

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

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

Form C-144
June 1, 2004
For drilling and production facilities, submit to appropriate NMOCD District Office.
For downstream facilities, submit to Santa Fe office

RECEIVED

JUN 07 2006

DOU-ARTESIA

Pit or Below-Grade Tank Registration or Closure

Is pit or below-grade tank covered by a "general plan"? Yes ☒ No ☐

Type of action: Registration of a pit or below-grade tank ☒ Closure of a pit or below-grade tank ☐

Operator: LCX Energy, LLC Telephone: 432-687-1575 e-mail address: _____
Address: 100 N. Marienfeld, Ste. 200, Midland, TX: 79701
Facility or well name: Freshwater Frac. Pit API #: 30-015-34542 U/L or Qtr/Qtr _____ Sec 21 T 17S R 24E
County: Eddy Latitude _____ Longitude _____ NAD: 1927 ☐ 1983 ☐
Surface Owner: Federal ☐ State ☐ Private ☒ Indian ☐

Pit

Type: Drilling ☐ Production ☐ Disposal ☐
Workover ☐ Emergency ☐ Other ☒ (Fresh Water Frac. Pit)
Lined ☒ Unlined ☐
Liner type: Synthetic ☒ Thickness 12 mil Clay ☐
Pit Volume 80,000 bbl

Below-grade tank

Volume: _____ bbl Type of fluid: _____
Construction material: _____
Double-walled, with leak detection? Yes ☐ If not, explain why not. _____

Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.)

Less than 50 feet	(20 points)
50 feet or more, but less than 100 feet	(10 points)
100 feet or more	(0 points) X

Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)

Yes	(20 points)
No	(0 points) X

Distance to surface water: (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses.)

Less than 200 feet	(20 points)
200 feet or more, but less than 1000 feet	(10 points)
1000 feet or more	(0 points) X

Ranking Score (Total Points)

0

If this is a pit closure: (1) Attach a diagram of the facility showing the pit's relationship to other equipment and tanks. (2) Indicate disposal location: (check the onsite box if you are burying in place) onsite ☐ offsite ☐ If offsite, name of facility _____. (3) Attach a general description of remedial action taken including remediation start date and end date. (4) Groundwater encountered: No ☐ Yes ☐ If yes, show depth below ground surface _____ ft. and attach sample results. (5) Attach soil sample results and a diagram of sample locations and excavations.

Additional Comments:

I hereby certify that the information above is true and complete to the best of my knowledge and belief. I further certify that the above-described pit or below-grade tank has been/will be constructed or closed according to NMOCD guidelines ☐, a general permit ☐, or an (attached) alternative OCD-approved plan ☐.

Date: 6/06/2006

Printed Name/Title Ellis Gray / Agent for LCX Energy LLC Signature _____

Your certification and NMOCD approval of this application/closure does not relieve the operator of liability should the contents of the pit or tank contaminate ground water or otherwise endanger public health or the environment. Nor does it relieve the operator of its responsibility for compliance with any other federal, state, or local laws and/or regulations.

Approval:

Printed Name/Title Mike Kratler Asst. Dir. Signature Mike Kratler Date: 7/5/06

(E)



3106 N. Big Spring St., Ste. 100
Midland, TX 79705
Tel: (432) 685-9158
Fax: (432) 218-7396
dwaine@graysurfacespecialties.co

June 30, 2006

State of New Mexico
Energy Minerals and Natural Resources
Oil Conservation Division
Attention: Mike Bratcher
District II Artesia
1301 W. Grand Avenue
Artesia, New Mexico 88210

Re: Freshwater Pit Permit
Section 21, T-17-S, R24-E
Eddy County, New Mexico

Dear Mr. Bratcher,

Please note that the closest well for the above mentioned pit is the 1724 State Com #211, Section 21, T17S, R24E, Eddy Co., NM API no for this well is 30 015 34542..

If you have any questions, please feel free to contact me at 432-685-9158.

Thank you for your assistance,

Sincerely,

A handwritten signature in black ink, appearing to read 'Lee Ann Rollins', is written over a horizontal line.

Lee Ann Rollins
Gray Surface Specialties



3106 N. Big Spring St., Ste. 100
Midland, TX 79705
Tel: (432) 685-9158
Fax: (432) 218-7396
dwaine@graysurfacespecialties.cc

June 6, 2006

RECEIVED
JUN 07 2006
OGD-ARTESIA

State of New Mexico
Energy Minerals and Natural Resources
Oil Conservation Division
Attention: Mike Bratcher
District II Artesia
1301 W. Grand Avenue
Artesia, New Mexico 88210

Re: Freshwater Pit Permit
Section 21, T-17-S, R24-E
Eddy County, New Mexico

Dear Mr. Bratcher,

Enclosed are two original survey plats along with a drawing of the proposed pit. The pit is to be used for freshwater storage to be used in completion operations for multiple adjacent wells.

