

OCD Hobbs

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

HOBBSOCD

FORM APPROVED OMB NO. 1004-0135 Expires: July 31, 2010

SUNDRY NOTICES AND REPORTS ON WELLS JAN 20 2015 Do not use this form for proposals to drill or to re-enter an abandoned well. Use form 3160-3 (APD) for such proposals.

Lease-Serial-No. NMLC068281B

SUBMIT IN TRIPLICATE - Other instructions on reverse side. RECEIVED

1. Type of Well: Oil Well, Gas Well, Other: UNKNOWN OTH
2. Name of Operator: CONOCOPHILLIPS COMPANY Contact: KRISTINA MICKENS
3a. Address: 600 N DAIRY ASHFORD P10-03-3087 HOUSTON, TX 77079
3b. Phone No. (include area code) Ph: 281-206-5282
4. Location of Well (Footage, Sec., T., R., M., or Survey Description) Sec 17 T26S R32E
8. Well Name and No. RED HILLS COMMUNICATION TOWER -BU Back 17 Federal # 2 H
9. API Well No. 30-025-40401
10. Field and Pool, or Exploratory JENNINGS
11. County or Parish, and State LEA COUNTY, NM

12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

Table with 2 main columns: TYPE OF SUBMISSION and TYPE OF ACTION. Includes checkboxes for Notice of Intent, Subsequent Report, Final Abandonment Notice, Acidize, Deepen, Production (Start/Resume), Water Shut-Off, etc.

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.)

ConocoPhillips respectfully request approval to construct and utilize a 180' Above Ground Level (AGL) Self-Support communication tower in a 50 foot by 50 foot compound, located in Section 17, Township 26 South, and Range 32 East in Lea County, NM. The tower will allow production and pressure data to be received by a central receiver point from all existing and new ConocoPhillips operated wells and be collected and sent to our internal production system. In addition, the tower will provide ConocoPhillips personnel with business data connectivity for assisting in exploration and production efforts.

Road: Approximately 66.37' of new access road will be needed to access the communications tower.

Power:

14. I hereby certify that the foregoing is true and correct. Electronic Submission #260198 verified by the BLM Well Information System For CONOCOPHILLIPS COMPANY, sent to the Hobbs. Name (Printed/Typed) KRISTINA MICKENS Title SR. REGULATORY SPECIALIST Signature (Electronic Submission) Date 09/03/2014

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved By: [Signature] Title: FIELD MANAGER Date: 1/12/15 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 **

Accepted for Record Only MAB/OCD 1/21/2015

JAN 21 2015

Additional data for EC transaction #260198 that would not fit on the form

32. Additional remarks, continued

Approximately 318.55' of overhead power will be installed parallel to the roads.

PREPARED FOR:

ConocoPhillips

SURVEY OF A
**COMMUNICATION
 TOWER EASEMENT**
 AND
ACCESS EASEMENT
 WITHIN LANDS NOW OR FORMERLY OWNED BY
THE BUREAU OF LAND MANAGEMENT
 WITHIN SECTION 17, T-26-S, R-32-E, N.M.P.M.,
 LEA COUNTY, NEW MEXICO
 SHEET 2 OF 2

COMMUNICATION TOWER EASEMENT DESCRIPTION

A 50' x 50' square, Communication Tower Easement within Southeast Quarter of Section 17, Township 26 South, Range 32 East of the New Mexico Principal Meridian, Lea County, New Mexico and being more particularly described as follows:

COMMENCING at the Southeast Corner of Section 16 of said Township and Range; THENCE, North 88°20'17" West for 5325.94 feet to the Southeast Corner of said Section 17; THENCE, North 77°17'59" West for 2435.13 feet to the Point of Beginning for this Communication Tower Easement Description:

THENCE, North 71°03'46" West for 50.00 feet;
 THENCE, South 18°56'14" West for 50.00 feet;
 THENCE, South 71°03'46" East for 50.00 feet;
 THENCE, North 18°56'14" East for 50.00 feet to the Point of Termination for this Communication Tower Easement Description.

The above described Easement is 2500 square feet or 0.057 Acres, more or less.

TOGETHER WITH

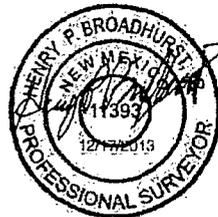
CENTERLINE OF ACCESS EASEMENT DESCRIPTION

Centerline of an Access Easement crossing Section 17, Township 26 south, Range 32 East of the New Mexico Principal Meridian, Lea County, New Mexico and being more particularly described as follows:

COMMENCING at the Southeast Corner of Section 16 of said Township and Range; THENCE, North 88°20'17" West for 5325.94 feet to the Southeast Corner of said Section 17; THENCE, North 75°38'52" West for 2453.45 feet to the Point of Beginning for this Centerline Description:

THENCE, South 19°02'23" West for 68.37 feet to the Point of Termination for this Centerline Description.

The above described Centerline is 68.37 feet or 4.14 Rods in length.



