

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENTCarlsbad Field Office  
RECEIVED  
Operator Copy  
MAR 09 2020FORM APPROVED  
OMB NO. 1004-0137  
Expires: January 31, 2018

REC'D/MIDLAND

MAR 05 2020

## 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.  
NMLC065914

Indian, Allottee or Tribe Name

## SUBMIT IN TRIPLICATE - Other instructions

7. If Unit or CA/Agreement, Name and/or No.  
891000326S

## 1. Type of Well

☒ Oil Well ☐ Gas Well ☐ Other8. Well Name and No.  
BIG EDDY UNIT DI 5 24H

## 2. Name of Operator

XTO PERMIAN OPERATING LLC

Contact: STEPHANIE RABADUE

E-Mail: stephanie\_rabadue@xtoenergy.com

## 9. API Well No.

30-015-43444-00-S1

## 3a. Address

6401 HOLIDAY HILL ROAD BLDG 5  
MIDLAND, TX 79707

## 3b. Phone No. (include area code)

Ph: 432-620-6714

## 10. Field and Pool or Exploratory Area

UNKNOWN  
WC WILLIAMS SINK-BONE SPRING

## 4. Location of Well (Footage, Sec., T., R., M., or Survey Description)

Sec 27 T20S R31E SWNE 2000FNL 1873FEL  
32.324529 N Lat, 103.511447 W Lon

## 11. County or Parish, State

EDDY COUNTY, NM

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

TYPE OF SUBMISSION	TYPE OF ACTION			
<input checked="" type="checkbox"/> Notice of Intent	<input type="checkbox"/> Acidize	<input type="checkbox"/> Deepen	<input type="checkbox"/> Production (Start/Resume)	<input type="checkbox"/> Water Shut-Off
<input type="checkbox"/> Subsequent Report	<input type="checkbox"/> Alter Casing	<input type="checkbox"/> Hydraulic Fracturing	<input type="checkbox"/> Reclamation	<input type="checkbox"/> Well Integrity
<input type="checkbox"/> Final Abandonment Notice	<input type="checkbox"/> Casing Repair	<input type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input checked="" type="checkbox"/> Other
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon	Surface Disturbance
	<input type="checkbox"/> Convert to Injection	<input type="checkbox"/> Plug Back	<input type="checkbox"/> Water Disposal	

13. Describe Proposed or Completed Operation: Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recomple horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports must 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 must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has determined that the site is ready for final inspection.

XTO Permian Operating, LLC. respectfully requests to construct, operate, and maintain a 11.41 acre central delivery point located in Lot 2 of Section 1-T21S-R29E (Centerpoint: 614'FNL & 1939'FEL), Eddy County, New Mexico NMPM for the purpose of gathering storing Big Eddy Unit oil prior to sale. This location had an onsite performed by J. Robertson, BLM Natural Resource Specialist, on October 3, 2019 and will be known as 'Western CDP'. A 185' communication tower on this location is additionally anticipated. A site-security diagram will be submitted post-construction of the facility.

In addition to the 11.41 acre facility, two (2) access roads are requested. Access Road 1: 47.30' long by 30' wide, fully contained within Lot 2-T21S-R29E, coming off an existing lease road and going East to the proposed Western CDP. Access Road 2: 39.74' long by 30' wide, fully contained within Lot 2-T21S-R29E, coming off an existing lease road and going East to the proposed Western

SEE ATTACHED FOR  
CONDITIONS OF APPROVAL

## 14. I hereby certify that the foregoing is true and correct.

Electronic Submission #497977 verified by the BLM Well Information System

For XTO PERMIAN OPERATING LLC, sent to the Carlsbad

Committed to AFMSS for processing by JUANA MEDRANO on 01/07/2020 (20JM0023SE)

Name (Printed/Typed) STEPHANIE RABADUE

Title REGULATORY COORDINATOR

Signature (Electronic Submission)

Date 01/07/2020

## THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved By

Title

Date

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

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.

(Instructions on page 2)

\*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\*

Accepted  
Ref 3-18-20

**Additional data for EC transaction #497977 that would not fit on the form**

**32. Additional remarks, continued**

CDP. Construction information for roads is attached. Total Length of Proposed Roads: 87.04' long x 30' wide [.06 Acres]

Pipeline connections leaving the central delivery point have been permitted separately under.

**Attachments:**

1. Compressor Station & Access Road Plats
2. Road Construction Information

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

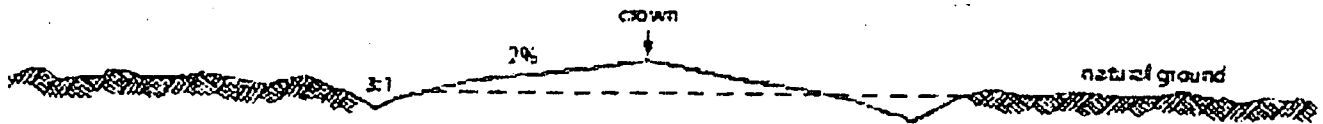
# Revisions to Operator-Submitted EC Data for Sundry Notice #497977

	Operator Submitted	BLM Revised (AFMSS)
Sundry Type:	DISTURB NOI	DISTURB NOI
Lease:	NMLC065914	NMLC065914
Agreement:		891000326S (NMNM68294T)
Operator:	XTO PERMIAN OPERATING, LLC 6401 HOLIDAY HILL ROAD BLDG 5 MIDLAND, TX 79707 Ph: 432-620-6714	XTO PERMIAN OPERATING LLC 6401 HOLIDAY HILL ROAD BLDG 5 MIDLAND, TX 79707 Ph: 432.683 2277
Admin Contact:	STEPHANIE RABADUE REGULATORY COORDINATOR E-Mail: stephanie_rabadue@xtoenergy.com  Ph: 432-620-6714	STEPHANIE RABADUE REGULATORY COORDINATOR E-Mail: stephanie_rabadue@xtoenergy.com  Ph: 432-620-6714
Tech Contact:	STEPHANIE RABADUE REGULATORY COORDINATOR E-Mail: stephanie_rabadue@xtoenergy.com  Ph: 432-620-6714	STEPHANIE RABADUE REGULATORY COORDINATOR E-Mail: stephanie_rabadue@xtoenergy.com  Ph: 432-620-6714
Location:		
State:	NM	NM
County:	EDDY	EDDY
Field/Pool:	WC WILLIAMS SINK; BS	UNKNOWN WC WILLIAMS SINK-BONE SPRING
Well/Facility:	BIG EDDY UNIT DI 5 24H Sec 27 T20S R31E Mer NMP SWNE 2000FNL 1873FEL 32.324529 N Lat, 103.511447 W Lon.	BIG EDDY UNIT DI 5 24H Sec 27 T20S R31E SWNE 2000FNL 1873FEL 32.324529 N Lat, 103.511447 W Lon

