

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.  
NMLC029435A

6. If Indian, Allottee or Tribe Name

**SUBMIT IN TRIPLICATE - Other instructions on reverse side.**

7. If Unit or CA/Agreement, Name and/or No.

1. Type of Well  
 Oil Well  Gas Well  Other: UNKNOWN OTH

2. Name of Operator  
APACHE CORPORATION

Contact: DEREK W WEBB  
E-Mail: derek.webb@apachecorp.com

8. Well Name and No.  
RAVEN FEDERAL 1

9. API Well No.

3a. Address  
303 VETERANS AIRPARK LN  
MIDLAND, TX 79705

3b. Phone No. (include area code)  
Ph: 432-818-1976  
Fx: 432-818-1197

10. Field and Pool, or Exploratory  
GLORIETA YESO

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)  
Sec 7 T17S R31E Mer NMP NWSW 1561FSL 2450FEL

11. County or Parish, and State  
EDDY COUNTY, NM

12. CHECK APPROPRIATE BOX(ES) 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<br>Production Facility<br>Changes |
|  | <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 recomplate 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 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 requirements, including reclamation, have been completed, and the operator has determined that the site is ready for final inspection.)

See attachment for plats and description of work.

**NM OIL CONSERVATION**  
ARTESIA DISTRICT  
SEP 13 2016  
RECEIVED

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

Electronic Submission #345456 verified by the BLM Well Information System  
For APACHE CORPORATION, sent to the Carlsbad  
Committed to AFMSS for processing by DEBORAH MCKINNEY on 08/24/2016 ( )

Name (Printed/Typed) DEREK W WEBB Title LANDMAN

Signature (Electronic Submission) Date 07/22/2016

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved By *Cody P. Lyster* Title *AW* FIELD MANAGER Date *09/01/16*

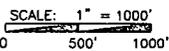
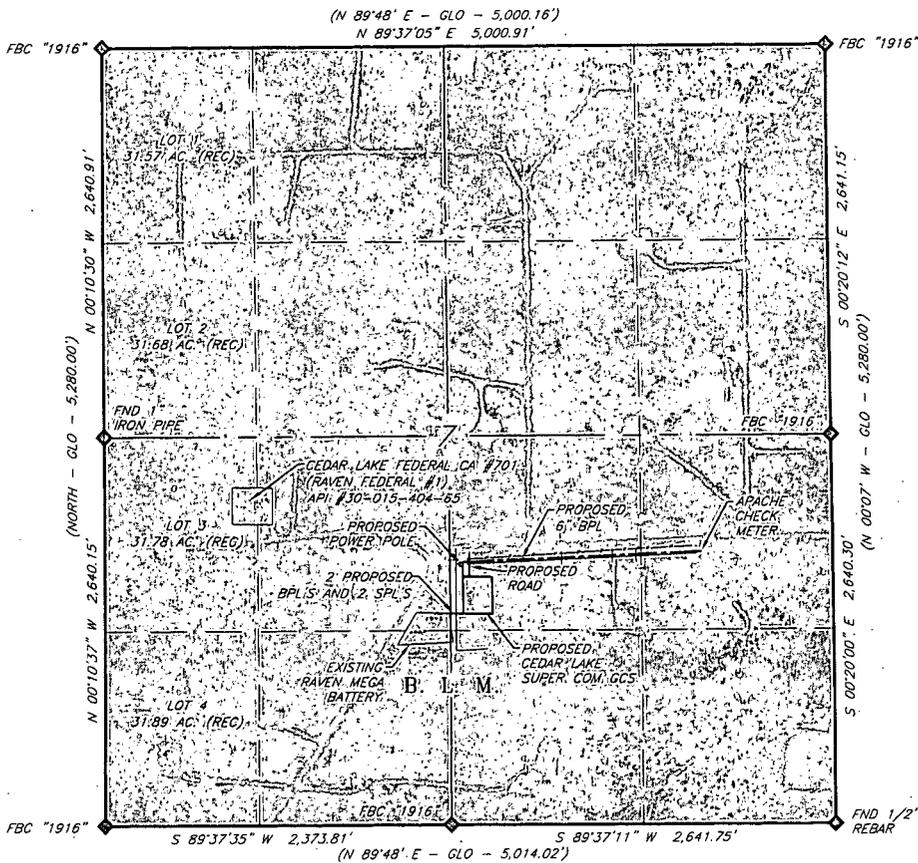
Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Office CARLSBAD FIELD OFFICE

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 \*\***

**APACHE CORPORATION**  
**OVERALL FOR THE CEDAR LAKE SUPER COM GCS**  
**SECTION 7, T17S, R31E**  
**N. M. P. M., EDDY CO., NEW MEXICO**



BEARINGS ARE GRID NAD 27  
 NM EAST  
 DISTANCES ARE HORIZ. GROUND.

