

District I  
1625 N French Dr., Hobbs, NM 88240  
District II  
1301 W Grand Avenue, Artesia, NM 88210  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
1220 S St Francis Dr., Santa Fe, NM 87505

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

Form C-144  
July 21, 2008

For temporary pits, closed-loop systems, and below-grade tanks, submit to the appropriate NMOCD District Office.  
For permanent pits and exceptions submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.

9572  
Pit, Closed-Loop System, Below-Grade Tank, or  
Proposed Alternative Method Permit or Closure Plan Application

Type of action: ☐ Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method  
☒ Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method  
☐ Modification to an existing permit  
☐ Closure plan only submitted for an existing permitted or non-permitted pit, closed-loop system, below-grade tank, or proposed alternative method

**Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, below-grade tank or alternative request**

Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.

1.  
Operator: EnerVest Operating, LLC OGRID #: 143199  
Address: 1001 Fannin St. Ste 800 Houston, Texas 77002  
Facility or well name: Jicarilla C #5M  
API Number: 30-039-22315 OCD Permit Number: 6743  
U/L or Qtr/Qtr A Section 24 Township 26N Range 05W County: Rio Arriba  
Center of Proposed Design: Latitude 36.477125 Longitude 107.304733 NAD: ☐ 1927 ☒ 1983  
Surface Owner: ☐ Federal ☐ State ☐ Private ☒ Tribal Trust or Indian Allotment

2.  
☐ **Pit:** Subsection F or G of 19.15.17.11 NMAC  
Temporary: ☐ Drilling ☐ Workover  
☐ Permanent ☐ Emergency ☐ Cavitation ☐ P&A  
☐ Lined ☐ Unlined Liner type: Thickness \_\_\_\_\_ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
☐ String-Reinforced  
Liner Seams: ☐ Welded ☐ Factory ☐ Other \_\_\_\_\_ Volume: \_\_\_\_\_ bbl Dimensions: L \_\_\_\_\_ x W \_\_\_\_\_ x D \_\_\_\_\_  
RCVD FEB 9 '12  
OIL CONS. DIV.  
DIST. 3

3.  
☐ **Closed-loop System:** Subsection H of 19.15.17.11 NMAC  
Type of Operation: ☐ P&A ☐ Drilling a new well ☐ Workover or Drilling (Applies to activities which require prior approval of a permit or notice of intent)  
☐ Drying Pad ☐ Above Ground Steel Tanks ☐ Haul-off Bins ☐ Other \_\_\_\_\_  
☐ Lined ☐ Unlined Liner type: Thickness \_\_\_\_\_ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
Liner Seams: ☐ Welded ☐ Factory ☐ Other \_\_\_\_\_

4.  
☒ **Below-grade tank:** Subsection I of 19.15.17.11 NMAC  
Volume: 95 bbl Type of fluid: Primarily produced water w/ compressor skid precipitation & incidental lubricating oil  
Tank Construction material: Steel w/ expanded metal cover  
☐ Secondary containment with leak detection ☐ Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off  
☐ Visible sidewalls and liner ☐ Visible sidewalls only ☒ Other \_\_\_\_\_ electronic monitoring \_\_\_\_\_  
Liner type: Thickness \_\_\_\_\_ mil ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_

5.  
☐ **Alternative Method:**  
Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

6.

**Fencing:** Subsection D of 19.15.17.11 NMAC (*Applies to permanent pits, temporary pits, and below-grade tanks*)

- ☐ Chain link, six feet in height, two strands of barbed wire at top (*Required if located within 1000 feet of a permanent residence, school, hospital, institution or church*)
- ☐ Four foot height, four strands of barbed wire evenly spaced between one and four feet
- ☒ Alternate. Please specify 42" Hog-wire fence with 2 strands barbed-wire on top

7.

**Netting:** Subsection E of 19.15.17.11 NMAC (*Applies to permanent pits and permanent open top tanks*)

- ☒ Screen ☐ Netting ☐ Other \_\_\_\_\_
- ☐ Monthly inspections (If netting or screening is not physically feasible)

8.

**Signs:** Subsection C of 19.15.17.11 NMAC

- ☐ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers
- ☒ Signed in compliance with 19.15.3.103 NMAC

9.

**Administrative Approvals and Exceptions:**

Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17 NMAC for guidance.

**Please check a box if one or more of the following is requested, if not leave blank:**

- ☐ Administrative approval(s): Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau office for consideration of approval.
- ☐ Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

10.

**Siting Criteria (regarding permitting):** 19.15.17.10 NMAC

**Instructions:** *The applicant must demonstrate compliance for each siting criteria below in the application. Recommendations of acceptable source material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. Siting criteria does not apply to drying pads or above-grade tanks associated with a closed-loop system.*

Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). - Topographic map; Visual inspection (certification) of the proposed site	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. (Applies to temporary, emergency, or cavitation pits and below-grade tanks) - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. (Applies to permanent pits) - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application. - NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended. - Written confirmation or verification from the municipality; Written approval obtained from the municipality	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within 500 feet of a wetland. - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within the area overlying a subsurface mine. - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within an unstable area. - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within a 100-year floodplain. - FEMA map	<input type="checkbox"/> Yes <input type="checkbox"/> No

11. **Temporary Pits, Emergency Pits, and Below-grade Tanks Permit Application Attachment Checklist:** Subsection B of 19.15.17.9 NMAC  
**Instructions:** Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

☐ Hydrogeologic Report (Below-grade Tanks) - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC

☐ Hydrogeologic Data (Temporary and Emergency Pits) - based upon the requirements of Paragraph (2) of Subsection B of 19.15.17.9 NMAC

☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC

☐ Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC

☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC

☐ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC

☐ Previously Approved Design (attach copy of design)      API Number: \_\_\_\_\_ or Permit Number: \_\_\_\_\_

12. **Closed-loop Systems Permit Application Attachment Checklist:** Subsection B of 19.15.17.9 NMAC  
**Instructions:** Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

☐ Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19.15.17.9

☐ Siting Criteria Compliance Demonstrations (only for on-site closure) - based upon the appropriate requirements of 19.15.17.10 NMAC

☐ Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC

☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC

☐ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC

☐ Previously Approved Design (attach copy of design)      API Number: \_\_\_\_\_

☐ Previously Approved Operating and Maintenance Plan      API Number: \_\_\_\_\_ (Applies only to closed-loop system that use above ground steel tanks or haul-off bins and propose to implement waste removal for closure)