## Western CDP Proposed Access Roads Construction Information

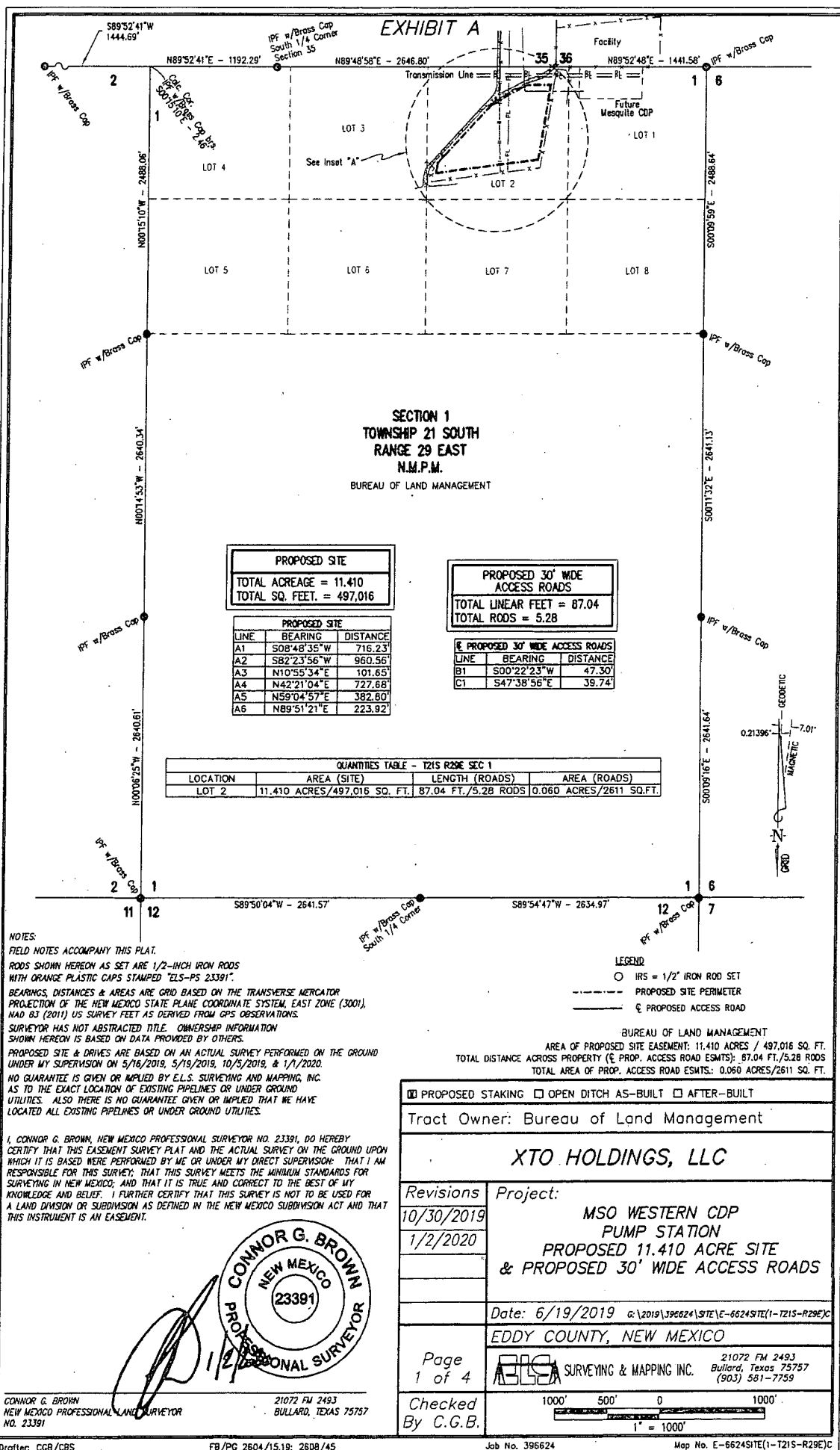
### 1. New Access Roads

- A. **New Roads.** There is a total of 87.04 or .016 miles of planned and proposed access roads to access the proposed Western CDP. Total distance will vary based on elevation and terrain in the area.
- B. **Routing.** All equipment and vehicles will be confined to the travel routes laid out in the vicinity map provided by ELS Surveying unless otherwise approved by the BLM and applied for by XTO Permian Operating, LLC.
- C. **Road Dimensions.** The maximum width of the driving surface of new roads will be 30 feet. The roads will be crowned and ditched with a 2% slope from the tip of the crown to the edge of the driving surface. The ditches will be 1 foot deep with 3:1 slopes. The driving surface will be made of 6" rolled and compacted caliche.