If you have any questions, please feel free to contact me at 432-685-9158.

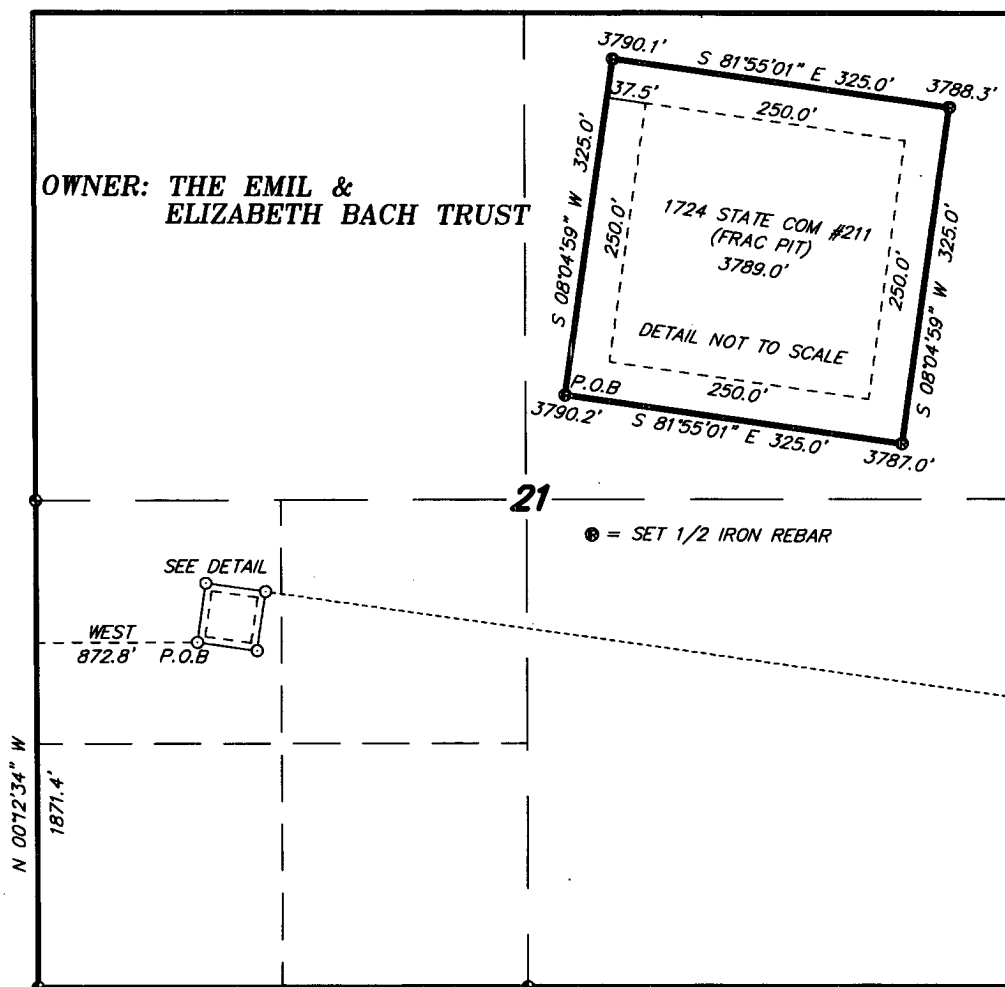
Thank you for your assistance,

Sincerely,

A handwritten signature in black ink, appearing to read 'Dwaine Moore', is written over a large, stylized 'D' that serves as a signature element.

Dwaine Moore
Gray Surface Specialties

SECTION 21, TOWNSHIP 17 SOUTH, RANGE 24 EAST, N.M.P.M.,
EDDY COUNTY, NEW MEXICO.

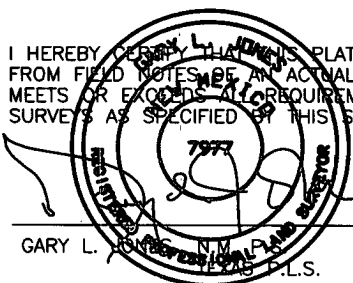


LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN SECTION 21, TOWNSHIP 17 SOUTH, RANGE 24 EAST, N.M.P.M., EDDY COUNTY, NEW MEXICO AND BEING PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH LIES N.00°12'34"W., 1871.4 FEET, AND WEST, 872.8 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE S.81°55'01"E., 325.0 FEET; THENCE N.08°04'59"E., 325.0 FEET; THENCE N.81°55'01"W., 325.0 FEET; THENCE S.08°04'59"W., 325.0 FEET TO THE TO THE POINT OF. SAID TRACT OF LAND CONTAINING 2.42 ACRES, MORE OR LESS.

