				1	NMOCD - REC'E	11/17/202	0	
e.	Form 3160-5 (June 2015) UNITED STATES DEPARTMENT OF THE IN BUREAU OF LAND MANAG			NTERIOR	Carlsba	id Fie rator	OMB N Expires: J	APPROVED O. 1004-0137 anuary 31, 2018
	SUNDRY NOTICES AND REPORTS ON WELLS Do not use this form for proposals to drill or to re-enter an abandoned well. Use form 3160-3 (APD) for such proposals.					5. Lease Serial No. NMNM0438001		
							6. If Indian, Allottee or Tribe Name	
	SUBMIT IN TRIPLICATE - Other instructions on page 2						7. If Unit or CA/Agre	ement, Name and/or No.
	1. Type of Well ☑ Oil Well □ Gas Well □ Other						8. Well Name and No STELLA BLUE 3	0 FED COM 704H
	2. Name of Operator EOG RESOURC				9. API Well No. 30-015-44923-00-X1			
	3a. Address			3b. Phone No. (include area code)			10. Field and Pool or	Exploratory Area
	MIDLAND, TX 79702			Ph: 432.6	36.3600		RED HILLS WILDCAT-WOI	FCAMP
			., M., or Survey Description	1)			11. County or Parish,	State
	Sec 30 T26S R31 32.008175 N Lat,						EDDY COUNT	Y, NM
	12. CHE	ECK THE APPI	ROPRIATE BOX(ES)	TO INDIC.	ATE NATURE O	F NOTICE,	REPORT, OR OTI	HER DATA
	TYPE OF SUBM	ISSION			TYPE OF	ACTION		
	□ Notice of Intent		Acidize	🗖 De	epen	D Product	ion (Start/Resume)	□ Water Shut-Off
			Alter Casing	🗆 Hy	draulic Fracturing	C Reclam	ation	 Well Integrity Other Right of Way
	Subsequent Repo	ort	Casing Repair	□ Ne	ew Construction	🗆 Recomp	olete	
	Final Abandonm	nent Notice	 Change Plans Convert to Injection 			 Tempor Water D 	arily Abandon Disposal	Right of way
	determined that the site is ready for final inspection. EOG Resources, Inc. (EOG) requests to construct, operate, and maintain one buried flowline and one buried gas lift line (1,553.6? x 30? wide) all within section 30, T26S, R 31E, Eddy County, NM, being Federally owned lands, to transport oil, gas, and water back to the Stella Blue 30 Fed Com CTB located in same. The original flow line and gas lift route for this well would run through the middle of a proposed well pad. The new route, as depicted on the attached plat, avoids conflicts with all well pads. The Stella Blue 30 Fed Com is approximately 21 miles south of HWY 128 and 6 miles west of CR1. 14. 1 hereby certify that the foregoing is true and correct. Electronic Submission #534102 verified by the BLM Well Information System For EOG RESOURCES INCORPORATED, sent to the Carlsbad Committed to AFMSS for processing by JUANA MEDRANO on 10/15/2020 (21JM0025SE)							
	Name (Printed/Typed)	JOSH PITMA			Title SR SUR	FACE LAN	DIREF	
	Signature	(Electronic Subr	nission)		Date 10/15/20	20		
Accepte	ed for record – NMOCD	gc 11/25/2020	THIS SPACE FO	R FEDER	AL OR STATE	OFFICE US	SE	
8	Approved By Conditions of approval, if a	any, are stached. A	My Approval of this notice does	not warrant or	Title HF	n - l q	M	11/04/2070
	which would entitle the app	plicant to conduct o	te title to those rights in the perations thereon. .C. Section 1212, make it a d		Office Cfe	<i>V</i> willfully to ma	ke to any department or	agency of the United
	States any false, fictitious	s or fraudulent state	ments or representations as	to any matter v	vithin its jurisdiction.		and the second	
l.	(Instructions on page 2) **	BLM REVISE	D ** BLM REVISED) ** BLM R	EVISED ** BLM	REVISED	** BLM REVISE	D **

