# NM OIL CONSERVATION ARTESIA DISTRICT

JUN 0 6 2016

RECEIVED

# **Apache Corporation**

Eddy County, NM (NAD27 NME)

Grow-Federal

#51H---

Cedar Lake Federal CA 951H

OH / 1514486

Design: Surveys (Capstar 114)

# **Standard Survey Report**

27 October, 2015

Survey Report

Apache Corporation Company: Local Co-ordinate Reference: Well #51H Project: Eddy County, NM (NAD27 NME) KB @ 3887.00usft (Capstar 114) Crow Federal KB @ 3887.00usft (Capstar 114) Site: MD Reference: Well: #51H North Reference: Wellbore: OH / 1514486 Survey Calculation Method: Minimum Curvature Compass 5000 GCR Design: Surveys (Capstar 114) Database:

System Datum:

Mean Sea Level

Project Eddy County, NM (NAD27 NME)

Map System: US State Plane 1927 (Exact solution)
Geo Datum: NAD 1927 (NADCON CONUS)

Map Zone: New Mexico East 3001

Crow Federal Site Northing: 671,130.90 usft 32° 50' 38.92796 N Site Position: Latitude: Мар Easting: 643,906.80 usft Longitude: 103° 51' 53.16689 W 13-3/16 " 0.25 ° Position Uncertainty: 0.00 usft Slot Radius: Grid Convergence:

Well #51H Well Position +N/-S 0.00 usft 674,426.60 usft Latitude: 32° 51' 11.75629 N Northing: Easting: +E/-W 0.00 usft 638,871.70 usft Longitude: 103° 52' 52.01984 W 0,00 usft usft **Ground Level:** Wellhead Elevation: 3,876.00 usft **Position Uncertainty** 

 Wellbore
 OH / 1514486

 Magnetics
 Model Name
 Sample Date
 Declination (°)
 Dip Angle (nT)

 HDGM
 10/14/2015
 7.60
 60.80
 48,571

Surveys (Capstar 114) Design Audit Notes: ACTUAL 0.00 Version: 1.0 Phase: Tie On Depth: Depth From (TVD) Vertical Section: +N/-S +E/-W Direction (usft) (usft) (°) 0,00 0.00 0.00 81.96

Survey Program Date 10/27/2015 From То (usft) Survey (Wellbore) **Tool Name** Description 100.00 4,893,00 Scientific Gyro Surveys (OH / 1514486) NS-GYRO-MS North sensing gyrocompassing m/s 4,893.00 9,906.00 Phoenix MWD Surveys (OH / 1514486) PHX+MWD+HDGM PHX+OWSG MWD + HDGM

Survey Measured Vertical Vertical Dogleg Build Turn Depth Inclination Azimuth Depth +N/-S +E/-W Section Rate Rate Rate (°/100usft) (°/100usft) (°/100usft) (usft) (usft) (usft) (usft) (°) (°) (usft) 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 100.00 0.29 287.61 100.00 0.08 -0.24 -0.23 0.29 0.29 0.00 200,00 0.39 269.89 200.00 0.15 -0.82 -0.79 0.14 0.10 -17.72 300,00 274.82 299,99 0.20 -1.78 -1.730.32 0.32 4,93 0.71 400.00 0.95 293,94 399.98 0.59 -3.16 -3.040.36 0.24 19.12 -4.48 0.06 0.01 -3.82 500.00 0.96 290.12 499.97 1.22 -4.70 288.26 599.96 -5,80 0.22 -0.22 -1.86 600.00 0.74 1.71 -6.10 700.00 0.63 284.43 699,95 2.05 -7.25 -6.89 0.12 -0.11-3.83800.00 0.38 303.34 799.95 2.37 -8.05 -7.64 0.30 -0.2518.91 900.00 0.26 326.46 899.95 2.74 -8.46 -7.99 0.17 -0.1223.12

10/27/2015 7:37:33AM ; Page 2 COMPASS 5000.1 Build 74

Survey Report

Company: Apache Corporation

Project:

Eddy County, NM (NAD27 NME)

Site: Well:

Wellbore:

Design:

#51H

Crow Federal

OH / 1514486 Surveys (Capstar 114) Local Co-ordinate Reference:

TVD Reference:

MD Reference:

Database:

North Reference:

