

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

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

Form C-144
Revised April 3, 2017

For temporary pits, below-grade tanks, and multi-well fluid management pits, submit to the appropriate NMOCD District Office.
For permanent pits submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.

Pit, Below-Grade Tank, or
Proposed Alternative Method Permit or Closure Plan Application

Type of action: ☐ Below grade tank registration
☐ Permit of a pit or proposed alternative method
BGT1 ☒ Closure of a pit, below-grade tank, or proposed alternative method
☒ Modification to an existing permit/or registration
☐ Closure plan only submitted for an existing permitted or non-permitted pit, below-grade tank, or proposed alternative method

Instructions: Please submit one application (Form C-144) per individual pit, 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: Hilcorp Energy Company OGRID #: 372171
Address: 382 Road 3100 Aztec, NM 87410
Facility or well name: BERGER 6S
API Number: 3004532947 OCD Permit Number: _____
U/L or Qtr/Qtr C (NENW) Section 22 Township 26N Range 11W County: SAN JUAN
Center of Proposed Design: Latitude 36.47763 Longitude -107.99385 NAD83
Surface Owner: ☒ Federal ☐ State ☐ Private ☐ Tribal Trust or Indian Allotment

2.
☐ **Pit:** Subsection F, G or J of 19.15.17.11 NMAC
Temporary: ☐ Drilling ☐ Workover
☐ Permanent ☐ Emergency ☐ Cavitation ☐ P&A ☐ Multi-Well Fluid Management Low Chloride Drilling Fluid ☐ yes ☐ no
☐ Lined ☐ Unlined Liner type: Thickness _____ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other _____
☐ String-Reinforced
Liner Seams: ☐ Welded ☐ Factory ☐ Other _____ Volume: _____ bbl Dimensions: L _____ x W _____ x D _____

3.
☒ **Below-grade tank:** Subsection I of 19.15.17.11 NMAC
Volume: 120 bbl Type of fluid: Produced Water
Tank Construction material: Metal
☐ 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 none

4.
☐ **Alternative Method:**
Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

5.
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 _____

6.

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)

7.

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 19.15.16.8 NMAC

8.

Variances 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:

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

9.

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. Siting criteria does not apply to drying pads or above-grade tanks.*****General siting****Ground water is less than 25 feet below the bottom of a low chloride temporary pit or below-grade tank.**

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

☐ Yes ☐ No
☒ NA

Ground water is less than 50 feet below the bottom of a Temporary pit, permanent pit, or Multi-Well Fluid Management pit.

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

☐ Yes ☐ No
☒ NA

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. **(Does not apply to below grade tanks)**

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

☐ Yes ☐ No

Within the area overlying a subsurface mine. **(Does not apply to below grade tanks)**

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

☐ Yes ☐ No

Within an unstable area. **(Does not apply to below grade tanks)**

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

☐ Yes ☐ No

Within a 100-year floodplain. **(Does not apply to below grade tanks)**

- FEMA map

☐ Yes ☐ No

Below Grade Tanks

Within 100 feet of a continuously flowing watercourse, significant watercourse, lake bed, sinkhole, wetland or playa lake (measured from the ordinary high-water mark).

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

☐ Yes ☒ No

Within 200 horizontal feet of a spring or a fresh water well used for public or livestock consumption;.

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

☐ Yes ☒ No

Temporary Pit using Low Chloride Drilling Fluid (maximum chloride content 15,000 mg/liter)

Within 100 feet of a continuously flowing watercourse, or any other significant watercourse or within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). (Applies to low chloride temporary pits.)

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

Within 200 horizontal feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, or 300feet of any other fresh water well or spring, in existence at the time of the initial application.

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

☐ Yes ☐ No

Within 100 feet of a wetland.

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

☐ Yes ☐ No

Temporary Pit Non-low chloride drilling fluid

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

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

Within 300 feet of a wetland.

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

☐ Yes ☐ No

Permanent Pit or Multi-Well Fluid Management Pit

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

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

☐ Yes ☐ No

Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.

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

☐ Yes ☐ No

Within 500 horizontal feet of a spring or a fresh water well used for domestic or stock watering purposes, in existence at the time of initial application.

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

☐ Yes ☐ No

Within 500 feet of a wetland.

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

☐ Yes ☐ No

10.

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: _____

11.

Multi-Well Fluid Management Pit 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.

- ☐ 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
- ☐ A List of wells with approved application for permit to drill associated with the pit.
- ☐ 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
- ☐ Hydrogeologic Data - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC
- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC

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

12.

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 H₂S, 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

13.

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 ☐ Multi-well Fluid Management Pit
☐ 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

14.

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 C 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 H of 19.15.17.13 NMAC
☒ Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC

15.

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 require justifications and/or demonstrations of equivalency. Please refer to 19.15.17.10 NMAC for guidance.

Ground water is less than 25 feet below the bottom of the buried waste. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
Ground water is between 25-50 feet below the bottom of the buried waste - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
Ground water is more than 100 feet below the bottom of the buried waste. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
Within 100 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). - Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	☐ Yes ☐ No
Within 300 horizontal feet of a private, domestic fresh water well or spring used for domestic or stock watering purposes, in existence at the time of initial application. - NM Office of the State Engineer - iWATERS database; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Written confirmation or verification from the municipality; Written approval obtained from the municipality	☐ Yes ☐ No
Within 300 feet of a wetland. US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance	

adopted pursuant to NMSA 1978, Section 3-27-3, as amended.

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

☐ Yes ☐ No

Within the area overlying a subsurface mine.

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

☐ Yes ☐ No

Within an unstable area.

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

☐ Yes ☐ No

Within a 100-year floodplain.

- FEMA map

☐ Yes ☐ No

16.

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 E of 19.15.17.13 NMAC
- ☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of Subsection K 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 19.15.17.13 NMAC
- ☐ Waste Material Sampling Plan - based upon the appropriate requirements 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 H of 19.15.17.13 NMAC
- ☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC

17.

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): _____ Title: _____

Signature: _____ Date: _____

e-mail address: _____ Telephone: _____

18.

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

OCD Representative Signature: Joel Stone Approval Date: 01/10/2025

Title: Environmental Scientist & Specialist-A OCD Permit Number: BGT1

19.

Closure Report (required within 60 days of closure completion): 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: 11/06/2024

20.

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.

21.

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 for private land only)
- ☐ 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

22.

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): Tammy Jones Title: Operations/Regulatory Technician – Sr

Signature: *Tammy Jones* Date: 01/06/2025

e-mail address: tajones@hilcorp.com Telephone: (505) 324-5185

Hilcorp Energy Company
BGT Modification

Hilcorp Energy Company is requesting to modify the below-grade tank permit for BERGER 6S (30.045.32947) as follows:

- Hilcorp Energy would like to base the BGT permit/registration on the current 19.15.17 NMAC rule. The closure plan includes an updated confirmation sampling limits, Table I attached.
- Hilcorp Energy requests approval to use the 8015D method and add together DRO, MRO and GRP for TPH result.

Table I Closure Criteria for Soils Beneath Below-Grade Tanks, Drying Pads Associated with Closed-Loop Systems and Pits where Contents are Removed			
Depth below bottom of pit to groundwater less than 10,000 mg/l TDS	Constituent	Method*	Limit**
≤50 feet	Chloride	EPA 300.0	600 mg/kg
	TPH	EPA SW-846 Method 418.1	100 mg/kg
	BTEX	EPA SW-846 Method 8021B or 8260B	50 mg/kg
	Benzene	EPA SW-846 Method 8021B or 8015M	10 mg/kg
51 feet-100 feet	Chloride	EPA 300.0	10,000 mg/kg
	TPH	EPA SW-846 Method 418.1	2,500 mg/kg
	GRO+DRO	EPA SW-846 Method 8015M	1,000 mg/kg
	BTEX	EPA SW-846 Method 8021B or 8260B	50 mg/kg
	Benzene	EPA SW-846 Method 8021B or 8015M	10 mg/kg
> 100 feet	Chloride	EPA 300.0	20,000 mg/kg
	TPH	EPA SW-846 Method 418.1	2,500 mg/kg
	GRO+DRO	EPA SW-846 Method 8015M	1,000 mg/kg
	BTEX	EPA SW-846 Method 8021B or 8260B	50 mg/kg
	Benzene	EPA SW-846 Method 8021B or 8015M	10 mg/kg

*Or other test methods approved by the division

**Numerical limits or natural background level, whichever is greater

Hilcorp Energy Company
San Juan Basin: New Mexico Assets
Below Grade Tank Closure Report

Lease Name: BERGER 6S

API No.: 30-045-32947

In accordance with Rule 19.15.17.13 NMAC, the following information describes the closure of the below-grade tank referenced above. All proper documentation regarding closure activities is being included with the C-144.

General Plan Requirements:

1. Prior to initiating any BGT closure, except in the case of an emergency, HILCORP will notify the surface owner of the intent to close the BGT by certified mail no later than 72 hours or one week before closure and a copy of this notification will be included in the closure report. In the case of an emergency, the surface owner will be notified as soon as practical.

The surface owner was notified by email of the closure process and the notification is attached.

2. Notice of closure will be given to the District Division office between 72 hours and one week of the scheduled closure via email or phone. The notification of closure will include the following:
 - a. Operators Name
 - b. Well Name and API Number
 - c. Location

Notification is attached.

3. All liquids will be removed from the BGT following cessation of operation. Produced water will be disposed of at one of HILCORP's approved Salt Water Disposal facilities or at a District Division approved facility.

All recovered liquids were disposed of at an approved SWD facility or an approved District Division facility within 60 days of cessation of operation.

4. Solids and sludge's will be shoveled and/or vacuumed out for disposal at one of the District Division approved facilities, depending on the proximity of the BGT site: Envirotech Land Farm (Permit #NM-01-011), JFJ Land Farm % Industrial Ecosystems Inc. (Permit #NM-01-0010B), and Basin Disposal (Permit #NM-01-005).

Any sludge or soil required to be removed to facilitate closure was transported to Envirotech Land Farm (Permit # NM-01-011) and/or JFJ Landfarm % IEI (Permit# NM-01-0010B).

Revised 10/14/2015

5. HILCORP will obtain prior approval from District Division to dispose, recycle, reuse, or reclaim the BGT and provide documentation of the disposition of the BGT in the closure report. Steel materials will be recycled or reused as approved by the District Division. Fiberglass tanks will be empty, cut up or shredded, and EPA cleaned for disposal as solid waste. Liner materials will be cleaned without soils or contaminated material for disposal as solid waste. Fiberglass tanks and liner materials will meet the conditions of 19.15.35 NMAC. Disposal will be at a licensed disposal facility, presently San Juan County Landfill operated by Waste Management under NMED Permit SWM-052426.

The below-grade tank was disposed of in a division-approved manner. The liner was cleaned per 19.15.35.8.C(1)(m) NMAC and disposed of at the San Juan County Regional Landfill located on CR 3100.

6. Any equipment associated with the BGT that is no longer required for some other purpose, following the closure, will be removed.

All on-site equipment associated with the below-grade tank was removed.

7. Following removal of the tank and any liner material, HILCORP will test the soils beneath the BGT as follows:
 - a. At a minimum, a five-point composite sample will be taken to include any obvious stained or wet soils or any other evidence of contamination.
 - b. The laboratory sample shall be analyzed for the constituents listed in Table I of 19.15.17.13.