HENRY P. BROADHURST, JR.
 NM PLS #11393

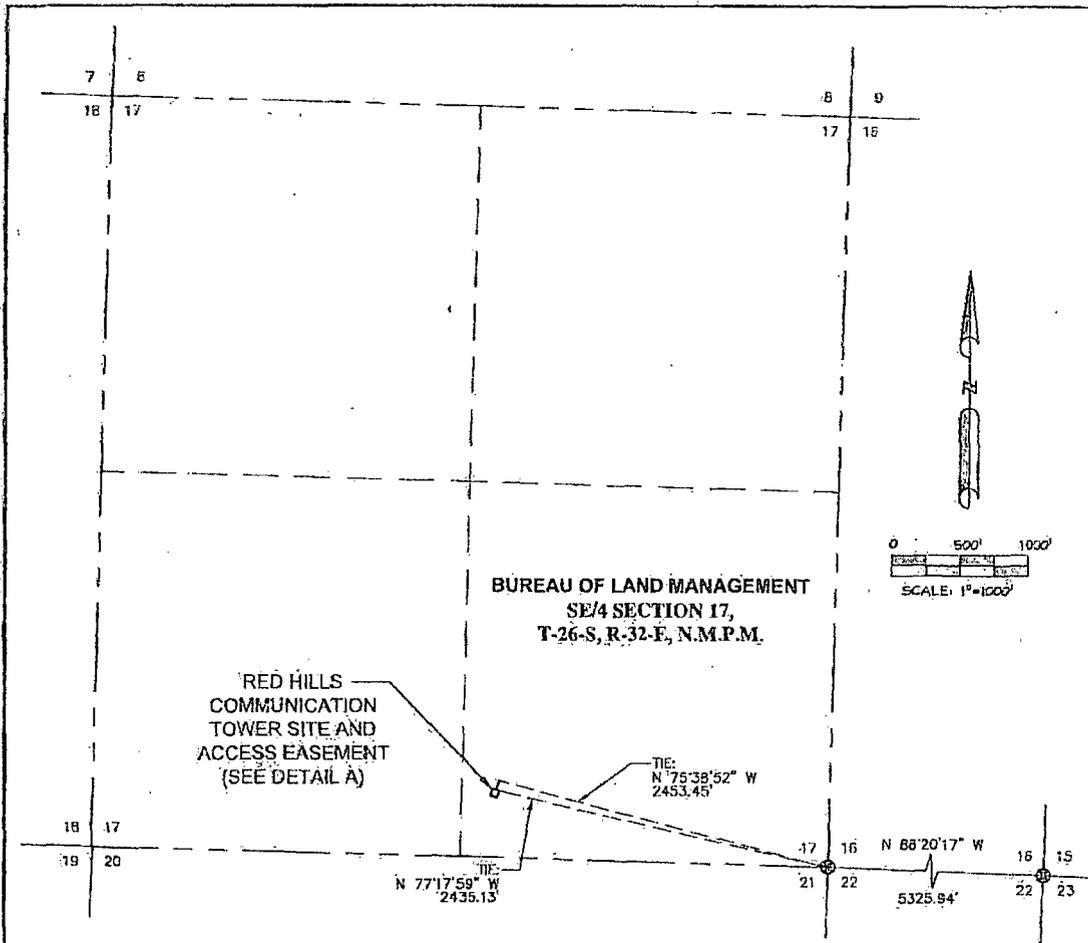
DATE

I, HENRY P. BROADHURST, JR., A DULY LICENSED LAND SURVEYOR IN THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THE EASEMENT(S) SHOWN ON THIS PLAT WAS PLOTTED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY ME OR UNDER MY SUPERVISION, AND THAT THE SAME IS TRUE AND CORRECT TO THE BEST OF MY BELIEF.

PREPARED BY:

CCI
 CHENAULT CONSULTING INC.
 4800 COLLEGE BLVD #105
 FARMINGTON, NM 87402
 (505) 325-7707
 TEXAS FIRM REG. #10193944

DRAWING: RED HILLS TOWER	
SCALE: N/A	REV. 1 12/16/2013
DRAFTED BY: GRR	CHECKED BY: HB
SHEET: 2 of 2	



PREPARED FOR:

- NOTES**
- 1) BEARINGS SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83. DISTANCES SHOWN ARE GROUND DISTANCES.
 - 2) DATE OF FIELD SURVEY: DECEMBER, 2013.
 - 3) THIS EXHIBIT IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE USED AS SUCH.
 - 4) THIS EXHIBIT MAY NOT SHOW ALL EXISTING EASEMENTS AND UTILITIES.
 - 5) CALL THE NEW MEXICO 811 SYSTEM FOR UTILITY LOCATIONS BEFORE EXCAVATING OR DIGGING.

TOWER SITE	
OWNERSHIP	B.L.M.
ACRES	0.057

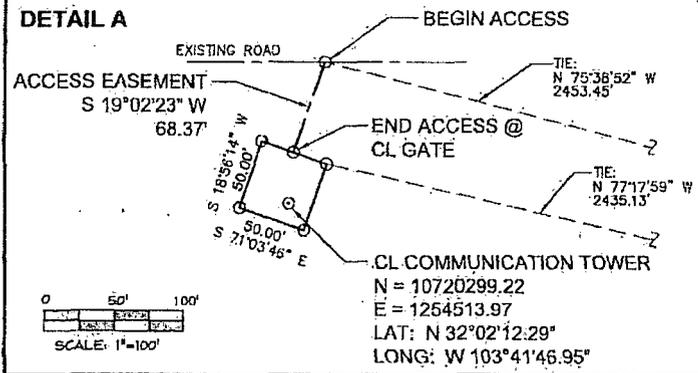
ACCESS	
OWNERSHIP	B.L.M.
FEET / ACRES	68.37' / 4.14

- LEGEND**
- ⊗ - DENOTES A FOUND BLM BRASS CAP
 - - DENOTES A P.I. IN SURVEY

PREPARED BY:

CCI
 CHENAULT CONSULTING INC.
 4800 COLLEGE BLVD #105
 FARMINGTON, NM 87402
 (505) 325-7707
 TEXAS FIRM REG. #10193344

DETAIL A



TOWER SITE	
OWNERSHIP	B.L.M.
ACRES	0.057

**SURVEY OF A
 COMMUNICATION
 TOWER EASEMENT
 AND
 ACCESS EASEMENT**
 WITHIN LANDS NOW OR FORMERLY OWNED BY
THE BUREAU OF LAND MANAGEMENT
 WITHIN SECTION 17, T-26-S, R-32-E, N.M.P.M.,
 LEA COUNTY, NEW MEXICO
 SHEET 1 OF 2



HENRY P. BROADHURST, JR.
 NM PLS #11393

DATE

I, HENRY P. BROADHURST, JR., A DULY LICENSED LAND SURVEYOR IN THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THE EASEMENT(S) SHOWN ON THIS PLAT WAS PLOTTED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY ME OR UNDER MY SUPERVISION, AND THAT THE SAME IS TRUE AND CORRECT TO THE BEST OF MY BELIEF.

