

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

1. Type of Well <input type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input checked="" type="checkbox"/> Other: UNKNOWN OTH		5. Lease Serial No. NMNM042626
2. Name of Operator DEVON ENERGY PRODUCTION CO. LP. Contact: BRAD OATES Email: brad.oates@devon.com		6. If Indian, Allottee or Tribe Name
3a. Address 6488 7 RIVERS HWY. ARTESIA, NM 88210	3b. Phone No. (include area code) Ph: 575-748-1810	7. If Unit or CA/Agreement, Name and/or No.
4. Location of Well (Footage, Sec., T., R., M., or Survey Description) Sec 2 T25S R31E 2615FSL 1160FEL		8. Well Name and No. COTTON DRAW UNIT 84 SWD
		9. API Well No. 30-015-29728
		10. Field and Pool, or Exploratory COTTON DRAW
		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
	<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 recompleat 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 recompleat 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.)

Devon requests to construct three 4" SDR poly produced surface waterlines from the Trionyx Treated Water Frac Pond to the Cotton Draw Unit 84 SWD, crossing Sections 1 and 2 of Township 25 South, Range 31 East, Eddy County, New Mexico.

The spacing for these lines will be 30 feet wide by 3922.98 feet (237.76 rods), containing 2.702 acres

These lines will carry around 2000 bpd at 125 PSI

The expected start date is soon after the approval of this sundry, with an expected work time of one week.

NM OIL CONSERVATION
ARTESIA DISTRICT

JAN 03 2017

RECEIVED

14. I hereby certify that the foregoing is true and correct. Electronic Submission #349560 verified by the BLM Well Information System For DEVON ENERGY PRODUCTION CO. LP, sent to the Carlsbad Committed to AFMSS for processing by DEBORAH MCKINNEY on 08/31/2016 ()	
Name (Printed/Typed) BRAD OATES	Title FIELD LANDMAN
Signature (Electronic Submission)	Date 08/30/2016

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved By <u>Cody J. Lutz</u>	ACTING FIELD MANAGER	Date <u>12/21/16</u>
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 BLM 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 ****

