

February 4, 2025 5E33088 BG#9

EMNRD – Oil Conservation Division 506 W. Texas Ave Artesia, NM 88210

SUBJECT: Closure Request Report for the Broadside 12 Facility 2, Incident ID # nAPP2432330772, Facility ID: fAPP2209631775, Eddy County, New Mexico

1.0 Introduction

On behalf of Devon Energy Production Company, LP (Devon), Souder, Miller & Associates (SMA) has prepared this Closure Request Report. This report describes the corrective actions for a produced water incident related to oil and gas production activities at the Broadside 12 Facility 2 (Broadside), Incident ID nAPP2432330772, that occurred on November 16, 2024. The spill area is located at latitude N 32.2259306 and longitude W -103. 5185014.

Devon completed a release notification to the New Mexico Energy, Minerals, and Natural Resources Department – Oil Conservation Division (OCD) via Operators Electronic Permitting and Payment Portal on November 18, 2024, for the submission of Notice of Release (NOR), followed by the submission of the Form C-141, Release Notification on November 18, 2024. This letter provides a description of the spill assessment and includes a request for spill closure.

| Table 1: Release Inf | ormation and Closure Cri | iteria | |
|---------------------------|--------------------------|------------------------|--|
| Name | Broadside 12 Facility 2 | Company | Devon Energy Production Company, LP |
| API Number | fAPP2209631775 | Location | P-12-24S-33E N 32.2259306, W -103.5185014 |
| Incident Number | nAPP2432330772 | Land Status | Federal |
| Date of Release | November 16, 2024 | Lease Number | NMNM114991 |
| Source of Release | Flange on water transfe | r pump developed leal | k into secondary lined containment |
| Released Volume | 13 bbls | Recovered Volume | 13 bbls |
| NMOCD Closure Criteria | Depth to groundwater > | -100 feet below ground | d surface (bgs) |

2.0 Background

On November 16, 2024, a flange located on the water transfer pump developed a leak resulting in a fluid release into the secondary lined containment. The total volume of released fluids was 13 barrels (bbls) of produced water. The release occurred within the secondary lined containment at Broadside. Initial response activities were conducted by the operator, including source elimination, photographs of standing fluids, recovery of approximately 13 bbls of produced water, and verification that the affected area was

Devon Energy

properly exposed and cleaned for visual observation. Documentation of the liner inspection, including photographs, is provided in the Site Assessment Report in Attachment 1.

3.0 **Site Geology and Vegetation**

The Geologic Map of New Mexico by New Mexico Bureau of Geology and Mineral Resources indicates the surface geology at the incident location area is comprised of primarily Qep – Eolian and piedmont deposits (Holocene to middle Pleistocene) – interlayed eolian sands to piedmont slope deposits.

The surrounding geography and terrain are associated with uplands, plains, dunes, fan piedmonts, and inter dunal areas. at elevations between 2,800 and 5,000 feet above mean sea level (amsl). The annual average rainfall and precipitation ranges between 8 to 13 inches. The parent material consists of mixed alluvial and or eolian sands derived from sedimentary rock.

The primary surficial soil type on the location is Berino-Cacique association, hummocky. Soil features consist of being moderately deep or very deep. Surface textures are loamy fine sand, fine sandy loam, loamy very fine sand, or gravelly sandy loam.

Subsurface is loamy fine sand, coarse sandy loam, fine sandy loam, or loam that averages less than 18 percent clay and less than 15 percent carbonates while substratum is fine sandy loam or gravelly fine sandy loam with less than 15 percent gravel and with less than 40 percent calcium carbonate. Layers high in lime or with caliche fragments may occur at depths of 20 to 30 inches.

The ecological setting is vegetation of a grassland aspect dominated by black grama, dropseeds, and bluestems with scattered shinnery oak and sand sage. Sand sage and shinnery oak tend to be evenly dispersed due to the coarse soil surface. Perennial and annual forbs are reflective of rainfall. The grass/shrub state is composed of grasses/honey mesquite, grasses/broom snakeweed, or grasses/sand sage.

Site Information and Closure Criteria 4.0

The Broadside is located approximately 19.8 miles northwest of Jal, New Mexico, on private land at an elevation of approximately 3,370 feet amsl. SMA completed site assessment/characterization pursuant to 19.5.29.11-12 NMAC to determine potential environmental impacts and closure criteria. Site assessment and characterization results are included in Attachments 1 and 2.

There is no surface water located on site or within closure criteria parameters of the site. The nearest significant watercourse is a riverine located approximately 2.71 miles southwest, playa lake located 3.35 miles to the west, and a freshwater emergent wetland located 0.33 miles southeast of the site, as defined in 19.15.17.7.P NMAC (U.S. Fish and Wildlife Service, National Wetlands Inventory, 2024). There are no continuous flowing watercourses or significant watercourses, lakebeds, sinkholes, playa lakes, or other critical water or community features within the defined distances outlined in Paragraph (4) of Subsection C of 19.15.29.12 NMAC.

Depth to ground water was determined using New Mexico Office of the State Engineer (NMOSE) Water Rights Pod Location: ArcGIS Interactive Online Map. The nearest active pod is Pod 04838-POD1, a temporary borehole used for depth to groundwater determination located on the northwest corner of Broadside. The temporary borehole was drilled to a depth of 105 feet bgs, where no water-bearing zone

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was discovered. A one household domestic freshwater well, Pod C-3917-POD1, is located southwest of Broadside at 1.08 miles from Broadside.

Karst potential for the area that Broadside is low and is 10.6 miles northeast of a medium karst feature, based on the New Mexico State Land Office Land Status Interactive Map (NMSLO).

According to FEMA's National Flood Hazard Layer, Broadside is located in Zone D, an undetermined flood zone or unstudied area. The nearest mapped 100-year floodplain is located more than five miles from the site.

The closure criteria for the site are the constituent concentration limits associated with greater than 100 feet depth to groundwater (DTGW) as stated in Table I of 19.15.29.12 NMAC.

Documentation of site characterization, including surface water features, depth to groundwater, nearest residence, unstable areas, and flood zone, is included in Attachment 2

5.0 **Remediation Activities**

Notification of the liner inspection, scheduled for December 12, 2024, was provided to Devon through email by SMA personnel on December 10, 2024. Devon provided notification to NMOCD through the ENMRD Electronic Permitting and Payment Portal for Operators on December 10, 2024. Notification documentation is included in Attachment 3.

On December 12, 2024, SMA personnel performed an on-site visual inspection of the secondary containment to verify liner integrity as outlined in in Paragraph (5)(a) of Subsection A of 19.15.29.11 NMAC.

Visual observation of the liner included a complete inspection of all sidewalls and the base of the containment, around equipment, and all seams of the liner. The inspection included looking for any potential perforations in the liner that could lead to a breach of the secondary containment. Observations concluded no signs of any cuts, rips, tears, or weathering of the liner condition which need repairs or replacement. Liner integrity was confirmed. Photo documentation of the liner inspection is in the Site Assessment Photolog (Attachment 1).

Conclusions and Recommendations 6.0

Based on the liner inspection and assessment, SMA concludes the liner integrity is adequate to contain the release related to incident nAPP2432330772. There is no evidence of a release to the environment. Based on the professional activities and site assessment, Devon Energy Production Company respectfully requests closure of the incident that occurred at Broadside 12 Facility 2.

7.0 **Scope and Limitations**

The scope of our services included: visual inspection for liner integrity; regulatory liaison; and preparing this report. All work has been performed in accordance with accepted professional environmental consulting practices for oil and gas incidents in the Permian Basin in New Mexico.

If there are any questions regarding this report, please contact Stephanie Hinds at (505) 302-1127 or Monica Peppin at (575) 909-3418.

Devon Energy

Submitted by:

SOUDER, MILLER & ASSOCIATES

Reviewed by:

Monica Peppin, A.S.

Project Manager

Stephanie Hinds, P.E. Senior Engineer

tylenie Alvols

REFERENCES:

New Mexico Office of the State Engineer (NMOSE) online water well database Httpe://gis.ose.state.nm.us/gisapps/ose_pod_locations/

USGS National Water Information System: Web interface online water well database https://nwis.waterdata.usgs.gov/nwis/gwlevels?site_no=321205103544701&agency_cd=USGS&format=html

U.S. Fish and Wildlife Service: National Wetlands Inventory Wetlands Mapper | U.S. Fish & Wildlife Service

New Mexico State Land Office: Land Status

NMSLO Land Status

United States Department of Agriculture: Natural Resources Conservation Service: Web Soil Survey https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

USDA, USGS The National Map: Orthoimagry: FEMA's National Flood Hazard Layer (NFHL) Viewer https://hazards-

fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa 9cd

ATTACHMENTS:

Attachment 1: Site Assessment and Photolog

Attachment 2: Closure Criteria Determination Research

Attachment 3: Correspondence

ATTACHMENT 1: SITE ASSESSMENT AND PHOTOLOG

Site Assessment and Photolog



Stronger Communities by Design

Client: Devon Energy Corporation Incident ID: nAPP2432330772

Facility ID: fAPP2209631775

Site: Broadside 12 Facility 2

Project Manager: Monica Peppin

Project Owner: Jim Raley

Field Notes

December 12, 2024

- Arrive on site, complete safety paperwork.
- Conduct visual inspection of secondary containment.
- Obtain pictures at different positions around the containment and between tanks.
- Inspected for any visible perforations, cuts, rips, tears, or substantial weathering that could lead to the potential breach through the liner.
- Inspection complete and there are no signs of permeation through the liner.
- The barrier between the secondary containment and ground surface is isolated to withhold fluids.

Photographs



Photograph #1: Lease sign with site information and geographic data.



Photograph #2: North area of containment looking west.

Received by OCD: 2/5/2025 6:38:42 AM

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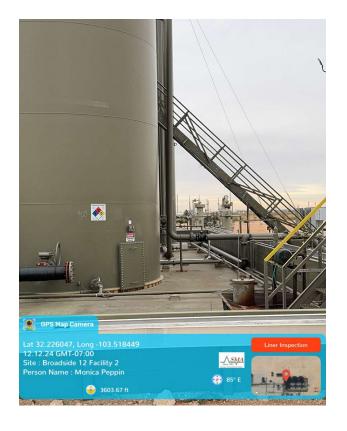
Photograph #3: Facing east looking down north wall between pumps.



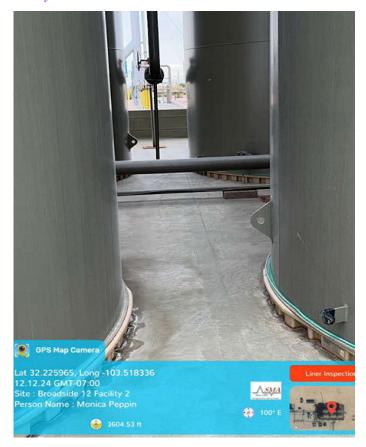
Photograph #4: Looking east viewing north side of containment between tanks and pumps.



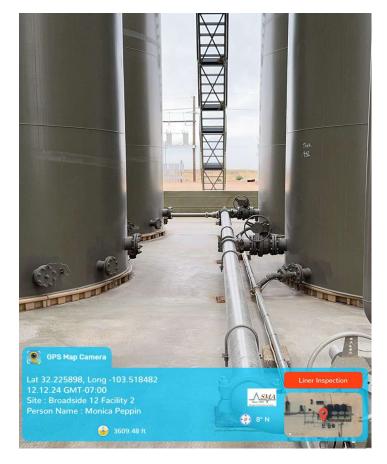
Photograph #5: View of northwest area looking southeast.



Photograph #6: Facing south viewing west area of containment.



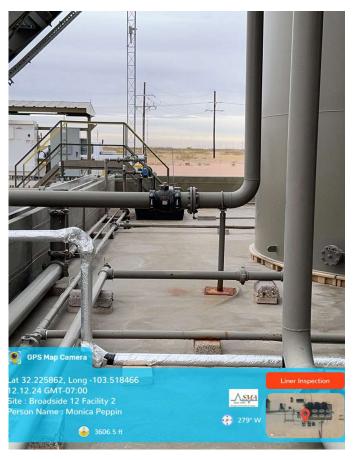
Photograph #7: Facing south viewing between tanks.



