

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

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.

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

7044  
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: **CIMAREX ENERGY CO.** OGRID #: **215099**

Address: **1700 LINCOLN ST., SUITE 1800, DENVER, CO 80203-4518**

Facility or well name: **BOARDWALK 11 #1**

API Number: **30-045-35008** OCD Permit Number: \_\_\_\_\_

U/L or Qtr/Qtr **H** Section **11** Township **21 N** Range **9 W** County: **San Juan**

Center of Proposed Design: Latitude **36.06950° N** Longitude **107.75182° W** NAD: ☐ 1927 ☒ 1983

Surface Owner: ☐ Federal ☐ State ☐ Private ☒ Navajo Tribal Fee, 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 **20** mil ☒ LLDPE ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_

☒ String-Reinforced

Liner Seams: ☒ Welded ☒ Factory ☐ Other \_\_\_\_\_ Volume: bbl **11,498** Dimensions: L **120'** x W **65'** x D **10'**

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: \_\_\_\_\_ bbl Type of fluid: \_\_\_\_\_

Tank Construction material: \_\_\_\_\_

☐ Secondary containment with leak detection ☐ Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off

☐ Visible sidewalls and liner ☐ Visible sidewalls only ☐ Other \_\_\_\_\_

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 \_\_\_\_\_

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.<br>- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA |
| Ground water is between 50 and 100 feet below the bottom of the buried waste<br>- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><input type="checkbox"/> NA |
| Ground water is more than 100 feet below the bottom of the buried waste.<br>- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> 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).<br>- Topographic map; Visual inspection (certification) of the proposed site  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |
| Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.<br>- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.<br>- NM Office of the State Engineer - iWATERS database; Visual inspection (certification) of the proposed site | <input type="checkbox"/> Yes <input checked="" 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.<br>- Written confirmation or verification from the municipality; Written approval obtained from the municipality   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |
| Within 500 feet of a wetland.<br>- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |
| Within the area overlying a subsurface mine.<br>- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |
| Within an unstable area.<br>- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                |
| Within a 100-year floodplain.<br>- FEMA map   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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): **BRIAN WOOD** Title: **CONSULTANT**

Signature: \_\_\_\_\_ Date: **8-22-10**

e-mail address: **brian@permitswest.com** Telephone: **(505) 466-8120**

20.

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

OCD Representative Signature: \_\_\_\_\_ Approval Date: **2/4/11**

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: **JULY 12, 2010 (pit marker installed)**

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 identify 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 \_\_\_\_\_ Longitude \_\_\_\_\_ 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): **BRIAN WOOD** Title: **CONSULTANT**

Signature: \_\_\_\_\_ Date: **AUGUST 22, 2010**

e-mail address: **brian@permitswest.com** Telephone: **(505) 466-8120**

1. All free standing liquids were removed before the start of the pit closure by Noble Trucking. Noble hauled 160 barrels on March 31 and 130 barrels on April 1 to the Agua Moss, LLC Pretty Lady salt water disposal well (API 30-045-30922; SWD-1034) in 34-30n-11w. Noble hauled 130 barrels on April 1, 80 barrels on April 2, and 20 barrels on April 8 to Basin Disposal (NM-01-005). The latter disposal site was used when the water became too muddy for the disposal well. A total of 520 barrels of water was removed. EXHIBIT A shows the pit on April 13, 2010 after the completion of water removal.
2. On site burial was proposed in the C-144 application dated July 18, 2009 and approved by the OCD Aztec on August 13, 2009.
3. Surface owner is the Navajo Nation. Surface is tribal fee, not trust (Book 1140, Page 817). It is part of a 13,947.2 acre Tribal ranch. Navajo Nation Project Review Office was notified via e-mail on July 18, 2009 of the proposed on site closure via burial. The Navajo Nation approved on site burial as part of its APD approval on August 24, 2009. (Item 7. on PAGE 6 of the APD describes on site burial.) Same office was sent a registered letter on June 17, 2010 with the same information. EXHIBIT B contains these documents.
4. Rig moved off September 23, 2009. A request for a 3 month extension due to weather was e-mailed to OCD Aztec office on March 16, 2009. The request was verbally approved by Brandon Powell on March 23, 2010. Brandon asked that a C-144 modification request be filed and free standing water be removed. The C-144 was FedExed to OCD Aztec on March 24, 2010. Standing water was removed between March 31 and April 8, 2010. Brandon was notified via e-mail on April 12, 2010 that water hauling was completed. OCD Aztec approved the C-144 modification request on June 14, 2010.
5. Notice of closure was given to Brandon by Aztec Excavation Co. at 12:20 pm on June 7, 2010. Aztec Excavation Co. began mixing mud with subsoil that same day. Due to hydraulic breakdowns with a tracked excavator, mixing was not completed until June 15. See EXHIBIT C for a picture of the mixing.

6. Solidification was achieved with 9 months of drying, hauling 520 barrels of free standing water, and mixing subsoil with pit contents at a ratio of  $\leq 3:1$ .

7. Liner material above the mud line was cut, removed, and hauled by Aztec Excavation to the San Juan County landfill on June 9, 2010. A copy of the landfill receipt is attached as EXHIBIT D.

8. A five spot composite sample was taken twice - on October 23, 2009 and on June 15, 2010. The analyses are attached as EXHIBIT E. Results (in mg/Kg) are below:

<u>Parameter</u>	<u>OCD Limit</u>	<u>Oct. 23. 2009</u>	<u>June 15, 2010</u>
Diesel Range Organics (DRO)	500	77.2	18
Gasoline Range Organics (GRO)	500	101	93.7
Benzene	0.2	ND	ND
BTEX	50	ND	ND
Chlorides	500	210	69
Total Petroleum Hydrocarbons (TPH)	2,500	36	ND

9. After solidification and testing, the pit was back filled with subsoil, compacted, and covered with one foot of topsoil. A minimum of four feet of cover was achieved. This phase was completed June 16, 2010. A bulldozer was walked across the pit to verify its solidity.

10. The well site was shaped to have a natural appearance.

11. Seeding was completed on June 18, 2010. The seed mix included 4 types of grass (sand dropseed, western wheatgrass, galleta, and Indian ricegrass), 2 types of shrubs (shadscale and four wing saltbush), and 1 forb (penstemon). The seed was drilled. EXHIBIT F includes the Form C-103, pictures of the drill furrows, and the seed mix analysis.

Cimarex Energy Co.  
Boardwalk 11 #1 pit closure report  
1663' FNL & 357' FEL 11-21n-9w  
San Juan County, NM

PAGE 3

API 30-045-35008

12. A second Form C-103 will be filed after there are 2 successive growing seasons meeting the OCD standards ( $\geq 70\%$  of the adjacent unimpacted native perennial vegetative cover including  $\geq 3$  native plant species (at least 1 of which must be a grass), but excluding noxious weeds).

13. The center of the temporary pit is marked with a  $\approx 4"$  O. D.  $\approx 4'$  high unpainted steel pipe. (The well bore has a yellow painted steel pipe marker.) The pit marker is set in a  $\approx 3'$  deep hole. The pit marker is engraved with: Cimarex Energy Co., Boardwalk 11 #1, H-11-21n-9w, on site burial. A photograph of the marker is EXHIBIT G.

14. A copy of the deed notice which was recorded in Book 1513 and Page 1045 is attached as EXHIBIT H.

15. A Form C-105 is attached as EXHIBIT I. The form includes a C-102 and plan view plat showing the pit location.

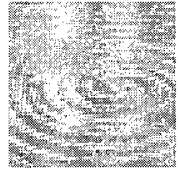


April 13, 2010  
looking West  
along South side of pit  
toward soil pile  
after water haul



EXHIBIT A

**From:** brian wood <brian@permitswest.com>  
**Subject:** **Cimarex Boardwalk 11 #1 pit closure notice**  
**Date:** July 18, 2009 4:18:02 PM MDT  
**To:** howarddraper@frontiernet.net



As required by NMOCD pit rule Subsection F of 19.15.17.13 NMAC, I am notifying the Navajo Nation that Cimarex will close its temporary (reserve) pit (after it is built and used) using on site closure (burial) in the same pit.