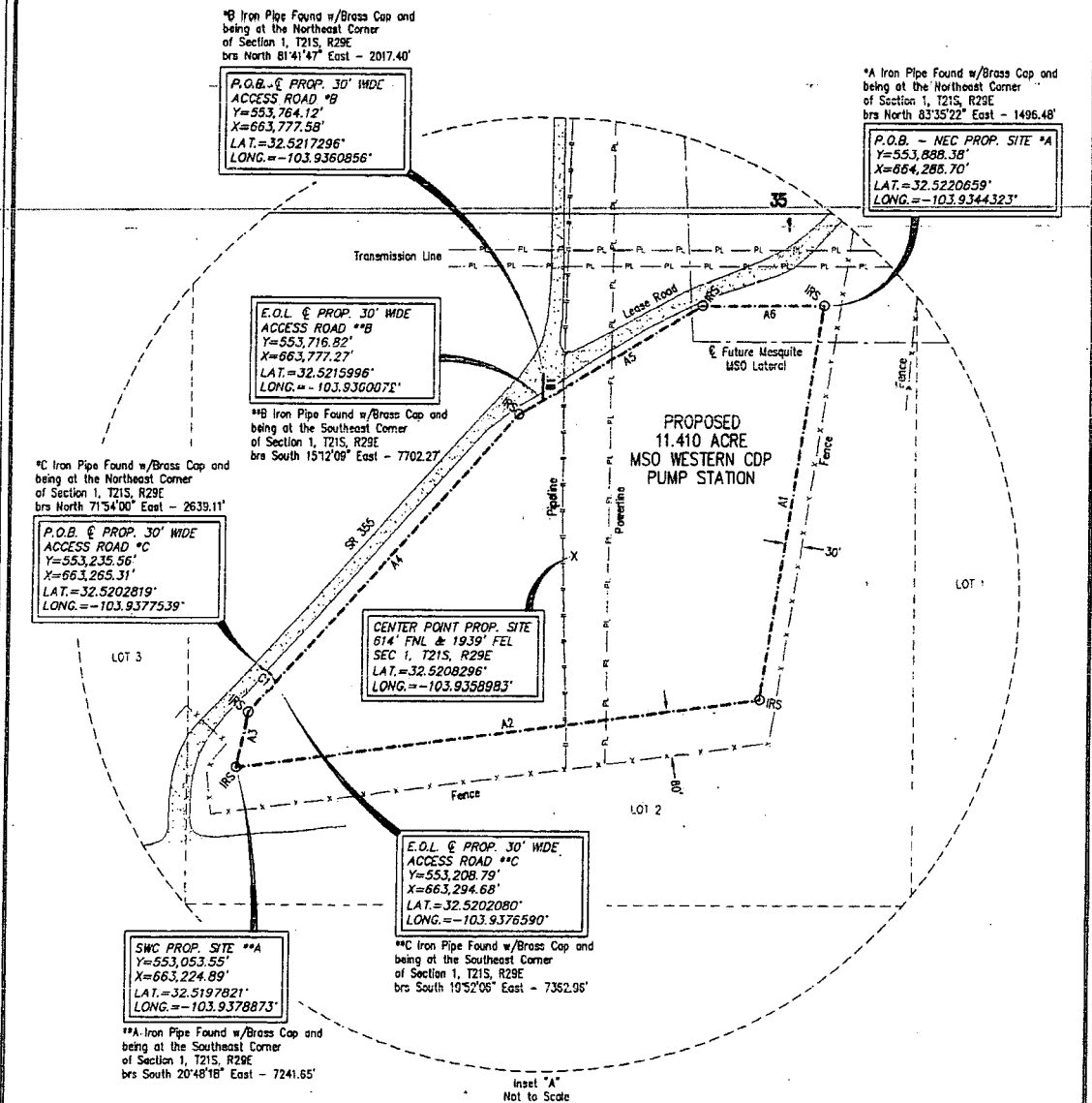


### Level Ground Section

- D. **Surface Material.** Surface material will be native caliche. The average grade of all roads will be approximately 3%.
- E. **Fence Cuts:** No.
- F. **Fences:** No.
- G. **Cattle Guards:** No.
- H. **Turnouts:** No.
- I. **Culverts:** No.
- J. **Cuts and Fills:** Not significant.
- K. **Topsoil.** Approximately 6 inches of topsoil (root zone) will be stripped from the proposed access road prior to any further construction activity. The topsoil that was stripped will be spread along the edge of the road and within the ditch. The topsoil will be seeded with the proper seed mix designated by the BLM.
- L. **Maintenance.** The access road will be constructed and maintained as necessary to prevent soil erosion and accommodate all-weather traffic. The road will be crowned and ditched with water turnouts installed as necessary to provide for proper drainage along with access road route.
- M. **Drainage.** The access road and associated drainage structures will be constructed and maintained in accordance with road guidelines contained in the joint BLM/USFS publication: Surface Operating Standards for Oil and Gas Exploration and Development, The Gold Book, Fourth Edition and/or BLM Manual Section 9113 concerning road construction standards on projects subject to federal jurisdiction.

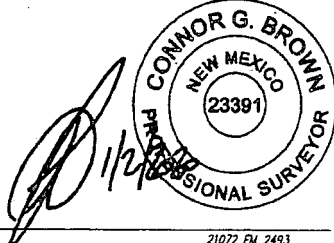


# EXHIBIT A



NOTES:  
FIELD NOTES ACCOMPANY THIS PLAT.  
RODS SHOWN HEREON AS SET ARE 1/2-INCH IRON RODS  
WITH ORANGE PLASTIC CAPS STAMPED "ELS-PS 23391".  
BEARINGS, DISTANCES & AREAS ARE GRID BASED ON THE TRANSVERSE MERCATOR  
PROJECTION OF THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, EAST ZONE (3001),  
NAD 83 (2011) US SURVEY FEET AS DERIVED FROM GPS OBSERVATIONS.  
SURVEYOR HAS NOT ABSTRACTED TITLE. OWNERSHIP INFORMATION  
SHOWN HEREON IS BASED ON DATA PROVIDED BY OTHERS.  
PROPOSED SITE & DRIVES ARE BASED ON AN ACTUAL SURVEY PERFORMED ON THE GROUND  
UNDER MY SUPERVISION ON 5/16/2019, 5/19/2019, 10/3/2019, & 1/1/2020.  
NO GUARANTEE IS GIVEN OR IMPLIED BY E.L.S. SURVEYING AND MAPPING, INC.  
AS TO THE EXACT LOCATION OF EXISTING PIPELINES OR UNDER GROUND  
UTILITIES. ALSO THERE IS NO GUARANTEE GIVEN OR IMPLIED THAT WE HAVE  
LOCATED ALL EXISTING PIPELINES OR UNDER GROUND UTILITIES.

I, CONNOR G. BROWN, NEW MEXICO PROFESSIONAL SURVEYOR NO. 23391, DO HEREBY  
CERTIFY THAT THIS EASEMENT SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND, UPON  
WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION. THAT I AM  
RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR  
SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY  
KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY IS NOT TO BE USED FOR  
A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT AND, THAT  
THIS INSTRUMENT IS AN EASEMENT.



CONNOR G. BROWN  
NEW MEXICO PROFESSIONAL LAND SURVEYOR  
NO. 23391

21072 FM 2493  
BULLARD, TEXAS 75757

Drafter: CGB/CBS

FB/PG 2604/15,19; 2608/45

Job No. 396624

Map No. E-6624SITE(1)-T21S-R29E/C

LEGEND  
○ IRS = 1/2" IRON ROD SET  
--- PROPOSED SITE PERIMETER  
--- PROPOSED ACCESS ROAD

BUREAU OF LAND MANAGEMENT  
AREA OF PROPOSED SITE EASEMENT: 11.410 ACRES / 497,016 SQ. FT.  
TOTAL DISTANCE ACROSS PROPERTY (E PROP. ACCESS ROAD ESMTS): 87.04 FT./5.28 RODS  
TOTAL AREA OF PROP. ACCESS ROAD ESMTS: 0.060 ACRES/2611 SQ. FT.