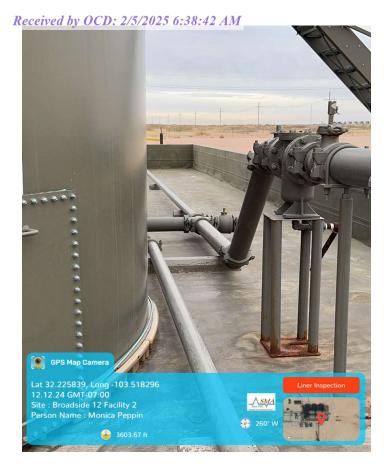
Photograph #9: Between tanks looking



Photograph #8: Facing south viewing mid-east area of containment.



Photograph #10: Facing west viewing south end of containment.

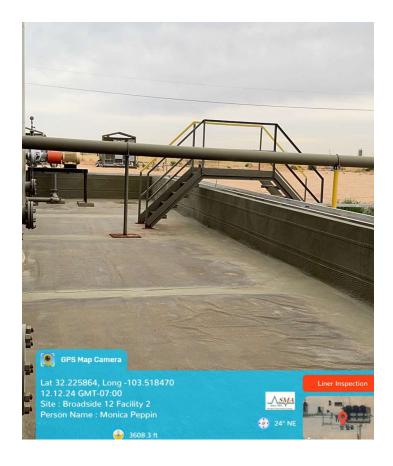


Photograph #11: Northeast corner viewing from mideast part of containment.

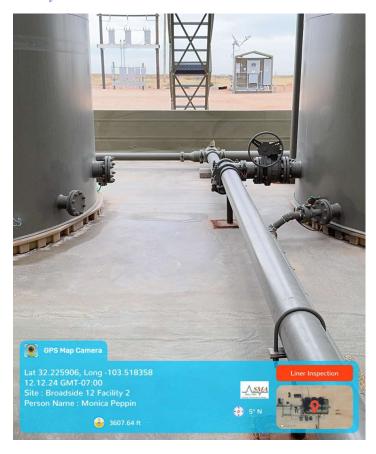




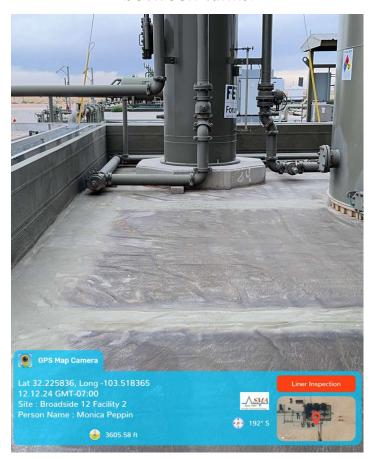
Photograph #12: South view of west area of containment.



Photograph #14: East area of containment looking north.



Photograph #15: Looking north from between tanks.



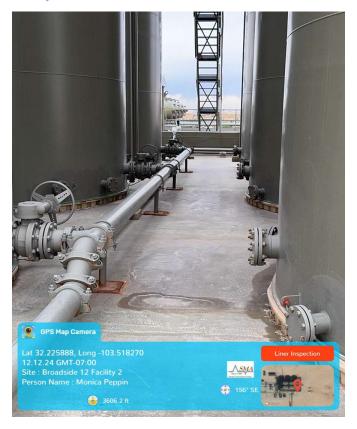
Photograph #17: Facing south Released to Wing wast side of containment.



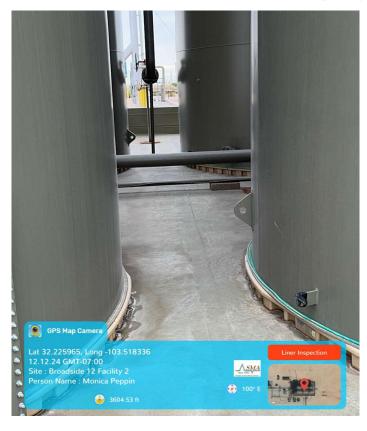
Photograph #16: Looking south from between tanks.



Photograph #18: Looking east veiwing northeast corner.



Photograph #19: Liner between tanks north to south view.



Photograph #20: East west view between tanks of liner.

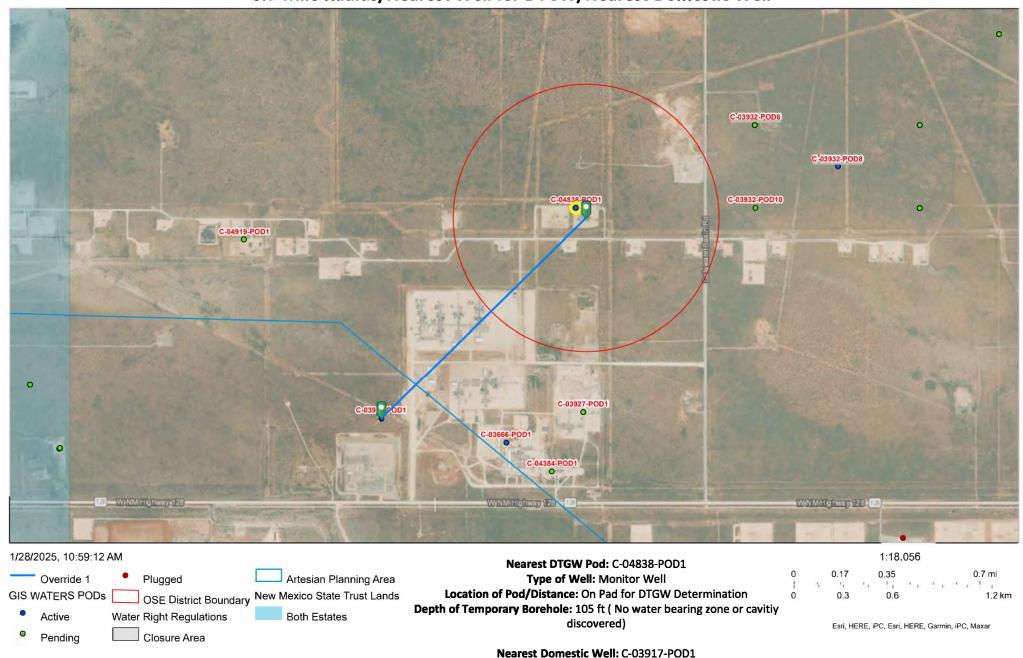
Technician: Monica Peppin Date: 12/12/2024

Signature:

ATTACHMENT 2: CLOSURE CRITERIA DETERMINATION RESEARCH



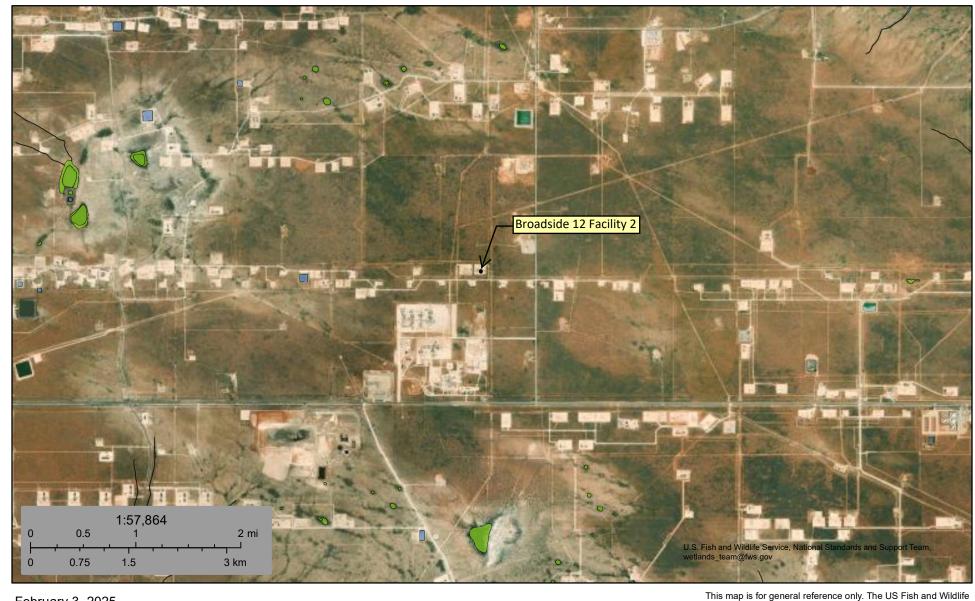
Broadside 12 Facility 2
0.5-Mile Radius/Nearest Well for DTGW/Nearest Domestic Well



