



March 31, 2023

Vertex Project #: 23E-01069

**Spill Closure Report:** North Brushy Draw Federal 35 #002H  
Section 35, Township 25 South, Range 29 East  
API: 30-015-40006  
County: Eddy  
Incident Report: nAPP2305143488

**Prepared For:** **WPX Energy Permian, LLC**  
5315 Buena Vista Drive  
Carlsbad, New Mexico 88220

**New Mexico Oil Conservation Division - District 2 Artesia**

811 South 1<sup>st</sup> 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 due to a water tank overflow at North Brushy Draw Federal 35 #002H, API 30-015-40006, Incident nAPP2305143488 (hereafter referred to as “North Brushy”). WPX provided spill notification to the New Mexico Oil Conservation Division (NMOCD) District 2, via submission of initial C-141 Release Notification (Attachment 1). This letter provides a description of the Spill Assessment and includes a request for Incident Closure. The spill area is located at N 32.0926247, W -103.9486084.

## Background

The site is located approximately 11.63 miles southeast of Malaga, New Mexico (Google Inc., 2023). 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 property. This location is within the Permian Basin in southeast New Mexico and has been historically used for oil and gas exploration and production.

*The Geological Map of New Mexico* (New Mexico Bureau of Geology and Mineral Resources, 2023) indicates the site’s surface geology is comprised primarily of Qep – Eolian and piedmont deposits (Holocene to middle Pleistocene) and is characterized as eolian sands and piedmont-slope deposits. The Natural Resources Conservation Service *Web Soil Survey* characterizes the predominant soil texture on the site is Pajarito loamy fine sand complex. It tends to be well drained with very low runoff and moderate available moisture levels in the soil profile (United States Department of Agriculture, Natural Resources Conservation Service, 2023).

The surrounding landscape is associated with plains, dunes, and interdunes at elevations of 2,700 to 5,500 feet above sea level. The climate is semi-arid, with an annual precipitation ranging between 5 to 15 inches. Historically, the plant community has grassland aspect, dominated by grasses with shrubs. Black grama is dominant with a mixture of creosotebush, honey mesquite, broom snakeweed, and sand sage. Overgrazing and extended drought can reduce grass cover (United States Department of Agriculture, Natural Resources Conservation Service, 2023).

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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 *Mexico Administrative Code* (NMAC; New Mexico Oil Conservation Division, 2018), is the Pecos River located approximately 3.6 miles southwest of the site (Google Inc., 2023). 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. North Brushy is located within a 100-year floodplain and is within 300 feet of a wetland.

## **Incident Description**

The spill occurred on February 17, 2023, due to the incorrect procedure of a well shut in causing the produced water tank to overflow into the secondary containment. The spill was reported on February 18, 2023, and involved the release of approximately 420 barrels (bbl.) of produced water into the lined containment. Approximately 420 bbl. of free fluid was removed during initial spill clean-up. The NMOCD C-141 Report: nAPP2305143488 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 Engineer's 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 98 feet below ground surface and 3.32 miles from the site (New Mexico Office of the State Engineer, New Mexico Water Rights Reporting System, 2023). Documentation used in Closure Criteria Determination research is included in Attachment 3.

WPX Energy Permian, LLC  
North Brushy Draw Federal 35 #002H, nAPP2305143488

2023 Spill Assessment and Closure  
March 2023

Closure Criteria Worksheet			
Site Name: North Brushy Draw Federal 35 #002H			
Spill Coordinates:		X: 32.0926247	Y: -103.9486084
Site Specific Conditions		Value	Unit
1	Depth to Groundwater	98	feet
2	Within 300 feet of any continuously flowing watercourse or any other significant watercourse	19,029	feet
3	Within 200 feet of any lakebed, sinkhole or playa lake (measured from the ordinary high-water mark)	35,781	feet
4	Within 300 feet from an occupied residence, school, hospital, institution or church	46,346	feet
5	i) Within 500 feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, <b>or</b>	46,346	feet
	ii) Within 1000 feet of any fresh water well or spring	46,346	feet
6	Within incorporated municipal boundaries or within a defined municipal fresh water field covered under a municipal ordinance adopted pursuant to Section 3-27-3 NMSA 1978 as amended, unless the municipality specifically approves	No	(Y/N)
7	Within 300 feet of a wetland	246	feet
8	Within the area overlying a subsurface mine	No	(Y/N)
9	Within an unstable area (Karst Map)	Low	Critical High Medium Low
10	Within a 100-year Floodplain	100	year
11	Soil Type	Pajarito loamy fine sand	
12	Ecological Classification	Loamy Sand	
13	Geology	Qep	
	<b>NMAC 19.15.29.12 E (Table 1) Closure Criteria</b>	<50'	<50' 51-100' >100'

Using site characterization information, a closure criteria determination worksheet was completed to determine if the release would be subject to any of the special case scenarios outlined in Paragraph (4) of Subsection C of 19.15.29.12 NMAC, if the release had escaped secondary containment.

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Based on data included in the closure criteria determination worksheet, the release at North Brushy was not subject to the requirements of Paragraph (4) of Subsection C of 19.15.29.12 NMAC and the closure criteria for the site were 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.

<b>Minimum depth below any point within the horizontal boundary of the release to groundwater less than 10,000 mg/l TDS</b>	<b>Constituent</b>	<b>Limit</b>
< 50 feet	Chloride	600 mg/kg
	TPH (GRO+DRO+MRO)	100 mg/kg
	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 March 10, 2023, 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 March 6, 2023 (Attachment 4). 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.

### Closure Request

Vertex recommends no remediation action to address the release at North Brushy. 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 nAPP2305143488 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 #002H.

**WPX Energy Permian, LLC**  
North Brushy Draw Federal 35 #002H, nAPP2305143488

**2023 Spill Assessment and Closure**  
March 2023

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



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Monica Peppin, A.S.  
PROJECT MANAGER, REPORTING

March 31, 2023  
Date

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### **Attachments**

- Attachment 1. NMOCD C-141 Report
- Attachment 2. Daily Field Report with Photographs
- Attachment 3. Closure Criteria Research Determination Documentation
- Attachment 4. Required 48-hr Notification of Liner Inspection to Regulatory Agencies

WPX Energy Permian, LLC  
North Brushy Draw Federal 35 #002H, nAPP2305143488

2023 Spill Assessment and Closure  
March 2023

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## References

- Google Inc. (2022). *Google Earth Pro (Version 7.3.4)* [Software]. Retrieved from <http://www.google.com/earth>
- New Mexico Bureau of Geology and Mineral Resources. (2023). *Interactive Geologic Map*. Retrieved from <http://geoinfo.nmt.edu>
- New Mexico Mining and Minerals Division. (2023). *Coal Mine Resources in New Mexico*. Retrieved from <http://www.emnrd.state.nm.us/MMD/gismapminedata.html>
- New Mexico Office of the State Engineer, New Mexico Water Rights Reporting System. (2023). *Point of Diversion Location Report*. Retrieved from <http://nmwrrs.ose.state.nm.us/nmwrrs/wellSurfaceDiversion.html>
- 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. (2023). *Web Soil Survey, New Mexico*. Retrieved from [http://www.wipp.energy.gov/library/Information\\_Repository\\_A/Supplemental\\_Information/Chugg%20et%20al%201971%20w-map.pdf](http://www.wipp.energy.gov/library/Information_Repository_A/Supplemental_Information/Chugg%20et%20al%201971%20w-map.pdf)
- United States Department of Homeland Security, FEMA Flood Map Service Center. (2023). *Flood Map Number 35015C1875D*. Retrieved from <https://msc.fema.gov/portal/search?AddressQuery=malaga%20new%20mexico#searchresultsanchor>
- United States Fish and Wildlife Service. (2023). *National Wetland Inventory Surface Waters and Wetland*. Retrieved from <https://www.fws.gov/wetlands/data/mapper.html>

**WPX Energy Permian, LLC**  
North Brushy Draw Federal 35 #002H, nAPP2305143488

**2023 Spill Assessment and Closure**  
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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 and the Bureau of Land Management, 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.

## **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	nAPP2305143488
District RP	
Facility ID	
Application ID	

### 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) nAPP2305143488
Contact mailing address 5315 Buena Vista Drive, Carlsbad, NM 88220	

### Location of Release Source

Latitude 32.0926247 Longitude -103.9486084  
(NAD 83 in decimal degrees to 5 decimal places)

Site Name: NORTH BRUSHY DRAW FEDERAL 35 #002H	Site Type Oil Well
Date Release Discovered: 2/17/2023	API# (if applicable) 30-015-40006

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

Surface Owner:  State  Federal  Tribal  Private (Name: \_\_\_\_\_)

### Nature and Volume of Release

Material(s) Released (Select all that apply and attach calculations or specific justification for the volumes provided below)

<input type="checkbox"/> Crude Oil	Volume Released (bbls) 0	Volume Recovered (bbls) 0
<input checked="" type="checkbox"/> Produced Water	Volume Released (bbls) 420	Volume Recovered (bbls) 420
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Condensate	Volume Released (bbls)	Volume Recovered (bbls)
<input type="checkbox"/> Natural Gas	Volume Released (Mcf)	Volume Recovered (Mcf)
<input type="checkbox"/> Other (describe)	Volume/Weight Released (provide units)	Volume/Weight Recovered (provide units)

Cause of Release: Procedure to shut in well not followed correctly allowing well to continue to flow and overflow produced water tank.

Released Volume = Recovered Volume from lined secondary containment

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Was this a major release as defined by 19.15.29.7(A) NMAC?  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If YES, for what reason(s) does the responsible party consider this a major release? Volume exceeded 25 bbls.
If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)? Email to Mike Bratcher and Rosa Romero on 2/18/2023	

### Initial Response

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

<input checked="" type="checkbox"/> The source of the release has been stopped. <input checked="" type="checkbox"/> The impacted area has been secured to protect human health and the environment. <input checked="" type="checkbox"/> Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices. <input checked="" type="checkbox"/> All free liquids and recoverable materials have been removed and managed appropriately.
If all the actions described above have <u>not</u> 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: <u>Jim Raley</u> Title: <u>Environmental Professional</u>  Signature: <u></u> Date: <u>2/20/2023</u> email: <u>jim.raley@dvn.com</u> Telephone: <u>575-689-7597</u>
<b><u>OCD Only</u></b>  Received by: _____ Date: _____

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## 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?	___ 98 ___ (ft bgs)
Did this release impact groundwater or surface water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 300 feet of a continuously flowing watercourse or any other significant watercourse?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 300 feet of an occupied permanent residence, school, hospital, institution, or church?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 1000 feet of any other fresh water well or spring?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within incorporated municipal boundaries or within a defined municipal fresh water well field?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 300 feet of a wetland?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release overlying a subsurface mine?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release overlying an unstable area such as karst geology?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within a 100-year floodplain?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Did the release impact areas <b>not</b> on an exploration, development, production, or storage site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.*

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

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Oil Conservation Division

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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:  Date: 4/3/2023

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

**OCD Only**

Received by: Jocelyn Harimon Date: 04/03/2023

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Application ID	

## Remediation Plan

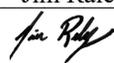
**Remediation Plan Checklist:** *Each of the following items must be included in the plan.*

- Detailed description of proposed remediation technique
- Scaled sitemap with GPS coordinates showing delineation points
- Estimated volume of material to be remediated
- Closure criteria is to Table 1 specifications subject to 19.15.29.12(C)(4) NMAC
- Proposed schedule for remediation (note if remediation plan timeline is more than 90 days OCD approval is required)

**Deferral Requests Only:** *Each of the following items must be confirmed as part of any request for deferral of remediation.*

- Contamination must be in areas immediately under or around production equipment where remediation could cause a major facility deconstruction.
- Extents of contamination must be fully delineated.
- Contamination does not cause an imminent risk to human health, the environment, or groundwater.