Survey Calculation Method:

Well #51H

KB @ 3887.00usft (Capstar 114)

KB @ 3887.00usft (Capstar 114)

Minimum Curvature

Compass 5000 GCR

Measured			Vertical			Vertical	Dogleg	Build	Turn
Depth (usft)	Inclination (°)	Azimuth (°)	Depth (usft)	+N/-S (usft)	+E/-W (usft)	Section (usft)	Rate (°/100usft)	Rate (°/100usft)	Rate (°/100usft)
1,000.00	0.29	101,51	999.94	2,88	-8,33	-7,85	0.51	0.03	135.05
1,100.00	0.44	100.51	1,099.94	2.76	-7.71	-7.25	0.15	0.15	-1.00
1,200.00	1.04	90.46	1,199.93	2.68	-6.42	-5.99	0.61	0.60	-10.05
1,300.00	1.66	89,83	1,299.91	2.68	-4.07	-3.65	0.62	0.62	-0.63
1,400.00	1,85	83,26	1,399.86	2.87	-1.02	-0.61	0.28	0.19	-6.57
1,500.00	1.89	84.16	1,499.81	3.23	2.23	2.66	0.05	0.04	0.90
1,600.00	1.88	87.82	1,599.75	3.46	5.51	5.94	0.12	-0.01	3.66
1,700.00	1.89	85.57	1,699.70	3,65	8,79	9,21	0.07	0.01	-2.25
1,800.00	1.41	87.75	1,799.66	3.82	11.66	12.08	0.48	-0.48	2.18
1,900.00	1.14	83.88	1,899.63	3.98	13.88	14.30	0.28	-0.27	-3.87
2,000.00	0.72	79.07	1,999.62	4.20	15.49	15.92	0.43	-0.42	-4.81
2,100.00	0.54	79.54	2,099.61	4.41	16.57	17.02	0.18	-0.18	0.47
2,200.00	0.45	67.74	2,199.61	4.64	17.39	17.87	0.14	-0.09	-11.80
2,300.00	0.28	14.33	2,299.61	5.03	17.82	18.35	0.36	-0.17	-53.41
2,400.00	0.32	332.02	2,399.60	5.51	17.75	18.34	0.22	0.04	-42.31
2,500.00	0.46	340.74	2,499.60	6,13	17,48	18,17	0.15	0.14	8.72
2,600.00	0.45	333.55	2,599.60	6.87	17.18	17.97	0.06	-0.01	-7.19
2,700.00	0.50	328.70	2,699.60	7.59	16.78	17.67	0.06	0.05	-4.85
2,800.00	0.52	330.91	2,799.59	8.36	16.33	17.34	0.03	0.02	2.21
2,900.00	0.50	335.65	2,899.59	9.15	15.93	17.05	0.05	-0.02	4.74
3,000.00	0.50	316.61	2,999.58	9,87	15.45	16.68	0,17	0,00	-19.04
3,100.00	0.47	335.33	3,099.58	10.56	14.98	16.31	0.16	-0.03	18.72
3,200.00	0.53	327.38	3,199.58	11.32	14.56	16.00	0.09	0.06	-7.95
3,300.00	0.49	321.40	3,299.57	12.04	14.04	15.59	0.07	-0.04	-5.98
3,400.00	0.50	320.35	3,399.57	12.71	13.50	15.14	0.01	0.01	-1.05
3,500.00	0.31	326.71	3,499.57	13.28	13.07	14.80	0.19	-0.19	6.36
3,600.00	0.47	318.30	3,599,56	13,81	12.65	14.45	0.17	0.16	-8.41
3,700.00	0.51	326.22	3,699.56	14.48	12.13	14.03	0.08	0.04	7.92
3,800.00	0.51	331.02	3,799.56	15.24	11.66	13.68	0.04	0.00	4.80
3,900,00	0.44	326.26	3,899.55	15.95	11.24	13.36	80.0	-0.07	-4.76
4,000.00	0.45	329.16	3,999.55	16.61	10.82	13.04	0.02	0.01	2.90
4,100.00	0.51	351.97	4,099.55	17.39	10.56	12.89	0.20	0.06	22.81
4,200.00	0.62	336.15	4,199.54	18.32	10.28	12.74	0.19	, 0.11	-15.82
4,300.00	0.71	339.27	4,299.54	19.40	9.84	12.45	0.10	0.09	3.12
4,400.00	0.71	344.14	4,399,53	20.57	9.45	12.23	0.06	0.00	4.87
4,500.00	0.83	342.24	4,499.52	21.86	9.06	12.03	0.12	0.12	-1.90
4,600.00	0.74	338.65	4,599.51	23.15	8.60	11.76	0.10	-0.09	-3.59
4,700.00	0.63	356.06	4,699.50	24,30	8.33	11.65	0.23	-0.11	17.41
4,800.00	0.61	14.95	4,799.50	25.36	8.43	11.89	0.20	-0.02	18.89
4,893.00	0.70	27.33	4,892.49	26.34	8.82	12.42	0.18	0.10	13.31
Tie In to Scie	ntific Gyro			<del></del>	<del> </del>				