Distance From Site: 1.08 miles/5,689 feet



US FWS Wetlands Inventory Map



February 3, 2025

Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Lake

Freshwater Forested/Shrub Wetland

Other

Freshwater Pond

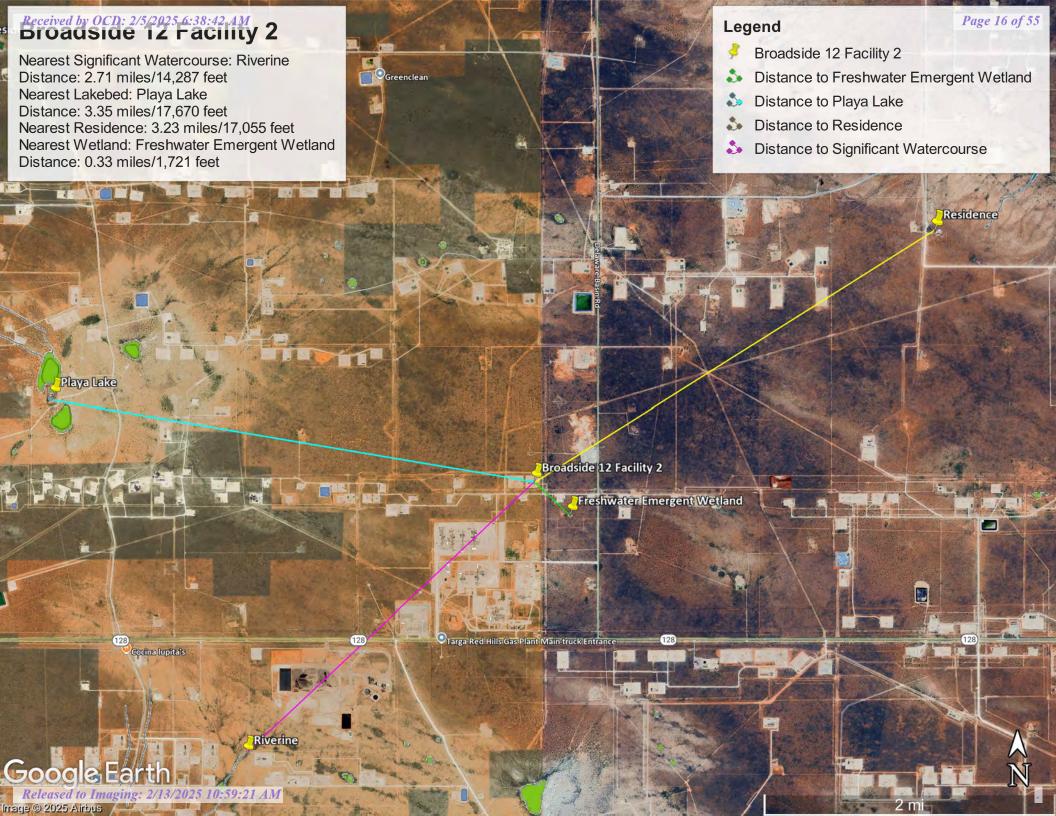


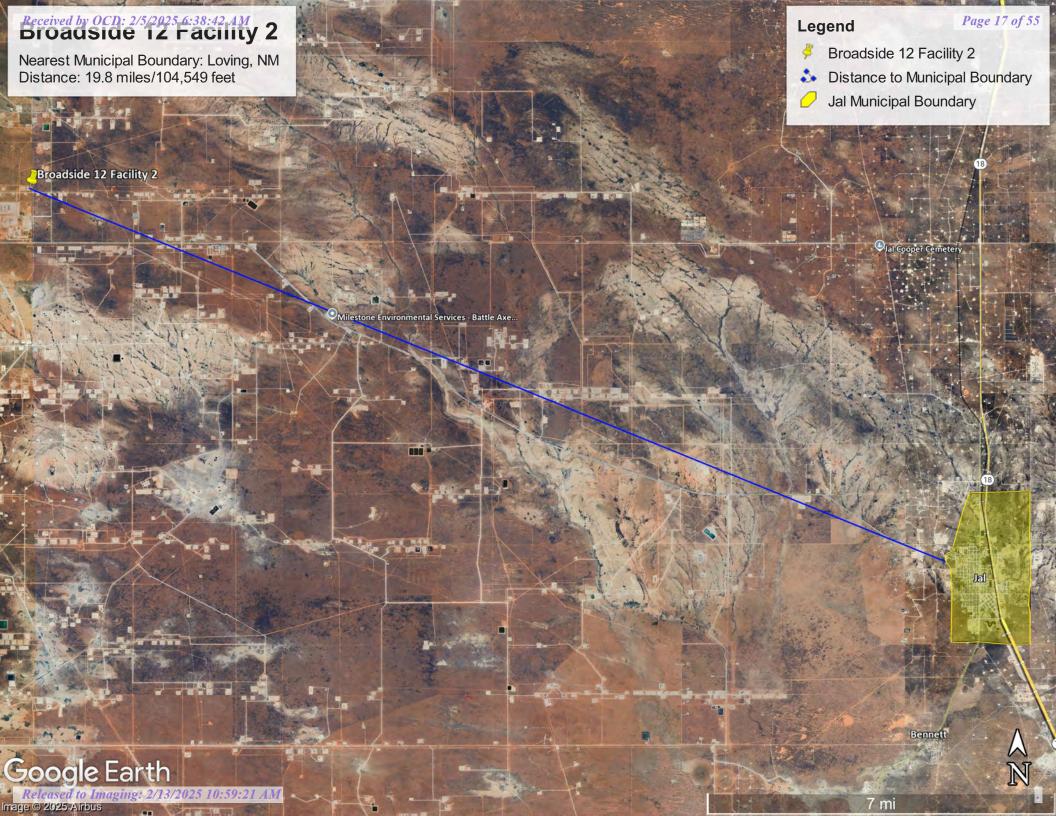
Wetlands Mapper web site. Note: Refer to following page

Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should

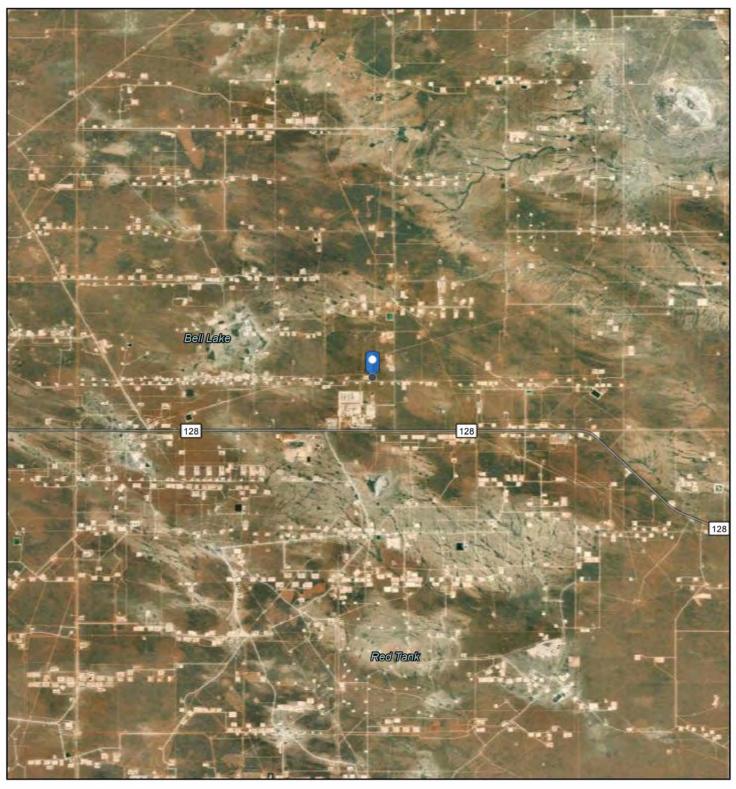
be used in accordance with the layer metadata found on the

for distances to features.



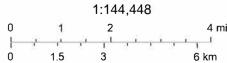


Broadside 12 Facility 2 - Subsurface Mines/Non-Karst

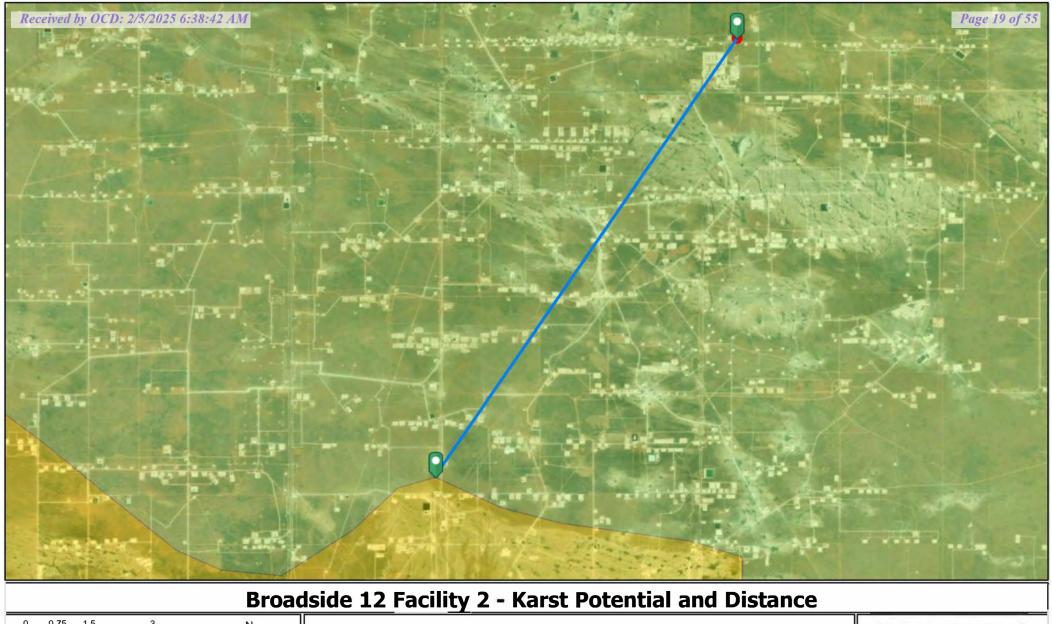


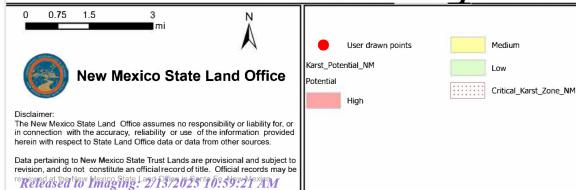
1/28/2025, 2:24:39 PM

Mining_Ghost_Towns



New Mexico Bureau of Geology and Mineral Resources, New Mexico Bureau of Geology & Mineral Resources, Texas Parks & Wildlife, CONANP, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, USFWS, Earthstar Geographics, NMBGMR





Karst Potential:

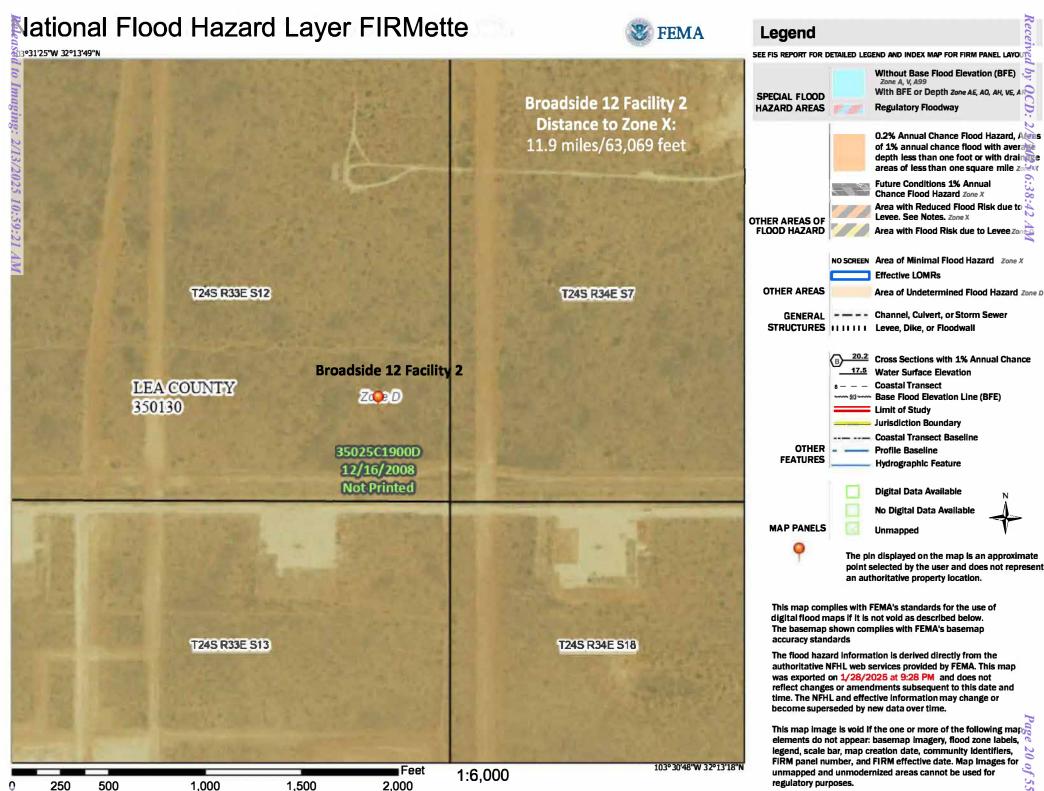
Low

Distance to Medium Karst Feature:

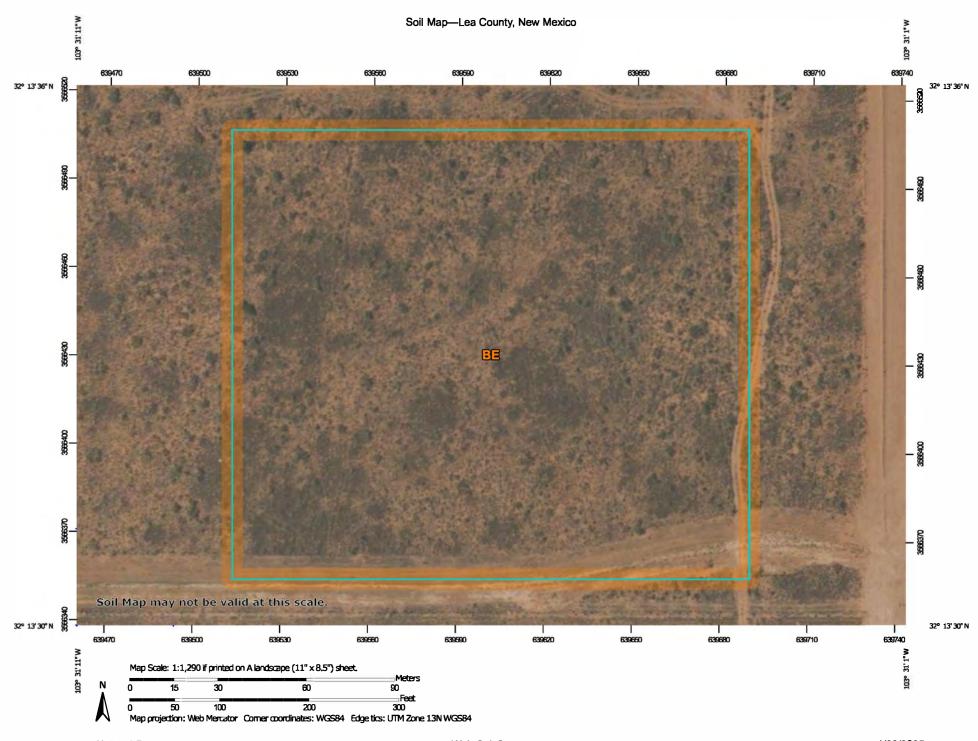
10.6 miles/56,144 feet



Map Created: 1/28/2025



Basemap Imagery Source: USGS National Map 2023



MAP LEGEND

Area of Interest (AOI) Spoll Area 戸 Area of Interest (AOI) Stony Spot à Soils Very Stony Spot 0 Soil Map Unit Polygons Ŷ Wet Spot ~ Soil Map Unit Lines Other Δ Soil Map Unit Points Special Line Features Special Point Features Water Features **Blowout** (2) Streams and Canals **Borrow Plt** X Transportation Clay Spot 凝 Rails 4-1-1 Closed Depression Interstate Highways **Gravel Pit US Routes Gravelly Spot** 20 Major Roads Landfill Local Roads 00 Lava Flow **Background** Marsh or swamp Aerial Photography Mine or Quarry Miscellaneous Water Perennial Water Ô Rock Outcrop Saline Spot Sandy Spot Severely Eroded Spot ٥ Sinkhole Slide or Slip **>** Sodic Spot

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20.000.