Additional data for EC transaction #349560 that would not fit on the form

32. Additional remarks, continued

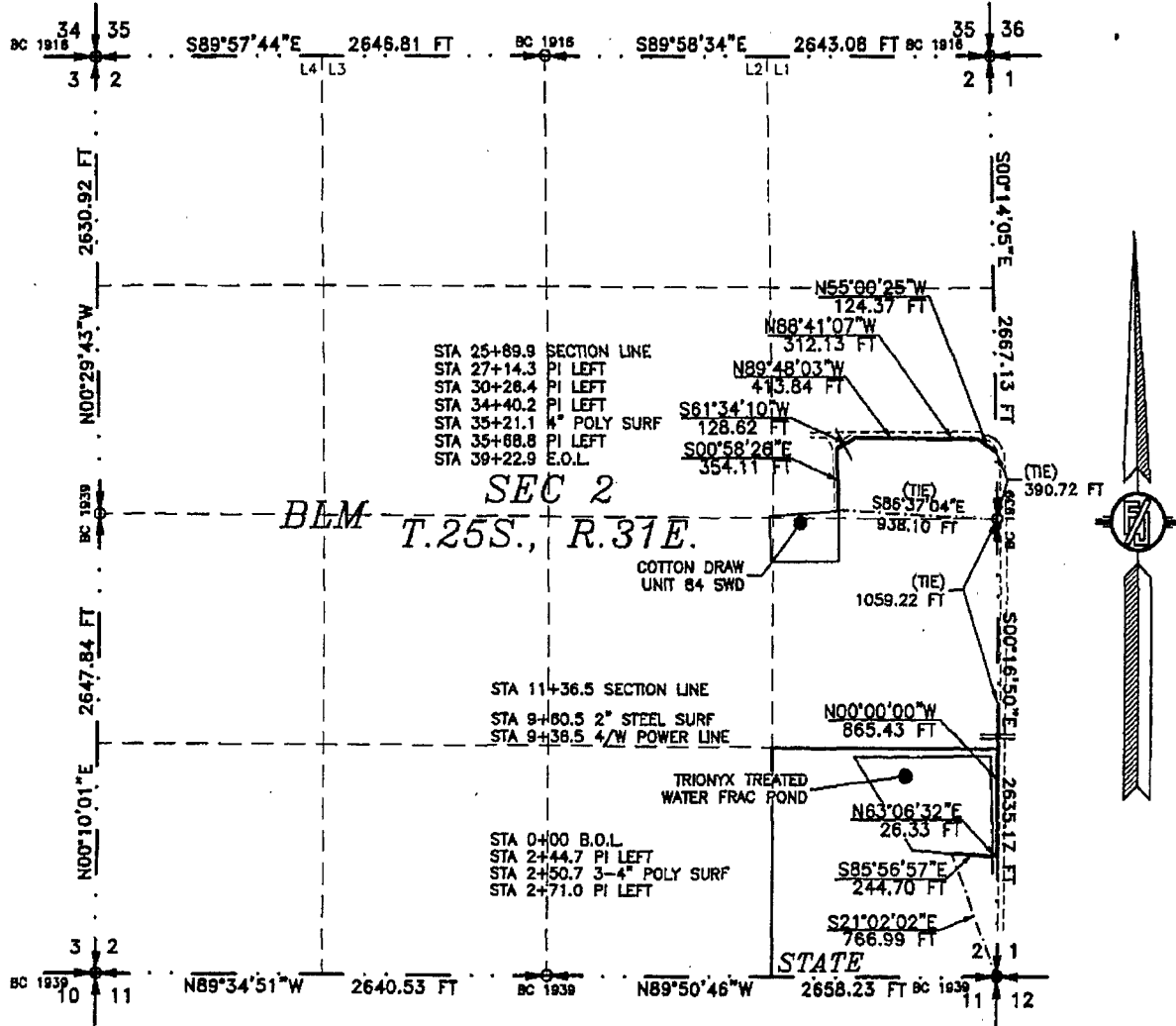
Please see the attached Survey No. 4759

Devon Bond No. CO-1104

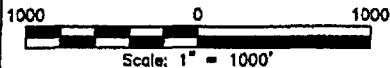
FLOWLINE PLAT (400679Z)

THREE-4" SDR 7 POLY PRODUCED WATERLINES FROM TRIONYX TREATED WATER FRAC POND
TO COTTON DRAW UNIT 84 SWD

DEVON ENERGY PRODUCTION COMPANY, L.P.
CENTERLINE SURVEY OF A PIPELINE CROSSING
SECTION 2, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M.
EDDY COUNTY, STATE OF NEW MEXICO
JUNE 14, 2016



SEE NEXT SHEET (2-6) FOR DESCRIPTION



GENERAL NOTES

- 1.) THE INTENT OF THIS ROUTE SURVEY IS TO ACQUIRE AN EASEMENT.
- 2.) BASIS OF BEARING IS NMSP EAST (NAD83) MODIFIED TO SURFACE COORDINATES, NAD 83 (FEET) AND NAVD 88 (FEET) COORDINATE SYSTEMS USED IN THE SURVEY.

SURVEYOR CERTIFICATE

I, FILMON F. JARAMILLO, A NEW MEXICO PROFESSIONAL SURVEYOR NO. 12797, HEREBY CERTIFY THAT I HAVE CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF NEW MEXICO.