A five point composite sample was taken of the below-grade tank using sampling tools and all samples tested per Table I of 19.15.17.13 and the results are attached.

8. If the District Division and/or HILCORP determine there is a release, HILCORP will comply with 19.15.17.13.C.3b.

A release was not determined for the above referenced well.

9. Upon completion of the tank removal, pursuant to 19.15.17.13.C.3c, if all contaminant concentrations are less than or equal to the parameters listed in Table I of 19.15.17.13 NMAC, the excavation will be backfilled with non-waste earthen material compacted and covered with a minimum of one foot top soil or background thickness whichever is greater and to existing grade. The surface will be re-contoured to match the native grade and to prevent ponding.

The tank removal area passed all requirements of Table I of 19.15.17.13 NMAC and was backfilled with compacted, non-waste containing, earthen material which included at least one foot of suitable material to establish vegetation at the site.

Revised 10/14/2015

10. For those portions of the former BGT area no longer required for production activities, HILCORP will seed the disturbed area the first favorable growing season after the BGT is covered. Seeding will be accomplished via drilling on the contour whenever practical, or by other District Division-approved methods. HILCORP will notify the District Division when reclamation and re-vegetation is complete.

Reclamation of the BGT shall be considered complete when:

- Vegetative cover reflects a life form ratio of +/- 50% of pre disturbance levels.
- Total percent plant cover of at least 70% of pre-disturbance levels (Excluding noxious weeds) OR
- Pursuant to 19.15.17.13.H.5d HILCORP will comply with obligations imposed by other applicable federal or tribal agencies in which there re-vegetation and reclamation requirements provide equal or better protection of fresh water, human health and the environment.

Provision 10 will be accomplished pursuant to 19.15.17.H.5d and notification will be submitted upon completion.

11. For those portions of the former BGT area required for production activities, reseeding will be done at well abandonment, and following the procedure noted above.

The former BGT area is required for production activities and reseeding will be completed upon plug and abandonment, per the procedure noted above.

Closure Report:

All closure activities will include proper documentation and will be submitted to OCD within 60 days of the BGT closure on a Closure Report using District Division Form C-144. The Report will include the following:

- Proof of Closure Notice (surface owner and District Division) **(Attached)**
- Backfilling & cover installation **(See Report)**
- Confirmation Sampling Analytical Results **(Attached)**
- Application Rate & Seeding techniques **(See Report)**
- Photo Documentation of Reclamation **(Attached)**

Revised 10/14/2015

Tammy Jones

From: Adeloje, Abiodun A <aadeloje@blm.gov>
Sent: Monday, September 30, 2024 9:37 AM
To: Tammy Jones; Brandon Sinclair; Clara Cardoza; Travis Munkres; Bryan Hall; Eufrazio Trujillo; Ashton Hemphill; Kate Kaufman; Max Lopez; Ramon Hancock; Mitch Killough; Samantha Grabert; Victoria Venegas (Victoria.Venegas@emnrd.nm.gov); Lisa Jones; Ben Mitchell; Farmington Regulatory Techs
Subject: RE: [EXTERNAL] 72 Hour BGT Closure Notification - BERGER 6S (30-045-32947)

CAUTION: External sender. DO NOT open links or attachments from UNKNOWN senders.

Thanks, Tammy. Hilcorp Energy can proceed with the work as scheduled. Please notify the BLM immediately, if the schedule changes.
Thank you.

Abiodun Adeloje (Emmanuel)
Natural Resources Specialist (NRS)
6251 College Blvd., Suite A
Farmington, NM 87402
Office: 505-564-7665
Mobile: 505-635-0984

From: Tammy Jones <tajones@hilcorp.com>
Sent: Monday, September 30, 2024 8:37 AM
To: Adeloje, Abiodun A <aadeloje@blm.gov>; Brandon Sinclair <Brandon.Sinclair@hilcorp.com>; Clara Cardoza <ccardoza@hilcorp.com>; Travis Munkres <tmunkres@hilcorp.com>; Bryan Hall <bhall@hilcorp.com>; Eufrazio Trujillo <etrujillo@hilcorp.com>; Ashton Hemphill <ahemphill@hilcorp.com>; Kate Kaufman <kkaufman@hilcorp.com>; Max Lopez <Max.Lopez@hilcorp.com>; Ramon Hancock <Ramon.Hancock@hilcorp.com>; Mitch Killough <mkillough@hilcorp.com>; Samantha Grabert <Samantha.Grabert@hilcorp.com>; Victoria Venegas (Victoria.Venegas@emnrd.nm.gov) <Victoria.Venegas@emnrd.nm.gov>; Lisa Jones <ljoness@hilcorp.com>; Ben Mitchell <bemitchell@hilcorp.com>; Farmington Regulatory Techs <FarmingtonRegulatoryTechs@hilcorp.com>
Subject: [EXTERNAL] 72 Hour BGT Closure Notification - BERGER 6S (30-045-32947)

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Subject: 72 Hour BGT Closure Notification

Anticipated Start Date: **Thursday, 10/03/2024 at 9:00 AM MST**

The subject well has a below-grade tank that will be permanently removed. The BGT permit is attached. Please contact me if you have any questions or concerns.

Well Name: BERGER 6S

Location: Unit C (NENW), Section 22, T26N, R11W
Footages: 1130' FNL & 1890' FWL
Operator: Hilcorp Energy **Surface Owner:** FEDERAL
Reason: Well has been P&A'd.

****Please Note Required Photos for Closure****

- Well site placard
- Photos of the BGT prior to closure
- The sample location or, more preferred, photos of actual sample collection
- Final state of the area after closure.
- Photos will require captioning including direction of photo, date and time of photo and a description of the image contents.

Thanks,

Tammy Jones | **HILCORP ENERGY COMPANY** | San Juan Regulatory | 505.324.5185 | tajones@hilcorp.com

The information contained in this email message is confidential and may be legally privileged and is intended only for the use of the individual or entity named above. If you are not an intended recipient or if you have received this message in error, you are hereby notified that any dissemination, distribution, or copy of this email is strictly prohibited. If you have received this email in error, please immediately notify us by return email or telephone if the sender's phone number is listed above, then promptly and permanently delete this message.

While all reasonable care has been taken to avoid the transmission of viruses, it is the responsibility of the recipient to ensure that the onward transmission, opening, or use of this message and any attachments will not adversely affect its systems or data. No responsibility is accepted by the company in this regard and the recipient should carry out such virus and other checks as it considers appropriate.

180

210

240

270

300

☉ 248°W (T) LAT: 36.477694 LON: -107.994240 ±13ft ▲ 6340ft



Hilcorp Energy Company

EMERGENCY NUMBER: 505-324-5170

BERGER #6S

1130' FNL 1890' FWL

NE/NW SEC 22 T26N R11W

LATITUDE 36° 28'39"

LONGITUDE 107° 59'36"

API # 30-045-32947

LEASE #NMSF-078641

SAN JUAN COUNTY, NEW MEXICO

Berger 6S

10-03-2024, 09:14:41

Sign

Before removal

Released to Imaging: 1/10/2025 3:49:00 PM

Berger 6S

10-03-2024, 09:15:45

SE

S

SW

120

150

180

210

☉ 163°S (T) LAT: 36.477883 LON: -107.993865 ±13ft ▲ 6341ft



After removal

Berger 6S

10-03-2024, 10:27:13

300

330

0

30

☉ 344°N (T) LAT: 36.477839 LON: -107.993869 ±13ft ▲ 6335ft



Center sample

Berger 6S

10-03-2024, 10:40:26

NW

N

NE

300

330

0

30

6

☉ 349°N (T) LAT: 36.477839 LON: -107.993869 ±9ft ▲ 6335ft



NW sample

Berger 6S

10-03-2024, 10:40:46

NW

N

NE

300

330

0

30

60

☉ 351°N (T) LAT: 36.477841 LON: -107.993872 ±13ft ▲ 6335ft



NE sample

Berger 6S

10-03-2024, 10:41:01

NE

E

SE

30

60

90

120

150

☉ 85°E (T) LAT: 36.477845 LON: -107.993849 ±9ft ▲ 6336ft



Berger 6S

SE sample

10-03-2024, 10:41:15

SE

S

SW

120

150

180

210

240

☉ 175°S (T) LAT: 36.477800 LON: -107.993861 ±13ft ▲ 6354ft



SW sample

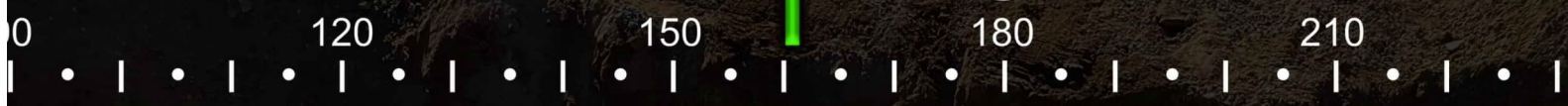
Berger 6S

10-03-2024 10:50:11

SE

S

SW



☉ 161°S (T) LAT: 36.477864 LON: -107.993886 ±13ft ▲ 6346ft



Berger 6S

10-03-2024 11:03:38

Combined sample pic

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

State of New Mexico
Energy Minerals and Natural
Resources Department

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

Form C-141
Revised August 24, 2018
Submit to appropriate OCD District office

Incident ID	
District RP	
Facility ID	
Application ID	

Release Notification

Responsible Party

Responsible Party: Hilcorp Energy	OGRID: 372171
Contact Name: Samantha Grabert	Contact Telephone: 713-757-7116
Contact email: Samantha.grabert@hilcorp.com	Incident # (assigned by OCD)
Contact mailing address: 1111 Travis St. Houston, TX 77471	

Location of Release Source

Latitude 36.4776306 Longitude -107.9938889
(NAD 83 in decimal degrees to 5 decimal places)

Site Name Berger 6S	Site Type Gas Well
Date Release Discovered N/A	API# (if applicable) 30-045- 32947

Unit Letter	Section	Township	Range	County
C	22	26N	11W	San Juan

Surface Owner: ☐ State ☒ Federal ☐ Tribal ☐ Private (Name:)

Nature and Volume of Release

Material(s) Released (Select all that apply and attach calculations or specific justification for the volumes provided below)

☐ Crude Oil	Volume Released (bbls)	Volume Recovered (bbls)
☐ Produced Water	Volume Released (bbls)	Volume Recovered (bbls)
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	☐ Yes ☐ No
☐ Condensate	Volume Released (bbls)	Volume Recovered (bbls)
☐ Natural Gas	Volume Released (Mcf)	Volume Recovered (Mcf)
☐ Other (describe)	Volume/Weight Released (provide units)	Volume/Weight Recovered (provide units)

Cause of Release

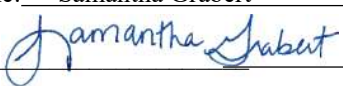
Hilcorp has determined that chlorides exceeded the BGT closure criteria thresholds shown in Condition 7 of the closure plan. Thus, indicating that a potential release occurred. However, chlorides did not exceed the Closure Criteria for Soils Beneath Below-Grade Tanks listed in current Table I of 19.15.17.13 NMAC for groundwater depths (>100 ft). In light of this, per previously received guidance from NMOCD, Hilcorp respectfully requests: 1) modification of the current BGT permit/registration allowing Hilcorp to compare the laboratory analytical to the current 19.15.17 NMAC rule and 2) approval to use EPA Method 8015D for TPH analysis. See ensuing pages for details.

