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.

9577

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 Apache Tribal 151 No. 001E
API Number 30-039-23171 OCD Permit Number: 6744
U/L or Qtr/Qtr P Section 10 Township 26N Range 05W County: Rio Arriba
Center of Proposed Design. Latitude 36.50613 Longitude 107 35219 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.

22

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	☐ Yes ☐ 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	☐ Yes ☐ 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	☐ Yes ☐ No ☐ 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	☐ Yes ☐ No ☐ 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	☐ 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 & Mineral Resources, USGS; NM Geological Society; Topographic map	☐ Yes ☐ No
Within a 100-year floodplain. - FEMA map	☐ Yes ☐ 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_2S, 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 indentify 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 & 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 D. Kelly **Approval Date:** 3/6/2012

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:** 5/25/2011

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 36.50613 Longitude 107.35219 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 Assistnat

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
GY AND MINERALS DEPARTMENT

P. O. BOX 2088
SANTA FE, NEW MEXICO 87501

Form C-107
Revised 10-1-78

All distances must be from the outer boundaries of the Section

Operator	Lease	Well No.
AMOCO PRODUCTION COMPANY	JICARILLA APACHE TRIBAL 151	1E

Unit Letter	Section	Township	Range	County
P	10	26N	5W	Rio Arriba

Actual Footage Location of Well:
830 feet from the South line and 1120 feet from the East line

Ground Level Elev.	Producing Formation	Pool	Dedicated Acreage:
6887	DAKOTA	Basin Dakota	S 320 Acres

1. Outline the acreage dedicated to the subject well by colored pencil or hachure marks on the plat below.

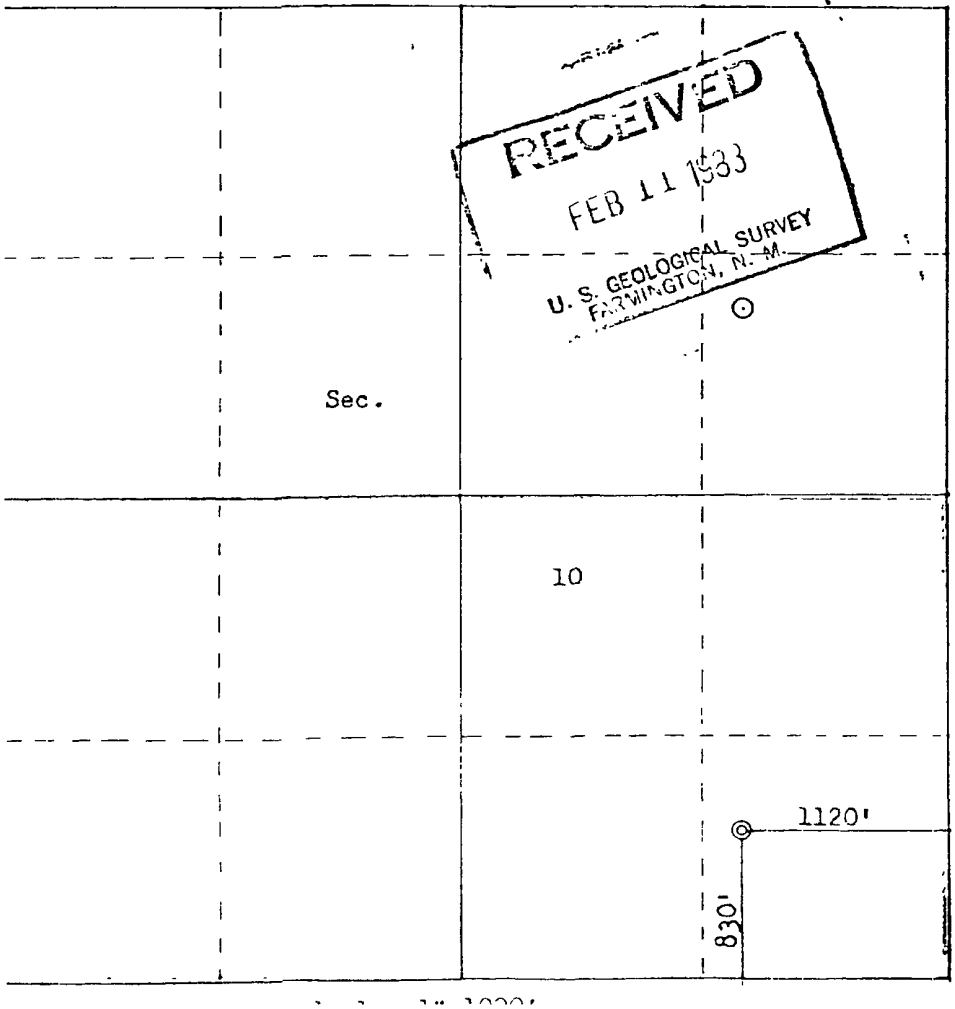
2. If more than one lease is dedicated to the well, outline each and identify the ownership thereof (both as to working interest and royalty).

