

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
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.

SUBMIT IN TRIPLICATE

RECEIVED

SEP 17 2008

FORM APPROVED  
OMB NO. 1004-0135  
EXPIRES: NOVEMBER 30, 2000

|  |  |
|--|--|
| 1a. Type of Well <input checked="" type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input type="checkbox"/> Other _____                     | 5. Lease Serial No.<br><b>NM 91509</b>                             |
| 2. Name of Operator<br><b>DEVON ENERGY PRODUCTION COMPANY, LP</b>  | 6. If Indian, Allottee or Tribe Name<br><b>N/A</b>                 |
| 3. Address and Telephone No.<br><b>20 North Broadway, Ste 1500, Oklahoma City, OK 73102 405-552-7802</b>   | 7. Unit or CA Agreement Name and No.<br><b>N/A</b>                 |
| 4. Location of Well (Report location clearly and in accordance with Federal requirements)*<br><b>1980' FSL and 1650' FEL (NW/SE) Sec. 25, T22S, R30E</b> | 8. Well Name and No.<br><b>Apache 25 Fed #9</b>                    |
|  | 9. API Well No.<br><b>32797 30 015 27897</b>                       |
|  | 10. Field and Pool, or Exploratory<br><b>Undesignated Delaware</b> |
|  | 12. County or Parish 13. State<br><b>Eddy County, NM</b>           |

## CHECK APPROPRIATE BOX(S) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

| TYPE OF SUBMISSION                                   | TYPE OF ACTION                                |   |  |   |
|--|---|---|--|---|
| <input checked="" type="checkbox"/> Notice of Intent | <input type="checkbox"/> Acidize              | <input type="checkbox"/> Deepen           | <input type="checkbox"/> Production (Start/Resume) | <input type="checkbox"/> Water Shut-Off                           |
| <input type="checkbox"/> Subsequent Report           | <input type="checkbox"/> Alter Casing         | <input type="checkbox"/> Fracture Treat   | <input type="checkbox"/> Reclamation               | <input type="checkbox"/> Well Integrity                           |
| <input type="checkbox"/> Final Abandonment Notice    | <input type="checkbox"/> Casing Repair        | <input type="checkbox"/> New Construction | <input type="checkbox"/> Recomplete                | <input checked="" type="checkbox"/> Other Construction Operations |
|  | <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 Operations (Clearly state all pertinent details, and give pertinent dates, including estimated date of starting any proposed work and approximate duration thereof. If the proposal deepens directionally or recompletes horizontally, give subsurface location 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 recompletion 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 requirement, including reclamation, have been completed, and the operator has determined that the site is ready for final inspection.)

Devon Energy Production Company respectfully requests approval to erect a 150' self-support tower on the existing pad of this location. The tower is to be constructed according to the attached documents provided. This tower will support SCADA for the wells in this area.

ACCEPTED FOR RECORD

SEP 22 2008

Gerry Guye, Deputy Field Inspector  
NMOCD-District II ARTESIA

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

Signed [Signature] Name Joe Estrada Jr. Title RF Engineer Date 8/18/2008

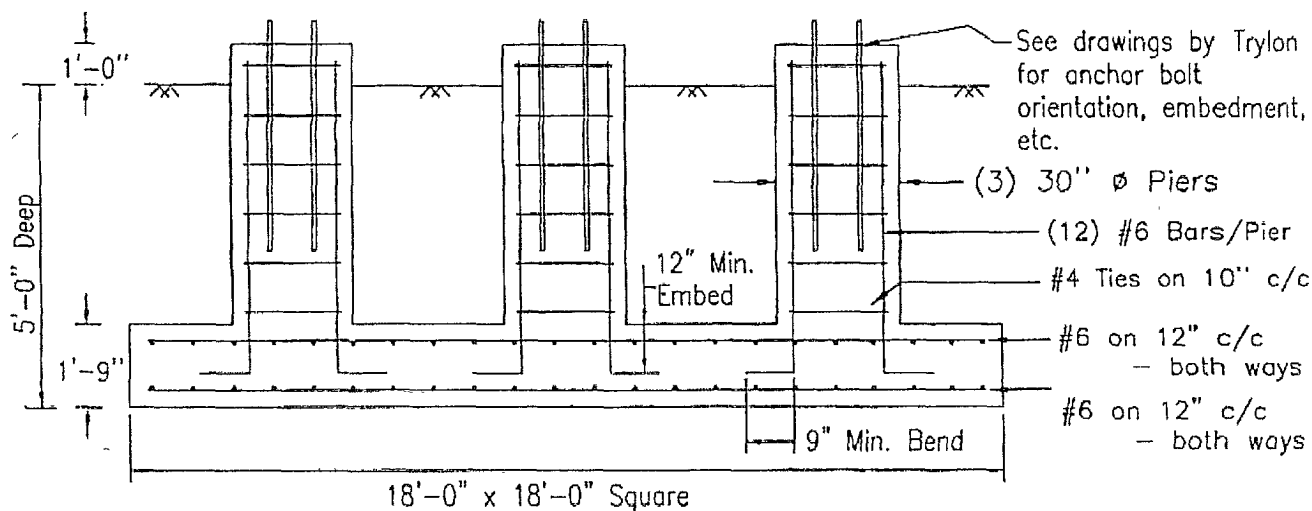
(This space for Federal or State Office use)

