

From: [Kate Kaufman](#)
To: [Smith, Cory, EMNRD](#)
Cc: [Hyde, Stuart](#); [Hencmann, Devin](#)
Subject: RE: [EXTERNAL] Sullivan Gas Com D #1E - Incident ID (n#) nCS1518952648,
Date: Wednesday, December 1, 2021 1:38:39 PM
Attachments: [image001.png](#)
[BLM 299 Form Groundwater Monitoring wells - Sullivan Gas Com D 1E.doc](#)

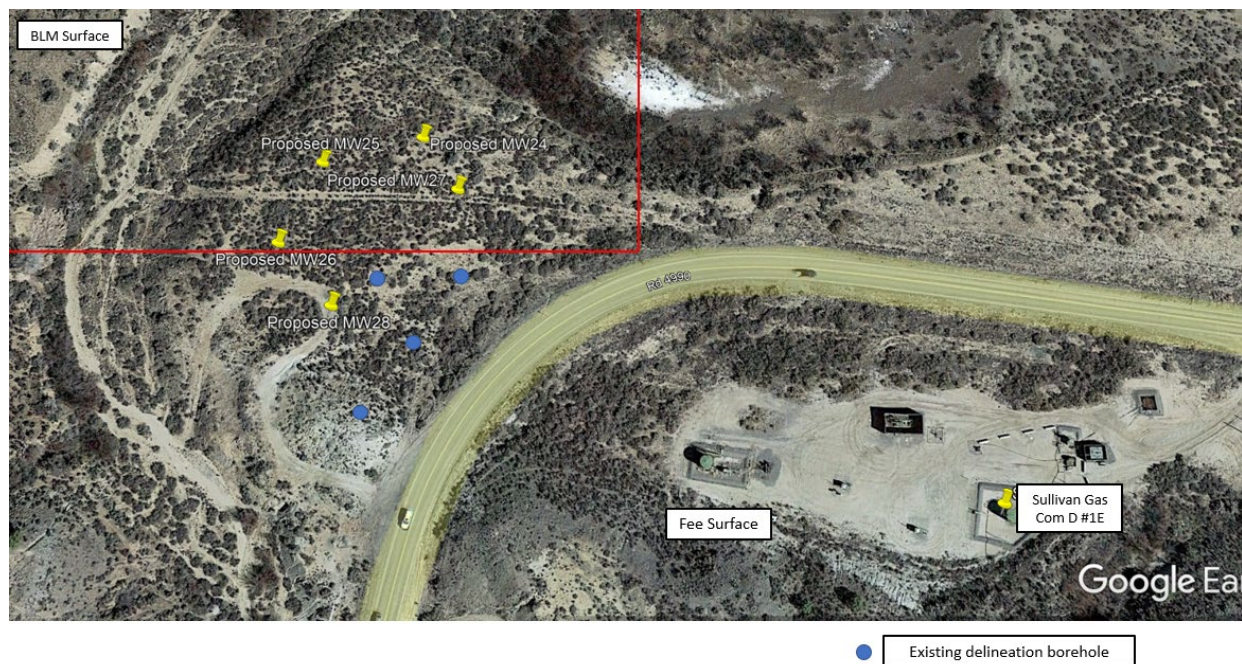
Cory - It appears our land man did not scan and keep a signed copy of the ROW application, but the draft is attached. The application was hand delivered to BLM on 10/13. I spoke to BLM today, and they are sending the processing letter this week, which will identify any deficiencies or outstanding information. I will get that turned around ASAP.

We did conduct some of the delineation on the west side of the road, with permission from the surface owner. Four boreholes were drilled on refinery property, but the parcel just to the north where we would like to step out is Federal land. The screenshot below shows the extent of borings that have been drilled to date in blue, and the proposed locations in yellow. (Note: not all existing borings are shown, just the last phase on the west side of the road.)

Please let me know if you have any other questions.