IN WITNESS WHEREOF THIS CERTIFICATE IS EXECUTED AT CARLSBAD,
NEW MEXICO, THIS 15 DAY OF JUNE 2016

[Signature]
FILMON F. JARAMILLO, P.S. 12797
SURVEYOR

MADRON SURVEYING, INC.
301 SOUTH CANAL
CARLSBAD, NEW MEXICO 88220
Phone (575) 234-3341

SHEET: 1-6

MADRON SURVEYING, INC. 301 SOUTH CANAL CARLSBAD, NEW MEXICO

SURVEY NO. 4759

FLOWLINE PLAT (4006792)

THREE--4" SDR 7 POLY PRODUCED WATERLINES FROM TRIONYX TREATED WATER FRAC POND
TO COTTON DRAW UNIT B4 SWD

**DEVON ENERGY PRODUCTION COMPANY, L.P.
CENTERLINE SURVEY OF A PIPELINE CROSSING
SECTION 2, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M.
EDDY COUNTY, STATE OF NEW MEXICO
JUNE 14, 2016**

DESCRIPTION

A STRIP OF LAND 30 FEET WIDE CROSSING BUREAU OF LAND MANAGEMENT LAND AND STATE OF NEW MEXICO LAND IN SECTION 2, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, STATE OF NEW MEXICO AND BEING 15 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE SURVEY:

SEGMENT 1

BEGINNING AT A POINT WITHIN THE SE/4 SE/4 OF SAID SECTION 2, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M., WHENCE THE SOUTHEAST CORNER OF SAID SECTION 2, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS S21°02'02"E, A DISTANCE OF 766.99 FEET;
THENCE S85°56'57"E A DISTANCE OF 244.70 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;
THENCE N63°06'32"E A DISTANCE OF 26.33 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;
THENCE N00°00'00"W A DISTANCE OF 865.43 FEET THE TERMINUS OF THIS CENTERLINE SURVEY, WHENCE THE EAST QUARTER CORNER OF SAID SECTION 2, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS N00°16'50"W, A DISTANCE OF 1059.22 FEET;

SAID STRIP OF LAND BEING 1136.46 FEET OR 68.88 RODS IN LENGTH, CONTAINING 0.783 ACRES MORE OR LESS AND BEING ALLOCATED BY FORTIES AS FOLLOWS:

SE/4 SE/4	878.10 L.F.	53.22 RODS	0.605 ACRES	STATE
NE/4 SE/4	258.36 L.F.	15.66 RODS	0.178 ACRES	BLM

SEGMENT 2

BEGINNING AT A POINT WITHIN THE SE/4 NE/4 OF SAID SECTION 2, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M., WHENCE THE EAST QUARTER CORNER OF SAID SECTION 2, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS S00°14'05"E, A DISTANCE OF 390.72 FEET;
THENCE N55°00'25"W A DISTANCE OF 124.37 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;
THENCE N88°41'07"W A DISTANCE OF 312.13 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;
THENCE N89°48'03"W A DISTANCE OF 413.84 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;
THENCE S61°34'10"W A DISTANCE OF 128.62 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;
THENCE S00°58'26"E A DISTANCE OF 354.11 FEET THE TERMINUS OF THIS CENTERLINE SURVEY, WHENCE THE EAST QUARTER CORNER OF SAID SECTION 2, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS S86°37'04"E, A DISTANCE OF 938.10 FEET;

SAID STRIP OF LAND BEING 1333.07 FEET OR 80.79 RODS IN LENGTH, CONTAINING 0.918 ACRES MORE OR LESS AND BEING ALLOCATED BY FORTIES AS FOLLOWS:

SE/4 NE/4	1333.07 L.F.	80.79 RODS	0.918 ACRES	BLM
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SURVEYOR CERTIFICATE

I, FILMON F. JARAMILLO, A NEW MEXICO PROFESSIONAL SURVEYOR NO. 12797, HEREBY CERTIFY THAT I HAVE CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF NEW MEXICO.

IN WITNESS WHEREOF, THIS CERTIFICATE IS EXECUTED AT CARLSBAD,
NEW MEXICO, THIS 14 DAY OF JUNE 2016

GENERAL NOTES

- 1.) THE INTENT OF THIS ROUTE SURVEY IS TO ACQUIRE AN EASEMENT.
- 2.) BASIS OF BEARING IS NMSP EAST MODIFIED TO SURFACE COORDINATES.