☒ PROPOSED STAKING ☐ OPEN DITCH AS-BUILT ☐ AFTER-BUILT

Tract Owner: Bureau of Land Management

**XTO HOLDINGS, LLC**

Revisions  
10/30/2019  
1/2/2020  
Project:  
MSO WESTERN CDP  
PUMP STATION  
PROPOSED 11.410 ACRE SITE  
& PROPOSED 30' WIDE ACCESS DRIVES

Date: 6/19/2019 G:\2019\396624\SITE\E-6624SITE(1)-T21S-R29E/C

EDDY COUNTY, NEW MEXICO

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2 of 4

ELSA SURVEYING & MAPPING INC. 21072 FM 2493  
Bullard, Texas 75757  
(903) 581-7759

Checked  
By C.G.B.

1000' 500' 0 1000'  
1" = 1000'

**EXHIBIT "A"**

**XTO HOLDINGS, LLC**

Surface Ownership: Bureau of Land Management

Proposed 11.410 Acre Permanent Surface Site Easement & Proposed 30' Wide Access Roads

MSO Western CDP Pump Station

Section 1, Township 21 South, Range 29 East, N.M.P.M.

Eddy County, New Mexico

Job No. 396624, Map No. E-6624SITE(1-T21S-R29E)C, January 2, 2020

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**PROPOSED 11.410 ACRE PERMANENT SURFACE SITE EASEMENT**

**BEING** a proposed site over, under, and across Section 1, Township 21 South, Range 29 East, N.M.P.M., in Eddy County, New Mexico, said proposed site being more particularly described as follows:

**BEGINNING** at a 1/2-iron rod set with a cap for the northeast corner of said proposed site, from which an iron pipe found with a brass cap and being at the northeast corner of said Section 1, Township 21 South, Range 29 East bears North 83°35'22" East a distance of 1496.48 feet, said point of beginning having a coordinate value of Latitude: 32.5220659°, Longitude: -103.9344323°;

**THENCE** along the perimeter of said proposed site over, under, and across said Section 1, Township 21 South, Range 29 East as follows:

**South 08°48'35" West** a distance of **716.23 feet** to a 1/2-inch iron rod set with a cap for the southeast corner of said proposed site;

**South 82°23'56" West** a distance of **960.56 feet** to a 1/2-inch iron rod set with a cap for the southwest corner of said proposed site, from which an iron pipe found with a brass cap and being at the southeast corner of said Section 1, Township 21 South, Range 29 East bears South 20°48'18" East a distance of 7241.65 feet;

**North 10°55'34" East** a distance of **101.65 feet** to a 1/2-inch iron rod set with a cap for an angle corner of said proposed site;

**North 42°21'04" East** a distance of **727.68 feet** to a 1/2-inch iron rod set with a cap for an angle corner of said proposed site;

**North 59°04'57" East** a distance of **382.80 feet** to a 1/2-inch iron rod set with a cap for the northwest corner of said proposed site;

**North 89°51'21" East** a distance of **223.92 feet** to the **POINT OF BEGINNING** and containing a total of **11.410 acres (497,016 square feet)**.

**PROPOSED 30 FOOT WIDE ACCESS ROADS**

**BEING** proposed access roads over, under, and across Section 1, Township 21 South, Range 29 East, N.M.P.M., in Eddy County, New Mexico, said proposed access roads being 30 feet wide, 15 feet either side of the following described centerlines:

**CENTERLINE "B":**

**BEGINNING** at a point in the centerline of an existing road, from which an iron pipe found with a brass cap and being at the northeast corner of said Section 1, Township 21 South, Range 29 East bears North 81°41'47" East a distance of 2017.40 feet, said point of beginning having a coordinate value of Latitude: 32.5217296°, Longitude: -103.9360856°;

**THENCE** along the centerline of said proposed 30 foot wide access road, over, under, and across said Section 1, Township 21 South, Range 29 East **South 00°22'23" West** a distance of **47.30 feet** to a point of termination on a northwest side of the future MSO Western CDP Pump Station, from which an iron pipe found with a brass cap and being at the southeast corner of said Section 1, Township 21 South, Range 29 East bears South 15°12'09" East a distance of 7702.27 feet, said point of termination having a coordinate value of Latitude: 32.5215996°, Longitude: -103.9360872° and covering a total distance of 2.87 rods (47.30 feet) and a total area of 0.033 acres.

**CENTERLINE "C":**

**BEGINNING** at a point in the centerline of an existing road, from which an iron pipe found with a brass cap and being at the northeast corner of said Section 1, Township 21 South, Range 29 East bears North 71°54'00" East a distance of 2639.11 feet, said point of beginning having a coordinate value of Latitude: 32.5202819°, Longitude: -103.9377539°;

**THENCE** along the centerline of said proposed 30 foot wide access road, over, under, and across said Section 1, Township 21 South, Range 29 East **South 47°38'56" East** a distance of **39.74 feet** to a point of termination on a northwest side of the future MSO Western CDP Pump Station, from which an iron pipe

**EXHIBIT "A"**

**XTO HOLDINGS, LLC**

Surface Ownership: Bureau of Land Management  
Proposed 11.410 Acre Permanent Surface Site Easement & Proposed 30' Wide Access Roads  
MSO Western CDP Pump Station

Section 1, Township 21 South, Range 29 East, N.M.P.M.

Eddy County, New Mexico

Job No. 396624, Map No. E-6624SITE(1-T21S-R29E)C, January 2, 2020

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found with a brass cap and being at the southeast corner of said Section 1, Township 21 South, Range 29 East bears South 19°52'06" East a distance of 7362.96 feet, said point of termination having a coordinate value of Latitude: 32.5202080°, Longitude: -103.9376590° and covering a total distance of 2.41 rods (39.74 feet) and a total area of 0.027 acres.


**ALL CENTERLINES** having an **AGGREGATE TOTAL** of **5.28 rods (87.04 feet)** and **0.060 acres**.

Lot 2 (SITE)	11.410 acres	497,016 square feet
Lot 2 (ROADS)	87.04 feet	5.28 rods 0.060 acres

The bearings, distances, and areas recited hereon are grid based on the Transverse Mercator Projection of the New Mexico State Plane Coordinate System, East Zone (3001), NAD83 (2011) US Survey Feet, as derived from GPS observations. Rods described hereon as set are 1/2-inch rods with orange plastic cap stamped "ELS-PS 23391". A plat accompanies these field notes.

