterization Report Checklist: Each of the following items must be included in the report.

- Scaled site map showing impacted area, surface features, subsurface features, delineation points, and monitoring wells.
- X Field data
- Data table of soil contaminant concentration data
- X Depth to water determination
- X Determination of water sources and significant watercourses within ½-mile of the lateral extents of the release
- N/A Boring or excavation logs
- \mathbf{X} Photographs including date and GIS information
- X Topographic/Aerial maps
- MA Laboratory data including chain of custody

If the site characterization report does not include completed efforts at remediation of the release, the report must include a proposed remediation plan. That plan must include the estimated volume of material to be remediated, the proposed remediation technique, proposed sampling plan and methods, anticipated timelines for beginning and completing the remediation. The closure criteria for a release are contained in Table 1 of 19.15.29.12 NMAC, however, use of the table is modified by site- and release-specific parameters.

Page 3

Received by OCD.	: 11/9/2022 2:59:14 PM State of New Mexico			Page 13 of 7
			Incident ID	nAPP2227129446
Page 4	Oil Conservation Division	l	District RP	
			Facility ID	
			Application ID	
regulations all ope public health or th failed to adequate	Jim Raley Jin Role	otifications and perform co OCD does not relieve the reat to groundwater, surfa of responsibility for compl	prrective actions for rele e operator of liability sh ce water, human health liance with any other fe mental Professional	eases which may endanger ould their operations have or the environment. In
OCD Only Received by:	Jocelyn Harimon	Date:11	/09/2022	

Oil Conservation Division

	Page 14 of	/1
Incident ID	nAPP2227129446	
District RP		
Facility ID		

Application ID

Closure

The responsible party must attach information demonstrating they have complied with all applicable closure requirements and any conditions or directives of the OCD. This demonstration should be in the form of a comprehensive report (electronic submittals in .pdf format are preferred) including a scaled site map, sampling diagrams, relevant field notes, photographs of any excavation prior to backfilling, laboratory data including chain of custody documents of final sampling, and a narrative of the remedial activities. Refer to 19.15.29.12 NMAC.

Closure Report Attachment Checklist: Each of the following items must be included in the closure report. A scaled site and sampling diagram as described in 19.15.29.11 NMAC X Photographs of the remediated site prior to backfill or photos of the liner integrity if applicable (Note: appropriate OCD District office must be notified 2 days prior to liner inspection) Laboratory analyses of final sampling (Note: appropriate ODC District office must be notified 2 days prior to final sampling) **Description of remediation activities** I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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. The responsible party acknowledges they must substantially restore, reclaim, and re-vegetate the impacted surface area to the conditions that existed prior to the release or their final land use in accordance with 19.15.29.13 NMAC including notification to the OCD when reclamation and re-vegetation are complete. Printed Name: Jim Raley Title: Environmental Professional ____ Signature: _____ Date: 11/9/2022 Telephone: 575-689-7597 email: jim.raley@dvn.com **OCD Only** Date: 11/09/2022 Received by: Jocelyn Harimon Closure approval by the OCD does not relieve the responsible party of liability should their operations have failed to adequately investigate and remediate contamination that poses a threat to groundwater, surface water, human health, or the environment nor does not relieve the responsible party of compliance with any other federal, state, or local laws and/or regulations.

Closure Approved by:	Date:
Printed Name:	Title:

ATTACHMENT 2



Devon Energy Corporation	Inspection Date:	11/4/2022
North Brushy Draw Federal 35 #012H	Report Run Date:	11/7/2022 1:19 PM
Jim Raley	API #:	
575-748-0176		
	Project Owner:	
	Project Manager:	
	Summary of T	Times
11/4/2022 1:30 PM		
11/4/2022 2:34 PM		
	Corporation North Brushy Draw Federal 35 #012H Jim Raley 575-748-0176 	CorporationNorth Brushy DrawReport Run Date:Federal 35 #012HAPI #:Jim RaleyAPI #:575-748-0176Project Owner:Project Manager:Project Manager:Summary of11/4/2022 1:30 PM

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VERTEX

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Field Notes

- **13:32** Arrived on site to conduct liner inspection
- 13:52 Outside of the containment appears clean and there are no obvious signs of a breach
- **14:32** There does not appear to be any significant damage to the interior or exterior wall of the containment.
- **14:34** There does not appear to be any areas of concern with the liner around the tanks or near the equipment. There is no staining around the containment.

Next Steps & Recommendations

1 Submit DFR and closure report



Site Photos Viewing Direction: South Viewing Direction: East Outside of eastern wall of the containment Northwest end of containment and interior of north wall Viewing Direction: East Viewing Direction: South Interior of north wall of containment Interior of eastern wall dyke



















Daily Site Visit Signature

Inspector: McKitric Wier

Signature: Signature

Run on 11/7/2022 1:19 PM UTC

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ATTACHMENT 3

North Brushy Draw Federal 35 #012H



10/3/2022, 8:41:09 AM

Override 1



Both Estates

OSE District Boundary SiteBoundaries

GIS WATERS PODs New Mexico State Trust Lands

• Active

Released to Imaging: 2/1/2023 10:55:00 AM



Esri, HERE, GeoTechnologies, Inc., Esri, HERE, Garmin, GeoTechnologies, Inc., U.S. Department of Energy Office of Legacy Management, Maxar