The well is staked at 1663 FNL & 357 FEL 11-21n-9w, San Juan County, NM.

The SAS package was delivered to your office on April 9, 2009.

Please call me if you have any questions.

Brian Wood  
Permits West, Inc.  
37 Verano Loop, Santa Fe, NM 87508  
Phone: 505 466-8120  
FAX: 505 466-9682

**EXHIBIT B**



# The Navajo Nation

DR. JOE SHIRLEY, JR.  
President

BEN SHELLY  
Vice President

August 24, 2009

Cimarex Energy Company  
1700 Lincoln Street, Suite 1800  
Denver, Colorado 80203

RE: Application for Permit to Drill for Cimarex Energy Company on Navajo Nation Fee Lands.

Dear Sir or Madam:

Pursuant to resolution RCS-121-06, approved by the Resources Committee of the Navajo Nation Council, the Navajo Land Department hereby approves an Application for Permit to Drill (APD) to drill, construct, operate and maintain the "Boardwalk 11 #1" well and construct ancillary facilities submitted by Cimarex Energy Company on Lease No. 215099 across Navajo Nation Fee Lands, San Juan County, Navajo Nation (New Mexico), attached hereto as Exhibits "A through D".

The Navajo Nation hereby approves the APD to Cimarex Energy Company, subject to, but not limited to, the terms and condition contained in Exhibit "D". Please be advised that the Navajo Nation's approval of this APD on split estate land is also conditioned upon the operator to properly plug and abandoned all oil, gas, injection, disposal, and dry hole wells and that their associated ancillary equipment and facilities are removed from the affected Navajo Nation land and that the land will be properly reclaimed when exploration and/or production ceases. If you have questions call (928) 871-6447 or 6695.

Sincerely,

THE NAVAJO NATION

W. Mike Halona, Program Director  
Navajo Land Department, DNR

ENCLOSURES

CC: Akhtar Zaman, Director, Minerals Department  
Permits West, Inc.

EXHIBIT B

Cimarex Energy Co.  
Boardwalk 11 #1  
1663' FNL & 357' FEL  
Sec. 11, T. 21 N., R. 9 W.  
San Juan County, New Mexico

PAGE 6

flat juniper green color.

#### 5. WATER SUPPLY

Water will be trucked from an existing water well off the Reservation.

#### 6. CONSTRUCTION MATERIALS & METHODS

The top 12" of soil and brush will be stripped and stored south of the pad. Subsoil will be stored south of the reserve pit and north of the topsoil pile. A minimum 20 mil LLDPE liner will be installed in the reserve pit. A diversion ditch will be cut on the north side of the pad.

Rock needed for surfacing will be bought and hauled from private land.

#### 7. WASTE DISPOSAL

The reserve pit will be fenced sheep tight 48" high on 3 sides with woven wire fence topped with barbed wire. The 4th side will be fenced once the rig moves off. The fence will be kept in good repair while the pit dries. Once dry, contents of the reserve pit will be buried in place with  $\geq 48"$  of cover.

All trash will be placed in a portable trash cage. It will be hauled to a county landfill. Human waste will be disposed of in chemical toilets. Toilet contents will be hauled to an approved dump station off the reservation.

#### 8. ANCILLARY FACILITIES

There will be no air strip or camp. Camper trailers will be on location for the

EXHIBIT B

# PERMITS WEST, INC.

PROVIDING PERMITS for LAND USERS

37Verano Loop, Santa Fe, New Mexico 87508

(505) 466-8120

June 16, 2010

Howard Draper  
Navajo Nation Project Review Office  
P. O. Box 2249  
Window Rock, AZ 86515

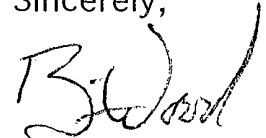
Dear Howard,

As required by NM Oil Conservation Division Rule 19.15.17.13 J. (1) I am notifying you that Cimarex Energy Co. will close its Boardwalk 11 #1 temporary pit (aka, reserve pit) by burial at the well site. Once burial is completed, then the well site and road will be reclaimed.

This SAS application number DNR-12453 was approved by the Navajo Nation on August 24, 2009.

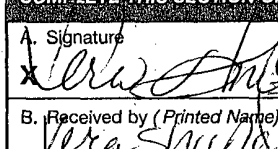
Please call me if you have any questions.

Sincerely,



Brian Wood

EXHIBIT B

<b>U.S. Postal Service<sup>TM</sup></b> <b>CERTIFIED MAIL<sup>TM</sup> RECEIPT</b> (Domestic Mail Only; No Insurance Coverage Provided) For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>		<b>OFFICIAL USE</b>	
Postage	\$ 44	Return Receipt Fee (Endorsement Required)	\$ 2.80
Certified Fee	\$ 2.80	Restricted Delivery Fee (Endorsement Required)	\$ 2.80
Total Postage & Fees	\$ 5.54		
Sent To		Street, Apt. No., or PO Box No.	
City, State, ZIP+4		City, State, ZIP+4	
<b>SENDER: COMPLETE THIS SECTION</b>			
<input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.			
1. Article Addressed to:			
Howard Draper Navajo Nation Project Review Office P. O. Box 2249 Window Rock, AZ 86515			
Cimarex - Boardwalk 11 #1			
2. Article Number (Transfer from service label)			
7006 0100 0001 7769 2772			
<b>COMPLETE THIS SECTION ON DELIVERY</b>			
A. Signature 			
B. Received by (Printed Name) Vera Shultz			
C. Date of Delivery JUN 17 2010			
D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:			
3. Service Type			
<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.			
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

June 10, 2010  
looking East  
at pit mixing

well bore marker

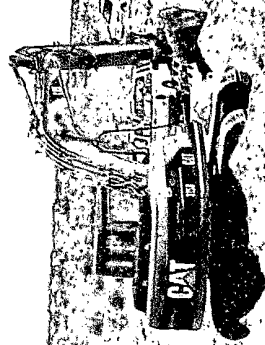


EXHIBIT C



WM of NM - San Juan County  
78 County Road 3140  
Aztec, NM, 87410  
Ph: (505) 334-1121

Original  
Ticket# 1281519

Customer Name AZTECEXCAVATION AZTEC EXCAVAT Carrier AZTEXC AZTEC EXCAVATION  
Ticket Date 06/09/2010 Vehicle# 122 Volume  
Payment Type Credit Account Container  
Manual Ticket# Driver  
Billing Ticket# Check#  
Waste Code Billing # 0000150  
Manifest Gen EPA ID  
Destination Grid

Operator  
Generator

Time	Scale	Operator	Inbound	Gross	14340 lb
06/09/2010 12:14:31	Inbound 301	nbaca		Tare	13000 lb
06/09/2010 12:26:28	Outbound 302	vickyq		Net	1340 lb
				Tons	0.67

Comments

Product	LDX	Qty	UOM	Rate	Tax	Amount	Origin
MLY-MSW-Loose- Yds	100	6.00	Yards	4.21	1.56	\$25.26	SANJ

Monroe & Pisters  
Aztec Excavation Co  
#122  
Cimatex Energy  
Boardwalk 11#1

\$ 29.50

Total Tax \$1.56  
Total Ticket \$26.82

Operator's Signature

EXHIBIT D

**Hall Environmental Analysis Laboratory, Inc.**

Date: 03-Nov-09

**CLIENT:** Cimarex Energy  
**Lab Order:** 0910460  
**Project:** Boardwalk 11 #1  
**Lab ID:** 0910460-01

**Client Sample ID:** Mud  
**Collection Date:** 10/23/2009 12:15:00 PM  
**Date Received:** 10/23/2009  
**Matrix:** SOIL