**LEGEND**

- ( ) RECORD DATA - GLO
- ◆ FOUND MONUMENT AS NOTED
- PROPOSED AS ANNOTATED

Firm No.: TX 10193838 NM 4655451

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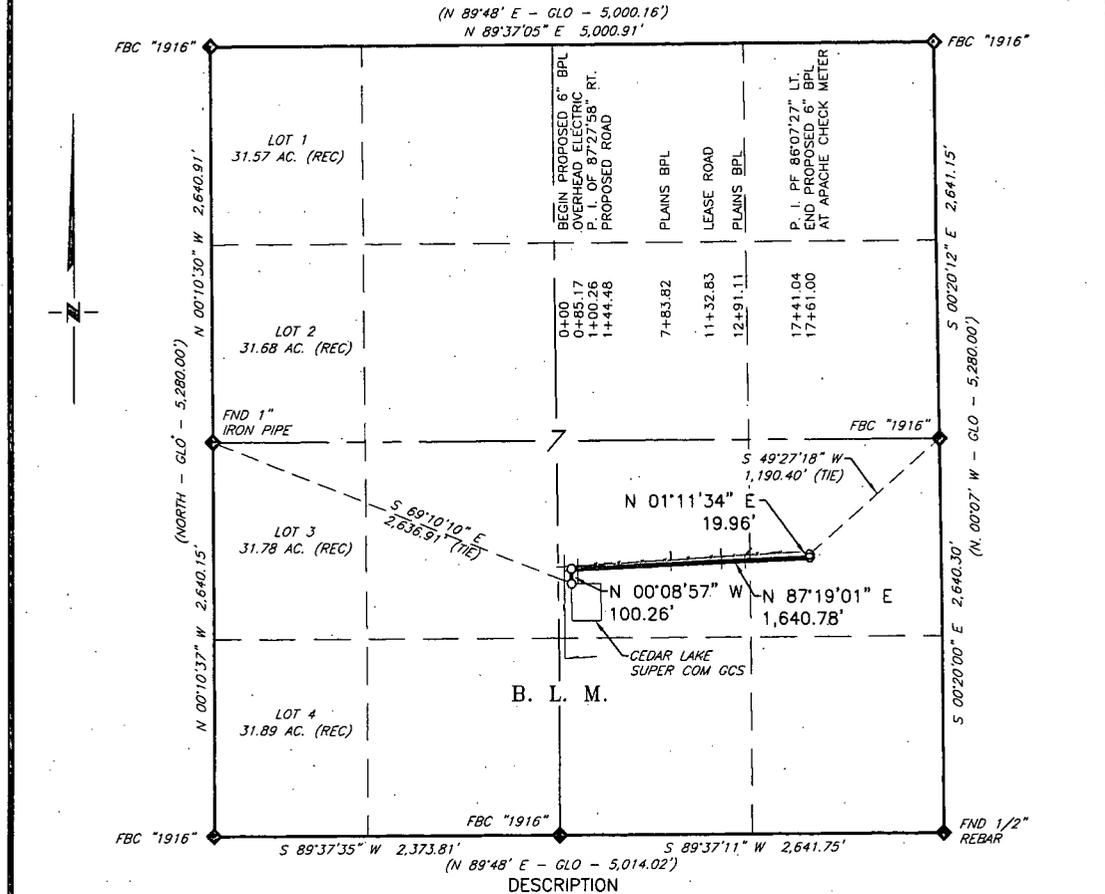
|                     |          |      |
|---------------------|----------|------|
| NO.                 | REVISION | DATE |
| JOB NO.: LS1606229  |          |      |
| DWG. NO.: 1606229OA |          |      |