New Mexico Office of the State Engineer **Point of Diversion Summary**

					2=NE 3=SW st to largest		(NAD83)	UTM in meters)	
Well Tag POD	Number				ec Tws		X		
C 0		4		3 0		-	602997		
Driller License:	95	Dril	ler Con	npany:	FOL	.K DRIL	LING C	О.	
Driller Name:									
Drill Start Date:	04/26/1	952 Dril	l Finish	n Date:	05	/15/1952	2 F	Plug Date:	
Log File Date:	11/17/1	953 PCV	V Rcv I	Date:			S	Source:	Shallow
Pump Type:		Pipe	Discha	arge Si	ze:		I	Estimated Yield:	
Casing Size:	12.75	Dep	th Well	l :	77	0 feet	I	Depth Water:	173 feet
					.				
Wate	er Bearing	g Stratifications:		-	Bottom	-	-		
				210	220			vel/Conglomerate	
				580 665	585 710			vel/Conglomerate vel/Conglomerate	
				725				/el/Conglomerate	
						Sandst			
	Cas	ing Perforations	:	-	Bottom				
				180	289				
				538	770				
Mete	r Numbe	r: 16557			Meter M	Make:		SIEMENS	
Mete	r Serial N	Number: L1254	823		Meter M	Multiplie	er:	100.0000	
Num	ber of Di	als: 8			Meter 7	Гуре:		Diversion	
Unit	of Measu	re: Gallor	IS		Return	Flow Pe	ercent:		
Usag	e Multipl					g Freque	ency:	Quarterly	
Meter Readin	igs (in Ac	re-Feet)							
Read Date	Year	Mtr Reading	Flag	Rdr	Comme	ent		Mtr	Amount Online
07/01/2014	2014	234997	А	RPT					0
09/30/2014	2014	354169	А	RPT					36.573
11/20/2014	2014	7281000	А	RPT					0
12/31/2014	2014	11430100	А	RPT					12.733
04/01/2015	2015	22535200	А	RPT					34.080
07/01/2015	2015	35821800	А	RPT					40.775
10/05/2015	2015	46631200	А	RPT					33.173
12/31/2015	2015	55653200	А	RPT					27.688
01/31/2016	2016	58047600	A	RPT					7.348
02/29/2016	2016	61081100	A	RPT					9.309
03/31/2016	2016	62593100	A	RPT					4.640
06/30/2016	2016	71642600	A	RPT					27.772
10/03/2016	2016	81998399	A	RPT					31.781
12/31/2016	2016	90558600	A A	RPT					26.270 226.274
04/04/2019	2019	164290087 790380	A A	RPT pdt	METER	СПАМ	GE OUT	-	226.274
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Released to Imaging: 2/1/2023 10:55:00 AM

Received by OCD: 11/9/2022 2:59:14 PM

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					07/2019			
01/02/2020	2020	1733720	А	RPT			289.500	
04/07/2021	2021	36814117	А	WEE	3		10765.779	
07/27/2021	2021	36836238	А	WEE			6.789	
10/04/2021	2021	36844496	А	WEE	3		2.534	
12/31/2021	2021	36847463	А	WEE	3		0.911	Х
**YTD Met	er Amoun	ts: Year		Amount				
		2014		49.306				
		2015		135.716				
		2016		107.120				
		2019		226.274				
		2020		289.500				
		2021	1	0776.013				
Meter	· Number:	16558			Meter Make:	MASTERN	IETER	
Meter	· Serial Nu	mber: 32530	403		Meter Multiplier:	100.0000		
Numb	er of Dials	s: 6			Meter Type:	Diversion		
Unit o	of Measure	: Gallor	ıs		Return Flow Percent:			
0	Multiplie				Reading Frequency:			
 Meter Reading								
Read Date	Year	Mtr Reading	Fla	g Rdr	Comment		Mtr Amount	Onlin
10/01/2014	2014	354169	А	RPT			0	
11/20/2014	2014	415555	А	RPT			18.839	
11/21/2014	2014	72810	А	RPT			0	
12/31/2014	2014	112178	А	RPT			12.082	
02/01/2015	2015	147039	А	RPT			10.698	
03/02/2015	2015	188133	А	RPT			12.611	
04/01/2015	2015	224102	А	RPT			11.038	
04/30/2015	2015	270723	А	RPT			14.307	
05/31/2015	2015	315628	А	tw			13.781	
07/01/2015	2015	369075	А	tw			16.402	
08/01/2015	2015	395528	А	tw			8.118	
08/31/2015	2015	455361	А	tw			18.362	
10/01/2015	2015	466312	А	RPT			3.361	
x **VTD Met	er Amoun	ts: Year		Amount				
		2014		30.921				
		2014						

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.

POINT OF DIVERSION SUMMARY



	7212	All Applications Under St	atute 72-12-1	
saction Number: 46159	94	Transaction Desc: C 0344	9	File Date: 06/25/201
Primary Status: EXI	e Exp	ired Permit		
Secondary Status: EXI	P Exp	ired		
Person Assigned: ***	****			
User: OG	X RESO	URCES		
Contact: SCC	OTT GRI	EGORY		
x Events				
Date	Туре	Description	Comment	Processed By
images 06/25/2010	APP	Application Received	*	*****
06/29/2010	FIN	Final Action on application		*****
06/29/2010	WAP	General Approval Letter		*****
11/22/2010	QAT	Quality Assurance Completed	d XAP	*****
10/08/2014	EXP	Expired Permit (well log late))	*****
x				
Change To:				
WR File Nbr	Acre	s Diversion Consump	otive Purpose of Use	2
C 03449		3		
**Point of Diversio	n			
C 01360		602997 3548152		

Remarks

To Use Existing Well C-1360 in the Development of OGX Resources "Cooper 31 Fed. 2H" Project Well, Located in Section 28, T.25S, R.29E

Conditions

- 3 Appropriation and use of water under this permit shall not exceed a period of one year from the date of approval.
- 5B A totalizing meter shall be installed before the first branch of the discharge line from the well and the installation shall be acceptable to the State Engineer; the Engineer shall be advised of the make, model, serial number, date of installation, and initial reading of the meter prior to appropriation of water; pumping records shall be submitted to the District Supervisor on or before the 10th of Jan., April, July and Oct. of each year for the 3 preceeding calendar months.
- 15 This permit authorizes the temporary diversion and use of water for prospecting, mining or construction of public works, highways and roads or drilling operations designed to discover or develop the natural mineral resources of the state. The total diversion of water under this permit shall not exceed 3 acre-feet per year.

Diversion and use of water under this permit shall not exceed a period of one year from the date of approval.

18 Any diversion of water made in excess of the authorized maximum diversion amount shall be repaid with twice the amount of the over-diversion during the

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following calendar year. Repayment shall be made by either: (a) reducing the diversion from the well that is the source of the over-diversion; or (b) acquiring or leasing a valid, existing consumptive use water right in an amount equal to the repayment amount and submitting to the State Engineer for his approval a plan for the proposed repayment.

Action of the State Engineer

** See Image For Any Additional Conditions of Approval **

Approval Code:A - ApprovedAction Date:06/29/2010Log Due Date:06/29/2011State Engineer:John R. D Antonio,

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.