Approved by [Signature] Date SEP 05 2008  
Conditions of approval, if any: IS/DAVID D. EVANS

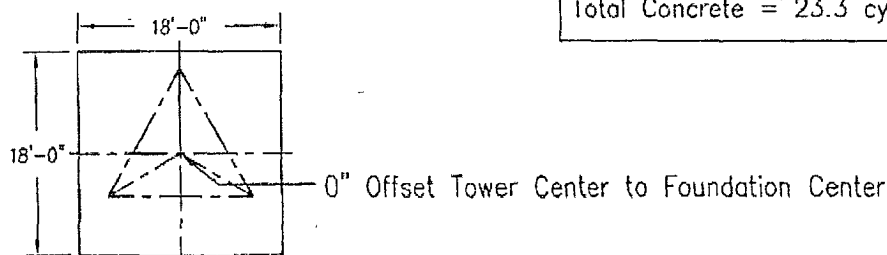
Rule 16 U.S.C. Section 1601, makes it a crime for any person knowingly and willfully to make any department or agency of the United States any false, malicious or fraudulent statements or representations to any matter within its jurisdiction.

\*See Instruction on Reverse Side





## Apache



Total Concrete = 23.3 cy

### FOUNDATION NOTES:

#### GENERAL:

- 1) ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH APPLICABLE LOCAL STANDARDS.
- 2) FOUNDATIONS DESIGNED BASED ON GEOTECHNICAL REPORT BY TERRACON REF 68085055-AP DATED JULY 1, 2008
- 3) THE TOWER BASE PAD SHALL BE PLACED AGAINST UNDISTURBED SOIL.

#### CONCRETE:

- 1) CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS OF NOT LESS THAN 4000 psi.
- 2) CONCRETE SHALL CONTAIN AN AIR ENTRAINING AGENT.
- 3) THE MAXIMUM SIZE OF COARSE AGGREGATE SHALL BE 3/4". SLUMP SHALL BE 4 in +/- 1 in
- 4) ALL GROUT SHALL BE NON-FERROUS AND NON SHRINK WITH A MINIMUM COMPRESSIVE STRENGTH OF 5000 psi AT 28 DAYS, EDGES GROUT SHALL BE TAPERED OFF AT 45°.

#### REINFORCEMENT:

- 1) ALL REINFORCEMENT SHALL HAVE 3 in CONCRETE COVER.
- 2) REINFORCING STEEL SHALL BE ASTM A615 DEFORMED BARS WITH A MINIMUM YIELD OF 60 ksi.

#### BACKFILLING:

- 1) BACKFILL SHALL BE PLACED IN THIN LIFTS (MAXIMUM 6 in) AND COMPACTED TO A MINIMUM OF 95 PERCENT OF STANDARD PROCTOR MAXIMUM DRY DENSITY (MIN. 100 PCF). IN THE EVENT THAT EXCAVATED MATERIALS ARE NOT SUITABLE FOR BACKFILL, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO SUPPLY AND COMPACT SUITABLE CLEAN MATERIAL TO MEET THAT REQUIREMENT.

CONFIDENTIAL:  
ALL INTELLECTUAL PROPERTY RIGHTS HEREIN ARE THE PROPERTY OF  
TRYLON TSF Inc. ALL DUPLICATION, RECORDING, DISCLOSURE OR USE  
IS PROHIBITED WITHOUT WRITTEN CONSENT OF TRYLON TSF Inc.

| REV. | REV. BY: | CHK. BY: | DESCRIPTION | DATE |
|------|----------|----------|-------------|------|
|      |          |          |             |      |

NOTES:

*Ally P. Khan*  
7.14.2008



|                      |                           |                         |
|----------------------|---------------------------|-------------------------|
| CUSTOMER:<br>JTS     | SITE:<br>APACHE, EDYY, NM | SCALE:<br>25            |
| DATE:<br>11 JUL 08   | BY:<br>JL                 | CHK:<br>                |
| TITLE:<br>150FT S710 |                           | DRAWING NO.<br>80786-02 |

# Apache Tower FAA Determination



## Antenna Structure Registration

[FCC](#) > [WTR](#) > [ASR](#) > [Online Systems](#) > [TOWAIR](#)

[FCC Site Map](#)

### TOWAIR Determination Results

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#### \*\*\* NOTICE \*\*\*

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

#### DETERMINATION Results

Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates you provided.

#### Your Specifications

##### NAD83 Coordinates

Latitude

32-21-40.3 north

Longitude

103-49-52.4 west

##### Measurements (Meters)

Overall Structure Height (AGL)

45.7

Support Structure Height (AGL)

NaN

Site Elevation (AMSL)

1017.7

Structure Type

TOWER - Free standing or Guyed Structure used for Communications Purposes

#### Tower Construction Notification

Notify Tribes and Historic Preservation Officers of your plans to build a tower.

