

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
**SUNDRY NOTICES AND REPORTS ON WELLS**

OCD Artesia

FORM APPROVED  
OMB NO. 1004-0135  
EXPIRES: March 31, 2007

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

1a. Type of Well ☐ Oil Well ☐ Gas Well ☒ Other Fresh water frac pond  
2. Name of Operator  
**DEVON ENERGY PRODUCTION COMPANY, LP**  
3. Address and Telephone No.  
P O. Box 250 Artesia, NM  
4. Location of Well (Report location clearly and in accordance with Federal requirements)\*  
NW/4 SW/4 Sec. 9, T23S, R31E

**RECEIVED**  
**APR 19 2010**  
**NMOCD ARTESIA**

5. Lease Serial No.  
**NM-77046**  
6. If Indian, Allottee or Tribe Name  
7. Unit or CA Agreement Name and No.  
8. Well Name and No.  
**North Pure Gold FW Frac Pond**  
9. API Well No.  
**30-015-27442**  
10. Field and Pool, or Exploratory  
**Los Medanos; Delaware**  
11. County or Parish State  
**Eddy County, NM**

**12. 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 <u>Bld FW frac pond</u>
	<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 requests permission to construct a fresh water frac pond 150' X 300' base with 10' walls; adjacent to the North Pure Gold 9 Fed #3 location; as described on the attached plat. The frac pond will be fenced and utilized for Devon's NPG 8 #13, NPG 9 #18, and NPG 9 #19 located in the immediate vicinity. The frac pond may also be used for the benefit of other company's nearby wells.**

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

Signed Joe G. Lara Name Joe G. Lara Title Engineer Date 3/26/2010

(This space for Federal or State Office use)

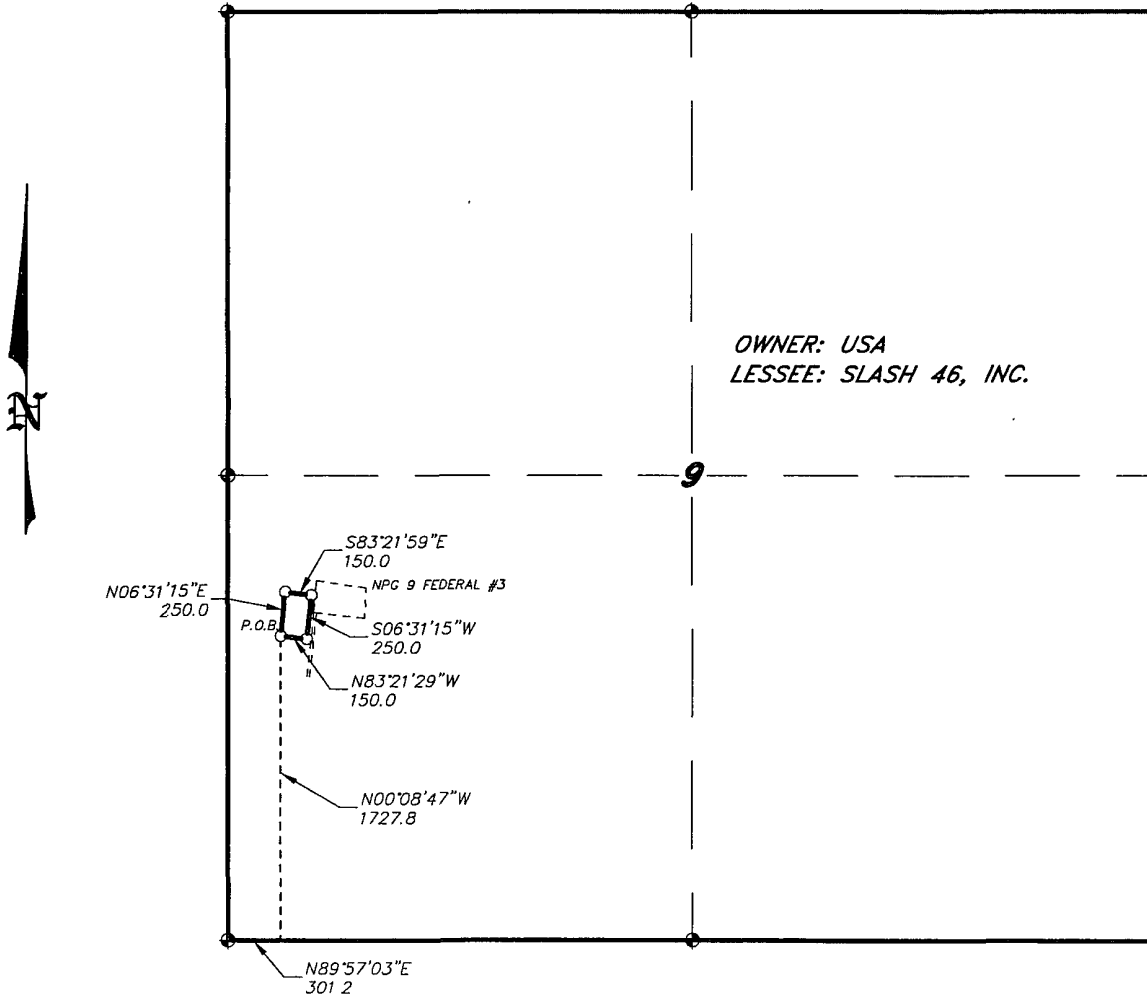
Approved by /s/ James Stovall Title FIELD MANAGER Date APR 14 2010  
Conditions of approval, if any.