Incident ID	
District RP	
Facility ID	
Application ID	

Was this a major release as defined by 19.15.29.7(A) NMAC? ☐ Yes ☒ No	If YES, for what reason(s) does the responsible party consider this a major release? N/A
If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)? Not Required	

Initial Response

The responsible party must undertake the following actions immediately unless they could create a safety hazard that would result in injury

☐ The source of the release has been stopped.	
☐ The impacted area has been secured to protect human health and the environment.	
☐ Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices.	
☐ All free liquids and recoverable materials have been removed and managed appropriately.	
If all the actions described above have <u>not</u> been undertaken, explain why: 	
Per 19.15.29.8 B. (4) NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please attach a narrative of actions to date. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see 19.15.29.11(A)(5)(a) NMAC), please attach all information needed for closure evaluation.	
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.	
Printed Name: <u>Samantha Grabert</u>	Title: <u>Environmental Specialist</u>
Signature: <u></u>	Date: <u>1/2/2025</u>
email: <u>samantha.grabert@hilcorp.com</u>	Telephone: <u>713-757-7116</u>
<u>OCD Only</u>	
Received by: _____	Date: _____



Memorandum

To: Energy, Minerals, and Natural Resources Department (EMNRD) – Permitting Program

From: Samantha Grabert, Hilcorp Energy Company (Hilcorp)

Date: 1/2/2025

Subject: Berger 6S – Permanent Closure of a Below-Grade Tank (BGT) – Exception/Variance Request

On 9/30/2024, Hilcorp submitted a 72-hour notice prior to the permanent closure of a BGT at the Berger 6S, San Juan County, New Mexico. As required by Condition 7 (*found in the enclosed Closure Plan, certified by XTO on 11/25/2008*), Hilcorp personnel proceeded to collect a 5-pt composite soil sample on 10/3/2024 to determine if any contaminant concentrations exceeded the BGT closure criteria thresholds, per Condition 7. Upon receiving analytical results, Hilcorp determined that chlorides exceeded the BGT closure criteria thresholds shown in Condition 7 of the closure plan. Thus, indicating that a potential release occurred (refer to table below). However, chlorides did not exceed the Closure Criteria for Soils Beneath Below-Grade Tanks listed in Table I of 19.15.17.13 NMAC for groundwater depths (>100 ft bgs).

Soil Sample Identification	Sample Date	Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)	Total BTEX (mg/kg)	Chlorides (mg/kg)	GRO (mg/kg)	DRO (mg/kg)	ORO (mg/kg)	GRO+DRO (mg/kg)	TPH (mg/kg)
BGT - 5 Point	10/3/2024	<0.0250	<0.0250	<0.0250	<0.0250	<0.0250	422	<20.0	<25.0	<50.0	<25.0	<50.0
Current BGT Permit Closure Criteria		0.2	NE	NE	NE	50	250	NE	NE	NE	NE	100
Table I of 19.15.17.13 NMAC		10	NE	NE	NE	50	20,000	NE	NE	NE	1,000	2,500

In accordance with 19.15.17.13(C)(3)(c) NMAC, all contaminant concentrations are less than the parameters listed in Table I of 19.15.17.13 NMAC for groundwater depths (>100 ft). Based on this determination and the date of the BGT registration, Hilcorp respectfully requests an exception/variance approval per 19.15.17.13(E)(5) NMAC (effective 6/16/2008; amended 7/16/2009) to proceed with final backfilling/re-contouring since all laboratory analytes in the 5-point composite soil sample are below closure thresholds listed in Table I of 19.15.29.12 NMAC for groundwater depths (>100 ft) and would be deemed non-reportable to the NMOCD. A Site Characterization performed by Ensolum, LLC is also being provided to further support Hilcorp's determination that this site falls in the least stringent Table 1 closure criteria for both 19.15.17.13 NMAC and 19.15.29.12 NMAC.

If any additional information is needed for this exception/variance request, please let me know.

Enclosures: Envirotech Lab Report (dated 10/10/2024)
Pit, Closed-Loop System, Below-Grade Tank, or Proposed Alternative Method Permit or Closure Plan Application (certified by XTO on 11/25/2008)
Site Characterization (provided by Ensolum, LLC)

Hilcorp Energy Company
1111 Travis Street, Houston, Texas 77002
T 713.209.2400 F 713.289.2750



New Mexico Site Characterization

REFERENCE	SITE INFORMATION	COMMENTS																																												
C-141 C-141 C-141 C-141 NMOCD O&G Map	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50%;">Site Name:</td><td>Berger # 6S</td></tr> <tr><td>Coordinates:</td><td>36.47763, -107.99385</td></tr> <tr><td>Incident Number:</td><td>-</td></tr> <tr><td>Land Owner:</td><td>Tribal</td></tr> <tr><td>Site Elevation (ft):</td><td>6,323</td></tr> </table>	Site Name:	Berger # 6S	Coordinates:	36.47763, -107.99385	Incident Number:	-	Land Owner:	Tribal	Site Elevation (ft):	6,323																																			
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NMOCD O&G Map, USGS dashed blue line, aerials	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50%;">Type:</td><td>Seasonally Flooded Streambed</td></tr> <tr><td>Distance (ft):</td><td>1,056</td></tr> <tr><td>Direction:</td><td>SE</td></tr> </table>	Type:	Seasonally Flooded Streambed	Distance (ft):	1,056	Direction:	SE																																							
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Cross reference USGS Map, NMOCD Map, and NMOSE/USGS Database	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">Closest Well</th> <th colspan="2" style="text-align: center;">2nd Closest Well</th> </tr> <tr> <th colspan="2" style="background-color: #92d050;">CLOSER</th> <th colspan="2"></th> </tr> <tr> <td>Name:</td> <td>SJ 01626</td> <td></td> <td>SJ 02734</td> </tr> <tr> <td>Distance from Site (ft):</td> <td>4,171</td> <td></td> <td>15,259</td> </tr> <tr> <td>Direction from Site:</td> <td>WNW</td> <td></td> <td>SSE</td> </tr> <tr> <td>Elevation:</td> <td>5,800</td> <td></td> <td>6,360</td> </tr> <tr> <td>DTW (ft):</td> <td>200</td> <td></td> <td>165</td> </tr> <tr> <td>Total Depth (ft):</td> <td>255</td> <td></td> <td>275</td> </tr> <tr> <td>Coordinates:</td> <td>36.482512, -107.007046</td> <td></td> <td>36.440040, -107.970354</td> </tr> <tr> <td colspan="2" style="text-align: center;">523 feet lower in elevation than the Site</td> <td colspan="2" style="text-align: center;">723 Depth to water below site based on elev.</td> </tr> <tr> <td colspan="4" style="text-align: center;"> ESTIMATED DTW @ SITE: >100' </td> </tr> </table>	Closest Well		2nd Closest Well		CLOSER				Name:	SJ 01626		SJ 02734	Distance from Site (ft):	4,171		15,259	Direction from Site:	WNW		SSE	Elevation:	5,800		6,360	DTW (ft):	200		165	Total Depth (ft):	255		275	Coordinates:	36.482512, -107.007046		36.440040, -107.970354	523 feet lower in elevation than the Site		723 Depth to water below site based on elev.		ESTIMATED DTW @ SITE: >100'				
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NMOCD TABLE 1 CLOSURE CRITERIA FALSE DRO+ GRO: 1,000 mg/kg TPH: 2,500 mg/kg Chlorides: 20,000 mg/kg																																														

Report to:

Roman Lucero



envirotech

Practical Solutions for a Better Tomorrow

Analytical Report

Hilcorp Energy Co

Project Name: Berger 6S BGT Closure

Work Order: E410049

Job Number: 17051-0002

Received: 10/4/2024

Revision: 1

Report Reviewed By:

Walter Hinchman
Laboratory Director
10/10/24

5796 U.S. Hwy 64
Farmington, NM 87401

Phone: (505) 632-1881
Envirotech-inc.com



Envirotech Inc. certifies the test results meet all requirements of TNI unless noted otherwise.
Statement of Data Authenticity: Envirotech Inc. attests the data reported has not been altered in any way.
Partial or incomplete reproduction of this report is prohibited, unless approved by Envirotech Inc.
Envirotech Inc. holds the Utah TNI certification NM00979 for data reported.
Envirotech Inc. holds the Texas TNI certification T104704557 for data reported.

Date Reported: 10/10/24

Roman Lucero
PO Box 61529
Houston, TX 77208



Project Name: Berger 6S BGT Closure
Workorder: E410049
Date Received: 10/4/2024 2:48:00PM

Roman Lucero,

Thank you for choosing Envirotech, Inc. as your analytical testing laboratory for the sample(s) received on, 10/4/2024 2:48:00PM, under the Project Name: Berger 6S BGT Closure.

The analytical test results summarized in this report with the Project Name: Berger 6S BGT Closure apply to the individual samples collected, identified and submitted bearing the project name on the enclosed chain-of-custody. Subcontracted sample analyses not conducted by Envirotech, Inc., are attached in full as issued by the subcontract laboratory.

Please review the Chain-of-Custody (COC) and Sample Receipt Checklist (SRC) for any issues regarding sample receipt temperature, containers, preservation etc. To best understand your test results, review the entire report summarizing your sample data and the associated quality control batch data.

All reported data in this analytical report were analyzed according to the referenced method(s) and are in compliance with the latest NELAC/TNI standards, unless otherwise noted. Samples or analytical quality control parameters not meeting specific QC criteria are qualified with a data flag. Data flag definitions are located in the Notes and Definitions section of this analytical report.

If you have any questions concerning this report, please feel free to contact Envirotech, Inc.

Respectfully,

Walter Hinchman
Laboratory Director
Office: 505-632-1881
Cell: 775-287-1762
whinchman@envirotech-inc.com

Raina Schwanz
Laboratory Administrator
Office: 505-632-1881
rainaschwanz@envirotech-inc.com

Field Offices:

Southern New Mexico Area

Lynn Jarboe
Laboratory Technical Representative
Office: 505-421-LABS(5227)
Cell: 505-320-4759
ljjarboe@envirotech-inc.com

Michelle Gonzales
Client Representative
Office: 505-421-LABS(5227)
Cell: 505-947-8222
mgonzaless@envirotech-inc.com

Envirotech Web Address: www.envirotech-inc.com

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Sample Summary

Hilcorp Energy Co	Project Name:	Berger 6S BGT Closure	Reported:
PO Box 61529	Project Number:	17051-0002	
Houston TX, 77208	Project Manager:	Roman Lucero	10/10/24 09:22

Client Sample ID	Lab Sample ID	Matrix	Sampled	Received	Container
BGT 5 Point	E410049-01A	Soil	10/03/24	10/04/24	Glass Jar, 4 oz.



