

OCA Artesia

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

FORM APPROVED OMB NO. 1004-0135 Expires: July 31, 2010

SUNDRY NOTICES AND REPORTS ON WELLS Do not use this form for proposals to drill or to re-enter an abandoned well. Use form 3160-3 (APD) for such proposals.

5. Lease Serial No. NMNM042626

6. If Indian, Allottee or Tribe Name

SUBMIT IN TRIPLICATE - Other instructions on reverse side.

7. If Unit or CA/Agreement, Name and/or No. NMNM128656

1. Type of Well Oil Well Gas Well Other

8. Well Name and No. COTTON DRAW 10 FED COM 1H

2. Name of Operator DEVON ENERGY PRODUCTION CO Contact: GREGG LARSON Email: gregg.larson@dvn.com

9. API Well No. 30-015-39229-00-S1

3a. Address 333 WEST SHERIDAN AVE OKLAHOMA CITY, OK 73102

3b. Phone No. (include area code) Ph: 940-393-2190

10. Field and Pool, or Exploratory COTTONWOOD DRAW-DELAWARE

4. Location of Well (Footage, Sec., T., R., M., or Survey Description) Sec 10 T25S R31E SWSE 330FSL 2310FEL 32.138618 N Lat, 103.764678 W Lon

11. County or Parish, and State EDDY COUNTY, NM

12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

Table with columns: TYPE OF SUBMISSION, TYPE OF ACTION. Includes checkboxes for Notice of Intent, Subsequent Report, Final Abandonment Notice, Acidize, Deepen, Production (Start/Resume), Water Shut-Off, etc.

13. Describe Proposed or Completed Operation (clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports shall be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompletion in a new interval, a Form 3160-4 shall be filed once testing has been completed. Final Abandonment Notices shall be filed only after all requirements, including reclamation, have been completed, and the operator has determined that the site is ready for final inspection.)

Respectfully request approval to install a three phase 22.8/13.2kV overhead electric line starting at an existing electric line right of way dated 2-26-2015 Serial Number NM-132451 located in the NW/4 NE/4 of Section 15, T25S-R31E, extending 308.96 feet (18.73 rods) to the Cotton Draw 10 Fed Com 1H location, located in the SW/4 SE/4 of Section 10, T25S-R31E, Eddy County, New Mexico.

Wire size will be 1/0 with 45'C4 poles. Approximately 3 pole.

308.76 feet (18.73 rods) by 30 feet wide containing 0.213 acres.

Construction start as soon as approval is received.

Estimated construction duration 15 days.

NM OIL CONSERVATION ARTESIA DISTRICT

MAY 03 2016

RECEIVED

14. I hereby certify that the foregoing is true and correct. Electronic Submission #331322 verified by the BLM Well Information System For DEVON ENERGY PRODUCTION CO LP, sent to the Carlsbad Committed to AFMSS for processing by PRISCILLA PEREZ on 02/29/2016 (16PP0559SE) Name: GREGG LARSON Title: RIGHT OF WAY SUPERINTENDENT Signature: (Electronic Submission) Date: 02/11/2016

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved By: [Signature] Title: FIELD MANAGER Date: 4/22/16

Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Office CARLSBAD FIELD OFFICE