Analyses	Result	PQL	Qual	Units	DF	Date Analyzed
<b>EPA METHOD 8015B: DIESEL RANGE ORGANICS</b>						Analyst: SCC
Diesel Range Organics (DRO)	44	10		mg/Kg	1	10/31/2009 9:04:46 PM
Motor Oil Range Organics (MRO)	ND	50		mg/Kg	1	10/31/2009 9:04:46 PM
Surr: DNOP	77.2	61.7-135		%REC	1	10/31/2009 9:04:46 PM
<b>EPA METHOD 8015B: GASOLINE RANGE</b>						Analyst: NSB
Gasoline Range Organics (GRO)	ND	5.0		mg/Kg	1	10/29/2009 2:11:15 AM
Surr: BFB	101	65.9-118		%REC	1	10/29/2009 2:11:15 AM
<b>EPA METHOD 8021B: VOLATILES</b>						Analyst: NSB
Methyl tert-butyl ether (MTBE)	ND	0.10		mg/Kg	1	10/29/2009 2:11:15 AM
Benzene	ND	0.050		mg/Kg	1	10/29/2009 2:11:15 AM
Toluene	ND	0.050		mg/Kg	1	10/29/2009 2:11:15 AM
Ethylbenzene	ND	0.050		mg/Kg	1	10/29/2009 2:11:15 AM
Xylenes, Total	ND	0.10		mg/Kg	1	10/29/2009 2:11:15 AM
Surr: 4-Bromofluorobenzene	102	64.7-120		%REC	1	10/29/2009 2:11:15 AM
<b>EPA METHOD 300.0: ANIONS</b>						Analyst: TAF
Chloride	210	3.0		mg/Kg	10	11/1/2009 12:32:15 PM
<b>EPA METHOD 418.1: TPH</b>						Analyst: JB
Petroleum Hydrocarbons, TR	36	20		mg/Kg	1	11/2/2009

**EXHIBIT E**

<b>Qualifiers:</b>	*	Value exceeds Maximum Contaminant Level	B	Analyte detected in the associated Method Blank
	E	Estimated value	H	Holding times for preparation or analysis exceeded
	J	Analyte detected below quantitation limits	MCL	Maximum Contaminant Level
	ND	Not Detected at the Reporting Limit	RL	Reporting Limit
	S	Spike recovery outside accepted recovery limits		



**Hall Environmental Analysis Laboratory, Inc.**

Date: 09-Jul-10

**CLIENT:** Cimarex Energy  
**Lab Order:** 1006635  
**Project:** Cimarex-Boardwalk  
**Lab ID:** 1006635-01

**Client Sample ID:** Boardwalk 11 #1  
**Collection Date:** 6/15/2010 1:05:00 PM  
**Date Received:** 6/17/2010  
**Matrix:** SOIL

Analyses	Result	PQL	Qual	Units	DF	Date Analyzed
<b>EPA METHOD 8015B: DIESEL RANGE ORGANICS</b>						Analyst: <b>JB</b>
Diesel Range Organics (DRO)	18	10		mg/Kg	1	6/23/2010 9:08:23 PM
Motor Oil Range Organics (MRO)	ND	50		mg/Kg	1	6/23/2010 9:08:23 PM
Surr: DNOP	87.4	61.7-135		%REC	1	6/23/2010 9:08:23 PM
<b>EPA METHOD 8015B: GASOLINE RANGE</b>						Analyst: <b>NSB</b>
Gasoline Range Organics (GRO)	ND	5.0		mg/Kg	1	6/25/2010 11:50:50 AM
Surr: BFB	93.7	65.9-118		%REC	1	6/25/2010 11:50:50 AM
<b>EPA METHOD 8021B: VOLATILES</b>						Analyst: <b>NSB</b>
Methyl tert-butyl ether (MTBE)	ND	0.10		mg/Kg	1	6/25/2010 11:50:50 AM
Benzene	ND	0.050		mg/Kg	1	6/25/2010 11:50:50 AM
Toluene	ND	0.050		mg/Kg	1	6/25/2010 11:50:50 AM
Ethylbenzene	ND	0.050		mg/Kg	1	6/25/2010 11:50:50 AM
Xylenes, Total	ND	0.10		mg/Kg	1	6/25/2010 11:50:50 AM
Surr: 4-Bromofluorobenzene	112	64.7-120		%REC	1	6/25/2010 11:50:50 AM
<b>EPA METHOD 300.0: ANIONS</b>						Analyst: <b>LJB</b>
Chloride	69	7.5		mg/Kg	5	6/28/2010 2:07:10 AM
<b>EPA METHOD 418.1: TPH</b>						Analyst: <b>JB</b>
Petroleum Hydrocarbons, TR	ND	20		mg/Kg	1	6/22/2010

**EXHIBIT E****Qualifiers:**

\* Value exceeds Maximum Contaminant Level  
E Estimated value  
J Analyte detected below quantitation limits  
NC Non-Chlorinated  
PQL Practical Quantitation Limit

B Analyte detected in the associated Method Blank  
H Holding times for preparation or analysis exceeded  
MCL Maximum Contaminant Level  
ND Not Detected at the Reporting Limit  
S Spike recovery outside accepted recovery limits

Submit 1 Copy To Appropriate District  
Office  
District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
1301 W. Grand Ave., Artesia, NM 88210  
District III  
1000 Rio Brazos Rd., Aztec, NM 87410  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM  
87505

State of New Mexico  
Energy, Minerals and Natural Resources

Form C-103  
October 13, 2009

OIL CONSERVATION DIVISION  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

WELL API NO. 30-045-35008
5. Indicate Type of Lease STATE <input type="checkbox"/> FEE <input checked="" type="checkbox"/>
6. State Oil & Gas Lease No.
7. Lease Name or Unit Agreement Name BOARDWALK 11
8. Well Number #1
9. OGRID Number 215099
10. Pool name or Wildcat WC21N09W11; ENTRADA OIL
11. Elevation (Show whether DR, RKB, RT, GR, etc.) 6,514' GL

SUNDRY NOTICES AND REPORTS ON WELLS  
(DO NOT USE THIS FORM FOR PROPOSALS TO DRILL OR TO DEEPEN OR PLUG BACK TO A  
DIFFERENT RESERVOIR. USE "APPLICATION FOR PERMIT" (FORM C-101) FOR SUCH  
PROPOSALS.)

1. Type of Well: Oil Well ☒ Gas Well ☐ Other

2. Name of Operator  
CIMAREX ENERGY CO.

3. Address of Operator  
1700 LINCOLN ST., SUITE 1800, DENVER, CO 80203-4518

4. Well Location  
Unit Letter: H 1663 feet from the SOUTH line and 357 feet from the EAST line  
Section 11 Township 21 N. Range 9 W. NMPM SAN JUAN County

12. Check Appropriate Box to Indicate Nature of Notice, Report or Other Data

NOTICE OF INTENTION TO:

PERFORM REMEDIAL WORK ☐ PLUG AND ABANDON ☐  
TEMPORARILY ABANDON ☐ CHANGE PLANS ☐  
PULL OR ALTER CASING ☐ MULTIPLE COMPL ☐  
DOWNHOLE COMMINGLE ☐

OTHER: ☐

SUBSEQUENT REPORT OF:

REMEDIAL WORK ☐ ALTERING CASING ☐  
COMMENCE DRILLING OPNS. ☐ P AND A ☐  
CASING/CEMENT JOB ☐

OTHER: ☒

13. Describe proposed or completed operations. (Clearly state all pertinent details, and give pertinent dates, including estimated date of starting any proposed work). SEE RULE 19.15.7.14 NMAC. For Multiple Completions: Attach wellbore diagram of proposed completion or recompletion.

Pit, pad, and road seeding and reclamation for this P&A well completed on June 18, 2010.  
Marker installed in pit on July 12, 2010.