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.



CERTIFICATION

I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief.

Name: D.H. SHOEMAKER

Position: DISTRICT ENGINEER

Company: AMOCO PRODUCTION COMPANY

Date: JANUARY 17, 1983

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

Date Surveyed: November 15, 1982

Registered Professional Engineer and Land Surveyor

Fred B. Kerr Jr.

Certificate No.

Bienski, Janet

From: Bienski, Janet
Sent: Tuesday, May 24, 2011 8:28 AM
To: Powell, Brandon, EMNRD
Subject: BGT closures Jic Ap Tribal 151 1-E, 2E

I apologize for the late notice. I was out of the office until this morning and just got word. Please let me know if this will be a problem. We would like to close the below- mentioned tanks on Wednesday, May 25th.

Jicarilla Apache Tribal 151-1E (API 30-039-23171), Unit Letter P, Section 10, TS26N. Range 05W
Jicarilla Apache Tribal 151 2E (API 30-039-23324), Unit Letter D, Section 10, TS 26N, Range 05W.

Thank you.

Janet Bienski
Regulatory Assistant
713-495-1571
jbienski@enervest.net

Bienski, Janet

From: Gardner, Wilbert
Sent: Thursday, May 19, 2011 10 56 AM
To: Bienski, Janet
Subject: Pit Closures - 151 #1E and 2E

Janet:

We plan on closing the 151-1E and the 151-2E next Wednesday. Please notify the tribe and state.

Thanks.

Lee Gardner CHMM, CSP
Sr. HSE Specialist
Enervest Operating LLC
2700 Farmington Ave
Bldg K, Suite #1
Farmington NM 87401
Office 505-325-0318 Ext 13
Cell 505-320-7924

ENERVEST

CERTIFIED MAIL W/ RETURN RECEIPT
7009-0080-0000-0442-7373

September 9, 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 APACHE TRIBAL 151 No. 001E – Vent Tank
API 30-039-23171

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.

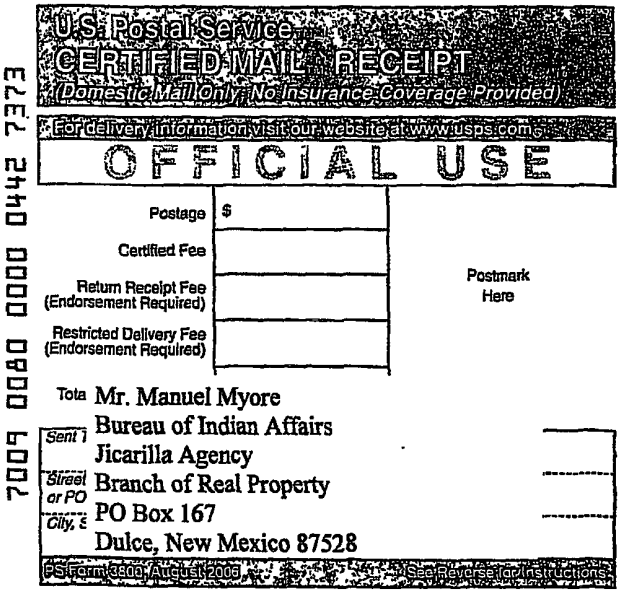
The tank located on this site is a below-grade tank and is no longer necessary. It is our intent to close this tank by November 1, 2010. This timeline is completely dependent upon the availability of equipment, testing requirements, and weather conditions. Enervest will fully comply with NMAC 19.15.17.13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

If you have any questions regarding this process, please feel free to contact the undersigned at 713-495-1571 at any time.

Sincerely,

Janet M Bienski

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



U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com®
OFFICIAL USE
Postage $
Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Postmark Here
Total
Mr. Manuel Myore
Bureau of Indian Affairs
Jicarilla Agency
Branch of Real Property
PO Box 167
Dulce, New Mexico 87528
PS Form 3800, August 2006
See Reverse for Instructions
7009 0080 0000 0442 7373

Jicarilla Apache Tribal 151 #001E
API 30-039-23171

On May 25, 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.