13. **Permanent Pits Permit Application Checklist:** Subsection B of 19.15.17.9 NMAC  
**Instructions:** Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

☐ Hydrogeologic Report - based upon the requirements of Paragraph (1) of Subsection B of 19.15.17.9 NMAC

☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC

☐ Climatological Factors Assessment

☐ Certified Engineering Design Plans - based upon the appropriate requirements of 19.15.17.11 NMAC

☐ Dike Protection and Structural Integrity Design - based upon the appropriate requirements of 19.15.17.11 NMAC

☐ Leak Detection Design - based upon the appropriate requirements of 19.15.17.11 NMAC

☐ Liner Specifications and Compatibility Assessment - based upon the appropriate requirements of 19.15.17.11 NMAC

☐ Quality Control/Quality Assurance Construction and Installation Plan

☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC

☐ Freeboard and Overtopping Prevention Plan - based upon the appropriate requirements of 19.15.17.11 NMAC

☐ Nuisance or Hazardous Odors, including H<sub>2</sub>S, Prevention Plan

☐ Emergency Response Plan

☐ Oil Field Waste Stream Characterization

☐ Monitoring and Inspection Plan

☐ Erosion Control Plan

☐ Closure Plan - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC

14. **Proposed Closure:** 19.15.17.13 NMAC  
**Instructions:** Please complete the applicable boxes, Boxes 14 through 18, in regards to the proposed closure plan.

Type: ☐ Drilling ☐ Workover ☐ Emergency ☐ Cavitation ☐ P&A ☐ Permanent Pit ☐ Below-grade Tank ☐ Closed-loop System ☐ Alternative

Proposed Closure Method: ☐ Waste Excavation and Removal

☐ Waste Removal (Closed-loop systems only)

☐ On-site Closure Method (Only for temporary pits and closed-loop systems)

☐ In-place Burial ☐ On-site Trench Burial

☐ Alternative Closure Method (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)

15. **Waste Excavation and Removal Closure Plan Checklist:** (19.15.17.13 NMAC) **Instructions:** Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.

☐ Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC

☐ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC

☐ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings)

☐ Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC

☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19.15.17.13 NMAC

☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

16.

**Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:** (19.15.17.13.D NMAC)**Instructions:** Please identify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if more than two facilities are required.

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Will any of the proposed closed-loop system operations and associated activities occur on or in areas that *will not* be used for future service and operations?☐ Yes (If yes, please provide the information below) ☐ No*Required for impacted areas which will not be used for future service and operations:*☐ Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19.15.17.13 NMAC☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

17.

**Siting Criteria (regarding on-site closure methods only):** 19.15.17.10 NMAC**Instructions:** Each siting criteria requires a demonstration of compliance in the closure plan. Recommendations of acceptable source material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for guidance.

Ground water is less than 50 feet below the bottom of the buried waste.

- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

☐ Yes ☐ No☐ NA

Ground water is between 50 and 100 feet below the bottom of the buried waste

- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

☐ Yes ☐ No☐ NA

Ground water is more than 100 feet below the bottom of the buried waste.

- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

☐ Yes ☐ No☐ NA

Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).

- Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.

- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image

☐ Yes ☐ No

Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application.

- NM Office of the State Engineer - iWATERS database; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended.

- Written confirmation or verification from the municipality; Written approval obtained from the municipality

☐ Yes ☐ No

Within 500 feet of a wetland.

- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within the area overlying a subsurface mine.

- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division

☐ Yes ☐ No

Within an unstable area.

- Engineering measures incorporated into the design; NM Bureau of Geology &amp; Mineral Resources; USGS; NM Geological Society; Topographic map

☐ Yes ☐ No

Within a 100-year floodplain.

- FEMA map

☐ Yes ☐ No

18.

**On-Site Closure Plan Checklist:** (19.15.17.13 NMAC) **Instructions:** Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC☐ Proof of Surface Owner Notice - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of 19.15.17.11 NMAC☐ Construction/Design Plan of Temporary Pit (for in-place burial of a drying pad) - based upon the appropriate requirements of 19.15.17.11 NMAC☐ Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC☐ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC☐ Waste Material Sampling Plan - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC☐ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings or in case on-site closure standards cannot be achieved)☐ Soil Cover Design - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19.15.17.13 NMAC☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

19.

**Operator Application Certification:**

I hereby certify that the information submitted with this application is true, accurate and complete to the best of my knowledge and belief.

Name (Print): Janet M. Bienski Title: Regulatory Assistant

Signature: *Janet M Bienski* Date: 2/7/12

e-mail address: jbienski@enervest.net Telephone: 713-495-1571

20.

**OCD Approval:** ☐ Permit Application (including closure plan) ☒ Closure Plan (only) ☐ OCD Conditions (see attachment)

OCD Representative Signature: *Jonathan P. Kelly* Approval Date: 2/29/2012

Title: Compliance Officer OCD Permit Number: \_\_\_\_\_

21.

**Closure Report (required within 60 days of closure completion):** Subsection K of 19.15.17.13 NMAC

**Instructions:** Operators are required to obtain an approved closure plan prior to implementing any closure activities and submitting the closure report. The closure report is required to be submitted to the division within 60 days of the completion of the closure activities. Please do not complete this section of the form until an approved closure plan has been obtained and the closure activities have been completed.

☒ Closure Completion Date: 10/14/11

22.

**Closure Method:**

☐ Waste Excavation and Removal ☐ On-Site Closure Method ☐ Alternative Closure Method ☐ Waste Removal (Closed-loop systems only)  
☐ If different from approved plan, please explain.

23.

**Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:**

**Instructions:** Please indentify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized.

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Were the closed-loop system operations and associated activities performed on or in areas that *will not* be used for future service and operations?

☐ Yes (If yes, please demonstrate compliance to the items below) ☐ No

Required for impacted areas which will not be used for future service and operations.

- ☐ Site Reclamation (Photo Documentation)  
☐ Soil Backfilling and Cover Installation  
☐ Re-vegetation Application Rates and Seeding Technique

24.

**Closure Report Attachment Checklist:** Instructions: Each of the following items must be attached to the closure report. Please indicate, by a check mark in the box, that the documents are attached.