I, Connor G. Brown, Professional Land Surveyor, do hereby certify these field notes to be written from an actual on the ground survey made under my direction and supervision.

**GIVEN UNDER MY HAND AND SEAL**, this the 2<sup>nd</sup> day of January, 2020.

  
\_\_\_\_\_  
Connor G. Brown  
Professional Land Surveyor  
State of New Mexico No. 23391  
E.L.S. Surveying & Mapping Inc.  
21072 FM 2493, Bullard, Texas  
(903) 581-7759





**PECOS DISTRICT  
SURFACE USE  
CONDITIONS OF APPROVAL**

**XTO Permian Operating LLC  
BEU DI 5 Western CDP  
Lease Number NMLC065914**

**TABLE OF CONTENTS**

Standard Conditions of Approval (COA) apply to this Sundry. If any deviations to these standards exist or special COAs are required, the section with the deviation or requirement will be checked below.

- ☐ **Archaeology, Paleontology, and Historical Sites**
- ☐ **Noxious Weeds**
- ☐ **Special Requirements**

- ☐ **Construction**
  - Notification
  - Topsoil
  - Federal Mineral Material Pits
  - Pads
  - Roads

- ☐ **Road Section Diagram**
- ☐ **Production (Post Drilling)**
  - Well Structures & Facilities
  - Oil and Gas Related Sites

- ☐ **Interim Reclamation**
- ☐ **Final Abandonment & Reclamation**

## **I. ARCHAEOLOGICAL, PALEONTOLOGY & HISTORICAL SITES**

Any cultural resource (historic or prehistoric site or object) discovered by the holder, or any person working on the holder's behalf, on public or Federal land shall be immediately reported to the Authorized Officer. The 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 the proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

OR

If the entire project is covered under the Permian Basin Programmatic Agreement (cultural resources only):

The proponent has contributed funds commensurate to the undertaking into an account for offsite mitigation. Participation in the PA serves as mitigation for the effects of this project on cultural resources. If any human skeletal remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered at any time during construction, all construction activities shall halt and the BLM will be notified as soon as possible within 24 hours. Work shall not resume until a Notice to Proceed is issued by the BLM. See information below discussing NAGPRA.

If the proposed project is split between a Class III inventory and a Permian Basin Programmatic Agreement contribution, the portion of the project covered under Class III inventory should default to the first paragraph stipulations.

The holder is hereby obligated to comply with procedures established in the Native American Graves Protection and Repatriation Act (NAGPRA) to protect such cultural items as human remains, associated funerary objects, sacred objects, and objects of cultural patrimony discovered inadvertently during the course of project implementation. In the event that any of the cultural items listed above are discovered during the course of project work, the proponent shall immediately halt the disturbance and contact the BLM within 24 hours for instructions. The proponent or initiator of any project shall be held responsible for protecting, evaluating, reporting, excavating, treating, and disposing of these cultural items according to the procedures established by the BLM in consultation with Indian Tribes."

Any paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on the holder's behalf, on public or Federal land shall be immediately reported to the Authorized Officer. The 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 the proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

## **II. NOXIOUS WEEDS**

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.

### **III. SPECIAL REQUIREMENT(S)**

#### **VRM IV:**

- Above-ground structures including meter housing that are not subject to safety requirements are painted a flat non-reflective paint color, Shale Green from the BLM Standard Environmental Color Chart (CC-001: June 2013).

### **IV. CONSTRUCTION**

#### **A. NOTIFICATION**

The BLM shall administer compliance and monitor construction of the access road and well pad. Notify the Carlsbad Field Office at (575) 234-5909 at least 3 working days prior to commencing construction of the access road and/or pad.

When construction operations are being conducted on this project, the operator shall have the approved Sundry and Conditions of Approval (COA) on the site and they shall be made available upon request by the Authorized Officer.

#### **B. TOPSOIL**

The operator shall strip the top portion of the soil (root zone) from the entire pad area and stockpile the topsoil along the edge of the pad as depicted and as needed. The root zone is typically six (6) inches in depth. All the stockpiled topsoil will be redistributed over the interim reclamation areas. Topsoil shall not be used for berming the pad or facilities. For final reclamation, the topsoil shall be spread over the entire pad area for seeding preparation.

Other subsoil (below six inches) stockpiles must be completely segregated from the topsoil stockpile. Large rocks or subsoil clods (not evident in the surrounding terrain) must be buried within the approved area for interim and final reclamation.

#### **C. FEDERAL MINERAL MATERIALS PIT**

Payment shall be made to the BLM prior to removal of any federal mineral materials. Call the Carlsbad Field Office at (575) 234-5972.

#### **D. PAD SURFACING**

Surfacing of the pad is not required.

If the operator elects to surface the well pad, the surfacing material may be required to be removed at the time of reclamation. The well pad shall be constructed in a manner which creates the smallest possible surface disturbance, consistent with safety and operational needs.

## **E. ON LEASE ACCESS ROADS**

### **Road Width**

The access road shall have a driving surface that creates the smallest possible surface disturbance and does not exceed fourteen (14) feet in width. The maximum width of surface disturbance, when constructing the access road, shall not exceed twenty-five (25) feet.

### **Surfacing**

Surfacing material is not required on the new access road driving surface. If the operator elects to surface the new access road or pad, the surfacing material may be required to be removed at the time of reclamation.

Where possible, no improvements should be made on the unsurfaced access road other than to remove vegetation as necessary, road irregularities, safety issues, or to fill low areas that may sustain standing water.

The Authorized Officer reserves the right to require surfacing of any portion of the access road at any time deemed necessary. Surfacing may be required in the event the road deteriorates, erodes, road traffic increases, or it is determined to be beneficial for future field development. The surfacing depth and type of material will be determined at the time of notification.

### **Crowning**

Crowning shall be done on the access road driving surface. The road crown shall have a grade of approximately 2% (i.e., a 1" crown on a 14' wide road). The road shall conform to Figure 1; cross section and plans for typical road construction.

### **Ditching**

Ditching shall be required on both sides of the road.