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

** BLM REVISED **

Accepted for record - NMOCD

KJ

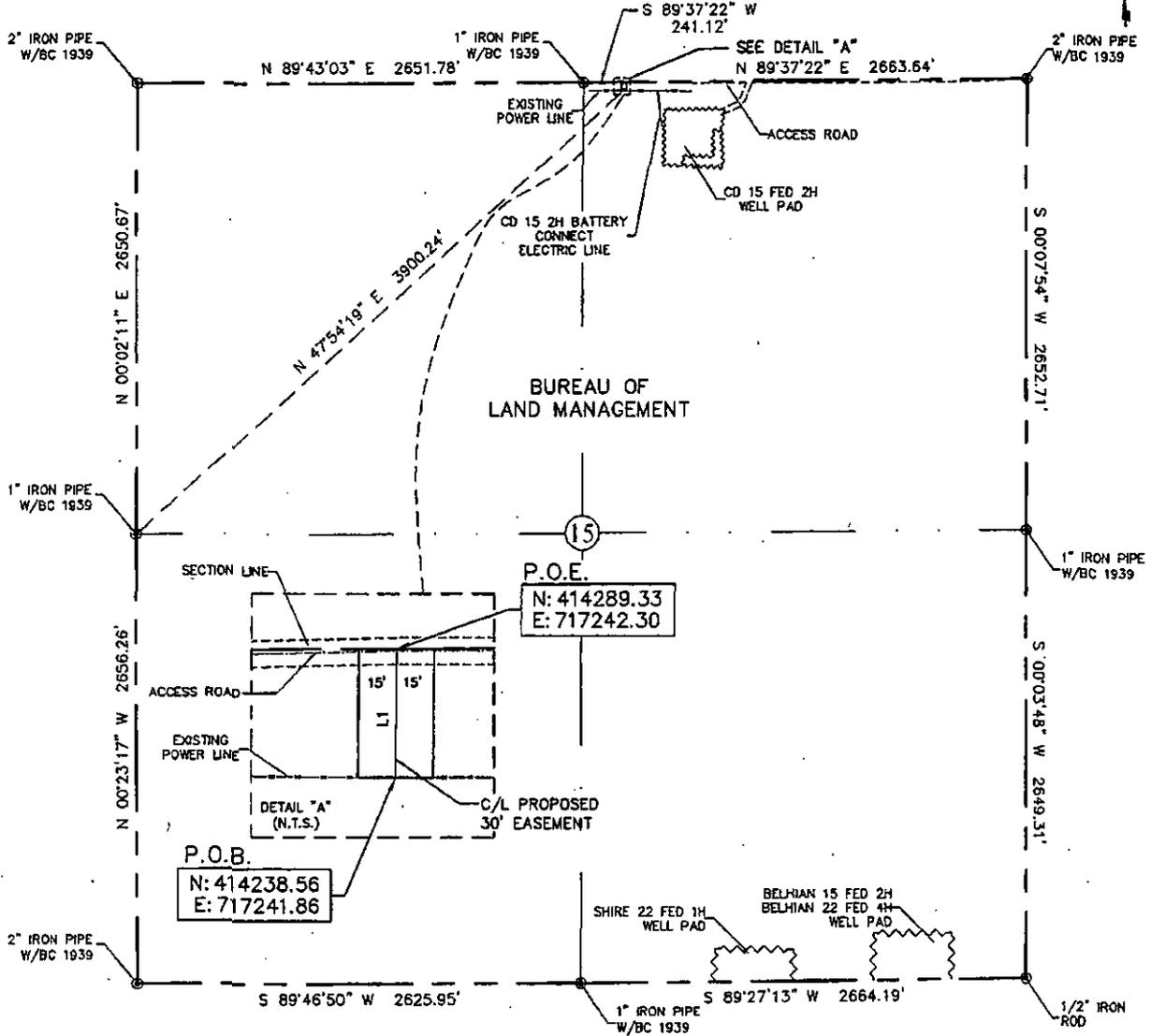
Additional data for EC transaction #331322 that would not fit on the form

32. Additional remarks, continued

See attached Plats.

2023

EXHIBIT "A"
 PAGE 1 of 6
 ELECTRIC LINE PLAT
 SECTION 15, T25S-R31E, N.M.P.M.
 EDDY COUNTY, NEW MEXICO



30' EASEMENT AREA = 0.035 ACRE(S)
 50.77 FEET OR 3.08 RODS

SEE THE ATTACHED LEGAL DESCRIPTION
 Note: All bearings recited herein are based on the New Mexico State Plane Coordinate System, NAD 83, New Mexico East Zone 3001, US Survey Feet, all distances are grid.

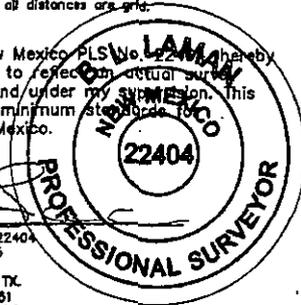
0+00.0 P.O.B. EXISTING POWER LINE
 0+44.6 EDGE OF ACCESS ROAD
 0+49.9 CENTERLINE OF ACCESS ROAD
 0+50.8 P.O.E. SECTION LINE

LINE BEARING	DISTANCE
L1 N 00°29'41\"	E 50.77'

0 1000 2000



I, B.L. Laman, New Mexico PLS #22404, hereby certify this survey to reflect actual survey made on the ground under my supervision. This survey meets the minimum standards for surveying in New Mexico.



B.L. Laman PLS #22404
 Date Signed: 12-15-2015
 Horizonrow, LLC
 571 State Street Jasper, TX
 (409) 202-5111 75951
 Employee of Horizonrow, LLC

HORIZONROW LLC

Drawn for:



Drawn by:
 W.Beats

Date: 12/09/2015

DEVON ENERGY PRODUCTION COMPANY, L.P.
 CD 10 FED 1H PAD CONNECT
 (ELECTRIC LINE)

PROPOSED 30' EASEMENT
 ON THE PROPERTY OF
 BUREAU OF LAND MANAGEMENT
 SECTION 15, T25S-R31E, N.M.P.M.

LINE NUMBER: EL7731
WBS NUMBER: CC-112971.AL
SCALE: 1" = 1000'
REVISIONS:
SHEET: 1 OF 6

**SECTION 15, T25S-R31E, N.M.P.M.,
EDDY COUNTY, NEW MEXICO**

ELECTRIC LINE PLAT

LEGAL DESCRIPTION

FOR

DEVON ENERGY PRODUCTION COMPANY, L.P.