DRAWING: RED HILLS TOWER	
SCALE: 1" = 1000'	REV. 1 12/16/2013
DRAFTED BY: GRR	CHECKED BY: HB
SHEET: 1 of 2	

PREPARED FOR:

ConocoPhillips

SURVEY OF A
POWER LINE EASEMENT
 WITHIN LANDS NOW OR FORMERLY OWNED BY
THE BUREAU OF LAND MANAGEMENT
 WITHIN SECTION 17, T-26-S, R-32-E, N.M.P.M.,
 LEA COUNTY, NEW MEXICO
 SHEET 2 OF 2

POWER LINE EASEMENT DESCRIPTION

Centerline of an Electric Power Line Easement crossing Section 17, Township 26 south, Range 32 East of the New Mexico Principal Meridian, Lea County, New Mexico and being more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 17; THENCE, North 00°24'31" West for 5346.05 feet to the Northeast Corner of said Section 17; THENCE, South 28°30'40" West for 5494.67 feet to the Point of Beginning for this Centerline Description:

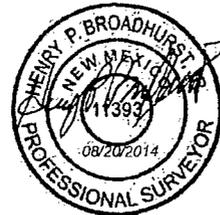
THENCE, South 87°00'31" East for 115.39 feet;

THENCE, North 81°00'36" East for 68.84 feet;

THENCE, North 89°42'16" East for 30.18 feet;

THENCE, South 17°35'15" West for 64.14 feet to the Point of Termination for this Centerline Description from Whence the Point of Commencement bears South 79°17'02" East for 2470.00 feet.

The above described Centerline is 318.55 feet or 19.31 Rods in length.



HENRY P. BROADHURST, JR.
NM PLS #11393

DATE

HENRY P. BROADHURST, JR., A DULY LICENSED LAND SURVEYOR IN THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THE EASEMENT(S) SHOWN ON THIS PLAT WAS PLOTTED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY ME OR UNDER MY SUPERVISION, AND THAT THE SAME IS TRUE AND CORRECT TO THE BEST OF MY BELIEF.

PREPARED BY:

CCI

CHENAULT CONSULTING INC.

4800 COLLEGE BLVD #103
FARMINGTON, NM 87402
(505) 325-7107
TEXAS FIRM REG. #10193944

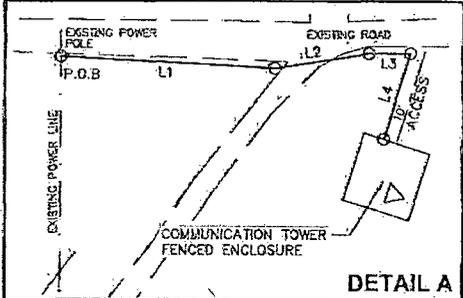
DRAWING: RED HILLS TOWER_ELEC_REV1

SCALE: AS SHOWN REV. 1 08/15/2014

DRAFTED BY: GRR. CHECKED BY: HB

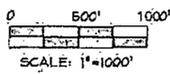
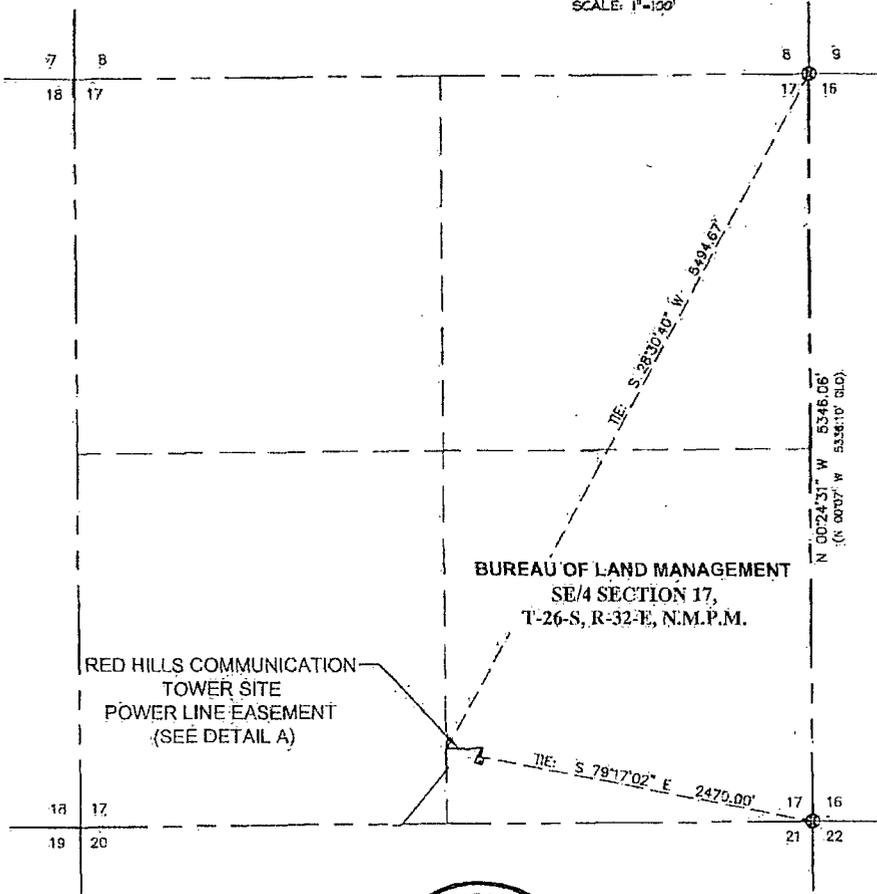
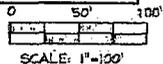
SHEET: 2 of 2

EASEMENT	
OWNERSHIP	BLM
FEET / RODS	378.55' / 19.31'



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 87°00'31" E	155.39'
L2	N 81°00'36" E	65.84'
L3	N 89°42'16" E	30.18'
L4	S 17°35'15" W	54.14'



