

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

OCD Artesia

FORM APPROVED  
OMB NO. 1004-0135  
Expires: July 31, 2010**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.  
NMNM012121

6. If Indian, Allottee or Tribe Name

7. If Unit or CA/Agreement, Name and/or No.  
COTTON DRAW UNIT8. Well Name and No.  
COTTON DRAW UNIT 110H9. API Well No.  
30-015-3640610. Field and Pool, or Exploratory  
UNDESIGNATED11. County or Parish, and State  
EDDY COUNTY COUNTY, NM**SUBMIT IN TRIPLICATE - Other instructions on reverse side.**

1. Type of Well

☒ Oil Well ☐ Gas Well ☐ Other

2. Name of Operator

DEVON ENERGY PRODUCTION CO. E-Mail: msankey@gmail.com

Contact: SCOTT SANKEY

3a. Address

ATTN: JOE LARA P.O. BOX 250  
ARTESIA, NM 88211

3b. Phone No. (include area code)

Ph: 512-779-3991

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)

Sec 25 T24S R31E Mer NMP 660FSL 660FWL

**12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA**

## TYPE OF SUBMISSION

- ☒
- Notice of Intent
- 
- ☐
- Subsequent Report
- 
- ☐
- Final Abandonment Notice

## TYPE OF ACTION

- |   |   |  |   |
|---|---|--|---|
| <input type="checkbox"/> Acidize              | <input type="checkbox"/> Deepen           | <input type="checkbox"/> Production (Start/Resume) | <input type="checkbox"/> Water Shut-Off   |
| <input type="checkbox"/> Alter Casing         | <input type="checkbox"/> Fracture Treat   | <input type="checkbox"/> Reclamation               | <input type="checkbox"/> Well Integrity   |
| <input type="checkbox"/> Casing Repair        | <input type="checkbox"/> New Construction | <input type="checkbox"/> Recomplete                | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Change Plans         | <input type="checkbox"/> Plug and Abandon | <input type="checkbox"/> Temporarily Abandon       |   |
| <input type="checkbox"/> Convert to Injection | <input type="checkbox"/> Plug Back        | <input type="checkbox"/> Water Disposal            |   |

13. Describe Proposed or Completed Operation (clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recompleate horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports shall be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompleation in a new interval, a Form 3160-4 shall be filed once testing has been completed. Final Abandonment Notices shall be filed only after all requirements, including reclamation, have been completed, and the operator has determined that the site is ready for final inspection.)

To lay a surface 4" poly SDR-7 line from the Cotton Draw Unit #110H located in the SW/4SW/4 of Section 25, T24S-R31E to connect to the Cotton Draw Unit #114H located in the NW/4NE/4 of Section 34, T24S-R31E.

This line is expected to flow 100 bopd and 500 bwpd at 100 psi.

The spacing for said line is 9958.86 feet (603.57), containing 6.86 acres.

See attached plat.

Accepted for record

NMOC

(R)Dede 6/7/13



14. I hereby certify that the foregoing is true and correct.

Electronic Submission #207344 verified by the BLM Well Information System  
For DEVON ENERGY PRODUCTION CO., sent to the Carlsbad  
Committed to AFMSS for processing by KURT SIMMONS on 05/14/2013 ()

Name (Printed/Typed) SCOTT SANKEY

Title AUTHORIZED AGENT

Signature (Electronic Submission)