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

\*See Instruction on Reverse Side

*DS*

SECTION 9, TOWNSHIP 23 SOUTH, RANGE 31 EAST, N.M.P.M.,  
EDDY COUNTY, NEW MEXICO.

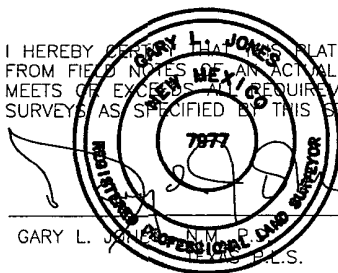


LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN SECTION 9, TOWNSHIP 23 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH LIES N 89°57'03\"E, 301.2 FEET AND N.00°08'47\"W, 1727.8 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 9, THENCE N.06°31'15\"E., 250.0 FEET; THENCE S.83°21'59\"E, 150.0 FEET, THENCE S 06°31'15\"W, 250.0 FEET; THENCE N.83°21'29\"W, 150.0 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND BEING 37500.0 SQUARE FEET OR 0.86 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, N.M.P.S. No. 7977  
JAMES P. MCNEIL, N.M.P.S. No. 5074

**BASIN SURVEYS** P.O. BOX 1786—HOBBS, NEW MEXICO

W.O. Number: 22510 Drawn By: J. M. SMALL

Date: 03-23-2010 Disk: JMS 22510

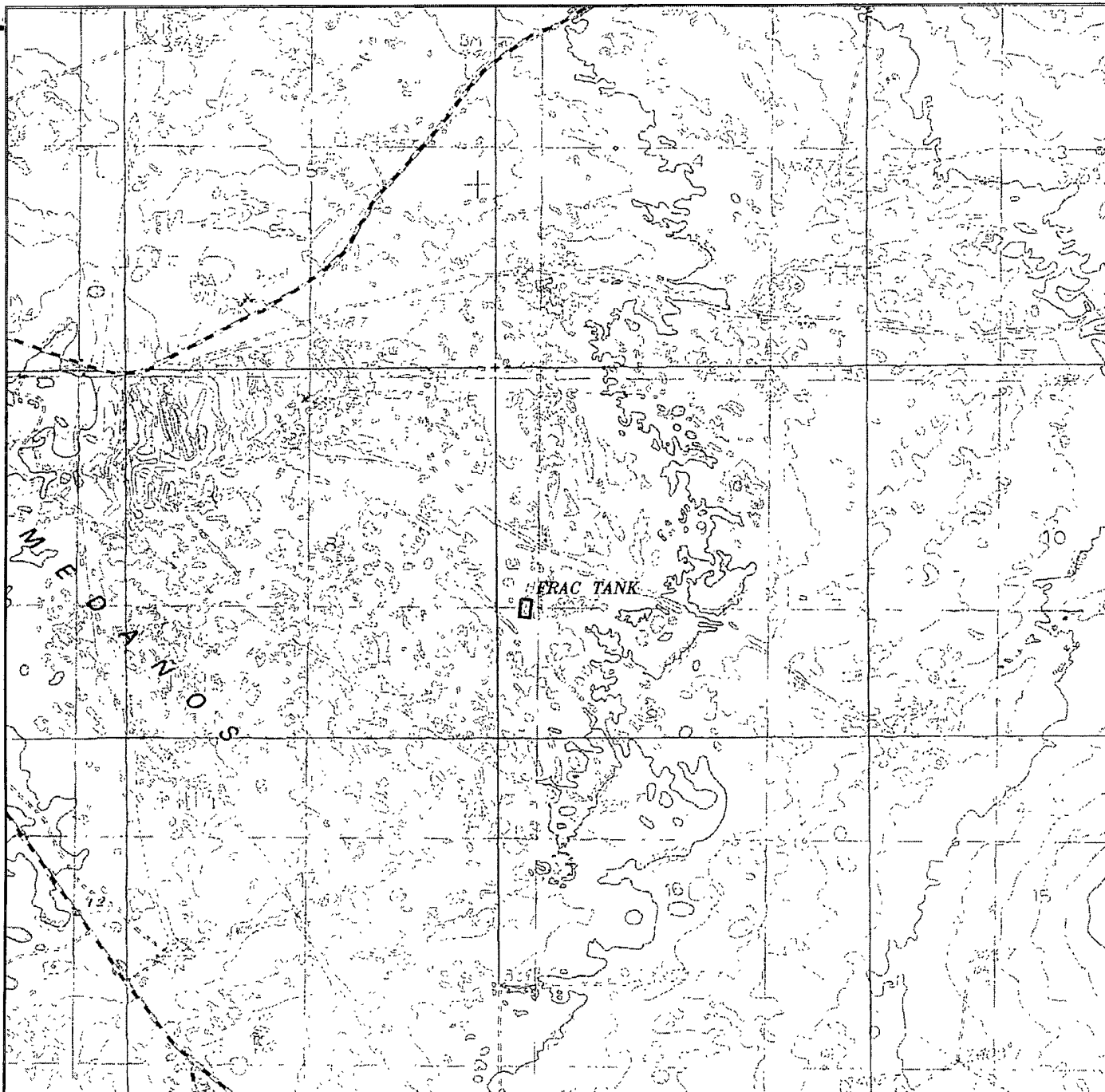
1000 0 1000 2000 FEET

**DEVON ENERGY PRODUCTION COMPANY, L.P.**

REF: PROPOSED FRAC TANK

A FRAC TANK LOCATED ON USA LAND IN  
SECTION 9, TOWNSHIP 23 SOUTH, RANGE 31 EAST,  
N.M.P.M., EDDY COUNTY, NEW MEXICO.

Survey Date 03-11-2010 Sheet 1 of 1 Sheets



# PROPOSED FRAC TANK

Section 9, Township 23 South, Range 31 East,  
N.M.P.M., Eddy County, New Mexico.



P.O. Box 1785  
1120 N. West County Rd.  
Hobbs, New Mexico 88241  
(575) 393-7316 - Office  
(575) 392-2206 - Fax  
basinsurveys.com

W.O. Number: JMS 22510

Survey Date: 03-11-2010

Scale: 1" = 2000'

Date: 03-23-2010

DEVON ENERGY  
PRODUCTION  
COMPANY, L.P.

**BLM LEASE NUMBER NM-77046**  
**COMPANY NAME North Pure Gold Fed #3**  
**ASSOCIATED WELL NO. & NAME NPG 8' #13, 9' #18, and 9' #19**

**FRAC POND CONDITIONS OF APPROVAL**

A copy of the Sundry Notice and attachments, including stipulations, survey plat and/or map, will be on location during construction. BLM personnel may request to see a copy of your permit during construction to ensure compliance with all stipulations.

Holder agrees to comply with the following conditions of approval 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 permit.
2. The Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated.
3. Required Standard Mitigation:
  - The frac pond will only be authorized to contain freshwater and testing of water quality is required.
  - If at any time the water in the frac pond becomes polluted with salts or other contaminants, use of the frac pond will cease and desist, and all liquids will be removed from the frac pond and disposed of properly.
  - Reclamation efforts will commence immediately after the frac pond is no longer needed for the purpose of completing the wells.