- ☒ Proof of Closure Notice (surface owner and division)  
☐ Proof of Deed Notice (required for on-site closure)  
☒ Plot Plan (for on-site closures and temporary pits)  
☒ Confirmation Sampling Analytical Results (if applicable)  
☐ Waste Material Sampling Analytical Results (required for on-site closure)  
☒ Disposal Facility Name and Permit Number  
☐ Soil Backfilling and Cover Installation  
☐ Re-vegetation Application Rates and Seeding Technique  
☒ Site Reclamation (Photo Documentation)

On-site Closure Location: Latitude 36.477125 Longitude 107.304733 NAD: ☐ 1927 ☒ 1983

25.

**Operator Closure Certification:**

I hereby certify that the information and attachments submitted with this closure report is true, accurate and complete to the best of my knowledge and belief. I also certify that the closure complies with all applicable closure requirements and conditions specified in the approved closure plan.

Name (Print): Janet M Bienski Title: Regulatory Assistant

Signature: *Janet M Bienski* Date: 2/7/12

e-mail address: jbienski@enervest.net Telephone: 713-495-1571

## OIL CONSERVATION DIVISION

STATE OF NEW MEXICO  
OIL AND MINERALS DEPARTMENT

P. O. BOX 2088

SANTA FE, NEW MEXICO 87501

Form O-107  
Revised 10-1-78

All distances must be from the outer boundaries of the Section

Operator <b>TENNECO OIL COMPANY</b>			Lease <b>JICARILLA "C"</b>		Well No. <b>5-E 5M</b>
Section Letter <b>A</b>	Section <b>24</b>	Township <b>26N</b>	Range <b>5W</b>	County <b>Rio Arriba</b>	
Actual Footage Location of Well:					
<b>960</b>		feet from the <b>North</b>		line and <b>960</b>	
				feet from the <b>East</b>	
Ground Level Elev. <b>6652</b>		Producing Formation <b>Dakota/Mesa Verde</b>		Pool <b>Basin Dakota/Blanco Mesa Verde</b>	
				Dedicated Acreage: <b>E 320 Acres</b>	

1. Outline the acreage dedicated to the subject well by colored pencil or hatchure marks on the plat below.
2. If more than one lease is dedicated to the well, outline each and identify the ownership thereof (both as to working interest and royalty).
3. If more than one lease of different ownership is dedicated to the well, have the interests of all owners been consolidated by communitization, unitization, force-pooling, etc?

☐ Yes ☐ No If answer is "yes," type of consolidation \_\_\_\_\_

If answer is "no," list the owners and tract descriptions which have actually been consolidated. (Use reverse side of this form if necessary.) \_\_\_\_\_

No allowable will be assigned to the well until all interests have been consolidated (by communitization, unitization, forced-pooling, or otherwise) or until a non-standard unit, eliminating such interests, has been approved by the Commission.

	<b>CERTIFICATION</b>  I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief. <i>M. L. Freeman</i> Name <b>M. L. FREEMAN</b> Position <b>Staff Production Analyst</b> Company <b>Tenneco Oil Company</b> Date <b>February 1, 1980</b>
	I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my knowledge and belief. <b>RECEIVED</b> <b>MAR 2 1980</b> <b>OIL CON COM</b> <b>DIST. 3</b> Date Surveyed <b>October 26, 1979</b> Registered Professional Engineer and/or Land Surveyor <i>Fred B. Kerr, Jr.</i> Fred B. Kerr, Jr. Certification No. <b>3950</b>

## Bienski, Janet

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**From:** Young, Ronnie  
**Sent:** Friday, October 07, 2011 8:40 AM  
**To:** Bienski, Janet  
**Subject:** FW: Enervest Operating Notice of Pit Closure - C3, C4, C4E, C5, C5M

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**From:** Gardner, Wilbert  
**Sent:** Friday, October 07, 2011 8:38 AM  
**To:** 'brandon.powell@state.nm.us'; 'dksandoval@yahoo.com'  
**Cc:** Ahrens, Mickey; Deal, Chester; Young, Ronnie  
**Subject:** Enervest Operating Notice of Pit Closure

Brandon/Dixon:

Enervest Operating is planning on closing the following below grade pits starting on Thursday, October 13, 2011 at 08:00 – weather permitting.

C-3	30-039-08098
C-4	30-039-08139 <i>AKJ</i>
C-4E	30-039-22298
C-5	30-039-08160
C-5M	30-039-22315

All of the above referenced below grade pits have been sampled per state regulations and found to be in compliance for closure.

Thank you.

Lee Gardner CHMM, CSP  
Sr. HSE Specialist  
Enervest Operating LLC  
2700 Farmington, Bldg K, Suite #1  
Farmington, NM 87401  
Office 505-325-0318 Ext 13  
Mobile 505-320-7924  
[Wgardner@enervest.net](mailto:Wgardner@enervest.net)

**Bienski, Janet**

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**From:** Gardner, Wilbert  
**Sent:** Friday, October 14, 2011 10:00 AM  
**To:** Young, Ronnie; Bienski, Janet  
**Subject:** Pit closures Jic C5 and C5M

Janet/Ronnie:

The below grade tanks pit on the C-5 and the C-5M have been closed. The pictures are posted on the Y drive.

Thanks.

Lee Gardner CHMM, CSP  
Sr. HSE Specialist  
Enervest Operating LLC  
2700 Farmington, Bldg K, Suite #1  
Farmington, NM 87401  
Office 505-325-0318 Ext 13  
Mobile 505-320-7924  
[Wgardner@enervest.net](mailto:Wgardner@enervest.net)



**Lease name: Jicarilla C 5M**  
**API No: 30-039-22315**

On October 14, 2011, we removed below-grade tank.

Inspected bottom of below-grade tank and ground under and found no evidence of leaks.

Sent samples to Cardinal Lab for testing. Samples returned within guidelines.

Backfill location.



CERTIFIED MAIL W/ RETURN RECEIPT  
7009-2250-0003-1416-2903

September 22, 2010

Mr. Manuel Myore  
Bureau of Indian Affairs  
Jicarilla Agency  
Branch of Real Property  
P. O. Box 167  
Dulce, New Mexico 87528

RE: Closure of Below-Grade Tank  
JICARILLA C No. 005M  
API 30-039-22315

Dear Mr. Myore,

In an effort to be in compliance with NMAC 19.15.17.13 (J) regarding notifications to surface owners concerning the closure of below-grade tanks, please be advised that EnerVest Operating, LLC is in process of preparing OCD Form C-144 to close the below-grade tank(s) on the above referenced property.