SHEET: 2-6

MADRON SURVEYING, INC.

301 SOUTH CANAL
(575) 234-3341

MADRON SURVEYING, INC.
301 SOUTH CANAL
CARLSBAD, NEW MEXICO 88220
Phone (575) 234-3341

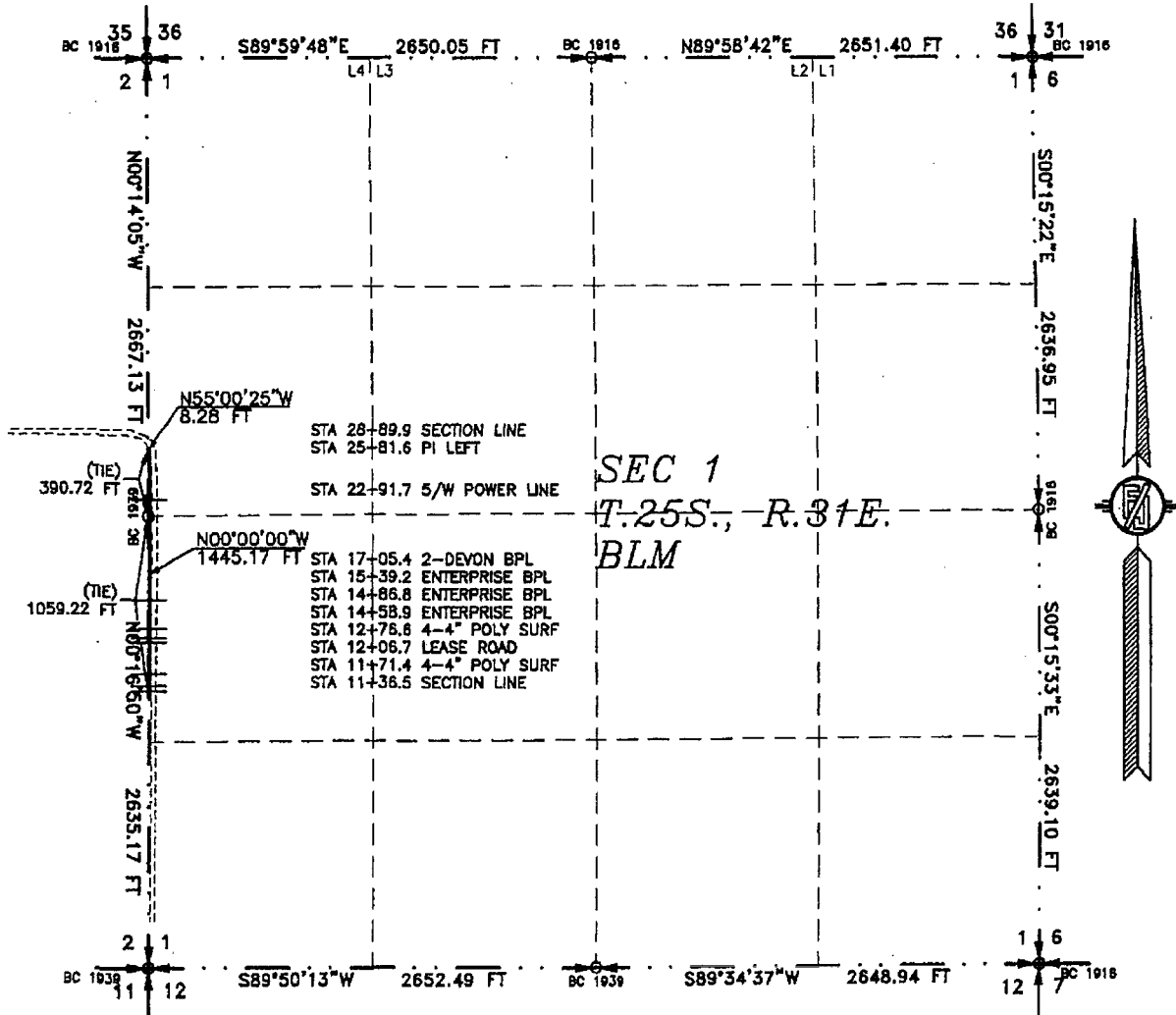
SURVEY NO. 4759

CARLSBAD, NEW MEXICO

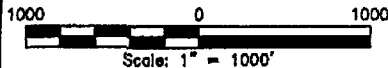
FLOWLINE PLAT (400679Z)

THREE-4" SDR 7 POLY PRODUCED WATERLINES FROM TRIONYX TREATED WATER FRAC POND
TO COTTON DRAW UNIT 84 SWD

DEVON ENERGY PRODUCTION COMPANY, L.P.
CENTERLINE SURVEY OF A PIPELINE CROSSING
SECTION 1, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M.
EDDY COUNTY, STATE OF NEW MEXICO
JUNE 14, 2016



SEE NEXT SHEET (4-6) FOR DESCRIPTION



GENERAL NOTES

- 1.) THE INTENT OF THIS ROUTE SURVEY IS TO ACQUIRE AN EASEMENT.
- 2.) BASIS OF BEARING IS NMSP EAST (NAD83) MODIFIED TO SURFACE COORDINATES, NAD 83 (FEET) AND NAVD 88 (FEET) COORDINATE SYSTEMS USED IN THE SURVEY.

SURVEYOR CERTIFICATE

I, FILMON F. JARAMILLO, A NEW MEXICO PROFESSIONAL SURVEYOR NO. 12797, HEREBY CERTIFY THAT I HAVE CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF NEW MEXICO.

IN WITNESS WHEREOF, THIS CERTIFICATE IS EXECUTED AT CARLSBAD, NEW MEXICO, THIS 14 DAY OF JUNE 2016

FILMON F. JARAMILLO, P.S. 12797

MADRON SURVEYING, INC.
301 SOUTH CANAL
CARLSBAD, NEW MEXICO 88220
Phone (575) 234-3341

SHEET: 3-6

MADRON SURVEYING, INC. 301 SOUTH CANAL (575) 234-3341 CARLSBAD, NEW MEXICO

SURVEY NO. 4759

FLOWLINE PLAT (400679Z)

THREE-4" SDR 7 POLY PRODUCED WATERLINES FROM TRIONYX TREATED WATER FRAC POND