Survey Report

Company: Apache Corporation

Project: Eddy County, NM (NAD27 NME)

Site: Crow Federal
Well: #51H

Wellbore: OH / 1514486
Design: Surveys (Capstar 114)

Local Co-ordinate Reference:

TVD Reference:

MD Reference: North Reference:

Survey Calculation Method:

Database:

Well #51H

KB @ 3887.00usft (Capstar 114)

KB @ 3887.00usft (Capstar 114)

Minimum Curvature

Compass 5000 GCR

vey										
Measur Depti (usft	h Inclin		Azimuth (°)	Vertical Depth (usft)	+N/-S (usft)	+E/-W (usft)	Vertical Section (usft)	Dogleg Rate (°/100usft)	Build Rate (°/100usft)	Turn Rate (°/100usft)
5,11	9.00	7.40	52.00	5,118.18	32.53	16.77	21.16	9.81	9.77	-10.23
5,16	2.00	12.10	48.40	5,160.55	37.23	22.33	27.31	11.02	10.93	-8.37
5,20	5.00	17.00	47.80	5,202.15	44.45	30.36	36.28	11,40	11.40	-1.40
5,24	7.00	22.40	50.00	5,241.68	53.73	41.04	48,16	12.98	12.86	5.24
5,29	0,00	27.90	51.10	5,280.59	65.32	55.16	63.75	12.84	12.79	2.56
5,33	2.00	33.30	52.00	5,316.73	78.60	71.91	82.19	12.90	12.86	2.14
5,37	5.00	38.70	53.50	5,351.50	93.88	92.03	104.25	12.72	12.56	3.49
5,41		43.40	54.50	5,383.92	110.46	114.87	129.19	11.04	10.93	2.33
5,46		48.00	55.80	5,413.25	127.62	139.54	156.02	11,17	10.95	3.10
5,50	3.00	52.30	57.20	5,440.80	145.82	167.07	185.82	10.31	10.00	3.26
	6.00	57.80	57.20 57.30	5,465.42	164.88	196.70	217.83	12.79	12.79	0.23
	9.00	62.60	57.30	5,486.79	185.04	228.09	251.73	11.16	11.16	0.00
5,56 5,63		67.00	57.40	5,486.79	205,53	260,08	251.73 286,27	10.48		0.00
5,63 5,67		71.30	57.40 57.90	5,504.66 5,519.96	205,53	294.02	322.89	10.48	10.48 10.00	0.2 <del>4</del> 1.16
				•						
5,71		75.30	58.90	5,532.32	248.60	329.10	360.63	9.57	9.30	2.33
5,75		79.70	59.40	5,541.41	269.62	364.29	398.42	10.54	10.48	1.19
5,80		83.80	59.80	5,547.72	291,65	401.84	438,68	9.36	9.32	0.91
5,84	6.00	87.80	59.00	5,550.87	313,48	438.75	478.28	9.49	9.30	-1, <b>8</b> 6
5,88	8.00	88.70	59.10	5,552.15	335.07	474.75	516.95	2.16	2.14	0.24
6,01	7.00	88.90	61.50	5,554.85	398.96	586.77	636.80	1.87	0.16	1.86
6,14	4.00	88.80	64.10	5,557.40	457.00	699.69	756.73	2.05	-0.08	2.05
6,27	2.00	87.50	67.90	5,561.54	509.02	816.54	879.71	3.14	-1.02	2.97
6,40	0.00	86.90	72.20	5,567.79	552.63	936.69	1,004.77	3.39	-0.47	3,36
6,52	8.00	87.00	76.40	5,574.61	587.21	1,059.71	1,131.42	3.28	0.08	3.28
6,65	6 ND	88.30	81.40	5,579.86	611.83	1,185.17	1,259.09	4.03	1.02	3.91
6,78		90.20	85.80	5,581.53	626.09	1,312.32	1,386.99	3.74	1.48	3.44
6,91		90.30	90.00	5,580.98	630,74	1,439.21	1,513,28	3.31	0.08	3.31
7,03		90.60	91,50	5,579.97	629.06	1,567.19	1,639.77	1.20	0.23	1.17
7,16		89.70	91.80	5,579.64	625.38	1,695.13	1,765.94	0.74	-0.70	0.23
7,29	5.00	88.80	92.20	5,581.31	620.91	1,823.04	1,891.97	0.77	-0.70	0.31
7,42		87.10	91.10	5,585.89	617.23	1,950.90	2,018.05	1.58	-1.33	-0.86
7,42		86,90	90,80	5,592.59	615,11	2,078.71	2,144.31	0.28	-1.33 -0.16	-0.00
7,55 7,67		86.80	89,10	5,599.63	615.22	2,078.71	2,144.31	0.26 1.33	-0.16 -0.08	-0.23 -1.33
7,80		89,00	88,80	5,604.32	617,56	2,206.51	2,270.87	1.73	1.72	-0.23
7.00	6.00	90.00	00.40	E 605 00	640.50	2.462.27	0 505 04	0.00	0.47	0.47
7,93		89.60	89.40	5,605.89	619.59	2,463.37	2,525.81	0.66	0.47	0.47
8,06		89.80	89.60	5,606.56	620.71	2,591.36	2,652.70	0.22	0.16	0.16
8,19		88.50	89.60	5,608.46	621.60	2,719.34	2,779.55	1.02	-1.02	0.00
8,32		88.60	90.10	5,611.70	621.94	2,847.30	2,906.30	0.40	0.08	0,39
8,44	8.00	88,90	90.50	5,614.49	621.27	2,975.27	3,032.91	0.39	0.23	0.31
8,57	7.00	88.70	89.50	5,617.19	621.27	3,104.24	3,160.62	0.79	-0.16	-0.78
8,70	5.00	88.90	89.90	5,619.87	621.94	3,232.21	3,287.42	0.35	0.16	0.31
8,83		89.10	90.30	5,622.09	621.71	3,359.19	3,413.12	0.35	0.16	0.31
8,96		89.60	90,90	5,623.54	620.37	3,487.17	3,539.66	0.61	0.39	0.47
9,08		89.70	90.80	5,624.32	618.48	3,615.15	3,666.12	0.11	0.08	-0.08