Sample Data

Hilcorp Energy Co PO Box 61529 Houston TX, 77208	Project Name: Berger 6S BGT Closure Project Number: 17051-0002 Project Manager: Roman Lucero	Reported: 10/10/2024 9:22:25AM
--	--	-----------------------------------

BGT 5 Point

E410049-01

Analyte	Result	Reporting Limit	Dilution	Prepared	Analyzed	Notes
Volatile Organics by EPA 8021B	mg/kg	mg/kg	Analyst: CG		Batch: 2441013	
Benzene	ND	0.0250	1	10/07/24	10/09/24	
Ethylbenzene	ND	0.0250	1	10/07/24	10/09/24	
Toluene	ND	0.0250	1	10/07/24	10/09/24	
o-Xylene	ND	0.0250	1	10/07/24	10/09/24	
p,m-Xylene	ND	0.0500	1	10/07/24	10/09/24	
Total Xylenes	ND	0.0250	1	10/07/24	10/09/24	
Surrogate: 4-Bromochlorobenzene-PID	91.5 %	70-130		10/07/24	10/09/24	
Nonhalogenated Organics by EPA 8015D - GRO	mg/kg	mg/kg	Analyst: CG		Batch: 2441013	
Gasoline Range Organics (C6-C10)	ND	20.0	1	10/07/24	10/09/24	
Surrogate: 1-Chloro-4-fluorobenzene-FID	98.3 %	70-130		10/07/24	10/09/24	
Nonhalogenated Organics by EPA 8015D - DRO/ORO	mg/kg	mg/kg	Analyst: NV		Batch: 2441006	
Diesel Range Organics (C10-C28)	ND	25.0	1	10/07/24	10/08/24	
Oil Range Organics (C28-C36)	ND	50.0	1	10/07/24	10/08/24	
Surrogate: n-Nonane	119 %	50-200		10/07/24	10/08/24	
Anions by EPA 300.0/9056A	mg/kg	mg/kg	Analyst: DT		Batch: 2441017	
Chloride	422	20.0	1	10/08/24	10/08/24	



QC Summary Data

Hilcorp Energy Co	Project Name:	Berger 6S BGT Closure	Reported:
PO Box 61529	Project Number:	17051-0002	
Houston TX, 77208	Project Manager:	Roman Lucero	10/10/2024 9:22:25AM

Volatile Organics by EPA 8021B

Analyst: CG

Analyte	Result mg/kg	Reporting Limit mg/kg	Spike Level mg/kg	Source Result mg/kg	Rec %	Rec Limits %	RPD %	RPD Limit %	Notes
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Blank (2441013-BLK1) Prepared: 10/07/24 Analyzed: 10/08/24

Benzene	ND	0.0250							
Ethylbenzene	ND	0.0250							
Toluene	ND	0.0250							
o-Xylene	ND	0.0250							
p,m-Xylene	ND	0.0500							
Total Xylenes	ND	0.0250							
Surrogate: 4-Bromochlorobenzene-PID	7.13		8.00		89.1	70-130			

LCS (2441013-BS1) Prepared: 10/07/24 Analyzed: 10/08/24

Benzene	4.18	0.0250	5.00		83.7	70-130			
Ethylbenzene	4.23	0.0250	5.00		84.6	70-130			
Toluene	4.25	0.0250	5.00		85.1	70-130			
o-Xylene	4.22	0.0250	5.00		84.5	70-130			
p,m-Xylene	8.60	0.0500	10.0		86.0	70-130			
Total Xylenes	12.8	0.0250	15.0		85.5	70-130			
Surrogate: 4-Bromochlorobenzene-PID	7.22		8.00		90.2	70-130			

Matrix Spike (2441013-MS1) Source: E410046-05 Prepared: 10/07/24 Analyzed: 10/08/24

Benzene	4.51	0.0250	5.00	ND	90.3	54-133			
Ethylbenzene	4.52	0.0250	5.00	ND	90.4	61-133			
Toluene	4.58	0.0250	5.00	ND	91.6	61-130			
o-Xylene	4.53	0.0250	5.00	ND	90.5	63-131			
p,m-Xylene	9.17	0.0500	10.0	ND	91.7	63-131			
Total Xylenes	13.7	0.0250	15.0	ND	91.3	63-131			
Surrogate: 4-Bromochlorobenzene-PID	7.22		8.00		90.3	70-130			

Matrix Spike Dup (2441013-MSD1) Source: E410046-05 Prepared: 10/07/24 Analyzed: 10/08/24

Benzene	4.83	0.0250	5.00	ND	96.6	54-133	6.73	20	
Ethylbenzene	4.84	0.0250	5.00	ND	96.9	61-133	6.87	20	
Toluene	4.89	0.0250	5.00	ND	97.8	61-130	6.53	20	
o-Xylene	4.85	0.0250	5.00	ND	97.1	63-131	6.96	20	
p,m-Xylene	9.82	0.0500	10.0	ND	98.2	63-131	6.82	20	
Total Xylenes	14.7	0.0250	15.0	ND	97.8	63-131	6.87	20	
Surrogate: 4-Bromochlorobenzene-PID	7.24		8.00		90.5	70-130			



QC Summary Data

Hilcorp Energy Co	Project Name:	Berger 6S BGT Closure	Reported:
PO Box 61529	Project Number:	17051-0002	
Houston TX, 77208	Project Manager:	Roman Lucero	10/10/2024 9:22:25AM

Nonhalogenated Organics by EPA 8015D - GRO

Analyst: CG

Analyte	Result mg/kg	Reporting Limit mg/kg	Spike Level mg/kg	Source Result mg/kg	Rec %	Rec Limits %	RPD %	RPD Limit %	Notes
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Blank (2441013-BLK1) Prepared: 10/07/24 Analyzed: 10/08/24

Gasoline Range Organics (C6-C10)	ND	20.0							
Surrogate: 1-Chloro-4-fluorobenzene-FID	7.96		8.00		99.5	70-130			

LCS (2441013-BS2) Prepared: 10/07/24 Analyzed: 10/08/24

Gasoline Range Organics (C6-C10)	41.9	20.0	50.0		83.9	70-130			
Surrogate: 1-Chloro-4-fluorobenzene-FID	8.15		8.00		102	70-130			

Matrix Spike (2441013-MS2) Source: E410046-05 Prepared: 10/07/24 Analyzed: 10/08/24

Gasoline Range Organics (C6-C10)	43.1	20.0	50.0	ND	86.1	70-130			
Surrogate: 1-Chloro-4-fluorobenzene-FID	8.09		8.00		101	70-130			

Matrix Spike Dup (2441013-MSD2) Source: E410046-05 Prepared: 10/07/24 Analyzed: 10/08/24

Gasoline Range Organics (C6-C10)	44.2	20.0	50.0	ND	88.3	70-130	2.53	20	
Surrogate: 1-Chloro-4-fluorobenzene-FID	8.09		8.00		101	70-130			



QC Summary Data

Hilcorp Energy Co	Project Name:	Berger 6S BGT Closure	Reported:
PO Box 61529	Project Number:	17051-0002	
Houston TX, 77208	Project Manager:	Roman Lucero	10/10/2024 9:22:25AM

Nonhalogenated Organics by EPA 8015D - DRO/ORO

Analyst: NV

Analyte	Result mg/kg	Reporting Limit mg/kg	Spike Level mg/kg	Source Result mg/kg	Rec %	Rec Limits %	RPD %	RPD Limit %	Notes
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Blank (2441006-BLK1)					Prepared: 10/07/24 Analyzed: 10/08/24				
Diesel Range Organics (C10-C28)	ND	25.0							
Oil Range Organics (C28-C36)	ND	50.0							
Surrogate: n-Nonane	55.5		50.0		111	50-200			

LCS (2441006-BS1)					Prepared: 10/07/24 Analyzed: 10/08/24				
Diesel Range Organics (C10-C28)	292	25.0	250		117	38-132			
Surrogate: n-Nonane	54.1		50.0		108	50-200			

Matrix Spike (2441006-MS1)					Source: E410043-10		Prepared: 10/07/24 Analyzed: 10/08/24		
Diesel Range Organics (C10-C28)	307	25.0	250	ND	123	38-132			
Surrogate: n-Nonane	57.6		50.0		115	50-200			

Matrix Spike Dup (2441006-MSD1)					Source: E410043-10		Prepared: 10/07/24 Analyzed: 10/08/24		
Diesel Range Organics (C10-C28)	294	25.0	250	ND	118	38-132	4.28	20	
Surrogate: n-Nonane	54.7		50.0		109	50-200			



QC Summary Data

Hilcorp Energy Co	Project Name:	Berger 6S BGT Closure	Reported:
PO Box 61529	Project Number:	17051-0002	
Houston TX, 77208	Project Manager:	Roman Lucero	10/10/2024 9:22:25AM

Anions by EPA 300.0/9056A

Analyst: DT

Analyte	Result mg/kg	Reporting Limit mg/kg	Spike Level mg/kg	Source Result mg/kg	Rec %	Rec Limits %	RPD %	RPD Limit %	Notes
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Blank (2441017-BLK1)					Prepared: 10/08/24 Analyzed: 10/08/24				
Chloride	ND	20.0							
LCS (2441017-BS1)					Prepared: 10/08/24 Analyzed: 10/08/24				
Chloride	253	20.0	250		101	90-110			
Matrix Spike (2441017-MS1)					Source: E410055-01		Prepared: 10/08/24 Analyzed: 10/08/24		
Chloride	405	20.0	250	152	101	80-120			
Matrix Spike Dup (2441017-MSD1)					Source: E410055-01		Prepared: 10/08/24 Analyzed: 10/08/24		
Chloride	397	20.0	250	152	97.8	80-120	2.19	20	

QC Summary Report Comment:
Calculations are based off of the raw (non-rounded) data. However, for reporting purposes all QC data is rounded to three significant figures.
Therefore, hand calculated values may differ slightly.



Definitions and Notes

Hilcorp Energy Co	Project Name:	Berger 6S BGT Closure	
PO Box 61529	Project Number:	17051-0002	Reported:
Houston TX, 77208	Project Manager:	Roman Lucero	10/10/24 09:22

- ND Analyte NOT DETECTED at or above the reporting limit
 - NR Not Reported
 - RPD Relative Percent Difference
 - DNI Did Not Ignite
 - DNR Did not react with the addition of acid or base.
- Note (1): Methods marked with ** are non-accredited methods.
- Note (2): Soil data is reported on an "as received" weight basis, unless reported otherwise.



Page of

Additional Instructions:									
I, (field sampler), attest to the validity and authenticity of this sample. I am aware that tampering with or intentionally mislabeling the sample location, date or time of collection is considered fraud and may be grounds for legal action.									
Sampled by: Bryan Hall									
Relinquished by: (Signature)	Date	Time	Received by: (Signature)	Date	Time		Samples requiring thermal preservation must be received on ice the day they are sampled or received packed in ice at an avg temp above 0 but less than 6 °C on subsequent days.		
Relinquished by: (Signature)	Date	Time	Received by: (Signature)	Date	Time		Lab Use Only Received on ice: ☒ Y / ☐ N		
Relinquished by: (Signature)	Date	Time	Received by: (Signature)	Date	Time		T1 _____ T2 _____ T3 _____		
Relinquished by: (Signature)	Date	Time	Received by: (Signature)	Date	Time		AVG Temp °C <u>4</u>		
Sample Matrix: S - Soil, Sd - Solid, Sg - Sludge, A - Aqueous, O - Other _____						Container Type: g - glass, p - poly/plastic, ag - amber glass, v - VOA _____			
Note: Samples are discarded 14 days after results are reported unless other arrangements are made. Hazardous samples will be returned to client or disposed of at the client expense. The report for the analysis of the above samples is applicable only to those samples received by the laboratory with this COC. The liability of the laboratory is limited to the amount paid for on the report.									

Envirotech Analytical Laboratory

Printed: 10/7/2024 10:17:15AM

Sample Receipt Checklist (SRC)

Instructions: Please take note of any NO checkmarks.

If we receive no response concerning these items within 24 hours of the date of this notice, all the samples will be analyzed as requested.