EXHIBIT F

Spud Date:

9-9-09

Rig Release Date:

9-25-09

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

SIGNATURE Brian Wood TITLE CONSULTANT

DATE AUGUST 23, 2010

Type or print name BRIAN WOOD  
For State Use Only

E-mail address: brian@permitswest.com

PHONE: (505) 466-8120

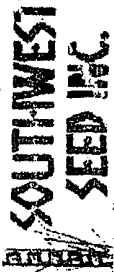
APPROVED BY: \_\_\_\_\_ TITLE \_\_\_\_\_ DATE \_\_\_\_\_

Conditions of Approval (if any):

June 21, 2010  
seed drill rows  
looking East along  
South side of pit



EXHIBIT F



13260 County Road 29  
Dolores, CO 81323  
Phone: (970) 565-8722

# Custom Bulk Seed Mixture Analysis

6/15/2010

LOT NO: 2010.0328

VARIETY: CIMAREX BOARDWALK 11 #1

SPECIES: MIXTURE: AZTEC EXCAVATION

Lot NO	Species	Variety	CL	OR	PURE	INERT	CROP	WEED	Rstr	Nox	Live	PLS	Test Date	Bulk LBS	PLS LBS	Pure %
2005.0002	GRASS W: DROPSEED-SAND	VNS	SI	CO	98.37	0.33	0.22	1.08	NF	NF	94	92.47	5/21/2010	4.87	4.50	7.75
2007.0861	SHRUB: SHADSCALE	ATRIplex CONFERTIFOLIA	UT	CO	95.09	4.77	0.13	0.01	NF	NF	30	28.53	4/12/2010	15.77	4.50	24.29
2008.0449	WHEATGR: WESTERN	ARRIBA	CO	CO	97.83	2.17	0.00	0.00	NF	NF	94	91.86	3/2/2010	9.79	9.00	15.50
2008.0520	FORB: PENSTEMON RKY MTN BANDERA		C	CO	96.15	3.80	0.04	0.01	NF	NF	96	92.30	2/10/2010	1.63	1.50	2.53
2008.0883	GRASS W: GALLETA	VIVA	TX	CO	76.39	23.34	0.09	0.18	NF	NF	93	71.04	11/23/2009	6.33	4.50	7.83
2008.0903	GRASS W: ALKALI SACATON	VNS	CO	CO	90.99	1.39	7.53	0.09	NF	NF	89	80.98	3/31/2010	5.56	4.50	8.19
2008.0944	SHRUB: SALT BUSH-FOURWIN NM NATIVE		NM	WA	96.81	3.19	0.00	0.00	NF	NF	56	54.21	7/29/2009	11.07	6.00	17.35
2009.1003	INDIAN RICEGRASS:	RIMROCK	C	WA	97.71	2.22	0.00	0.07	NF	NF	91	88.92	11/30/2009	6.75	6.00	10.68
Pure:	94.12% Inert	5.02% Crop	0.74% Weed	0.12% Total	100%											
Grand Total														61.76	40.50	

REMARK: TWO BAGS EACH CONTAINING 25.56 BLK LBS GRASS SEED TO COVER 1.5 ACRES. ONE ADDITIONAL BAG CONTAINING TINY SEED AT 10.43 BLK LBS (9 PLS LBS) TO BE ADDED TO BOTH THE BAGS FOR FULL SEEDING.

Noxious Weeds -seeds/lb:

Noxious Weeds -seeds/lb:

REMARK: TWO BAGS EACH CONTAINING 25.56 BLK LBS GRASS SEED TO COVER 1.5 ACRES. ONE ADDITIONAL BAG CONTAINING TINY SEED AT 10.43 BLK LBS (9 PLS LBS) TO BE ADDED TO BOTH THE BAGS FOR FULL SEEDING.

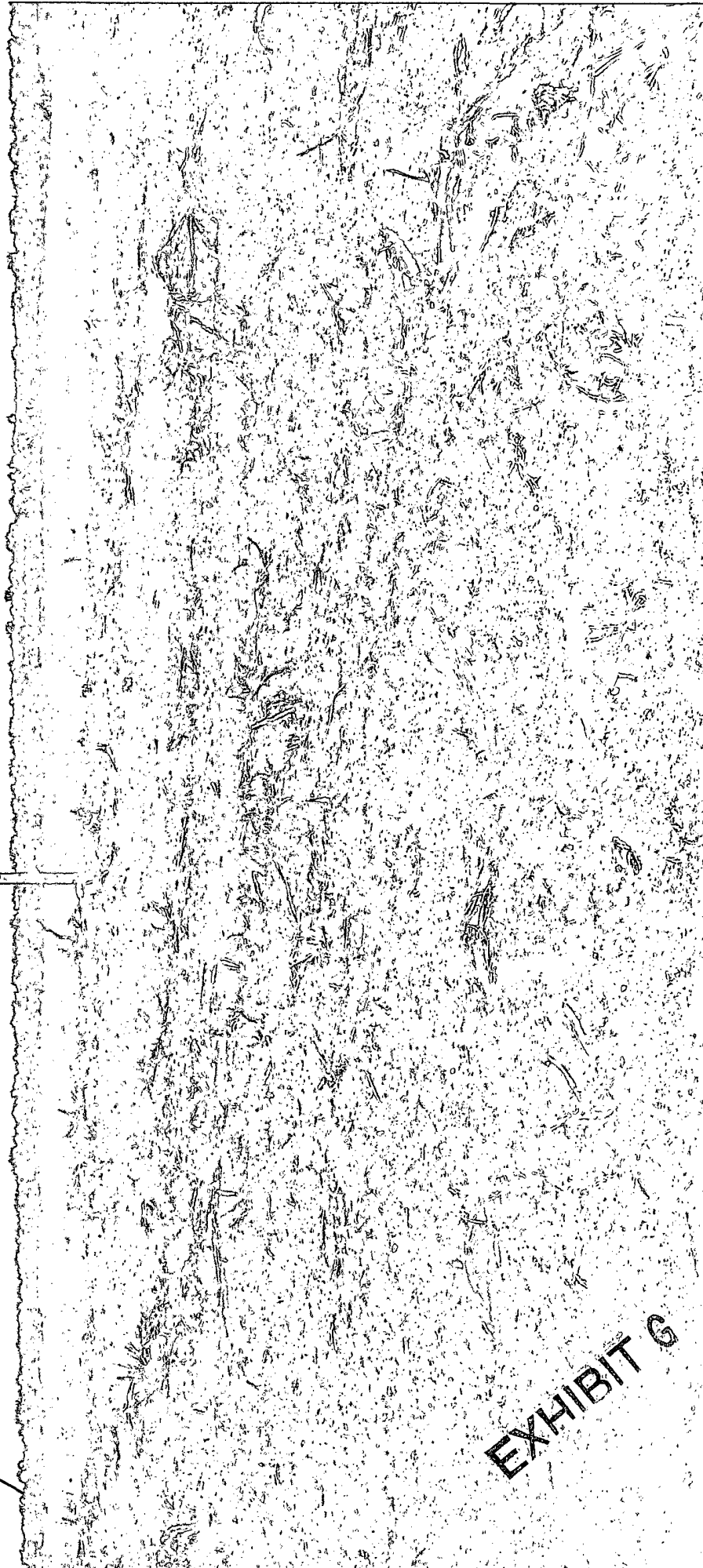
Lot NO	Species	Variety	CL	OR	PURE	INERT	CROP	WEED	Rstr	Nox	Live	PLS	Test Date	Bulk LBS	PLS LBS	Pure %
2005.0002	GRASS W: DROPSEED-SAND	VNS	SI	CO	98.37	0.33	0.22	1.08	NF	NF	94	92.47	5/21/2010	4.87	4.50	7.75
2007.0861	SHRUB: SHADSCALE	ATRIplex CONFERTIFOLIA	UT	CO	95.09	4.77	0.13	0.01	NF	NF	30	28.53	4/12/2010	15.77	4.50	24.29
2008.0449	WHEATGR: WESTERN	ARRIBA	CO	CO	97.83	2.17	0.00	0.00	NF	NF	94	91.86	3/2/2010	9.79	9.00	15.50
2008.0520	FORB: PENSTEMON RKY MTN BANDERA		C	CO	96.15	3.80	0.04	0.01	NF	NF	96	92.30	2/10/2010	1.63	1.50	2.53
2008.0883	GRASS W: GALLETA	VIVA	TX	CO	76.39	23.34	0.09	0.18	NF	NF	93	71.04	11/23/2009	6.33	4.50	7.83
2008.0903	GRASS W: ALKALI SACATON	VNS	CO	CO	90.99	1.39	7.53	0.09	NF	NF	89	80.98	3/31/2010	5.56	4.50	8.19
2008.0944	SHRUB: SALT BUSH-FOURWIN NM NATIVE		NM	WA	96.81	3.19	0.00	0.00	NF	NF	56	54.21	7/29/2009	11.07	6.00	17.35
2009.1003	INDIAN RICEGRASS:	RIMROCK	C	WA	97.71	2.22	0.00	0.07	NF	NF	91	88.92	11/30/2009	6.75	6.00	10.68
Pure:	94.12% Inert	5.02% Crop	0.74% Weed	0.12% Total	100%											
Grand Total														61.76	40.50	