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:  Date: 4/3/2023  
 email: jim.raley@dvn.com Telephone: 575-689-7597

**OCD Only**

Received by: Jocelyn Harimon Date: 04/03/2023

- Approved       Approved with Attached Conditions of Approval       Denied       Deferral Approved

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

State of New Mexico  
Oil Conservation Division

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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.*

- N/A A scaled site and sampling diagram as described in 19.15.29.11 NMAC
- 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)
- N/A Laboratory analyses of final sampling (Note: appropriate ODC District office must be notified 2 days prior to final sampling)
- N/A Description of remediation activities

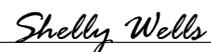
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public 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: 4/3/2023  
 email: jim.raley@dvn.com Telephone: 575-689-7597

**OCD Only**

Received by: Jocelyn Harimon Date: 04/03/2023

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: 8/17/2023  
 Printed Name: Shelly Wells Title: Environmental Specialist-Advanced

## **ATTACHMENT 2**



# Daily Site Visit Report

Client:	Devon Energy Corporation	Inspection Date:	3/10/2023
Site Location Name:	North Brushy Draw 35 Federal #002H	Report Run Date:	3/16/2023 1:32 PM
Client Contact Name:	Jim Raley	API #:	
Client Contact Phone #:	575-748-0176		
Unique Project ID		Project Owner:	
Project Reference #		Project Manager:	

## Summary of Times

Arrived at Site	3/10/2023 1:29 PM
Departed Site	3/10/2023 2:35 PM

# Daily Site Visit Report



## Field Notes

**14:30** Liner inspection of containment area to ensure no potential of a fluid breach

**14:31** Liner shows no signs of wear and tear. No cuts or rips in liner

## Next Steps & Recommendations

- 1 Closure report



# Daily Site Visit Report

## Site Photos

Viewing Direction: South



Descriptive Photo - 1  
Viewing Direction: South  
Desc: Liner  
Created: 3/10/2023 3:32:14 PM  
Lat:32.092494, Long: -103.948629

Liner

Viewing Direction: South



Descriptive Photo - 11  
Viewing Direction: South  
Desc: Liner  
Created: 3/10/2023 3:33:38 PM  
Lat:32.092494, Long: -103.948629

Liner

Viewing Direction: East



Descriptive Photo - 2  
Viewing Direction: East  
Desc: Liner  
Created: 3/10/2023 3:31:28 PM  
Lat:32.092494, Long: -103.948629

Liner

Viewing Direction: East

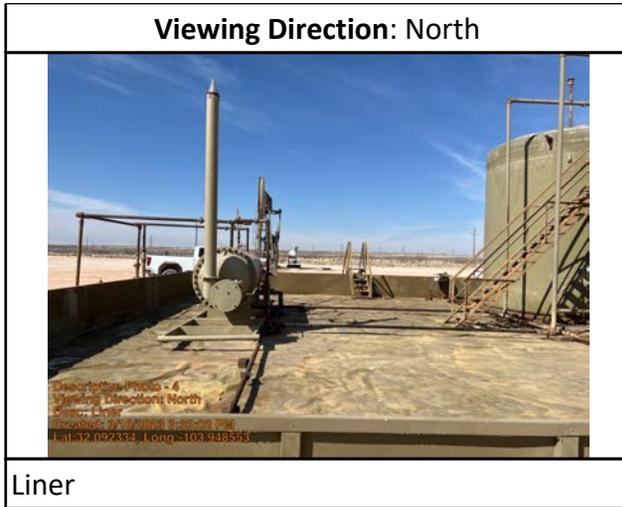


Descriptive Photo - 3  
Viewing Direction: East  
Desc: Liner  
Created: 3/10/2023 3:32:38 PM  
Lat:32.092369, Long: -103.948595

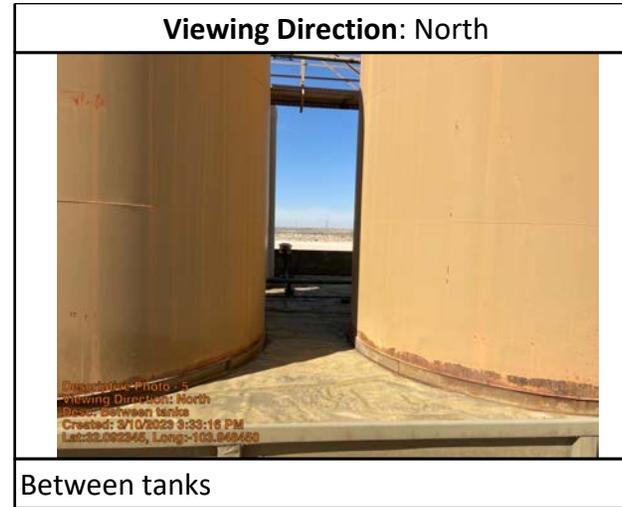
Liner



# Daily Site Visit Report



Liner



Between tanks



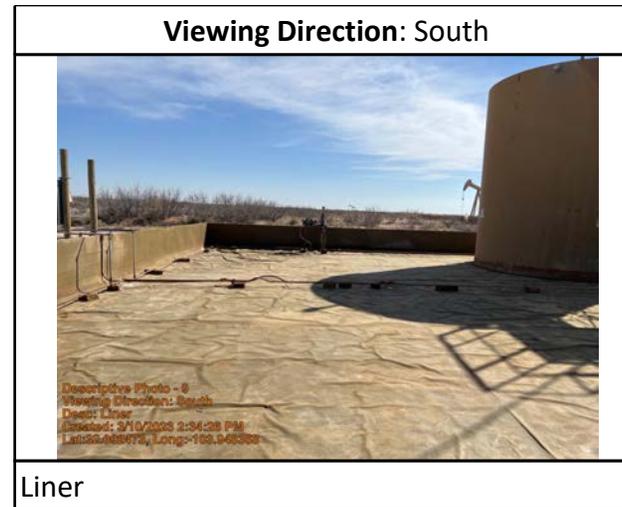
Liner



Liner



# Daily Site Visit Report



# Daily Site Visit Report



Daily Site Visit Signature

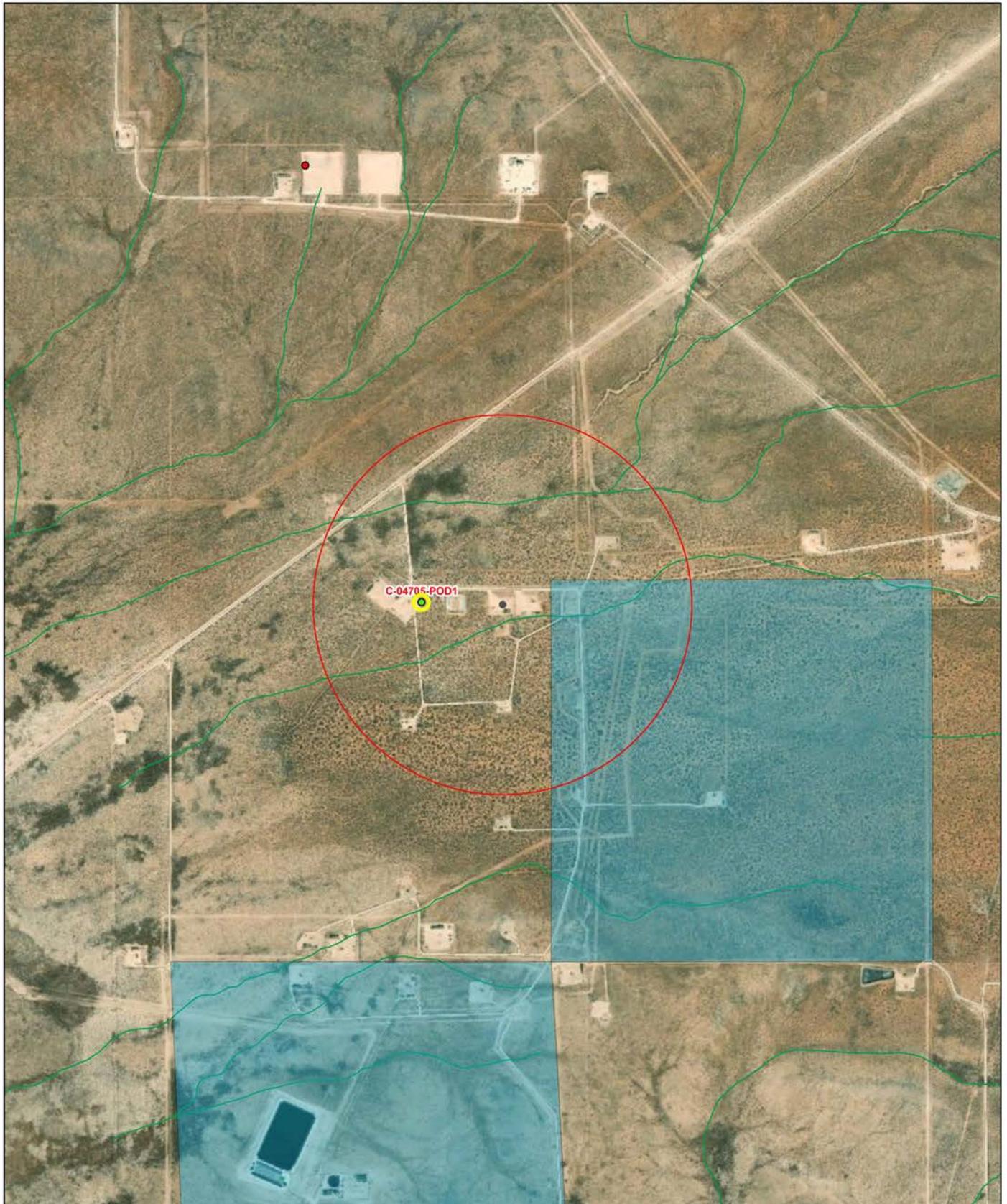
**Inspector:** Monica Peppin

A handwritten signature in black ink, appearing to be 'M. Peppin', written over a horizontal line.

**Signature:**

Signature

## **ATTACHMENT 3**



3/27/2023, 3:33:36 PM

GIS WATERS PODs

- Pending
- Plugged

OSE District Boundary

New Mexico State Trust Lands

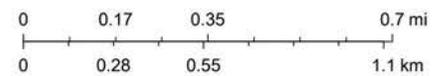
Both Estates

NHD Flowlines

- Connector
- Stream River

Site Boundaries

1:18,056



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



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## National Water Information System: Web Interface

USGS Water Resources

Data Category:    
 Geographic Area:

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- Explore the *NEW* [USGS National Water Dashboard](#) interactive map to access real-time water data from over 13,500 stations nationwide.
- [Full News](#)

Groundwater levels for the Nation

Important: [Next Generation Monitoring Location Page](#)

### Search Results -- 1 sites found

site\_no list =

- 320532104001701

Minimum number of levels = 1

[Save file of selected sites](#) to local disk for future upload

## USGS 320532104001701 25S.29E.32.21111

Available data for this site

Eddy County, New Mexico

Hydrologic Unit Code 13060011

Latitude 32°05'32", Longitude 104°00'17" NAD27

Land-surface elevation 2,988 feet above NAVD88

The depth of the well is 128 feet below land surface.