Client:	Hilcorp Energy Co	Date Received:	10/04/24 14:48	Work Order ID:	E410049
Phone:	505-599-3400	Date Logged In:	10/07/24 10:13	Logged In By:	Caitlin Mars
Email:	rlucero@hilcorp.com	Due Date:	10/11/24 17:00 (5 day TAT)		

Chain of Custody (COC)

1. Does the sample ID match the COC? Yes
2. Does the number of samples per sampling site location match the COC? Yes
3. Were samples dropped off by client or carrier? Yes
4. Was the COC complete, i.e., signatures, dates/times, requested analyses? Yes
5. Were all samples received within holding time? Yes

Note: Analysis, such as pH which should be conducted in the field, i.e., 15 minute hold time, are not included in this discussion.

Carrier: Clara CardozaComments/ResolutionSample Turn Around Time (TAT)

6. Did the COC indicate standard TAT, or Expedited TAT? Yes

Sample Cooler

7. Was a sample cooler received? Yes
8. If yes, was cooler received in good condition? Yes
9. Was the sample(s) received intact, i.e., not broken? Yes
10. Were custody/security seals present? No
11. If yes, were custody/security seals intact? NA
12. Was the sample received on ice? If yes, the recorded temp is 4°C, i.e., 6°±2°C? Yes

Note: Thermal preservation is not required, if samples are received w/i 15 minutes of sampling

13. If no visible ice, record the temperature. Actual sample temperature: 4°C

Sample Container

14. Are aqueous VOC samples present? No
15. Are VOC samples collected in VOA Vials? NA
16. Is the head space less than 6-8 mm (pea sized or less)? NA
17. Was a trip blank (TB) included for VOC analyses? NA
18. Are non-VOC samples collected in the correct containers? Yes
19. Is the appropriate volume/weight or number of sample containers collected? Yes

Field Label

20. Were field sample labels filled out with the minimum information:
 - Sample ID? Yes
 - Date/Time Collected? Yes
 - Collectors name? Yes

Sample Preservation

21. Does the COC or field labels indicate the samples were preserved? No
22. Are sample(s) correctly preserved? NA
24. Is lab filtration required and/or requested for dissolved metals? No

Multiphase Sample Matrix

26. Does the sample have more than one phase, i.e., multiphase? No
27. If yes, does the COC specify which phase(s) is to be analyzed? NA

Subcontract Laboratory

28. Are samples required to get sent to a subcontract laboratory? No
29. Was a subcontract laboratory specified by the client and if so who? NA Subcontract Lab: NA

Client Instruction

Signature of client authorizing changes to the COC or sample disposition.

Date



envirotech Inc.

Chain of Custody

Page 1 of 1

Client Information				Invoice Information		Lab Use Only		TAT				State							
Client: Hilcorp Energy Project Name: Berger 6S BGT Closure Project Manager: Roman Lucero Address: 382 CR 3100 City, State, Zip: Aztec NM 87410 Phone: 505.599.3400 Email: samantha.grabert@hilcorp.com				Company: Hilcorp Energy Address: 382 CR 3100 City, State, Zip: Aztec NM 87410 Phone: 505.599.3400 Email: Area 6 Miscellaneous: Also email to Bhall@hilcorp.com		Lab WO# E410049 Job Number 17051-0002		1D 2D 3D Std x				NM CO UT TX x							
Sample Information						Analysis and Method								EPA Program					
Time Sampled	Date Sampled	Matrix	No. of Containers	Sample ID	Field Filter	Lab Number	DRO/DRO by 8015	GRO/DRO by 8015	BTEX by 8021	VOC by 8260	Chloride 300.0	BGDOC - NM	TCEQ 1005 - TX	RCRA 8 Metals	Carbon/Anion Pkg	SDWA	CWA	RCRA	
10:50	10/3/2024	Soil	1	BGT 5 Point		1	X	X	X		X								
Additional Instructions:																			
I, (field sampler), attest to the validity and authenticity of this sample. I am aware that tampering with or intentionally mislabeling the sample location, date or time of collection is considered fraud and may be grounds for legal action.																			
Sampled by: Bryan Hall Relinquished by: (Signature) <i>[Signature]</i> Date 10/4/24 Time 2:48 Relinquished by: (Signature) Date Time Relinquished by: (Signature) Date Time Relinquished by: (Signature) Date Time Relinquished by: (Signature) Date Time																			
Received by: (Signature) <i>[Signature]</i> Date 10/4/24 Time 14:48 Received by: (Signature) Date Time Received by: (Signature) Date Time Received by: (Signature) Date Time																			
Samples requiring thermal preservation must be received on ice the day they are sampled or received packed in ice at an avg temp above 0 but less than 6 °C on subsequent days. Lab Use Only Received on ice: ☒ Y / ☐ N T1 T2 T3 AVG Temp °C 4																			
Sample Matrix: S - Soil, Sd - Solid, Sg - Sludge, A - Aqueous, O - Other Container Type: g - glass, p - poly/plastic, ag - amber glass, v - VOA																			
Note: Samples are discarded 14 days after results are reported unless other arrangements are made. Hazardous samples will be returned to client or disposed of at the client expense. The report for the analysis of the above samples is applicable only to those samples received by the laboratory with this COC. The liability of the laboratory is limited to the amount paid for on the report.																			



envirotech

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

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

Form C-144
July 21, 2008

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

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

Type of action: ☒ Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method
Existing BGT ☐ Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method
BGT1 ☐ 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: XTO Energy, Inc. OGRID #: 5380
Address: #382 County Road 3100, Aztec, NM 87410
Facility or well name: BERGER # 6S
API Number: 30-045-32947 OCD Permit Number: _____
U/L or Qtr/Qtr C Section 22 Township 26N Range 11W County: San Juan
Center of Proposed Design: Latitude 36.47763 Longitude 107.99385 NAD: ☐ 1927 ☒ 1983
Surface Owner: ☒ Federal ☐ State ☐ Private ☐ Tribal Trust or Indian Allotment

2.
☐ **Pit:** Subsection F or G of 19.15.17.11 NMAC
Temporary: ☐ Drilling ☐ Workover
☐ Permanent ☐ Emergency ☐ Cavitation ☐ P&A
☐ Lined ☐ Unlined Liner type: Thickness _____ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other _____
☐ String-Reinforced
Liner Seams: ☐ Welded ☐ Factory ☐ Other _____ Volume: _____ bbl Dimensions: L _____ x W _____ x D _____

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: 120 bbl Type of fluid: Produced Water
Tank Construction material: Steel
☐ Secondary containment with leak detection ☐ Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off
☐ Visible sidewalls and liner ☐ Visible sidewalls only ☒ Other Visible sidewalls, vaulted, automatic high-level shut off, no liner
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 Four foot height, steel mesh field fence (hogwire) with pipe top railing

7.

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

- ☐ Screen ☐ Netting ☒ Other Expanded metal or solid vaulted top
- ☐ Monthly inspections (If netting or screening is not physically feasible)

8.

Signs: Subsection C of 19.15.17.11 NMAC

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

9.

Administrative Approvals and Exceptions:

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

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

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

10.

Siting Criteria (regarding permitting): 19.15.17.10 NMAC

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

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

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

☒ Hydrogeologic Report (Below-grade Tanks) - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC
☒ Hydrogeologic Data (Temporary and Emergency Pits) - based upon the requirements of Paragraph (2) of Subsection B of 19.15.17.9 NMAC
☒ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC
☒ Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
☒ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
☒ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC

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

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

☐ Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19.15.17.9
☐ Siting Criteria Compliance Demonstrations (only for on-site closure) - based upon the appropriate requirements of 19.15.17.10 NMAC
☐ Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
☐ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC

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

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

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

☐ Hydrogeologic Report - based upon the requirements of Paragraph (1) of Subsection B of 19.15.17.9 NMAC
☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC
☐ Climatological Factors Assessment
☐ Certified Engineering Design Plans - based upon the appropriate requirements of 19.15.17.11 NMAC
☐ Dike Protection and Structural Integrity Design - based upon the appropriate requirements of 19.15.17.11 NMAC
☐ Leak Detection Design - based upon the appropriate requirements of 19.15.17.11 NMAC
☐ Liner Specifications and Compatibility Assessment - based upon the appropriate requirements of 19.15.17.11 NMAC
☐ Quality Control/Quality Assurance Construction and Installation Plan
☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
☐ Freeboard and Overtopping Prevention Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
☐ Nuisance or Hazardous Odors, including H₂S, Prevention Plan
☐ Emergency Response Plan
☐ Oil Field Waste Stream Characterization
☐ Monitoring and Inspection Plan
☐ Erosion Control Plan
☐ Closure Plan - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC

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

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

Proposed Closure Method: ☒ Waste Excavation and Removal
☐ Waste Removal (Closed-loop systems only)
☐ On-site Closure Method (Only for temporary pits and closed-loop systems)
☐ In-place Burial ☐ On-site Trench Burial
☐ Alternative Closure Method (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)

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

☒ Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC
☒ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC
☒ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings)
☒ Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC
☒ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19.15.17.13 NMAC
☒ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

16. Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only: (19.15.17.13.D NMAC)

Instructions: Please identify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if more than two facilities are required.

Disposal Facility Name: _____ Disposal Facility Permit Number: _____

Disposal Facility Name: _____ Disposal Facility Permit Number: _____

Will any of the proposed closed-loop system operations and associated activities occur on or in areas that will not be used for future service and operations?

☐ Yes (If yes, please provide the information below) ☐ No

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

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

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

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

17. Siting Criteria (regarding on-site closure methods only): 19.15.17.10 NMAC

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

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

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

☐ Yes ☐ No
☐ NA

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

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

☐ Yes ☐ No
☐ NA

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

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

☐ Yes ☐ No
☐ NA

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

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

Within 500 feet of a wetland.

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

☐ Yes ☐ No

Within the area overlying a subsurface mine.

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

☐ Yes ☐ No

Within an unstable area.

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

☐ Yes ☐ No

Within a 100-year floodplain.

- FEMA map

☐ Yes ☐ No

18. On-Site Closure Plan Checklist: (19.15.17.13 NMAC) **Instructions:** Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.

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

☐ Proof of Surface Owner Notice - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC

☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of 19.15.17.11 NMAC

☐ Construction/Design Plan of Temporary Pit (for in-place burial of a drying pad) - based upon the appropriate requirements of 19.15.17.11 NMAC

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

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

☐ Waste Material Sampling Plan - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC

☐ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings or in case on-site closure standards cannot be achieved)

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

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

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

19.

Operator Application Certification:

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

Name (Print): Kim Champlin Title: Environmental RepresentativeSignature: Kim Champlin Date: 11/25/08e-mail address: kim_champlin@xtoenergy.com Telephone: (505) 333-3100

20.

OCD Approval: ☒ Permit Application (including closure plan) ☐ Closure Plan (only) ☐ OCD Conditions (see attachment)OCD Representative Signature: Victoria Venegas Approval Date: 04/04/2022Title: Environmental Specialist OCD Permit Number: BGT1

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: _____

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): _____ Title: _____

Signature: _____ Date: _____

e-mail address: _____ Telephone: _____

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 South St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy, Minerals & Natural Resources Department

OIL CONSERVATION DIVISION

1220 South St. Francis Dr.
Santa Fe, NM 87505

AS DRILLED

Form C-102

Revised October 12, 2005

Submit to Appropriate District Office

State Lease - 4 Copies

Fee Lease - 3 Copies

RCUD DEC 20 2007
AMENDED REPORT

OIL CONS. DIV.