Date 05/13/2013

**THIS SPACE FOR FEDERAL OR STATE OFFICE USE**

Approved By

/s/George MacDonell

Title

FIELD MANAGER

Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Office

CARLSBAD FIELD OFFICE

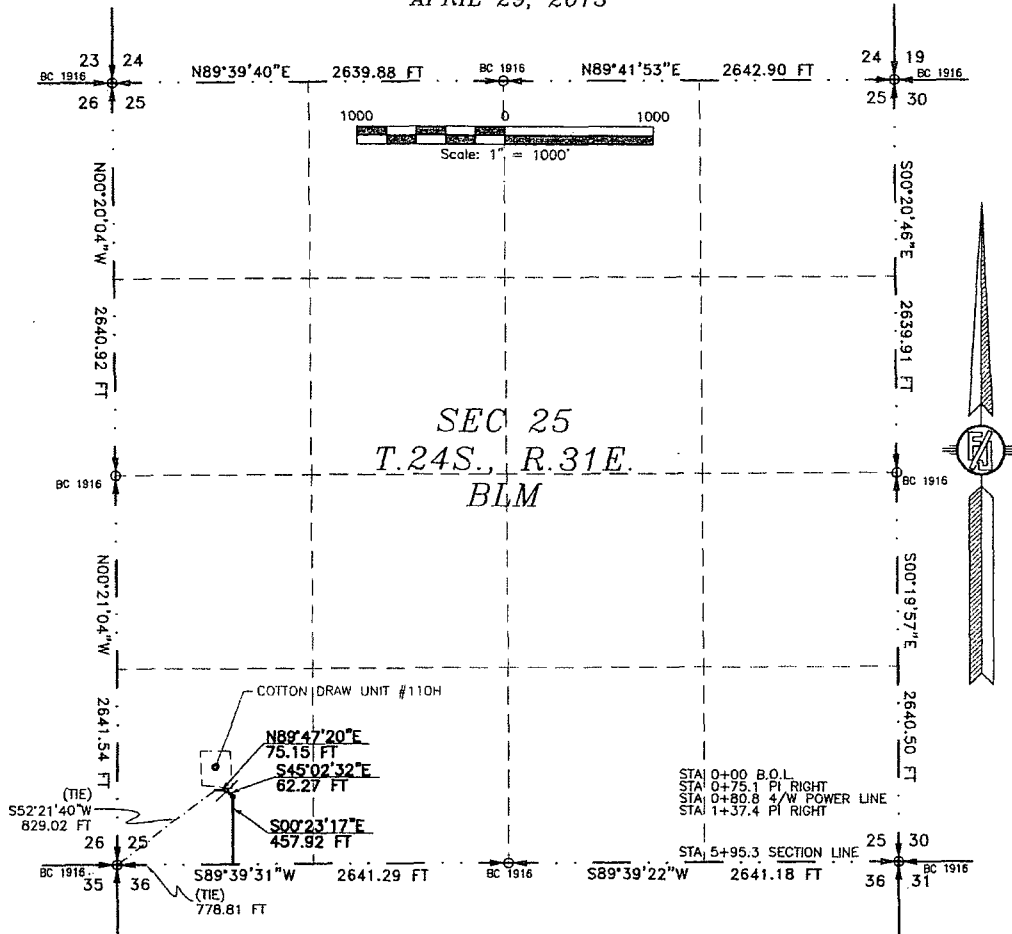
MAY 31 2013

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

**\*\* OPERATOR-SUBMITTED \*\* OPERATOR-SUBMITTED \*\* OPERATOR-SUBMITTED \*\***

4" POLY SDR 7 LINE FROM THE COTTON DRAW UNIT #110H TO THE  
COTTON DRAW UNIT #114H

DEVON ENERGY PRODUCTION COMPANY, L.P.  
CENTERLINE SURVEY OF A PIPELINE CROSSING  
SECTION 25, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M.  
EDDY COUNTY, STATE OF NEW MEXICO  
APRIL 29, 2013



DESCRIPTION

A STRIP OF LAND 30 FEET WIDE CROSSING BUREAU OF LAND MANAGEMENT LAND IN SECTION 25, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, STATE OF NEW MEXICO AND BEING 15 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE SURVEY:

BEGINNING AT A POINT WITHIN THE SW/4 SW/4 OF SAID SECTION 25, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M., WHENCE THE SOUTHWEST CORNER OF SAID SECTION 25, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS S52°21'40\"W, A DISTANCE OF 829.02 FEET;

THENCE N89°47'20\"E A DISTANCE OF 75.15 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;

THENCE S45°02'32\"E A DISTANCE OF 62.27 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;

THENCE S00°23'17\"E A DISTANCE OF 457.92 FEET THE TERMINUS OF THIS CENTERLINE SURVEY, WHENCE THE SOUTHWEST CORNER OF SAID SECTION 25, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS S89°39'31\"W, A DISTANCE OF 778.81 FEET;

SAID STRIP OF LAND BEING 595.34 FEET OR 36.08 RODS IN LENGTH, CONTAINING 0.410 ACRES MORE OR LESS AND BEING ALLOCATED BY FORTIES AS FOLLOWS:

SW/4 SW/4 595.34 L.F. 36.08 RODS 0.410 ACRES

SURVEYOR CERTIFICATE

I, FILMON F. JARAMILLO, A NEW MEXICO PROFESSIONAL SURVEYOR NO. 12797, HEREBY CERTIFY THAT I HAVE CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF NEW MEXICO.

IN WITNESS WHEREOF, THIS CERTIFICATE IS EXECUTED AT CARLSBAD, NEW MEXICO, THIS 30 DAY OF APRIL 2013

MADRON SURVEYING, INC.  
301 SOUTH CANAL  
CARLSBAD, NEW MEXICO 88220  
Phone (575) 234-3341

GENERAL NOTES

1.) THE INTENT OF THIS ROUTE SURVEY IS TO ACQUIRE AN EASEMENT.

2.) BASIS OF BEARING IS NMSP EAST MODIFIED TO SURFACE COORDINATES.