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY AND MEETS OR EXCEEDS ALL REQUIREMENTS FOR LAND SURVEYS AS SPECIFIED BY THIS STATE.



GARY L. JONES, P.L.S. No. 7977
No. 5074

1000 0 1000 2000 FEET



LCX ENERGY

REF: PROPOSED TRACT OF LAND

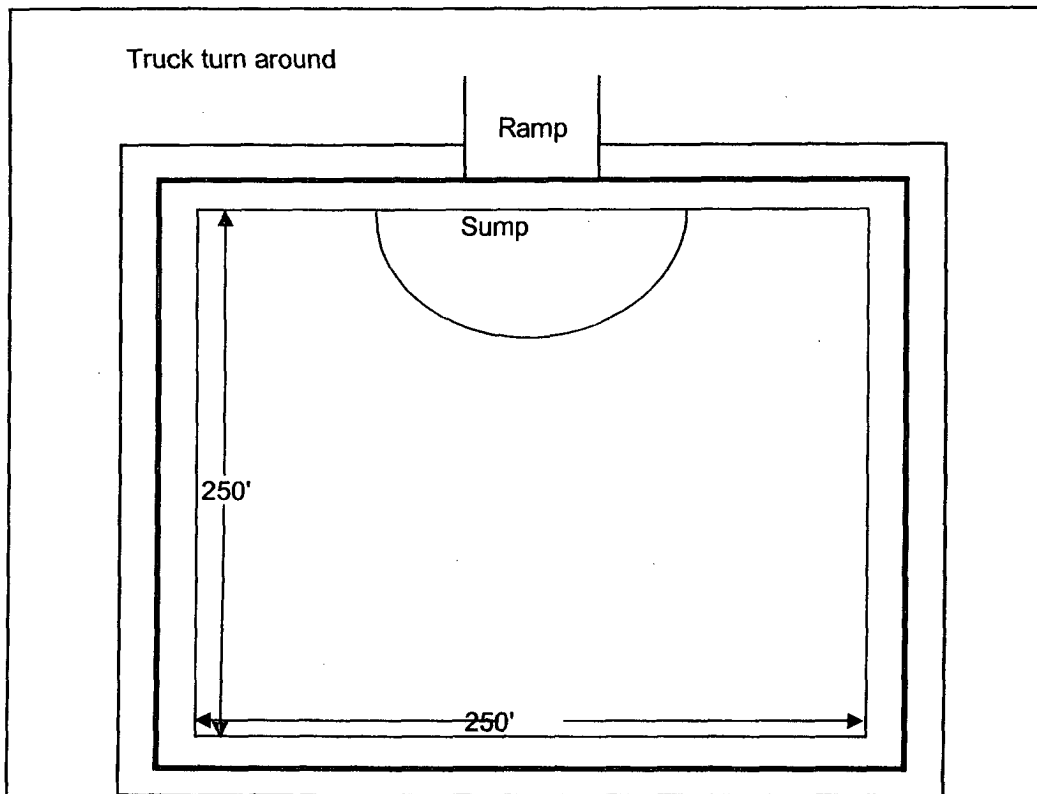
A TRACT OF LAND ON FEE LAND IN
SECTION 21, TOWNSHIP 17 SOUTH, RANGES 24 EAST,
N.M.P.M., EDDY COUNTY, NEW MEXICO.

BASIN SURVEYS P.O. BOX 1786--HOBBS, NEW MEXICO

W.O. Number: 6704 Drawn By: J. M. SMALL

Date: 06-01-2006 Disk: JMS 6704TRACT

Survey Date: 05-30-2006 Sheet 1 of 1 Sheets



Pit needs to be 250' X 250' X 5' deep inside the firewall.
Needs to slope from the the firewalls to the sump which should be dug about 3' deeper than the 5' depth.
Firewalls need to slope back from the 250' X 250' outline.
The ramp is for the company transferring water a place to park their big irrigation pumps.



3106 N. Big Spring, Suite 100
Midland, TX 79705
Tel: (432) 685-9158
Fax: (432) 218-7396
Cell: (432) 770-6859

June 20, 2006

Albert P. & Wilma R. Bach Trust
1603 Washington
Artesia, NM 88210

RE: 1724 State Unit #211
Section 21, T-17-S, R-24-E
Eddy Co., NM

Dear Mr. Bach:

Enclosed please find LCX's Check No. 103427 in the amount of \$ _____ which represents payment for the following in connection with the referenced well.