WELL LOCATION AND ACREAGE DEDICATION PLAT

¹ API Number 20-045-32947	² Pool Code 71629	³ Pool Name BASIN FRUITLAND COAL	DIST. 3
⁴ Property Code 22661	⁵ Property Name BERGER		⁶ Well Number 6S
⁷ OCRID No 5380	⁸ Operator Name XTO ENERGY INC		⁹ Elevation 6323

¹⁰ Surface Location

UL or lot no	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
C	22	26 N	11-W		1130	NORTH	1890	WEST	SAN JUAN

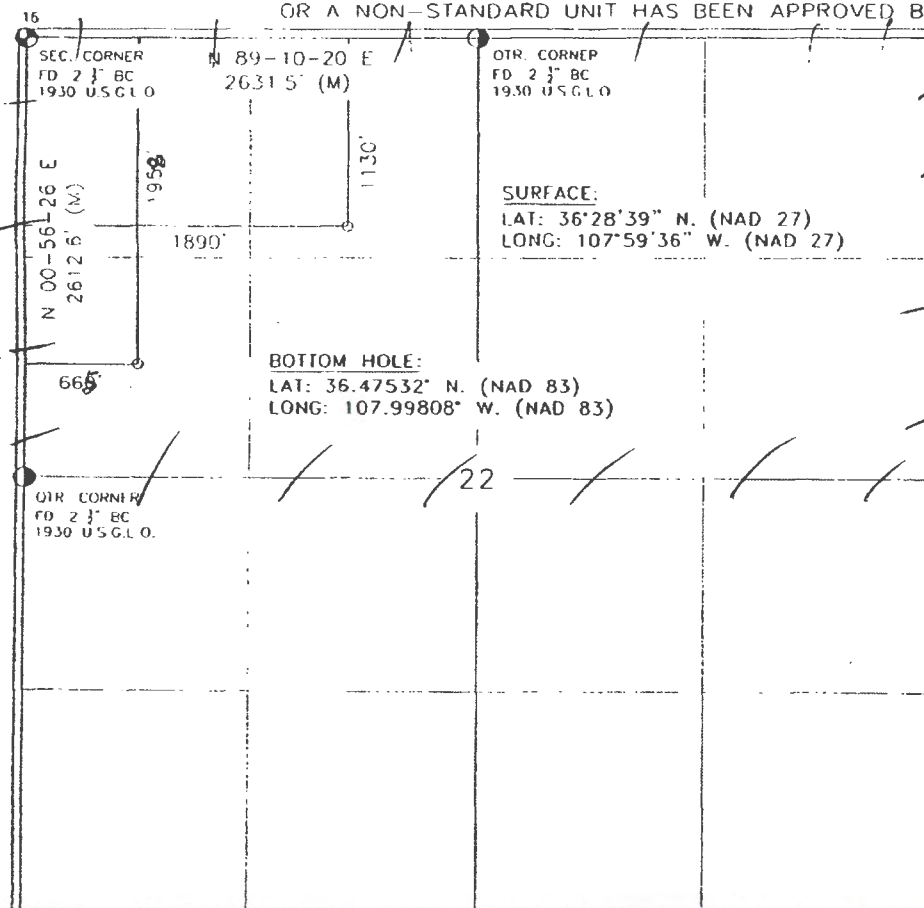
¹¹ Bottom Hole Location If Different From Surface

UL or lot no	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
E	22	26-N	11-W		1958	NORTH	660	WEST	SAN JUAN

¹² Dedicated Acres N/2 320	¹³ Joint or Infill	¹⁴ Consolidation	¹⁵ Order No 665
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as drilled
per Steve Hayden

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



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 proposed 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 pooling agreement or a compulsory pooling order heretofore entered by the division.

Signature

Date

Printed Name

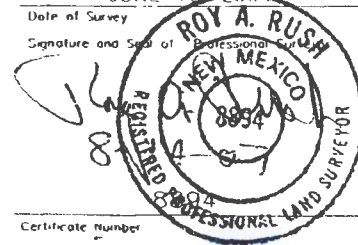
18 SURVEYOR CERTIFICATION

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.

JUNE 15, 2004

Date of Survey

Signature and Seal of



Certificate Number



Pit Permit Siting Criteria Information Sheet

Client:	XTO Energy
Project:	Pit Permits
Revised:	11/17/2008
Prepared by:	Daniel Newman

API#: 3004532947

USPLSS: T26N,R11W,22C

Name: Berger #6S

Lat/Long: 36.47763 / -107.99385

Depth to groundwater: > 100'

Geologic
formation: Nacimiento FormationDistance to closest
continuously flowing
watercourse: 15.28 miles south of the San Juan
RiverDistance to closest
significant watercourse,
lakebed, playa lake, or
sinkhole: 3,577' north of an unnamed
arroyoPermanent residence,
school, hospital,
institution or church
within 300' No

Soil Type: Entisols & Aridisols

Annual
Precipitation: 8.71 inches averageDomestic fresh water
well or spring within
500' NoPrecipitation
Notes: no significant precipitation eventsAny other fresh water
well or spring within
1000' NoWithin incorporated
municipal boundaries NoWithin defined
municipal fresh water
well field NoAttached
Documents: Topo map, ground water data map, ariel
photo, mines and quarries map, FEMA
map

Wetland within 500' No

Mining Activity: No

Within unstable area No

Within 100 year flood
plain Zone X

Additional Notes:

Berger #6S Below Ground Tank Hydrogeologic Report for Siting Criteria

General Geology and Hydrology

The San Juan Basin is a typical Rocky Mountain basin with a gently dipping southern flank and a steeply dipping northern flank. Asymmetrically layered Tertiary sandstones and shales, along with Quaternary alluvial deposits, dominate surficial geology (Dane and Bachman, 1965). The proposed pit location will be located in the northernmost Bisti region of the San Juan Basin within an area dominated by irrigated fields of the Navajo Indian Irrigation Project. The predominant geologic formation is the Nacimient Formation of Tertiary age, which underlies surface soils and is often exposed (Dane and Bachman, 1965). Deposits of Quaternary alluvial and aeolian sands occur prominently near the surface of the area, especially near streams and washes.

Cretaceous and Tertiary sandstones, as well as Quaternary alluvial deposits serve as the primary aquifers in the San Juan basin (Stone et al., 1983). In most of the proposed area, the Nacimient Formation lies at the surface and grades into the Animas Formation to the west. Thickness of the Nacimient ranges from 418 to 2232 feet (Stone et al., 1983). Aquifers within the coarser and continuous sandstone bodies of the Nacimient Formation are between 0 and 1000' deep in this section of the basin (Stone et al., 1983). Groundwater within these aquifers flows toward the San Juan River.

The prominent soil type at the proposed site are entisols and aridisols, which are defined as soils that exhibit little to no any profile development (www.emnrd.state.nm.us). Soils are basically unaltered from their parent rock. Miles of arroyos, washes and intermittent streams exist as part of the drainage network towards the San Juan River. These features often cut into soil and other unconsolidated materials, contributing to sedimentation downstream. The sudden influx of water from storm events easily erodes the soils that cover the area.

The climate of the region is arid, averaging just over 8 inches of rainfall annually. As is typical of the southwestern United States monsoonal weather patterns, most precipitation falls from August through October. The heaviest rainfall occurs in the summer in isolated, intense cloudbursts. November through June is relatively dry. Snow generally falls from December to mid-February and averages less than one-half inch in depth. However, most recharge occurs during the winter months during snowmelt periods from the upper elevations (Western Regional Climate Center www.wrcc.dri.edu).

The predominant vegetation is sagebrush and grasses with a more restricted pinon-juniper association (Dick-Peddie, 1993).

Site Specific Hydrogeology

Depth to groundwater is estimated to greater than 100 feet. This estimation is based on data from Stone and others (1983), the USGS Groundwater Atlas of the United States and depth to groundwater data published on the New Mexico State Engineer's iWaters Database website. Local topography and proximity to surface hydrologic features are also taken into consideration.

Beds of water-yielding sandstone are present in the Nacimiento Formation, which are fluvial in origin and are interbedded with siltstone, shale and coal. Porous sandstones form the principal aquifers, while relatively impermeable shales form confining units between the aquifers (Stone et al., 1983). Local aquifers exist within the Nacimiento Formation at depths greater than 100 feet and thicknesses of the aquifer can be up to 3500 feet (USGS, Groundwater Atlas of the US).

The site in question is located 3,132 feet north of an unnamed arroyo, at an elevation of approximately 6,394 feet and approximately 4.7 miles east of the Gallegos Canyon. Broad shaley hills are interspersed with occasional sandstone outcrops, and systems of dry washes and their tributaries are evident on the attached aerial image. Groundwater is expected to be shallow within Gallegos Canyon. The floor of Gallegos Canyon is at an elevation of approximately 6,032 feet approximately 300 feet lower in elevation.

Groundwater data available from the NM State Engineer's iWaters Database for wells near the proposed site are attached. A map showing the locations of wells in reference to the proposed pit location is also attached. Water drops show locations of wells and the labels for each water drop indicate depth to groundwater in feet. The closest well to the site is an elevation of approximately 6,286 feet and is located 2.03 miles to the northwest this well puts groundwater at 200 feet below the surface. The observations made within this report suggest that groundwater is greater than 100 feet deep at the proposed location.



Lodestar Services, Inc PO Box 4465 Durango, CO 81302	BERGER #6S T26N,R11W,22C San Juan County , NM	TOPOGRAPHIC MAP
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**i-Waters Ground Water Data
Map**

BERGER #6S
T26N,R11W,22C
San Juan County , NM

Lodestar Services, Inc
PO Box 4465
Durango, CO 81302

New Mexico Office of the State Engineer
POD Reports and Downloads

AVERAGE DEPTH OF WATER REPORT 11/11/2008							(Depth Water in Feet)			
Bsn	Tws	Rng	Sec	Zone	X	Y	Wells	Min	Max	Avg
8J	25N	11W	04				1	135	135	135

New Mexico Office of the State Engineer
POD Reports and Downloads

AVERAGE DEPTH OF WATER REPORT 11/09/2008							(Depth Water in Feet)			
Bsn	Tws	Rng	Sec	Zone	X	Y	Wells	Min	Max	Avg
RG	25N	12W	11	C	684250	1972400	1	19	19	19
RG	25N	12W	12				1	18	18	18
RG	25N	12W	22				1	8	8	8
RG	25N	12W	23				1	8	8	8
RG	25N	12W	27	C	678500	1958950	1	50	50	50
RG	25N	12W	31	C	689100	1949800	1	30	30	30
SJ	25N	12W	01				1	210	210	210

New Mexico Office of the State Engineer
POD Reports and Downloads

AVERAGE DEPTH OF WATER REPORT 11/04/2008						(Depth Water in Feet)		
Bsn	Tws	Rng	Sec	Zone	X	Y	Wells	Avg
SJ	26N	11W	16				1	200
SJ	26N	11W	35				1	165

New Mexico Office of the State Engineer
POD Reports and Downloads

AVERAGE DEPTH OF WATER REPORT 11/04/2008						(Depth Water in Feet)		
Bsn	Tws	Rng	Sec	Zone	X	Y	Wells	
RG	26N	12W	04				1	180
RG	26N	12W	25				1	45
SJ	26N	12W	03				1	220
								180
								45
								220



AERIAL PHOTOGRAPH

BERGER #6S
T26N, R11W, 22C
San Juan County, NM

Lodestar Services, Inc
PO Box 4465
Durango, CO 81302



Mines and Quarries Map	BERGER #6S T26N, R11W, 22C San Juan County , NM	Lodestar Services, Inc PO Box 4465 Durango, CO 81302
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XTO Energy Inc.
San Juan Basin (Northwest New Mexico)
General Design and Construction Plan
For Below-Grade Tanks

In accordance with Rule 19.15.17.11 NMAC the following information describes the design and construction of below-grade tanks on XTO Energy Inc. (XTO) locations. This is XTO's standard procedure for all below-grade tanks. A separate plan will be submitted for any below-grade tank which does not conform to this plan.