Thank you

Kate



From: Smith, Cory, EMNRD <Cory.Smith@state.nm.us>
Sent: Wednesday, December 1, 2021 9:54 AM
To: Kate Kaufman <kkaufman@hilcorp.com>
Cc: Hyde, Stuart <Stuart.Hyde@wsp.com>; Hencmann, Devin <Devin.Hencmann@wsp.com>
Subject: RE: [EXTERNAL] Sullivan Gas Com D #1E - Incident ID (n#) nCS1518952648,

Kate,

Please submit to me your request for ROW access to the BLM. So I can document that HEC is moving forward with delineation.

What is the status of getting delineation to the West on the refinery property?

Cory Smith • Environmental Specialist Supervisor
Environmental Bureau
EMNRD - Oil Conservation Division
5200 Oakland Avenue N.E Suite 100 | Albuquerque, NM 87113
505.419.2687 | Cory.Smith@state.nm.us
<http://www.emnrd.state.nm.us/OCD/>

From: Kate Kaufman <kkaufman@hilcorp.com>
Sent: Wednesday, December 1, 2021 8:10 AM
To: Smith, Cory, EMNRD <Cory.Smith@state.nm.us>
Cc: Hyde, Stuart <Stuart.Hyde@wsp.com>; Kate Kaufman <kkaufman@hilcorp.com>; Hencmann, Devin <Devin.Hencmann@wsp.com>
Subject: [EXTERNAL] Sullivan Gas Com D #1E - Incident ID (n#) nCS1518952648,

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Cory –

In response to the Sullivan Gas Com D #1E 2020 Annual GW monitoring report dated March 17, 2021, OCD required Hilcorp fully delineate the ground water plume before submitting the next annual report in 2022.

WSP provided notice to perform delineation activities and confirmation soil sampling at the Sullivan GC D #1E site to OCD in early September. Delineation activities were conducted in two phases in September and October, with boreholes stepping out to the west of the pad. After the second phase, which included drilling on the west side of CR 4490, we are still observing contamination. The next step out to complete the delineation will require surface access from the BLM. We submitted a ROW application in October and it is being processed, but I do not have a definitive timeline for approval from the agency.

I will continue to press BLM for this approval so we can complete the site delineation by 1Q2022. I just wanted to make you aware of the current status of this effort.

Please let me know if you have any questions.

Thanks so much,

Kate

Kate Kaufman | Environmental Specialist | Hilcorp Energy Company
O: 346-237-2275 | C: 907-244-8292 | kkaufman@hilcorp.com
1111 Travis St. | Houston | TX | 77002

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APPLICATION FOR TRANSPORTATION AND
UTILITY SYSTEMS AND FACILITIES
ON FEDERAL LANDS

FORM APPROVED
OMB NO. 1004-0060
Expires: December 31, 2001

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a pre-application meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the pre-application meeting.

Application Number

Date Filed

1. Name and address of applicant (include zip code)

Hilcorp San Juan, LP
PO Box 61529
Houston, TX 77208-1529

2. Name, title, and address of authorized agent if different from item 1 (include zip code)
Keri Hutchins - Landman
382 Road 3100
Aztec, NM 87410

3. TELEPHONE (area code)

Office: (505) 564-0743

Authorized Agent: Keri Hutchins

4. As applicant are you? (check one)

- a. ☐ Individual
b. ☒ Corporation*
c. ☐ Partnership/Association*
d. ☐ State Government/State Agency
e. ☐ Local Government
f. ☐ Federal Agency

5. Specify what application is for: (check one)

- a. ☒ New authorization
b. ☐ Renewing existing authorization No.
c. ☐ Amend existing authorization No.
d. ☐ Assign existing authorization No.
e. ☐ Existing use for which no authorization has been received *
f. ☐ Other*

* If checked, complete supplemental page

* If checked, provide details under item 7

6. If an individual, or partnership are you a citizen(s) of the United States? ☐ yes ☐ No

7. Project description (describe in detail): (a) Type of system or facility, (e.g., canal, pipeline, road); (b) related structures and facilities; (c) physical specifications (Length, width, grading, etc.); (d) term of years needed; (e) time of year of use or operation; (f) volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (Attach additional sheets, if additional space is needed.)