  - Confine all construction and maintenance activity to the authorized area.
  - Mineral materials extracted during construction of the frac pond will be stored on-location and/or used for constructing the frac pond.
  - The frac pond will be lined.
  - The plastic lining will be removed prior to final abandonment
  - The operator shall stockpile topsoil in a low profile manner, reasonably protected from wind and water erosion
  - Topsoil shall not be used for constructing the frac pond. The topsoil will be used for final reclamation.
  - The frac pond shall be fenced on all sides.
  - Install earthen erosion-control structures as are suitable for the specific terrain and soil conditions.

- Earthwork for final reclamation must be completed within 3 months of completion of frac operations on associated wells.

Requirements for Operations and Final Reclamation:

4. If, during any phase of the construction, operation, maintenance, or termination of the frac pond, any pollutant should be released from the contaminated frac pond, the control and total removal, disposal, and cleaning up of such pollutant, wherever found, shall be the responsibility of holder, regardless of fault.
5. 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.
6. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf 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.
7. 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, pads, associated 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.
8. After all disturbed areas have been satisfactorily contoured and prepared for seeding the location needs to be revegetated with the seed mixture provided. Seeding may need to be repeated until revegetation is successful. Operators shall contact a BLM surface protection specialist **prior** to surface reclamation operations. Jim Amos, Supervisor, Environmental Protection – (575)234-5909).
9. Seeding is required: Use the following seed mix.

- |  |  |
|--|--|
| <input type="checkbox"/> seed mixture 1                | <input type="checkbox"/> seed mixture 3      |
| <input type="checkbox"/> seed mixture 2                | <input type="checkbox"/> seed mixture 4      |
| <input checked="" type="checkbox"/> <b>LPC mixture</b> | <input type="checkbox"/> Aplomado Falcon mix |

10. Special Stipulations:

Confine the placement of aluminum water transport lines to existing access roads and pipeline corridors.

11. Upon failure of holder to control, dispose of, or clean up such discharge, or to repair all damages resulting there-from, 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.

EA File #2010-0554-EA