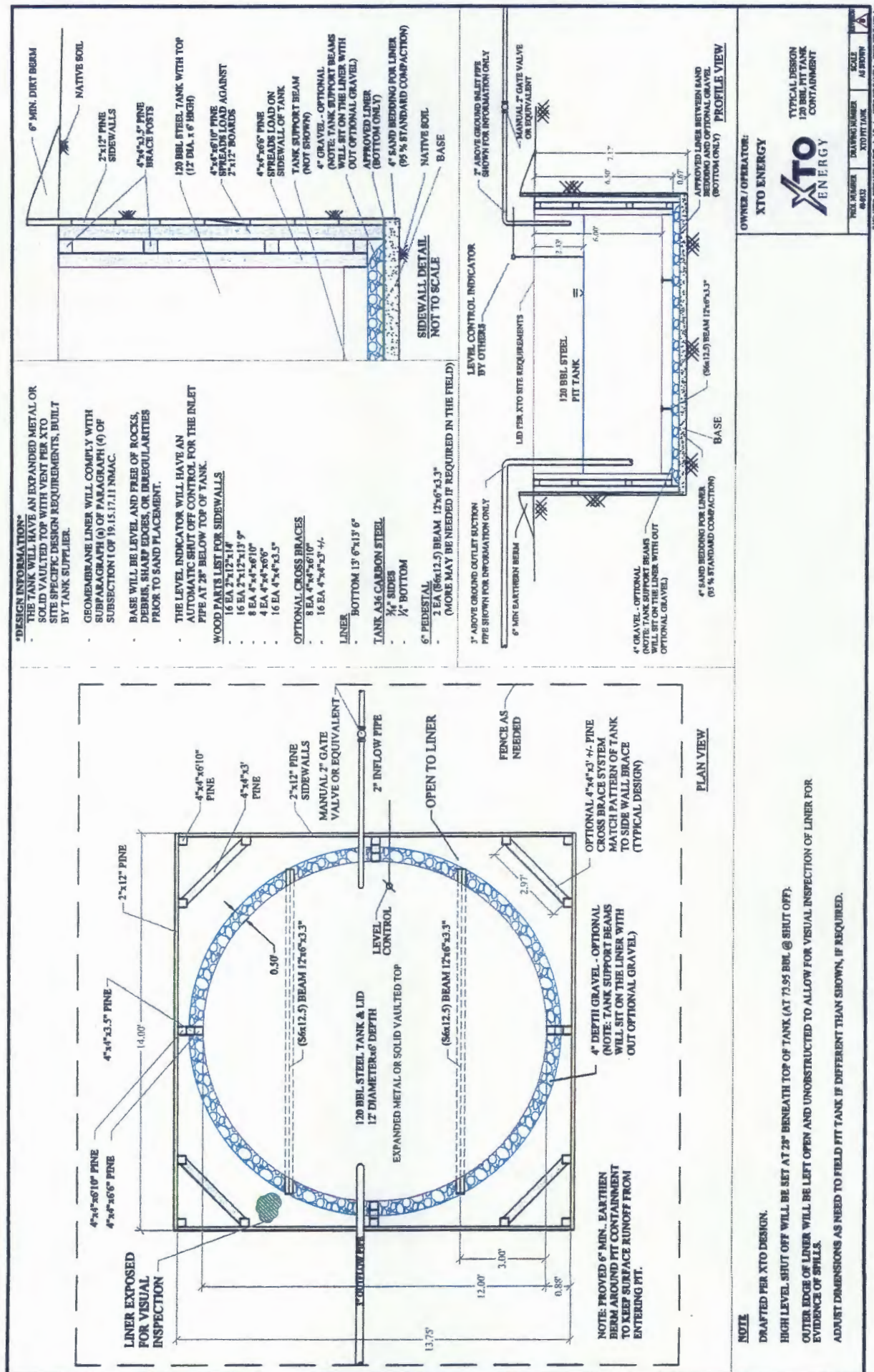
General Plan

1. XTO will design and construct below-grade tanks to contain liquids and solids and prevent contamination of fresh water and protect public health and environment.
2. XTO will post a well sign, in compliance with 19.15.3.103 NMAC, on the existing well site operated by XTO where the existing below-grade tank is located. The sign will list the Operator on record as the operator, the location of the well site by unit letter, section, township, range, and emergency telephone numbers.
3. XTO is requesting approval of an alternative fencing to be used on below-grade tank locations. Below-grade tank locations will be fenced utilizing 48" steel mesh field-fence (hogwire) with pipe railing along the top. A 6' chain link fence will be utilized around the well pad if the well site is within a city limits or ¼ mile of a permanent residence, school, hospital, institution or church. Below-grade tanks located within 1000' of a permanent residence, school, hospital, institution or church will be fenced by 6' chain link fence with at least two strands of barbed wire at the top. All gates associated with below-grade tanks will remain closed and locked when responsible individuals are not on site.
4. XTO shall construct below-grade tanks with an expanded metal covering or solid vaulted top on the top of the below-grade tank.
5. XTO will ensure that below-grade tanks are constructed of materials resistant to the below-grade tank's particular contents and resistant to damage from sunlight. Tanks will be constructed of A36 carbon steel with 3/16" sides and ¼" bottom. (See attached drawing).
6. The below-grade tank system will have a properly constructed foundation consisting of a level base free of rocks, debris, sharp edges or irregularities to prevent punctures, cracks or indentations of the liner or tank bottom. Sand bedding (4") will be placed on top of a level foundation to ensure prevention of punctures, cracks or indentations of the liner or tank bottom.
7. XTO will construct a berm and/or diversion ditch in a manner that prevents the collection of surface water run-on. Below-grade tanks will be equipped with automatic high level shut-off devices as well as manually operated shut-off valves. (See attached drawing).
8. XTO will construct and use below-grade tanks that do not have double walls. The below-grade tank sidewalls will be open for visual inspection for leaks. The sidewalls of the cellar will be constructed with 2" X 12" pine sidewalls and 4" X 4" pine brace posts. The below-grade tank

XTO Energy Inc.
San Juan Basin (Northwest New Mexico)
General Design and Construction Plan
For Below-Grade Tanks
Page 2

bottom will be elevated a minimum of 6" above the underlying ground surface and the below-grade tank will be underlain with a geomembrane liner to divert leaked liquid to a location that can be visually inspected. (See attached drawing).

9. XTO will equip below-grade tanks designed in this manner with a properly functioning automatic high-level shut-off control device and manual controls to prevent overflows. (See attached drawing).
10. XTO will demonstrate to the OCD that the geomembrane liner complies with the specifications of Subparagraph (a) of Paragraph (4) of Subsection I of 19.15.17.11 NMAC and obtain approval from OCD prior to the installation of the design. The geomembrane liner shall have a hydraulic conductivity no greater than 1×10^{-9} cm/sec. The geomembrane liner shall be composed of an impervious, synthetic material that is resistant to petroleum hydrocarbons, salts and acids and alkaline solutions. The liner material shall be resistant to ultraviolet light. Liner compatibility shall comply with EPA SW-846 method 9090A. (See attached drawing).
11. The general specifications for design and construction are attached.



**XTO Energy Inc.
San Juan Basin (Northwest New Mexico)
General Maintenance and Operating Plan
For Below-Grade Tanks**

In accordance with Rule 19.15.17.12 NMAC the following information describes the operation and maintenance of below-grade tanks on XTO Energy Inc. (XTO) locations. This is XTO's standard procedure for all below-grade tanks. A separate plan will be submitted for any below-grade tank which does not conform to this plan.

General Plan

1. XTO will operate and maintain below-grade tanks to contain liquids and solids, maintain the integrity of the liner and secondary containment system, prevent contamination of fresh water and protect public health and the environment. Fluid levels will be monitored weekly and high levels will be removed as necessary. Monthly inspections will be conducted to monitor integrity of below-grade tank systems and below-grade tanks will be equipped with automatic high-level shut-off devices.
2. XTO will not allow below-grade tanks to overflow and will use berms and/or diversion ditch to prevent surface run on to enter the below-grade tank. Below-grade tanks will be equipped with automatic high-level shut-off control devices as well as manually operated shut-off valves. See attached drawing for vault design and placement of diversion berms and shut-off devices.
3. XTO will continuously remove any visible or measurable layer of oil from the fluid surface of below-grade tanks in order to prevent significant accumulation of oil.
4. XTO will inspect the below-grade tank monthly and maintain written records for five years. Monthly inspections will consist of documenting the following: (see attached template),
 - Well Name
 - API #
 - Sec., Twn., Rng.
 - XTO Inspector's name
 - Inspection date and time
 - Visible tears in liner
 - Visible signs of tank overflow
 - Collection of surface run on
 - Visible layer of oil
 - Visible signs of tank leak
 - Estimated freeboard
5. XTO will maintain adequate freeboard to prevent over topping of the below-grade tank. High level shut-off devices control the freeboard at an average of 28" beneath the top of the tank.
6. XTO will not discharge into or store any hazardous waste in any below-grade tank.
7. If a below-grade tank develops a leak, or if any penetration of a below-grade tank occurs below the liquids surface, XTO will remove all liquids above the damage or leak line within 48 hours,

XTO Energy Inc.
San Juan Basin (Northwest New Mexico)
General Maintenance and Operating Plan
For Below-Grade Tanks
Page 2

notify the appropriate division district office within 48 hours of the discovery and repair the damage or replace the below-grade tank. If an existing below-grade tank does not meet current requirements of Paragraphs 1-4 of Subsection I of 19.15.17.11 NMAC the tank will be modified or retrofitted to comply. If compliance can not be achieved XTO will implement the approved closure plan.

MONTHLY BELOW GRADE TANK INSPECTION FORM

Well Name:

API No.:

Legals

Sec:

Township:

Range:

[illegible]

Notes:

Provide Detailed Description:

Misc:

XTO Energy Inc.
San Juan Basin (Northwest New Mexico)
General Closure Plan
For Below-Grade Tanks

In accordance with Rule 19.15.17.13 NMAC the following information describes the closure requirements of below-grade tanks on XTO Energy Inc. (XTO) locations. This is XTO's standard procedure for all below-grade tanks. A separate plan will be submitted for any below-grade tank which does not conform to this plan.