308 W. BROADWAY ST., HOBBS, NM 88240 (575) 964-8200

|                    |
|--------------------|
| SCALE: 1" = 1000'  |
| DATE: 6-28-2016    |
| SURVEYED BY: BK/HD |
| DRAWN BY: CMJ      |
| APPROVED BY: RMH   |
| SHEET: 1 OF 1      |

**APACHE CORPORATION**  
**PROPOSED 6" STEEL BPL FROM THE CEDAR LAKE SUPER COM GCS**  
**TO AN EXISTING APACHE CHECK METER**  
**SECTION 7, T17S, R31E**  
**N. M. P. M., EDDY CO., NEW MEXICO**



A strip of land 30 feet wide, being 1,761.00 feet or 106.727 rods in length, lying in Section 7, Township 17 South, Range 31 East, N. M. P. M., Eddy County, New Mexico, being 15 feet left and 15 feet right of the following described survey of a centerline across the B. L. M. land:

BEGINNING at Engr. Sta. 0+00, a point in the Southeast quarter of Section 7, which bears, S 69°10'10" E, 2,636.91 feet, from a 1" iron pipe, found for the West quarter corner of Section 7;

Thence N 00°08'57" W, 100.26 feet, to Engr. Sta. 1+00.26, a P. I. of 87°27'58" right;

Thence N 87°19'01" E, 1,640.78 feet, to Engr. Sta. 17+41.04, a P. I. of 86°07'27" left;

Thence N 01°11'34" E, 19.96 feet, to Engr. Sta. 17+61.00, the End of Survey, a point in the Southeast quarter of Section 7, which bears, S 49°27'18" W, 1,190.40 feet, from a brass cap, marked "1916", found for the East quarter corner of Section 7.

Said strip of land contains 1.213 acres, more or less, and is allocated by forties as follows:

|                   |               |             |             |
|-------------------|---------------|-------------|-------------|
| SCALE: 1" = 1000' | NW 1/4 SE 1/4 | 80.583 Rods | 0.916 Acres |
| 0 500' 1000'      | NE 1/4 SE 1/4 | 26.144 Rods | 0.297 Acres |

BEARINGS ARE GRID NAD 27  
 NM EAST  
 DISTANCES ARE HORIZ. GROUND.

- LEGEND**
- ( ) RECORD DATA - GLO
  - ◆ FOUND MONUMENT AS NOTED
  - PROPOSED 6" BPL

I, R. M. Howett, a N. M. Professional Surveyor, hereby certify that I prepared this plat from an actual survey made on the ground under my direct supervision, said survey and plat meet the Min. Stds. for Land Surveying in the State of N. M. and are true and correct to the best of my knowledge and belief.