Waming: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

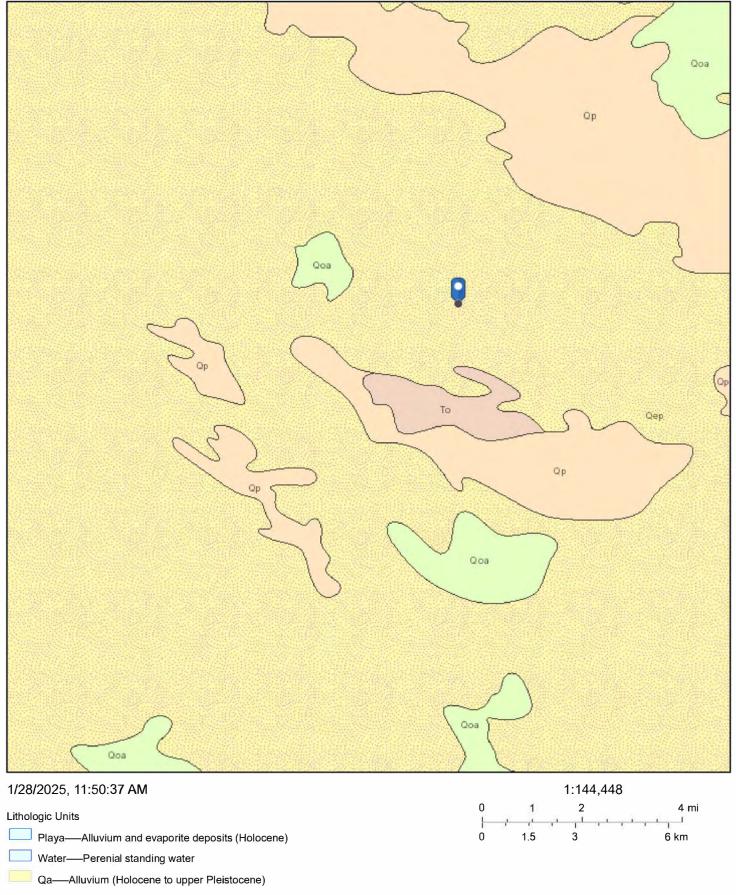
Soil Survey Area: Lea County, New Mexico Survey Area Data: Version 21, Sep 3, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 7, 2020—May 12, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Broadside 12 Facility 2 - Geological Map



New Mexico Bureau of Geology and Mineral Resources, New Mexico Bureau of Geology & Mineral Resources, Esri, NASA, NGA, USGS, NMBGMR, USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and



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PAGE 2 OF 2

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| ų | 50 | 60 | 10 | Sand with gra | avel, light brown to be | own, fine to medium w | vith some caliche g | grave Y | √ N | |
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| OF | 70 | 80 | 10 | Sar | nd with Clay, brown t | o dark brown, medium | to very fine | Y | ✓ N | |
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| 4. HYDROGEOLOGIC LOG OF WELL | 90 | 100 | 10 | Sar | nd with Clay, brown t | o dark brown, medium | to very fine | Y | ✓ N | |
| 907 | 100 | 105 | 5 | Sar | nd with Clay, brown t | o dark brown, medium | to very fine | Y | ✓ N | |
| EO | 105 | 105 | 0 | Sar | nd with Clay, brown t | o dark brown, medium | to very fine | Y | ✓ N | |
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444

LOCATION 245.

FILE NO. C-04838 POD

NEW MEXICO OFFICE OF THE STATE ENGINEER



WR-07 APPLICATION FOR PERMIT TO DRILL A WELL WITH NO WATER RIGHT



(check applicable boxes):

| Purpose: | Pollution Control And/Or Recovery | ☐ Ground So | urce Heat Pump |
|--|---|--|---|
| Exploratory Well*(Pump test) | Construction Site/Pub Works Dewatering | Other(Desc | cribe): Groundwater Determination |
| | ☐ Mine Dewatering | | |
| A separate permit will be required to app | oly water to beneficial use regardless | s if use is consumptive or nonconsumptive | ve. |
| *New Mexico Environment Department-D | Orinking Water Bureau (NMED-DW | B) will be notified if a proposed explorate | bry well is used for public water supply. |
| Check here if the borehole is an | nything other than vertifical (di | irectional boring or angle boring) a | and include a schematic of your design |
| ☐ Temporary Request - Requeste | ed Start Date: | Requested Er | nd Date: TBD |
| Plugging Plan of Operations Subm | nitted? Yes No | | |
| ote: if there is known artesian conditio | ns, contamination or high minera | I content at the drilling location, include | e the borehole log or a well log from an |
| isting well at that location. If this infor | mation is not submitted, check bo | ox and attach form WD-09 to this form | . 🔲 |
| | | | |
| APPLICANT(S) | | | |
| | | | |
| Name: | | Name: | |
| | у | Name: Ensolum, LLC | |
| evon Energy Production Company | y check here if Agent | | check here if Agent |
| evon Energy Production Company Contact or Agent: | • | Ensolum, LLC Contact or Agent: | check here if Agent |
| Devon Energy Production Compan Contact or Agent: Dale Woodall | • | Ensolum, LLC Contact or Agent: Ashley Giovengo | check here if Agent 🔳 |
| Pevon Energy Production Company Contact or Agent: Dale Woodall Mailing Address: | • | Ensolum, LLC Contact or Agent: Ashley Giovengo Mailing Address: | |
| Devon Energy Production Company Contact or Agent: Dale Woodall Mailing Address: 05 E. Bender Blvd | • | Ensolum, LLC Contact or Agent: Ashley Giovengo Mailing Address: 3122 National Parks Highway | |
| Name: Devon Energy Production Company Contact or Agent: Dale Woodall Mailing Address: 05 E. Bender Blvd City: Hobbs | • | Ensolum, LLC Contact or Agent: Ashley Giovengo Mailing Address: | |
| evon Energy Production Company Contact or Agent: Pale Woodall Mailing Address: 05 E. Bender Blvd City: | check here if Agent Zip Code: | Ensolum, LLC Contact or Agent: Ashley Giovengo Mailing Address: 3122 National Parks Highway City: Carlsbad State: | / Zip Code: |
| evon Energy Production Company Contact or Agent: Dale Woodall Mailing Address: 05 E. Bender Blvd City: lobbs State: | check here if Agent □ | Ensolum, LLC Contact or Agent: Ashley Giovengo Mailing Address: 3122 National Parks Highway City: Carlsbad | / |
| evon Energy Production Company Contact or Agent: Dale Woodall Mailing Address: D5 E. Bender Blvd City: Dobbs State: Dew Mexico Phone: 575-748-1838 | check here if Agent Zip Code: | Ensolum, LLC Contact or Agent: Ashley Giovengo Mailing Address: 3122 National Parks Highway City: Carlsbad State: New Mexico Phone: 575-988-0055 | / Zip Code: |
| evon Energy Production Company Contact or Agent: Dale Woodall Mailing Address: 05 E. Bender Blvd City: | check here if Agent ☐ Zip Code: 88240 | Ensolum, LLC Contact or Agent: Ashley Giovengo Mailing Address: 3122 National Parks Highway City: Carlsbad State: New Mexico | Zip Code: 88220 |
| evon Energy Production Company Contact or Agent: Dale Woodall Mailing Address: D5 E. Bender Blvd City: Dobbs State: Dew Mexico Phone: 575-748-1838 | check here if Agent ☐ Zip Code: 88240 | Ensolum, LLC Contact or Agent: Ashley Giovengo Mailing Address: 3122 National Parks Highway City: Carlsbad State: New Mexico Phone: 575-988-0055 | Zip Code: 88220 |

| FOR OSE INTERNAL USE | Application for Permit, Form VVI | R-U7, Rev 02/29/2024 |
|-------------------------------|----------------------------------|----------------------|
| File No.: C-04838 | Tm. No.: 760708 | Receipt No.: 2-46895 |
| Trans Description (optional): | | |
| Sub-Basin: CUB | PCW/LOG D | ue Date: 5/29/25 |
| | | Page 1 of 3 |

| 2. WELL(S) Describe the well(s) applicable to this applicati | 2. | WELL(S | Describe the | well(s) | applicable to | this application |
|--|----|--------|--------------|---------|---------------|------------------|
|--|----|--------|--------------|---------|---------------|------------------|

| (Lat/Long - WGS84). | | | tate Plane (NAD 83), UTM (NAD 83), or Latitude/Longitude ustomers, provide a PLSS location in addition to above. |
|--|--|---|--|
| NM State Plane (NAD83)NM West ZoneNM East ZoneNM Central Zone | ` ' | JTM (NAD83) (Mete]Zone 12N]Zone 13N | Lat/Long (WGS84) (to the nearest 1/10 th of second) |
| Well Number (if known): | X or Easting or Longitude: | Y or Northing or Latitude: | Provide if known: -Public Land Survey System (PLSS) (Quarters or Halves, Section, Township, Range) OR - Hydrographic Survey Map & Tract; OR - Lot, Block & Subdivision; OR - Land Grant Name |
| C-04838 POD | 32°13'35.26"N | -103°31'8.94"W | P-12-24S-33E Lea County, NM |
| | | | |
| | | | |
| | | | |
| | | | |
| NOTE: If more well location Additional well descriptions | | ped, complete form Yes ■ No | WR-08 (Attachment 1 – POD Descriptions) If yes, how many |
| Other description relating well Located near the Broadside 12 | | | |
| Well is on land owned by: Cor | noco Phillips | | |
| | | | |
| | more than one (1) we | ell needs to be des | cribed, provide attachment. Attached? Yes No |
| Well Information: NOTE: If n If yes, how many Approximate depth of well (fee | _ | | cribed, provide attachment. Attached? |
| If yes, how many | et): 105 | C | La contraction of the contractio |
| If yes, how many | et): 105 gh S OR EXPLANATION d at the site to assess in open borehole to co | S subsurface soil and determine depth to w | Outside diameter of well casing (inches): 2 3/8" Oriller License Number: WD1188 Pregional groundwater depth. Temporary 2-inch inside diameter water at the site. The borehole will be abandoned after 72 hours |
| If yes, how many | et): 105 gh S OR EXPLANATION d at the site to assess in open borehole to co | S subsurface soil and determine depth to w | Outside diameter of well casing (inches): 2 3/8" Oriller License Number: WD1188 Pregional groundwater depth. Temporary 2-inch inside diameter water at the site. The borehole will be abandoned after 72 hours |