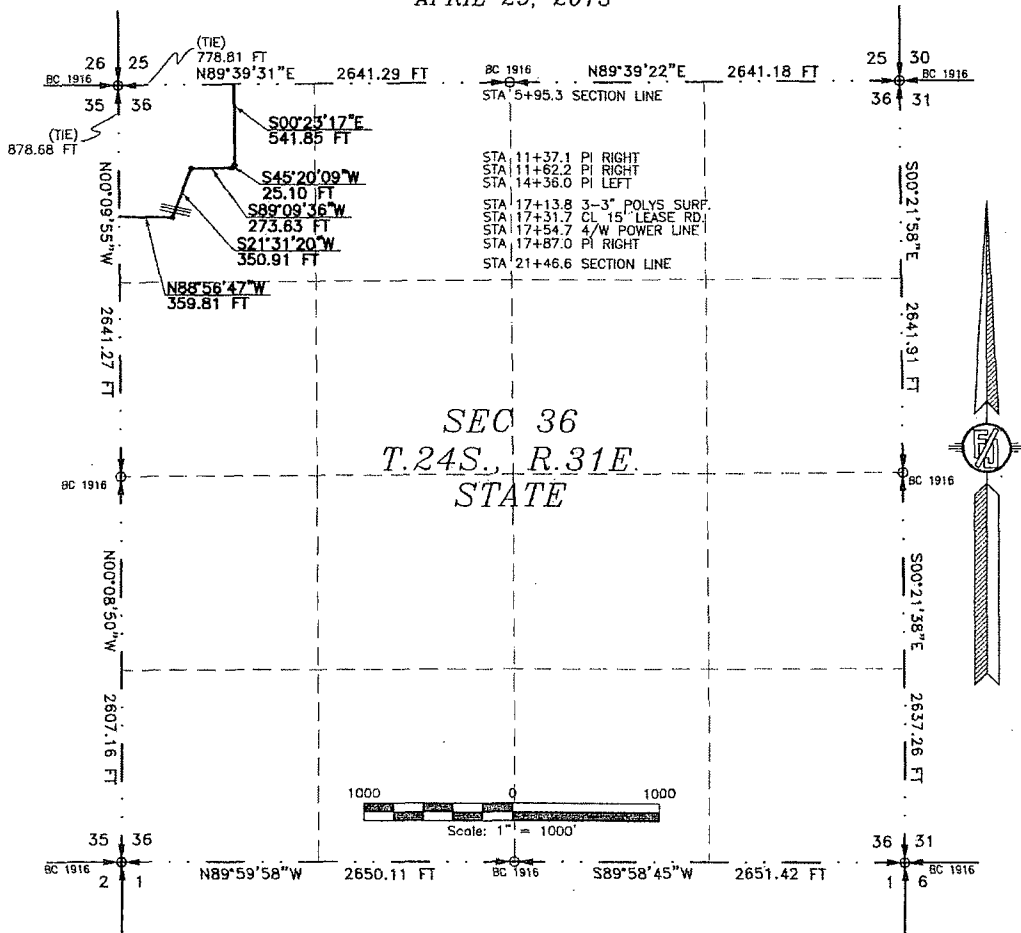
SHEET: 1-6

MADRON SURVEYING, INC. 301 SOUTH CANAL CARLSBAD, NEW MEXICO

SURVEY NO. 1809

4" POLY SDR 7 LINE FROM THE COTTON DRAW UNIT #110H TO THE  
COTTON DRAW UNIT #114H

DEVON ENERGY PRODUCTION COMPANY, L.P.  
CENTERLINE SURVEY OF A PIPELINE CROSSING  
SECTION 36, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M.  
EDDY COUNTY, STATE OF NEW MEXICO  
APRIL 29, 2013



DESCRIPTION

A STRIP OF LAND 30 FEET WIDE CROSSING STATE OF NEW MEXICO LAND IN SECTION 36, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, STATE OF NEW MEXICO AND BEING 15 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE SURVEY:

BEGINNING AT A POINT WITHIN THE NW/4 NW/4 OF SAID SECTION 36, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M., WHENCE THE NORTHWEST CORNER OF SAID SECTION 36, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS S89°39'31\"W, A DISTANCE OF 778.81 FEET;  
THENCE S00°23'17\"E A DISTANCE OF 541.85 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE S45°20'09\"W A DISTANCE OF 25.10 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE S89°09'36\"W A DISTANCE OF 273.63 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE S21°31'20\"W A DISTANCE OF 350.91 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE N88°56'47\"W A DISTANCE OF 359.81 FEET THE TERMINUS OF THIS CENTERLINE SURVEY, WHENCE THE NORTHWEST CORNER OF SAID SECTION 36, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS N00°09'55\"W, A DISTANCE OF 878.68 FEET;

SAID STRIP OF LAND BEING 1551.30 FEET OR 94.02 RODS IN LENGTH, CONTAINING 1.068 ACRES MORE OR LESS AND BEING ALLOCATED BY FORTIES AS FOLLOWS:

NW/4 NW/4 1551.30 L.F. 94.02 RODS 1.068 ACRES

SURVEYOR CERTIFICATE

I, FILMON F. JARAMILLO, A NEW MEXICO PROFESSIONAL SURVEYOR NO. 12797, HEREBY CERTIFY THAT I HAVE CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF NEW MEXICO.

IN WITNESS WHEREOF, THIS CERTIFICATE IS EXECUTED AT CARLSBAD,

NEW MEXICO, THIS 30 DAY OF APRIL 2013

MADRON SURVEYING, INC.  
301 SOUTH CANAL  
CARLSBAD, NEW MEXICO 88220  
Phone (575) 234-3341

GENERAL NOTES

1.) THE INTENT OF THIS ROUTE SURVEY IS TO ACQUIRE AN EASEMENT.