EXHIBIT F

pit marker

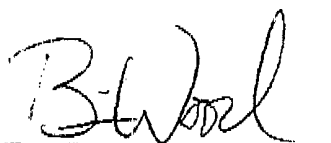
well bore marker

EXHIBIT G



## DEED NOTICE

Cimarex Energy Co. has closed its Boardwalk 11 #1 temporary pit using on site burial. The pit is located on Navajo Tribal fee land at the Boardwalk 11 #1 well (30-045-35008). The well is located at 1663' FNL & 357' FEL Section 11, T. 21 N., R. 9 W., San Juan County, NM. The center of the pit is at approximately 36.06950° N, 107.75182° W. This deed notice is being filed in accordance with NMAC 19.15.17. 13 F. (1) (f).



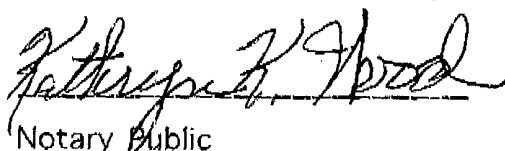
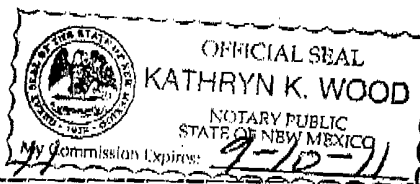
Brian Wood, Consultant

8-16-10

Date

STATE OF NEW MEXICO     )  
  ) SS:  
COUNTY OF SANTA FE     )

The foregoing instrument was acknowledged before me this 16th day of August, 2010 by Brian Wood. Witness my hand and official seal.

  
Notary Public

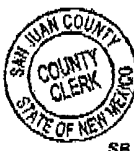
My Commission Expires: 9-10-11  
Business Address: 37 VERANO LOOP, SANTA FE, NM 87508



201010443 08/17/2010 02:30 PM

1 of 1 B1513 P1045 R \$9.00

San Juan County, NM DEBBIE HOLMES



SB

**EXHIBIT H**

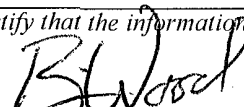
Submit To Appropriate District Office Two Copies District I 1625 N. French Dr., Hobbs, NM 88240 District II 1301 W. Grand Avenue, Artesia, NM 88210 District III 1000 Rio Brazos Rd., Aztec, NM 87410 District IV 1220 S. St. Francis Dr., Santa Fe, NM 87505	<b>State of New Mexico</b> <b>Energy, Minerals and Natural Resources</b>  <b>Oil Conservation Division</b> <b>1220 South St. Francis Dr.</b> <b>Santa Fe, NM 87505</b>	<b>Form C-105</b> July 17, 2008								
<b>WELL COMPLETION OR RECOMPLETION REPORT AND LOG</b>										
4. Reason for filing:  <input type="checkbox"/> <b>COMPLETION REPORT</b> (Fill in boxes #1 through #31 for State and Fee wells only)  <input checked="" type="checkbox"/> <b>C-144 CLOSURE ATTACHMENT</b> (Fill in boxes #1 through #9, #15 Date Rig Released and #32 and/or #33; attach this and the plat to the C-144 closure report in accordance with 19.15.17.13.K NMAC)		5. Lease Name or Unit Agreement Name BOARDWALK 11  6. Well Number:  #1								
7. Type of Completion: <input checked="" type="checkbox"/> NEW WELL <input type="checkbox"/> WORKOVER <input type="checkbox"/> DEEPENING <input type="checkbox"/> PLUGBACK <input type="checkbox"/> DIFFERENT RESERVOIR <input type="checkbox"/> OTHER										
8. Name of Operator CIMAREX ENERGY CO.		9. OGRID 215099								
10. Address of Operator		11. Pool name or Wildcat								
12. Location	Unit Ltr	Section	Township	Range	Lot	Feet from the	N/S Line	Feet from the	E/W Line	County
Surface:										
BH:										
13. Date Spudded	14. Date T.D. Reached	15. Date Rig Released 9-25-09		16. Date Completed (Ready to Produce)			17. Elevations (DF and RKB, RT, GR, etc.)			
18. Total Measured Depth of Well		19. Plug Back Measured Depth		20. Was Directional Survey Made?			21. Type Electric and Other Logs Run			
22. Producing Interval(s), of this completion - Top, Bottom, Name										
<b>23. CASING RECORD (Report all strings set in well)</b>										
CASING SIZE	WEIGHT LB./FT.		DEPTH SET		HOLE SIZE		CEMENTING RECORD		AMOUNT PULLED	
24. LINER RECORD						25. TUBING RECORD				
SIZE	TOP	BOTTOM	SACKS CEMENT	SCREEN	SIZE	DEPTH SET	PACKER SET			
26. Perforation record (interval, size, and number)					27. ACID, SHOT, FRACTURE, CEMENT, SQUEEZE, ETC.					
					DEPTH INTERVAL		AMOUNT AND KIND MATERIAL USED			
<b>28. PRODUCTION</b>										
Date First Production		Production Method (Flowing, gas lift, pumping - Size and type pump)					Well Status (Prod. or Shut-in)			
Date of Test	Hours Tested	Choke Size	Prod'n For Test Period	Oil - Bbl	Gas - MCF	Water - Bbl.	Gas - Oil Ratio			
Flow Tubing Press.	Casing Pressure	Calculated 24-Hour Rate	Oil - Bbl.	Gas - MCF	Water - Bbl.	Oil Gravity - API - (Corr.)				
29. Disposition of Gas (Sold, used for fuel, vented, etc.)							30. Test Witnessed By			
31. List Attachments										
32. If a temporary pit was used at the well, attach a plat with the location of the temporary pit. C-102 & PLAN VIEW ATTACHED										
33. If an on-site burial was used at the well, report the exact location of the on-site burial:										
Latitude: 36.06950° N   Longitude: 107.75182° W   NAD 1983										
I hereby certify that the information shown on both sides of this form is true and complete to the best of my knowledge and belief										
Signature 			Printed Name: BRIAN WOOD		Title: CONSULTANT		Date: 8-23-10			
E-mail Address: brian@permitswest.com										

EXHIBIT 1

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

State of New Mexico  
Energy, Minerals & Mining Resources Department  
OIL CONSERVATION DIVISION  
2040 South Pacheco  
Santa Fe, NM 87505

Form C - 102  
Revised October 12, 2005  
Submit to Appropriate District Office  
State Lease - 4 Copies  
Fee Lease - 3 Copies

☐ AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

APA Number	Pool Code	Pool Name
Property Code	Property Name BOARDWALK 11	Well Number 1
OGRD No.	Operator Name CIMAREX ENERGY CO.	Elevation 6514'

Surface Location									
UL or Lot	Sec.	Twp.	Rge.	Lot Ldn.	Feet from	North/South	Feet from	East/West	County
H	11	21 North	9 West		1663'	North	357'	East	San Juan