HENRY P. BROADHURST, JR.
N.M. PLS #11393

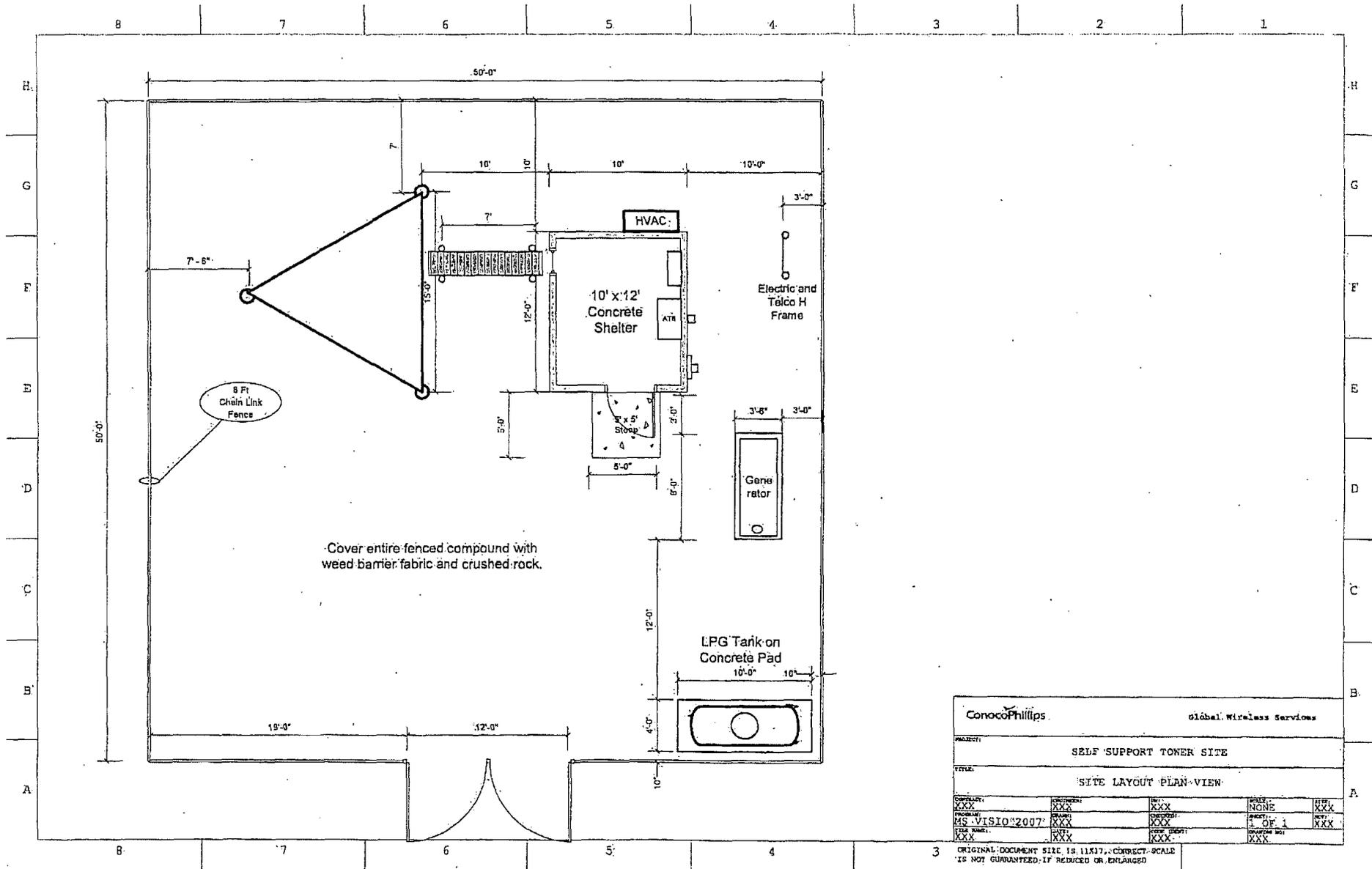
- LEGEND**
- ⊗ - DENOTES A FOUND BLM BRASS CAP
 - - DENOTES A P.I. IN SURVEY

PREPARED BY:
CCI
CHENAULT CONSULTING INC.
4900 COLLEGE BLVD #105
FARMINGTON, NM 87402
(505) 325-7707
TEXAS FRM REG. #1619394

- NOTES**
- 1) BEARINGS SHOWN ARE BASED ON THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD83. DISTANCES SHOWN ARE GROUND DISTANCES.
 - 2) DATE OF FIELD SURVEY: JULY, 2014.
 - 3) THIS EXHIBIT IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE USED AS SUCH.
 - 4) THIS EXHIBIT MAY NOT SHOW ALL EXISTING EASEMENTS AND UTILITIES.
 - 5) CALL THE NEW MEXICO 811 SYSTEM FOR UTILITY LOCATIONS BEFORE EXCAVATING OR DIGGING.