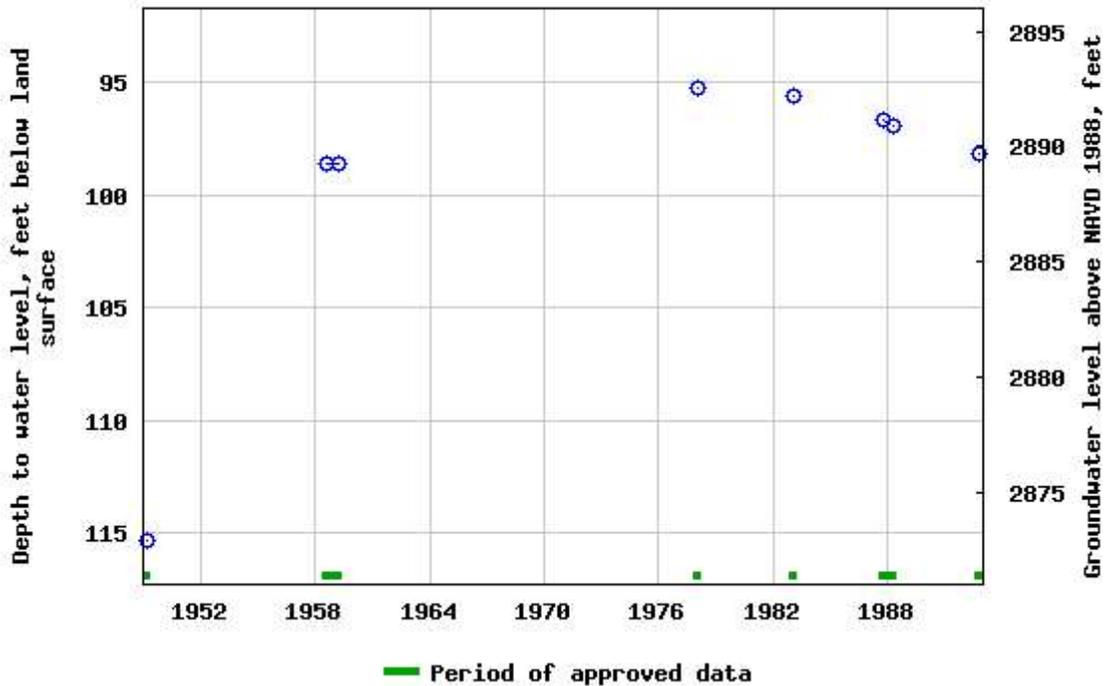
This well is completed in the Other aquifers (N9999OTHER) national aquifer.

This well is completed in the Rustler Formation (312RSLR) local aquifer.

### Output formats

<a href="#">Table of data</a>
<a href="#">Tab-separated data</a>
<a href="#">Graph of data</a>
<a href="#">Reselect period</a>

USGS 320532104001701 25S.29E.32.21111



Breaks in the plot represent a gap of at least one year between field measurements.  
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**Title: Groundwater for USA: Water Levels**

**URL: <https://nwis.waterdata.usgs.gov/nwis/gwlevels?>**



Page Contact Information: [USGS Water Data Support Team](#)

Page Last Modified: 2023-03-31 11:49:50 EDT

0.6 0.49 nadww01

# North Brushy Draw Federal 35 #002H

Nearest Well: USGS320532104001701  
Distance: 3.32 miles  
DTGW: 98 feet  
Last Reading: 1992

## Legend

 North Brushy Draw Federal 35 #002H

320532104001701

North Brushy Draw Federal 35 #002H

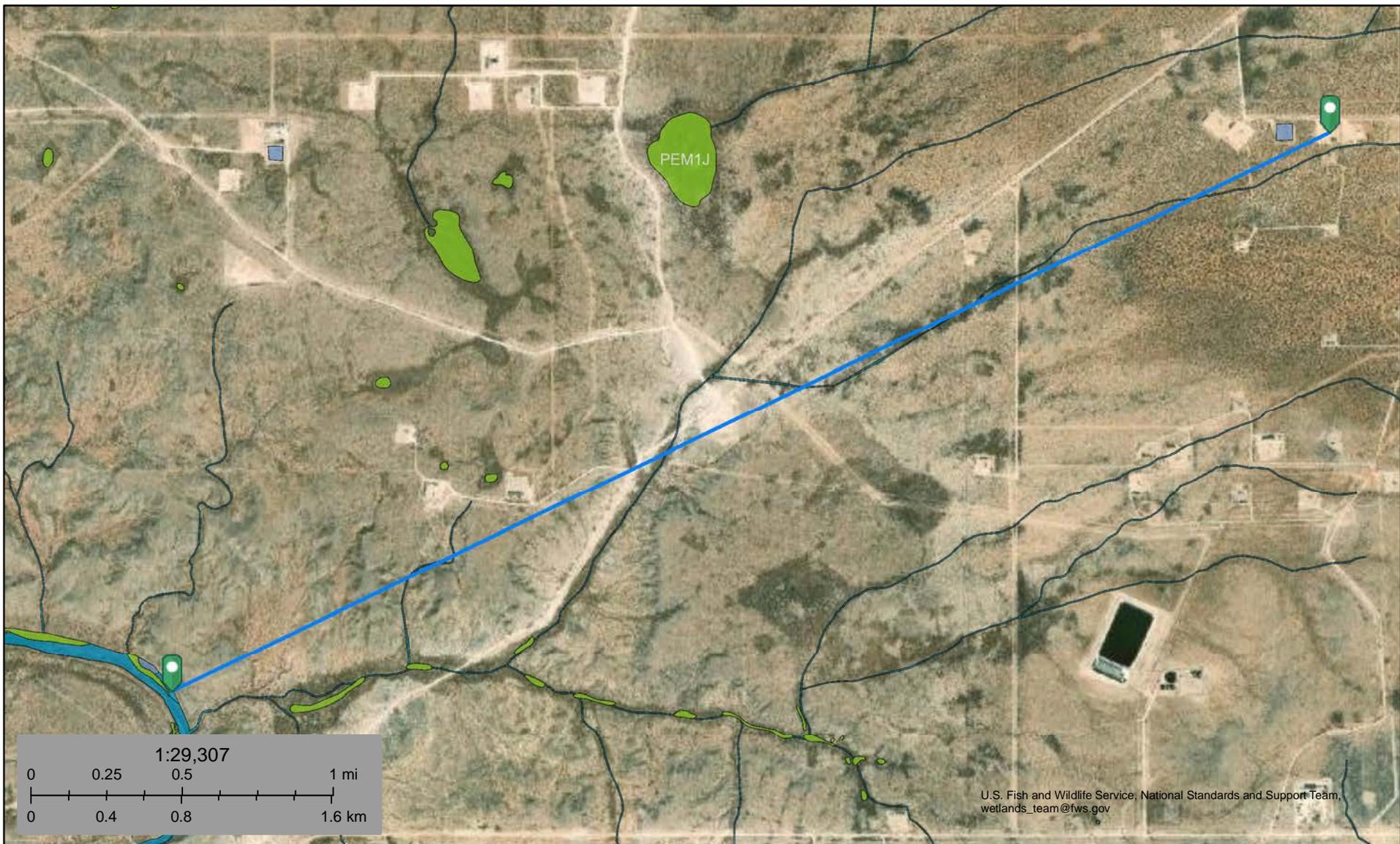




U.S. Fish and Wildlife Service

# National Wetlands Inventory

## North Brushy Draw Federal 35 #002H



March 31, 2023

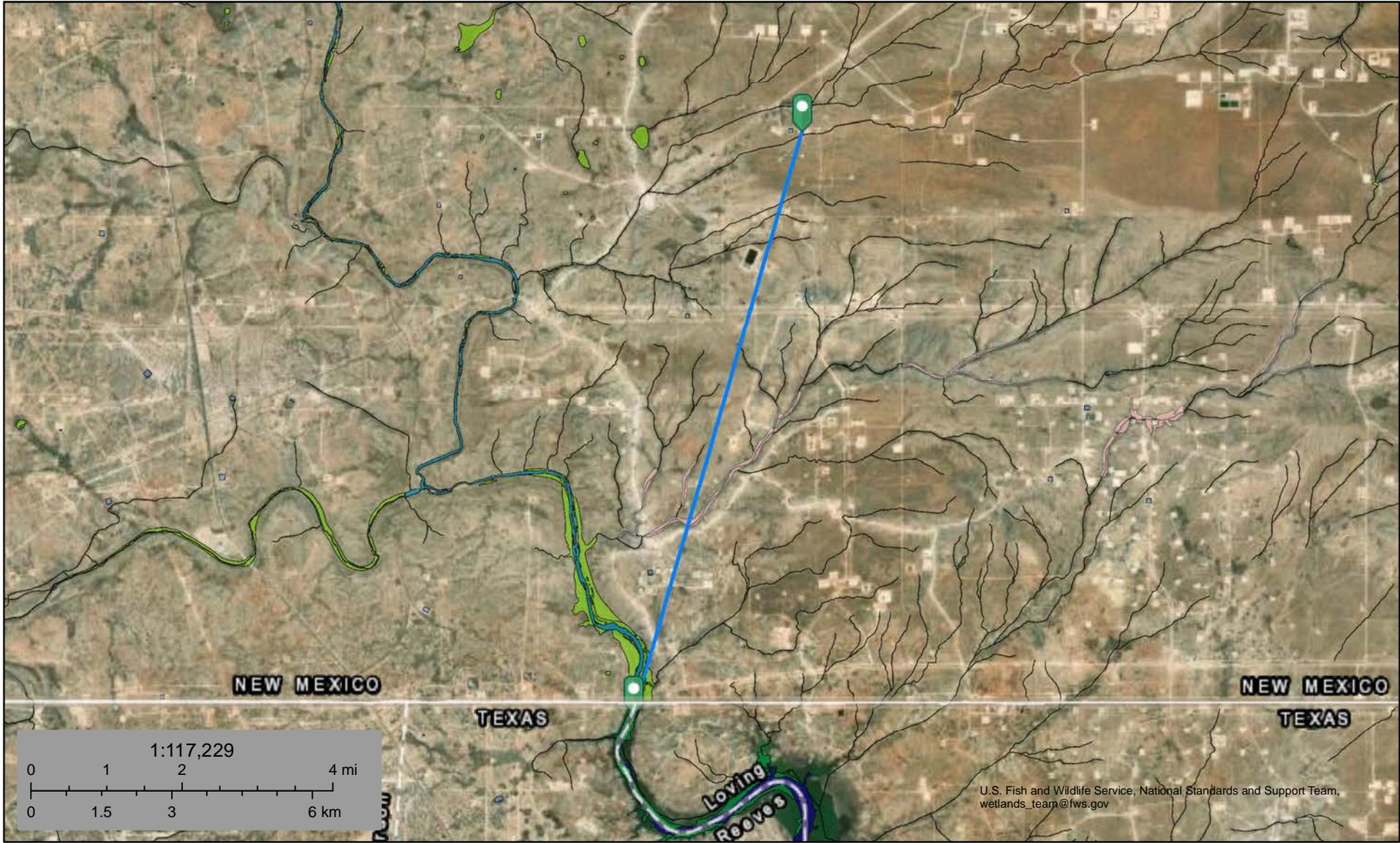
### Wetlands

- |  |                                |  |                                   |  |       |
|--|--------------------------------|--|-----------------------------------|--|-------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland       |  | Lake  |
|  | Estuarine and Marine Wetland   |  | Freshwater Forested/Shrub Wetland |  | Other |
|  | Freshwater Pond                |  | 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.