*Robert M. Howett*  
 Robert M. Howett NM PS 19680



Firm No.: TX 10193838 NM 4655451

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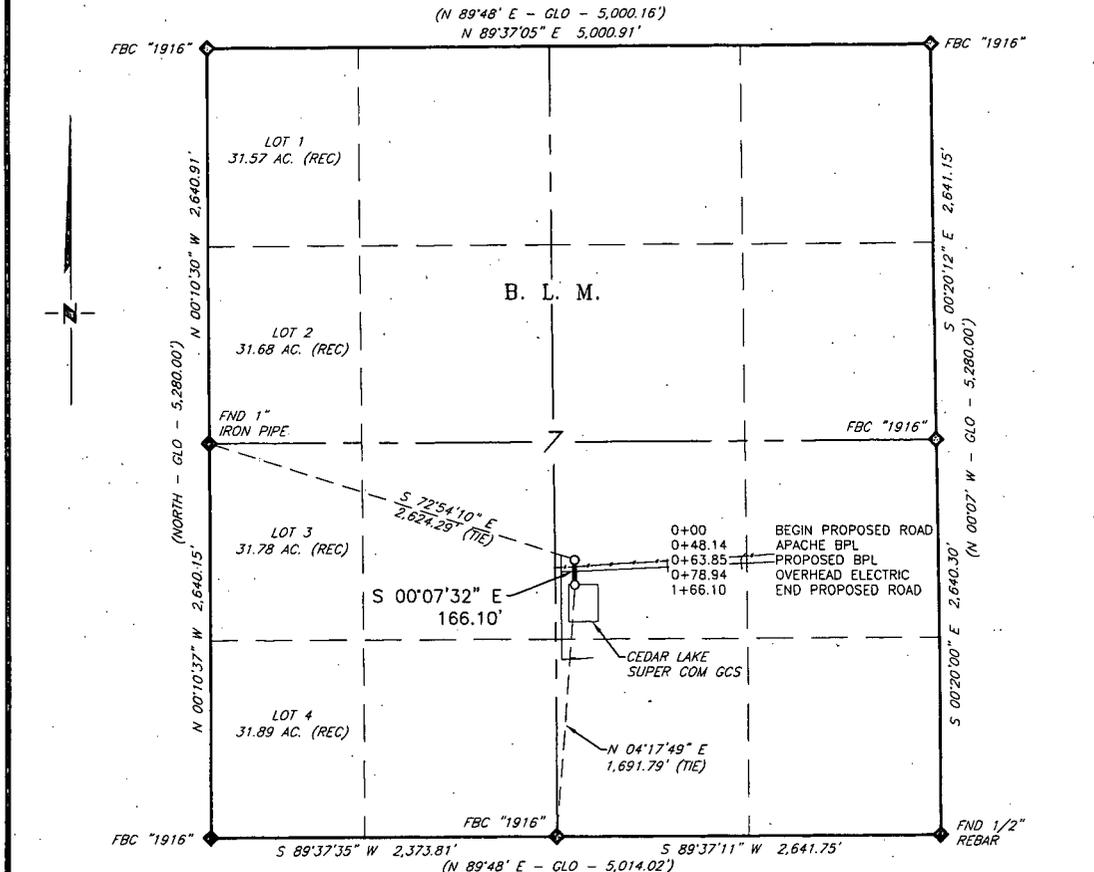
|           |           |      |
|-----------|-----------|------|
| NO.       | REVISION  | DATE |
| JOB NO.:  | LS1606229 |      |
| DWG. NO.: | 1606229PL |      |



308 W. BROADWAY ST., HOBBS, NM 88240 (575) 964-8200

|                    |
|--------------------|
| SCALE: 1" = 1000'  |
| DATE: 6-28-2016    |
| SURVEYED BY: BK/HD |
| DRAWN BY: CMJ      |
| APPROVED BY: RMH   |
| SHEET: 1 OF 1      |

**APACHE CORPORATION  
PROPOSED ACCESS ROAD  
FOR THE CEDAR LAKE SUPER COM GCS  
SECTION 7, T17S, R31E  
N. M. P. M., EDDY CO., NEW MEXICO**



**DESCRIPTION**

A strip of land 30 feet wide, being 166.10 feet or 10.067 rods in length, lying in Section 7, Township 17 South, Range 31 East, N. M. P. M., Eddy County, New Mexico, being 15 feet left and 15 feet right of the following described survey of a centerline across the B. L. M. land:

BEGINNING at Engr. Sta. 0+00, a point in the Southeast quarter of Section 7, which bears, S 72°54'10" E, 2,624.29 feet, from a 1" iron pipe, found for the West quarter corner of Section 7;

Thence S 00°07'32" E, 166.10 feet, to Engr. Sta. 1+66.10, the End of Survey, a point in the Southeast quarter of Section 7, which bears, N 04°17'49" E, 1,691.79 feet, from a brass cap, marked "1916", found for the South quarter corner of Section 7.

Said strip of land contains 0.114 acres, more or less, and is allocated by forties as follows:

NW 1/4 SE 1/4                      10.067 Rods                      0.114 Acres

SCALE: 1" = 1000'  
0                      500'                      1000'

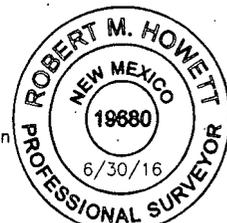
BEARINGS ARE GRID NAD 27  
NM EAST  
DISTANCES ARE HORIZ. GROUND.