10/3/22 8:45 AM

TRANSACTION SUMMARY

U.S. Fish and Wildlife Service

National Wetlands Inventory

North Brushy Draw Federal 35 #012H

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October 3, 2022

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- **Freshwater Pond**

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Lake Other Riverine This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

U.S. Fish and Wildlife Service

National Wetlands Inventory

North Brushy Draw Federal 35 #012H



Riverine

Freshwater Pond

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Estuarine and Marine Wetland

National Wetlands Inventory (NWI) This page was produced by the NWI mapper

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Nearest Residence: 7.90 miles (41,708 feet)

North Brushy Draw Federal 35 #012H



Residence

726

285R360 - Red Bluff

TEP - Walt

NEWEXASICO

	WR File Number:	C 01569	Subbasin: (C Cross Refe	rence: -	
	Primary Purpose:	STK 72-12	2-1 LIVESTOCK WATER	ING		
<u>get image list</u>	Primary Status:	PMT PER	MIT			
	Total Acres:		Subfile:	-	Header: -	
	Total Diversion:	3	Cause/Case:	-		
	Owner:	WALTER B P	ASCHAL			
	Owner:	JACKIE C PA	SCHAL			
	Owner:	KATHRYN F	PASCHAL			
	Owner:	BYRON W PA	ASCHAL			
ocument	x on File					
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<i>2</i> 78-	Trn # Doc File	Act 1	2 Transaction Desc.	То	Acres Diversion C	onsumptive
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images	Λ.					
<u>images</u>	oints of Diversion					
<u>images</u>	oints of Diversion		Q (NA	AD83 UTM in meters)		

10/3/22 9:16 AM

WATER RIGHT SUMMARY

North Brushy Draw Federal 35 #012H



10/3/2022, 9:14:58 AM



New Mexico State Trust Lands

Both Estates

OSE District Boundary

Subsurface Estate

SiteBoundaries



Esri, HERE, Garmin, Esri, HERE, U.S. Department of Energy Office of Legacy Management, Maxar

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Malaga

285

Nearest Town: Malaga, NM Distance: 12.22 miles (64,519 feet) Legend^{36 of 71}

North Brushy Draw Federal 35 #012H

10 km

m tob Frank
U.S. Fish and Wildlife Service

National Wetlands Inventory

North Brushy Draw Federal 35 #012H



Riverine

Freshwater Pond

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Estuarine and Marine Wetland

National Wetlands Inventory (NWI) This page was produced by the NWI mapper

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10/3/2022, 8:32:40 AM



National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, increment P Corp.



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Legend

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Releasea to Imaging: 2/1/2023 1095:00 AM 1,500 2.000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020



USDA Natural Resources Conservation Service Released to Imaging: 2/1/2023 10:55:00 AM

Web Soil Survey National Cooperative Soil Survey

	MAP L	EGEND		MAP INFORMATION
Soils ~ Special © X X S	MAP L terest (AOI) Area of Interest (AOI) Soil Map Unit Polygons Soil Map Unit Points Soil Map Unit Points Point Features Blowout Borrow Pit Clay Spot Closed Depression Gravel Pit	EGEND	Spoil Area Stony Spot Very Stony Spot Wet Spot Other Special Line Features atures Streams and Canals tation Rails Interstate Highways	 The soil surveys that comprise your AOI were mapped at 1:20,000. Warning: Soil Map may not be valid at this scale. Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale. Please rely on the bar scale on each map sheet for map measurements. Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)
☆☆☆☆☆⊗⊙☆┼☆☆☆	Gravel Pit Gravelly Spot Landfill Lava Flow Marsh or swamp Mine or Quarry Miscellaneous Water Perennial Water Rock Outcrop Saline Spot Sandy Spot Severely Eroded Spot Sinkhole Slide or Slip Sodic Spot	Backgrou	US Routes Major Roads Local Roads Ind Aerial Photography	 Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required. This product is generated from the USDA-NRCS certified data a of the version date(s) listed below. Soil Survey Area: Eddy Area, New Mexico Survey Area Data: Version 18, Sep 8, 2022 Soil map units are labeled (as space allows) for map scales 1:50,000 or larger. Date(s) aerial images were photographed: Feb 7, 2020—May 12, 2020 The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



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Map Unit Legend

Map Unit Symbol Map Unit Name		Acres in AOI	Percent of AOI	
RE	Reagan-Upton association, 0 to 9 percent slopes	5.7	100.0%	
Totals for Area of Interest		5.7	100.0%	



Eddy Area, New Mexico

RE—Reagan-Upton association, 0 to 9 percent slopes

Map Unit Setting

National map unit symbol: 1w5d Elevation: 1,100 to 5,400 feet Mean annual precipitation: 6 to 14 inches Mean annual air temperature: 60 to 64 degrees F Frost-free period: 180 to 240 days Farmland classification: Farmland of statewide importance

Map Unit Composition

Reagan and similar soils: 70 percent Upton and similar soils: 25 percent Minor components: 5 percent Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Reagan

Setting

Landform: Fan remnants, alluvial fans Landform position (three-dimensional): Rise Down-slope shape: Convex, linear Across-slope shape: Linear Parent material: Alluvium and/or eolian deposits

Typical profile

H1 - 0 to 8 inches: loam *H2 - 8 to 60 inches:* loam

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water
(Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 40 percent
Maximum salinity: Very slightly saline to moderately saline (2.0 to 8.0 mmhos/cm)
Sodium adsorption ratio, maximum: 1.0
Available water supply, 0 to 60 inches: Moderate (about 8.2 inches)

Interpretive groups

Land capability classification (irrigated): 2e Land capability classification (nonirrigated): 6e *Hydrologic Soil Group:* B *Ecological site:* R042CY153NM - Loamy *Hydric soil rating:* No

Description of Upton

Setting

Landform: Ridges, fans Landform position (three-dimensional): Side slope, rise Down-slope shape: Convex Across-slope shape: Convex Parent material: Residuum weathered from limestone

Typical profile

H1 - 0 to 9 inches: gravelly loam
H2 - 9 to 13 inches: gravelly loam
H3 - 13 to 21 inches: cemented
H4 - 21 to 60 inches: very gravelly loam

Properties and qualities

Slope: 0 to 9 percent
Depth to restrictive feature: 7 to 20 inches to petrocalcic
Drainage class: Well drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Low to moderately high (0.01 to 0.60 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 75 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 1.0

Available water supply, 0 to 60 inches: Very low (about 1.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified Land capability classification (nonirrigated): 7s Hydrologic Soil Group: D Ecological site: R042CY159NM - Shallow Loamy Hydric soil rating: No

Minor Components

Atoka

Percent of map unit: 3 percent Ecological site: R070BC007NM - Loamy Hydric soil rating: No

Pima

Percent of map unit: 2 percent *Ecological site:* R070BC017NM - Bottomland Hydric soil rating: No

Data Source Information

Soil Survey Area: Eddy Area, New Mexico Survey Area Data: Version 18, Sep 8, 2022



UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE

ECOLOGICAL SITE DESCRIPTION

ECOLOGICAL SITE CHARACTERISTICS

Site Type:	Rangeland	
Site ID:	R042XC007NM	
Site Name:	Loamy	
Precipitation	or Climate Zone:	10 to 13 inches
Phase:		

PHYSIOGRAPHIC FEATURES

Narrative:

This site occurs on plains, drained or protected flood plains, broad terraces or fans between desert drainage ways. Slopes range from level to gently sloping, usually less than 5 percent. Direction of slope varies and is not significant. Elevations range from 2,842 to 4,500 feet.