# North Brushy Draw Federal 35 #002H



U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands\_team@fws.gov

March 31, 2023

### Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Pond
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Lake
- Other
- Riverine

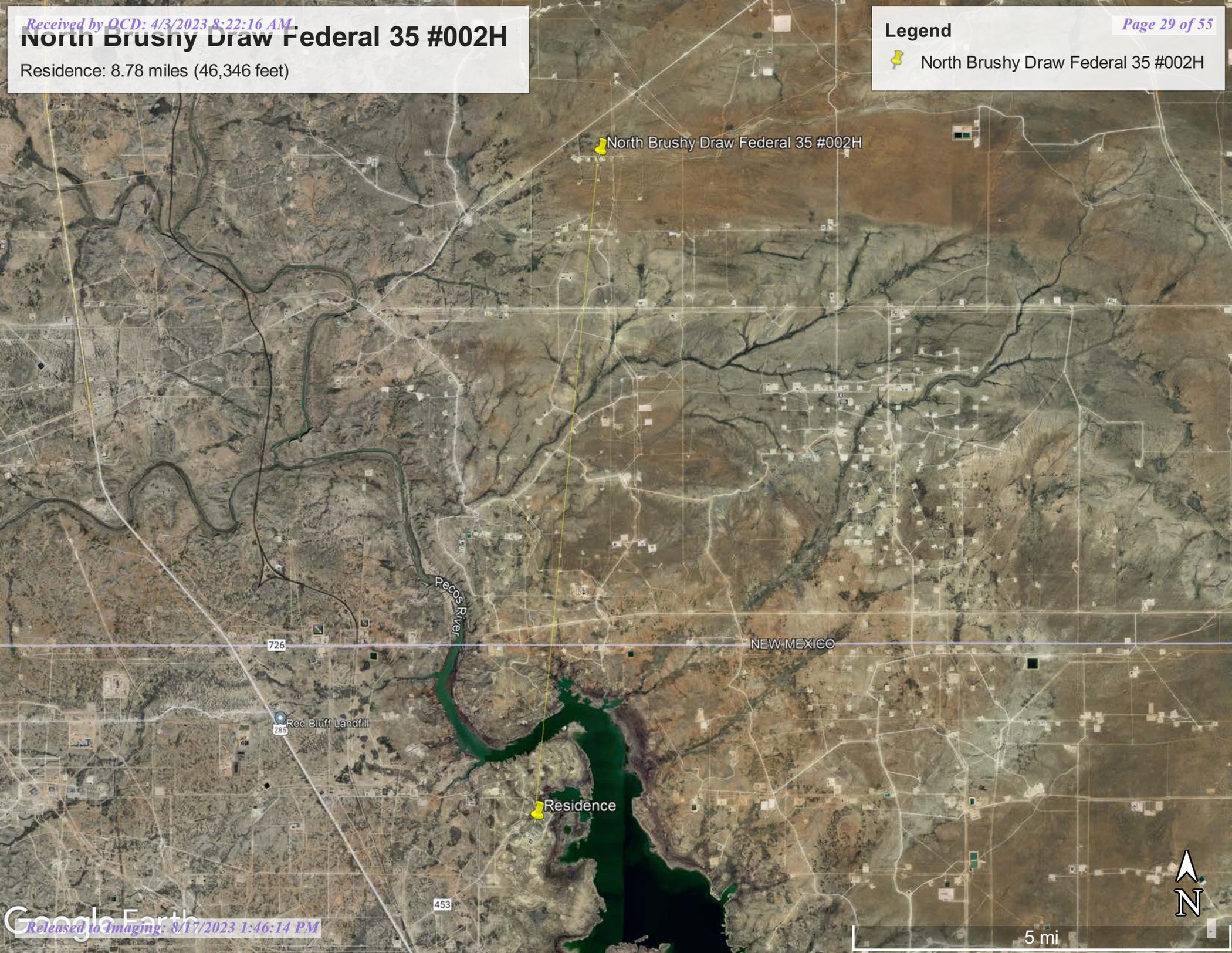
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

# North Brushy Draw Federal 35 #002H

Residence: 8.78 miles (46,346 feet)

## Legend

-  North Brushy Draw Federal 35 #002H



5 mi

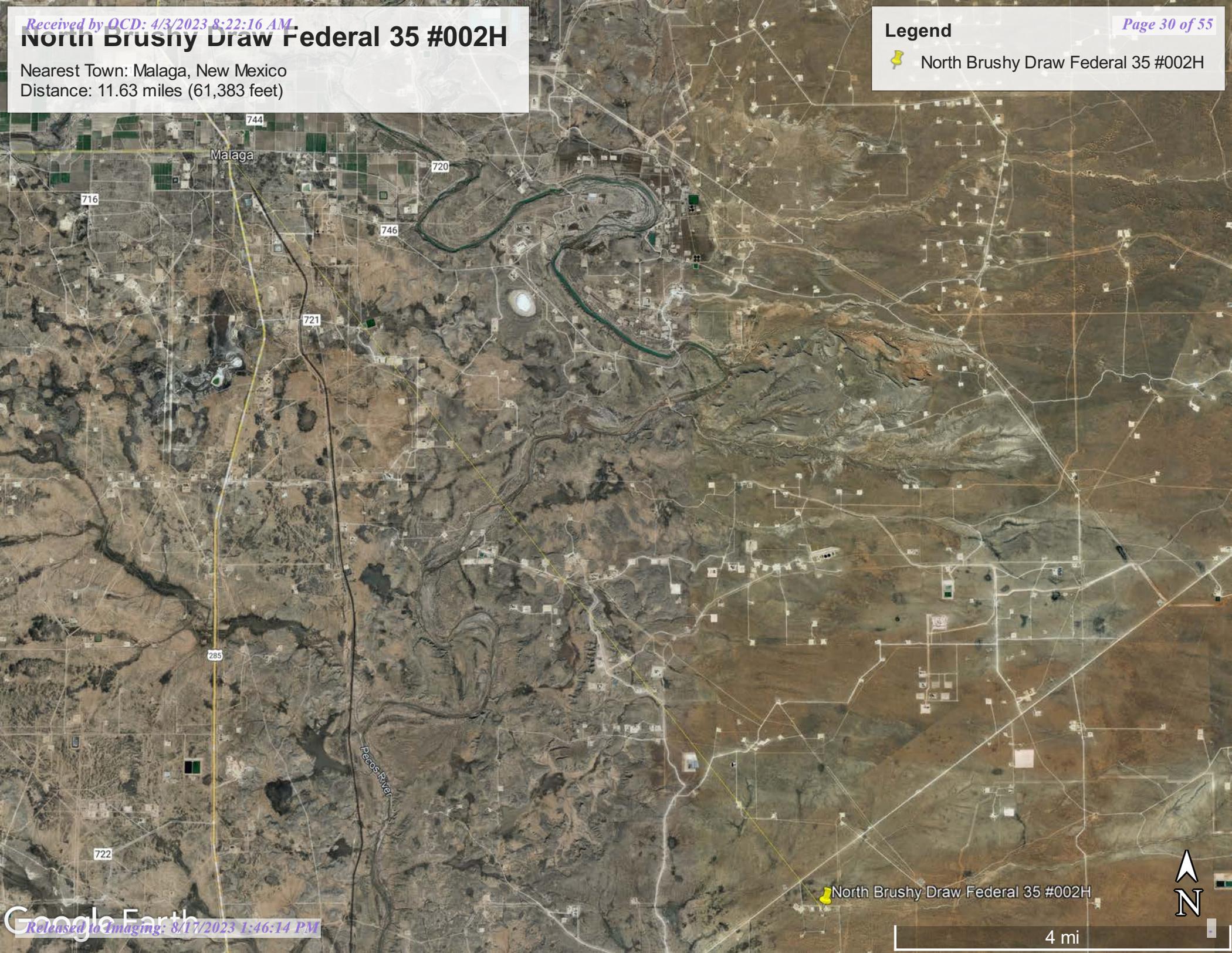
# North Brushy Draw Federal 35 #002H

Nearest Town: Malaga, New Mexico

Distance: 11.63 miles (61,383 feet)