FOR OSE INTERNAL USE

Application for Permit, Form WR-07 Version 02/29/2024

File No.: C-04838 POS

Tm No.: 760708

Page 2 of 3

4. SPECIFIC REQUIREMENTS: The applicant must include the following, as applicable to each well type. Please check the appropriate boxes, to indicate the information has been included and/or attached to this application:

| Exploratory*: | Pollution Control and/or Recovery: | Construction | Mine De-Watering: |
|--------------------------------|--|--|--|
| Is proposed | ☐ Include a plan for pollution | De-Watering: | Include a plan for pollution |
| well a future | control/recovery, that includes the following: | ☐ Include a description of the proposed dewatering | control/recovery, that includes the following A description of the need for mine |
| public water | A description of the need for the | operation, | dewatering. |
| supply well? | pollution control or recovery operation. | ☐ The estimated duration of | ☐ The estimated maximum period of time |
| ☐ Yes ☐ NO | ☐ The estimated maximum period of | the operation, | for completion of the operation. |
| If Yes, an | time for completion of the operation. The annual diversion amount. | ☐ The maximum amount of water to be diverted. | ☐ The source(s) of the water to be diverted. ☐The geohydrologic characteristics of the |
| application must be filed with | The annual consumptive use | A description of the need | aquifer(s). |
| NMED-DWB, | amount. | for the dewatering operation, | ☐The maximum amount of water to be |
| concurrently. | ☐ The maximum amount of water to be | | diverted per annum. |
| Include a | diverted and injected for the duration of the operation. | ☐ A description of how the diverted water will be disposed | The maximum amount of water to be diverted for the duration of the operation. |
| description of | ☐ The method and place of discharge. | | The quality of the water. |
| any proposed | ☐ The method of measurement of | Ground Source Heat Pump: | ☐The method of measurement of water |
| pump test, if | water produced and discharged. | Include a description of the | diverted. |
| applicable. | ☐ The source of water to be injected. ☐ The method of measurement of | geothermal heat exchange project, | ☐ The recharge of water to the aquifer. ☐ Description of the estimated area of |
| Monitoring*: | water injected. | The number of boreholes | hydrologic effect of the project. |
| Include the | ☐ The characteristics of the aquifer. | for the completed project and | The method and place of discharge |
| reason for | ☐ The method of determining the resulting annual consumptive use of | required depths. The time frame for | An estimation of the effects on surface water rights and underground water rights |
| the monitoring | | constructing the geothermal | from the mine dewatering project. |
| well, and, | stream system. | heat exchange project, and, | A description of the methods employed to |
| The | Proof of any permit required from the | | estimate effects on surface water rights and underground water rights. |
| duration | New Mexico Environment Department. An access agreement if the | ☐ Preliminary surveys, design data, and additional | Information on existing wells, rivers. |
| of the planned | applicant is not the owner of the land or | information shall be included to | springs, and wetlands within the area of |
| monitoring. | which the pollution plume control or | provide all essential facts | hydrologic effect. |
| | recovery well is to be located. or monitoring drilling activity is required by | relating to the reguest. | Aho MMED Medi Dise |
| I, We (name of | applicant(s)), Ashley Giovengo | Print Name(s) | |
| affirm that the fa | reasing statements are true to the best | | |
| | regoing statements are true to the best of | | |
| Ashley G | Digitally signed by Ashley Gi Date: 2024,05.08 14:58:39 | 06:00 | |
| Applicant Signat | | Applicant Signature N OF THE STATE ENGINEER | |
| | | | GOE ON MAY 14 2024 = 0:02 |
| | _ / | This application is: | _ |
| | □ approved | | denied |
| | ot exercised to the detriment of any other rimental to the public welfare and further | | contrary to the conservation of water in New of approval |
| Witness my hand | d and seal this 29 th day of | May 20 24. | for the State Engineer, |
| MIKE A. | HAMMAN, P.E. | , State Engineer | OF THE STATE |
| | 1-0 11 | 1/40111/45 | DADEKII SI MASCAN IO |
| By: | K. ParckL | KASHYAP F | 1 /// AAAMAY MAN |
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| | | | 12 * 001 |
| | FOR | OSE INTERNAL USE Applic | cation for Permit, Form WR-07 Version 02/29/2024 |
| | File N | C-04838 PODI | Tm No. 760708 |
| | | - 36 1080 | Page 3 of 3 |

NEW MEXICO STATE ENGINEER OFFICE PERMIT TO EXPLORE

SPECIFIC CONDITIONS OF APPROVAL

- 17-16 Construction of a water well by anyone without a valid New Mexico Well Driller License is illegal, and the landowner shall bear the cost of plugging the well by a licensed New Mexico well driller. This does not apply to driven wells, the casing of which does not exceed two and three-eighths inches outside diameter.
- 17-1A Depth of the well shall not exceed the thickness of the valley fill.
- 17-4 No water shall be appropriated and beneficially used under this permit.
- 17-6 The well authorized by this permit shall be plugged completely using the following method per Rules and Regulations Governing Well Driller Licensing, Construction, Repair and Plugging of Wells; Subsection C of 19.27.4.30 NMAC unless an alternative plugging method is proposed by the well owner and approved by the State Engineer upon completion of the permitted use. All pumping appurtenance shall be removed from the well prior to plugging. To plug a well, the entire well shall be filled from the bottom upwards to ground surface using a tremie pipe. The bottom of the tremie shall remain submerged in the sealant throughout the entire sealing process; other placement methods may be acceptable and approved by the state engineer. The well shall be plugged with an office of the state engineer approved sealant for use in the plugging of non-artesian wells. The well driller shall cut the casing off at least four (4) feet below ground surface and fill the open hole with at least two vertical feet of approved sealant. The driller must fill or cover any open annulus with sealant. Once the sealant has cured, the well driller or well owner may cover the seal with soil. A Plugging Report for said well shall be filed with the Office of the State Engineer in a District Office within 30 days of completion of the plugging.

Trn Desc: C 04838 POD1 File Number: C 04838

Trn Number: 760708

page: 1

NEW MEXICO STATE ENGINEER OFFICE PERMIT TO EXPLORE

SPECIFIC CONDITIONS OF APPROVAL (Continued)

- 17-7 The Permittee shall utilize the highest and best technology available to ensure conservation of water to the maximum extent practical.
- 17-B The well shall be drilled by a driller licensed in the State of New Mexico in accordance with 72-12-12 NMSA 1978. A licensed driller shall not be required for the construction of a well driven without the use of a drill rig, provided that the casing shall not exceed two and three-eighths (2 3/8) inches outside diameter.
- 17-C The well driller must file the well record with the State Engineer and the applicant within 30 days after the well is drilled or driven. It is the well owner's responsibility to ensure that the well driller files the well record.

 The well driller may obtain the well record form from any District Office or the Office of the State Engineer website.
- 17-P The well shall be constructed, maintained, and operated to prevent inter-aquifer exchange of water and to prevent loss of hydraulic head between hydrogeologic zones.
- 17-Q The State Engineer retains jurisdiction over this permit.
- 17-R Pursuant to section 72-8-1 NMSA 1978, the permittee shall allow the State Engineer and OSE representatives entry upon private property for the performance of their respective duties, including access to the ditch or acequia to measure flow and also to the well for meter reading and water level measurement.

Trn Desc: C 04838 POD1 File Number: C 04838

Trn Number: 760708

NEW MEXICO STATE ENGINEER OFFICE PERMIT TO EXPLORE

SPECIFIC CONDITIONS OF APPROVAL (Continued)

LOG The Point of Diversion C 04838 POD1 must be completed and the Well Log filed on or before 05/29/2025.

IT IS THE PERMITTEE'S RESPONSIBILITY TO OBTAIN ALL AUTHORIZATIONS AND PERMISSIONS TO DRILL ON PROPERTY OF OTHER OWNERSHIP BEFORE COMMENCING ACTIVITIES UNDER THIS PERMIT.

ACTION OF STATE ENGINEER

Notice of Intention Rcvd: Date Rcvd. Corrected: Formal Application Rcvd: 05/14/2024 Pub. of Notice Ordered: Date Returned - Correction: Affidavit of Pub. Filed:

This application is approved provided it is not exercised to the detriment of any others having existing rights, and is not contrary to the conservation of water in New Mexico nor detrimental to the public welfare of the state; and further subject to the specific conditions listed previously.

Witness my hand and seal this 29 day of May A.D., 2024

Mi ke A. Hamman, P.E. , State Engineer

KASHYAP PAREKH

THE STATE OF REPORT OF REP

Trn Desc: C 04838 POD1 File Number: C 04838 Trn Number: 760708

page: 3

Mike A. Hamman, P.E. State Engineer



Roswell Office 1900 WEST SECOND STREET ROSWELL, NM 88201

STATE OF NEW MEXICO OFFICE OF THE STATE ENGINEER

Trn Nbr: 760708 File Nbr: C 04838

May. 29, 2024

ASHLEY GIOVENGO ENSOLUM LLC 3122 NATIONAL PARKS HIGHWAY CARLSBAD, NM 88220

Greetings:

Your approved copy of the above numbered permit to drill a well for non-consumptive purposes is enclosed. You must obtain an additional permit if you intend to use the water. It is your responsibility to provide the contracted well driller with a copy of the permit that must be made available during well drilling activities.

Carefully review the attached conditions of approval for all specific permit requirements.

- * If use of this well is temporary in nature and the well will be plugged at the end of the well usage, the OSE must initially approve of the plugging. If plugging approval is not conditioned in this permit, the applicant must submit a Plugging Plan of Operations for approval prior to the well being plugged. The Plugging Record must be properly completed and submitted to the OSE within 30 days of the well plugging.
- * If the final intended purpose and condition requires a well ID tag and meter installation, the applicant must immediately send a completed meter report form to this office.
- * The well record and log must be submitted within 30 days of the completion of the well or if the attempt was a dry hole.
- * This permit expires and will be cancelled if no well is drilled and/or a well log is not received by the date set forth in the conditions of approval.

Appropriate forms can be downloaded from the OSE website www.ose.state.nm.us.

Sincerely,

Rodolfo Chavez (575)622-6521

Rodolfo Charry

Enclosure

explore

Water Right Summary



WR File Number: C 03917 Subbasin: **Cross Reference: Primary Purpose:** DOM 72-12-1 DOMESTIC ONE HOUSEHOLD **Primary Status: PMT Permit Total Acres: Subfile: Header: Total Diversion:** Cause/Case: 1.000 Owner: NGL WATER SOLUTIONS PERMIAN Owner 0 Class: w n e **Contact:** R CHARLES WILKIN

Documents on File

| Transaction Images | Trn # | Doc | File/Act | Status 1 | | Transaction Desc. | From/To Acres |
|-----------------------|--------|-------|------------|-------------|-----|-------------------|---------------|
| get images | 633173 | COWNF | 2018-09-17 | CHG | PRC | C 03917 | Т |
| get images | 578203 | 72121 | 2015-11-03 | PMT | LOG | C 03917 POD1 | Т |

Current Points of Diversion

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| C 03917 POD1 | NA | Shallow | SE | NW | SW | 13 | 24S | 33E | 638373.9 | 3565212.6 | • | |
| * UTM location was derived from PLSS - see Help | | | | | | | | | | | | |

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.

1/28/25 10:34 AM MST Water Rights Summary

©2024 New Mexico Office of the State Engineer, All Rights Reserved. | Disclaimer | Contact Us | Help | Home |



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PAGE 1 OF 2

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LOCATION

PAGE 2 OF 2

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| SIGNATURE | 160 | | | YOGI HUR | RFORD | | 03-11 | -2016 | | |
| | TI | SIGNA | TURE OF DRILLE | R / PRINT SIGNEE | NAME | | | | DATE | - W |
| FOR | OSE INTER | NAL USE | | | | | WR-20 WELL | RECORD & | LOG (Ve | rsion 06/08/2012) |
| | E NUMBER | (-2 | 917 | | POD NUMBER | 1_ | TRN NUMBER | | 3203 | |

Released to Imaging: 2/13/2025 10:59:21 AM

LOCATION



Ecological site R070BD003NM Loamy Sand

Accessed: 11/14/2024

General information

Provisional. A provisional ecological site description has undergone quality control and quality assurance review. It contains a working state and transition model and enough information to identify the ecological site.

Figure 1. Mapped extent

Areas shown in blue indicate the maximum mapped extent of this ecological site. Other ecological sites likely occur within the highlighted areas. It is also possible for this ecological site to occur outside of highlighted areas if detailed soil survey has not been completed or recently updated.