The tank located on this site is a below-grade tank and is no longer necessary. EnerVest is permanently plugging and abandoning this well. It is our intent to close this tank by November 1, 2010. This timeline is completely dependent upon the availability of equipment, testing requirements, and weather conditions. Enervest will fully comply with NMAC 19.15.17.13 (E) in all work performed.

If you have any questions regarding this process, please feel free to contact the undersigned at 713-495-6530 at any time.

Sincerely,

Janet M. Bienski  
Regulatory Assistant  
EnerVest Operating, LLC  
Western Division

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Mr. Manuel Myore  
Bureau of Indian Affairs  
Jicarilla Agency  
Branch of Real Property  
P. O. Box 167  
Dulce, New Mexico 87528

**COMPLETE THIS SECTION ON DELIVERY**

## A. Signature

X *Keiron B D*

☒ Agent  
☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

*9/2/10*

- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

*JIC C 5M*

## 3. Service Type

☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

## 2. Article Number

(Transfer from service label)

7009 2250 0003 1416 2903

District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
811 S. First St., Artesia, NM 88210  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico  
Energy Minerals and Natural Resources

Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

Form C-141  
Revised August 8, 2011

Submit 1 Copy to appropriate District Office in  
accordance with 19.15.29 NMAC.

**Release Notification and Corrective Action**

**OPERATOR**

☒ Initial Report ☐ Final Report

Name of Company	Enervest Operating, LLC	Contact	Ronnie L. Young
Address	1001 Fannin St. Ste 800 Houston, Tx. 77002	Telephone No.	713-495-6530
Facility Name	Jicarilla C # 5M	Facility Type	Below-Grade Tank Closure

Surface Owner	Jicarilla Apache Nation	Mineral Owner		API No.	30-039-22315
---------------	-------------------------	---------------	--	---------	--------------

**LOCATION OF RELEASE**

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
A	24	26 N	05 W	960	North	960	East	Rio Arriba

Latitude 36.477125 Longitude 107.304733

**NATURE OF RELEASE**

Type of Release	None	Volume of Release	Volume Recovered
Source of Release		Date and Hour of Occurrence	Date and Hour of Discovery
Was Immediate Notice Given?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom?	
By Whom?		Date and Hour	
Was a Watercourse Reached?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	

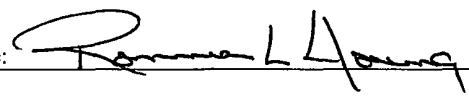
If a Watercourse was Impacted, Describe Fully.\*

Describe Cause of Problem and Remedial Action Taken.\*

No release detected - Closure of below-grade tank

Describe Area Affected and Cleanup Action Taken.\*

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Signature: 	<b>OIL CONSERVATION DIVISION</b>		
Printed Name: Ronnie L. Young	Approved by Environmental Specialist:		
Title: Regulatory Manager	Approval Date:	Expiration Date:	
E-mail Address: ryoung@enervest.net	Conditions of Approval:		Attached <input type="checkbox"/>
Date: 9-29-11	Phone: 713-495-6530		

\* Attach Additional Sheets If Necessary



PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

September 14, 2011

LEE GARDNER

ENERVEST

2700 FARMINGTON BLD K SUITE #1

FARMINGTON, NM 87401

RE: C - 5 CLOSURE

Enclosed are the results of analyses for samples received by the laboratory on 09/09/11 11:55.

Cardinal Laboratories is accredited through Texas NELAP for:

Method SW-846 8021	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method SW-846 8260	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method TX 1005	Total Petroleum Hydrocarbons

Certificate number T104704398-08-TX. Accreditation applies to solid and chemical materials and non-potable water matrices.

Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.4	Regulated VOCs (V2, V3)

Accreditation applies to public drinking water matrices.

This report meets NELAP requirements and is made up of a cover page, analytical results, and a copy of the original chain-of-custody. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Celey D. Keene

Lab Director/Quality Manager

CSM  
30.039.22315  
A-24.26N-SW 960' FNL & 960' FEL  
36.477125  
107.304733

**Analytical Results For:**

 ENERVEST  
 LEE GARDNER  
 2700 FARMINGTON BLD K SUITE #1  
 FARMINGTON NM, 87401  
 Fax To: NOT GIVEN

 Received: 09/09/2011  
 Reported: 09/14/2011  
 Project Name: C - 5 CLOSURE  
 Project Number: NOT GIVEN  
 Project Location: NONE GIVEN

 Sampling Date: 09/07/2011  
 Sampling Type: Soil  
 Sampling Condition: Cool & Intact  
 Sample Received By: Jodi Henson

**Sample ID: C - 5 C1 (H101911-01)**

BTEX 8021B			mg/kg		Analyzed By: CMS				
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	09/09/2011	ND	2.30	115	2.00	14.2	
Toluene*	<0.050	0.050	09/09/2011	ND	2.22	111	2.00	13.9	
Ethylbenzene*	<0.050	0.050	09/09/2011	ND	2.22	111	2.00	14.0	
Total Xylenes*	<0.150	0.150	09/09/2011	ND	6.70	112	6.00	14.5	

Surrogate: 4-Bromofluorobenzene (PIL) 109 % 64.4-134

Chloride, SM4500Cl-B			mg/kg		Analyzed By: HM				
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	96.0	16.0	09/10/2011	ND	432	108	400	0.00	

TPH 418.1			mg/kg		Analyzed By: AB				
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
TPH 418.1	835	100	09/13/2011	ND	970	89.0	1090	11.7	

TPH 8015M			mg/kg		Analyzed By: ab				
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10	<10.0	10.0	09/13/2011	ND	170	85.0	200	4.11	
DRO >C10-C28	200	10.0	09/13/2011	ND	169	84.3	200	4.24	
EXT DRO >C28-C35	55.8	10.0	09/13/2011						

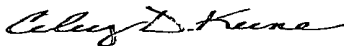
Surrogate: 1-Chlorooctane 108 % 55.5-154

Surrogate: 1-Chlorooctadecane 97.2 % 57.6-158

Cardinal Laboratories

\*=Accredited Analyte

PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising, whether based in contract or tort, shall be limited to the amount paid by client for analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within thirty (30) days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including, without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of the services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise. Results relate only to the samples identified above. This report shall not be reproduced except in full with written approval of Cardinal Laboratories.