2.) BASIS OF BEARING IS NMSP EAST MODIFIED TO SURFACE COORDINATES.

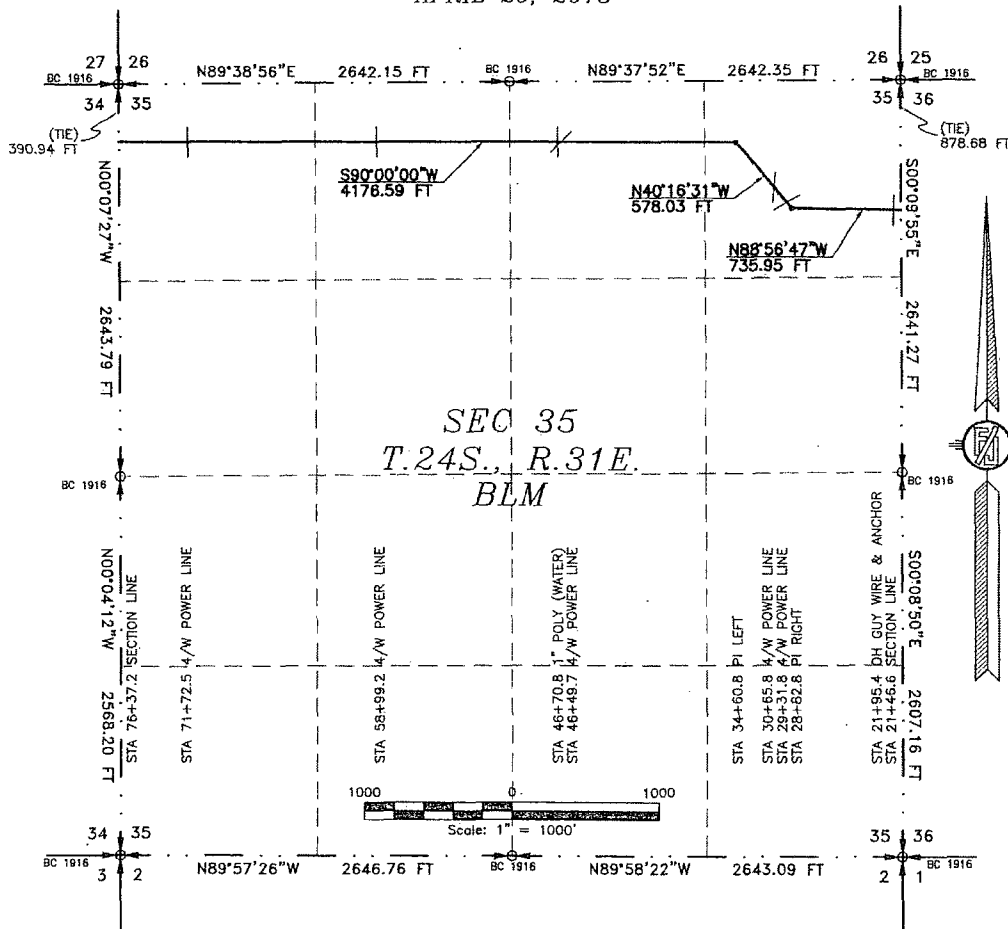
SHEET: 2-6

MADRON SURVEYING, INC. 301 SOUTH CANAL CARLSBAD, NEW MEXICO

SURVEY NO. 1809

4" POLY SDR 7 LINE FROM THE COTTON DRAW UNIT #110H TO THE  
COTTON DRAW UNIT #114H

DEVON ENERGY PRODUCTION COMPANY, L.P.  
CENTERLINE SURVEY OF A PIPELINE CROSSING  
SECTION 35, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M.  
EDDY COUNTY, STATE OF NEW MEXICO  
APRIL 29, 2013



DESCRIPTION

A STRIP OF LAND 30 FEET WIDE CROSSING BUREAU OF LAND MANAGEMENT LAND IN SECTION 35, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, STATE OF NEW MEXICO AND BEING 15 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE SURVEY:

BEGINNING AT A POINT WITHIN THE NE/4 NE/4 OF SAID SECTION 35, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M., WHENCE THE NORTHEAST CORNER OF SAID SECTION 35, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS N00°09'55"W, A DISTANCE OF 878.68 FEET;  
THENCE N88°56'47"W A DISTANCE OF 735.95 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE N40°16'31"W A DISTANCE OF 578.03 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE S90°00'00"W A DISTANCE OF 4176.59 FEET THE TERMINUS OF THIS CENTERLINE SURVEY, WHENCE THE NORTHWEST CORNER OF SAID SECTION 35, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS N00°07'27"W, A DISTANCE OF 390.94 FEET;

SAID STRIP OF LAND BEING 5490.57 FEET OR 332.76 RODS IN LENGTH, CONTAINING 3.782 ACRES MORE OR LESS AND BEING ALLOCATED BY FORTIES AS FOLLOWS:

|           |              |            |             |
|-----------|--------------|------------|-------------|
| NE/4 NE/4 | 1527.03 L.F. | 92.55 RODS | 1.052 ACRES |
| NW/4 NE/4 | 1321.23 L.F. | 80.07 RODS | 0.910 ACRES |
| NE/4 NW/4 | 1321.16 L.F. | 80.07 RODS | 0.910 ACRES |
| NW/4 NW/4 | 1321.15 L.F. | 80.07 RODS | 0.910 ACRES |

SURVEYOR CERTIFICATE

I, FILMON F. JARAMILLO, A NEW MEXICO PROFESSIONAL SURVEYOR NO. 12797, HEREBY CERTIFY THAT I HAVE CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF NEW MEXICO.