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

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

Form C-141
Revised October 10, 2003

Submit 2 Copies to appropriate District Office in accordance with Rule 116 on back side of form

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 Apache Tribal 151 #1E	Facility Type Gas Well – Below Grade Tank

Surface Owner Jicarilla Indian Nation	Mineral Owner	Lease No. 30-039-23171

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
P	10	26 N	05 W	830	South	1120	East	Rio Arriba

Latitude 36.496376 **Longitude** -107.340847

NATURE OF RELEASE

Type of Release	Volume of Release	Volume Recovered
Source of Release	Date and Hour of Occurrence	Date and Hour of Discovery
Was Immediate Notice Given? ☐ Yes ☐ No ☐ Not Required	If YES, To Whom?	
By Whom?	Date and Hour	
Was a Watercourse Reached? ☐ Yes ☐ No	If YES, Volume Impacting the Watercourse.	

If a Watercourse was Impacted, Describe Fully.*

Describe Cause of Problem and Remedial Action Taken.*

No Release – Closure of Below-Grade Tank - - - Required results of 5-spot soil sample attached

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: Ronnie L Young	OIL CONSERVATION DIVISION
Printed Name: Ronnie L. Young	Approved by District Supervisor:
Title: Regulatory Manager	Approval Date: / Expiration Date:
E-mail Address: ryoung@enervest.net	Conditions of Approval. / Attached ☐
Date: 5.26.11 Phone: 713-495-6530	

* Attach Additional Sheets If Necessary

CARDINAL Laboratories

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

Analytical Results For:

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

Received:	11/19/2010	Sampling Date:	11/18/2010
Reported:	11/24/2010	Sampling Type:	Soil
Project Name:	151 - 1E	Sampling Condition:	Cool & Intact
Project Number:	NONE GIVEN	Sample Received By:	Jodi Henson
Project Location:	NONE GIVEN		

Sample ID: 151 - 1E (H021343-01)

BTEX 8260B mg/kg — **Analyzed By: CMS**

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.100	0.100	11/23/2010	ND	2.23	112	2.00	1.45	
Toluene*	<0.100	0.100	11/23/2010	ND	2.40	120	2.00	1.45	
Ethylbenzene*	<0.100	0.100	11/23/2010	ND	2.45	123	2.00	5.00	
Total Xylenes*	<0.300	0.300	11/23/2010	ND	7.73	129	6.00	4.55	

BTEX 8260B ug/kg — **Analyzed By: CMS**

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Surrogate: Dibromofluoromethane	*96.6 %*	*80-120*							
Surrogate. Toluene-d8	*89 6 %*	*80-120*							
Surrogate. 4-Bromofluorobenzene	*95.8 %*	*80-120*							

Chloride, SM4500Cl-B mg/kg — **Analyzed By: HM**

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	**32.0**	16.0	11/21/2010	ND	416	104	400	0.00	

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	11/21/2010	ND	194	96.8	200	13.6	
DRO >C10-C28	**153**	10.0	11/21/2010	ND	225	113	200	17.3	

Surrogate 1-Chlorooctane	*96.8 %*	*70-130*
Surrogate. 1-Chlorooctadecane	*98.7 %*	*70-130*

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*=Accredited Analyte

Celey D. Keene

Celey D. Keene, Lab Director/Quality Manager

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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

Cardinal Laboratories

*=Accredited Analyte

Celey D. Keene

Celey D. Keene, Lab Director/Quality Manager

CHAIN OF CUSTODY RECORD

Client: ENSEARCH

Contact: LEE SANDELL

Address: 3720 FARMINGTON BLDG #1 FARMINGTON NM 87401

Phone Number: 505-320-1724

FAX Number.

NOTES:

1) Ensure proper container packaging.

2) Ship samples promptly following collection.