BUREAU OF LAND MANAGEMENT

30' EASEMENT DESCRIPTION:

BEING an easement thirty (30) feet in width lying fifteen (15) feet on the right side and fifteen (15) feet on the left side of the survey centerline described below, being out of the northeast quarter (NE 1/4) of Section 15, Township 25 South, Range 31 East, N.M.P.M., Eddy County, New Mexico, and being out of a parcel of land owned by the Bureau of Land Management. Said centerline of easement being more particularly described as follows:

Commencing from a 1" iron pipe w/ BC 1939 for the west quarter corner of Section 15, T25S-R31E, N.M.P.M., Eddy County, New Mexico;

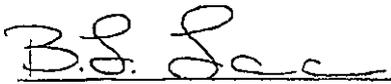
Thence N 47°54'19" E a distance of 3900.24' to the **Point of Beginning** of this easement having coordinates of Northing=414238.56 feet, Easting=717241.86 feet and continuing the following course;

Thence N 00°29'41" E a distance of 50.77' to the **Point of Ending** having coordinates of Northing=414289.33 feet, Easting=717242.30 feet, being in the north line of Section 15, T25S-R31E, from said point a 1" iron pipe w/ BC 1939 for the north quarter corner of Section 15, T25S-R31E bears S 89°37'22" W a distance of 241.12', covering 50.77' or 3.08 rods and having an area of 0.035 acres.

NOTES:

Bearings, distances and coordinates shown herein are based on New Mexico State Plane Coordinate System, NAD 83, East Zone 3001, US Survey Feet, all distances are grid.

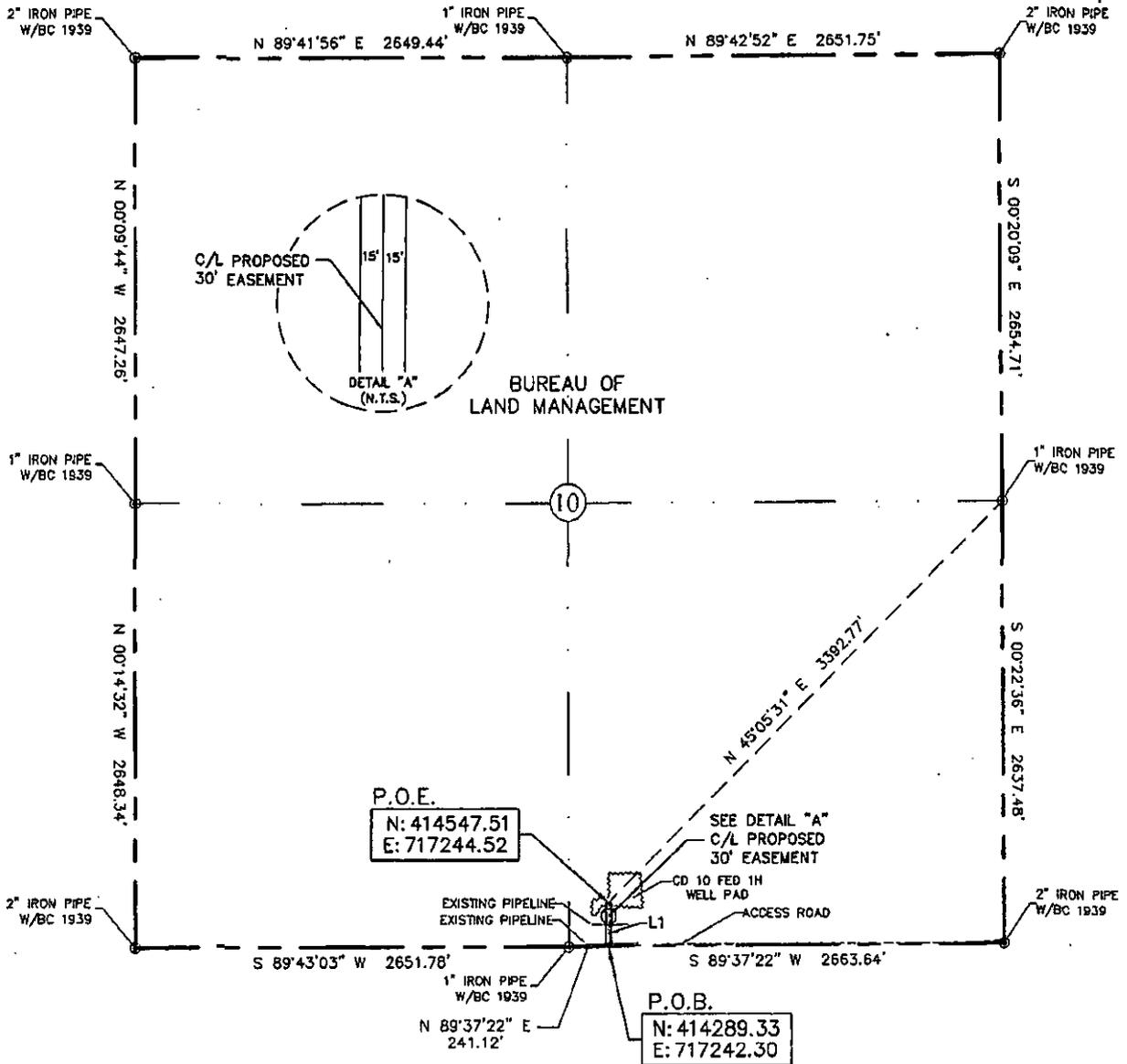
I, B.L. Laman, New Mexico PLS No. 22404, hereby certify this survey to reflect an actual survey made on the ground under my supervision. This survey meets the minimum standards for surveying in New Mexico.