IN WITNESS WHEREOF, THIS CERTIFICATE IS EXECUTED AT CARLSBAD,

NEW MEXICO, THIS 30 DAY OF APRIL 2013

GENERAL NOTES

- 1.) THE INTENT OF THIS ROUTE SURVEY IS TO ACQUIRE AN EASEMENT.
- 2.) BASIS OF BEARING IS NMSP EAST MODIFIED TO SURFACE COORDINATES.

MADRON SURVEYING, INC.  
301 SOUTH CANAL  
CARLSBAD, NEW MEXICO 88220  
Phone (575) 234-3341

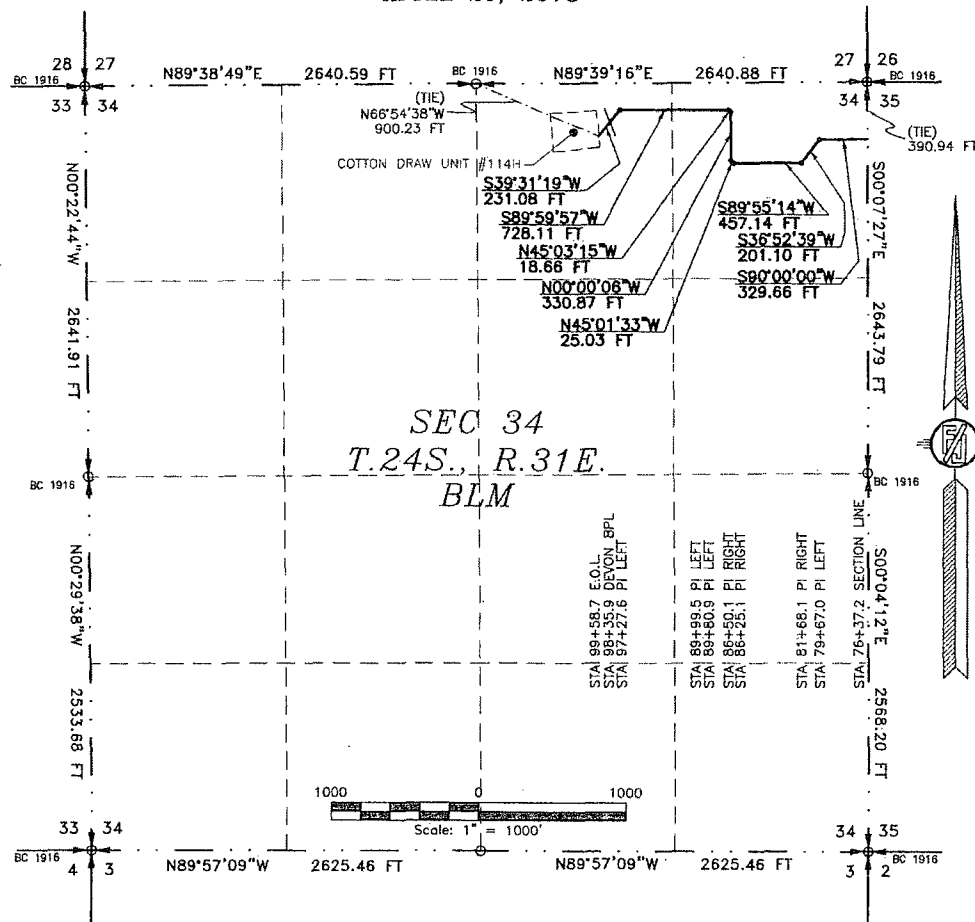
SURVEY NO. 1809

SHEET: 3-6

MADRON SURVEYING, INC. 301 SOUTH CANAL CARLSBAD, NEW MEXICO  
(575) 234-3341

4" POLY SDR 7 LINE FROM THE COTTON DRAW UNIT #110H TO THE  
COTTON DRAW UNIT #114H

DEVON ENERGY PRODUCTION COMPANY, L.P.  
CENTERLINE SURVEY OF A PIPELINE CROSSING  
SECTION 34, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M.  
EDDY COUNTY, STATE OF NEW MEXICO  
APRIL 29, 2013



DESCRIPTION

A STRIP OF LAND 30 FEET WIDE CROSSING BUREAU OF LAND MANAGEMENT LAND IN SECTION 34, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, STATE OF NEW MEXICO AND BEING 15 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE SURVEY:

BEGINNING AT A POINT WITHIN THE NE/4 NE/4 OF SAID SECTION 34, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M., WHENCE THE NORTHEAST CORNER OF SAID SECTION 34, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS N00°07'27"W, A DISTANCE OF 390.94 FEET:

THENCE S90°00'00"W A DISTANCE OF 329.66 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE S36°52'39"W A DISTANCE OF 201.10 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE S89°55'14"W A DISTANCE OF 457.14 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE N45°01'33"W A DISTANCE OF 25.03 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE N00°00'06"W A DISTANCE OF 330.87 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE N45°03'15"W A DISTANCE OF 18.66 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE S89°59'57"W A DISTANCE OF 728.11 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;  
THENCE S39°31'19"W A DISTANCE OF 231.08 FEET THE TERMINUS OF THIS CENTERLINE SURVEY, WHENCE THE NORTH QUARTER CORNER OF SAID SECTION 34, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS N66°54'38"W, A DISTANCE OF 900.23 FEET;

SAID STRIP OF LAND BEING 2321.65 FEET OR 140.71 RODS IN LENGTH, CONTAINING 1.599 ACRES MORE OR LESS AND BEING ALLOCATED BY FORTIES AS FOLLOWS:

NE/4 NE/4 1744.69 L.F. 105.74 RODS 1.202 ACRES  
NW/4 NE/4 576.96 L.F. 34.97 RODS 0.397 ACRES

SURVEYOR CERTIFICATE

I, FILMON F. JARAMILLO, A NEW MEXICO PROFESSIONAL SURVEYOR NO. 12797, HEREBY CERTIFY THAT I HAVE CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAN MEET THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF NEW MEXICO.

IN WITNESS WHEREOF, THIS CERTIFICATE IS EXECUTED AT CARLSBAD, NEW MEXICO, THIS 30 DAY OF APRIL 2013.

MADRON SURVEYING, INC.  
301 SOUTH CANAL  
CARLSBAD, NEW MEXICO 88220  
Phone (575) 234-3341

GENERAL NOTES

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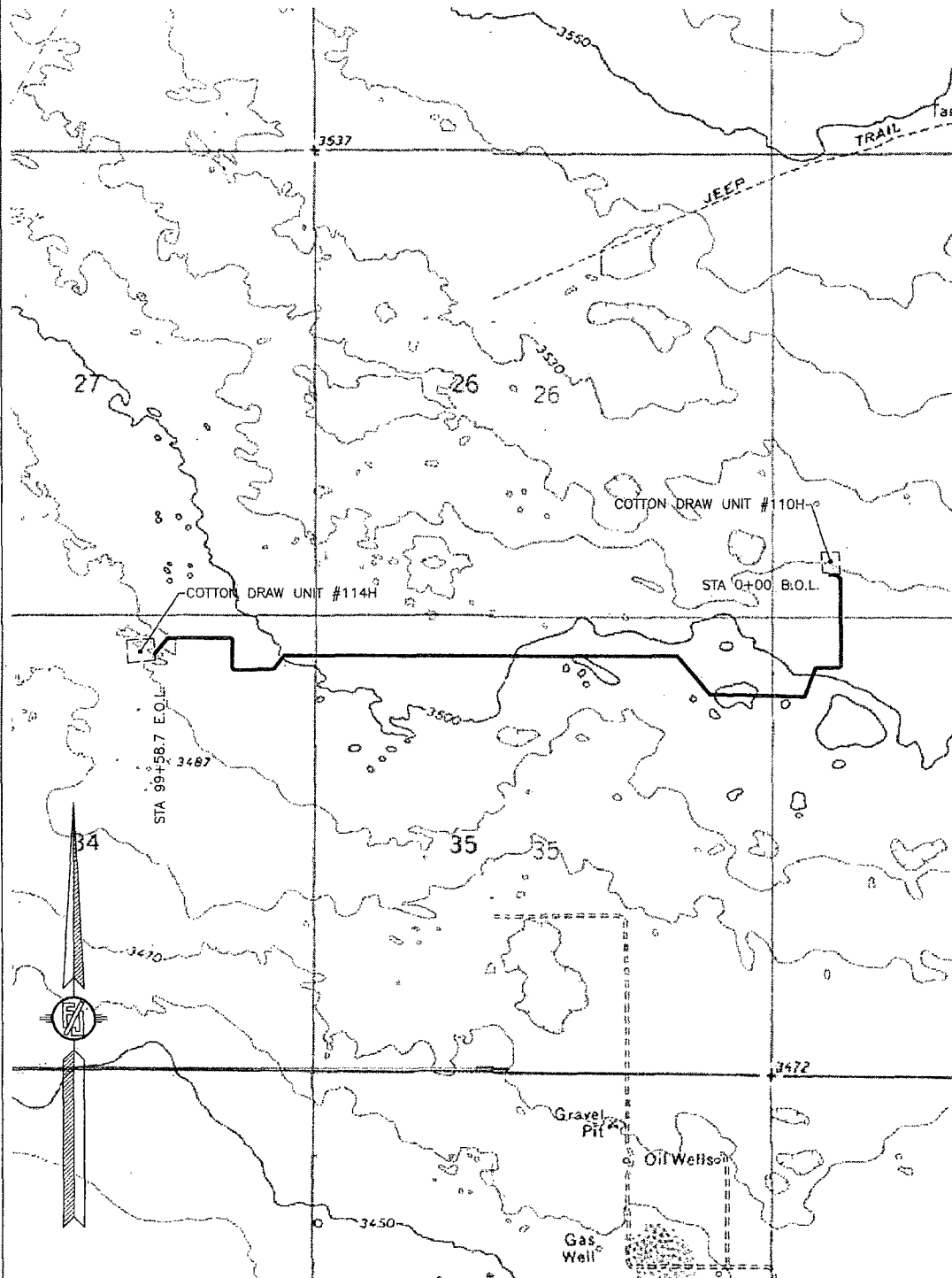
SHEET: 4-6