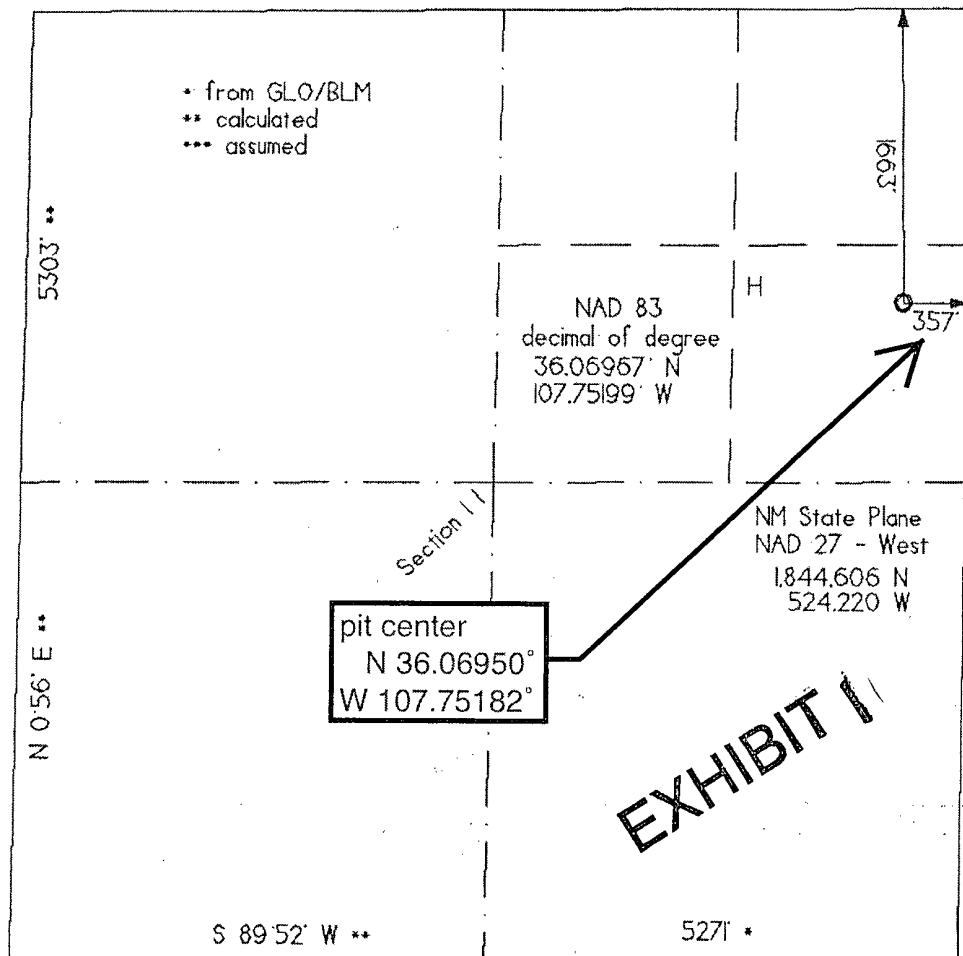
Bottom Hole Location If Different From Surface									
UL or Lot	Sec.	Twp.	Rge.	Lot Ldn.	Feet from	North/South	Feet from	East/West	County

Dedicated Acres	Joint or Infill	Consolidation Code	Order No.

No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.

S 89°38' W \*\*

5249' \*\*



**OPERATOR CERTIFICATION**  
I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pool agreement or a compulsory pooling order heretofore entered by the division.

Date

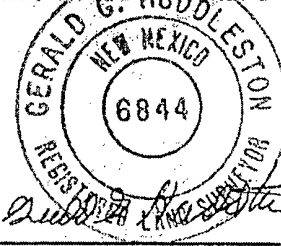
Signature

Printed Name

**SURVEYOR CERTIFICATION**  
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 belief.

Date of survey 01 29 '09

Signature and Seal of Professional Surveyor

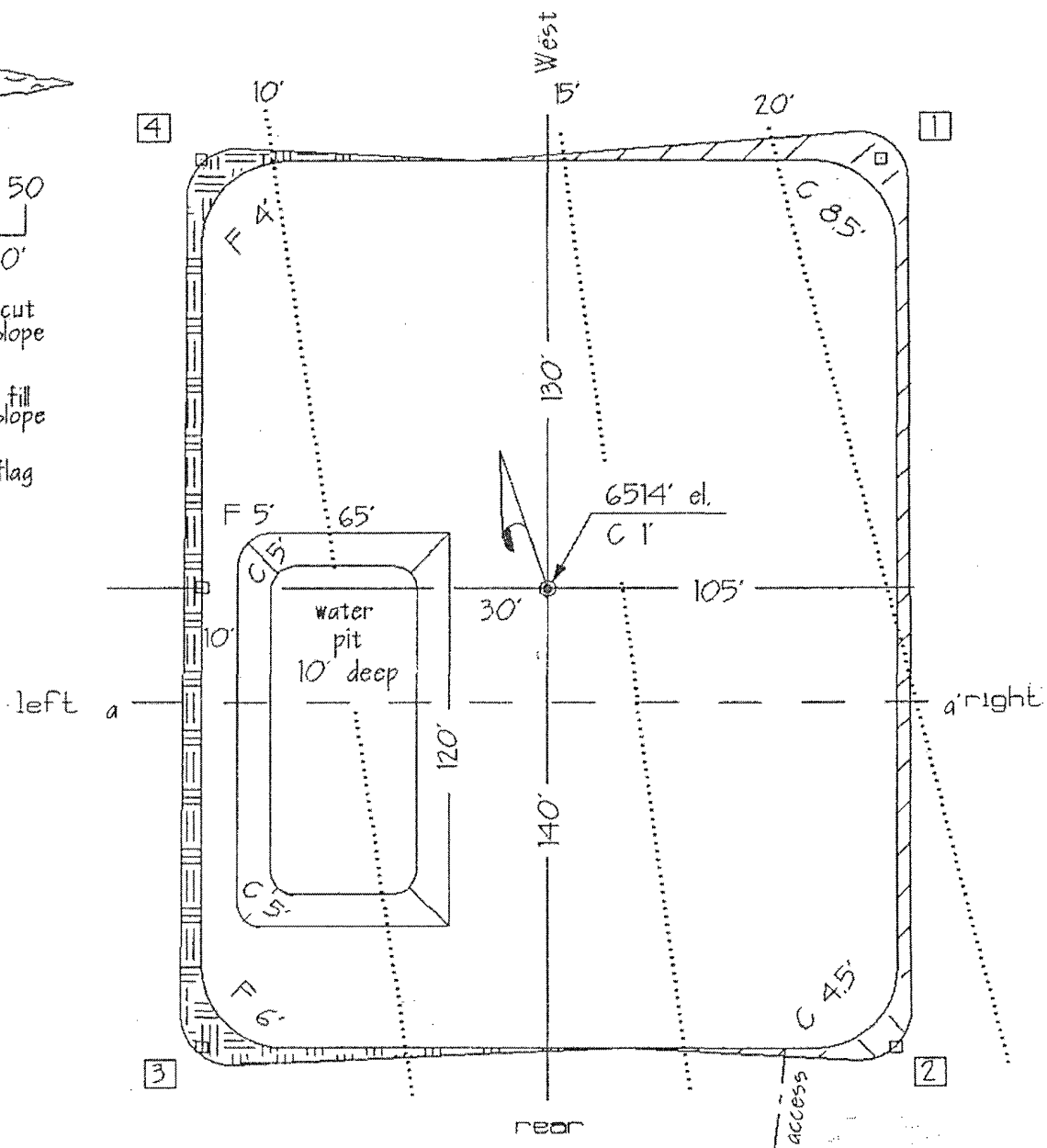
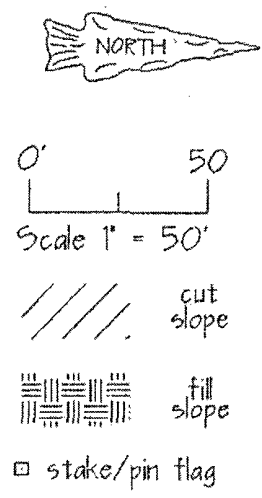