**LEGEND**

- ( ) RECORD DATA - GLO
- ◆ FOUND MONUMENT AS NOTED
- PROPOSED ACCESS ROAD

I, R. M. Howett, a N. M. Professional Surveyor, hereby certify that I prepared this plat from an actual survey made on the ground under my direct supervision, said survey and plat meet the Min. Stds. for Land Surveying in the State of N. M. and are true and correct to the best of my knowledge and belief.

*Robert M. Howett*  
Robert M. Howett                      NM PS 19680



Firm No.: TX 10193838 NM 4655451

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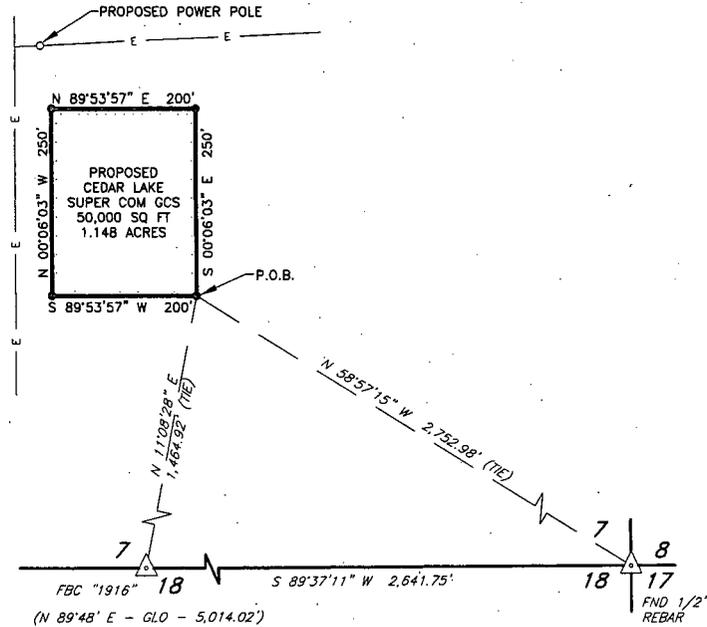
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|---------------------|----------|------|
| NO.                 | REVISION | DATE |
| JOB NO.: LS1606229  |          |      |
| DWG. NO.: 1606229RD |          |      |



308 W. BROADWAY ST., HOBBS, NM 88240 (575) 964-8200

|                    |
|--------------------|
| SCALE: 1" = 1000'  |
| DATE: 6-28-2016    |
| SURVEYED BY: BK/HD |
| DRAWN BY: CMJ      |
| APPROVED BY: RMH   |
| SHEET: 1 OF 1      |

**APACHE CORPORATION**  
**SURVEY OF THE PROPOSED CEDAR LAKE SUPER COM GCS**  
**SITUATED WITHIN THE NW 1/4, SE 1/4,**  
**SECTION 7, TOWNSHIP 17 SOUTH, RANGE 31 EAST,**  
**N. M. P. M., EDDY CO., NEW MEXICO**



NOTE: CENTER OF GAS COMPRESSOR STATION  
 IS LOCATED AT 1561' FSL & 2450' FEL.

- LEGEND**
- (-GLO-) Record Data
  - △ Found Corner As Noted
  - Set 1/2" rebar w/ orange cap "HOWETT 19680"
  - P.O.B. Point Of Beginning

SCALE: 1" = 200'

BEARINGS ARE NAD 27 GRID  
 NM EAST & DISTANCES ARE  
 HORIZ. GROUND.



I, Robert M. Howett, New Mexico Professional Surveyor No. 19680, do hereby certify that this survey plot and the actual survey on the ground upon which it is based was performed under my direct supervision and this survey meets the minimum standards for surveying in the State of New Mexico and is true and correct to the best of my knowledge and belief.

*Robert M. Howett*  
 Robert M. Howett  
 Date: 6/30/2016

Firm No.: TX 10193838 NM 4655451

**DESCRIPTION**

A tract of land situated within the Southeast quarter, of the Southeast quarter of Section 7, Township 17 South, Range 31 East, N. M. P. M., Eddy County, New Mexico, across B. L. M. land, and being more particularly described by metes and bounds as follows:

BEGINNING at a point, which bears N 11°08'28" E, 1,464.92 feet, from a brass cap, stamped "1916", found for the South quarter corner of Section 7 and being N 58°57'15" W, 2,752.98 feet from a 1/2" rebar, found for the Southeast corner of Section 7;

Thence S 89°53'57" W, 200 feet, to a set 1/2" rebar with an orange cap stamped "HOWETT 19680";

Thence N 00°06'03" W, 250 feet, to a set 1/2" rebar with an orange cap stamped "HOWETT 19680";

Thence N 89°53'57" E, 200 feet, to a set 1/2" rebar with an orange cap stamped "HOWETT PS 19680";

Thence S 00°06'03" E, 250 feet, to the Point Of Beginning.