## Legend

 North Brushy Draw Federal 35 #002H

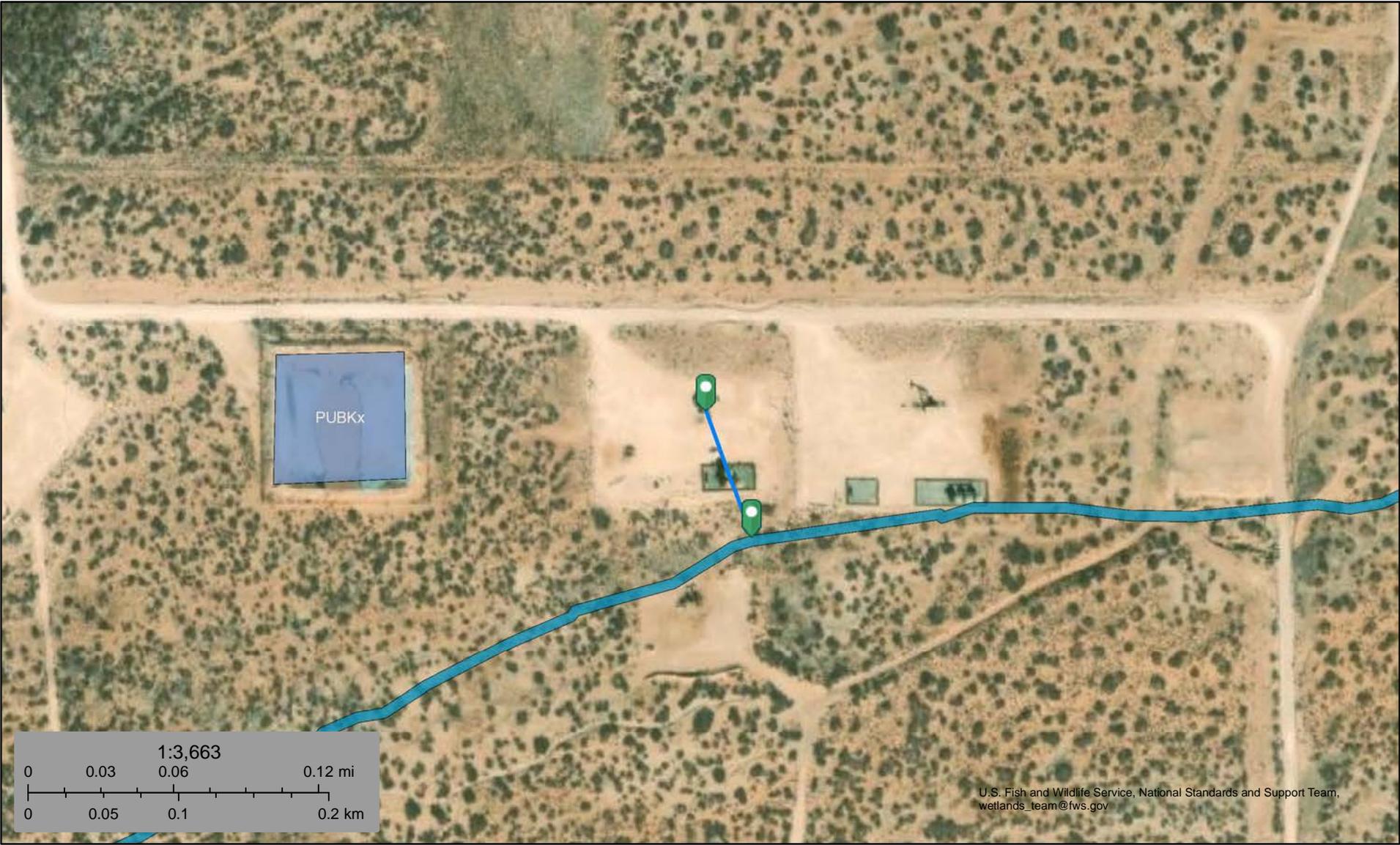


 North Brushy Draw Federal 35 #002H





# North Brushy Draw Federal 35 #002H



U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands\_team@fws.gov

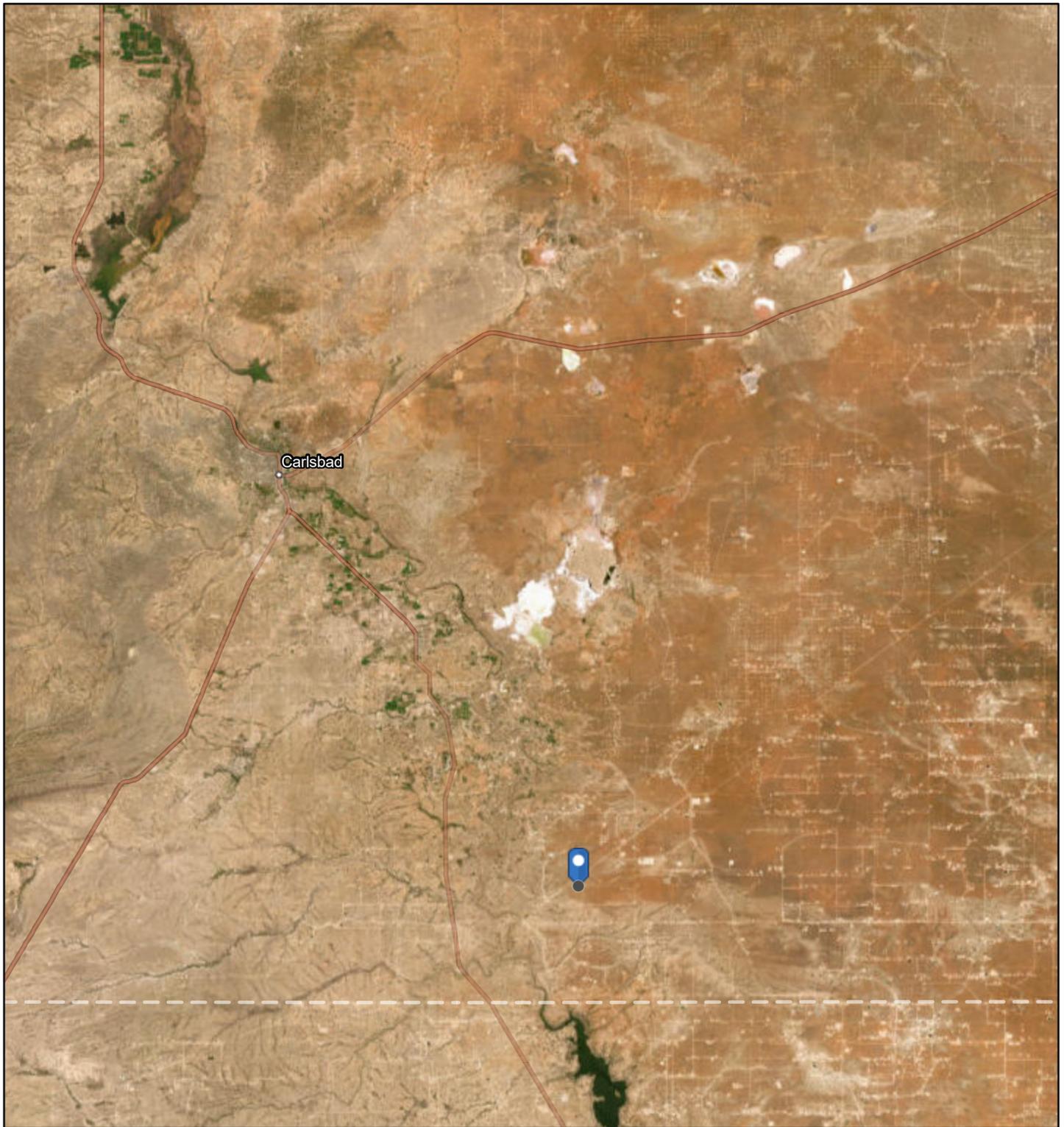
March 31, 2023

### Wetlands

-  Estuarine and Marine Deepwater
-  Freshwater Emergent Wetland
-  Lake
-  Estuarine and Marine Wetland
-  Freshwater Forested/Shrub Wetland
-  Other
-  Freshwater Pond
-  Riverine

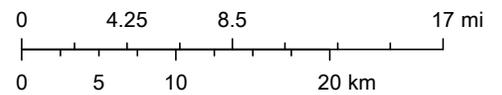
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

# North Brushy Draw Federal 35 #002H



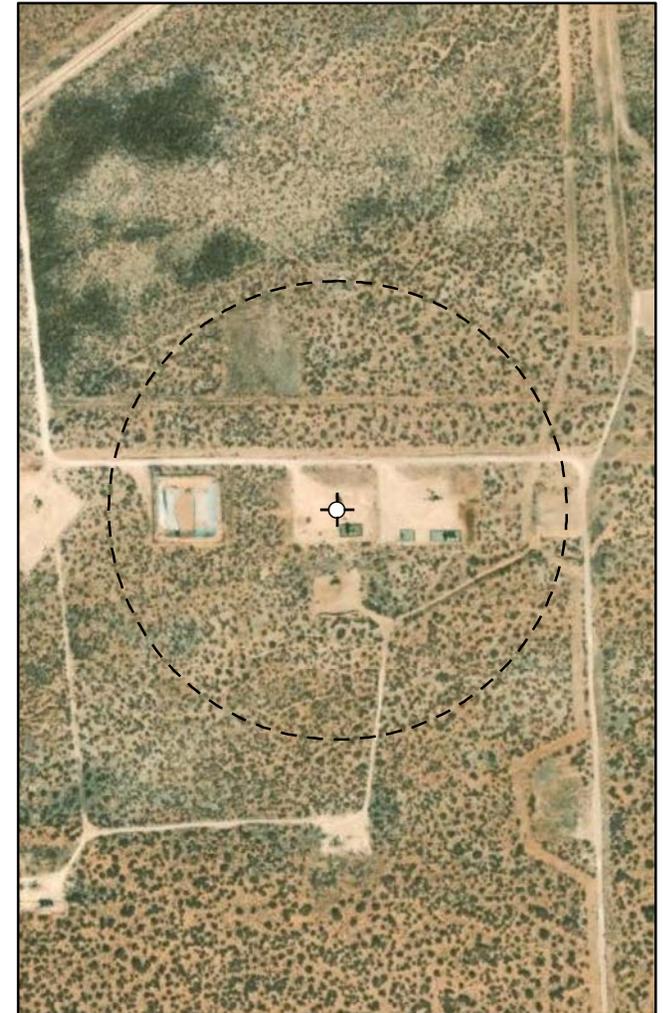
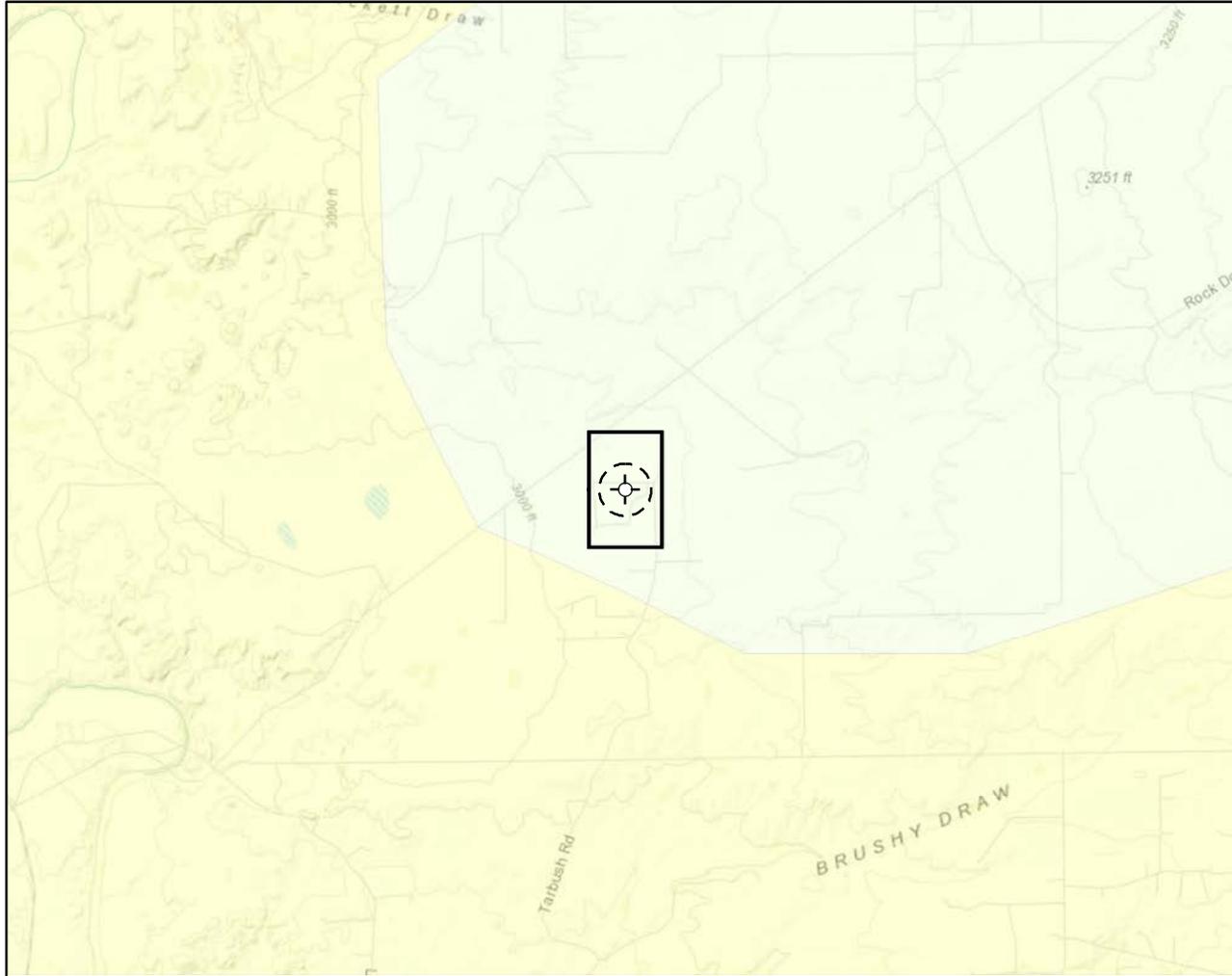
3/31/2023, 10:10:31 AM

1:577,791



New Mexico State University, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS, Earthstar Geographics, NM Coal Mine Reclamation Program, NM EMNRD

Document Path: G:\V-Projects\US PROJECTS\Devon Energy Corporation\2023\23E-01089- North Brushy Draw Federal 35 #002\Figure X Karst Potential Schematic(23E-01089).mxd



**Karst Potential**

- Critical
- High
- Medium
- Low

- Site Location
- Site Buffer (1,000 sq. ft.)

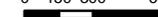
**Overview Map**

0 0.25 0.5 1 1.5 mi



**Detail Map**

0 150 300 600 ft.



Map Center:  
Lat/Long: 32.092625, -103.948608

NAD 1983 UTM Zone 13N  
Date: Mar 16/23



**Karst Potential Schematic**  
**North Brushy Draw Federal 35 #002H**

FIGURE:

X



Geospatial data presented in this figure may be derived from external sources and Vertex does not assume any liability for inaccuracies. This figure is intended for reference use only and is not certified for legal, survey, or engineering purposes.

Note: Inset Map, ESRI 2022; Overview Map: ESRI World Topographic. Karst potential data sourced from Roswell Field Office, Bureau of Land Management, 2020 or United States Department of the Interior, Bureau of Land Management. (2018). Karst Potential.

VERSATILITY. EXPERTISE.