Certificate Number 6844



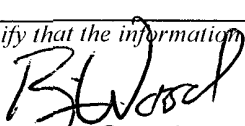
Boardwalk II # 1  
well pad & section

front



Cross section

EXHIBIT 11

Submit To Appropriate District Office Two Copies District I 1625 N. French Dr., Hobbs, NM 88240 District II 1301 W. Grand Avenue, Artesia, NM 88210 District III 1000 Rio Brazos Rd., Aztec, NM 87410 District IV 1220 S. St. Francis Dr., Santa Fe, NM 87505		<b>State of New Mexico</b> <b>Energy, Minerals and Natural Resources</b>  <b>Oil Conservation Division</b> <b>1220 South St. Francis Dr.</b> <b>Santa Fe, NM 87505</b>			<b>Form C-105</b> July 17, 2008		
		1. WELL API NO. 30-045-35008					
		2. Type of Lease <input type="checkbox"/> STATE <input checked="" type="checkbox"/> FEE <input type="checkbox"/> FED/INDIAN					
		3. State Oil & Gas Lease No.					
<b>WELL COMPLETION OR RECOMPLETION REPORT AND LOG</b>							
4. Reason for filing:  <input type="checkbox"/> <b>COMPLETION REPORT</b> (Fill in boxes #1 through #31 for State and Fee wells only)  <input checked="" type="checkbox"/> <b>C-144 CLOSURE ATTACHMENT</b> (Fill in boxes #1 through #9, #15 Date Rig Released and #32 and/or #33; attach this and the plat to the C-144 closure report in accordance with 19.15.17.13.K NMAC)				5. Lease Name or Unit Agreement Name BOARDWALK II  6. Well Number: <div style="text-align: right; font-weight: bold;">RCVD AUG 25 '10</div>			
7. Type of Completion: <input checked="" type="checkbox"/> NEW WELL <input type="checkbox"/> WORKOVER <input type="checkbox"/> DEEPENING <input type="checkbox"/> PLUGBACK <input type="checkbox"/> DIFFERENT RESERVOIR <input type="checkbox"/> OTHER				OIL CONS. DIV.			
8. Name of Operator CIMAREX ENERGY CO.				9. OGRID 215099 <b>DIST. 3</b>			
10. Address of Operator				11. Pool name or Wildcat			
12. Location	Unit Ltr	Section	Township	Range	Lot	Feet from the	
Surface:							
Btl:							
13. Date Spudded	14. Date T.D. Reached	15. Date Rig Released 9-25-09		16. Date Completed (Ready to Produce)		17. Elevations (DF and RKB, RT, GR, etc.)	
18. Total Measured Depth of Well		19. Plug Back Measured Depth		20. Was Directional Survey Made?		21. Type Electric and Other Logs Run	
22. Producing Interval(s), of this completion - Top, Bottom, Name							
<b>23. CASING RECORD (Report all strings set in well)</b>							
CASING SIZE	WEIGHT LB./FT.		DEPTH SET		HOLE SIZE	CEMENTING RECORD	
<b>24. LINER RECORD</b>							
SIZE	TOP	BOTTOM	SACKS CEMENT	SCREEN	25. TUBING RECORD		
					SIZE	DEPTH SET	
26. Perforation record (interval, size, and number)				27. ACID, SHOT, FRACTURE, CEMENT, SQUEEZE, ETC.			
				DEPTH INTERVAL			
<b>28. PRODUCTION</b>							
Date First Production		Production Method (Flowing, gas lift, pumping - Size and type pump)			Well Status (Prod. or Shut-in)		
Date of Test	Hours Tested	Choke Size	Prod'n For Test Period	Oil - Bbl	Gas - MCF	Water - Bbl.	
Flow Tubing Press.	Casing Pressure	Calculated 24-Hour Rate	Oil - Bbl.	Gas - MCF	Water - Bbl.	Oil Gravity - API - (Corr.)	
29. Disposition of Gas (Sold, used for fuel, vented, etc.)						30. Test Witnessed By	
31. List Attachments							
32. If a temporary pit was used at the well, attach a plat with the location of the temporary pit. C-102 & PLAN VIEW ATTACHED							
33. If an on-site burial was used at the well, report the exact location of the on-site burial:							
Latitude: 36.06950° N    Longitude: 107.75182° W    NAD 1983							
I hereby certify that the information shown on both sides of this form is true and complete to the best of my knowledge and belief							
Signature		Printed		Name: BRIAN WOOD		Title: CONSULTANT	
		Date: 8-23-10					
		E-mail Address: brian@permitswest.com					

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

State of New Mexico  
Energy, Minerals & Mining Resources Department  
OIL CONSERVATION DIVISION  
2040 South Pacheco  
Santa Fe, NM 87505

Form C - 102  
Revised October 12, 2005  
Submit to Appropriate District Office  
State Lease - 4 Copies  
Fee Lease - 3 Copies

☐ AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

APA Number		Pool Code	Pool Name
Property Code	Property Name BOARDWALK 11		Well Number 1
OGRID No.	Operator Name CIMAREX ENERGY CO.		Elevation 6514'

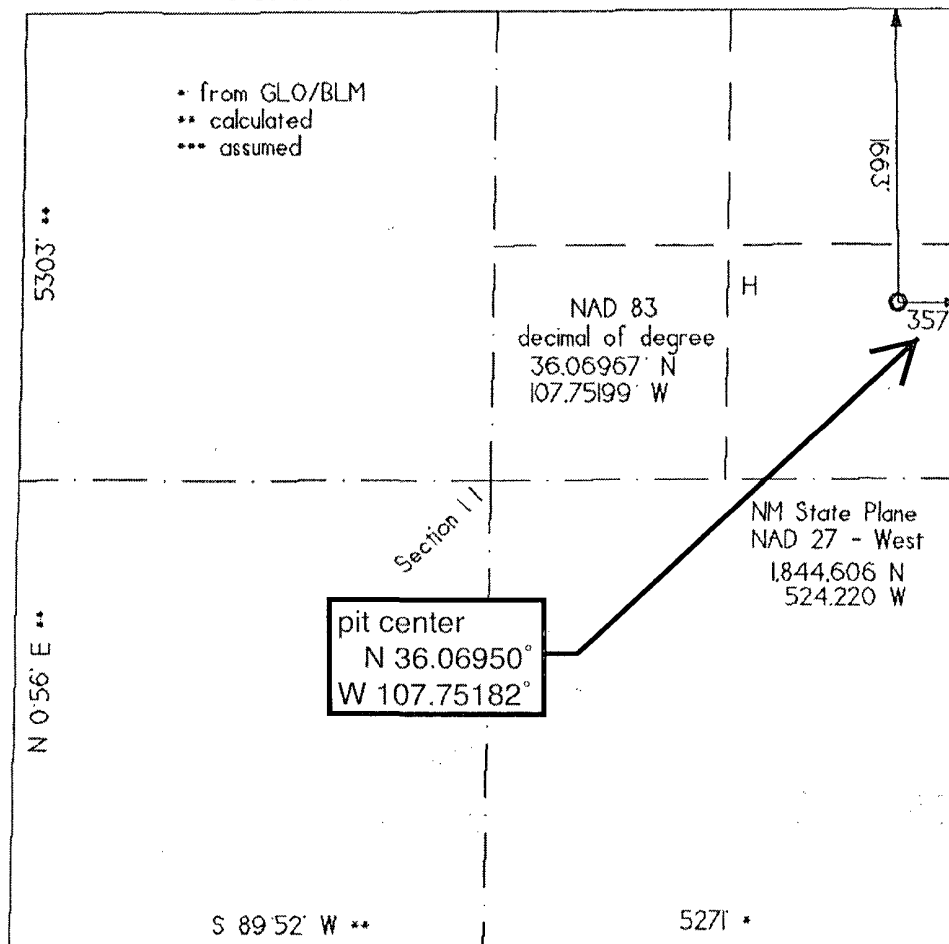
Surface Location									
UL or Lot	Sec.	Twp.	Rge.	Lot Lch.	Feet from >	North/South	Feet from >	East/West	County
H	11	21 North	9 West		1663'	North	357'	East	San Juan

Bottom Hole Location If Different From Surface									
UL or Lot	Sec.	Twp.	Rge.	Lot Lch.	Feet from >	North/South	Feet from >	East/West	County
Dedicated Acres		Joint or Infill		Consolidation Code		Order No.			