Said tract of land contains 50,000.00 square feet or 1.148 acres, more or less.

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|            |  |            |  |                                      |  |                |  |
|------------|--|------------|--|--------------------------------------|--|----------------|--|
|            |  |            |  |                                      |  |                |  |
| <b>RRC</b> |  |            |  | SCALE: 1" = 200'                     |  |                |  |
|            |  |            |  | DATE: 6-28-2016                      |  |                |  |
|            |  |            |  | SURVEYED BY: BK/HD                   |  |                |  |
|            |  |            |  | DRAWN BY: CMJ                        |  |                |  |
|            |  |            |  | APPROVED BY: RMH                     |  |                |  |
|            |  |            |  | SHEET: 1 OF 1                        |  |                |  |
| NO.        |  | REVISION   |  | DATE                                 |  |                |  |
| JOB NO.:   |  | LS1606229  |  |                                      |  |                |  |
| DWG. NO.:  |  | 1606229PAD |  | 308 W. BROADWAY ST., HOBBS, NM 88240 |  | (575) 964-8200 |  |

BLM-Co 1463 Nationwide: NMB000736

Construction to be commenced as soon as possible to construct a gas compressor station near the Raven Federal Mega Battery for the compression and sale of federal gas to a high pressure sales point owned and operated by DCP

Plans are set on a mid-August approval date and the station should take between 8-10 weeks for construction and implementation.

The site will include two (2) CAT 3516 Gas Compressors with associated meters, tanks, vessels, and piping. There will also be an electrical line (shown on plat), road access (shown on plat), and four (4) lines running from the compressor station to the Raven Federal Mega Battery. These lines will include one (1) four inch (4") surface laid poly line to service the compressor skid drains (oil/water mixture)(operating under 120 psi), one (1) four inch (4") surface laid poly line to service the interstage compressor dumps (oil/water mixture)(operating under 120 psi), one (1) eight inch (8") buried steel line to move gas from the Raven Battery to the compressor station inlet (gas)(operating under 120 psi), and one (1) eight inch (8") buried steel line to move gas from the compressor station to the Raven Battery flare system (gas)(operating under 120 psi).

This site will also include one (1) six inch (6") buried high pressure line (600 psi) from the compressor station to the DCP operated manifold located in section 7 NESW. There will be an Apache owned gas sales meter located at the DCP connection point; this meter will be six inches (6") in diameter by twenty feet (20') long, and will connect with DCP's meter at the tie-in point.

Attached plats show routes along existing roads and dimensions of the pad.

This is a sundry to the Cedar Lake Modified Com Agreement NM134086, not the Raven Federal #1. The CA number would not autofill and the Raven Federal #1 was the nearest well site.

Top soil will be seeded in place, as requested by Jeff Robertson.

The existing hard pack hydro carbon from an unknown source will be tilled with a high speed tiller and soil will be used on site.

An as-built subsequent report showing the diagrams and facility layout will be presented once construction is complete.

Apache is aware of a third party line crossing the proposed compressor station pad approximately sixty feet (60') south of the north line of the pad belonging to Linn Energy. Apache has been in contact with Linn and an agreement is in place for handling of the line.

## Exhibit A

### 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 or dune 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 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 shall 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.
- b. This authorization is subject to your Certificate of Participation and/or Certificate of Inclusion under the New Mexico Candidate Conservation Agreement. Because it involves surface disturbing activities covered under your Certificate, your Habitat Conservation Fund Account with the Center of Excellence for Hazardous Materials Management (CEHMM) will be debited according to Exhibit B Part 2 of the Certificate of Participation.