Payment to utilize an existing roadway, being approximately 4,867.20' (243.36 rods @
To access Frac Pit, located across Section 21, T-17-S, R-24-E, Eddy Co., NM

Payment to construct new roadway, being approximately 86.30' (5.23 rods @ \$ _____ d)
To access Frac Pit, located across Section 21, T-17-S, R-24-E, Eddy Co., NM \$

Payment in full for Frac pit located in Section 21, T-17-S, R-24-E, Eddy Co., NM

Payment in full for well pad and associated pits located in
Section 21, T-17-S, R-24-E, Eddy Co., NM

Payment to utilize an existing roadway, being approximately 1,376.03' (83.40 rods @
To access well pad, located across Section 21, T-17-S, R-24-E, Eddy Co., NM

Please acknowledge receipt of this check by signing one copy of this letter and returning to the undersigned in the enclosed envelope.

Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read 'W. E. Gray, Jr.', is written over a large, stylized, scribbled-out area.

W. E. Gray, Jr.
President

Encls

Elizabeth and Emil Bach Trust
AGREED TO AND ACCEPTED THIS 29 DAY OF June 2006.

app Albert P. & Wilma R. Bach Trust

By Albert Bach AIF
Albert Bach (Attorney-in-Fact)



COPY

PATRICK H. LYONS
COMMISSIONER

State of New Mexico
Commissioner of Public Lands

310 OLD SANTA FE TRAIL
P.O. BOX 1148
SANTA FE, NEW MEXICO 87504-1148

COMMISSIONER'S OFFICE

Phone (505) 827-5760

Fax (505) 827-5766

www.nmstatelands.org

June 19, 2006

Gray Surface Specialities
3106 N. Big Springs St., Ste. 100
Midland, TX 79705

Attn: Lee Ann Rollins

Re: Right-of-Entry Permit No. ROE-1331

Dear Ms. Rollins,

Enclosed is an approved copy of the captioned right-of-entry permit. If any corrections are necessary, please let us know and we will retype or amend this permit as necessary.

If you have any questions, please feel free to contact this office at the address above or call us at (505) 827-5710 for Melissa Armijo or (505) 827-5729 for the Right of Way Manager, Cody Morrow.

Sincerely,

Melissa Armijo, Management Analyst
Surface Resources Management Division

NEW MEXICO STATE LAND OFFICE
Patrick H. Lyons, Commissioner of Public Lands
New Mexico State Land Office Building
P.O. Box 1148, Santa Fe, NM 87504-1148

COPY

RIGHT OF ENTRY PERMIT
CONTRACT NO. ROE-1331

1. RIGHT OF ENTRY PERMIT

This permit is issued under the authority of NMSA 1978, Section 19-1-2. In consideration of and subject to the terms, covenants, conditions, agreements, obligations and reservations contained in the permit and all other existing rights and regulations, the Commissioner of Public Lands, New Mexico State Land Office, State of New Mexico, hereinafter called "COMMISSIONER," grants to LCX Energy State of Incorporation (if applicable), _____, whose address is, 100 N. Marienfield, Ste. 200, Midland, TX 79701 hereinafter called "PERMITTEE," permission to enter upon the specific tract(s) of State Trust Land described in this permit only for the term, and only for the permitted use, described in this permit.

2. TERM AND LAND DESCRIPTION

Right of entry is granted for a term of 180 days, commencing June 6, 2006 and ending December 6, 2006 to the following State Trust Lands.

NE4SE4, NE4SW4, NW4SE4 of Section 21, Township 17 South, Range 24 East

3. FEE.

\$500.00 (Following up with a Right of Way Application)

4. PERMITTED USE, PERSONNEL, EQUIPMENT AND MATERIALS

Permitted use is for the purpose of: for the use of a road way

The granting of this permit does not allow access across private lands.

5. IMPROVEMENTS

No improvements shall be placed on the premises without the prior written consent of the Commissioner.

6. RESERVATIONS

Commissioner reserves the right to execute leases, rights of way, easements, permits, exchange agreements, sale agreements, permits and other lawful rights on or across the land covered by this permit, including but not limited to any such rights for mining purposes and for the extraction of oil, gas, salt, geothermal resources, and other mineral deposits therefrom and the right to go upon, explore for, mine, remove and sell same.