Celey D. Keene, Lab Director/Quality Manager

**Notes and Definitions**

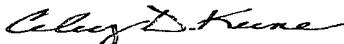
ND	Analyte NOT DETECTED at or above the reporting limit
RPD	Relative Percent Difference
**	Samples not received at proper temperature of 6°C or below.
***	Insufficient time to reach temperature.
-	Chloride by SM4500Cl-B does not require samples be received at or below 6°C
	Samples reported on an as received basis (wet) unless otherwise noted on report

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Cardinal Laboratories

\*=Accredited Analyte

PLEASE NOTE: Liability and Damages: Cardinal's liability and client's exclusive remedy for any claim arising, whether based in contract or tort, shall be limited to the amount paid by client for analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within thirty (30) days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including, without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of the services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise. Results relate only to the samples identified above. This report shall not be reproduced except in full with written approval of Cardinal Laboratories.



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Celey D. Keene, Lab Director/Quality Manager



## CHAIN OF CUSTODY RECORD

Page 1 of 1

Client: ENERQUEST  
Contact: LEE GARDNER  
Address: 2700 FARMINGTON  
FARMINGTON NM 87401  
Phone Number: 505-320-7924  
FAX Number: \_\_\_\_\_

### NOTES:

- 1) Ensure proper container packaging.
- 2) Ship samples promptly following collection.
- 3) Designate Sample Reject Disposition.

PO# \_\_\_\_\_

Project Name: C-5-M CUSURE

### Table 1. - Matrix Type

1 = Surface Water, 2 = Ground Water  
3 = Soil/Sediment, 4 = Rinsate, 5 = Oil  
6 = Waste, 7 = Other (Specify) \_\_\_\_\_

FOR GAL USE ONLY

GAL JOB # \_\_\_\_\_

Samplers Signature: Charles L. Deal

Lab Name: Green Analytical Laboratories		(970) 247-4220 FAX (970) 247-4227		Analyses Required										Comments															
Address: 75 Suttle Street, Durango, CO 81303																													
Sample ID	Collection		Miscellaneous			Preservative(s)																							
	Date	Time	Collected by: (Init.)	Matrix Type From Table 1	No. of Containers	Sample Filtered ? Y/N	Unpreserved (Ice Only)	HNO3	HCL	H2SO4	NAOH	Other (Specify)																	
1. <u>C5M</u>	<u>9/7/11</u>	<u>1600</u>	<u>CD</u>	<u>3</u>	<u>1</u>	<u>N</u>							<u>BTX</u>	<u>BENZENE</u>	<u>TPH</u>	<u>CAH/BIDES</u>	<u>GR0/000</u>											<u>PIT CUSURE</u>	
2.																													
3.																													
4.																													
5.																													
6.																													
7.																													
8.																													
9.																													
10.																													
Relinquished by: <u>J. Gardner</u>			Date: <u>9/7/11</u>		Time: <u>1600</u>		Received by: <u>Christie Clark</u>		Date: <u>9/7/11</u>		Time: <u>1600</u>		Received by: <u>Steve S. Marino</u>		Date: <u>09/09/11</u>		Time: <u>11:55</u>												

\* Sample Reject: [ ] Return ☒ Dispose [ ] Store (30 Days)