B.L. Laman PLS 22404
Date Signed: 12/15/2015
Horizon Row, LLC
571 State Street, Jasper, TX
(402) 202-5111 75951
Employee of Horizon Row, LLC



EXHIBIT "A"
 PAGE 3 of 6
 ELECTRIC LINE PLAT.
 SECTION 10, T25S-R31E, N.M.P.M.
 EDDY COUNTY, NEW MEXICO



30' EASEMENT AREA = 0.178 ACRE(S)
 258.19 FEET OR 15.65 RODS

SEE THE ATTACHED LEGAL DESCRIPTION

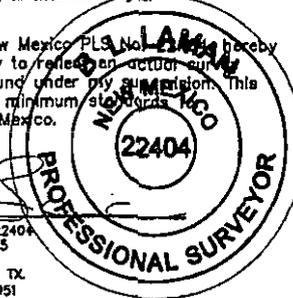
Note: All bearings recited herein are based on the New Mexico State Plane Coordinate System, NAD 83, New Mexico East Zone 3001, US Survey Feet, all distances are grid.

- 0+50.8 P.O.B. SECTION LINE
- 0+55.1 EDGE OF ACCESS ROAD
- 0+65.9 EXISTING PIPELINE
- 1+47.6 PROPOSED POWER POLE
- 1+77.6 EXISTING PIPELINE
- 3+05.3 ENTER CD 10 FED 1H WELL PAD
- 3+09.0 P.O.E. PROPOSED POWER POLE

LINE BEARING	DISTANCE
L1 N 00°29'41" E	258.19'

0 1000 2000

I, B.L. Laman, New Mexico Professional Surveyor No. 22404, hereby certify this survey to reflect an actual survey made on the ground under my supervision. This survey meets the minimum standards for surveying in New Mexico.



B.L. Laman PLS #22404
 Date Signed: 12-15-2015
 Horizonrow, LLC
 571 State Street Jasper, TX
 (409) 202-5111 75951
 Employee of Horizonrow, LLC

HORIZONROW LLC

Drawn for:



Drawn by:
 W.Beets

Date: 12/09/2015

DEVON ENERGY PRODUCTION COMPANY, LP.
 CD 10 FED 1H PAD CONNECT
 (ELECTRIC LINE)

PROPOSED 30' EASEMENT
 ON THE PROPERTY OF
 BUREAU OF LAND MANAGEMENT
 SECTION 10, T25S-R31E, N.M.P.M.

LINE NUMBER:
 EL7731

WBS NUMBER:
 CC-112971.AL

SCALE:
 1" = 1000'

REVISIONS:

SHEET:
 3 OF 6

SECTION 10, T25S-R31E, N.M.P.M.,
EDDY COUNTY, NEW MEXICO

ELECTRIC LINE PLAT

LEGAL DESCRIPTION

FOR

DEVON ENERGY PRODUCTION COMPANY, L.P.

BUREAU OF LAND MANAGEMENT

30' EASEMENT DESCRIPTION:

BEING an easement thirty (30) feet in width lying fifteen (15) feet on the right side and fifteen (15) feet on the left side of the survey centerline described below, being out of the southeast quarter (SE 1/4) of Section 10, Township 25 South, Range 31 East, N.M.P.M., Eddy County, New Mexico, and being out of a parcel of land owned by the Bureau of Land Management. Said centerline of easement being more particularly described as follows:

Commencing from a 1" iron pipe w/ BC 1939 for the south quarter corner of Section 10, T25S-R31E, N.M.P.M., Eddy County, New Mexico;

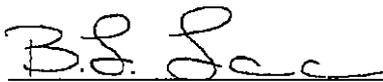
Thence N 89°37'22" E a distance of 241.12' to the **Point of Beginning** of this easement having coordinates of Northing=414289.33 feet, Easting=717242.30 feet, being on the south line of Section 10, T25S-R31E and continuing the following course;

Thence N 00°29'41" E a distance of 258.19' to the **Point of Ending** having coordinates of Northing=414547.51 feet, Easting=717244.52 feet, from said point a 1" iron pipe w/ BC 1939 for the east quarter corner of Section 10, T25S-R31E bears N 45°05'31" E a distance of 3392.77', covering 258.19' or 15.65 rods and having an area of 0.178 acres.

NOTES:

Bearings, distances and coordinates shown herein are based on New Mexico State Plane Coordinate System, NAD 83, East Zone 3001, US Survey Feet, all distances are grid.