Survey Report

Company:	Apache Corporation	Local Co-ordinate Reference:	Well #51H
Project:	Eddy County, NM (NAD27 NME)	TVD Reference:	KB @ 3887,00usft (Capstar 114)
Site:	Crow Federal	MD Reference:	KB @ 3887.00usft (Capstar 114)
Well:	#51H	North Reference:	Grid
Wellbore:	OH / 1514486	Survey Calculation Method:	Minimum Curvature
Design:	Surveys (Capstar 114)	Database:	Compass 5000 GCR

Measured			Vertical			Vertical	Dogleg	Build	Turn
Depth (usft)	Inclination (°)	Azimuth (°)	Depth (usft)	+N/-S (usft)	+E/-W (usft)	Section (usft)	Rate (°/100usft)	Rate (°/100usft)	Rate (°/100usft)
9,216.00	88.30	89.70	5,626.56	617.92	3,743.13	3,792,76	1,39	-1.09	-0,86
9,344.00	88.40	89.70	5,630.24	618,59	3,871.07	3,919,54	0.08	80.0	0.00
9,472.00	88.30	90.00	5,633,93	618 92	3,999.02	4,046.28	0.25	-0.08	0.23
9,600.00	89.20	90.10	5,636.72	618.81	4,126.99	4,172.97	0.71	0.70	0.08
9,728.00	90.50	90.00	5,637.06	618.70	4,254.98	4,299.69	1.02	1.02	-0.08
Final Phoeni	x MWD Survey								
9.906.00	90.50	90,00	5,635.50	618.70	4,432.98	4,475,94	0.00	0.00	0.00