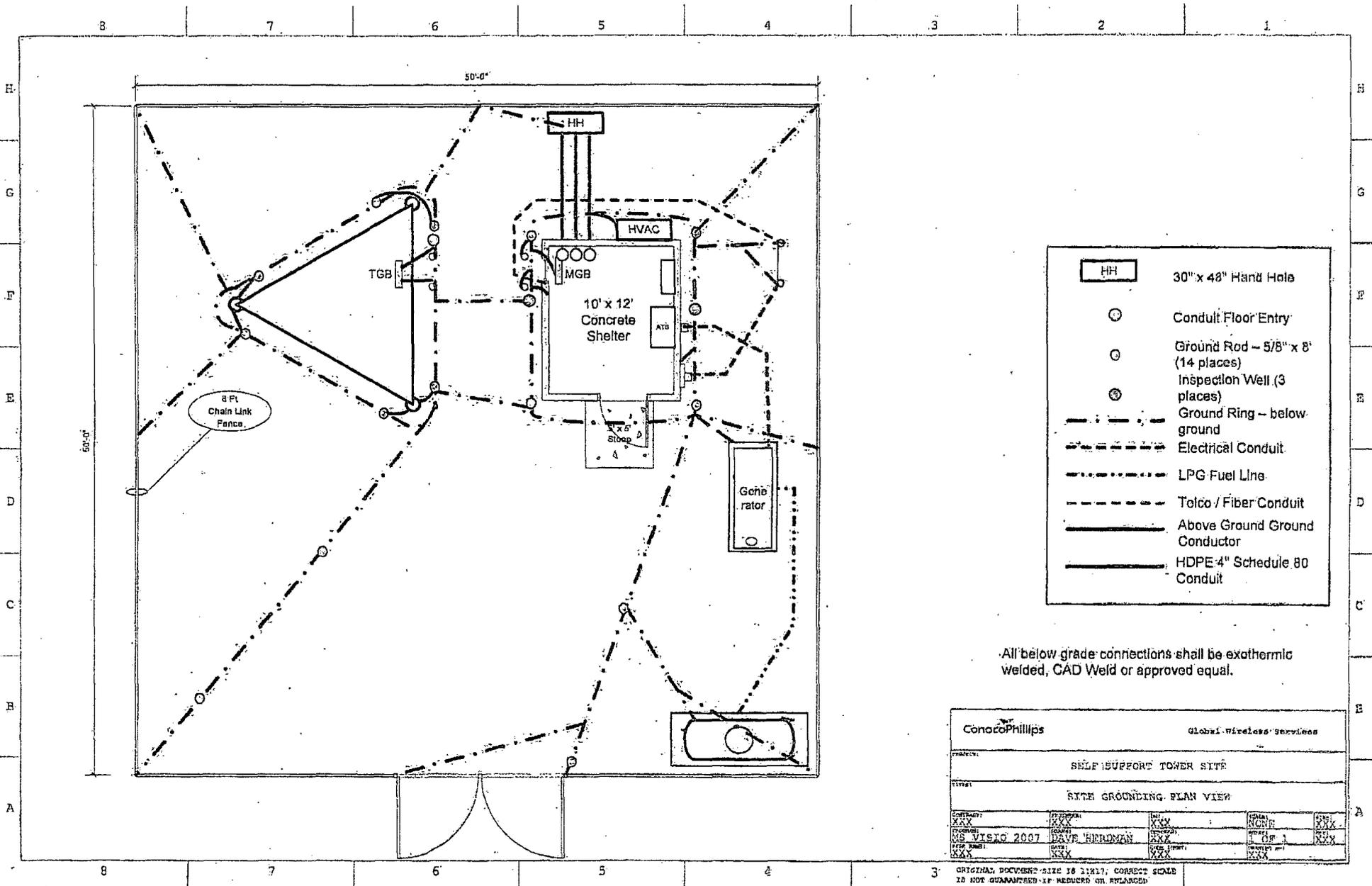
DATE
I, HENRY P. BROADHURST, JR., A DULY LICENSED LAND SURVEYOR IN THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THE EASEMENT(S) SHOWN ON THIS PLAT WAS PLOTTED FROM FIELD NOTES OF ACTUAL SURVEYS, MADE BY ME OR UNDER MY SUPERVISION, AND THAT THE SAME IS TRUE AND CORRECT TO THE BEST OF MY BELIEF.

DRAWING: RED HILLS TOWER_ELEC_REV1	
SCALE: AS SHOWN	REV. 1 08/15/2014
DRAFTED BY: GRR	CHECKED BY: HB
SHEET: 1 of 2	



ConocoPhillips		Global Wireless Services		
PROJECT: SELF SUPPORT TOWER SITE				
TITLE: SITE LAYOUT PLAN-VIEW				
DATE: XXX	DRAWN: XXX	CHECKED: XXX	SCALE: NONE	HEET: XXX
PROJECT: MS-VISIO-2007	DRAWN: XXX	CHECKED: XXX	SCALE: 1 OF 1	HEET: XXX
DATE: XXX	DRAWN: XXX	CHECKED: XXX	SCALE: NOT XXX	HEET: XXX

3 ORIGINAL DOCUMENT SIZE IS 11,117. CORRECT SCALE IS NOT GUARANTEED IF REDUCED OR ENLARGED

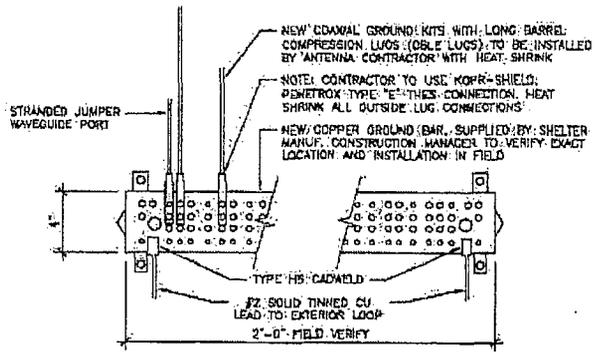
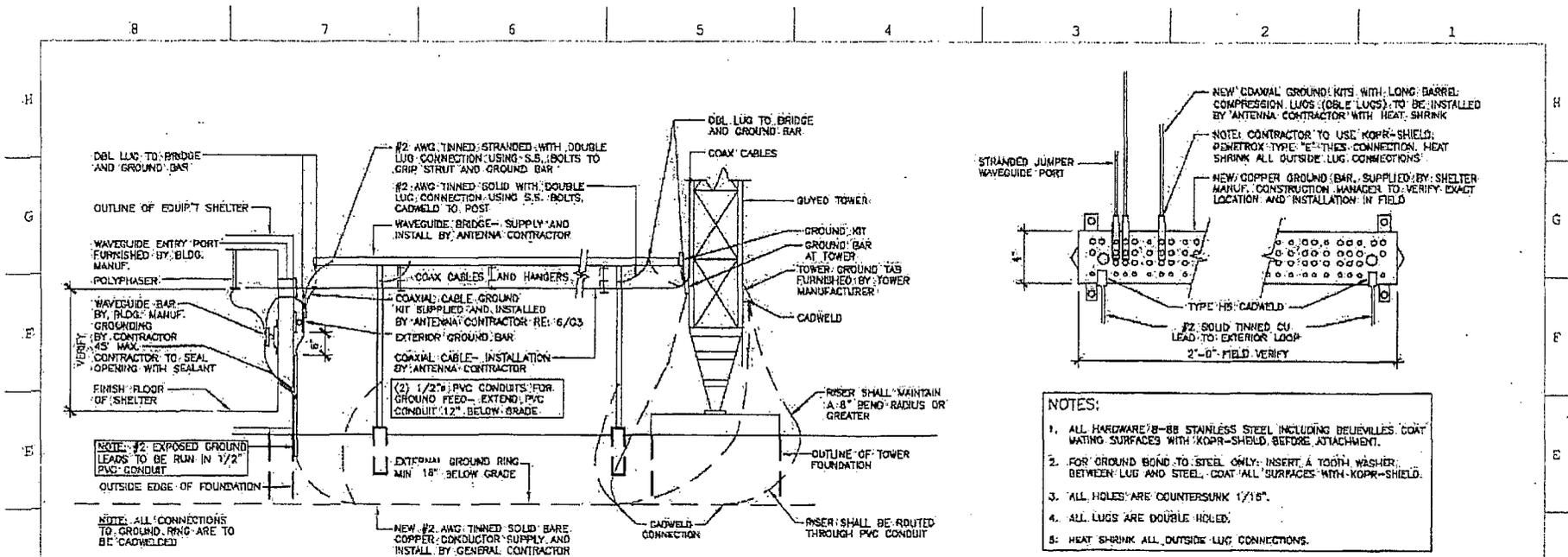