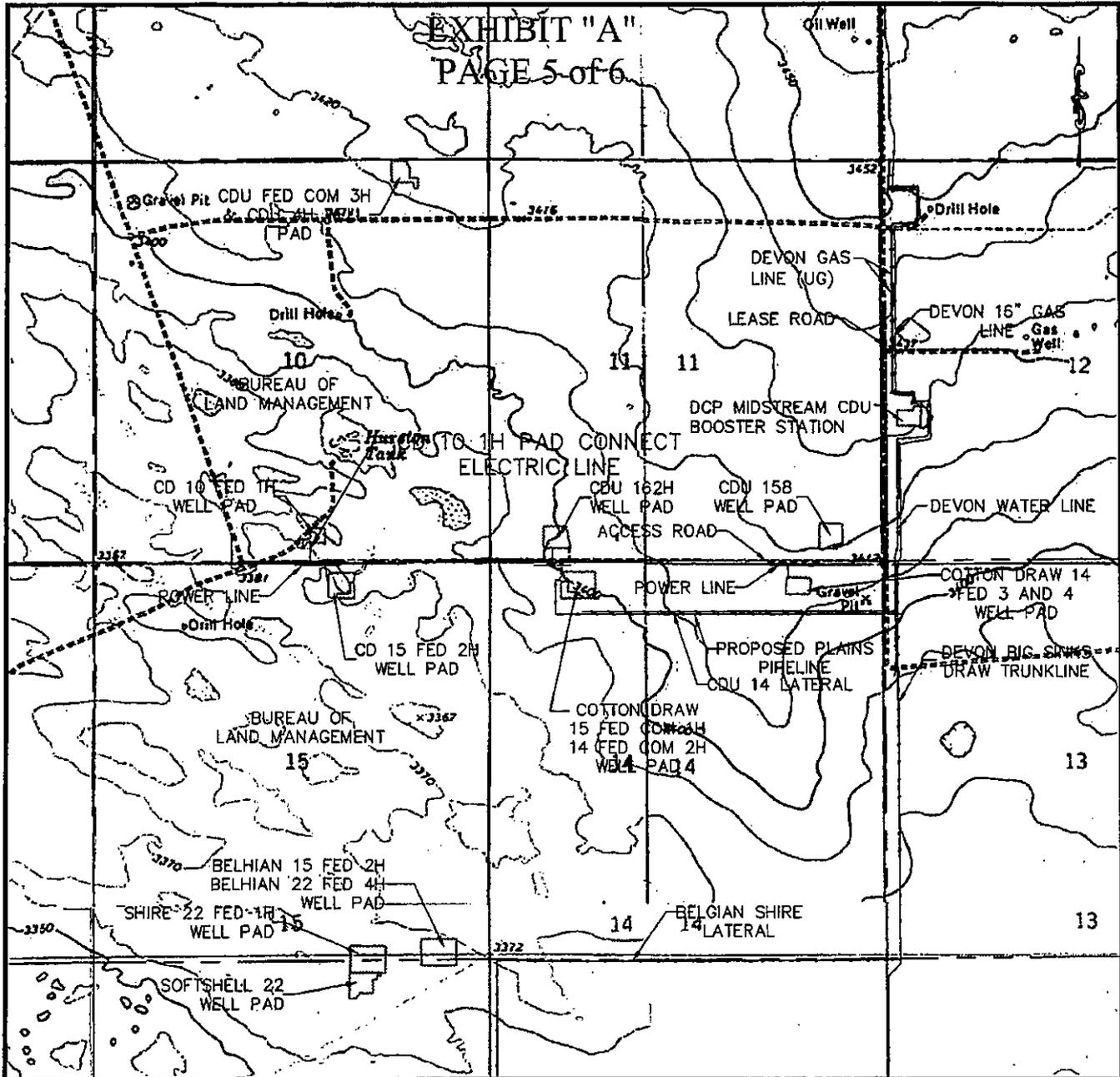
I, B.L. Laman, New Mexico PLS No. 22404, hereby certify this survey to reflect an actual survey made on the ground under my supervision. This survey meets the minimum standards for surveying in New Mexico.



B.L. Laman PLS 22404
Date Signed: 12/15/2015
Horizon Row, LLC
571 State Street, Jasper, TX
(402) 202-5111 75951
Employee of Horizon Row, LLC



EXHIBIT "A"
PAGE 5 of 6



QUAD MAP

SECTION 10, T25S-R31E, N.M.P.M.
SECTION 15, T25S-R31E, N.M.P.M.
EDDY COUNTY, NEW MEXICO

HORIZON ROW LLC

DEVON ENERGY PRODUCTION CO., L.P.