Design Annot	ations [				
	Measured	Vertical	Local Coo	rdinates	
	Depth (usft)	Depth (usft)	+N/-S (usft)	+E/-W (usft)	Comment
	4,893.00	4,892.49	26.34	8.82	Tie In to Scientific Gyro
Í	5,076.00	5,075.37	30,16	13.59	First Phoenix MWD Survey
	9,728.00	5,637.06	618.70	4,254.98	Final Phoenix MWD Survey
	9,906.00	5,635.50	618.70	4,432.98	Projection to TD

Checked By:	Approved By:	,	Data	
Checked by.	Approved by.		Date:	

10/27/2015 7:37:33AM Page 5 COMPASS 5000.1 Build 74

EXPLORING WHAT'S POSSIBLE

--- KB @ 3887.00usft (Capstar 114)

3876 00

Eddy County, NM (NAD27 NME) Site: Crow Federal Well: #51H

Wellbore: OH / 1514486 Design: Plan #4 10-22-15

Rig: Capstar 114

TECHNOLOGY SERVICES PHOENIX

Magnetic Field Strength: 48571.3enT Dip Angle: 60.80° Date: 10/f4/2015 Model: HDGM

Azimuths to Gaid North True North: -0.24\* Magnetic North: 7.35\*

Map System. US State Plane 1927 (Exact solution Datum NAD 1927 (NADCON CONUS) Ellipsoid. Clarke 1668
Zone Name. New Mexico East 3001 To convert a Magnetic Direction to a Gnd Direction, Add 7.35\*\*
To convert a Magnetic Direction to a True Direction, Add 7.60° East
To convert a True Direction to a Gnd Direction, Subtract 0.25\* Local Origin: Well #51H, Grid North Lataude: 32" 51" 11.75629 N Langaude 103" 52" 52.01984 W Geomagnetic Model: HDGM Sample Date 14-Oct-15 Magnetic Declarator, 7.60° Dip Angle from Horizontal 60 80° Magnetic Field Strengti: 46571 Grid East 638871,70 Grid North: 674426 60 Scale Factor: 1,000 #22H, WB1/Job #1311182, Surveys (Capstar 114) V0 - #50H, OH / Job #1514409, Surveys (Capstar 114) V0 96 18 96 18 #51H, OH / 151448B, Surveys (Capstar 114) V0 FORMATION TOP DETAILS - - - - #47H, OH, Plan #2 09-03-15 Vo MDPath Formation 4932 73 (Yeso) Paddock 5435.55 Blinebry LEGEND 1VDPeth 4932 22 5401 25 Ameristics Cyro Surveys
The Into Scientific Cyro Surveys
KOP, 17 067/1007 Build
LP, Hald 85.01° Inc., 3 007/1007 Turn
Hold 90 007 Azm
TD 85918 95. Longtude Shape 103\* 52 24 42723 W Point 103" 52 0.01651 W Point Longitude 103° 52° 52° 01984 W Time Vised Target 000 13.74 000 13.77 38 40 433 43 001 4477 48 BNL-Coow Fed #51H v3 Latiflude 32" 51' 11.75629 N DESIGN TARGET DETAILS 3876.00 SECTION DETAILS Ground Level: Easting 63887170 Dleg 0.00 3.00 3.00 0.00 0.00 Northing 674426 80 38 BHL-Crow Fed #51H v3 \$ 8 0 Name Mid Pt-Crow Fed #51H

> 1750 Yates 2000 Seven

True Vertical Depth (250 usfuln)

3250 ------3000

3500

1250 1 1 1 1500 B/Salt

South(-)/North(+) (150 usftin)

4000

(nithzu 02) (+)dhot/k-)driue2 100 150 200 West(-)/East(+) (50 usft/in) 150 | 雨 KOP, 12 00/100 BUILE 国 | | |

4500

<u>DISTRICT 1</u> 1625 N. French Dr., Hobbs, NM 88240 Phone: (575) 393-6161 Fax: (575) 393-0720

DISTRICT II
811 S. Fust St., Artesia, NM 88210
Phone: (575) 748-1283 Fax: (575) 748-9720
DISTRICT III
1000 Rto Brazos Road, Aztec, NM 87410
Phone: (505) 334-6178 Fax: (505) 334-6170