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	Operator Submitted
Sundry Type:	ROW SR
Lease:	NMNM0438001
Agreement:	
Operator:	EOG RESOURCES INC PO BOX 2267 MIDLAND, TX 79702 Ph: 432-636-3600
Admin Contact:	EMILY FOLLIS SR REGULATORY ADMINISTRATOR E-Mail: emily_follis@eogresources.com
	Ph: 432-636-3600
Tech Contact:	JOSH PITMAN SR SURFACE LAND REP E-Mail: josh_pitman@eogresources.com
	Ph: 432-636-3600
Location: State: County:	NM EDDY COUNTY
Field/Pool:	98220 PURPLE SAGE;WOLF(GA
Well/Facility;	STELLA BLUE 30 FED COM 704H Sec 30 T26S R31E 760FSL 2015FWL

BLM Revised (AFMSS)

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ROW SR

NMNM0438001

EOG RESOURCES INCORPORATED

MIDLAND, TX 79702 Ph: 432.686.3600

EMILY FOLLIS SR REGULATORY ADMINISTRATOR E-Mail: emily_follis@eogresources.com

Ph: 432.636.3600

JOSH PITMAN SR SURFACE LAND REP E-Mail: josh_pitman@eogresources.com

Ph: 432-636-3600

NM EDDY

RED HILLS WILDCAT-WOLFCAMP

STELLA BLUE 30 FED COM 704H Sec 30 T26S R31E SESW 760FSL 2015FWL 32.008175 N Lat, 103.819626 W Lon

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BURIED PIPELINE STIPULATIONS

A copy of the application (Grant, APD, or Sundry Notice) and attachments, including conditions of approval, survey plat and/or map, will be on location during construction. BLM personnel may request to you a copy of your permit during construction to ensure compliance with all stipulations.

Holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer:

1. The Holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant.

2. The Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC 2601 et seq. (1982) with regards to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.

3. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, <u>et seq</u>. or the Resource Conservation and Recovery Act, 42 U.S.C.6901, <u>et seq</u>.) on the Right-of-Way (unless the release or threatened release is wholly unrelated to the Right-of-Way holder's activity on the Right-of-Way), or resulting from the activity of the Right-of-Way holder on the Right-of-Way. This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.

4. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any oil or other pollutant should be discharged from the pipeline system, impacting Federal lands, the control and total removal, disposal, and cleaning up of such oil or other pollutant, wherever found, shall be the responsibility of holder, regardless of fault. Upon failure of holder to control, dispose of, or clean up such discharge on or affecting Federal lands, or to repair all damages resulting therefrom, on the Federal lands, the Authorized Officer may take such measures as he deems necessary to control and clean up the discharge and restore the area, including where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve holder of any responsibility as provided herein.

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6. The pipeline will be buried with a minimum cover of 36 inches between the top of the pipe and ground level.

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- 7. The maximum allowable disturbance for construction in this right-of-way will be **30** feet:
 - Blading of vegetation within the right-of-way will be allowed: maximum width of blading operations will not exceed <u>30</u> feet. The trench is included in this area. (Blading is defined as the complete removal of brush and ground vegetation.)
 - Clearing of brush species within the right-of-way will be allowed: maximum width of clearing operations will not exceed <u>30</u> feet. The trench and bladed area are included in this area. (Clearing is defined as the removal of brush while leaving ground vegetation (grasses, weeds, etc.) intact. Clearing is best accomplished by holding the blade 4 to 6 inches above the ground surface.)
 - The remaining area of the right-of-way (if any) shall only be disturbed by compressing the vegetation. (Compressing can be caused by vehicle tires, placement of equipment, etc.)

8. The holder shall stockpile an adequate amount of topsoil where blading is allowed. The topsoil to be stripped is approximately 6_{---} inches in depth. The topsoil will be segregated from other spoil piles from trench construction. The topsoil will be evenly distributed over the bladed area for the preparation of seeding.

9. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

10. Vegetation, soil, and rocks left as a result of construction or maintenance activity will be randomly scattered on this right-of-way and will not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. The entire right-of-way shall be recontoured to match the surrounding landscape. The backfilled soil shall be compacted and a 6 inch berm will be left over the ditch line to allow for settling back to grade.

11. In those areas where erosion control structures are required to stabilize soil conditions, the holder will install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound resource management practices.

() seed mixture 1	() seed mixture 3
() seed mixture 2	() seed mixture 4
(X) seed mixture 2/LPC	() Aplomado Falcon Mixture

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- The remaining area of the right-of-way (if any) shall only be disturbed by compressing the vegetation. (Compressing can be caused by vehicle tires, placement of equipment, etc.)

8. The holder shall stockpile an adequate amount of topsoil where blading is allowed. The topsoil to be stripped is approximately $__6__$ inches in depth. The topsoil will be segregated from other spoil piles from trench construction. The topsoil will be evenly distributed over the bladed area for the preparation of seeding.

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13. All above-ground structures not subject to safety requirements shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be color which simulates "Standard Environmental Colors" – **Shale Green**, Munsell Soil Color No. 5Y 4/2.

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> 14. The pipeline will be identified by signs at the point of origin and completion of the right-ofway and at all road crossings. At a minimum, signs will state the holder's name, BLM serial number, and the product being transported. All signs and information thereon will be posted in a permanent, conspicuous manner, and will be maintained in a legible condition for the life of the pipeline.

> 15. The holder shall not use the pipeline route as a road for purposes other than routine maintenance as determined necessary by the Authorized Officer in consultation with the holder before maintenance begins. The holder will take whatever steps are necessary to ensure that the pipeline route is not used as a roadway. As determined necessary during the life of the pipeline, the Authorized Officer may ask the holder to construct temporary deterrence structures.

16. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the Authorized Officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

17. The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes associated roads, pipeline corridor and adjacent land affected by the establishment of weeds due to this action. The operator shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.

18. <u>Escape Ramps</u> - The operator will construct and maintain pipeline/utility trenches [that are not otherwise fenced, screened, or netted] to prevent livestock, wildlife, and humans from becoming entrapped. At a minimum, the operator will construct and maintain escape ramps, ladders, or other methods of avian and terrestrial wildlife escape in the trenches according to the following criteria:

- a. Any trench left open for eight (8) hours or less is not required to have escape ramps; however, before the trench is backfilled, the contractor/operator shall inspect the trench for wildlife, remove all trapped wildlife, and release them at least 100 yards from the trench.
- b. For trenches left open for eight (8) hours or more, earthen escape ramps (built at no more than a 30 degree slope and spaced no more than 500 feet apart) shall be placed in the trench.