TO COTTON DRAW UNIT 84 SWD

**DEVON ENERGY PRODUCTION COMPANY, L.P.
CENTERLINE SURVEY OF A PIPELINE CROSSING
SECTION 1, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M.
EDDY COUNTY, STATE OF NEW MEXICO
JUNE 14, 2016**

DESCRIPTION

A STRIP OF LAND 30 FEET WIDE CROSSING BUREAU OF LAND MANAGEMENT LAND IN SECTION 1, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, STATE OF NEW MEXICO AND BEING 15 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE SURVEY:

BEGINNING AT A POINT WITHIN THE NW/4 SW/4 OF SAID SECTION 1, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M., WHENCE THE WEST QUARTER CORNER OF SAID SECTION 1, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS N00°16'50"W, A DISTANCE OF 1059.22 FEET;
THENCE N00°00'00"W A DISTANCE OF 1445.17 FEET TO AN ANGLE POINT OF THE LINE HEREIN DESCRIBED;
THENCE N55°00'25"W A DISTANCE OF 8.28 FEET THE TERMINUS OF THIS CENTERLINE SURVEY, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 1, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M. BEARS S00°14'05"E, A DISTANCE OF 390.72 FEET;

SAID STRIP OF LAND BEING 1453.45 FEET OR 88.09 RODS IN LENGTH, CONTAINING 1.001 ACRES MORE OR LESS AND BEING ALLOCATED BY FORTIES AS FOLLOWS:

NW/4 SW/4	1059.23 L.F.	64.20 RODS	0.730 ACRES
SW/4 NW/4	394.22 L.F.	23.89 RODS	0.271 ACRES

SURVEYOR CERTIFICATE

I, FILMON F. JARAMILLO, A NEW MEXICO PROFESSIONAL SURVEYOR NO. 12797, HEREBY CERTIFY THAT I HAVE CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF NEW MEXICO.