3) Designate Sample Reject Disposition

PO#

Project Name: 151-1E

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

Lab Name: Green Analytical Laboratories (970) 247-4220 FAX (970) 247-4227

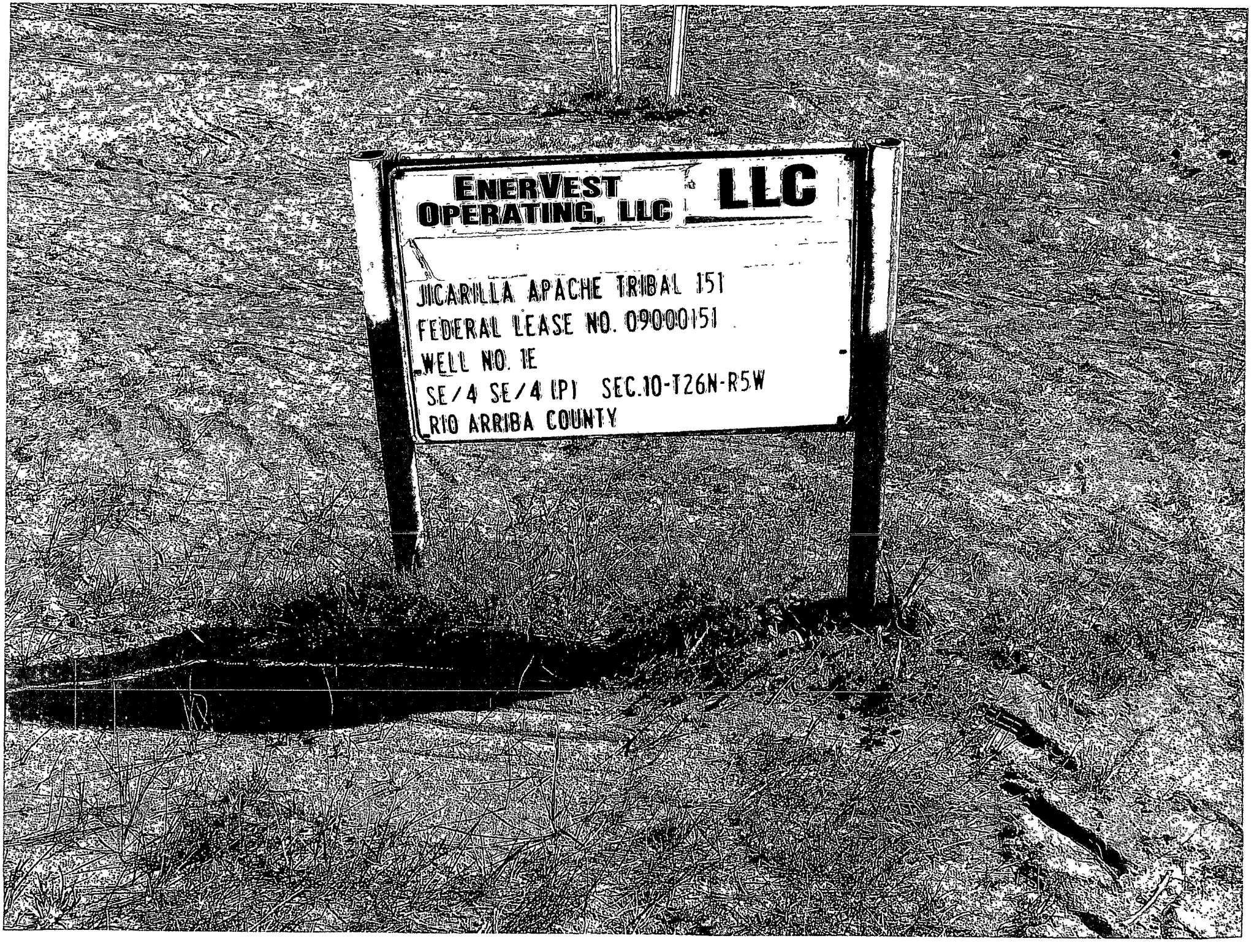
Address: 75 Suttle Street, Durango, CO 81303