General Plan

1. XTO will close below-grade tanks within the time periods provided in 19.15.17.13 NMAC, or by an earlier date that the division requires because of imminent danger to fresh water, public health or the environment.
2. XTO will close a below-grade tank that does not meet the requirements of Paragraphs (1) through (4) of Subsection I of 19.15.17.11 NMAC or is not included in Paragraph (5) of Subsection I of 19.15.17.11 NMAC within five years after June 16, 2008, if not retrofitted to comply with Paragraphs (1) through (4) of Subsection I of 19.15.17.11 NMAC.
3. XTO will close a permitted below-grade tank within 60 days of cessation of the below-grade tank's operation or as required by the transitional provisions of Subsection B of 19.15.17.17 NMAC in accordance with a closure plan that the appropriate division district office approves. The closure report will be filed on form C-144.
4. XTO will remove liquids and sludge from below-grade tanks prior to implementing a closure method and will dispose of the liquids and sludge in a division-approved facility. Approved facilities and waste streams include:
 - Envirotech Permit No. NM01-0011 and IEI Permit No. NM 01-0010B
 - Soil contaminated by exempt petroleum hydrocarbons
 - Produced sand, pit sludge and contaminated bottoms from storage of exempt wastes
 - Basin Disposal Permit No. NM01-005
 - Produced water
5. XTO will remove the below-grade tank and dispose of it in a division approved facility or recycle, reuse, or reclaim it in a manner that the appropriate division district office has approved prior to removal. Any associated liners will be removed, properly cleaned and disposed of per 19.15.9.712 NMAC at San Juan County Landfill. Documentation of the final disposition will be included in the closure report.
6. XTO will remove any on-site equipment associated with a below-grade tank unless the equipment is required for some other purpose.
7. XTO will test the soils beneath the below-grade tank to determine whether a release has occurred. At a minimum 5 point composite sample will be collected along with individual grab samples from any area that is wet, discolored or showing other evidence of a release. Samples will be

XTO Energy Inc.
San Juan Basin (Northwest New Mexico)
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For Below-Grade Tanks
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analyzed for BTEX, TPH and chlorides to demonstrate that the benzene concentration, as determined by EPA SW-846 methods 8021B or 8260B or EPA method that the division approves, does not exceed 0.2 mg/kg; total BTEX concentration, as determined by EPA SW-846 methods 8021B or 8260B or other EPA method that the division approves, does not exceed 50 mg/kg; the TPH concentration, as determined by EPA method 418.1 or other EPA method that the division approves, does not exceed 100mg/kg; and the chloride concentration, as determined by EPA method 300.1 or other EPA method that the division approves, does not exceed 250 mg/kg, or the background concentration, whichever is greater. XTO will notify the division of its results on form C-141.

8. If XTO or the division determines that a release has occurred, XTO will comply with 19.15.3.116 NMAC and 19.15.1.19NMAC as appropriate.
9. If the sampling program demonstrates that a release has not occurred or that any release does not exceed the concentrations specified in Paragraph (4) of Subsection E of 19.15.17.13 NMAC, XTO will backfill the excavation with compacted, non-waste containing, earthen material; construct a division prescribed soil cover; recontour and re-vegetate the site.
10. Notice of Closure operations will be given to the Aztec Division District III office between 72 hours and one week prior to the start of closure activities via email or verbally.
The notification will include the following:
 - i. Operator's name
 - ii. Well Name and API Number
 - iii. Location by Unit Letter, Section, Township, and Range

The surface owner shall also be notified prior to the implementation of any closure operations of below-grade tanks as per the approved closure plan using certified mail, return receipt requested.

11. Re-contouring of location will match fit, shape, line, form and texture of the surrounding area. Re-shaping will include drainage control, prevent ponding, and prevent erosion. Natural drainages will be unimpeded and water bars and/or silt traps will be placed in areas where needed to prevent erosion on a large scale. Final re-contour shall have a uniform appearance with smooth surface, fitting the natural landscape.
12. A minimum of 4 feet of cover shall be achieved and the cover shall include 1 foot of suitable material to establish vegetation at the site, or the background thickness of topsoil, whichever is greater. Soil cover will be constructed to the site's existing grade and ponding of water and erosion of the cover material will be prevented with drainage control, natural drainages and silt traps where needed.
13. XTO will seed the disturbed areas the first growing season after the operator closes the pit. Seeding will be accomplished via drilling on the contour whenever practical or by other division-approved methods. BLM or Forest Service stipulated seed mixes will be used on federal lands. Vegetative cover will equal 70% of the native perennial vegetative cover (un-impacted) consisting of at least three native plant species, including at least one grass, but not including noxious weeds, and maintain that cover through two successive growing seasons. Repeat seeding or planting will be continued until successful vegetative growth occurs.

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14. All closure activities will include proper documentation and be available for review upon request and will be submitted in closure report form to OCD within 60 days of closure of the below-grade tank. Closure report will be filed on form C-144 and incorporate the following:
- i. Proof of closure notice to division and surface owner;
 - ii. Details on capping and covering, where applicable;
 - iii. Inspection reports;
 - iv. Confirmation sampling analytical results;
 - v. Disposal facility name(s) and permit number(s);
 - vi. Soil backfilling and cover installation;
 - vii. Re-vegetation application rates and seeding techniques, (or approved alternative to re-vegetation requirements if applicable);
 - viii. Photo documentation of the site reclamation.

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Phone:(575) 393-6161 Fax:(575) 393-0720
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811 S. First St., Artesia, NM 88210
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District III
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Phone:(505) 334-6178 Fax:(505) 334-6170
District IV
1220 S. St Francis Dr., Santa Fe, NM 87505
Phone:(505) 476-3470 Fax:(505) 476-3462

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

QUESTIONS

Action 89659

QUESTIONS

Operator: HILCORP ENERGY COMPANY 1111 Travis Street Houston, TX 77002	OGRID: 372171
	Action Number: 89659
	Action Type: [C-144] Legacy Below Grade Tank Plan (C-144LB)

QUESTIONS

Facility and Ground Water	
<i>Please answer as many of these questions as possible in this group. More information will help us identify the appropriate associations in the system.</i>	
Facility or Site Name	Berger 6S
Facility ID (##), if known	Not answered.
Facility Type	Below Grade Tank - (BGT)
Well Name, include well number	Berger 6S
Well API, if associated with a well	30-045-32947
Pit / Tank Type	Not answered.
Pit / Tank Name or Identifier	Not answered.
Pit / Tank Opened Date, if known	Not answered.
Pit / Tank Dimensions, Length (ft)	Not answered.
Pit / Tank Dimensions, Width or Diameter (ft)	Not answered.
Pit / Tank Dimensions, Depth (ft)	Not answered.
Ground Water Depth (ft)	Not answered.
Ground Water Impact	No
Ground Water Quality (TDS)	Not answered.

Below-Grade Tank	
<i>Subsection I of 19.15.17.11 NMAC</i>	
Volume / Capacity (bbls)	120
Type of Fluid	Produced Water
Pit / Tank Construction Material	Steel
Secondary containment with leak detection	Not answered.
Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off	Not answered.
Visible sidewalls and liner	Not answered.
Visible sidewalls only	Not answered.
Tank installed prior to June 18, 2008	True
Other, Visible Notation. Please specify	Not answered.
Liner Thickness (mil)	Not answered.
HDPE (Liner Type)	Not answered.
PVC (Liner Type)	Not answered.
Other, Liner Type. Please specify (Variance Required)	Not answered.

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QUESTIONS, Page 2

Action 89659

QUESTIONS (continued)

Operator: HILCORP ENERGY COMPANY 1111 Travis Street Houston, TX 77002	OGRID:
	372171
	Action Number:
	89659
Action Type: [C-144] Legacy Below Grade Tank Plan (C-144LB)	

QUESTIONS

Fencing	
<i>Subsection D of 19.15.17.11 NMAC (Applies to permanent pits, temporary pits, and below-grade tanks)</i>	
Chain link, six feet in height, two strands of barbed wire at top <i>(Required if located within 1000 feet of a permanent residence, school, hospital, institution or church)</i>	Not answered.
Four foot height, four strands of barbed wire evenly spaced between one and four feet	Not answered.
Alternate, Fencing. Please specify (Variance Required)	4' steel mesh

Netting	
<i>Subsection E of 19.15.17.11 NMAC (Applies to permanent pits and permanent open top tanks)</i>	
Screen	Not answered.
Netting	Not answered.
Other, Netting. Please specify (Variance May Be Needed)	Expanded metal or solid vaulted top

Signs	
<i>Subsection C of 19.15.17.11 NMAC (If there are multiple operators at a site, each operator must have their own sign in compliance with Subsection C of 19.15.17.11 NMAC.)</i>	
12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers	Not answered.
Signed in compliance with 19.15.16.8 NMAC	True

Variances and Exceptions	
<i>Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17 NMAC for guidance.</i> Please check a box if one or more of the following is requested, if not leave blank:	
Variance(s): Requests must be submitted to the appropriate division district for consideration of approval.	Not answered.
Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval	Not answered.

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QUESTIONS, Page 3

Action 89659

QUESTIONS (continued)

Operator: HILCORP ENERGY COMPANY 1111 Travis Street Houston, TX 77002	OGRID: 372171
	Action Number: 89659
	Action Type: [C-144] Legacy Below Grade Tank Plan (C-144LB)

QUESTIONS

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. Siting criteria does not apply to drying pads or above-grade tanks.

Siting Criteria, General Siting	
Ground water is less than 25 feet below the bottom of a low chloride temporary pit or below-grade tank	No
NM Office of the State Engineer - iWATERS database search	True
USGS	Not answered.
Data obtained from nearby wells	Not answered.

Siting Criteria, Below Grade Tanks	
Within 100 feet of a continuously flowing watercourse, significant watercourse, lakebed, sinkhole, wetland or playa lake (measured from the ordinary high-water mark)	No
Within 200 horizontal feet of a spring or a fresh water well used for public or livestock consumption	No

Proposed Closure Method	
Below-grade Tank	Below Grade Tank - (BGT)
Waste Excavation and Removal	Not answered.
Alternate Closure Method. Please specify (Variance Required)	Not answered.

Operator Application Certification	
Registered / Signature Date	11/25/2008

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ACKNOWLEDGMENTS

Action 89659

ACKNOWLEDGMENTS

Operator: HILCORP ENERGY COMPANY 1111 Travis Street Houston, TX 77002	OGRID: 372171
	Action Number: 89659
	Action Type: [C-144] Legacy Below Grade Tank Plan (C-144LB)

ACKNOWLEDGMENTS

☒	I acknowledge that I have received prior approval from the OCD to submit documentation of a legacy below-grade tank on behalf of my operator.
☒	I hereby certify that the information submitted with this documentation is true, accurate and complete to the best of my knowledge and belief.

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CONDITIONS

Action 89659

CONDITIONS

Operator: HILCORP ENERGY COMPANY 1111 Travis Street Houston, TX 77002	OGRID: 372171
	Action Number: 89659
	Action Type: [C-144] Legacy Below Grade Tank Plan (C-144LB)

CONDITIONS

Created By	Condition	Condition Date
vvenegas	None	4/4/2022





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>

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CONDITIONS

Action 417158

CONDITIONS

Operator: HILCORP ENERGY COMPANY 1111 Travis Street Houston, TX 77002	OGRID: 372171
	Action Number: 417158
	Action Type: [C-144] Below Grade Tank Plan (C-144B)

CONDITIONS

Created By	Condition	Condition Date
joel.stone	Upon the plugging and abandonment of well API 30-045-32947 (Berger 6S), and cessation of all production operations in the area associated with this below-grade tank, the operator shall complete the requirements of 19.15.17.13 NMAC for the area associated with this below-grade tank and notify the OCD when restoration, reclamation, and re-vegetation are complete.	1/10/2025