orm 3160-5 June 2015) D	UNITED STATE DEPARTMENT OF THE I	s NTERIOR Carlsba	d Field Office	M APPROVED NO. 1004-0137 s: January 31, 2018
SUNDRY	NOTICES AND REPO	RTS ON WELLS	ator C. Lease Serial No	001
Do not use the abandoned w	his form for proposals to ell. Use form 3160-3 (AP	drill or to re-enter an D) for such proposals.	6. If Indian, Allotte	ee or Tribe Name
SUBMIT IN	TRIPLICATE - Other ins	tructions on page 2	7. If Unit or CA/A	greement, Name and/or No.
 Type of Well Oil Well Gas Well O 	Ither		8. Well Name and I STELLA BLUE	No. 30 FEDERAL COM 723H
2. Name of Operator EOG RESOURCES INCORF	Contact:	EMILY FOLLIS s@eogresources.com	9. API Well No. 30-015-4492	2-00-X1
3a. Address		3b. Phone No. (include area code Ph: 432.636.3600	RED HILLS	or Exploratory Area
MIDLAND, TX 79702 4. Location of Well (Footage, Sec.,			WILDCAT-W 11. County or Pari	
Sec 30 T26S R31E SESW 7 32.008175 N Lat, 103.81974	61FSL 1980FWL	9	EDDY COUN	
12. CHECK THE A	PPROPRIATE BOX(ES)	TO INDICATE NATURE O	F NOTICE, REPORT, OR O	THER DATA
TYPE OF SUBMISSION		TYPE O	FACTION	
□ Notice of Intent	□ Acidize	Deepen	Production (Start/Resume)	UWater Shut-Off
	Alter Casing	Hydraulic Fracturing	Reclamation	U Well Integrity
Subsequent Report	Casing Repair	□ New Construction	□ Recomplete	⊠ Other Right of Way
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1.0	anasonation of the surgeries (• •	RFACE LAND REP	
Name (Printed/Typed) JOSH PI				
Name (Printed/Typed) JOSH PI	Submission)	Date 10/15/2	020	
Name (Printed/Typed) JOSH Pl	Submission)		OFFICE USE	
Name (Printed/Typed) JOSH Pl Signature (Electronic Approved By Cody	Submission) THIS SPACE FO	Date 10/15/2 DR FEDERAL OR STATE		13,694/202
Name (Printed/Typed) JOSH Pl Signature (Electronic	Submission) THIS SPACE FO Mutual ed. Approval of this notice does juitable tile to those rights in the fuct operations thereon.	Date 10/15/2 DR FEDERAL OR STATE not warrant or subject lease Office C	office use 1-l&M O	13,694/20.

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BLM Revised (AFMSS)

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ROW SR

NMNM0438001

EOG RESOURCES INCORPORATED

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JOSH PITMAN SR SURFACE LAND REP E-Mail: josh_pitman@eogresources.com

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NM EDDY

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STELLA BLUE 30 FEDERAL COM 723H Sec 30 T26S R31E SESW 761FSL 1980FWL 32.008175 N Lat, 103.819740 W Lon

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6. The pipeline will be buried with a minimum cover of 36 inches between the top of the pipe and ground level.

7. The maximum allowable disturbance for construction in this right-of-way will be $\underline{30}$ feet:

- Blading of vegetation within the right-of-way will be allowed: maximum width of blading operations will not exceed <u>30</u> feet. The trench is included in this area. (Blading is defined as the complete removal of brush and ground vegetation.)
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9. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

10. Vegetation, soil, and rocks left as a result of construction or maintenance activity will be randomly scattered on this right-of-way and will not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. The entire right-of-way shall be recontoured to match the surrounding landscape. The backfilled soil shall be compacted and a 6 inch berm will be left over the ditch line to allow for settling back to grade.

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() seed mixture 2	() seed mixture 4
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- b. For trenches left open for eight (8) hours or more, earthen escape ramps (built at no more than a 30 degree slope and spaced no more than 500 feet apart) shall be placed in the trench.