# National Flood Hazard Layer FIRMette



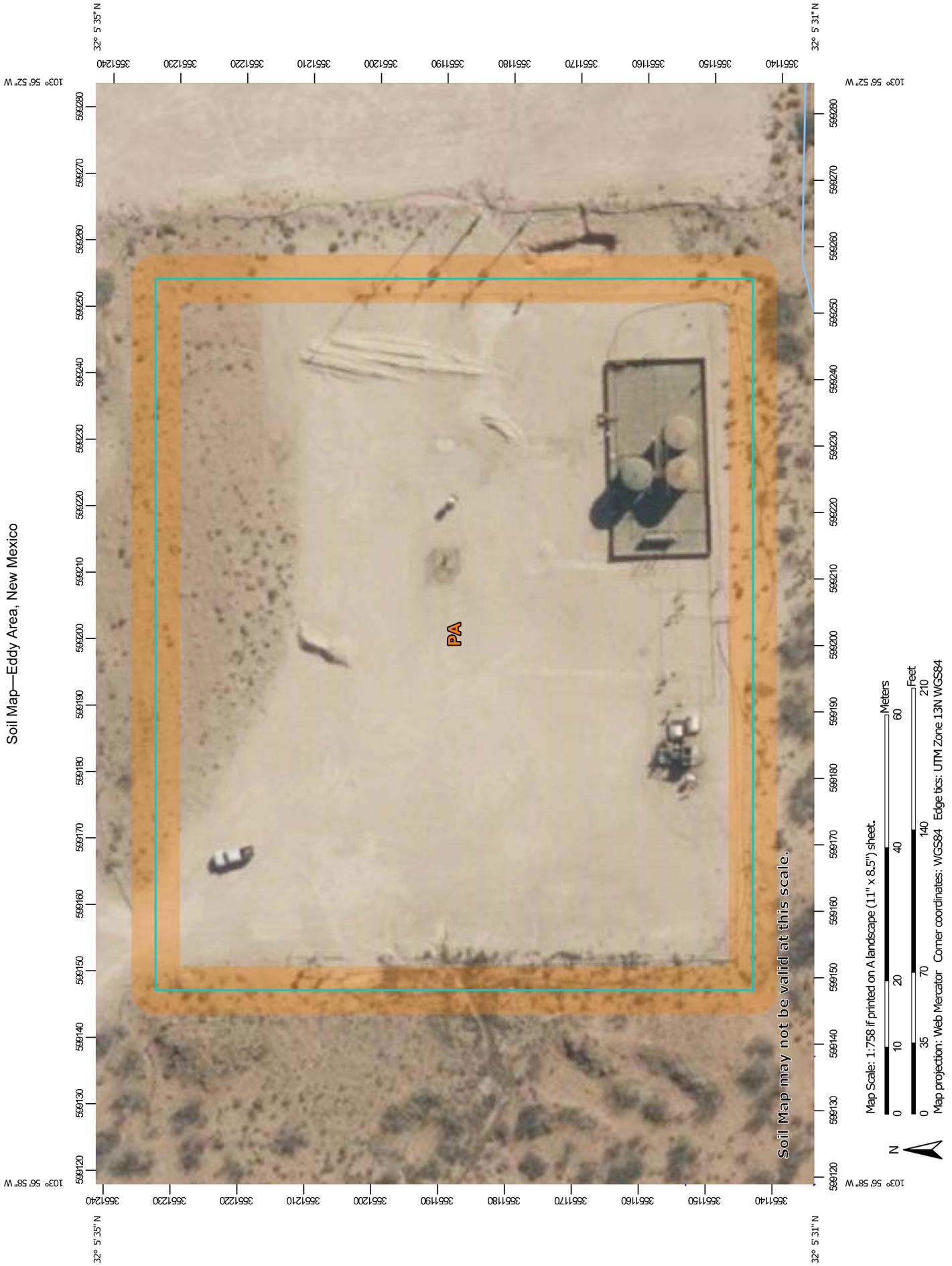
103°57'14"W 32°5'49"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- SPECIAL FLOOD HAZARD AREAS**
    - Without Base Flood Elevation (BFE) Zone A, V, A99
    - With BFE or Depth Zone AE, AO, AH, VE, AR
    - Regulatory Floodway
  - OTHER AREAS OF FLOOD HAZARD**
    - 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
    - Future Conditions 1% Annual Chance Flood Hazard Zone X
    - Area with Reduced Flood Risk due to Levee. See Notes. Zone X
    - Area with Flood Risk due to Levee Zone D
  - OTHER AREAS**
    - NO SCREEN Area of Minimal Flood Hazard Zone X
    - Effective LOMRs
    - Area of Undetermined Flood Hazard Zone D
  - GENERAL STRUCTURES**
    - Channel, Culvert, or Storm Sewer
    - Levee, Dike, or Floodwall
  - OTHER FEATURES**
    - Cross Sections with 1% Annual Chance Water Surface Elevation
    - Coastal Transect
    - Base Flood Elevation Line (BFE)
    - Limit of Study
    - Jurisdiction Boundary
    - Coastal Transect Baseline
    - Profile Baseline
    - Hydrographic Feature
  - MAP PANELS**
    - Digital Data Available
    - No Digital Data Available
    - Unmapped
- The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



Soil Map—Eddy Area, New Mexico

Soil Map may not be valid at this scale.



Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

3/27/2023  
Page 1 of 3

## MAP LEGEND

**Area of Interest (AOI)**

- Area of Interest (AOI)

**Soils**

- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

**Special Point Features**

- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- 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

- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

**Water Features**

- Streams and Canals

**Transportation**

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

**Background**

- Aerial Photography

## MAP INFORMATION

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)

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 as 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.

Soil Map—Eddy Area, New Mexico

---

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
PA	Pajarito loamy fine sand, 0 to 3 percent slopes, eroded	2.4	100.0%
<b>Totals for Area of Interest</b>		<b>2.4</b>	<b>100.0%</b>

Map Unit Description: Pajarito loamy fine sand, 0 to 3 percent slopes, eroded---Eddy Area,  
New Mexico

---

## Eddy Area, New Mexico

### PA—Pajarito loamy fine sand, 0 to 3 percent slopes, eroded

#### Map Unit Setting

*National map unit symbol:* 1w54  
*Elevation:* 2,700 to 5,500 feet  
*Mean annual precipitation:* 5 to 15 inches  
*Mean annual air temperature:* 57 to 70 degrees F  
*Frost-free period:* 180 to 250 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Pajarito and similar soils:* 98 percent  
*Minor components:* 2 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Pajarito

##### Setting

*Landform:* Plains, interdunes, dunes  
*Landform position (three-dimensional):* Side slope  
*Down-slope shape:* Convex, linear  
*Across-slope shape:* Linear, convex  
*Parent material:* Mixed alluvium and/or eolian sands

##### Typical profile

*H1 - 0 to 13 inches:* loamy fine sand  
*H2 - 13 to 36 inches:* fine sandy loam  
*H3 - 36 to 60 inches:* fine sandy loam

##### Properties and qualities

*Slope:* 0 to 3 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Runoff class:* Very low  
*Capacity of the most limiting layer to transmit water (Ksat):* High  
(2.00 to 6.00 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 15 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:* Moderate (about 7.9 inches)

##### Interpretive groups

*Land capability classification (irrigated):* 2e  
*Land capability classification (nonirrigated):* 7e

Map Unit Description: Pajarito loamy fine sand, 0 to 3 percent slopes, eroded---Eddy Area,  
New Mexico

---

*Hydrologic Soil Group: A*  
*Ecological site: R070BD003NM - Loamy Sand*  
*Hydric soil rating: No*

#### **Minor Components**

##### **Berino**

*Percent of map unit: 1 percent*  
*Ecological site: R070BD003NM - Loamy Sand*  
*Hydric soil rating: No*

##### **Wink**

*Percent of map unit: 1 percent*  
*Ecological site: R070BD003NM - Loamy Sand*  
*Hydric soil rating: No*

### **Data Source Information**

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



## Ecological site R070BD003NM Loamy Sand

Accessed: 03/27/2023

### General information

**Provisional.** A provisional ecological site description has undergone quality control and quality assurance review. It contains a working state and transition model and enough information to identify the ecological site.

#### Figure 1. Mapped extent

Areas shown in blue indicate the maximum mapped extent of this ecological site. Other ecological sites likely occur within the highlighted areas. It is also possible for this ecological site to occur outside of highlighted areas if detailed soil survey has not been completed or recently updated.

### Associated sites

R070BD004NM	<b>Sandy</b> Sandy
R070BD005NM	<b>Deep Sand</b> Deep Sand

Table 1. Dominant plant species

Tree	Not specified
Shrub	Not specified
Herbaceous	Not specified

### Physiographic features

This site is on uplands, plains, dunes, fan piedmonts and in inter dunal areas. The parent material consists of mixed alluvium and or eolian sands derived from sedimentary rock. Slope range on this site range from 0 to 9 percent with the average of 5 percent.

Low stabilized dunes may occur occasionally on this site. Elevations range from 2,800 to 5,000 feet.

Table 2. Representative physiographic features

Landforms	(1) Fan piedmont (2) Alluvial fan (3) Dune
Elevation	2,800–5,000 ft
Slope	0–9%
Aspect	Aspect is not a significant factor

### Climatic features

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 being late March or early April and the first killing frost being in later 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 from January through June, which accelerates soil drying during a critical period for cool season plant growth.

Climate data was obtained from <http://www.wrcc.sage.dri.edu/summary/climsmnm.html> web site using 50% probability for freeze-free and frost-free seasons using 28.5 degrees F and 32.5 degrees F respectively.

**Table 3. Representative climatic features**

Frost-free period (average)	221 days
Freeze-free period (average)	240 days
Precipitation total (average)	13 in

**Influencing water features**

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

**Soil features**

Soils are moderately deep or very deep. Surface textures are loamy fine sand, fine sandy loam, loamy very fine sand or gravelly sandy loam.

Subsurface is a loamy fine sand, coarse sandy loam, fine sandy loam or loam that averages less than 18 percent clay and less than 15 percent carbonates.

Substratum is a fine sandy loam or gravelly fine sandy loam with less than 15 percent gravel and with less than 40 percent calcium carbonate. Some layers high in lime or with caliche fragments may occur at depths of 20 to 30 inches.

These soils, if unprotected by plant cover and organic residue, become wind blown and low hummocks are formed.

Minimum and maximum values listed below represent the characteristic soils for this site.