- | | |
|-----|------------------------------------|
| HH | 30" x 48" Hand Hole |
| ⊙ | Conduit Floor Entry |
| ⊙ | Ground Rod - 5/8" x 8' (14 places) |
| ⊙ | Inspection Well (3 places) |
| --- | Ground Ring - below ground |
| --- | Electrical Conduit |
| --- | LPG Fuel Line |
| --- | Tolco / Fiber Conduit |
| --- | Above Ground Conductor |
| --- | HDPE 4" Schedule 80 Conduit |

All below grade connections shall be exothermic welded, CAD Weld or approved equal.

ConocoPhillips		Global wireless services	
PROJECT: SELF SUPPORT TOWER SITE			
TITLE: SITE GROUNDING PLAN VIEW			
CONTRACT:	DESIGNER:	DATE:	SCALE:
XXX	XXX	XXX	NGN
PROJECT:	CLIENT:	DATE:	SCALE:
08 VISIO 2007	DAVE HERDMAN	1 OF 1	XXX
FILE NAME:	DATE:	SCALE:	SCALE:
XXX	XXX	XXX	XXX

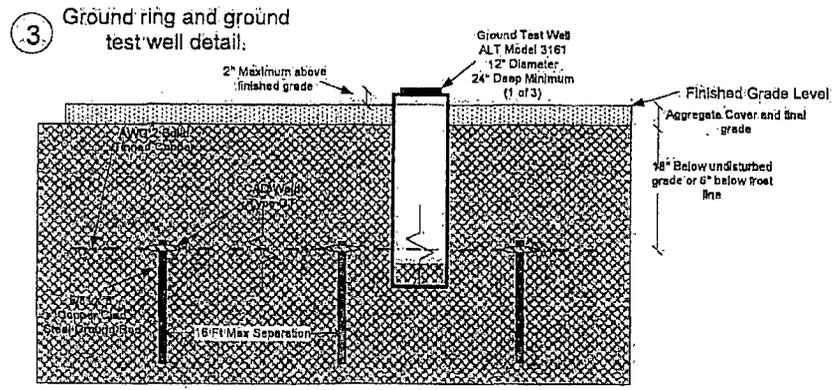
ORIGINAL DOCUMENT SIZE IS 11x17. CORRECT SCALE IS NOT GUARANTEED IF REDUCED OR ENLARGED



- NOTES:**
1. ALL HARDWARE #8-88 STAINLESS STEEL INCLUDING BELLEVILLE COAT MATING SURFACES WITH KOPR-SHIELD BEFORE ATTACHMENT.
 2. FOR GROUND BOND TO STEEL ONLY: INSERT A TOOTH WASHER BETWEEN LUG AND STEEL. COAT ALL SURFACES WITH KOPR-SHIELD.
 3. ALL HOLES ARE COUNTERSUNK 1/16".
 4. ALL LUGS ARE DOUBLE HOLED.
 5. HEAT SHRINK ALL OUTSIDE LUG CONNECTIONS.

1. EXTERIOR GROUNDING DETAIL
SCALE: N.T.S.

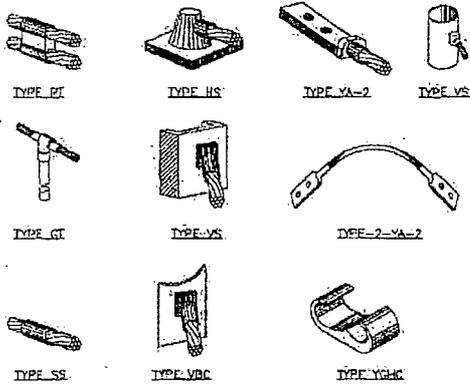
2. GROUND-BUSS DETAIL
SCALE: N.T.S.



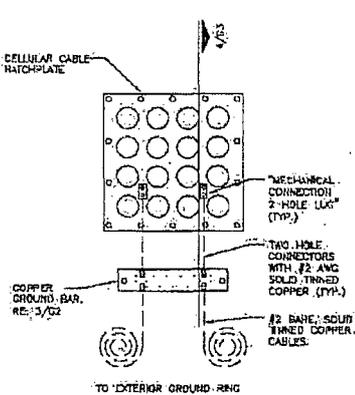
3. Ground ring and ground test well detail.

ConocoPhillips		Global Wireless Services	
PROJECT: SELF SUPPORT TOWER SITE			
TITLE: GROUNDING DETAILS 1			
DATE: XXXX	DESIGNED BY: XXXX	CHKD BY: XXXX	SCALE: NONE
DATE: XXXX	DESIGNED BY: DAVE HERDMAN	CHKD BY: XXXX	SHEET: 1 OF 1
DATE: XXXX	DESIGNED BY: XXXX	CHKD BY: XXXX	SCALE: NONE
DATE: XXXX	DESIGNED BY: XXXX	CHKD BY: XXXX	SCALE: NONE

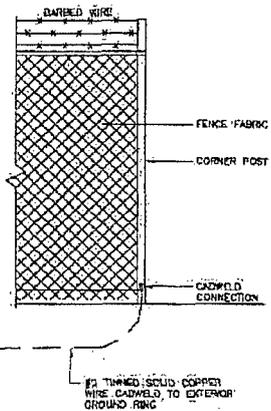
ORIGINAL DOCUMENT SIZE: IS 11x17. CONTACT SCALE IS NOT GUARANTEED IF REDUCED OR ENLARGED.



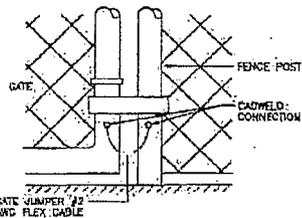
2 CADWELD MOLD TYPES
SCALE: N.T.S.