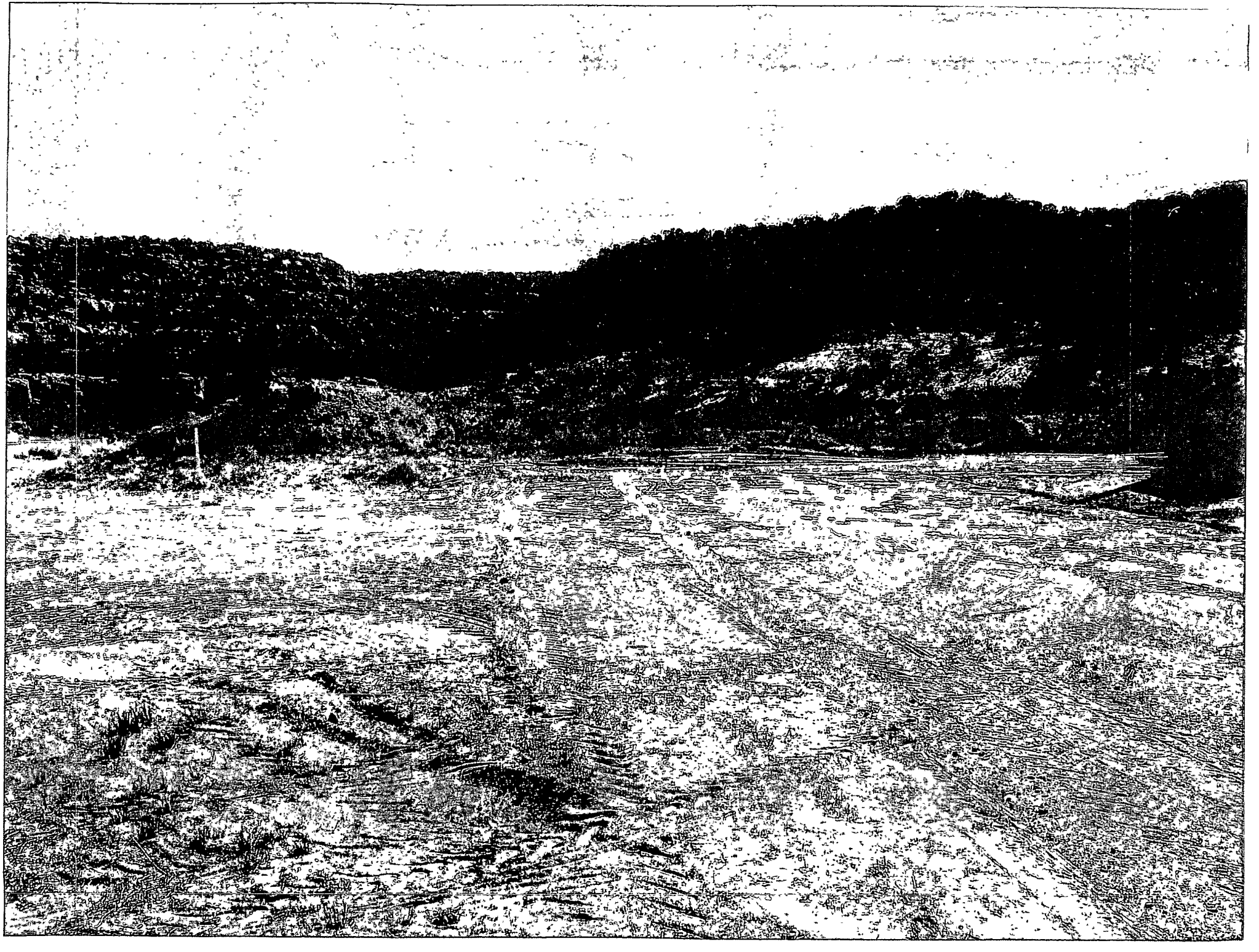
Sample ID	Collection: Date	Collection: Time	Misc: Collected by: (Init.)	Misc: Matrix Type From Table 1	Misc: No. of Containers	Misc: Sample Filtered ? Y/N	Preservative(s): Unpreserved (Ice Only)	Preservative(s): HNO3	Preservative(s): HCL	Preservative(s): H2SO4	Preservative(s): NAOH	Preservative(s): Other (Specify)	Analyses Required: BTEX	Analyses Required: CHLORIDES	Analyses Required: TDH	Comments
H21343																
1. 151-1E	11/8/10	12:13	CC	3	1	N	X									
2																
3.																
4.																
5.																
6.																
7.																
8.																
9.																
10.																