Characteristic soils are:

- Maljamar
- Berino
- Parjarito
- Palomas
- Wink
- Pyote

**Table 4. Representative soil features**

Surface texture	(1) Fine sand (2) Fine sandy loam (3) Loamy fine sand
Family particle size	(1) Sandy
Drainage class	Well drained to somewhat excessively drained
Permeability class	Moderate to moderately rapid

Soil depth	40–72 in
Surface fragment cover <=3"	0–10%
Surface fragment cover >3"	0%
Available water capacity (0-40in)	5–7 in
Calcium carbonate equivalent (0-40in)	3–40%
Electrical conductivity (0-40in)	2–4 mmhos/cm
Sodium adsorption ratio (0-40in)	0–2
Soil reaction (1:1 water) (0-40in)	6.6–8.4
Subsurface fragment volume <=3" (Depth not specified)	4–12%
Subsurface fragment volume >3" (Depth not specified)	0%

## Ecological dynamics

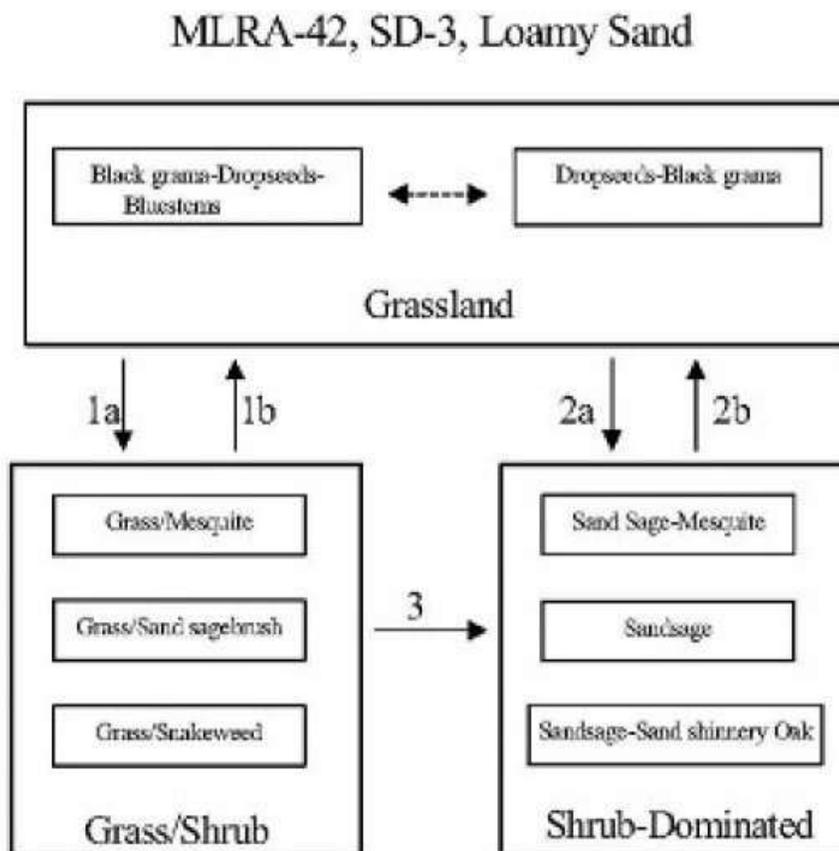
### Overview

The Loamy Sand site intergrades with the Deep Sand and Sandy sites (SD-3). These sites can be differentiated by surface soil texture and depth to a textural change. Loamy Sand and Deep Sand sites have coarse textured (sands and loamy sand) surface soils while Sandy sites have moderately coarse textured (sandy loam and fine sandy loam) surfaces. Although Loamy Sand and Deep Sand sites have similar surface textures, the depth to a textural change is different—Loamy Sand sub-surface textures typically increase in clay at approximately 20 to 30 inches, and Deep Sand sites not until around 40 inches.

The historic plant community of Loamy Sand sites is dominated by black grama (*Bouteloua eriopoda*), dropseeds (*Sporobolus flexuosus*, *S. contractus*, *S. cryptandrus*), and bluestems (*Schizachyrium scoparium* and *Andropogon hallii*), with scattered shinnery oak (*Quercus havardii*) and sand sage (*Artemisia filifolia*). Perennial and annual forb abundance and distribution are dependent on precipitation. Litter and to a lesser extent, bare ground, are a significant proportion of ground cover while grasses compose the remainder. Decreases in black grama indicate a transition to either a grass/shrub or shrub-dominated state. The grass/shrub state is composed of grasses/honey mesquite (*Prosopis glandulosa*), grasses/broom snakeweed (*Gutierrezia sarothrae*), or grasses/sand sage. The shrub-dominated state occurs after a severe loss of grass cover and a prevalence of sand sage with secondary shinnery oak and mesquite. Heavy grazing intensity and/or drought are influential drivers in decreasing black grama and bluestems and subsequently increasing shrub cover, erosion, and bare patches. Historical fire suppression also encourages shrub pervasiveness and a competitive advantage over grass species (McPherson 1995). Brush and grazing management, however, may reverse grass/shrub and shrub-dominated states toward the grassland-dominated historic plant community.

### State and transition model

**Plant Communities and Transitional Pathways (diagram):**



- 1a. Drought, over grazing, fire suppression.
- 1b. Brush control, prescribed grazing
  
- 2.a Severe loss of grass cover, fire suppression, erosion.
- 2b. Brush control, seeding, prescribed grazing.
  
- 3. Continued loss of grass cover, erosion.

**State 1  
Historic Climax Plant Community**

**Community 1.1  
Historic Climax Plant Community**

Grassland: The historic plant community is a uniformly distributed grassland dominated by black grama, dropseeds, and bluestems. Sand sage and shinnery oak are evenly dispersed throughout the grassland due to the coarse soil

surface texture. Perennial and annual forbs are common but their abundance and distribution are reflective of precipitation. Bluestems initially, followed by black grama, decrease with drought and heavy grazing intensity. Historical fire frequency is unknown but likely occurred enough to remove small shrubs to the competitive advantage of grass species. Fire suppression, drought conditions, and excessive grazing drive most grass species out of competition with shrub species. Diagnosis: Grassland dominated by black grama, dropseeds, and bluestems. Shrubs, such as sand sage, shinnery oak, and mesquite are dispersed throughout the grassland. Forbs are present and populations fluctuate with precipitation variability.

**Table 5. Annual production by plant type**

Plant Type	Low (Lb/Acre)	Representative Value (Lb/Acre)	High (Lb/Acre)
Grass/Grasslike	442	833	1224
Forb	110	208	306
Shrub/Vine	98	184	270
<b>Total</b>	<b>650</b>	<b>1225</b>	<b>1800</b>

**Table 6. Ground cover**

Tree foliar cover	0%
Shrub/vine/liana foliar cover	0%
Grass/grasslike foliar cover	28%
Forb foliar cover	0%
Non-vascular plants	0%
Biological crusts	0%
Litter	50%
Surface fragments >0.25" and <=3"	0%
Surface fragments >3"	0%
Bedrock	0%
Water	0%
Bare ground	22%

**Figure 5. Plant community growth curve (percent production by month). NM2803, R042XC003NM-Loamy Sand-HCPC. SD-3 Loamy Sand - Warm season plant community .**

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
0	0	3	5	10	10	25	30	12	5	0	0

**State 2  
Grass/Shrub**

**Community 2.1  
Grass/Shrub**



**Grass/Shrub State:** The grass/shrub state is dominated by communities of grasses/mesquite, grasses/snakeweed, or grasses/sand sage. Decreases in black grama and bluestem species lead to an increase in bare patches and mesquite which further competes with grass species. An increase of dropseeds and threeawns occurs. Grass distribution becomes more patchy with an absence or severe decrease in black grama and bluestems. Mesquite provides nitrogen and soil organic matter to co-dominant grasses (Ansley and Jacoby 1998, Ansley et al. 1998). Mesquite mortality when exposed to fire is low due to aggressive resprouting abilities. Herbicide application combined with subsequent prescribed fire may be more effective in mesquite reduction (Britton and Wright 1971). **Diagnosis:** This state is dominated by an increased abundance of communities including grass/mesquite, grass/snakeweed, or grass/sand sage. Dropseeds and threeawns have a patchy distribution. **Transition to Grass/Shrub State (1a):** The historic plant community begins to shift toward the grass/shrub state as drivers such as drought, fire suppression, interspecific competition, and excessive grazing contribute to alterations in soil properties and herbaceous cover. Cover loss and surface soil erosion are initial indicators of transition followed by a decrease in black grama with a subsequent increase of dropseeds, threeawns, mesquite, and snakeweed. Snakeweed has been documented to outcompete black grama especially under conditions of fire suppression and drought (McDaniel et al. 1984). **Key indicators of approach to transition:** • Loss of black grama cover • Surface soil erosion • Bare patch expansion • Increased dropseed/threeawn and mesquite, snakeweed, or sand sage abundances **Transition to Historic Plant Community (1b):** Brush and grazing management may restore the grassland component and reverse shrub or grass/shrub dominated states back toward the historic plant community.

### **State 3 Shrub Dominated**

#### **Community 3.1 Shrub Dominated**

**Shrub-Dominated State:** The shrub-dominated state results from a severe loss of grass cover. This state's primary species is sand sage. Shinnery oak and mesquite also occur; however, grass cover is limited to intershrub distribution. Sand sage stabilizes light sandy soils from wind erosion, which enhances protected grass/forb cover (Davis and Bonham 1979). However, shinnery oak also responds to the sandy soils with dense stands due to an

aggressive rhizome system. Shinnery oak’s extensive root system promotes competitive exclusion of grasses and forbs. Sand sage, shinnery oak, and mesquite can be controlled with herbicide (Herbel et al. 1979, Pettit 1986). Transition to Shrub-Dominated (2a): Severe loss of grass species with increased erosion and fire suppression will result in a transition to a shrub-dominated state with sand sage, Shin oak, and honey mesquite directly from the grassland-dominated state. Key indicators of approach to transition: • Severe loss of grass species cover • Surface soil erosion • Bare patch expansion • Increased sand sage, shinnery oak, and mesquite abundance Transition to Historic Plant Community (2b): Brush and grazing management may restore the grassland component and reverse shrub or grass/shrub dominated states back toward the historic plant community. In addition, seeding with native grass species will augment the transition to a grassland-dominated state. Transition to Shrub-Dominated (3): If the grass/shrub site continues to lose grass cover with soil erosion, the site will transition to a shrub-dominated state with sand sage, shinnery oak, and honey mesquite. Key indicators of approach to transition: • Continual loss of dropseeds/threawns cover • Surface soil erosion • Bare patch expansion • Increased sand sage, shinnery oak, and mesquite/dropseed/threawn and mesquite/snakeweed abundance

### Additional community tables

Table 7. Community 1.1 plant community composition

Group	Common Name	Symbol	Scientific Name	Annual Production (Lb/Acre)	Foliar Cover (%)
<b>Grass/Grasslike</b>					
1	<b>Warm Season</b>			61–123	
	little bluestem	SCSC	<i>Schizachyrium scoparium</i>	61–123	–
2	<b>Warm Season</b>			37–61	
	sand bluestem	ANHA	<i>Andropogon hallii</i>	37–61	–
3	<b>Warm Season</b>			37–61	
	cane bluestem	BOBA3	<i>Bothriochloa barbinodis</i>	37–61	–
	silver bluestem	BOSA	<i>Bothriochloa saccharoides</i>	37–61	–
4	<b>Warm Season</b>			123–184	
	black grama	BOER4	<i>Bouteloua eriopoda</i>	123–184	–
	bush muhly	MUPO2	<i>Muhlenbergia porteri</i>	123–184	–
5	<b>Warm Season</b>			123–184	
	thin paspalum	PASE5	<i>Paspalum setaceum</i>	123–184	–
	plains bristlegrass	SEVU2	<i>Setaria vulpiseta</i>	123–184	–
	fringed signalgrass	URCI	<i>Urochloa ciliatissima</i>	123–184	–
6	<b>Warm Season</b>			123–184	
	spike dropseed	SPCO4	<i>Sporobolus contractus</i>	123–184	–
	sand dropseed	SPCR	<i>Sporobolus cryptandrus</i>	123–184	–
	mesa dropseed	SPFL2	<i>Sporobolus flexuosus</i>	123–184	–
7	<b>Warm Season</b>			61–123	
	hooded windmill grass	CHCU2	<i>Chloris cucullata</i>	61–123	–
	Arizona cottontop	DICA8	<i>Digitaria californica</i>	61–123	–
9	<b>Other Perennial Grasses</b>			37–61	
	Grass, perennial	2GP	<i>Grass, perennial</i>	37–61	–
<b>Shrub/Vine</b>					
8	<b>Warm Season</b>			37–61	
	New Mexico feathergrass	HENE5	<i>Hesperostipa neomexicana</i>	37–61	–
	giant dropseed	SPGI	<i>Sporobolus giganteus</i>	37–61	–
10	<b>Shrub</b>			61–123	

	sand sagebrush	ARFI2	<i>Artemisia filifolia</i>	61–123	–
	Havard oak	QUHA3	<i>Quercus havardii</i>	61–123	–
11	<b>Shrub</b>			34–61	
	fourwing saltbush	ATCA2	<i>Atriplex canescens</i>	37–61	–
	featherplume	DAFO	<i>Dalea formosa</i>	37–61	–
12	<b>Shrub</b>			37–61	
	jointfir	EPHED	<i>Ephedra</i>	37–61	–
	littleleaf ratany	KRER	<i>Krameria erecta</i>	37–61	–
13	<b>Other Shrubs</b>			37–61	
	Shrub (>.5m)	2SHRUB	<i>Shrub (&gt;.5m)</i>	37–61	–
<b>Forb</b>					
14	<b>Forb</b>			61–123	
	leatherweed	CRPOP	<i>Croton pottsii var. pottsii</i>	61–123	–
	Indian blanket	GAPU	<i>Gaillardia pulchella</i>	61–123	–
	globemallow	SPHAE	<i>Sphaeralcea</i>	61–123	–
15	<b>Forb</b>			12–37	
	woolly groundsel	PACA15	<i>Packera cana</i>	12–37	–
16	<b>Forb</b>			61–123	
	touristplant	DIWI2	<i>Dimorphocarpa wislizeni</i>	61–123	–
	woolly plantain	PLPA2	<i>Plantago patagonica</i>	61–123	–
17	<b>Other Forbs</b>			37–61	
	Forb (herbaceous, not grass nor grass-like)	2FORB	<i>Forb (herbaceous, not grass nor grass-like)</i>	37–61	–