Hilcorp San Juan, LP requests to drill up to five (5) new groundwater monitoring wells in order to delineate historic groundwater contamination originating from the Sullivan Gas Com D 1E wellsite. The wellsite is on fee surface and fee minerals, but the contamination plume appears to be migrating subsurface to the west/northwest, potentially onto BLM subsurface. The groundwater delineation and monitoring wells will be drilled in the NW/NW of Section 26, T29N-R11W, NMPM, San Juan County, New Mexico. The NM Oil Conservation Division (OCD) is overseeing the cleanup and requires that the contamination plume be fully delineated by first quarter 2022.

8. Attach a map covering area and show location of project proposal

9. State or Local government approval: ☐ Attached ☐ Applied for ☒ Not Required

10. Nonreturnable application fee: ☐ Attached ☐ Not required

11. Does project cross international boundary or affect international waterways? ☐ Yes ☒ No (if "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

"Hilcorp San Juan, LP operates numerous wells and well locations on Federal surface. "

(Continued on reverse) This form is authorized for local reproduction.

13a. Describe other reasonable alternative routes and modes considered.

N/A

b. Why were these alternatives not selected?

N/A

c. Give explanation as to why it is necessary to cross-Federal Lands?

Contamination has potentially migrated onto federal land. Need to complete delineation to comply with NMOCD order.

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. *(Specify number, date, code, or name)*

N/A

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

It is necessary to drill additional groundwater monitoring wells on federal surface in order to delineate the contamination plume, per NM OCD. After the plume has been delineated, Hilcorp can begin remediation.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

Impacts associated with borehole drilling for the purposes of delineation will be negligible. Long term remediation will have a direct benefit on the local population.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

Impacts associated with borehole drilling for the purposes of delineation will be negligible. Remediation of this contamination will have a direct benefit on the environment.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

Impacts associated with borehole drilling for the purposes of delineation will be negligible. Remediation of this contamination will have a direct benefit on wildlife.

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6901 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does **not** include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

None

20. Name all the Department(s)/Agency(ies) where this application is being filed.

"BLM, Farmington District Office."

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

Date 10/12/2021

Title 18, U.S.C. Section 1001, makes 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.

SUPPLEMENTAL		
NOTE: The responsible agency(ies) will provide instructions	CHECK APPROPRIATE BLOCK	
I - PRIVATE CORPORATIONS	ATTACHED	FILED*
a. Articles of Incorporation	<input type="checkbox"/>	<input type="checkbox"/>
b. Corporation Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State	<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.	<input type="checkbox"/>	<input type="checkbox"/>
f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications.	<input type="checkbox"/>	<input type="checkbox"/>
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal. "Corporate documents on file with BLM"	<input type="checkbox"/>	<input type="checkbox"/>
II - PUBLIC CORPORATIONS		
a. Copy of law forming corporation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Proof of organization	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Copy of Bylaws	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Copy of resolution authorizing filing	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. If application is for an oil or gas pipeline, provide information required by item "I-f" and "I-g" above.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY		
a. Articles of association, if any	<input type="checkbox"/>	<input type="checkbox"/>
b. If one partner is authorized to sign, resolution authorizing action is	<input type="checkbox"/>	<input type="checkbox"/>
c. Name and address of each participant, partner, association, or other	<input type="checkbox"/>	<input type="checkbox"/>
d. If application is for an oil or gas pipeline, provide information required by item "I-f" and "I-g" above.	<input type="checkbox"/>	<input type="checkbox"/>
* If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.		