### **Turnouts**

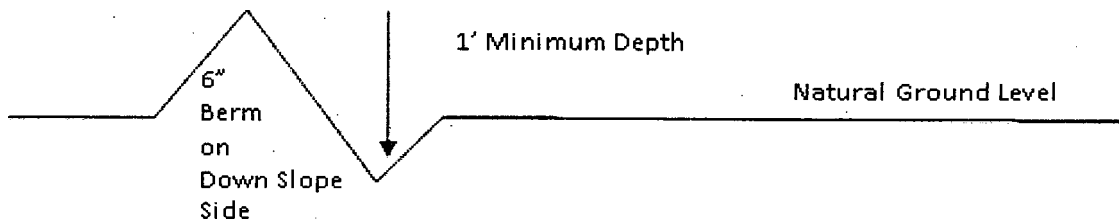
Vehicle turnouts shall be constructed on the road. Turnouts shall be intervisible with interval spacing distance less than 1000 feet. Turnouts shall conform to Figure 1; cross section and plans for typical road construction.

### **Drainage**

Drainage control systems shall be constructed on the entire length of road (e.g. ditches, sidehill outsloping and insloping, lead-off ditches, culvert installation, and low water crossings).

A typical lead-off ditch has a minimum depth of 1 foot below and a berm of 6 inches above natural ground level. The berm shall be on the down-slope side of the lead-off ditch.

#### **Cross Section of a Typical Lead-off Ditch**



All lead-off ditches shall be graded to drain water with a 1 percent minimum to 3 percent maximum ditch slope. The spacing interval are variable for lead-off ditches and shall be determined according to the formula for spacing intervals of lead-off ditches, but may be amended depending upon existing soil types and centerline road slope (in %);

#### **Formula for Spacing Interval of Lead-off Ditches**

Example - On a 4% road slope that is 400 feet long, the water flow shall drain water into a lead-off ditch. Spacing interval shall be determined by the following formula:

$$400 \text{ foot road with } 4\% \text{ road slope: } \frac{400'}{4\%} + 100' = 200' \text{ lead-off ditch interval}$$

### **Cattle guards**

An appropriately sized cattle guard sufficient to carry out the project shall be installed and maintained at fence/road crossings. Any existing cattle guards on the access road route shall be repaired or replaced if they are damaged or have deteriorated beyond practical use. The operator shall be responsible for the condition of the existing cattle guards that are in place and are utilized during lease operations.

### **Fence Requirement**

Where entry is granted across a fence line, the fence shall be braced and tied off on both sides of the passageway prior to cutting. The operator shall notify the private surface landowner or the grazing allotment holder prior to crossing any fences.

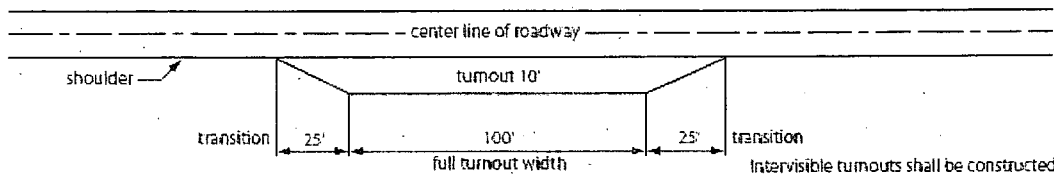
### **Public Access**

Public access on this road shall not be restricted by the operator without specific written approval granted by the Authorized Officer.

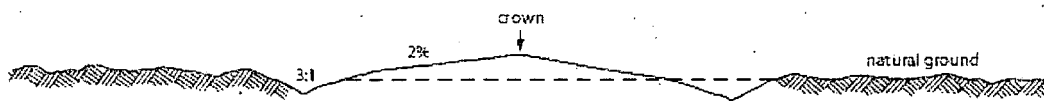
## Construction Steps

1. Salvage topsoil
2. Construct road

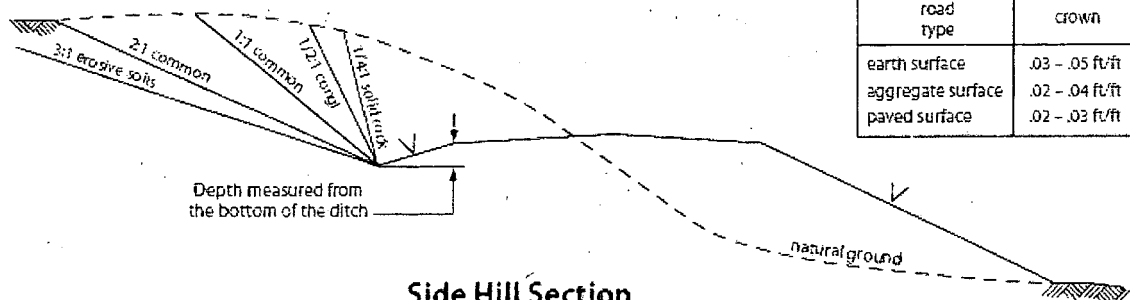
3. Redistribute topsoil
4. Revegetate slopes



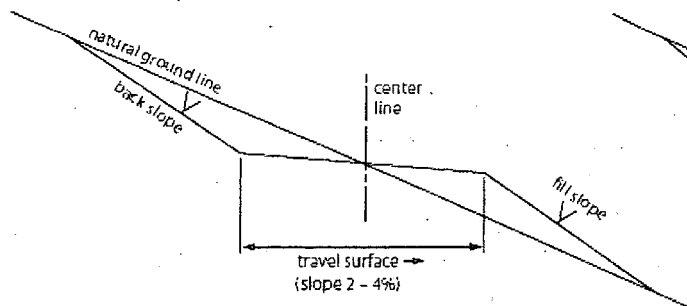
**Typical Turnout Plan**



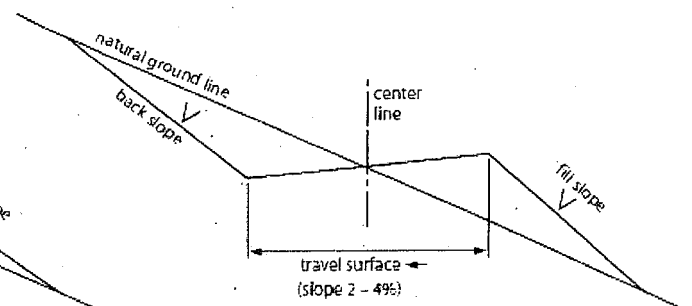
**Level Ground Section**



**Side Hill Section**



**Typical Outsloped Section**



**Typical Insloped Section**

Figure 1. Cross-sections and plans for typical road sections representative of BLM resource or FS local and higher-class roads.