## Animal community

This Ecological Site provides habitat which supports a resident animal community that is characterized by pronghorn antelope, desert cottontail, spotted ground squirrel, black-tailed prairie dog, yellow faced pocket gopher, Ord's kangaroo rat, northern grasshopper mouse, southern plains woodrat, badger, roadrunner, meadowlark, burrowing owl, white necked raven, lesser prairie chicken, morning dove, scaled quail, Harris hawk, side blotched lizard, marbled whiptail, Texas horned lizard, western diamondback rattlesnake, dusty hognose snake and ornate box turtle.

Where mesquite has invaded, most resident birds and scissor-tailed flycatcher, morning dove and Swainson's hawk, nest. Vesper and grasshopper sparrows utilize the site during migration.

## Hydrological functions

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

Hydrologic Interpretations

Soil Series Hydrologic Group

Berino B

Kinco A

Maljamar B

Pajarito B

Palomas B

Wink B

Pyote A

## Recreational uses

This site offers recreation potential for hiking, horseback riding, nature observation, photography and hunting. During years of abundant spring moisture, this site displays a colorful array of wildflowers during May and June.

### 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 at any time of year. In cases where this site has been invaded by brush species it is especially suited for goats. Mismanagement of this site will cause a decrease in species such as the bluestems, black grama, bush muhly, plains bristlegrass, New Mexico feathergrass, Arizona cottontop and fourwing saltbush. A corresponding increase in the dropseeds, windmill grass, fall witchgrass, silver bluestem, sand sagebrush, shiner oak and ephedra will occur. This will also cause an increase in bare ground which will increase soil erodibility. This site will respond well to a system of management that rotates the season of use.

### Other information

Guide to Suggested Initial Stocking Rate Acres per Animal Unit Month

Similarity Index Ac/AUM

100 - 76 2.3 – 3.5

75 – 51 3.0 – 4.5

50 – 26 4.6 – 9.0

25 – 0 9.1 +

### Inventory data 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 Chaves County.

### Other references

Literature Cited:

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Britton, Carlton M.; Wright, Henry A. 1971. Correlation of weather and fuel variables to mesquite damage by fire. *Journal of Range Management* 24:136-141.

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McDaniel, Kirk C.; Pieper, Rex D.; Loomis, Lyn E.; Osman, Abdelgader A. 1984. Taxonomy and ecology of perennial snakeweeds in New Mexico, Bulletin 711. Las Cruces, NM: New Mexico State University, Agricultural Experiment Station. 34 p.

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**Contributors**

Don Sylvester  
Quinn Hodgson

**Rangeland health reference sheet**

Interpreting Indicators of Rangeland Health is a qualitative assessment protocol used to determine ecosystem condition based on benchmark characteristics described in the Reference Sheet. A suite of 17 (or more) indicators are typically considered in an assessment. The ecological site(s) representative of an assessment location must be known prior to applying the protocol and must be verified based on soils and climate. Current plant community cannot be used to identify the ecological site.

Author(s)/participant(s)	
Contact for lead author	
Date	
Approved by	
Approval date	
Composition (Indicators 10 and 12) based on	Annual Production

**Indicators**

1. **Number and extent of rills:**

---

2. **Presence of water flow patterns:**

---

3. **Number and height of erosional pedestals or terracettes:**

---

4. **Bare ground from Ecological Site Description or other studies (rock, litter, lichen, moss, plant canopy are not bare ground):**

---

5. **Number of gullies and erosion associated with gullies:**

---

6. **Extent of wind scoured, blowouts and/or depositional areas:**

---

7. Amount of litter movement (describe size and distance expected to travel):

---

8. Soil surface (top few mm) resistance to erosion (stability values are averages - most sites will show a range of values):

---

9. Soil surface structure and SOM content (include type of structure and A-horizon color and thickness):

---

10. Effect of community phase composition (relative proportion of different functional groups) and spatial distribution on infiltration and runoff:

---

11. Presence and thickness of compaction layer (usually none; describe soil profile features which may be mistaken for compaction on this site):

---

12. Functional/Structural Groups (list in order of descending dominance by above-ground annual-production or live foliar cover using symbols: >>, >, = to indicate much greater than, greater than, and equal to):

Dominant:

Sub-dominant:

Other:

Additional:

---

13. Amount of plant mortality and decadence (include which functional groups are expected to show mortality or decadence):

---

14. Average percent litter cover (%) and depth ( in):

---

15. Expected annual annual-production (this is TOTAL above-ground annual-production, not just forage annual-production):

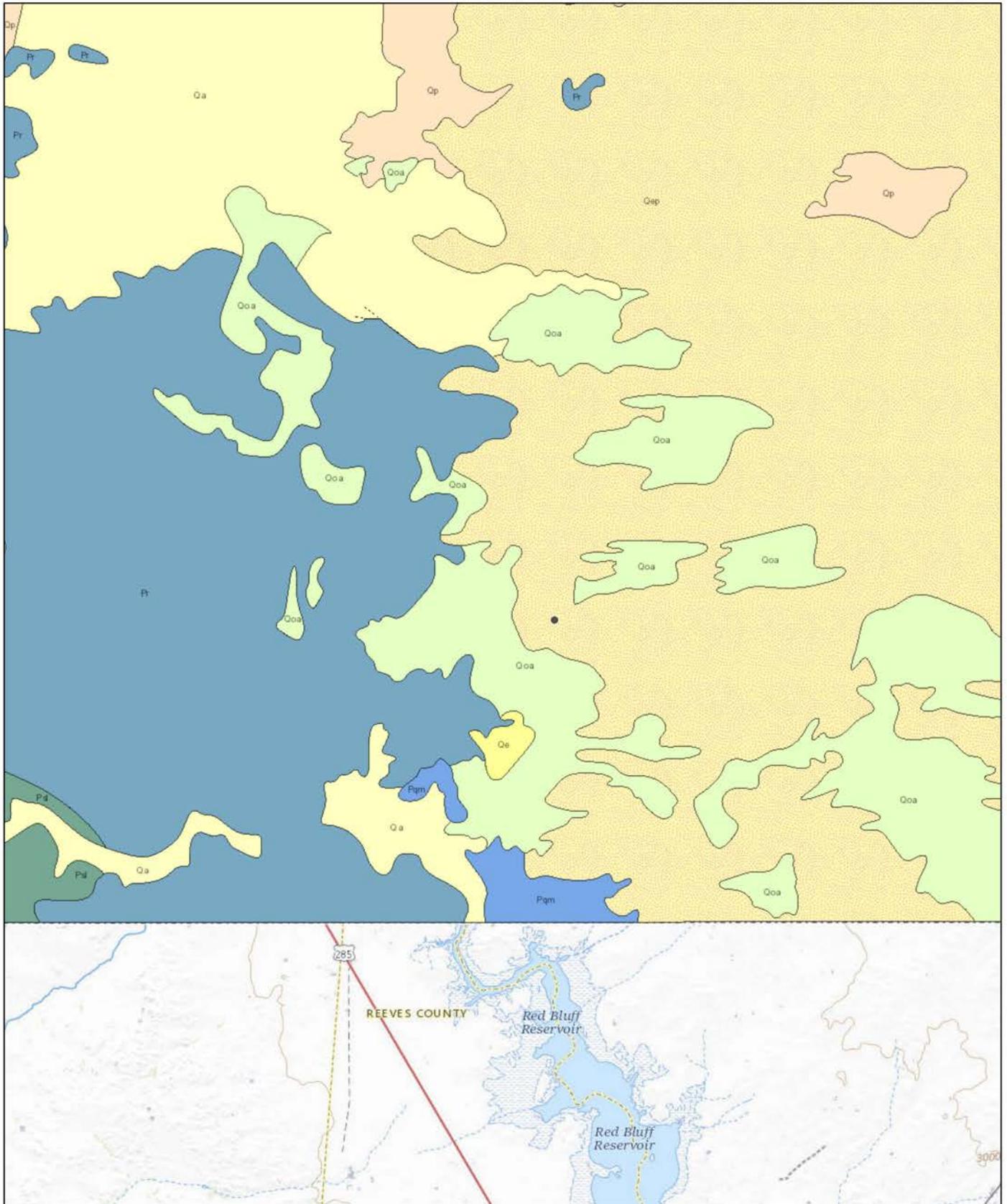
---

16. Potential invasive (including noxious) species (native and non-native). List species which BOTH characterize degraded states and have the potential to become a dominant or co-dominant species on the ecological site if their future establishment and growth is not actively controlled by management interventions. Species that become dominant for only one to several years (e.g., short-term response to drought or wildfire) are not invasive plants. Note that unlike other indicators, we are describing what is NOT expected in the reference state for the ecological site:

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**17. Perennial plant reproductive capability:**

---

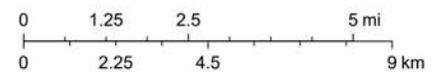


3/27/2023, 3:20:54 PM

Lithologic Units

- Playa—Alluvium and evaporite deposits (Holocene)
- Water—Perennial standing water
- Qa—Alluvium (Holocene to upper Pleistocene)

1:144,448



Esri, NASA, NGA, USGS, USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census

## **ATTACHMENT 4**

## Monica Peppin

---

**From:** Dhugal Hanton <vertexresourcegroupusa@gmail.com>  
**Sent:** March 6, 2023 8:47 AM  
**To:** Enviro, OCD, EMNRD; CFO\_Spill, BLM\_NM  
**Cc:** Raley, Jim; Monica Peppin  
**Subject:** North Brushy 35-2 Liner Inspection Notification nAPP2305143488

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:

nAPP2305143488 DOR: 02/17/2023 Site Name: North Brushy Draw Federal 35 #002H

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

On Friday, March 10, 2023 at approximately 1:00 a.m., Monica Peppin will be on site to conduct the 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, A.S.**  
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](http://www.vertex.ca)

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**District III**  
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 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

Action 203189

**CONDITIONS**

Operator: WPX Energy Permian, LLC Devon Energy - Regulatory Oklahoma City, OK 73102	OGRID: 246289
	Action Number: 203189
	Action Type: [C-141] Release Corrective Action (C-141)

**CONDITIONS**

Created By	Condition	Condition Date
scwells	None	8/17/2023