PROPOSED 30' EASEMENT

Drawn by:
W.Beets

Date: 12/09/2015

Drawn for:



LINE NUMBER:
EL7731

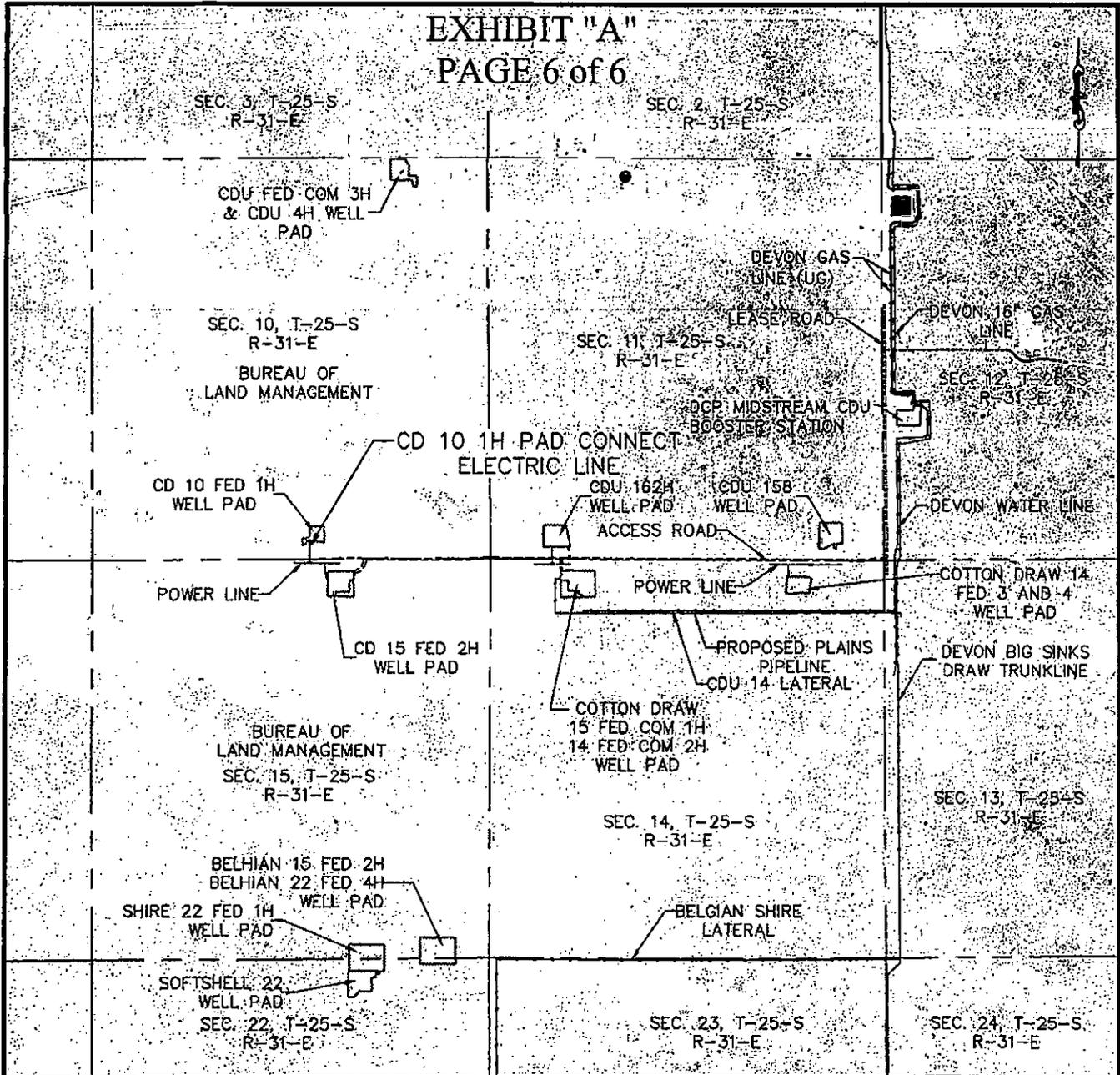
WBS NUMBER:
CC-112971.AL

SCALE:
1" = 2000'

REVISIONS:

SHEET:
5 OF 8

EXHIBIT "A"
PAGE 6 of 6



AERIAL MAP

SECTION 10, T25S-R31E, N.M.P.M.
SECTION 15, T25S-R31E, N.M.P.M.
EDDY COUNTY, NEW MEXICO

HORIZON ROW LLC

DEVON ENERGY PRODUCTION CO., L.P.

PROPOSED 30' EASEMENT

Drawn by:
W.Beets

Date: 12/09/2015

Drawn for:



LINE NUMBER:
EL7731

WBS NUMBER:
CC-112971.AL

SCALE:
1" = 2000'

REVISIONS:

SHEET:
6 OF 8

Company Reference: Devon Energy Production Company, L.P.
Well No. & Name: Cotton Draw 10 Fed Com 1H Electric Line

STANDARD STIPULATIONS FOR OVERHEAD ELECTRIC DISTRIBUTION LINES

A copy of the grant and attachments, including stipulations, survey plat and/or map, will be on location during construction. BLM personnel may request to you a copy of your permit during construction to ensure compliance with all stipulations.

Holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer:

1. The holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant.
2. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC 2601 et seq. (1982) with regards to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
3. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq.) on the Right-of-Way (unless the release or threatened release is wholly unrelated to the Right-of-Way holder's activity on the Right-of-Way), or resulting from the activity of the Right-of-Way holder on the Right-of-Way. This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
4. There will be no clearing or blading of the right-of-way unless otherwise agreed to in writing by the Authorized Officer.
5. Power lines shall be constructed and designed in accordance to standards outlined in "Suggested Practices for Avian Protection on Power lines: The State of the Art in 2006" Edison Electric Institute, APLIC, and the California Energy Commission 2006 . The holder shall assume the burden and expense of proving that pole designs not shown in the above publication deter raptor perching, roosting, and nesting. Such proof shall be provided by a raptor expert

approved by the Authorized Officer. The BLM reserves the right to require modification or additions to all powerline structures placed on this right-of-way, should they be necessary to ensure the safety of large perching birds. Such modifications and/or additions shall be made by the holder without liability or expense to the United States.

Raptor deterrence will consist of but not limited to the following: triangle perch discouragers shall be placed on each side of the cross arms and a nonconductive perching deterrence shall be placed on all vertical poles that extend past the cross arms.

6. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

7. The BLM serial number assigned to this authorization shall be posted in a permanent, conspicuous manner where the power line crosses roads and at all serviced facilities. Numbers will be at least two inches high and will be affixed to the pole nearest the road crossing and at the facilities served.

8. Upon cancellation, relinquishment, or expiration of this grant, the holder shall comply with those abandonment procedures as prescribed by the Authorized Officer.

9. All surface structures (poles, lines, transformers, etc.) shall be removed within 180 days of abandonment, relinquishment, or termination of use of the serviced facility or facilities or within 180 days of abandonment, relinquishment, cancellation, or expiration of this grant, whichever comes first. This will not apply where the power line extends service to an active, adjoining facility or facilities.

10. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the Authorized Officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

11. Special Stipulations:

- For reclamation remove poles, lines, transformer, etc. and dispose of properly.
- Fill in any holes from the poles removed.

Timing Limitation Stipulation/Condition of Approval for Lesser Prairie-Chicken:

Oil and gas activities including 3-D geophysical exploration, and drilling will not be allowed in lesser prairie-chicken habitat during the period from March 1st through June 15th annually.

During that period, other activities that produce noise or involve human activity, such as the maintenance of oil and gas facilities, geophysical exploration other than 3-D operations, and pipeline, road, and well pad construction, will be allowed except between 3:00 am and 9:00 am. The 3:00 am to 9:00 am restriction will not apply to normal, around-the-clock operations, such as venting, flaring, or pumping, which do not require a human presence during this period. Additionally, no new drilling will be allowed within up to 200 meters of leks known at the time of permitting. Normal vehicle use on existing roads will not be restricted. Exhaust noise from pump jack engines must be muffled or otherwise controlled so as not to exceed 75 db measured at 30 ft. from the source of the noise.

Power lines shall be constructed and designed in accordance to standards outlined in "Suggested Practices for Avian Protection on Power lines: The State of the Art in 2006" Edison Electric Institute, APLIC, and the California Energy Commission 2006. The holder shall assume the burden and expense of proving that pole designs not shown in the above publication deter raptor perching, roosting, and nesting. Such proof shall be provided by a raptor expert approved by the Authorized Officer. The BLM reserves the right to require modification or additions to all power line structures placed on this right-of-way, should they be necessary to ensure the safety of large perching birds. The holder without liability or expense shall make such modifications and/or additions to the United States.

This authorization is subject to your Certificate of Participation and/or Certificate of Inclusion under the New Mexico Candidate Conservation Agreement. Because it involves surface disturbing activities covered under your Certificate, your Habitat Conservation Fund Account with the Center of Excellence for Hazardous Materials Management (CEHMM) will be debited according to Exhibit B Part 2 of the Certificate of Participation.

During construction, the proponent shall minimize disturbance to existing fences, water lines, troughs, windmills, and other improvements on public lands. The proponent is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the grazing permittee/allottee prior to disturbing any range improvement projects. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes the roads, pads, associated pipeline corridor, and adjacent land affected by the establishment of weeds due to this action. The operator shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.

Because the proposed project is in PFYC Class 2, the management concern for potential resources is minimal. If any fossil objects are discovered by any activities, the project proponent will cease activities in the area of discovery and notify the BLM within 24 hours. Therefore, no additional mitigation measures are necessary for this project as currently proposed.

**Exhibit A
Fasken Oil and Ranch LTD
NM-134718
Blue Bird SWD Pipeline**

STANDARD STIPULATIONS FOR SURFACE INSTALLED PIPELINES

A copy of the Grant and attachments, including stipulations, survey plat(s) and/or map(s), shall be on location during construction. BLM personnel may request to review a copy of your permit during construction to ensure compliance with all stipulations.

Holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer:

1. Holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant.

2. Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, Holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC § 2601 *et seq.* (1982) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant (*see* 40 CFR, Part 702-799 and in particular, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193). Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.

3. Holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. § 9601, *et seq.* or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, *et seq.*) on the Right-of-Way (unless the release or threatened release is wholly unrelated to activity of the Right-of-Way Holder's activity on the Right-of-Way), or resulting from the activity of the Right-of-Way Holder on the Right-of-Way. This provision applies without regard to whether a release is caused by Holder, its agent, or unrelated third parties.

4. Holder shall be liable for damage or injury to the United States to the extent provided by 43 CFR Sec. 2883.1-4. Holder shall be held to a standard of strict liability for damage or injury to the United States resulting from pipe rupture, fire, or spills caused or substantially aggravated by any of the following within the right-of-way or permit area:

a. Activities of Holder including, but not limited to: construction, operation, maintenance, and termination of the facility;

b. Activities of other parties including, but not limited to:

- (1) Land clearing
- (2) Earth-disturbing and earth-moving work
- (3) Blasting
- (4) Vandalism and sabotage;

c. Acts of God.

The maximum limitation for such strict liability damages shall not exceed one million dollars (\$1,000,000)

for any one event, and any liability in excess of such amount shall be determined by the ordinary rules of negligence of the jurisdiction in which the damage or injury occurred.

This section shall not impose strict liability for damage or injury resulting primarily from an act of war or from the negligent acts or omissions of the United States.

5. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any oil, salt water, or other pollutant should be discharged from the pipeline system, impacting Federal lands, the control and total removal, disposal, and cleaning up of such oil, salt water, or other pollutant, wherever found, shall be the responsibility of Holder, regardless of fault. Upon failure of Holder to control, dispose of, or clean up such discharge on or affecting Federal lands, or to repair all damages resulting therefrom, on the Federal lands, the Authorized Officer may take such measures as he/she deems necessary to control and clean up the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of Holder. Such action by the Authorized Officer shall not relieve Holder of any responsibility as provided herein.

6. All construction and maintenance activity shall be confined to the authorized right-of-way width of 20 feet. If the pipeline route follows an existing road or buried pipeline right-of-way, the surface pipeline shall be installed no farther than 10 feet from the edge of the road or buried pipeline right-of-way. If existing surface pipelines prevent this distance, the proposed surface pipeline shall be installed immediately adjacent to the outer surface pipeline. All construction and maintenance activity shall be confined to existing roads or right-of-ways.

7. No blading or clearing of any vegetation shall be allowed unless approved in writing by the Authorized Officer.

8. Holder shall install the pipeline on the surface in such a manner that will minimize suspension of the pipeline across low areas in the terrain. In hummocky or dune areas, the pipeline shall be "snaked" around hummocks and dunes rather than suspended across these features.

9. The pipeline shall be buried with a minimum of 24 inches under all roads, "two-tracks," and trails. Burial of the pipe will continue for 20 feet on each side of each crossing. The condition of the road, upon completion of construction, shall be returned to at least its former state with no bumps or dips remaining in the road surface.

10. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

11. In those areas where erosion control structures are required to stabilize soil conditions, the holder will install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound resource management practices.

12. Excluding the pipe, all above-ground structures not subject to safety requirement shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be a color which simulates "Standard Environmental Colors" – **Shale Green**, Munsell Soil Color No. 5Y 4/2; designated by the Rocky Mountain Five State Interagency Committee.

13. The pipeline will be identified by signs at the point of origin and completion of the right-of-way and at all road crossings. At a minimum, signs will state the holder's name, BLM serial number, and the product being transported. Signs will be maintained in a legible condition for the life of the pipeline.

14. The holder shall not use the pipeline route as a road for purposes other than routine maintenance as

determined necessary by the Authorized Officer in consultation with the holder. The holder will take whatever steps are necessary to ensure that the pipeline route is not used as a roadway.

15. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.

16. The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes the roads, powerline corridor, and adjacent land affected by the establishment of weeds due to this action. The operator shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.

17. Surface pipelines shall be less than or equal to 4 inches and a working pressure below 125 psi.

18. Special Stipulations:

- a. **Lesser Prairie-Chicken:** Oil and gas activities will not be allowed in lesser prairie-chicken habitat during the period from March 1st through June 15th annually. During that period, other activities that produce noise or involve human activity, such as the maintenance of oil and gas facilities and pipeline, road, and well pad construction, will be allowed except between 3:00 am and 9:00 am. The 3:00 am to 9:00 am restriction will not apply to normal, around-the-clock operations, such as venting, flaring, or pumping, which do not require a human presence during this period. Normal vehicle use on existing roads will not be restricted.
- b. This authorization is subject to your Certificate of Participation and/or Certificate of Inclusion under the New Mexico Candidate Conservation Agreement. Because it involves surface disturbing activities covered under your Certificate, your Habitat Conservation Fund Account with the Center of Excellence for Hazardous Materials Management (CEHMM) will be debited according to Exhibit B Part 2 of the Certificate of Participation.