IN WITNESS WHEREOF, THIS CERTIFICATE IS EXECUTED AT CARLSBAD,
NEW MEXICO, THIS 15 DAY OF JUNE 2016

[Signature]
FILMON F. JARAMILLO, S.D. 12797
301 SOUTH CANAL
(575) 234-3341

MADRON SURVEYING, INC.
301 SOUTH CANAL
CARLSBAD, NEW MEXICO 88220
Phone (575) 234-3341

GENERAL NOTES

1.) THE INTENT OF THIS ROUTE SURVEY IS TO ACQUIRE AN EASEMENT.

2.) BASIS OF BEARING IS NMSP EAST MODIFIED TO SURFACE COORDINATES.

SHEET: 4-6

MADRON SURVEYING, INC. 301 SOUTH CANAL CARLSBAD, NEW MEXICO
(575) 234-3341

SURVEY NO. 4759

FLOWLINE PLAT (400679Z)

THREE-4" SDR 7 POLY PRODUCED WATERLINES FROM TRIONYX TREATED WATER FRAC POND
TO COTTON DRAW UNIT 84 SWD

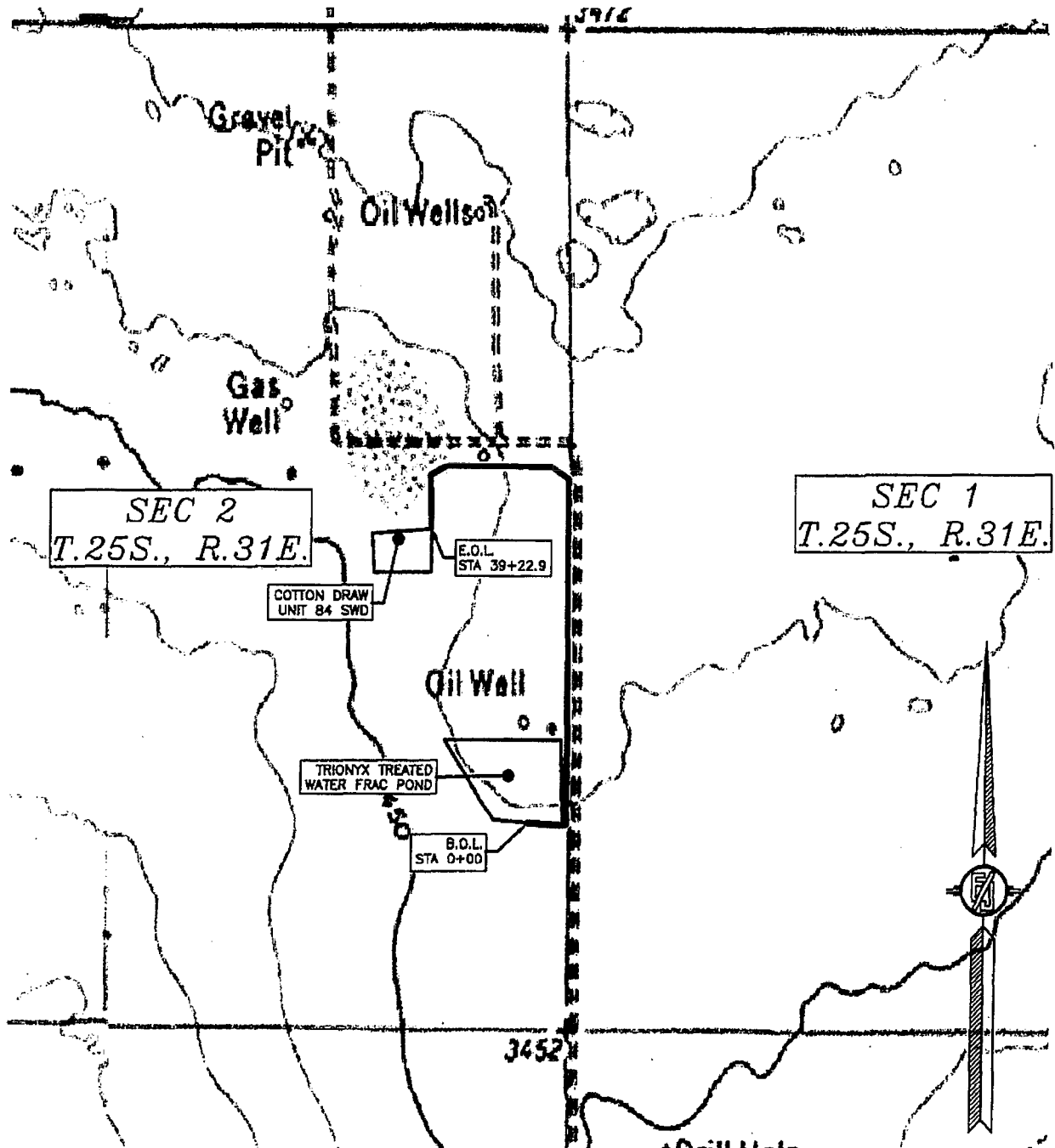
DEVON ENERGY PRODUCTION COMPANY, L.P.