4.0 #26





JICARILLA C 005M-DK

API# 3003922315

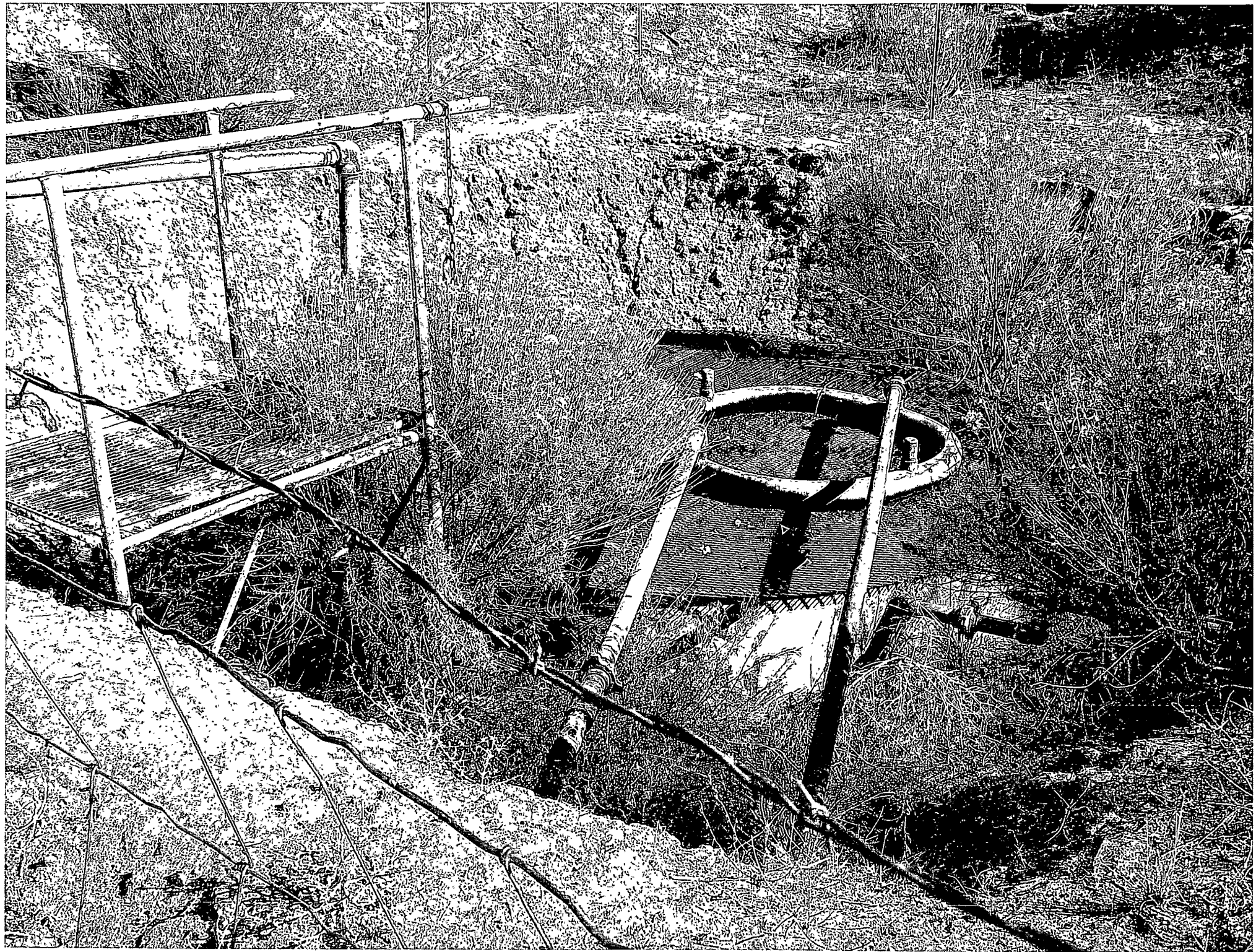
FEDERAL LEASE# JIC108

NE/4 NE/4 (A) S.24-T26N-R5W

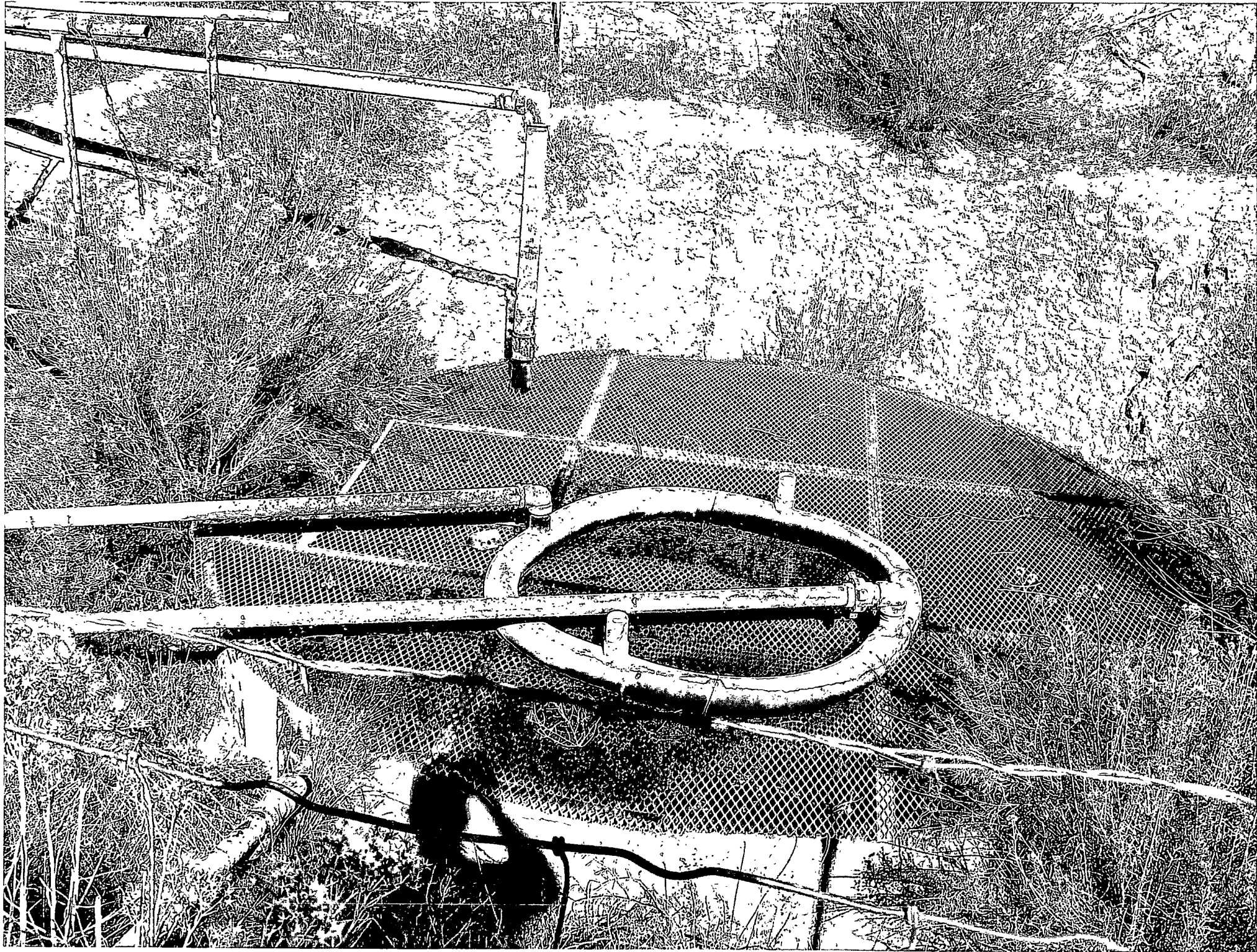
Rio Arriba County (ELEV. 6,663)