<p>DATA COLLECTION STATEMENT</p> <p>The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certifications for the use of Federal lands.</p> <p>Federal agencies use this information to evaluate your proposal.</p> <p>No Federal agency may request or sponsor, and you are not required to respond to a request for information which does not contain a currently valid OMB Approval Number.</p> <p>BURDEN HOURS STATEMENT</p> <p>The public burden for this form is estimated to vary from 30 minutes to 25 hours per response, with an average of 2 hours per response, including the time for</p>	<p>reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to: U.S. Department of the Interior, Bureau of Land Management, Information Clearance Officer (WO-630), 1849 C Street, Mail Stop 401LS, Washington, D.C. 20240.</p> <p>A reproducible copy of this form may be obtained from the Bureau of Land Management, Division of Lands, 1620 L Street, Rm. 1000LS, Washington, D.C. 20036.</p>

APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS
AND FACILITIES ON FEDERAL LANDS

GENERAL INFORMATION
ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
2. Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
4. Systems for the transmission and distribution of electric energy.
5. Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
6. Improved right-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
7. Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application **must** be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

Department of Agriculture
Regional Forester, Forest Service (USFS)
Federal Office Building,
P.O. Box 21628
Juneau, Alaska 99802-1628
Telephone: (907) 586-7847 (or a local Forest Service Office)

Department of the Interior
Bureau of Indian Affairs (BIA)
Juneau Area Office
Federal Building Annex
9109 Mendenhall Mall Road, Suite 5
Juneau, Alaska 99802
Telephone: (907) 586-7177

Department of the Interior
Bureau of Land Management
222 West 7th Avenue
P.O. Box 13
Anchorage, Alaska 99513-7599
Telephone: (907) 271-5477 (or a local BLM Office)

National Park Service (NPS)
Alaska Regional Office
2525 Gambell Street, Room 107
Anchorage, Alaska 99503-2892
Telephone: (907) 257-2585

U.S. Fish & Wildlife Service (FWS)
Office of the Regional Director
1011 East Tudor Road
Anchorage, Alaska 99503
Telephone: (907) 786-3440

Note-Filings with any Interior agency may be filed with any office noted above or with the: Office of the Secretary of the Interior, Regional Environmental Officer, Box 120, 1675 C Street, Anchorage, Alaska 99513.

Department of Transportation
Federal Aviation Administration
Alaska Region AAL-4, 222 West 7th Ave., Box 14
Anchorage, Alaska 99513-7587
Telephone: (907) 271-5285

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual department/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS
(Items not listed are self-explanatory)

Item

7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.

8 Generally, the map **must** show the section(s), township(s), and range(s) within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.

910, and 12 - The responsible agency will provide additional instructions.

13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.

14 The responsible agency will provide instructions.

15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.

16 through 19 - Providing this information in as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. Fore example, if the project is not near a stream or other body of water, **do not** address this subject. The responsible agency will provide additional instructions.

Application **must** be signed by the applicant or applicant's authorized representative.

If additional space is needed to complete any item, please put the information on a separate sheet of paper and identify it as "Continuation of Item".

NOTICE

NOTE: This applies to the Department of the Interior/Bureau of Land Management (BLM).

The Privacy Act of 1974 provides that you be furnished with the following information in connection with the information provided by this application for an authorization.

AUTHORITY: 16 U.S.C. 310 and 5 U.S.C. 301.

PRINCIPAL PURPOSE: The primary uses of the records are to facilitate the (1) processing of claims or applications; (2) recordation of adjudicative actions; and (3) indexing of documentation in case files supporting administrative actions.

ROUTINE USES: BLM and the Department of the Interior (DOI) may disclose your information on this form: (1) to appropriate Federal agencies when concurrence or supporting information is required prior to granting or acquiring a right or interest in lands or resources; (2) to members or the public who have a need for the information that is maintained by BLM for public record; (3) to the U.S. Department of Justice, court, or other adjudicative body when DOI determines the information is necessary and relevant to litigation; (4) to appropriate Federal, State, local, or foreign agencies responsible for investigating, prosecuting violation, enforcing, or implementing this statute, regulation, or order; and (5) to a congressional office when you request the assistance of the Member of Congress in writing.

EFFECT OF NOT PROVIDING THE INFORMATION: Disclosing this information is necessary to receive or maintain a benefit. Not disclosing it may result in rejecting the application.