MADRON SURVEYING, INC. 301 SOUTH CANAL CARLSBAD, NEW MEXICO

SURVEY NO. 1809

4" POLY SDR 7 LINE FROM THE COTTON DRAW UNIT #110H TO THE  
COTTON DRAW UNIT #114H

DEVON ENERGY PRODUCTION COMPANY, L.P.  
CENTERLINE SURVEY OF A PIPELINE CROSSING  
SECTION 25, 36, 35, 34, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M.  
EDDY COUNTY, STATE OF NEW MEXICO  
APRIL 29, 2013



SHEET: 5-6

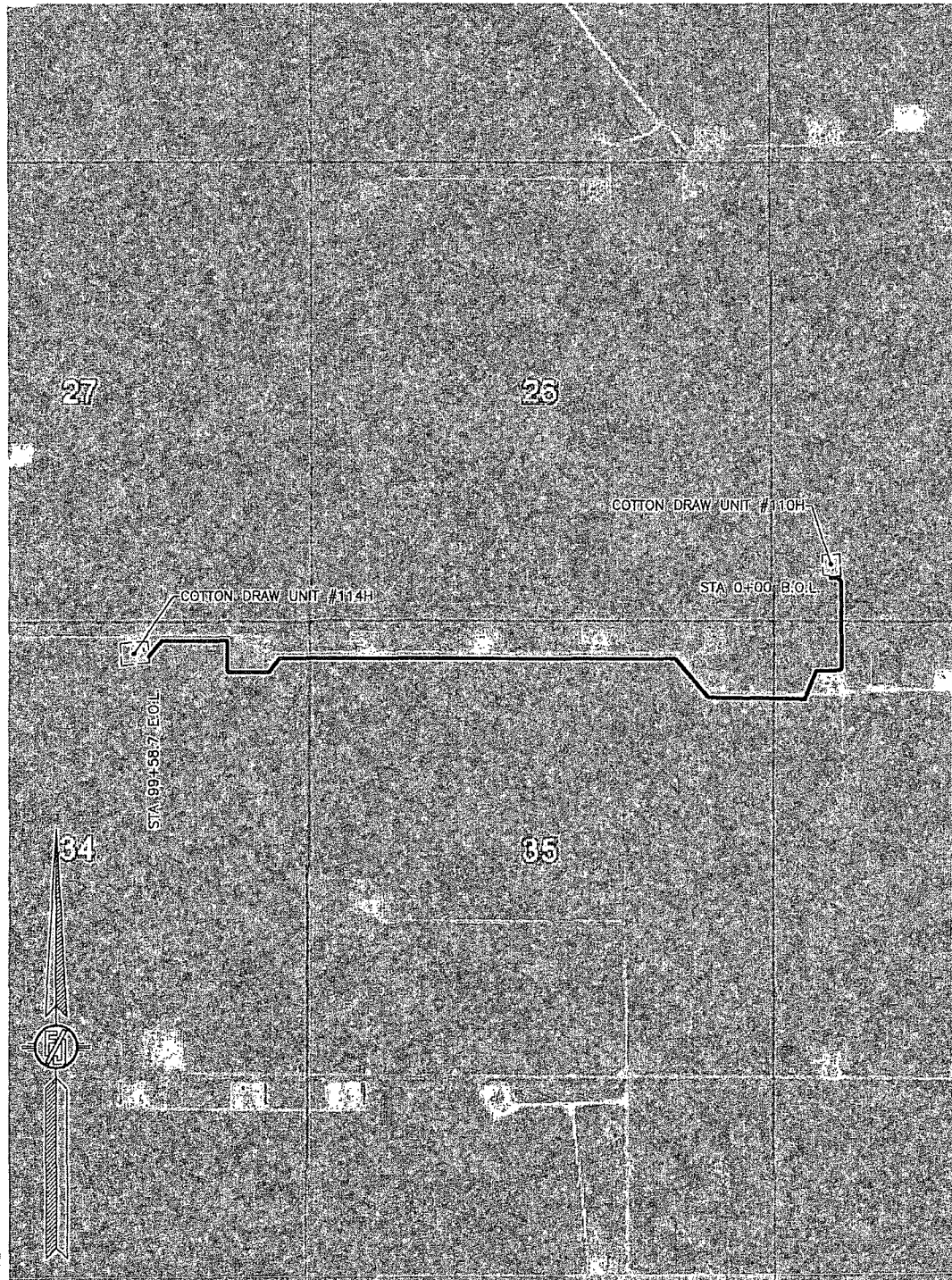
MADRON SURVEYING, INC. 301 SOUTH CANAL  
(575) 234-3341