Associated sites

| R070BD004NM | Sandy Sandy |
|-------------|-------------------------------|
| R070BD005NM | Deep Sand Deep Sand |

Table 1. Dominant plant species

| Tree | Not specified |
|------------|---------------|
| Shrub | Not specified |
| Herbaceous | Not specified |

Physiographic features

This site is on uplands, plains, dunes, fan piedmonts and in inter dunal areas. The parent material consists of mixed alluvium and or eolian sands derived from sedimentary rock. Slope range on this site range from 0 to 9 percent with the average of 5 percent.

Low stabilized dunes may occur occasionally on this site. Elevations range from 2,800 to 5,000 feet.

Table 2. Representative physiographic features

| Landforms | (1) Fan piedmont (2) Alluvial fan (3) Dune |
|-----------|--|
| Elevation | 2,800–5,000 ft |
| Slope | 0–9% |
| Aspect | Aspect is not a significant factor |

Climatic features

The average annual precipitation ranges from 8 to 13 inches. Variations of 5 inches, more or less, are common. Over 80 percent of the precipitation falls from April through October. Most of the summer precipitation comes in the form of high intensity-short duration thunderstorms.

Temperatures are characterized by distinct seasonal changes and large annual and diurnal temperature changes.

The average annual temperature is 61 degrees with extremes of 25 degrees below zero in the winter to 112 degrees in the summer.

The average frost-free season is 207 to 220 days. The last killing frost being late March or early April and the first killing frost being in later October or early November.

Temperature and rainfall both favor warm season perennial plant growth. In years of abundant spring moisture, annual forbs and cool season grasses can make up an important component of this site. Strong winds blow from the southwest from January through June, which accelerates soil drying during a critical period for cool season plant growth.

Climate data was obtained from http://www.wrcc.sage.dri.edu/summary/climsmnm.html web site using 50% probability for freeze-free and frost-free seasons using 28.5 degrees F and 32.5 degrees F respectively.

Table 3. Representative climatic features

| Frost-free period (average) | 221 days |
|-------------------------------|----------|
| Freeze-free period (average) | 240 days |
| Precipitation total (average) | 13 in |

Influencing water features

This site is not influenced from water from wetlands or streams.

Soil features

Soils are moderately deep or very deep. Surface textures are loamy fine sand, fine sandy loam, loamy very fine sand or gravelly sandy loam.

Subsurface is a loamy fine sand, coarse sandy loam, fine sandy loam or loam that averages less than 18 percent clay and less than 15 percent carbonates.

Substratum is a fine sandy loam or gravelly fine sandy loam with less than 15 percent gravel and with less than 40 percent calcium carbonate. Some layers high in lime or with caliche fragments may occur at depths of 20 to 30 inches.

These soils, if unprotected by plant cover and organic residue, become wind blown and low hummocks are formed.

Minimum and maximum values listed below represent the characteristic soils for this site.

Characteristic soils are:

Maljamar

Berino

Parjarito

Palomas

Wink

Pyote

Table 4. Representative soil features

| Surface texture | (1) Fine sand (2) Fine sandy loam (3) Loamy fine sand |
|----------------------|---|
| Family particle size | (1) Sandy |
| Drainage class | Well drained to somewhat excessively drained |
| Permeability class | Moderate to moderately rapid |

| Soil depth | 40–72 in |
|---|--------------|
| Surface fragment cover <=3" | 0–10% |
| Surface fragment cover >3" | 0% |
| Available water capacity (0-40in) | 5–7 in |
| Calcium carbonate equivalent (0-40in) | 3–40% |
| Electrical conductivity (0-40in) | 2–4 mmhos/cm |
| Sodium adsorption ratio (0-40in) | 0–2 |
| Soil reaction (1:1 water) (0-40in) | 6.6–8.4 |
| Subsurface fragment volume <=3" (Depth not specified) | 4–12% |
| Subsurface fragment volume >3" (Depth not specified) | 0% |

Ecological dynamics

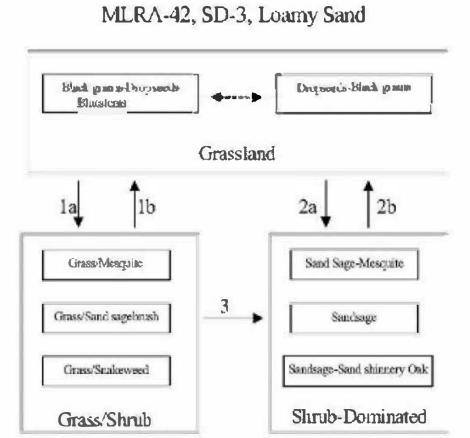
Overview

The Loamy Sand site intergrades with the Deep Sand and Sandy sites (SD-3). These sites can be differentiated by surface soil texture and depth to a textural change. Loamy Sand and Deep Sand sites have coarse textured (sands and loamy sand) surface soils while Sandy sites have moderately coarse textured (sandy loam and fine sandy loam) surfaces. Although Loamy Sand and Deep Sand sites have similar surface textures, the depth to a textural change is different—Loamy Sand sub-surface textures typically increase in clay at approximately 20 to 30 inches, and Deep Sand sites not until around 40 inches.

The historic plant community of Loamy Sand sites is dominated by black grama (*Bouteloua eriopoda*), dropseeds (*Sporobolus flexuosus*, *S. contractus*, *S. cryptandrus*), and bluestems (*Schizachyrium scoparium* and *Andropogon hallii*), with scattered shinnery oak (*Quercus havardii*) and sand sage (*Artemisia filifolia*). Perennial and annual forb abundance and distribution are dependent on precipitation. Litter and to a lesser extent, bare ground, are a significant proportion of ground cover while grasses compose the remainder. Decreases in black grama indicate a transition to either a grass/shrub or shrub-dominated state. The grass/shrub state is composed of grasses/honey mesquite (*Prosopis glandulosa*), grasses/broom snakeweed (*Gutierrezia sarothrae*), or grasses/sand sage. The shrub-dominated state occurs after a severe loss of grass cover and a prevalence of sand sage with secondary shinnery oak and mesquite. Heavy grazing intensity and/or drought are influential drivers in decreasing black grama and bluestems and subsequently increasing shrub cover, erosion, and bare patches. Historical fire suppression also encourages shrub pervasiveness and a competitive advantage over grass species (McPherson 1995). Brush and grazing management, however, may reverse grass/shrub and shrub-dominated states toward the grassland-dominated historic plant community.

State and transition model

Plant Communities and Transitional Pathways (diagram):



- la. Brought, over grazing, fire suppression.
- 1b. Brush control, prescribed grazing
- 2.a Severe less of grass cover, fire suppression, crosion.
- 2b, Brush control, seeding, prescribed grazing.
- 3. Continued loss of grass cover, erosion.

State 1 Historic Climax Plant Community

Community 1.1 Historic Climax Plant Community

Grassland: The historic plant community is a uniformly distributed grassland dominated by black grama, dropseeds, and bluesterns. Sand sage and shinnery oak are evenly dispersed throughout the grassland due to the coarse soil

surface texture. Perennial and annual forbs are common but their abundance and distribution are reflective of precipitation. Bluestems initially, followed by black grama, decrease with drought and heavy grazing intensity. Historical fire frequency is unknown but likely occurred enough to remove small shrubs to the competitive advantage of grass species. Fire suppression, drought conditions, and excessive grazing drive most grass species out of competition with shrub species. Diagnosis: Grassland dominated by black grama, dropseeds, and bluestems. Shrubs, such as sand sage, shinnery oak, and mesquite are dispersed throughout the grassland. Forbs are present and populations fluctuate with precipitation variability.

Table 5. Annual production by plant type

| Plant Type | Low (Lb/Acre) | Representative Value (Lb/Acre) | High (Lb/Acre) |
|-----------------|------------------|-----------------------------------|-------------------|
| Grass/Grasslike | 442 | 833 | 1224 |
| Forb | 110 | 208 | 306 |
| Shrub/Vine | 98 | 184 | 270 |
| Total | 650 | 1225 | 1800 |

Table 6. Ground cover

| Tree foliar cover | 0% |
|-----------------------------------|-----------|
| Shrub/vine/liana foliar cover | 0% |
| Grass/grasslike foliar cover | 28% |
| Forb foliar cover | 0% |
| Non-vascular plants | 0% |
| Biological crusts | 0% |
| Litter | 50% |
| Surface fragments >0.25" and <=3" | 0% |
| Surface fragments >3" | 0% |
| Bedrock | 0% |
| Boarook | |
| Water | 0% |
| | 0% 22% |

Figure 5. Plant community growth curve (percent production by month). NM2803, R042XC003NM-Loamy Sand-HCPC. SD-3 Loamy Sand - Warm season plant community.

| Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 0 | 0 | 3 | 5 | 10 | 10 | 25 | 30 | 12 | 5 | 0 | 0 |

State 2 Grass/Shrub

Community 2.1 Grass/Shrub





Grass/Shrub State: The grass/shrub state is dominated by communities of grasses/mesquite, grasses/snakeweed, or grasses/sand aage. Decreases in black grama and bluestern apacles lead to an increase in bare patches and meaguite which further correctes with grass species. An increase of drop seeds and threesway occurs. Grass distribution becomes more patchy with an absence or severe decrease in black grams and bluesterns. Mesquite provides nitrogen and soil organic matter to co-dominant grasses (Ansley and Jacoby 1998, Ansley et al. 1998). Mesquite mortality when exposed to fire is low due to eggressive resprouting abilities. Herbicide application combined with authorquent practibed fire may be more effective in mesquite reduction (Britton and Wright 1971). Diagnosis: This state is dominated by an increased abundance of communities including grass/neequite. grass/sne/sweet, or grass/sand eage. Dropeaeds and threeswree have a patchy distribution. Transition to Grass/Shrub State (1a): The historic plant community begins to shift toward the grass/shrub state es drivers such as drought, fire suppression, interspecific competition, and excessive grazing contribute to elterations in soil properties and lierbaceous cover. Covar loss and auriace soil erosion are initial indicators of transition followed by a decrease in black grams with a subsequant increase of dropseds, threeswas, nesquits, and snekeweed. Sredeweed has been documented to outcompete black grama especially under conditions of fire suppression and drought (McDaniel at al. 1964). Key indicators of appreach to transition: • Loss of black grama cover • Surface soil erosion - Bare patch expansion - Increased dropseed/threeawn and mesquite, snekeweed, or sand saga abundances Transition to Historic Plant Community (1b): Brush and grazing menagement may restore the grassland component and reverse shrub or grass/shrub dorninated states back toward the historic plant community.