Notes: Notification does NOT replace [Section 106 Consultation](#)

[ASR Help](#)

[ASR Online Systems](#)

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Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

[Help](#) | [Tech Support](#)

Phone: 1-877-272-2011  
Toll: 1-877-272-2011  
[Submit Help Request](#)

STANDARD STIPULATIONS FOR COMMUNICATION SITES  
IN THE CARLSBAD FIELD OFFICE, BLM

A copy of the grant and attachments, including stipulations and map, will be on location during construction. BLM personnel may request to view a copy of your permit during construction to ensure compliance with all stipulations.

The holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer, BLM.

1. The authorization is conditioned upon the submission of a copy of an approved license and/or renewal license granted by the Federal Communications Commission (FCC) or the Interdepartmental Radio Advisory Committee (IRAC) for each electronic station installation authorized or future amendments of this authorization. A copy of the FCC or I RAC authorization shall be submitted within 90 days of issuance of this authorization or within 90 days following approval of an amendment to this authorization. Failure to submit the FCC or IRAC authorization copy within the time specified shall be grounds for termination of this authorization or cancellation of an amendment to this authorization. The Authorized Officer may grant an extension of up to 90 days, if requested in writing by the holder.
2. 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 and for all response costs, penalties, damages, claims, and other costs arising from the provisions of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Chap. 82, Section 6901 *et. seq.*, from the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. Chap. 109, Section 9601 *et. seq.*, and from other applicable environmental statutes.
3. 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 U.S.C. 2601, *et. seq.*) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized by this 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.
4. 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 the right-of-way holder's activity 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.
5. The holder and its sublessees shall at all times operate their radio-electronic equipment in such a manner as not to cause interference with radio-electronic operations of existing users

in the vicinity. If such interference results from holder's or sublessee's operations, holder shall promptly, at its own AP2-9 APPENDIX 2 expense, modify the equipment and operations, or shut down if necessary to eliminate or reduce the interference to the satisfaction of the FCC, IRAC" and/or the Authorized Officer.

6. The holder shall notify the Authorized Officer of any intent to locate additional users within or upon their existing facilities, not less than 45 days prior to occupancy of holder's facilities. Information that must be included is:

- a. Name, current address, and phone number of the third party user(s).
- b. Expected date of occupancy.
- c. A photo or sketch of the type of antennas to be installed, as well as any other planned physical changes to the exterior facilities operated by the holder. If the proposed use is not specified in the original authorization shall be required.

7. No less than 45 days prior to occupancy of the holder's facility, the holder shall notify existing users within a 1-mile radius that the holder intends to accommodate a new communication user in its facility. Existing users can then file any comments pertaining to potential frequency or electromagnetic problems with the Federal Communications Commission, 1919 M Street NW, Washington, DC 20554, with a copy to the Authorized Officer.

8. The holder shall be responsible for the actions and operations of any third party users associated with this facility. All such use shall be subject to the applicable terms, conditions, and stipulations of this authorization.

9. 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 a color which simulates "Standard Environmental Colors" designated by the Rocky Mountain Five-State Interagency Committee. The color selected for this project is Shale Green , Munsell Soil Color Chart Number 5Y 4/2.

10. The holder shall post signs designating the BLM serial number assigned to this facility at the points of entry to and exit from the site. These signs shall be posted in a permanent, conspicuous manner, and shall be maintained in a legible condition for the term of the authorization.

11. The holder agrees to share road maintenance costs with all present and future users of the access road. At such future time as a Users Association for this communication site is formed, the holder shall join the Users Association and remain a member in good standing. Within 30 days of the creation of such Users Association the holder shall provide the authorized officer with evidence of membership. Failure of the holder to join the Users Association and remain a member in good standing shall constitute sufficient grounds for termination of this authorization.

12. If, during any phase of the construction, operation, maintenance, or termination of the site or related pipeline(s), any pollutant should be discharged from site facilities, the pipeline(s) or from containers or vehicles impacting public lands, the control and total removal, disposal, and cleanup of such 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 public lands, or to repair all damages to public lands resulting there from, the Authorized Officer may take such measures as deemed necessary to control and cleanup 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 liability or responsibility.

13. Sites shall be maintained in an orderly, sanitary condition at all times. Waste materials, both liquid and solid, shall be disposed of promptly at an appropriate, authorized waste disposal facility in accordance with all applicable State and Federal laws. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, brines, chemicals, ashes, and equipment.

14. In those areas where erosion control structures are required to stabilize soil conditions, the holder shall install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound management practices. Any earth work will require prior approval by the Authorized Officer.

15. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on the holder's behalf, on public or Federal land shall be immediately reported to the Authorized Officer. The 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 the proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

16. A sales contract for removal of mineral material (caliche, sand, gravel, fill dirt) from an authorized pit, site, or on location must be obtained from the BLM prior to commencing construction. There are several options available for purchasing mineral material: contact the BLM office (505-234-5972).

17. The area will be kept free of the following plant species: Malta starthistle, African rue, Scotch thistle, and saltcedar

**Special Stipulations:**