, Form 3160-5 (June 2015)	B SUNDRY	UNITED STATES EPARTMENT OF THE IN UREAU OF LAND MANAG NOTICES AND REPOI is form for proposals to II. Use form 3160-3 (APL	TERIOR Carls	bad Fi erato	eld Ornes	
	SUBMIT IN	TRIPLICATE - Other inst	ructions on page 2		 If Unit or CA/Agree NMNM139008 	eement, Name and/or No.
1. Type of Well	🗖 Gas Well 🔲 Otl				8. Well Name and No STELLA BLUE 3). 0 FED COM 725H
2. Name of Operat EOG RESOL	or JRCES INCORP	Contact: ORATEDE-Mail: emily_follis	EMILY FOLLIS @eogresources.com		 API Well No. 30-015-46835- 	00-X1
3a. Address MIDLAND, T.	X 79702		3b. Phone No. (include area code Ph: 432.636.3600	;)	10. Field and Pool or PURPLE SAGE	Exploratory Area E-WOLFCAMP (GAS)
		., R., M., or Survey Description)			11. County or Parish,	, State
Sec 30 T26S R31E SESW 760FSL 2050FWL 32.008175 N Lat, 103.819511 W Lon					Y, NM	
12. (CHECK THE AI	PPROPRIATE BOX(ES)	TO INDICATE NATURE C	F NOTICE,	REPORT, OR OT	HER DATA
TYPE OF SU	JBMISSION		ТҮРЕ О	F ACTION		
□ Notice of In	tent	C Acidize	Deepen		on (Start/Resume)	UWater Shut-Off
		□ Alter Casing	Hydraulic Fracturing	Reclama	tion	□ Well Integrity
Subsequent	Report	Casing Repair	New Construction	□ Recompl	lete	Other Right of Way
Final Aband	ionment Notice	□ Change Plans	Plug and Abandon	- 1	urily Abandon	Right of Way
		Convert to Injection	Plug Back	U Water D	ater Disposal	
If the proposal is Attach the Bond following compl testing has been determined that EOG Resourn buried gas lift being Federa CTB located middle of a p	s to deepen directions under which the wor etion of the involved completed. Final At the site is ready for fi ces, Inc. (EOG) r t line (1,553.6? x illy owned lands, in same. The orig roposed well pad ads. The Stella E	Illy or recomplete horizontally, g k will be performed or provide t operations. If the operation rest andonment Notices must be file nal inspection. equests to construct, oper 30? wide) all within section to transport oil, gas, and w jinal flow line and gas lift ri. . The new route, as depict	t details, including estimated starting give subsurface locations and measu- he Bond No. on file with BLM/BL/ ults in a multiple completion or reco d only after all requirements, include ate, and maintain one buried n 30, T26S, R 31E, Eddy Co vater back to the Stella Blue oute for this well would run the ed on the attached plat, avoid kimately 21 miles south of HV	ared and true ver A. Required sub- completion in a nu- ding reclamation d flowline and unty, NM, 30 Fed Com- hrough the ids conflicts	tical depths of all pertin sequent reports must be ew interval, a Form 316 , have been completed a ONE	nent markers and zones. e filed within 30 days 60-4 must be filed once

14. I hereby certify the	at the foregoing is true and correct. Electronic Submission #534099 verifie For EOG RESOURCES INCORP Committed to AFMSS for processing by JUA	ORATE	D, sent to the Carlsbad	
Name (Printed/Type	d) JOSH PITMAN	Title	SR SURFACE LAND REP	
Signature	(Electronic Submission)	Date	10/15/2020	
	THIS SPACE FOR FEDERA	AL OR	STATE OFFICE USE	
Approved By	edd with	Title	H.M-14M	Date 4/2020
certify that the applicant	f and, are attached. Approval of this notice does not warrant or holds legal or equitable title to those rights in the subject lease applicant to conduct operations thereon.	Office	CF0	
	001 and Title 43 U.S.C. Section 1212, make it a crime for any pous or fraudulent statements or representations as to any matter w			agency of the United
(Instructions on page 2)	** BLM REVISED ** BLM REVISED ** BLM RE	EVISE	D ** BLM REVISED ** BLM REVISED) **

	Operator Submitted	BLM Revised (AF
Sundry Type:	ROW SR	ROW SR
Lease:	NMNM0438001	NMNM0438001
Agreement:		NMNM139008 (NMNM1
Operator:	EOG RESOURCES INC PO BOX 2267	EOG RESOURCES INC
	MIDLAND, TX 79702 Ph: 432-636-3600	MIDLAND, TX 79702 Ph: 432.686.3600
Admin Contact:	EMILY FOLLIS SR REGULATORY ADMINISTRATOR E-Mail: emily_follis@eogresources.com	EMILY FOLLIS SR REGULATORY ADI E-Mail: emily_follis@eo;
	Ph: 432-636-3600	Ph: 432.636.3600
Tech Contact;	JOSH PITMAN SR SURFACE LAND REP E-Mail: josh_pilman@eogresources.com	JOSH PITMAN SR SURFACE LAND RI E-Mail: josh_pitman@ed
	Ph: 432-848-9134	Ph: 432-848-9134
Location: State: County:	NM EDDY COUNTY	
Field/Pool:	98220 PURPLE SAGE WC GAS	PURPLE SAGE-WOLF
Well/Facility:	STELLA BLUE 30 FED COM 725H Sec 30 T26S R31E 760FSL 2050FWL	STELLA BLUE 30 FED Sec 30 T26S R31E SES 32.008175 N Lat, 103.8