SURVEY NO. 1809

CARLSBAD, NEW MEXICO

4" POLY SDR 7 LINE FROM THE COTTON DRAW UNIT #110H TO THE  
COTTON DRAW UNIT #114H

DEVON ENERGY PRODUCTION COMPANY, L.P.  
CENTERLINE SURVEY OF A PIPELINE CROSSING  
SECTION 25, 36, 35, 34, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M.  
EDDY COUNTY, STATE OF NEW MEXICO  
APRIL 29, 2013



SHEET: 6-6

MADRON SURVEYING, INC. 301 SOUTH CANAL (575) 234-3341 CARLSBAD, NEW MEXICO

SURVEY NO. 1809

**BLM LEASE NUMBER:** NMNM 012121  
**COMPANY NAME:** Devon  
**ASSOCIATED WELL NAME:** CDU 110H

## STANDARD STIPULATIONS FOR SURFACE INSTALLED PIPELINES

**A copy of the application (Grant, Sundry Notice, APD) and attachments, including stipulations, 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, et seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq.) on the Right-of-Way (unless the release or threatened release is wholly unrelated to activity of 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. The holder shall be liable for damage or injury to the United States to the extent provided by 43 CFR Sec. 2883.1-4. The holder shall be held to a standard of strict liability for damage or injury to the United States resulting from pipe rupture, fire, or spills caused or substantially aggravated by any of the following within the right-of-way or permit area:
  - a. Activities of the holder including, but not limited to construction, operation, maintenance,



and termination of the facility.

- b. Activities of other parties including, but not limited to:
  - (1) Land clearing.
  - (2) Earth-disturbing and earth-moving work.
  - (3) Blasting.
  - (4) Vandalism and sabotage.
- c. Acts of God.

The maximum limitation for such strict liability damages shall not exceed one million dollars (\$1,000,000) for any one event, and any liability in excess of such amount shall be determined by the ordinary rules of negligence of the jurisdiction in which the damage or injury occurred.

This section shall not impose strict liability for damage or injury resulting primarily from an act of war or from the negligent acts or omissions of the United States.

5. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any oil, salt water, 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, salt water, or other pollutant, wherever found, shall be the responsibility of the holder, regardless of fault. Upon failure of the 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 the holder of any responsibility as provided herein.

6. All construction and maintenance activity will be confined to the authorized right-of-way width of 20 feet. If the pipeline route follows an existing road or buried pipeline right-of-way, the surface pipeline must be installed no farther than 10 feet from the edge of the road or buried pipeline right-of-way. If existing surface pipelines prevent this distance, the proposed surface pipeline must be installed immediately adjacent to the outer surface pipeline. All construction and maintenance activity will be confined to existing roads or right-of-ways.

7. No blading or clearing of any vegetation will be allowed unless approved in writing by the Authorized Officer.

8. The holder shall install the pipeline on the surface in such a manner that will minimize suspension of the pipeline across low areas in the terrain. In hummocky or dune areas, the pipeline will be "snaked" around hummocks and dunes rather than suspended across these features.

9. The pipeline shall be buried with a minimum of 24 inches under all roads, "two-tracks," and trails. Burial of the pipe will continue for 20 feet on each side of each crossing. The condition of the road, upon completion of construction, shall be returned to at least its former state with no bumps or dips remaining in the road surface.

10. 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.

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.

12. Excluding the pipe, all above-ground structures not subject to safety requirement shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be a color which simulates "Standard Environmental Colors" – **Shale Green**, Munsell Soil Color No. 5Y 4/2; designated by the Rocky Mountain Five State Interagency Committee.

13. The pipeline will be identified by signs at the point of origin and completion of the right-of-way and at all road crossings. At a minimum, signs will state the holder's name, BLM serial number, and the product being transported. Signs will be maintained in a legible condition for the life of the pipeline.

14. 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. The holder will take whatever steps are necessary to ensure that the pipeline route is not used as a roadway.

15. Any cultural and/or paleontological resource (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 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.

16. 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 the roads, powerline 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.

17. Surface pipelines must be less than or equal to 4 inches and a working pressure below 125 psi.

18. Special Stipulations:

- a. **Lesser Prairie-Chicken:** Oil and gas activities will not be allowed in lesser prairie-chicken habitat during the period from March 1st through June 15th annually. During that period, other activities that produce noise or involve human activity, such as the maintenance of oil and gas facilities and pipeline, road, and well pad construction, will be allowed except between 3:00 am and 9:00 am. The 3:00 am to 9:00 am restriction will not apply to normal, around-the-clock operations, such as venting, flaring, or pumping, which do not require a human presence during this period. Normal vehicle use on existing roads will not be restricted.