CENTERLINE SURVEY OF A PIPELINE CROSSING

SECTIONS 2 & 1, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M.

EDDY COUNTY, STATE OF NEW MEXICO

JUNE 14, 2016



SHEET: 5-6

MADRON SURVEYING, INC.

301 SOUTH CANAL
(575) 234-3341

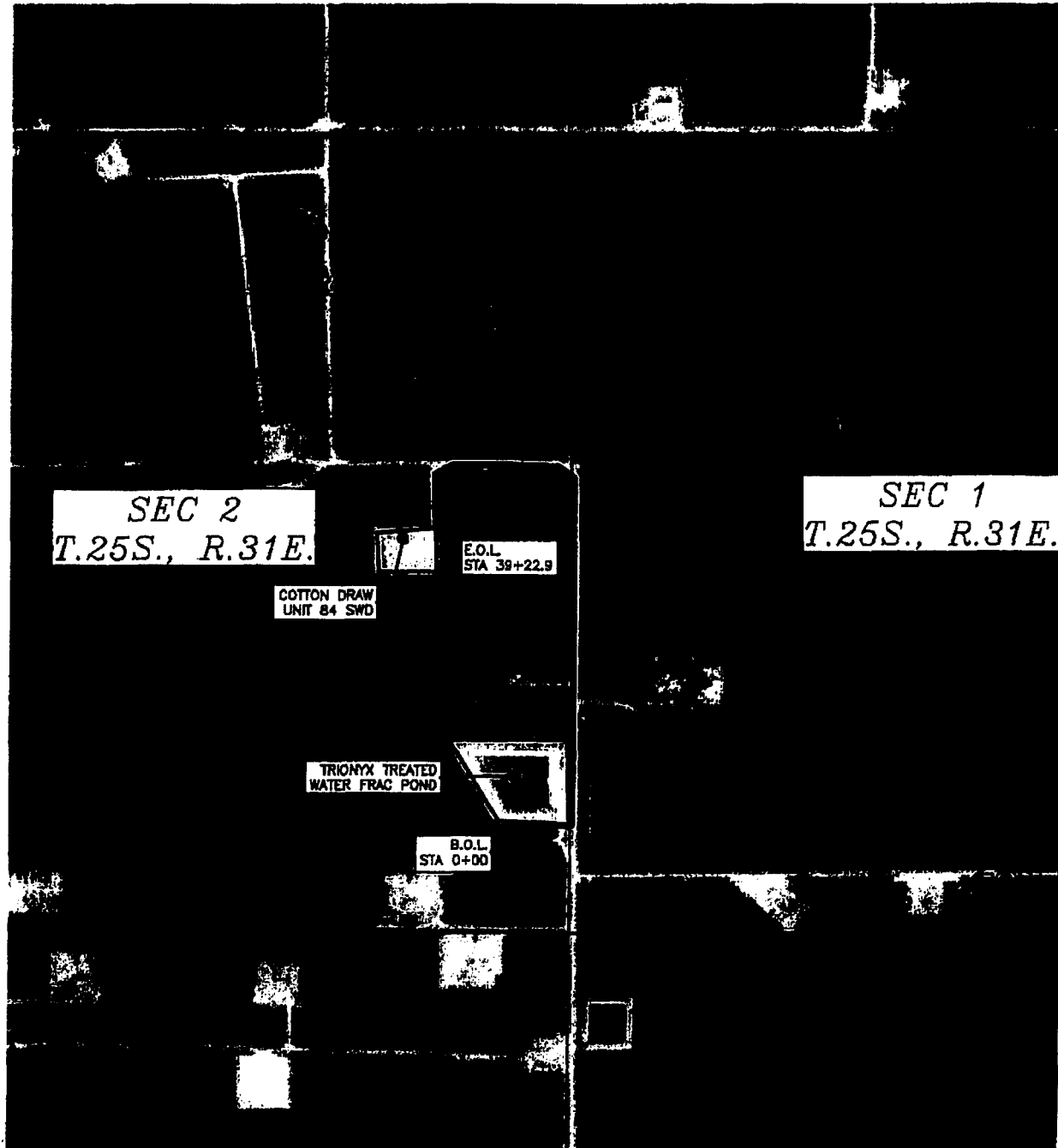
CARLSBAD, NEW MEXICO

SURVEY NO. 4759

FLOWLINE PLAT (400679Z)

THREE-4" SDR 7 POLY PRODUCED WATERLINES FROM TRIONYX TREATED WATER FRAC POND
TO COTTON DRAW UNIT 84 SWD

DEVON ENERGY PRODUCTION COMPANY, L.P.
CENTERLINE SURVEY OF A PIPELINE CROSSING
SECTIONS 2 & 1, TOWNSHIP 25 SOUTH, RANGE 31 EAST, N.M.P.M.
EDDY COUNTY, STATE OF NEW MEXICO
JUNE 14, 2016



SHEET: 6-6

MADRON SURVEYING, INC. 301 SOUTH CANAL (575) 234-3341

SURVEY NO. 4759

CARLSBAD, NEW MEXICO

Devon Energy Production Company, L.P.
Lease No. NMNM000503
Trionyx Treated Water Frac Pond to
Cotton Draw Unit 84 SWD Water Line
Sundry

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.

Livestock Watering Requirement

The proposed project would cross over the Tex-Greenwood Livestock Water Pipeline. The livestock water pipeline and water trough located to the northwest will be avoided by the proposed project.

The operator must contact the allotment holder prior to construction to identify the location of the pipeline. The operator must take measures to protect the pipeline from compression or other damages. If the pipeline is damaged or compromised in any way near the proposed project as a result of oil and gas activity, the operator is responsible for repairing the pipeline immediately. The operator must notify the BLM office (575-234-5972) and the private surface landowner or the grazing allotment holder if any damage occurs to structures that provide water to livestock.

During construction, the proponent shall minimize disturbance to existing fences, water lines, troughs, windmills, and other improvements on public lands. The proponent 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 grazing permittee/allottee prior to disturbing any range improvement

projects. 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.

All surface pipelines will not be placed on top of bushes or trees.