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AFMSS)

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INCORPORATED

ADMINISTRATOR eogresources.com

REP @eogresources.com

LFCAMP (GAS)

STELLA BLUE 30 FED COM 725H Sec 30 T26S R31E SESW 760FSL 2050FWL 32.008175 N Lat, 103.819511 W Lon

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Tech Contact:	Ph: 432-636-3600 JOSH PITMAN SR SURFACE LAND REP E-Mail: josh_pitman@eogresources.com	JOSH PITMAN SR SURFACE E-Mail: josh_pit
	Ph: 432-848-9134	Ph: 432-848-9 ⁻
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ed (AFMSS)

(NMNM13900B)

RCES INCORPORATED

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(7,9702 3600

S TORY ADMINISTRATOR follis@eogresources.com

3600

N E LAND REP pitman@eogresources.com

9134

SE-WOLFCAMP (GAS)

STELLA BLUE 30 FED COM 725H Sec 30 T26S R31E SESW 760FSL 2050FWL 32.008175 N Lat, 103.819511 W Lon

BURIED PIPELINE STIPULATIONS

A copy of the application (Grant, APD, or Sundry Notice) and attachments, including conditions of approval, survey plat and/or map, will be on location during construction. BLM personnel may request to you a copy of your permit during construction to ensure compliance with all stipulations.

Holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer:

1. The Holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant.

2. The Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC 2601 et seq. (1982) with regards to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-ofway grant. (See 40 CFR Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.

3. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, <u>et seq</u>. or the Resource Conservation and Recovery Act, 42 U.S.C.6901, <u>et seq</u>.) on the Right-of-Way (unless the release or threatened release is wholly unrelated to the Right-of-Way holder's activity on the Right-of-Way), or resulting from the activity of the Right-of-Way holder on the Right-of-Way. This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.

4. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any oil or other pollutant should be discharged from the pipeline system, impacting Federal lands, the control and total removal, disposal, and cleaning up of such oil or other pollutant, wherever found, shall be the responsibility of holder, regardless of fault. Upon failure of holder to control, dispose of, or clean up such discharge on or affecting Federal lands, or to repair all damages resulting therefrom, on the Federal lands, the Authorized Officer may take such measures as he deems necessary to control and clean up the discharge and restore the area, including where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve holder of any responsibility as provided herein.

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6. The pipeline will be buried with a minimum cover of 36 inches between the top of the pipe and ground level.

7. The maximum allowable disturbance for construction in this right-of-way will be $\underline{30}$ feet:

- Blading of vegetation within the right-of-way will be allowed: maximum width of blading operations will not exceed <u>30</u> feet. The trench is included in this area. (*Blading is defined as the complete removal of brush and ground vegetation.*)
- Clearing of brush species within the right-of-way will be allowed: maximum width of clearing operations will not exceed <u>30</u> feet. The trench and bladed area are included in this area. (Clearing is defined as the removal of brush while leaving ground vegetation (grasses, weeds, etc.) intact. Clearing is best accomplished by holding the blade 4 to 6 inches above the ground surface.)
- The remaining area of the right-of-way (if any) shall only be disturbed by compressing the vegetation. (Compressing can be caused by vehicle tires, placement of equipment, etc.)

9. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

10. Vegetation, soil, and rocks left as a result of construction or maintenance activity will be randomly scattered on this right-of-way and will not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. The entire right-of-way shall be recontoured to match the surrounding landscape. The backfilled soil shall be compacted and a 6 inch berm will be left over the ditch line to allow for settling back to grade.

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12. The holder will reseed all disturbed areas. Seeding will be done according to the attached seeding requirements, using the following seed mix.

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