## **V. PRODUCTION (POST DRILLING)**

### **A. WELL STRUCTURES & FACILITIES**

#### **Placement of Production Facilities**

Production facilities should be placed on the well pad to allow for maximum interim recontouring and revegetation of the well location.

#### **Exclosure Netting (Open-top Tanks)**

Immediately following active drilling or completion operations, the operator will take actions necessary to prevent wildlife and livestock access, including avian wildlife, to all open-topped tanks that contain or have the potential to contain salinity sufficient to cause harm to wildlife or livestock, hydrocarbons, or Resource Conservation and Recovery Act of 1976-exempt hazardous substances. At a minimum, the operator will net, screen, or cover open-topped tanks to exclude wildlife and livestock and prevent mortality. If the operator uses netting, the operator will cover and secure the open portion of the tank to prevent wildlife entry. The operator will net, screen, or cover the tanks until the operator removes the tanks from the location or the tanks no longer contain substances that could be harmful to wildlife or livestock. Use a maximum netting mesh size of 1 ½ inches. The netting must not be in contact with fluids and must not have holes or gaps.

#### **Chemical and Fuel Secondary Containment and Exclosure Screening**

The operator will prevent all hazardous, poisonous, flammable, and toxic substances from coming into contact with soil and water. At a minimum, the operator will install and maintain an impervious secondary containment system for any tank or barrel containing hazardous, poisonous, flammable, or toxic substances sufficient to contain the contents of the tank or barrel and any drips, leaks, and anticipated precipitation. The operator will dispose of fluids within the containment system that do not meet applicable state or U. S. Environmental Protection Agency livestock water standards in accordance with state law; the operator must not drain the fluids to the soil or ground. The operator will design, construct, and maintain all secondary containment systems to prevent wildlife and livestock exposure to harmful substances. At a minimum, the operator will install effective wildlife and livestock exclosure systems such as fencing, netting, expanded metal mesh, lids, and grate covers. Use a maximum netting mesh size of 1 ½ inches.

#### **Open-Vent Exhaust Stack Exclosures**

The operator will construct, modify, equip, and maintain all open-vent exhaust stacks on production equipment to prevent birds and bats from entering, and to discourage perching, roosting, and nesting. (*Recommended exclosure structures on open-vent exhaust stacks are in the shape of a cone.*) Production equipment includes, but may not be limited to, tanks, heater-treaters, separators, dehydrators, flare stacks, in-line units, and compressor mufflers.

#### **Containment Structures**



Proposed production facilities such as storage tanks and other vessels will have a secondary containment structure that is constructed to hold the capacity of 1.5 times the largest tank, plus freeboard to account for precipitation, unless more stringent protective requirements are deemed necessary.

#### **Painting Requirement**

All above-ground structures including meter housing that are not subject to safety requirements shall be painted a flat non-reflective paint color, **Shale Green** from the BLM Standard Environmental Color Chart (CC-001: June 2008).

### **STANDARD STIPULATIONS FOR OIL AND GAS RELATED SITES**

A copy of the application (Grant/Sundry Notice) and attachments, including stipulations and map, will be on location during construction. BLM personnel may request to view a copy of your permit during construction to ensure compliance with all stipulations.

The holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer, BLM.

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 and for all response costs, penalties, damages, claims, and other costs arising from the provisions of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Chap. 82, Section 6901 et. seq., from the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. Chap. 109, Section 9601 et. seq., and from other applicable environmental statutes.

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 U.S.C. 2601, et. seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized by this 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). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.

4. If, during any phase of the construction, operation, maintenance, or termination of the site or related pipeline(s), any oil or other pollutant should be discharged from site facilities, the pipeline(s) or from containers or vehicles impacting Federal lands, the control and total removal, disposal, and cleanup of such oil or other pollutant, wherever found, shall be the responsibility of the holder, regardless of fault. Upon failure of the holder to control, dispose of, or clean up such discharge on or affecting Federal lands, or to repair all damages to Federal lands resulting therefrom, the Authorized Officer may take such measures as deemed necessary to control and cleanup the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve the holder of any liability or responsibility.

5. Sites shall be maintained in an orderly, sanitary condition at all times. Waste materials, both liquid and solid, shall be disposed of promptly at an appropriate, authorized waste disposal facility in accordance with all applicable State and Federal laws. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, petroleum products, brines, chemicals, oil drums, ashes, and equipment.

6. The operator will notify the Bureau of Land Management (BLM) authorized officer and nearest Fish and Wildlife Service (FWS)-Law Enforcement office within 24 hours, if the operator discovers a dead or injured federally protected species (i.e., migratory bird species, bald or golden eagle, or species listed by the FWS as threatened or endangered) in or adjacent to a pit, trench, tank, exhaust stack, or fence. (If the operator is unable to contact the FWS Law Enforcement office, the operator must contact the nearest FWS Ecological Services office.)

7. All above-ground structures not subject to safety requirements 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" designated by the Rocky Mountain Five-State Interagency Committee. The color selected for this project is **Shale Green**, Munsell Soil Color Chart Number 5Y 4/2.

8. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on the holder's behalf, on public or Federal land shall be immediately reported to the Authorized Officer. The 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 the proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

9. A sales contract for removal of mineral material (caliche, sand, gravel, fill dirt) from an authorized pit, site, or on location must be obtained from the BLM prior to commencing construction. There are several options available for purchasing mineral material: contact the BLM office (575-234-5972).

10. 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.

11. Once the site is no longer in service or use, the site must undergo final abandonment. At final abandonment, the site and access roads must undergo "final" reclamation so that the character and productivity of the land are restored. Earthwork for final reclamation must be completed within six (6) months of the abandonment of the site. All pads and facility locations and roads must be reclaimed to a satisfactory revegetated, safe, and stable condition, unless an agreement is made with the landowner or BLM to keep the road and/or pad intact. After all disturbed areas have been satisfactorily prepared, these areas need to be revegetated with the seed mixture provided. Seeding should be accomplished by drilling on the contour whenever practical or by other approved methods. Seeding may need to be repeated until revegetation is successful, as determined by the BLM.

Operators shall contact a BLM surface protection specialist prior to surface abandonment operations for site specific objectives (Jim Amos: 575-234-5909).

12. The holder shall stockpile an adequate amount of topsoil where blading occurs. The topsoil to be stripped is approximately   6   inches in depth. The topsoil will be segregated from other spoil piles. The topsoil will be used for final reclamation.

13. The holder will reseed all disturbed areas. Seeding will be done according to the attached seeding requirements, using the following seed mix.