3 COAX PORT AND EXTERIOR GROUND DETAIL
SCALE: N.T.S.



5 FENCE GROUNDING
SCALE: N.T.S.

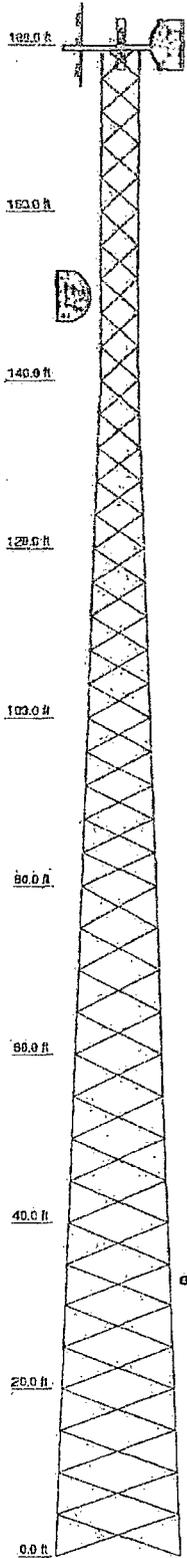


6 GATE GROUNDING
SCALE: N.T.S.

ConocoPhillips		Global Wireless Services	
PROJECT: SELF-SUPPORT TOWER SITE			
TITLE: GROUNDING DETAILS 2			
DATE: XXXX	DESIGNER: XXXX	REV: XXXX	SCALE: NONE
PROJECT: NS VISIO-2007	DESIGNER: DAVE HERDMAN	REV: XXXX	SHEET: 2 OF 1
FILE NAME: XXXX	DATE: XXXX	DATE: XXXX	DATE: XXXX

ORIGINAL DOCUMENT SIZE IS 11X17, CORRECT SCALE IS NOT GUARANTEED IF REDUCED OR ENLARGED

Structure	SR 3 3/4	SR 3 1/2	SR 3 1/4	SR 3	SR 2 3/4	SR 2 1/2	SR 2	SR 1 3/4
Leg Grade	L3x3x3/8	L2 1/2x2 1/2x3/8	L2x2x3/8	L2x2x3/8	L2x2x3/8	L2x2x3/8	L2x2x3/8	L1 3/4x1 3/4x3/8
Diagonals	L3x3x3/8	L2 1/2x2 1/2x3/8	L2x2x3/8	L2x2x3/8	L2x2x3/8	L2x2x3/8	L2x2x3/8	L1 3/4x1 3/4x3/8
Diagonal Grade	N.A.	N.A.	N.A.	A529-50	A529-50	A529-50	A529-50	A529-50
Top Chords								
Flange Width (in)	13.5	12	10.5	9	7.5	6	4.5	4.5
# Panels @ (ft)	13.5	12	10.5	9	7.5	6	4.5	4.5
Weight (lb) 20762.5	3262.5	3032	2802.5	2572.5	2342.5	2112.5	1882.5	1652.5



DESIGNED APPURTENANCE LOADING

TYPE	ELEVATION	TYPE	ELEVATION
Lightning Rod	180	Groundobbbra	180
Beacon	180	Radio	180
FMP 450 Antenna	180	HP6-S9	180
FMP 450 Antenna	150	Radio	150
FMP 450 Antenna	150	HP6-S9	150
FMP 450 Antenna	100	Radio	33
ANT 150D30	100	HFLP1-23	33
10' Omni	180		

MATERIAL STRENGTH

GRADE	Fy	Fu	GRADE	Fy	Fu
A572-50	50 ksi	65 ksi	A529-50	50 ksi	65 ksi

TOWER DESIGN NOTES

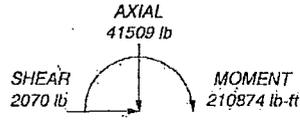
1. Tower is located in Lea County, New Mexico.
2. Tower designed for Exposure C to the TIA-222-G Standard.
3. Tower designed for a 90 mph basic wind in accordance with the TIA-222-G Standard.
4. Tower is also designed for a 30 mph basic wind with 0.25 in ice. Ice is considered to increase in thickness with height.
5. Deflections are based upon a 60 mph wind.
6. Tower Structure Class II.
7. Topographic Category 1 with Crest Height of 0.00 ft
8. Weld together tower sections have flange connections.
9. Connections use galvanized A325 bolts, nuts and locking devices. Installation per TIA/EIA-222 and AISC Specifications.
10. Tower members are "hot dipped" galvanized in accordance with ASTM A123 and ASTM A153 Standards.
11. Welds are fabricated with ER-70S-6 electrodes.
12. TOWER RATING: 57.7%

ALL REACTIONS ARE FACTORED

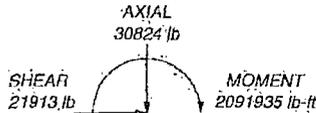
MAX. CORNER REACTIONS AT BASE:

DOWN: 171187 lb
SHEAR: 13417 lb

UPLIFT: -142853 lb
SHEAR: 11346 lb



TORQUE 724 lb-ft
30 mph WIND - 0.2500 in ICE



TORQUE 6878 lb-ft
REACTIONS - 90 mph WIND

Daley Tower Service, Inc.		Job: Preliminary Design	
1223 West Gloria Switch Road		Project: 180' SST CTB Site, NM	
Carencro, Louisiana 70520		Client:	Drawn by: Matt
Phone: (337) 896-6719		Date: 09/30/13	App'd:
FAX: (337) 896-3070		Code: TIA-222-G	Scale: NTS
		Path:	Dwg No. E-1

DALEY TOWER SERVICE, INC.
SELF SUPPORTING TOWER DESIGN SHEET

Project No.:
 Location: CTB Site; NM
 Customer:
 Date: 9/30/2013
 CASE Job No.: 13100

TOWER DATA
 Max. Height: 180 ft
 Base Width: 15 ft
 Tip Width: 4.5 ft
 No. of Sides: 3
 Leg Slope: 18°/20'

DESIGN DATA
 Design Wind: 90 mph
 Design Ice: 0.25 inches
 Structure Class: 2
 Topo. Category: 1
 Exposure: C