Company Reference: Apache  
Well No. & Name: Cedar Lake Federal CA #701 Compressor Station

## STANDARD STIPULATIONS FOR OVERHEAD ELECTRIC DISTRIBUTION LINES

**A copy of the grant 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 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. There will be no clearing or blading of the right-of-way unless otherwise agreed to in writing by the Authorized Officer.
5. Power lines shall be constructed and designed in accordance to standards outlined in "Suggested Practices for Avian Protection on Power lines: The State of the Art in 2006" Edison Electric Institute, APLIC, and the California Energy Commission 2006 . The holder shall assume the burden and expense of proving that pole designs not shown in the above publication deter raptor perching, roosting, and nesting. Such proof shall be provided by a raptor expert approved by the Authorized Officer. The BLM reserves the right to require modification or

additions to all powerline structures placed on this right-of-way, should they be necessary to ensure the safety of large perching birds. Such modifications and/or additions shall be made by the holder without liability or expense to the United States.

Raptor deterrence will consist of but not limited to the following: triangle perch discouragers shall be placed on each side of the cross arms and a nonconductive perching deterrence shall be placed on all vertical poles that extend past the cross arms.

6. 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 the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

7. The BLM serial number assigned to this authorization shall be posted in a permanent, conspicuous manner where the power line crosses roads and at all serviced facilities. Numbers will be at least two inches high and will be affixed to the pole nearest the road crossing and at the facilities served.

8. Upon cancellation, relinquishment, or expiration of this grant, the holder shall comply with those abandonment procedures as prescribed by the Authorized Officer.

9. All surface structures (poles, lines, transformers, etc.) shall be removed within 180 days of abandonment, relinquishment, or termination of use of the serviced facility or facilities or within 180 days of abandonment, relinquishment, cancellation, or expiration of this grant, whichever comes first. This will not apply where the power line extends service to an active, adjoining facility or facilities.

10. 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 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.

11. Special Stipulations:

- For reclamation remove poles, lines, transformer, etc. and dispose of properly.
- Fill in any holes from the poles removed.

**Timing Limitation Stipulation/Condition of Approval for Lesser Prairie-Chicken:**

Oil and gas activities including 3-D geophysical exploration, and drilling 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, geophysical exploration other than 3-D operations, 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. Additionally, no new drilling will be allowed within up to 200 meters of leks known at the time of permitting. Normal vehicle use on existing roads will not be restricted. Exhaust noise from pump jack engines must be muffled or otherwise controlled so as not to exceed 75 db measured at 30 ft. from the source of the noise.

This authorization is subject to your Certificate of Participation and/or Certificate of Inclusion under the New Mexico Candidate Conservation Agreement. Because it involves surface disturbing activities covered under your Certificate, your Habitat Conservation Fund Account with the Center of Excellence for Hazardous Materials Management (CEHMM) will be debited according to Exhibit B Part 2 of the Certificate of Participation.

**BLM LEASE NUMBER:**NMLC029435

**COMPANY NAME:** Apache

**ASSOCIATED WELL NAME:** Cedar Lake Federal CA #701 Compressor Station

### BURIED PIPELINE STIPULATIONS

A copy of the application (Grant, APD, or Sundry Notice) and attachments, including conditions of approval, 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 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. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any oil 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 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 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.

5. All construction and maintenance activity will be confined to the authorized right-of-way.
6. The pipeline will be buried with a minimum cover of 36 inches between the top of the pipe and ground level.
7. The maximum allowable disturbance for construction in this right-of-way will be 30 feet:
  - Blading of vegetation within the right-of-way will be allowed: maximum width of blading operations will not exceed 20 feet. The trench is included in this area. (*Blading is defined as the complete removal of brush and ground vegetation.*)
  - Clearing of brush species within the right-of-way will be allowed: maximum width of clearing operations will not exceed 30 feet. The trench and bladed area are included in this area. (*Clearing is defined as the removal of brush while leaving ground vegetation (grasses, weeds, etc.) intact. Clearing is best accomplished by holding the blade 4 to 6 inches above the ground surface.*)
  - The remaining area of the right-of-way (if any) shall only be disturbed by compressing the vegetation. (*Compressing can be caused by vehicle tires, placement of equipment, etc.*)
8. The holder shall stockpile an adequate amount of topsoil where blading is allowed. The topsoil to be stripped is approximately 6 inches in depth. The topsoil will be segregated from other spoil piles from trench construction. The topsoil will be evenly distributed over the bladed area for the preparation of seeding.
9. 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.
10. Vegetation, soil, and rocks left as a result of construction or maintenance activity will be randomly scattered on this right-of-way and will not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. The entire right-of-way shall be recontoured to match the surrounding landscape. The backfilled soil shall be compacted and a 6 inch berm will be left over the ditch line to allow for settling back to grade.
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. The holder will reseed all disturbed areas. Seeding will be done according to the attached seeding requirements, using 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"/> seed mixture 2/LPC | <input type="checkbox"/> Aplomado Falcon Mixture |