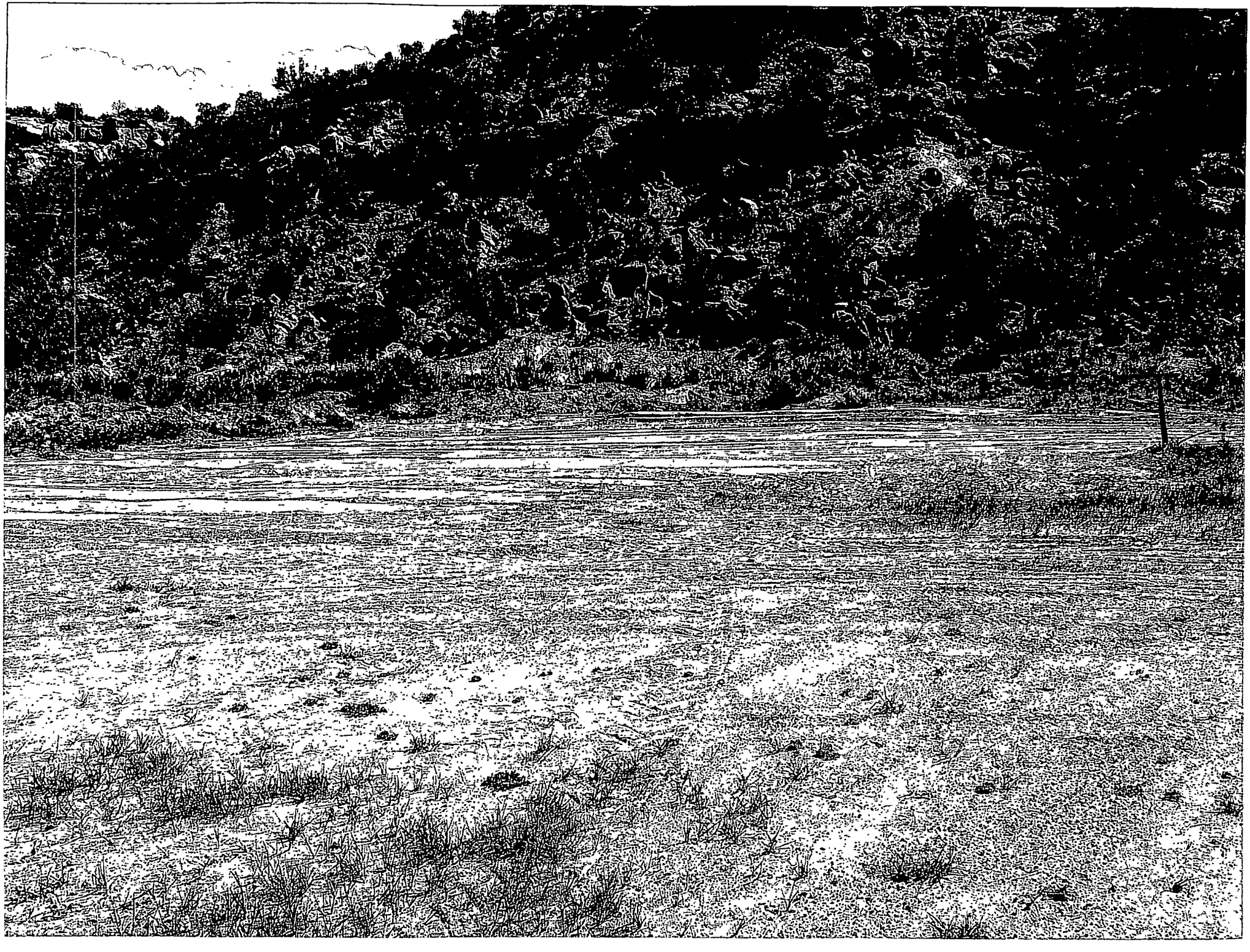
Relinquished by:	Date: 11.8.10	Time: 15:15	Received by:	Date: 11/8/10	Time: 1515
Relinquished by:	Date	Time:	Received by: Gal Benson	Date: 11/9/10	Time: 9:30

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

60C #26


ENERVEST
OPERATING, LLC
LLC
JICARILLA APACHE TRIBAL 151
FEDERAL LEASE NO. 09000151
WELL NO. 1E
SE/4 SE/4 (P) SEC.10-T26N-R5W
RIO ARRIBA COUNTY





RCVD MAR 5 '12
OIL CONS. DIV.
DIST. 3

EnerVest Operating, LLC

Below-Grade Tank
Closure Report

Lease & Well: Jicarilla Apache Tribal 151 1E
API No: 30-039-23171

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 9, 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 May 24, 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 and sold for private 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)	Sample Results
Benzene	EPA SW-846 8021B or 8260B	0.2	.100
BTEX	EPA SW-846 8021B or 8260B	50	.300
TPH	EPA SW-846 418.1	100	153
Chlorides	EPA 300.1	250 or background, whichever is greater	32

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 6/6/11. 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.

CARDINAL Laboratories

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

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ENERVEST
LEE GARDNER
2700 FARMINGTON BLD K SUITE #1
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