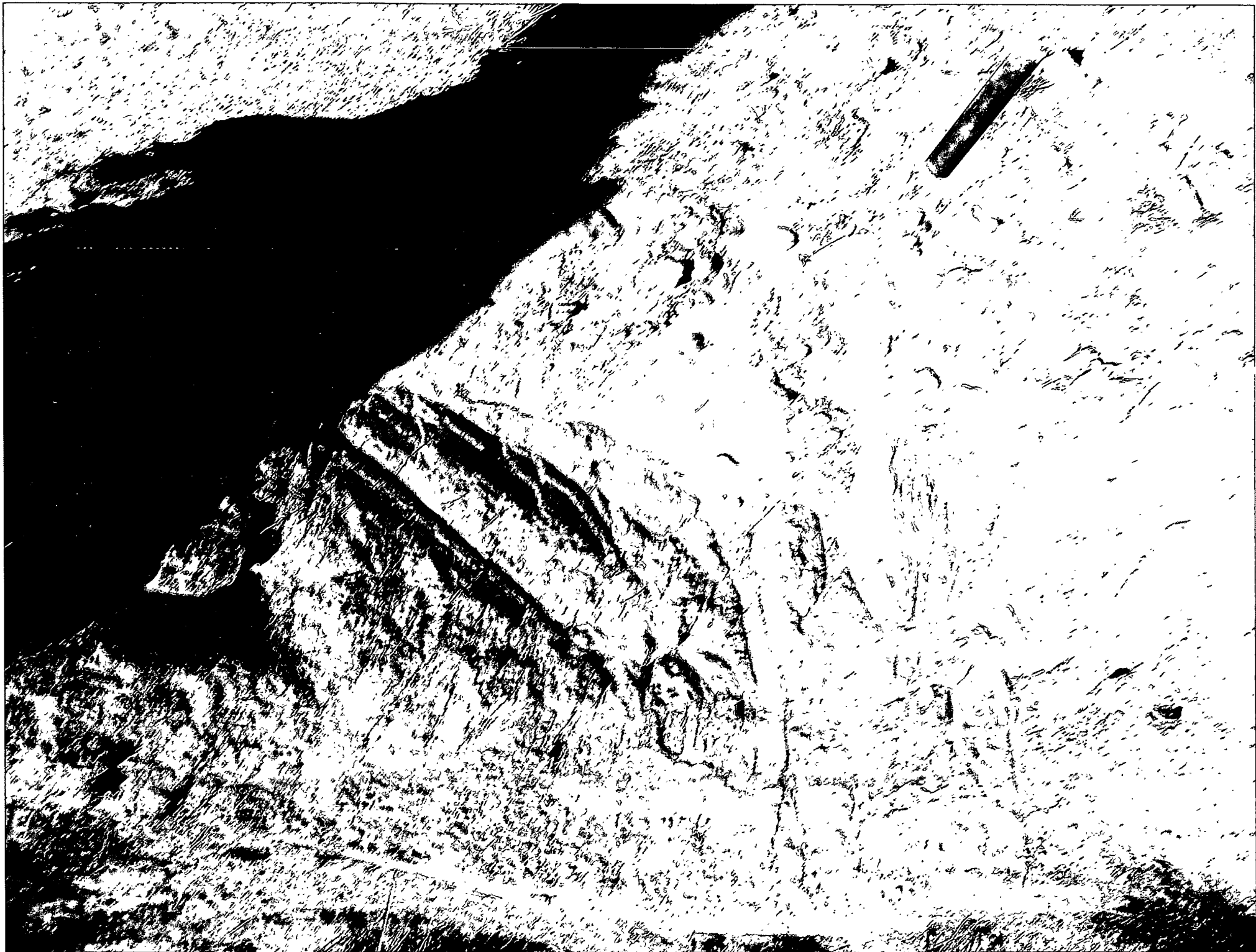
ENERVEST OPERATING, LLC

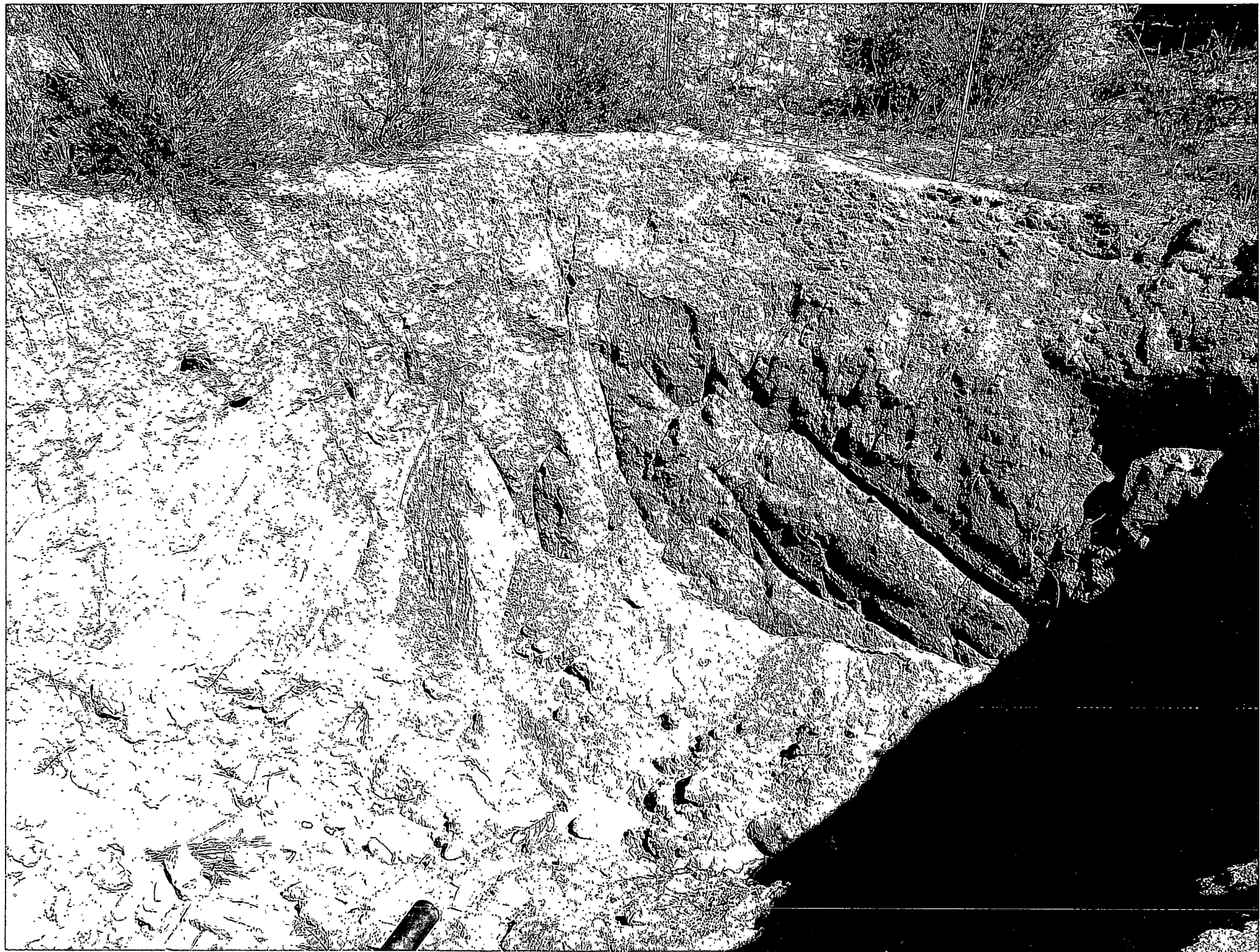
LAT 36.47676 LONG 107.30510



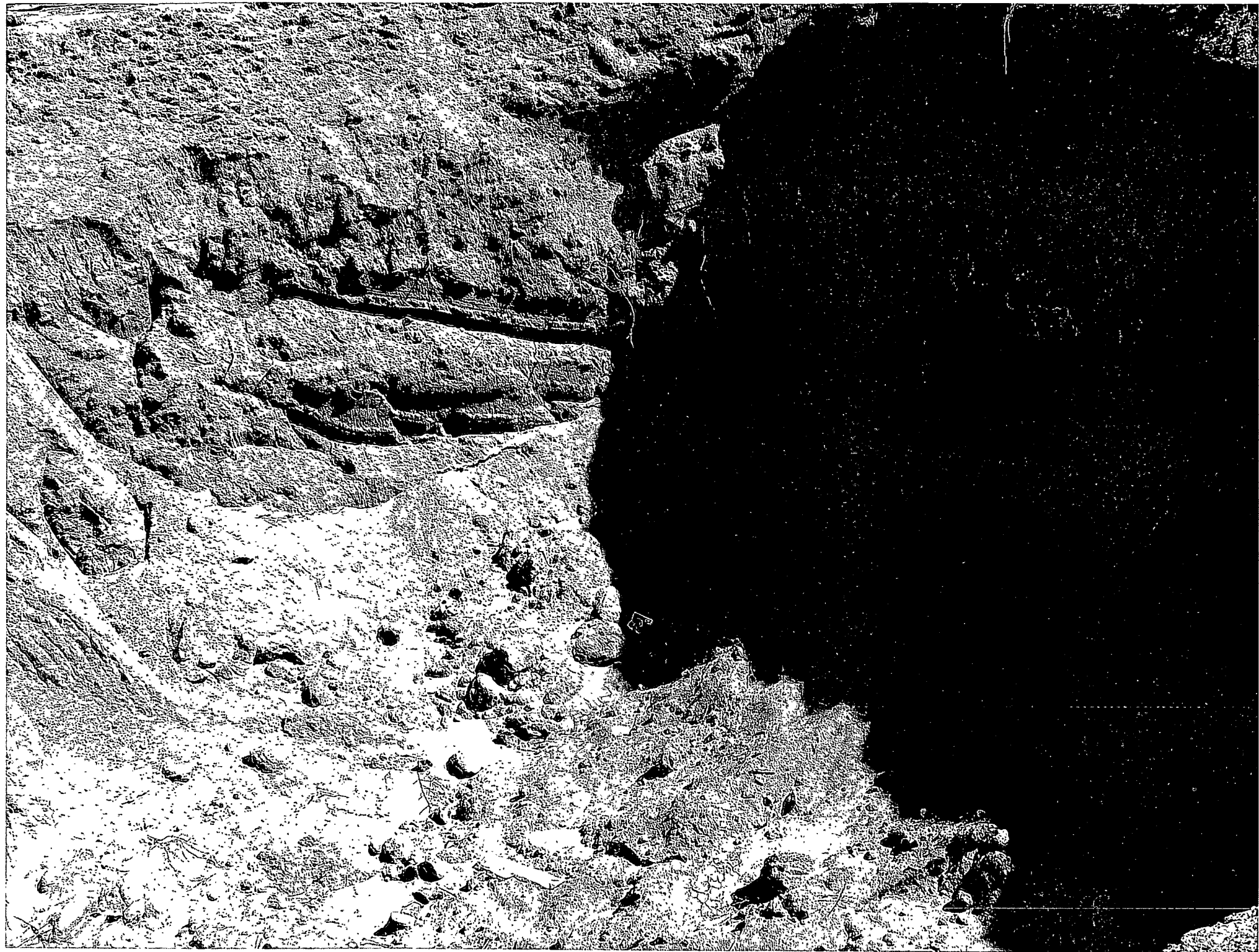














RCVD FEB 20 '12

**EnerVest Operating, LLC**

**OIL CONS. DIV.  
DIST. 3**

**Below-Grade Tank  
Closure Report**

**Lease & Well: Jicarilla C 5M  
API No: 30-039-22315**

In accordance with Rule 19.15.17.13 NMAC, the following information describes the closure of the below-grade tank on the above well. All proper documentation regarding closure activities is being included with the C-144, closure report. This below-grade tank was constructed prior to June 16, 2008, the effective date of this rule.

The surface owner shall be notified of the closure of this below-grade tank.

**Manuel Myore/Bureau of Indian Affairs was notified of the closure of this below-grade tank via U. S. Mail Registered Mail with a Return Receipt Requested on September 22, 2010.**

At least a 72 hour notice will be given to the appropriate division district office, via U. S. Mail or electronic e-mail, prior to the closure of any below-grade tank.

**The Aztec OCD Office was notified on October 7, 2011 via email of the proposed closure operations for this below-grade tank.**

All free standing liquids will be removed prior to any other activity concerning the closure of the below-grade tank. All liquids were disposed of in a division-approved facility in a manner that the appropriate division district office approves.