DISTRICT IV 1220 S. St. Francis Dr., Santa Fe, NM 87505 Phone: (505) 476-3460 Fax: (505) 476-3462

Property Code

API Number

## State of New Mexico Energy, Minerals & Natural Resources Department OIL CONSERVATION DIVISION 1220 South St. Francis Dr. Santa Fe, New Mexico 87505

Form C-102 Revised August 1, 2011 Submit one copy to appropriate District Office

DAMENDED REPORT

Well Number

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#### WELL LOCATION AND ACREAGE DEDICATION PLAT

Pnol Code

3759	35 <u> </u>	Cedar Lake Federat CA								95	5/ <del>/</del> /
OGRID!	3			APAC	Operator N CHE COR	ame PORATION					vation 376'
<u> </u>	<u> </u>	L			Surface Loc		<u></u>	<u>·</u>			· — —
UL or lot No.	Section	Township	Range	Lot ldn	Feet from the	North/South line	Feet fi	rom the	East/West	line	County
D	9	17-S	31-E		1070	NORTH	5	15	WES'	T	EDDY
· · ·		<u> </u>	AS-E	rilled Bottor	n Hole Location	n If Different From Sur	face				
UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet fr	rom the	East/West	line	County
Α	9	17-S	31-E		483.1	NORTH	33	1.5	EAS	r	EDDY
Dedicated Acres	Joint or	Infill C	onsolidation C	ode Ord	er No.						
O ALLOWABLE W	ILL BE ASSIGN	VED TO THIS CO	OMPLETION UN	TIL ALL INTE	RESTS HAVE BEE	N CONSOLIDATED OR A N	ON-STAN				
515:-0			AS-DRILEI	D WELL PA	STH	AS-DRILLED 3	з.н. 331.5°	I hereby cert complete to that this orga unleased min proposed bo well at this i of such mine pooling agre	ATOR CE tify that the infor the best of my kn anization either of the best of the country interest in the country interest of the country interest of a computation of a computation by the divinered by the divinered by the divinered by the divinered the country interest of the country interest	mation hereinowiedge and owns a worki the land inch on or has a right to a contractinterest, or to pulsory pools	in is true and d belief, and ing interest or uting the ght to drill this t with an owner a voluntary
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#### STANDARD STIPULATIONS FOR SURFACE INSTALLED PIPELINES

A copy of the Grant and attachments, including stipulations, survey plat(s) and/or map(s), shall be on location during construction. BLM personnel may request to review 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. 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. Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, Holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC § 2601 et seq. (1982) with regard 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 in particular, 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. 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 provision applies without regard to whether a release is caused by Holder, its agent, or unrelated third parties.
- 4. Holder shall be liable for damage or injury to the United States to the extent provided by 43 CFR Sec. 2883.1-4. 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 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 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/she 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 Holder. Such action by the Authorized Officer shall not relieve Holder of any responsibility as provided herein.
- 6. All construction and maintenance activity shall 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 shall 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 shall be installed immediately adjacent to the outer surface pipeline. All construction and maintenance activity shall be confined to existing roads or right-of-ways.
- 7. No blading or clearing of any vegetation shall be allowed unless approved in writing by the Authorized Officer.
- 8. 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 of duney areas, the pipeline shall be "snaked" around hummocks and dunes rather than suspended across these features.
- 9. The pipeline shall be buried with a minimum of <u>24</u> 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 shall be less than or equal to 4 inches and a working pressure below 125 psi.
- 18. The BLM, Carlsbad Field Office, will be informed immediately if any subsurface drainage channels, passages, or voids are intersected by laying pipe, and no pipe will be laid in the trench at that point until clearance has been issued by the Authorized Officer. If a void is encountered alignments may be rerouted to avoid the karst feature to avoid or lessen the potential of subsidence or collapse of karst features, toxic or combustible gas buildup, or other possible impacts to cave and karst resources from the buried pipeline. Special restoration stipulations or realignment may be required at such intersections, if any. Leak detection systems, back flow eliminators, and differential pressure shut-off valves may be required to minimize the impacts of leaking or ruptured pipelines. To eliminate these extreme possibilities, regular monitoring is needed to quickly identify leaks for their immediate and proper treatment.