No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.

S 89°38' W \*\*

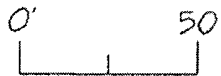
5249' \*\*



<b>OPERATOR CERTIFICATION</b>	
I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pool agreement or a compulsory pooling order heretofore entered by the division.	
Date	
Signature	
Printed Name	
<b>SURVEYOR CERTIFICATION</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 belief.	
Date of survey	01/29/09
Signature and Seal of Professional Surveyor	
Certificate Number	6844

Boardwalk II # 1  
well pad & section

front



Scale 1" = 50'

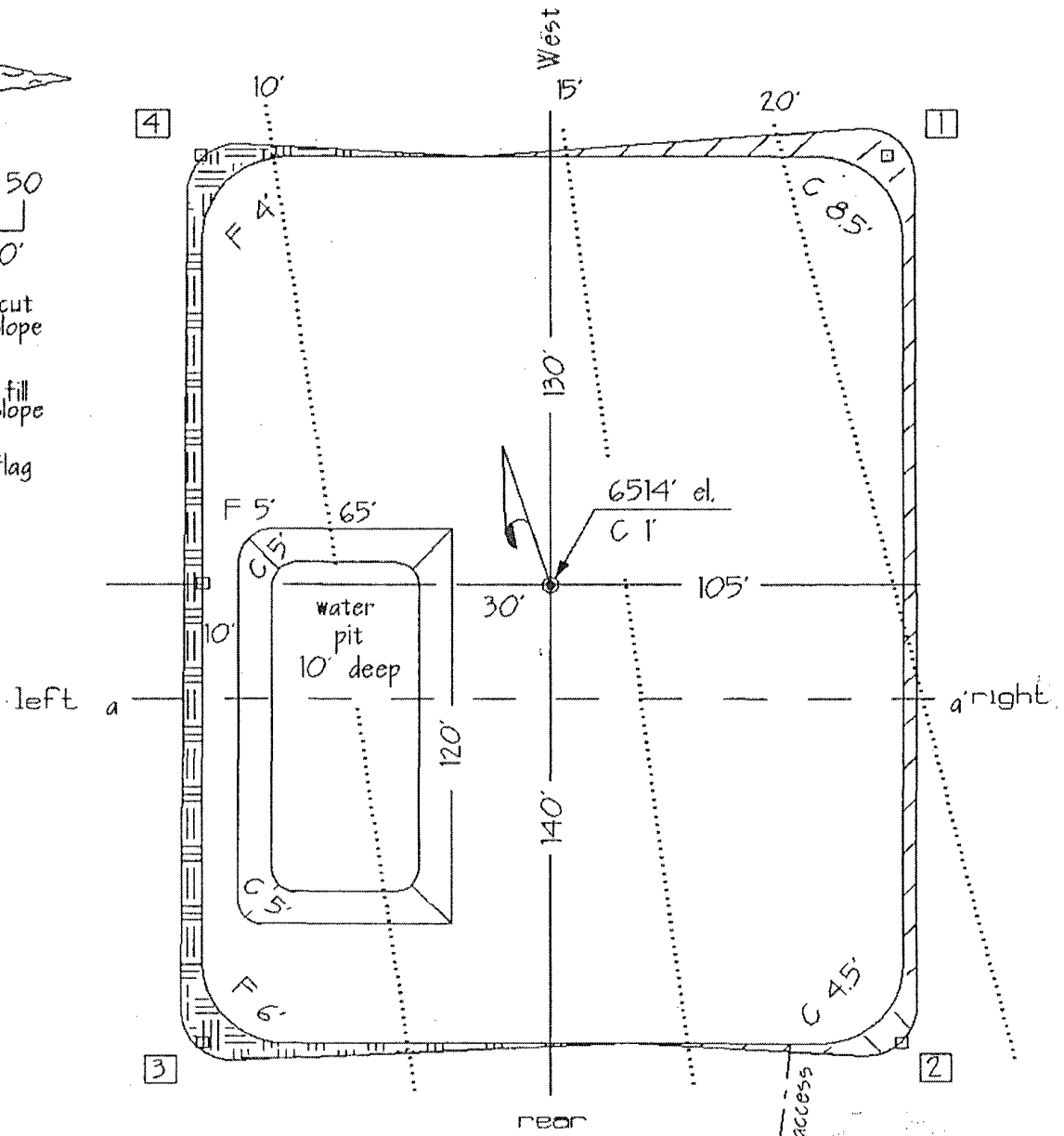


cut slope



fill slope

□ stake/pin flag



a

Cross section

a'

Submit 1 Copy To Appropriate District  
Office  
District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
1301 W. Grand Ave., Artesia, NM 88210  
District III  
1000 Rio Brazos Rd., Aztec, NM 87410  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM  
87505

State of New Mexico  
Energy, Minerals and Natural Resources

Form C-103  
October 13, 2009

OIL CONSERVATION DIVISION  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

WELL API NO. 30-045-35008
5. Indicate Type of Lease STATE <input type="checkbox"/> FEE <input checked="" type="checkbox"/>
6. State Oil & Gas Lease No.
7. Lease Name or Unit Agreement Name BOARDWALK 11
8. Well Number #1
9. OGRID Number 215099
10. Pool name or Wildcat WC21N09W11; ENTRADA OIL

SUNDRY NOTICES AND REPORTS ON WELLS  
(DO NOT USE THIS FORM FOR PROPOSALS TO DRILL OR TO DEEPEN OR PLUG BACK TO A  
DIFFERENT RESERVOIR. USE "APPLICATION FOR PERMIT" (FORM C-101) FOR SUCH  
PROPOSALS.)

1. Type of Well: Oil Well ☒ Gas Well ☐ Other

2. Name of Operator  
CIMAREX ENERGY CO.

3. Address of Operator  
1700 LINCOLN ST., SUITE 1800, DENVER, CO 80203-4518

4. Well Location

Unit Letter: H 1663 feet from the SOUTH line and 357 feet from the EAST line

Section 11 Township 21 N. Range 9 W. NMPM SAN JUAN County

11. Elevation (Show whether DR, RKB, RT, GR, etc.)  
6,514' GL

12. Check Appropriate Box to Indicate Nature of Notice, Report or Other Data

NOTICE OF INTENTION TO:

PERFORM REMEDIAL WORK ☐ PLUG AND ABANDON ☐  
TEMPORARILY ABANDON ☐ CHANGE PLANS ☐  
PULL OR ALTER CASING ☐ MULTIPLE COMPL ☐  
DOWNHOLE COMMINGLE ☐

SUBSEQUENT REPORT OF:

REMEDIAL WORK ☐ ALTERING CASING ☐  
COMMENCE DRILLING OPNS. ☐ P AND A ☐  
CASING/CEMENT JOB ☐

OTHER: ☐

OTHER: ☒

13. Describe proposed or completed operations. (Clearly state all pertinent details, and give pertinent dates, including estimated date of starting any proposed work). SEE RULE 19.15.7.14 NMAC. For Multiple Completions: Attach wellbore diagram of proposed completion or recompletion.

Pit, pad, and road seeding and reclamation for this P&A well completed on June 18, 2010.  
Marker installed in pit on July 12, 2010.

RCVD AUG 25 '10  
OIL CONS. DIV.  
DIST. 3

Spud Date:

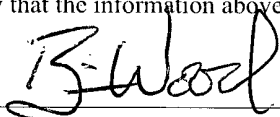
9-9-09

Rig Release Date:

9-25-09

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

SIGNATURE



TITLE CONSULTANT

DATE AUGUST 23, 2010

Type or print name BRIAN WOOD

E-mail address: [brian@permitswest.com](mailto:brian@permitswest.com)

PHONE: (505) 466-8120

For State Use Only

APPROVED BY:

TITLE

DATE

Conditions of Approval (if any):