**All recovered liquids were disposed of at TNT Land Farm/Permit #NM-01-008. This below-grade tank was steam-cleaned with hot water and stored for future use.**

Upon removal of the below-grade tank from its containment area, the surface directly below this tank will be inspected for any visible signs of leakage. If leakage is detected, a grab sample will be taken from that area. Also, a five point composite sample will be taken from where the tank was sitting. All samples will be analyzed for the following:

Components	Test Method	Limits (mg/Kg)
Benzene	EPA SW-846 8021B or 8260B	0.2
BTEX	EPA SW-846 8021B or 8260B	50
TPH	EPA SW-846 418.1	100
Chlorides	EPA 300.1	250 or background, whichever is greater



The results of all sampling shall be reported to the division on Form C-141.

Upon removal of this below-grade tank, there was no visible evidence of any leakage. a five point composite sample was taken from where the tank was sitting. The samples were sent in for analysis and the results reported to the OCD Aztec Office on C-141 on 9/29/11. The results of all testing were within tolerance levels as established by the OCD.

Upon sampling has confirmed no leaks were evidence, the area was back filled and surrounding area restored. These below-grade tanks are on the approved pad sites and no re-seeding was performed.

Photographic evidence of this work was taken and will be submitted with our completed C-144 for the closure of this below-grade tank.