Land Form:		
1. Plain		
2. Terrace		
3. Fan		
Aspect:		
1. Not significant		
2.		
3.		
	Minimum	Maximum
Elevation (feet)	2,842	4,500
Slope (percent)	0	5
Water Table Depth (inches)	N/A	N/A
Flooding:	Minimum	Maximum
Frequency	N/A	N/A
Duration	N/A	N/A
Pounding:	Minimum	Maximum
Depth (inches)	N/A	N/A
Frequency	N/A	N/A
Duration	N/A	N/A
Runoff Class:		
Low to High		

CLIMATIC FEATURES

Narrative:

The average annual precipitation ranges from 8 to 13 inches. Variations of 5 inches, more or less, are common. Over 80 percent of the precipitation falls from April through October. Most of the summer precipitation comes in the form of high intensity short duration thunderstorms.

Temperatures are characterized by distinct seasonal changes and large annual and diurnal temperature changes. The average annual temperature is 61 degrees with extremes of 25 degrees below zero in the winter to 112 degrees in the summer.

The average frost-free season is 207 to 220 days. The last killing frost is in late March or early April, and the first killing frost is in late October or early November.

Temperature and rainfall both favor warm season perennial plant growth. In years of abundant spring moisture, annual forbs and cool season grasses can make up an important component of this site. Strong winds blow from the southwest in January through June rapidly drying out the soil during a critical time for cool season plant growth.

	Minimum	Maximum
Frost-free period (days):	180	221
Freeze-free period (days):	199	240
Mean annual precipitation (inches):	10.0	13.0

Monthly moisture (inches) and temperature (⁰F) distribution:

,	Precip. Min.	Precip. Max.	Temp. Min.	Temp. Max.
January	0.40	0.42	20.6	59.7
February	0.40	0.41	25.2	65.6
March	0.41	0.43	31.4	72.7
April	0.58	0.63	40.4	81.5
May	1.28	1.35	49.6	88.7
June	1.40	1.46	59.1	95.4
July	1.62	1.64	63.3	96.4
August	1.79	1.84	61.6	94.8
September	1.81	2.20	54.1	88.5
October	1.16	1.41	40.7	80.4
November	0.43	0.47	28.4	68.7
December	0.48	0.51	20.9	61.1

Climate Stat	tions:						
					Perio	od	
Station ID	NM0600	Location	Artesia, NM	From:	1961		1990
Station ID	NM0992	Location	Bitter Lakes WL Refuge, NM	From:	1961	To :	1990
		-			Perio	od	
Station ID	NM1469	Location	Carlsbad, NM	From:	1961	To	1990
		-			Perio		
Station ID	NIN 1202702	Location	Haganman NM	Enom			1060
Station ID	NM293792	Location	Hagerman, NM	From:	1920	To :	1960
		-			Perio	bd	
Station ID	NM299569	Location	Waste Isolation	From:	1986	То	2000
			Plant, NM			:	
					Perio	od	
Station ID	NM4346	Location	Jal, NM	From:	1961	То	1990
			·			:	

INFLUENCING WATER FEATURES

Narrative:
This site is not influenced from water from wetlands or streams.

Wetland description:

System	Subsystem	Class		
N/A				

If Riverine Wetland System enter Rosgen Stream Type: N/A

REPRESENTATIVE SOIL FEATURES

Narrative:

The soils of this site are deep to moderately deep and well drained. A few are shallow to gypsiferous material. The surface layers are loam, silt loam, silty clay loam, or clay loam. The underlying layers are loam, silty clay loam and clay loam. Permeability is moderate to slow and the available water holding capacity is high to moderate.

Parent Material Kind:	Alluvium
Parent Material Origin:	Mixed

Surface Texture:

1.	loam
2.	silty clay loam
3.	silt loam

Surface Texture Modifier:

1.	N/A
2.	
3.	

Subsurface Texture Group:Surface Fragments <=3" (% Cover):</td>Surface Fragments >3" (% Cover):Subsurface Fragments <=3" (% Volume):</td>Subsurface Fragments >=3" (% Volume):N/A

N/A			
N/A			
0-5 percent			
NI/A			

	Minimum	Maximum
Drainage Class:	well	well
Permeability Class:	very slow	slow
Depth (inches):	20	>72
Electrical Conductivity (mmhos/cm):	2	16
Sodium Absorption Ratio:	0	15
Soil Reaction (1:1 Water):	6.6	8.4
Soil Reaction (0.1M CaCl2):	N/A	N/A
Available Water Capacity (inches):	1	8
Calcium Carbonate Equivalent (percent):	N/A	N/A

PLANT COMMUNITIES

Ecological Dynamics of the Site:

Overview: The Loamy site is associated with the Gyp Upland ecological site with which it intergrades. There is a pronounced increase in alkali sacaton along this interface. The loamy site is also associated with the Gravelly and Shallow ecological sites from which it receives run-on water. The Draw site often dissects Loamy sites and is distinguished from the Loamy site by increased production or greater densities of woody species. The historic plant community has a grassland aspect, dominated by grasses with shrubs and half-shrubs sparse and evenly distributed. Tobosa, black grama and blue grama are the dominant species. Retrogression within this state is characterized by a decrease in black and blue grama and an increase in burrograss. Continuous overgrazing and drought can initiate a transition to a Burrograss- Grassland state. Continued reduction in grass cover and resulting infiltration problems may eventually effect a change to a Bare State, with very little or no remaining grass cover. Alternatively, creosotebush, tarbush or mesquite may expand or invade. Transitions back to a Grassland State from a Bare or Shrub-Dominated state are costly and may not be economically feasible. Decreased fire frequency may play a part in the transition to the Grass/Succulent Mix state with increased amounts of cholla and prickly pear.