7. COMPLIANCE WITH LAWS

Permittee shall at its own expense comply fully with and be subject to all applicable regulations, rules, ordinances, and requirements of law or of the Commissioner, including but not limited to the regulations of the State Land Office; Chapter 19 NMSA governing State Trust Lands; federal and state environmental laws and regulations; and the New Mexico Cultural Properties Act, NMSA 1978 Sections 18-6-1 through 18-6-23. It is illegal for any person or his agent to appropriate, excavate, injure, or destroy any historic, or prehistoric ruin or monument, or any object of historical, archaeological, architectural, or scientific value situated on lands owned or controlled by the State Land Office without a valid permit issued by the Cultural Properties Review Committee and approved by the Commissioner of Public Lands.

8. HOLD HARMLESS AND INDEMNIFICATION

Permittee shall save, hold harmless, indemnify and defend Commissioner, the State Land Office, the State of New Mexico, and any of their officers, employees or agents, in their official and individual capacities, of and from any and all liability, claims, losses, damages, costs, and fees arising out of or alleged to arise out of, or directly or indirectly connected with, the operations of Permittee under this permit on or off State Trust Lands or arising out of the presence on State Trust Lands of any equipment, material, agent, invitee, contractor or subcontractor of Permittee. This Hold Harmless and Indemnification clause covers any claim, including any brought in any court or before any administrative agency, of any loss or alleged loss, and any damages or alleged damages asserted with respect to any violation or alleged violation of any state, federal or local law or regulation, including but not limited to any environmental law or regulation, any cultural properties law (including the New Mexico Cultural Properties Act, cited above) or regulation, and any alleged damage to the property, rights or interests of any State Land Office lessee, right-of-way holder, or other permittee.

9. AMENDMENT

This permit shall not be altered, changed or amended except by an instrument in writing executed by Commissioner and Permittee.

10. WITHDRAWAL

Commissioner reserves the right to withdraw any or all of the land authorized for use under this permit. If applicable, Permittee shall vacate the acreage specified within 30 days after receipt of written notification of withdrawal from the Commissioner.

11. CANCELLATION

The violation by Permittee of any of the terms, conditions or covenants of this permit or the nonpayment by Permittee of the fees due under this permit shall at the option of the Commissioner be considered a default and shall cause the cancellation of this permit 30 days after Permittee has been sent written notice of such.

12. PRESERVE AND PROTECT

The Permittee agrees to preserve and protect the natural environmental conditions of the land encompassed in this permit, and to take those reclamation or corrective actions that are accepted soil and water conservation practices and that are deemed necessary by the Commissioner to protect the land from pollution, erosion, or other environmental degradation. The Permittee further agrees not to injure the property of, or interfere with the operations or rights of, any State Land Office lessee, right-of-way holder, easement holder or other permittee who has rights to use the State Trust Land subject to this permit.

13. RECLAMATION, REMOVAL OF EQUIPMENT, MATERIALS, AND WASTE

The Permittee agrees to reclaim those areas that may be damaged by activities conducted thereon.

The Permittee agrees to remove from the State Trust Lands, no later than the end of the term of this permit, all equipment and materials it has placed or brought upon the land and to clean up and remove from the land any trash, waste, effluent, or other products used or brought upon the land in connection with this permit.

14. SPECIAL INSTRUCTIONS AND/OR RESTRICTIONS

1. No off road traffic allowed.
2. No wood collection or tree cutting allowed.
3. Disturbing, dislodging, damaging, defacing, destroying or removing historical archaeological, paleontological or cultural sites or artifacts is prohibited.
4. Disturbing, dislodging, damaging, defacing, destroying any improvement, fixture, item, object or thing placed or located in, under or upon the land is prohibited.
5. This permit does not grant a right to enter State Trust Lands to which there is no public access.
6. Any uses or activities not within the scope of this permit are not allowed unless prior written approval from the Commissioner of Public Lands is granted.
7. OTHER:

WITNESS the hands and seals of PERMITTEE and COMMISSIONER on the day(s) and year entered below.

Tommy Rollins
PERMITTEE

Telephone: 432-687-1575

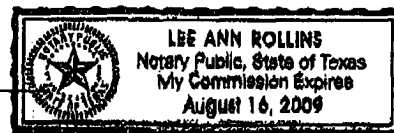
ACKNOWLEDGMENT

Texas
STATE OF ~~NEW MEXICO~~)

COUNTY OF Midland)

The foregoing instrument was acknowledged before me this 12th day of June, 2006.

My Commission Expires: 8/16/09 Lee Ann Rollins
NOTARY PUBLIC



Patrick H. Lyons DATE: 6-16-06
COMMISSIONER OF PUBLIC LANDS

ROE-1331

RECEIVED

JUN 14 PM 1 44

STATE LAND OFFICE

SANTA FE, N.M.