State 3 Shrub Dominated

Community 3.1 Shrub Dominated

Shrub Oominated State: The shrub dominated state results from a severe loss of grass cover. This state's primary specias is sand sage. Shinnary oak and mesquite also occur; however, grass cover is limited to intershrub distribution. Sand sage stabilizes light sandy soils from wind erosion, which enhances protected grass/forb cover (Davis and Bonham 1979). However, shinnery oak also responds to the sandy soils with danse stands due to an

aggressive rhizome system. Shinnery oak's extensive root system promotes competitive exclusion of grasses and forbs. Sand sage, shinnery oak, and mesquite can be controlled with herbicide (Herbel et al. 1979, Pettit 1986). Transition to Shrub-Dominated (2a): Severe loss of grass species with increased erosion and fire suppression will result in a transition to a shrub-dominated state with sand sage, Shin oak, and honey mesquite directly from the grassland-dominated state. Key indicators of approach to transition: • Severe loss of grass species cover • Surface soil erosion • Bare patch expansion • Increased sand sage, shinnery oak, and mesquite abundance Transition to Historic Plant Community (2b): Brush and grazing management may restore the grassland component and reverse shrub or grass/shrub dominated states back toward the historic plant community. In addition, seeding with native grass species will augment the transition to a grassland-dominated state. Transition to Shrub-Dominated (3): If the grass/shrub site continues to lose grass cover with soil erosion, the site will transition to a shrub-dominated state with sand sage, shinnery oak, and honey mesquite. Key indicators of approach to transition: • Continual loss of dropseeds/threeawns cover • Surface soil erosion • Bare patch expansion • Increased sand sage, shinnery oak, and mesquite/dropseed/threeawn and mesquite/snakeweed abundance

Additional community tables

Table 7. Community 1.1 plant community composition

| Group | Common Name | Symbol | Scientific Name | Annual Production (Lb/Acre) | Foliar Cover |
|-------|-------------------------|----------|---------------------------|-----------------------------|--------------|
| Grass | /Grasslike | <u>'</u> | | | |
| 1 | Warm Season | | | 61–123 | |
| | little bluestem | scsc | Schizachyrium scoparium | 61–123 | _ |
| 2 | Warm Season | ' | • | 37–61 | |
| | sand bluestem | ANHA | Andropogon hallii | 37–61 | _ |
| 3 | Warm Season | | , | 37–61 | |
| | cane bluestem | BOBA3 | Bothriochloa barbinodis | 37–61 | _ |
| | silver bluestem | BOSA | Bothriochloa saccharoides | 37–61 | _ |
| 4 | Warm Season | | | 123–184 | |
| | black grama | BOER4 | Bouteloua eriopoda | 123–184 | _ |
| | bush muhly | MUPO2 | Muhlenbergia porteri | 123–184 | _ |
| 5 | Warm Season | | | 123–184 | |
| | thin paspalum | PASE5 | Paspalum setaceum | 123–184 | _ |
| | plains bristlegrass | SEVU2 | Setaria vulpiseta | 123–184 | _ |
| | fringed signalgrass | URCI | Urochloa ciliatissima | 123–184 | _ |
| 6 | Warm Season | 123–184 | | | |
| | spike dropseed | SPCO4 | Sporobolus contractus | 123–184 | _ |
| | sand dropseed | SPCR | Sporobolus cryptandrus | 123–184 | _ |
| | mesa dropseed | SPFL2 | Sporobolus flexuosus | 123–184 | _ |
| 7 | Warm Season | • | • | 61–123 | |
| | hooded windmill grass | CHCU2 | Chloris cucullata | 61–123 | _ |
| | Arizona cottontop | DICA8 | Digitaria californica | 61–123 | _ |
| 9 | Other Perennial Grasses | | | 37–61 | |
| | Grass, perennial | 2GP | Grass, perennial | 37–61 | _ |
| Shrub | /Vine | | | • | |
| 8 | Warm Season | | | 37–61 | |
| | New Mexico feathergrass | HENE5 | Hesperostipa neomexicana | 37–61 | _ |
| | giant dropseed | SPGI | Sporobolus giganteus | 37–61 | _ |
| 10 | Shrub | • | | 61–123 | |

| | sand sagebrush | ARFI2 | Artemisia filifolia | 61–123 | - |
|------|---|--------|---|--------|---|
| | Havard oak | QUHA3 | Quercus havardii | 61–123 | - |
| 11 | Shrub | | | 34–61 | |
| | fourwing saltbush | ATCA2 | Atriplex canescens | 37–61 | _ |
| | featherplume | DAFO | Dalea formosa | 37–61 | _ |
| 12 | Shrub | | | 37–61 | |
| | jointfir | EPHED | Ephedra | 37–61 | _ |
| | littleleaf ratany | KRER | Krameria erecta | 37–61 | _ |
| 13 | Other Shrubs | | | 37–61 | |
| | Shrub (>.5m) | 2SHRUB | Shrub (>.5m) | 37–61 | _ |
| Forb | | • | | | |
| 14 | Forb | | | 61–123 | |
| | leatherweed | CRPOP | Croton pottsii var. pottsii | 61–123 | _ |
| | Indian blanket | GAPU | Gaillardia pulchella | 61–123 | - |
| | globemallow | SPHAE | Sphaeralcea | 61–123 | - |
| 15 | Forb | • | | 12–37 | |
| | woolly groundsel | PACA15 | Packera cana | 12–37 | - |
| 16 | Forb | | | 61–123 | |
| | touristplant | DIWI2 | Dimorphocarpa wislizeni | 61–123 | _ |
| | woolly plantain | PLPA2 | Plantago patagonica | 61–123 | _ |
| 17 | Other Forbs | • | | 37–61 | |
| | Forb (herbaceous, not grass nor grass-like) | 2FORB | Forb (herbaceous, not grass nor grass-like) | 37–61 | _ |

Animal community

This Ecological Site provides habitat which supports a resident animal community that is characterized by pronghorn antelope, desert cottontail, spotted ground squirrel, black-tailed prairie dog, yellow faced pocket gopher, Ord's kangaroo rat, northern grasshopper mouse, southern plains woodrat, badger, roadrunner, meadowlark, burrowing owl, white necked raven, lesser prairie chicken, morning dove, scaled quail, Harris hawk, side blotched lizard, marbled whiptail, Texas horned lizard, western diamondback rattlesnake, dusty hognose snake and ornate box turtle.

Where mesquite has invaded, most resident birds and scissor-tailed flycatcher, morning dove and Swainson's hawk, nest. Vesper and grasshopper sparrows utilize the site during migration.

Hydrological functions

The runoff curve numbers are determined by field investigations using hydraulic cover conditions and hydrologic soil groups.

Hydrologic Interpretations

Soil Series Hydrologic Group

Berino B

Kinco A

Maljamar B

Pajarito B

Palomas B

Wink B

Pyote A

Recreational uses

This site offers recreation potential for hiking, borseback riding, nature observation, photography and hunting. During years of abundant spring moisture, this site displays a colorful array of wildflowers during May and June.

Wood products

This site has no potential for wood products.

Other products

This site is suitable for grazing by all kinds and classes of livestock at any time of year. In cases where this site has been invaded by brush species it is especially suited for goats. Mismanagement of this site will cause a decrease in species such as the bluestems, blsck grama, bush muhly, plains bristlegrass, New Mexico feathergrass, Arizona cottontop and fourwing saltbush. A corresponding increase in the dropseeds, windmill grass, fall witchgrass, silver bluestem, sand sagebrush, shinery oak and ephedra will occur. This will also cause an increase in bare ground which will increase soil erodibility. This site will respond well to a system of management that rotates the season of use.

Other information

Guide to Suggested Initial Stocking Rate Acres per Animal Unit Month Similarity Index Ac/AUM 100 - 762.3 - 3.5 75 - 513.0 - 4.5 50 - 264.6 - 9.0 25 - 09.1 +

Inventory data references

Data collection for this site was done in conjunction with the progressive soil surveys within the Southern Desertic Basins, Plains and Mountains, Major Land Resource Areas of New Mexico. This site has been mapped and correlated with soils in the following soil surveys. Eddy County, Lea County, and Chaves County.

Other references

Literature Cited:

Ansley, R. J.; Jacoby, P. W. 1998. Manipulation of fire intensity to achieve mesquite management goals in north Texas. In: Pruden, Teresa L.; Brennan, Leonard A., eds. Fire in ecosystem management: shifting the paradigm from suppression to prescription: Proceedings, Tall Timbers fire ecology conference; 1996 May 7-10; Boise, ID. No. 20. Tallahassee, FL: Tall Timbers Research Station: 195-204.

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Herbel, C. H, Steger, R, Gould, W. L. 1974. Managing semidesert ranges of the Southwest Circular 456. Las Cruces, NM: New Mexico State University, Cooperative Extension Service. 48 p.

McDaniel, Kirk C.; Pieper, Rex D.; Loomis, Lyn E.; Osman, Abdelgader A. 1984. Taxonomy and ecology of perennial snakeweeds in New Mexico. Bulletin 711. Las Cruces, NM: New Mexico State University, Agricultural Experiment Station. 34 p.

McPherson, Guy R. 1995. The role of fire in the desert grasslands. In: McClaran, Mitchel P.; Van Devender, Thomas R., eds. The desert grassland. Tucson, AZ: The University of Arizona Press: 130-151.

Pettit, Russell D. 1986. Sand shinnery oak: control and management. Management Note 8. Lubbock, TX: Texas Tech University, College of Agricultural Sciences, Department of Range and Wildlife Management. 5 p.

Contributors

Don Sylvester Quinn Hodgson

Rangeland health reference sheet

Interpreting Indicators of Rangeland Health is a qualitative assessment protocol used to determine ecosystem condition based on benchmark characteristics described in the Reference Sheet. A suite of 17 (or more) indicators are typically considered in an assessment. The ecological site(s) representative of an assessment location must be known prior to applying the protocol and must be verified based on soils and climate. Current plant community cannot be used to identify the ecological site.

| Author(s)/participant(s) | |
|---|-------------------|
| Contact for lead author | |
| Date | |
| Approved by | |
| Approval date | |
| Composition (Indicators 10 and 12) based on | Annual Production |

Indicators

| 1. | Number and extent of rills: |
|----|---|
| 2. | Presence of water flow patterns: |
| 3. | Number and height of erosional pedestals or terracettes: |
| 4. | Bare ground from Ecological Site Description or other studies (rock, litter, lichen, moss, plant canopy are not bare ground): |
| 5. | Number of gullies and erosion associated with gullies: |
| 6. | Extent of wind scoured, blowouts and/or depositional areas: |

ATTACHMENT 3: CORRESPONDENCE



RE: [EXTERNAL] nAPP2432330772 Broadside 12 Facility 2 Liner Inspection Notification

From Raley, Jim <jim.raley@dvn.com>

Date Tue 12/10/2024 7:40 AM

To Monica Peppin < Monica. Peppin@soudermiller.com >

Cc ocd.enviro@emnrd.nm.gov <OCD.Enviro@emnrd.nm.gov>; Stephanie Hinds <stephanie.hinds@soudermiller.com>

Submitted 12/10/2024

Jim Raley | Environmental Professional - Permian Basin

5315 Buena Vista Dr., Carlsbad, NM 88220 C: (575)689-7597 | jim.raley@dvn.com



From: Monica Peppin < Monica. Peppin@soudermiller.com>

Sent: Tuesday, December 10, 2024 5:30 AM **To:** Raley, Jim <Jim.Raley@dvn.com>

Cc: ocd.enviro@emnrd.nm.gov; Stephanie Hinds <stephanie.hinds@soudermiller.com> **Subject:** [EXTERNAL] nAPP2432330772 Broadside 12 Facility 2 Liner Inspection Notification

ALL:

SMA anticipates conducting liner inspection activities at the following site on December 12,

2024:

Proposed Date: 12.12.24

Proposed Time Frame: 8:00 AM/12:00 PM

Site Name: Broadside 12 Facility 2 Incident Number: nAPP2432330772

API: fAPP2209631775

| Site Name and Incident ID: | Broadside 12 Facility 2 nAPP2432330772 |
|---|---|
| Containment surface area: | 4,865 square feet |
| Have all impacted materials been removed from the liner: | Yes |
| Liner inspection date pursuant to Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC | 12.12.2024 |
| Time liner inspection will commence: | 8:00 AM |
| Contact information: | Monica Peppin 575-909-3418 |
| Navigation to site: | 128 & Delaware Basin travel north for 1 mile, turn left onto lease rd travel west for 0.38 miles, turn right travel north for 0.11 miles, turn left travel 0.06 miles, and dead end on site |

Thank you, MP



Monica Peppin, A.S.