Plant Communities and Transitional Pathways (diagram)



1a. Soil drying, overgrazing, drought, soil surface sealing. 1b. Restore natural overland flow, increase infiltration, prescribed grazing.

2a. Severe reduction in cover, soil surface sealing, decreased infiltration, erosion. 2b. Restore hydrology, break up physical crust, range seeding, prescribed grazing.

3a. Lack of fire, overgrazing, hail storms or other physical disturbance, drought. 3b. Prescribed fire, brush control, prescribed grazing.

4a. Seed dispersal of shrubs, persistent loss of grass cover, competition by shrubs, lack of fire. 4b. Brush control, range seeding -dependent on amount of grass (seed bank) remaining.

5. Loss of grass cover, seed dispersal of shrubs, competition by shrubs.

6. & 7. Brush control with continued loss of grass cover, soil sealing, erosion.

Plant Communities Photo Display & Descriptive Diagnosis

MLRA 42; SD-3; Loamy





•Tobosa-black grama, some yucca and prickly pear •Grass cover moderate, distributed fairly uniform •Few large bare patches

Grassland





Transition towards shrub Dominated





- •Tobosa-burrograss, with some black grama and scattered prickly pear
- •Grass cover moderate
- •Few large bare patches
- •Russler silt loam
- •Tarbush / burrograss, with some tobosa
- •Fine textured calcareous soils
- •Bare patches evident
- •Soil surface sealing
- •Reagan silt loam

Shrub-Dominated





- Mesquite / burrograss, with scattered patches of tobosa
 Sandy surface over finer textured
- soils
- •Grass cover moderate to low
- •Bare patches evident

Plant Community Name:	Historic Cli	max Plant Co	ommunity	
Plant Community Sequence Number:		1	Narrative Label:	НСРС

Plant Community Narrative:

State Containing Historic Climax Plant Community

Grassland:

The historic plant community has a grassland aspect, dominated by grasses with shrubs and halfshrubs sparse and evenly distributed. Black grama, blue grama, and tobosa are the dominant grass species. There are a variety of perennial forbs and their production varies widely by season and by year. Globemallow, verbena, groundsels, croton and filaree are forbs commonly found on this site. Fourwing saltbush and winterfat are two of the more palatable shrubs. The Loamy ecological site encompasses a wide variety of soils, with surface textures ranging from sandy loams to clay loams. Soil depths range from shallow to very deep and can include sub surface features such as calcic, petrocalcic, and gypsic horizons. These variations cause differences in plant community composition and dynamics. Black grama is found at highest densities on coarser textured sandy loams, with blue grama preferring finer textured loam and silt loam, and tobosa favoring lower landscape positions and loam to clay loam surface textures. Burrograss may often be the dominant grass species on silty soils, perhaps in part due to the seedlings ability to auger into and establish on physically crusted soils. Gypsum influenced soils typically have greater amounts of tobosa, burrograss, and ephedra. There is greater representation of sideoats and vine mesquite within the tobosa-blue grama community. Retrogression under continuous heavy grazing results in a decrease of black grama, blue grama, sideoats grama, plains bristlegrass, bush muhly, cane bluestem, vine mesquite, winterfat, and fourwing saltbush. Species such as burrograss, threeawns, sand dropseed, sand muhly, and broom snakeweed increase under continuous heavy grazing or prolonged periods of drought. Under continued retrogression burrograss can completely dominate the site. Creosotebush, tarbush, and mesquite, can also dominate. Cholla and prickly pear can increase on areas that are disturbed or overgrazed.

Diagnosis: Tobosa, black grama, and blue grama are the dominant species. Grass cover is uniformly distributed with few large bare areas. Shrubs are sparse and evenly distributed. Slopes range from level to gently sloping and usually display limited evidence of active rills and gully formation if plant cover remains intact. Litter movement associated with overland flow is limited to smaller size class litter and short distances.

Ground Cover (Average Percent of Surface Area).	
Grasses & Forbs	15 - 30
Bare ground	40 - 50
Surface cobble and stone	1-5
Litter (percent)	25 - 30
Litter (average depth in cm.)	3

Annual Production (lbs/ac)					
Plant Type	Low	RV	High		
Grass/Grasslike	585	833	1080		
Forb	39	55	72		
Tree/Shrub/Vine	26	37	48		
Lichen					
Moss					
Microbiotic Crusts					
Totals	650	925	1200		

Plant Community Annual Production (by plant type):

.

Plant Community Composition and Group Annual Production: Plant species are grouped by annual production **not** by functional groups.

Group	Scientific		Species	Group
Number	Plant	Common Name	Annual	Annual
	Symbol		Production	Production
1	PLMU3	tobosa	278 - 324	278 - 324
2	SCBR2	burrograss	9 - 46	9 - 46
3	BOER4	black grama	231-278	231-278
3	BOGR2	blue grama		
4	BOCU	sideoats grama	28 - 46	28 - 46
5	MUPO2	bush muhly	46 - 93	46 - 93
5	SEVU2	plains bristlegrass		
6	DICA8	Arizona cottontop	9 - 28	9 - 28
7	ARIST	threeawns spp.	46 - 93	46 - 93
7	SPCR	sand dropseed		
7	MUHLE	muhly spp.		
8	2GP	other grasses	28 - 46	28 - 46

Plant Type - Grass/Grasslike

Plant Type - Tree/Shrub/Vine

Group Number	Scientific Plant	Common Name	Species Annual	Group Annual
	Symbol		Production	Production
9	ATCA2	fourwing saltbush	9 - 28	9 - 28
9	EPHED	ephedra spp.		
9	KRLA2	winterfat		
10	GUSA2	broom snakeweed	9 - 28	9 - 28
10	MIERX	javelinabush		
11	2SHRUB	other shrubs	9 - 28	9 - 28

Plant Type – Forb

12	SPHAE	globemallow	9 - 46	9 - 46
12	VEPO4	verbena		
12	SEFLF	threadleaf groundsel		
13	PACAL5	wooly groundsel	9 - 28	9 - 28
13	CROTO	croton		
14	MAPIG2	cutleaf haplopappus	9 - 28	9 - 28
14	PSTA	wooly paperflower		
15	ERTE13	Texas filaree	9 - 28	9 - 28
15	ERCI6	Arizona filaree		
16	2FORB	other forbs	9 - 28	9 - 28

Plant Type - Lichen

Group Number	Scientific Plant Symbol	Common Name	Species Annual Production	Group Annual Production

Plant Type - Moss

Group Number	Scientific Plant Symbol	Common Name	Species Annual Production	Group Annual Production

Plant Type - Microbiotic Crusts

Group Number	Scientific Plant	Common Name	Species Annual	Group Annual
1 (01110 01	Symbol		Production	Production

Other grasses that could appear on this site would include: silver bluestem, cane bluestem, alkali sacaton, vine-mesquite, Hall's panicum, hairy grama, mesa dropseed, spike dropseed and fluffgrass.