- |  |  |
|--|--|
| <input type="checkbox"/> seed mixture 1            | <input type="checkbox"/> seed mixture 3          |
| <input checked="" type="checkbox"/> seed mixture 2 | <input type="checkbox"/> seed mixture 4          |
| <input type="checkbox"/> seed mixture 2/LPC        | <input type="checkbox"/> Aplomado Falcon Mixture |

14. In those areas where erosion control structures are required to stabilize soil conditions, the holder shall install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound management practices. Any earth work will require prior approval by the Authorized Officer.

15. Open-topped Tanks - The operator will take actions necessary to prevent wildlife and livestock access, including avian wildlife, to all open-topped tanks that contain or have the potential to contain salinity sufficient to cause harm to wildlife or livestock, hydrocarbons, or Resource Conservation and Recovery Act of 1976-exempt hazardous substances. At a minimum, the operator will net, screen, or cover open-topped tanks to exclude wildlife and livestock and prevent mortality. If the operator uses netting, the operator will cover and secure the open portion of the tank to prevent wildlife entry. The operator will net, screen, or cover the tanks until the operator removes the tanks from the location or the tanks no longer contain substances that could be harmful to wildlife or livestock. Use a maximum netting mesh size of 1 ½ inches. The netting must not be in contact with fluids and must not have holes or gaps

16. The operator will prevent all hazardous, poisonous, flammable, and toxic substances from coming into contact with soil and water. At a minimum, the operator will install and maintain an

impervious secondary containment system for any tank or barrel containing hazardous, poisonous, flammable, or toxic substances sufficient to contain the contents of the tank or barrel and any drips, leaks, and anticipated precipitation. The operator will dispose of fluids within the containment system that do not meet applicable state or U. S.

Environmental Protection Agency livestock water standards in accordance with state law; the operator must not drain the fluids to the soil or ground. The operator will design, construct, and maintain all secondary containment systems to prevent wildlife and livestock exposure to harmful substances. At a minimum, the operator will install effective wildlife and livestock enclosure systems such as fencing, netting, expanded metal mesh, lids, and grate covers. Use a maximum netting mesh size of 1 ½ inches.

17. Open-Vent Exhaust Stack Enclosures – The operator will construct, modify, equip, and maintain all open-vent exhaust stacks on production equipment to prevent birds and bats from entering, and to discourage perching, roosting, and nesting. (Recommended enclosure structures on open-vent exhaust stacks are in the shape of a cone.) Production equipment includes, but may not be limited to, tanks, heater-treaters, separators, dehydrators, flare stacks, in-line units, and compressor mufflers.

18. Containment Structures - Proposed production facilities such as storage tanks and other vessels will have a secondary containment structure that is constructed to hold the capacity of 1.5 times the largest tank, plus freeboard to account for precipitation, unless more stringent protective requirements are deemed necessary.

## **VI. INTERIM RECLAMATION**

During the life of the development, all disturbed areas not needed for active support of production operations should undergo interim reclamation in order to minimize the environmental impacts of development on other resources and uses.

Within six (6) months of well completion, operators should work with BLM surface management specialists (Jim Amos: 575-234-5909) to devise the best strategies to reduce the size of the location. Interim reclamation should allow for remedial well operations, as well as safe and efficient removal of oil and gas.

During reclamation, the removal of caliche is important to increasing the success of revegetating the site. Removed caliche that is free of contaminants may be used for road repairs, fire walls or for building other roads and locations. In order to operate the well or complete workover operations, it may be necessary to drive, park and operate on restored interim vegetation within the previously disturbed area. Disturbing revegetated areas for production or workover operations will be allowed. If there is significant disturbance and loss of vegetation, the area will need to be revegetated. Communicate with the appropriate BLM office for any exceptions/exemptions if needed.

All disturbed areas after they have been satisfactorily prepared need to be reseeded with the seed mixture provided below.

Upon completion of interim reclamation, the operator shall submit a Sundry Notices and Reports on Wells, Subsequent Report of Reclamation (Form 3160-5).

## **VII. FINAL ABANDONMENT & RECLAMATION**

At final abandonment, well locations, production facilities, and access roads must undergo "final" reclamation so that the character and productivity of the land are restored.

Earthwork for final reclamation must be completed within six (6) months of well plugging. All pads, pits, facility locations and roads must be reclaimed to a satisfactory revegetated, safe, and stable condition, unless an agreement is made with the landowner or BLM to keep the road and/or pad intact.

After all disturbed areas have been satisfactorily prepared, these areas need to be revegetated with the seed mixture provided below. Seeding should be accomplished by drilling on the contour whenever practical or by other approved methods. Seeding may need to be repeated until revegetation is successful, as determined by the BLM.

Operators shall contact a BLM surface protection specialist prior to surface abandonment operations for site specific objectives (Jim Amos: 575-234-5909).

Ground-level Abandoned Well Marker to avoid raptor perching: Upon the plugging and subsequent abandonment of the well, the well marker will be installed at ground level on a plate containing the pertinent information for the plugged well.

## Seed Mixture 2, for Sandy Sites

The holder shall seed all disturbed areas with the seed mixture listed below. The seed mixture shall be planted in the amounts specified in pounds of pure live seed (PLS)\* per acre. There shall be no primary or secondary noxious weeds in the seed mixture. Seed will be tested and the viability testing of seed will be done in accordance with State law (s) and within nine (9) months prior to purchase. Commercial seed will be either certified or registered seed. The seed container will be tagged in accordance with State law(s) and available for inspection by the authorized officer.

Seed will be planted using a drill equipped with a depth regulator to ensure proper depth of planting where drilling is possible. The seed mixture will be evenly and uniformly planted over the disturbed area (smaller/heavier seeds have a tendency to drop the bottom of the drill and are planted first). The holder shall take appropriate measures to ensure this does not occur. Where drilling is not possible, seed will be broadcast and the area shall be raked or chained to cover the seed. When broadcasting the seed, the pounds per acre are to be doubled. The seeding will be repeated until a satisfactory stand is established as determined by the authorized officer. Evaluation of growth will not be made before completion of at least one full growing season after seeding.

Species to be planted in pounds of pure live seed\* per acre:

### Species

	<u>lb/acre</u>	
Sand dropseed ( <i>Sporobolus cryptandrus</i> )		1.0
Sand love grass ( <i>Eragrostis trichodes</i> )	1.0	
Plains bristlegrass ( <i>Setaria macrostachya</i> )		2.0

\*Pounds of pure live seed:

Pounds of seed x percent purity x percent germination = pounds pure live seed