13. 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 color which simulates "Standard Environmental Colors" – **Shale Green**, Munsell Soil Color No. 5Y 4/2.

14. 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. All signs and information thereon will be posted in a permanent, conspicuous manner, and will be maintained in a legible condition for the life of the pipeline.

15. 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 before maintenance begins. The holder will take whatever steps are necessary to ensure that the pipeline route is not used as a roadway. As determined necessary during the life of the pipeline, the Authorized Officer may ask the holder to construct temporary deterrence structures.

16. Any cultural and/or paleontological resources (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 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.

17. 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 associated roads, 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.

18. Escape Ramps - The operator will construct and maintain pipeline/utility trenches [that are not otherwise fenced, screened, or netted] to prevent livestock, wildlife, and humans from becoming entrapped. At a minimum, the operator will construct and maintain escape ramps, ladders, or other methods of avian and terrestrial wildlife escape in the trenches according to the following criteria:

- a. Any trench left open for eight (8) hours or less is not required to have escape ramps; however, before the trench is backfilled, the contractor/operator shall inspect the trench for wildlife, remove all trapped wildlife, and release them at least 100 yards from the trench.
- b. For trenches left open for eight (8) hours or more, earthen escape ramps (built at no more than a 30 degree slope and spaced no more than 500 feet apart) shall be placed in the trench.

19. Special Stipulations:

**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, geophysical exploration

other than 3-D operations, 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. Exhaust noise from pump jack engines must be muffled or otherwise controlled so as not to exceed 75 db measured at 30 ft. from the source of the noise.

This authorization is subject to your Certificate of Participation and/or Certificate of Inclusion under the New Mexico Candidate Conservation Agreement. Because it involves surface disturbing activities covered under your Certificate, your Habitat Conservation Fund Account with the Center of Excellence for Hazardous Materials Management (CEHMM) will be debited according to Exhibit B Part 2 of the Certificate of Participation.

**Dunes Sagebrush Lizard trenching Monitor Stipulation**

- Pre-construction contact with a BLM wildlife biologist is required 5 days prior to any ground disturbing activities associated with the project occurs.
- Successful completion of the BLM Trench Stipulation Workshop is required for a non-agency person to be approved as a monitor.
- Any trench left open for (8) hours or less is not required to have escape ramps; however, before the trench is backfilled, an agency approved monitor shall walk the entire length of the open trench and remove all trapped vertebrates. The bottom surface of the trench will be disturbed a minimum of 2 inches in order to arouse any buried vertebrates. All vertebrates will be released a minimum of 100 yards from the trench.
- For trenches left open for eight (8) hours or more the following requirements apply:
  - Earthen escape ramps and/or structures (built at no more than a 30 degree slope and spaced no more than 500 feet apart) shall be placed in the trench. Metal structures will not be authorized. Options will be discussed in detail at the required Trench Stipulation Workshop.
  - One approved monitor shall be required to survey up to three miles of trench between the hours of 11 AM-2 PM. A daily report (consolidate if there is more than one monitor) on the vertebrates found and removed from the trench shall be provided to the BLM (email/fax is acceptable) the following morning.
  - Prior to backfilling of the trench all structures used as escape ramps will be removed and the bottom surface of the trench will be disturbed a minimum of 2 inches in order to arouse any buried vertebrates. All vertebrates will be released a minimum of 100 yards from the trench.
- This stipulation shall apply to the entire length of the project in the DSL habitat polygon regardless of land ownership or CCA/CCAA enrollment status.

- A project closeout will be required within three business days of the completion of the project.