Other shrubs include: yucca, mesquite, tarbush, cholla and creosote bush.

Other forbs include: desert holly, scorpionweed, bladderpod, flax, mama, fleabane, Indianwheat, Indian blanket flower, groundcherry, deerstongue, and rayless goldenrod.

Plant Growth Curves	5	
Growth Curve ID	NM2807	
Growth Curve Name	e: HCPC	
Growth Curve Descr	ription:	SD-3 Loamy - Warm season plant community

I	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
I	0	1	3	4	10	10	25	30	12	5	0	0

Additional States:

Burrograss-Grassland: Changes in hydrology resulting in decreased available soil moisture, reduces grass cover and increases cover of bare ground. Burrograss is the dominant grass. Tobosa cover is variable and can range from sizeable areas to small patches occupying only depressions or the lowest and wettest positions within the site. Threeawns, ear muhly, sand muhly, and fluffgrass occur at increased densities compared to the grassland state. Shrub densities may increase especially mesquite, creosotebush or tarbush. Retrogression within this state is characterized by a further decrease in grass cover and increased bare ground. Further deterioration of this site can result in the transition to a bare state or becoming shrub dominated.

<u>Diagnosis:</u> Burrograss is the dominant species. Grass cover is no longer uniformly distributed, instead tending to be patchy with large areas of bare ground present. Physical crusts are present in bare areas reducing infiltration and suppressing seedling establishment by any grass species other than burrograss.

Transition to Burrograss-Grassland (1a): Transitions from grassland to a burrograss-grassland state may occur due to changes in hydrology. Gullies, roads or obstructions that alter natural water flow patterns may cause this transition. Changes in surface hydrology may also occur due to overgrazing or drought. The reduction in grass cover promotes increased soil physical crusts and reduces infiltration.⁵

Key indicators of approach to transition:

- Diversion of overland flow resulting in decreased soil moisture.
- Increase in amount of burrograss cover
- Reduction in grass cover and increase in size and frequency of bare patches.
- Formation of physical crusts—indicating reduced infiltration.
- Evidence of litter movement—indicating loss or redistribution of organic matter.

Transition back to Grassland (1b) The natural hydrology of the site must be returned. Culverts, turnouts, or rerouting roads may help re-establish natural overland flow, if roads or trails have altered the hydrology. Erosion control structures or shaping and filling gullies may help regain natural flow patterns and establish vegetation if the flow has been channeled. Breaking up physical crusts by soil disturbance may promote infiltration and seedling emergence. Allow natural revegetation to take place. Prescribed grazing will help ensure proper forage utilization and reduce grass loss due to grazing.

Bare State: Extremely low ground cover, soil degradation and erosion characterize this state. Very little vegetation remains. Burrograss is the dominant grass and cover is extremely patchy. Physical soil crusts are extensive. Erosion and resource depletion increase as site degrades.

<u>Diagnosis:</u> Very little cover remains. Erosion is evident by soil sealing, water flow patterns, pedestals or terracettes. Rills and gullies may be present and active.

Transition to Bare State (2a): Extended drought, continuous heavy grazing, or other disturbance that severely depletes grass cover can effect this transition. As grass cover decreases,

sheet flow and erosion increase, and physical soil crusts form, thereby further reducing infiltration.

Key indicators of approach to transition:

- Continued reduction in grass cover.
- Increased soil surface sealing.
- Increased erosion.
- Reduced aggregate stability in bare areas.

Transition back to Grassland (2b) Restore the hydrology, see (1a). With the extent of grass loss range seeding may be necessary. Utilizing livestock or mechanical means to break up the physical crusts may increase infiltration and aid seedling establishment. Prescribed grazing will help ensure adequate deferment period following seeding, and proper forage utilization once the grass stand is well established. The degree to which this site is capable of recovery depends on the restoration of hydrology, extent of degradation to soil resources, and adequate rainfall necessary to establish grasses.

<u>Grass / Succulent Mix</u>: Increased representations of succulents characterize this site. Increased densities of cholla or pricklypear is recognized as a management concern, but their impact on grass production is unclear. Light to medium cholla or prickly pear infestation doesn't seem to greatly reduce grass production, however it limits access to palatable grasses and interferes with livestock movement and handling. Tobosa and blue grama are the dominant species on this site. Retrogression within this site is characterized by a decrease in blue grama and an increase in succulents, tobosa and burrograss.

<u>Diagnosis:</u> Cholla or prickly pear is found at increased densities. Grass cover is variable ranging from uniformly distributed to patchy with frequent areas of bare ground present. Tobosa or blue grama is the dominant grass species.

Transition to Grass/Succulent Mix (3a): If fire was historically a part of desert grassland ecosystem and played a role in suppressing seedlings of shrubs and succulents, then fire suppression may favor the increase of succulents.¹ Heavy grazing by livestock or other physical disturbances may help disseminate seed and increase the establishment of succulents. Areas historically overgrazed by sheep are sometimes associated with higher densities of Succulents. Intense hailstorms can spread pricklypear by breaking off joints causing new plants to take root.³ During severe drought perennial grass cover can decline significantly, leaving resources available for use by more drought tolerant succulents. Cholla and pricklypear are both adapted to and favored by drought due to the ability of their shallow, wide spreading root systems to absorb and store water.⁴

Key indicators of approach to transition:

- Decrease or change in distribution of grass cover.
- Increase in amount of succulent seedlings.
- Increased cover of succulents.

Transition back to Grassland (3b) Fire is an effective means of controlling cholla and prickly pear if adequate grass cover remains to carry fire.² Cholla greater than two feet tall or pricklypear with a large amount of pads (>15-20) are harder to kill. Chemical control is effective in controlling prickly pear and cholla; apply when growth starts in May. Hand grubbing is also effective if cholla or pricklypear is severed 2-4 inches below ground and care is taken not to let broken joints or pads take root. Stacking and burning piles and grubbing during winter or drought help keeps broken joints and pads from rooting. Prescribed grazing will help ensure proper forage utilization and sustain grass cover.