Project Manager

Direct/Mobile: 575.909.3418

Office:

Stronger Communities by Design

575.689.7040

201 S Halagueno St.

Carlsbad, NM 88220







www.soudermiller.com

Corporate Registrations: AZ Engineering/Geology/Surveying Firm (14070), FL Engineering Firm (34203), ID Engineering/Surveying Firm (C-3564), ND Engineering Firm (28545PE), OK Engineering Firm (8498), SD Surveying Firm (C-7436), TX Engineering Firm (8877), TX Geology Firm (50254), TX Surveying Firm (10162200), WY Engineering/Surveying Firm (S-1704)

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Sante Fe Main Office Phone: (505) 476-3441 General Information

Phone: (505) 629-6116
Online Phone Directory
https://www.emnrd.nm.gov/ocd/contact-us

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

QUESTIONS

Action 428335

QUESTIONS

| Operator: | OGRID: | |
|-------------------------------------|---|--|
| DEVON ENERGY PRODUCTION COMPANY, LP | 6137 | |
| 333 West Sheridan Ave. | Action Number: | |
| Oklahoma City, OK 73102 | 428335 | |
| | Action Type: | |
| | [C-141] Remediation Closure Request C-141 (C-141-v-Closure) | |

QUESTIONS

| Prerequisites | |
|-------------------|--|
| Incident ID (n#) | nAPP2432330772 |
| Incident Name | NAPP2432330772 BROADSIDE 12 FACILITY 2 @ 0 |
| Incident Type | Produced Water Release |
| Incident Status | Remediation Closure Report Received |
| Incident Facility | [fAPP2209631775] BROADSIDE 12 FACILITY 2 |

| Location of Release Source | |
|--|-------------------------|
| Please answer all the questions in this group. | |
| Site Name | BROADSIDE 12 FACILITY 2 |
| Date Release Discovered | 11/16/2024 |
| Surface Owner | Private |

| ncident Details | |
|--|------------------------|
| Please answer all the questions in this group. | |
| Incident Type | Produced Water Release |
| Did this release result in a fire or is the result of a fire | No |
| Did this release result in any injuries | No |
| Has this release reached or does it have a reasonable probability of reaching a watercourse | No |
| Has this release endangered or does it have a reasonable probability of endangering public health | No |
| Has this release substantially damaged or will it substantially damage property or the environment | No |
| Is this release of a volume that is or may with reasonable probability be detrimental to fresh water | No |

| Nature and Volume of Release | | |
|--|---|--|
| Material(s) released, please answer all that apply below. Any calculations or specific justifications for the volumes provided should be attached to the follow-up C-141 submission. | | |
| Crude Oil Released (bbls) Details | Not answered. | |
| Produced Water Released (bbls) Details | Cause: Equipment Failure Pump Produced Water Released: 13 BBL Recovered: 13 BBL Lost: 0 BBL. | |
| Is the concentration of chloride in the produced water >10,000 mg/l | Yes | |
| Condensate Released (bbls) Details | Not answered. | |
| Natural Gas Vented (Mcf) Details | Not answered. | |
| Natural Gas Flared (Mcf) Details | Not answered. | |
| Other Released Details | Not answered. | |
| Are there additional details for the questions above (i.e. any answer containing Other, Specify, Unknown, and/or Fire, or any negative lost amounts) | Flange on water transfer pump developed leak. Allowing release of 13 bbls to lined containment, fluids fully recovered. | |

General Information Phone: (505) 629-6116

Online Phone Directory https://www.emnrd.nm.gov/ocd/contact-us

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

QUESTIONS, Page 2

Action 428335

| QUESTI | ONS (continued) |
|---|---|
| Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102 | OGRID: 6137 Action Number: 428335 Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure) |
| QUESTIONS | |
| Nature and Volume of Release (continued) | |
| Is this a gas only submission (i.e. only significant Mcf values reported) | No, according to supplied volumes this does not appear to be a "gas only" report. |
| Was this a major release as defined by Subsection A of 19.15.29.7 NMAC | No |
| Reasons why this would be considered a submission for a notification of a major release | Unavailable. |
| With the implementation of the 19.15.27 NMAC (05/25/2021), venting and/or flaring of natural gas (i.e. | e. gas only) are to be submitted on the C-129 form. |
| Initial Response The responsible party must undertake the following actions immediately unless they could create a s The source of the release has been stopped | rafety hazard that would result in injury. True |
| The impacted area has been secured to protect human health and the environment | True |
| Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices | True |
| All free liquids and recoverable materials have been removed and managed appropriately | True |
| If all the actions described above have not been undertaken, explain why | Not answered. |
| | ation immediately after discovery of a release. If remediation has begun, please prepare and attach a narrative ted or if the release occurred within a lined containment area (see Subparagraph (a) of Paragraph (5) of valuation in the follow-up C-141 submission. |
| I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are reto 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 the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, su water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state local laws and/or regulations. | |
| I hereby agree and sign off to the above statement | Name: James Raley Title: EHS Professional Email: jim.raley@dvn.com Date: 02/05/2025 |

General Information Phone: (505) 629-6116

Online Phone Directory https://www.emnrd.nm.gov/ocd/contact-us

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

QUESTIONS, Page 3

Action 428335

QUESTIONS (continued)

| Operator: | OGRID: |
|-------------------------------------|---|
| DEVON ENERGY PRODUCTION COMPANY, LP | 6137 |
| 333 West Sheridan Ave. | Action Number: |
| Oklahoma City, OK 73102 | 428335 |
| | Action Type: |
| | [C-141] Remediation Closure Request C-141 (C-141-v-Closure) |

QUESTIONS

| Site Characterization | | |
|---|--------------------------------|--|
| Please answer all the questions in this group (only required when seeking remediation plan approval and beyond). This information must be provided to the appropriate district office no later than 90 days after the release discovery date. | | |
| What is the shallowest depth to groundwater beneath the area affected by the release in feet below ground surface (ft bgs) | Between 100 and 500 (ft.) | |
| What method was used to determine the depth to ground water | NM OSE iWaters Database Search | |
| Did this release impact groundwater or surface water | No | |
| What is the minimum distance, between the closest lateral extents of the release and the following surface areas: | | |
| A continuously flowing watercourse or any other significant watercourse | Between 1 and 5 (mi.) | |
| Any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark) | Between 1 and 5 (mi.) | |
| An occupied permanent residence, school, hospital, institution, or church | Between 1 and 5 (mi.) | |
| A spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes | Between 1 and 5 (mi.) | |
| Any other fresh water well or spring | Between 1 and 5 (mi.) | |
| Incorporated municipal boundaries or a defined municipal fresh water well field | Greater than 5 (mi.) | |
| A wetland | Between ½ and 1 (mi.) | |
| A subsurface mine | Greater than 5 (mi.) | |
| An (non-karst) unstable area | Greater than 5 (mi.) | |
| Categorize the risk of this well / site being in a karst geology | Low | |
| A 100-year floodplain | Greater than 5 (mi.) | |
| Did the release impact areas not on an exploration, development, production, or storage site | No | |

| Remediation Plan | | |
|---|------------|--|
| Please answer all the questions that apply or are indicated. This information must be provided to the appropriate district office no later than 90 days after the release discovery date. | | |
| Requesting a remediation plan approval with this submission | Yes | |
| Attach a comprehensive report demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined, pursuant to 19.15.29.11 NMAC and 19.15.29.13 NMAC. | | |
| Have the lateral and vertical extents of contamination been fully delineated | Yes | |
| Was this release entirely contained within a lined containment area | Yes | |
| Per Subsection B of 19.15.29.11 NMAC unless the site characterization report includes completed efforts at remediation, the report must include a proposed remediation plan in accordance with 19.15.29.12 NMAC, which includes the anticipated timelines for beginning and completing the remediation. | | |
| On what estimated date will the remediation commence 11/18/2024 | | |
| On what date will (or did) the final sampling or liner inspection occur | 12/12/2024 | |
| On what date will (or was) the remediation complete(d) | 12/12/2024 | |
| What is the estimated surface area (in square feet) that will be remediated | 4865 | |
| What is the estimated volume (in cubic yards) that will be remediated | 0 | |
| These estimated dates and measurements are recognized to be the best guess or calculation at the time of submission and may (be) change(d) over time as more remediation efforts are completed. | | |

The OCD recognizes that proposed remediation measures may have to be minimally adjusted in accordance with the physical realities encountered during remediation. If the responsible party has any need to

significantly deviate from the remediation plan proposed, then it should consult with the division to determine if another remediation plan submission is required.

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

QUESTIONS, Page 4

Action 428335

QUESTIONS (continued)

| Operator: | OGRID: |
|-------------------------------------|---|
| DEVON ENERGY PRODUCTION COMPANY, LP | 6137 |
| 333 West Sheridan Ave. | Action Number: |
| Oklahoma City, OK 73102 | 428335 |
| | Action Type: |
| | [C-141] Remediation Closure Request C-141 (C-141-v-Closure) |

QUESTIONS

| Remediation Plan (continued) | | | |
|--|---------------|--|--|
| Please answer all the questions that apply or are indicated. This information must be provided to the appropriate district office no later than 90 days after the release discovery date. | | | |
| This remediation will (or is expected to) utilize the following processes to remediate / reduce contaminants: | | | |
| (Select all answers below that apply.) | | | |
| Is (or was) there affected material present needing to be removed | Yes | | |
| Is (or was) there a power wash of the lined containment area (to be) performed | Yes | | |
| OTHER (Non-listed remedial process) | Not answered. | | |
| Per Subsection B of 19.15.29.11 NMAC unless the site characterization report includes completed efforts at remediation, the report must include a proposed remediation plan in accordance with 19.15.29.12 NMAC, | | | |

Per Subsection B of 19.15.29.11 NMAC unless the site characterization report includes completed efforts at remediation, the report must include a proposed remediation plan in accordance with 19.15.29.12 NMAC which includes the anticipated timelines for beginning and completing the remediation.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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.

I hereby agree and sign off to the above statement

Name: James Raley Title: EHS Professional Email: jim.raley@dvn.com Date: 02/05/2025

The OCD recognizes that proposed remediation measures may have to be minimally adjusted in accordance with the physical realities encountered during remediation. If the responsible party has any need to significantly deviate from the remediation plan proposed, then it should consult with the division to determine if another remediation plan submission is required.

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

QUESTIONS, Page 6

Action 428335

| 1220 S. St Francis Dr. Santa Fe, NM 87505 QUESTIONS (continued) | | | | |
|--|--|--|--|--|
| | | | | |
| QUESTIONS | [0-141] Telliculation bloodic Request 0-141 (0-141-7-bloodic) | | | |
| Liner Inspection Information | | | | |
| Last liner inspection notification (C-141L) recorded | 410206 | | | |
| Liner inspection date pursuant to Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC | 12/12/2024 | | | |
| Was all the impacted materials removed from the liner | Yes | | | |
| What was the liner inspection surface area in square feet | 4865 | | | |
| Remediation Closure Request Only answer the questions in this group if seeking remediation closure for this release because all re Requesting a remediation closure approval with this submission Have the lateral and vertical extents of contamination been fully delineated Was this release entirely contained within a lined containment area What was the total surface area (in square feet) remediated What was the total volume (cubic yards) remediated | Yes Yes Yes 4865 | | | |
| Summarize any additional remediation activities not included by answers (above) | Secondary Containment inspection completed. No breach through liner | | | |
| | closure requirements and any conditions or directives of the OCD. This demonstration should be in the form of a notes, photographs of any excavation prior to backfilling, laboratory data including chain of custody documents | | | |
| to report and/or file certain release notifications and perform corrective actions for releathe OCD does not relieve the operator of liability should their operations have failed to water, human health or the environment. In addition, OCD acceptance of a C-141 report | knowledge and understand that pursuant to OCD rules and regulations all operators are required uses which may endanger public health or the environment. The acceptance of a C-141 report by adequately investigate and remediate contamination that pose a threat to groundwater, surface t does not relieve the operator of responsibility for compliance with any other federal, state, or ially restore, reclaim, and re-vegetate the impacted surface area to the conditions that existed ng notification to the OCD when reclamation and re-vegetation are complete. | | | |
| I hereby agree and sign off to the above statement | Name: James Raley Title: EHS Professional Email: jim.raley@dvn.com Date: 02/05/2025 | | | |

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CONDITIONS

Action 428335

CONDITIONS

| Operator: | OGRID: |
|-------------------------------------|---|
| DEVON ENERGY PRODUCTION COMPANY, LP | 6137 |
| 333 West Sheridan Ave. | Action Number: |
| Oklahoma City, OK 73102 | 428335 |
| | Action Type: |
| | [C-141] Remediation Closure Request C-141 (C-141-v-Closure) |

CONDITIONS

| Created By | $^{\prime}$ | Condition Date |
|------------|--|-------------------|
| rhamlet | We have received your Remediation Closure Report for Incident #NAPP2432330772 BROADSIDE 12 FACILITY 2, thank you. This Remediation Closure Report is approved. | 2/13/2025 |