<u>Shrub Dominated</u>: Increased shrub cover characterizes this state. Mesquite, creosotebush, and/or tarbush are the dominant shrub species. Burrograss or tobosa is the dominant grass species. Grass cover is decreased, typically patchy with large bare areas present; however, sometimes grass cover can remain relatively high for extended periods when associated with light to moderate infestations of mesquite. Variations in soil characteristics play a part in determining which shrub species increase. Mesquite is well adapted to a wide range of soil types, but increases more often on deep soils low in carbonates, that have a sandy surface overlying finer textured soils. Tarbush prefers finer textured, calcareous soils, usually in lower positions that receive some extra water. Creosotebush is less tolerant of fine textured soils, preferring sandy, calcareous soils that have some gravel. Creosotebush also does well on soils that are shallow over caliche. Retrogression within this state is characterized by a decrease in tobosa, and an increase in burrograss. As the site continues to degrade shrub cover continues to increase and grass cover is severely reduced.

<u>Diagnosis:</u> Mesquite, Creosotebush, and/or tarbush are the dominant shrubs. Blue grama and black grama cover is low or absent. Burrograss or tobosa are the dominant grasses. Typically grass cover is patchy with large interconnected bare areas present. Physical soil crusts are present, especially on silt loam surface soils.

Transition to Shrub Dominated (4a): Wildlife and livestock consume and disperse mesquite seeds. Flood events may wash creosote or tarbush seeds off adjacent gravelly sites onto the loamy site and supply adequate moisture for germination. Persistent loss of grass cover due to overgrazing or drought can cause large bare patches, providing competition free areas for shrub seedling establishment. As shrub cover increases, competition for soil resources, especially water, becomes a major factor in further reducing grass cover. Reduction of fire, due to either fire suppression policy or loss of adequate fine fuels may increase the probability of shrub encroachment. Increased soil surface physical crusts and associated decreased infiltration, may prevent the establishment of grass seedlings.

<u>**Transition to Shrub Dominated (5):**</u> The dispersal of creosotebush, tarbush or mesquite seed, combined with loss of grass cover and resource competition by shrubs may cause this transition.

Key indicators of approach to transition:

- Decreased grass and litter cover.
- Increased bare patch size.
- Increased physical soil crusts.
- Increased amount of mesquite, creosotebush, or tarbush seedlings.
- Increased shrub cover.

Transition back to Grassland (4b) Brush control will be necessary to remove shrubs and eliminate competition for resources necessary for grass establishment or reproduction. Seeding may be necessary on those sites where desired grass species are absent or very limited. Pitting and seeding may increase the chances of successful grass establishment. Prescribed grazing will help ensure adequate time is elapsed before grazing seeded area is allowed and proper forage utilization following seeding establishment.

<u>Transition to Bare State</u> (6): If grass cover on the shrub-dominated state is severely limited and shrubs are removed a bare state may result. This transition will depend on amount of grasses or seed remaining, whether site is seeded, or if seeding is successful.

<u>**Transition to Bare State (7):</u>** Removal of succulents and continued overgrazing or drought may cause loss of remaining grasses and erosion. Soil surface physical crusting may also be an important factor in inhibiting grass seedling establishment.</u>

ECOLOGICAL SITE INTERPRETATIONS

Animal Community:

This site provides habitats which support a resident animal community that is characterized by pronghorn antelope, black-tailed jackrabbit, black tailed prairie dog, yellow-faced pocket gopher, banner-tailed kangaroo rat, hispid cotton rat, swift fox, burrowing owl, horned lark, mockingbird, meadowlark, mourning dove, scaled quail, Great Plains toad, plains spadefoot toad, prairie rattlesnake and western coachwhip shake.

Hydrology Functions:

The runoff curve numbers are determined by field investigations using hydraulic cover conditions and hydrologic soil groups.

Hydrologi	ic Interpretations
Soil Series	Hydrologic Group
Atoka	С
Bigetty	С
Cottonwood	С
Hoban	В
Hodgins	В
Holloman	С
La Lande	С
Largo	В
Mimbres	С
Pima	В
Reagan	С
Reakor	В
Reeves	С
Russler	С

Recreational Uses:

This site offers limited potential for hiking, horseback riding, nature observation and photography. Game bird, antelope and predator hunting are also limited.

Wood Products:

This site has no potential for wood products

Other Products:

This site is suitable for grazing by all kinds and classes of livestock, during all seasons of the year. Under retrogression, such plants as black grama, blue grama, sideoats grama, bush muhly, plains bristlegrass, Arizona cottontop, fourwing saltbush and winterfat decrease and there is an increase in burrograss, threeawns, sand dropseed, muhlys, broom snakeweed and javilinabush. Under continued retrogression, burrograss can completely dominate the site. Creosotebush and tarbush can also dominate. Grazing management alone will not improve the site in the above situation. This site is well suited to a system of management that rotates the season of use.

Other Information:	
Guide to Suggested Initial Stocking	g Rate Acres per Animal Unit Month
Similarity Index	Ac/AUM
100 - 76	3.0 – 4.2
75 – 51	4.1 – 5.5
50 - 26	5.3 - 7.0
25 - 0	7.1 +

Plant Preference by Animal Kind:

	Code		Si	oecies P	refere	ıce			Code						
Stems	Stems S			one Sel					N/S						
Leaves		Pr	referred					Р							
Flowers	F		D	Desirable D											
Fruit/Seeds	Fruit/Seeds F/S			Undesirable U											
Entire Plant	EP		N	Not Consumed NC											
Underground Parts	Eı	Emergency													
			Te	Toxic T											
Animal Kind:	Livestock														
Animal Type:	Cattle														
		Plant		Forage Preferences											
Common	Scientific	Part	J												
Name	Name														
Black grama	Bouteloua eriopoda	EP	Р	Р	Р	D	D	D	D	D	D	D	Р	Р	
Blue grama	Bouteloua		D	D	D	D	D	Р	Р	Р	Р	Р	D	D	
	gracilis	EP	-												
Sideoats	Bouteloua		Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	
grama	curtipendula	EP													
		EP	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	
Bush muhly	Muhlenbergia porteri	EP	r	P	P	r	r	P	P	P	P	P	P	r	
Plains	Sataria	EP	D	D	D	D	D	Р	Р	Р	Р	D	D	D	
	Setaria														
bristlegrass	vulpiseta														
Arizona	Digitaria	EP	D	D	D	D	D	Р	Р	Р	D	D	D	D	
cottontop	californica														
h	CallIOTTICa	ED	D	D	D	D	D	D	D	D	D	D	D	D	
Fourwing	Atriplex	EP	Р	Р	Р	Р	Р	D	D	D	D	D	Р	Р	
saltbush	canescens														
Sanousii		EP	Р	Р	Р	Р	D	D	D	D	D	Р	Р	Р	
M	Ephedra		1	1	1	1	D	D	D	D	D	1	1	1	
Mormon-tea	viridis														
Winterfat	Krascheninnik	EP	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	
	ovia lanata														
Verbena	Verbena	EP	N/	N/	N/	D	D	D	D	D	D	N/	N/	N/	
verbena	polystachya		С	С	С							С	С	С	
T (°1	Erodium	EP	N/S	Р	Р	Р	N/S								
Texas filaree		1.1	14/5	1	1	1	14/5	14/5	11/5	14/5	14/5	14/5	14/5	14/5	
	texanum			_	_	_									
Arizona	Erodium	EP	N/S	Р	Р	Р	N/S								
filaree	cicutarium														
	Dlaurashia	EP	N/S	N/S	D	D	D	Р	Р	Р	D	D	D	N/S	
Tobosa	Pleuraphis	Er	11/2	11/2	ען	U	U	r	r	r	ע			18/3	
	mutica														
Burrograss	Scleropogon	EP	D	D	D	D	D	D	Р	Р	Р	D	D	D	
0	brevifolius														
Sand	Sporobolus	EP	U	U	U	D	D	D	D	D	D	U	U	U	
	cryptandrus			-	-							-	-		
dropseed	oryptanurus														

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Supporting Information

Associated Sites: Site Name	Site ID	Site Narrative
<u>Similiar Sites:</u> <u>Site Name</u>	Site ID	Site Narrative
~ ~		

<u>State Correlation:</u> This site has been correlated with the following states: Texas

	Number of			
Data Source	<u>Records</u>	Sample Period	<u>State</u>	County

Type Locality:

Relationship to Other Established Classifications:

Other References:

Data collection for this site was done in conjunction with the progressive soil surveys within the Southern Desertic Basins, Plains and Mountains, Major Land Resource Areas of New Mexico. This site has been mapped and correlated with soils in the following soil surveys. Eddy County Lea County and Chavez County.

Characteristic Soils Are:	
Atoka loam	Pima silt loam
Bigetty loam	Reagan loam
Cottonwood loam	Reakor loam
Hoban loam	Reakor silty clay loam
Hodgins silty clay loam	Reeves loam
La Lande loam	Russler silty loam
Largo loam	Russler silty clay loam
Mimbres silt loam	
Other Soils included are:	

1. Brooks, M.L., AND D.A. Pyke. 2001. Invasive plants and fire in the deserts of North America. Pages 1-14 in K.E.M. Galley and T.P. Wilson (eds.). Proceedings of the Invasive Species Workshop: the Role of Fire in the Control and Spread of Invasive Species.

2. Bunting, S.C., H.A. Wright, and L.F. Neuenschwander. 1980. Long-term effects of fire on cactus in the Southern Mixed Prairie of Texas. J. Range. Manage. 33: 85-88.

3. Laycock, W.A. 1982. Hail as an ecological factor in the increase of prickly pear cactus. p. 359-361. In: J.A. Smith and V.W. Hays (eds.) Proc. XIV Int. Grassland Congr. Westview Press, Boulder, Colo.

4. Vallentine, J.F. 1989. Range Developments and Improvements. 3rd Edition. Academic Press. San Diego, California.

5. U.S. Department of Agriculture, Natural Resources Conservation Service. 2001. Soil Quality Information Sheet. Rangeland Soil Quality—Physical and Biological Soil Crusts. Rangeland Sheet 6, [Online]. Available: http://www.statlab.iastate.edu/survey/SQI/range.html

<u>Site Description Approval:</u> <u>Author</u> Don Sylvester	<u>Date</u> 07/12/1979	<u>Approval</u> Don Sylvester	<u>Date</u> 07/12/79
<u>Site Description Revision:</u> <u>Author</u> David Trujillo	<u>Date</u> 04/02/03	<u>Approval</u> George Chavez	<u>Date</u> 04/02/03

Received by OCD: 11/9/2022 2:59:14 PM

North Brushy Draw Federal 35 #012H



Earthstar Geographics, NMBGMR

ArcGIS Web AppBuilder

ATTACHMENT 4

Monica Peppin

From: Sent:	Dhugal Hanton <vertexresourcegroupusa@gmail.com> November 1, 2022 9:27 AM</vertexresourcegroupusa@gmail.com>
To:	Enviro, OCD, EMNRD; CFO_Spill, BLM_NM
Cc:	Monica Peppin; Raley, Jim
Subject:	48 HR Notification Liner Inspection North Brushy Draw Fed 35-12 nAPP2227129446

All,

Please accept this email as 48-hr notification that Vertex Resource Services has scheduled a liner inspection to be conducted for the following release:

nAPP2227129446 DOR: 9/23/2022 Site Name: North Brushy Draw Federal 35 #012H

This work will be completed on behalf of WPX Energy Permian, LLC

On Friday, November 4, 2022 at approximately 10:00 a.m., Monica Peppin will be on site to conduct a liner inspection. She can be reached at 575-361-9880. If you need directions to the site, please do not hesitate to contact her. If you have any questions or concerns regarding this notification, please give me a call at 575-361-9880.

Thank you,

Monica Peppin Project Manager

Vertex Resource Services Inc. 3101 Boyd Drive, Carlsbad, NM 88220

P 575.725.5001 Ext. 711 C 575.361.9880 F

www.vertex.ca

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District I 1625 N. French Dr., Hobbs, NM 88240 Phone:(575) 393-6161 Fax:(575) 393-0720 District II

811 S. First St., Artesia, NM 88210 Phone:(575) 748-1283 Fax:(575) 748-9720

District III

1000 Rio Brazos Rd., Aztec, NM 87410 Phone:(505) 334-6178 Fax:(505) 334-6170

District IV

1220 S. St Francis Dr., Santa Fe, NM 87505 Phone: (505) 476-3470 Fax: (505) 476-3462

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

CONDITIONS

Operator:	OGRID:
WPX Energy Permian, LLC	246289
Devon Energy - Regulatory	Action Number:
Oklahoma City, OK 73102	157485
	Action Type:
	[C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
rhamlet	We have received your closure report and final C-141 for Incident #NAPP2227129446 NORTH BRUSHY DRAW FED 35-12H, thank you. This closure is approved.	2/1/2023

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