TOTAL STEEL WEIGHT = 21112
 TOTAL GALVANIZED STEEL WEIGHT = 22590

SECTION ID	BAYS PER SECTION	SECTION ELEV.		SECTION LENGTH (Feet)	SECTION SPREAD		LEG DATA			BRACING DATA				
		LOWER (Feet)	UPPER (Feet)		LOWER (Feet)	UPPER (Feet)	LEG TYPE	LEG DIA. (Inches)	WEIGHT (Pounds)	BRACE TYPE	MEMBER	WEIGHT (#/Ft)	LENGTH/SECTION (Feet)	WEIGHT (Pounds)
5.9	5	160	180	20	4.5	4.5	SR	1 3/4	491	X Bracing	L1.75 x 0.125	1.44	161.21	232
5.8	5	140	160	20	4.5	4.5	SR	2	641	X Bracing	L2 x 0.125	1.65	160.68	265
5.7	5	120	140	20	6	4.5	SR	2 1/2	1002	X Bracing	L1.75 x 0.125	1.44	176.29	254
5.6	5	100	120	20	7.5	6	SR	2 3/4	1213	X Bracing	L2 x 0.125	1.65	212.4	350
5.5	5	80	100	20	9	7.5	SR	3	1443	X Bracing	L2 x 0.1875	2.44	251.2	613
4.4	4	60	80	20	10.5	9	SR	3 1/4	1694	X Bracing	L2.5 x 0.1875	3.07	243.01	746
4.3	4	40	60	20	12	10.5	SR	3 1/2	1964	X Bracing	L2.5 x 0.1875	3.07	275.02	844
4.2	4	20	40	20	13.5	12	SR	3 1/2	1964	X Bracing	L3 x 0.1875	3.71	308.28	1144
4.1	4	0	20	20	15	13.5	SR	3 3/4	2255	X Bracing	L3 x 0.1875	3.71	341.63	1267
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WEIGHT TOTALS									12667					5715

EXHIBIT A
October 10, 2012
BLM Serial Number: NMLC068281B
Company Reference: ConocoPhillips Company

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

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

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

1. The authorization is conditioned upon the submission of a copy of an approved license and/or renewal license granted by the Federal Communications Commission (FCC) or the Interdepartmental Radio Advisory Committee (IRAC) for each electronic station installation authorized or future amendments of this authorization. A copy of the FCC or I RAC authorization shall be submitted within 90 days of issuance of this authorization or within 90 days following approval of an amendment to this authorization. Failure to submit the FCC or IRAC authorization copy within the time specified shall be grounds for termination of this authorization or cancellation of an amendment to this authorization. The Authorized Officer may grant an extension of up to 90 days, if requested in writing by the holder.
2. The holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant and for all response costs, penalties, damages, claims, and other costs arising from the provisions of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Chap. 82, Section 6901 *et. seq.*, from the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. Chap. 109, Section 9601 *et. seq.*, and from other applicable environmental statutes.
3. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, *et. seq.*) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized by this grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, *etc.*) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.
4. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, *et. seq.* or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, *et. seq.*) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-

way holder's activity on the right-of-way). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.

5. The holder and its sublessees shall at all times operate their radio-electronic equipment in such a manner as not to cause interference with radio-electronic operations of existing users in the vicinity. If such interference results from holder's or sublessee's operations, holder shall promptly, at its own AP2-9 APPENDIX 2 expense, modify the equipment and operations, or shut down if necessary to eliminate or reduce the interference to the satisfaction of the FCC, IRAC" and/or the Authorized Officer.

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

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

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

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

9. All above-ground structures not subject to safety requirements shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be a color which simulates "Standard Environmental Colors" designated by the Rocky Mountain Five-State Interagency Committee. The color selected for this project is **Slate Gray**, Munsell Soil Color Chart Number 5Y 6/1.

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

11. The holder agrees to share road maintenance costs with all present and future users of the access road. At such future time as a Users Association for this communication site is

formed, the holder shall join the Users Association and remain a member in good standing. Within 30 days of the creation of such Users Association the holder shall provide the authorized officer with evidence of membership. Failure of the holder to join the Users Association and remain a member in good standing shall constitute sufficient grounds for termination of this authorization.

12. If, during any phase of the construction, operation, maintenance, or termination of the site or related pipeline(s), any pollutant should be discharged from site facilities, the pipeline(s) or from containers or vehicles impacting public lands, the control and total removal, disposal, and cleanup of such pollutant, wherever found, shall be the responsibility of the holder, regardless of fault. Upon failure of the holder to control, dispose of, or clean up such discharge on or affecting public lands, or to repair all damages to public lands resulting therefrom, the Authorized Officer may take such measures as deemed necessary to control and cleanup the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve the holder of any liability or responsibility.

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

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

15. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on the holder's behalf, on public or Federal land shall be immediately reported to the Authorized Officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to the proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

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

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

Special Stipulations:

1. The holder shall label all equipment with the owner's name; transmitter frequency (ies); transmitting power outputs(s); and a current 24-hour phone contact number.
2. All above-ground structures, including dish antenna, and panel antennas other than the chain-link fence shall be painted by the holder to blend with the dominant natural color of the surrounding landscape within 60 days of installation. The color specified for this location is Standard Environmental Color "Slate Grey" (Munsell Soil Color Chart Number 5Y 6/1, and shall be flat, non-reflective finish. Any exception to this painting requirement for safety or other purposes must be reviewed and approved by the Authorized Officer in writing prior to implementation.
3. Special Stipulations for Cave/Karst: A possibility exists for slow subsidence or sudden collapse of a sinkhole, cave passage, or void during trenching operations, with associated safety hazards to the operator and potential for increased environmental impact. Slow subsidence or sudden collapse of sinkholes may also leave pipelines hanging and increase their possibility of leaking or failure. These subsidence processes can be triggered or enhanced by intense vibrations from construction or rerouting or focusing of surface drainages.

Other potential impacts resulting from leaking pipelines include the introduction of petroleum products or natural gas into caves, fissures or voids. In extreme or rare cases, a buildup of toxic fumes or combustible hydrocarbons in cave systems could potentially cause underground ignitions or asphyxiation of wildlife or humans. To eliminate these extreme possibilities, good record keeping is needed to quickly identify leaks for their immediate and proper treatment.

Contaminates, such as salt water, oil, or other petroleum products, from spills can be transported directly into cave and karst systems causing a negative effect to the cave environment and ecosystem. Because cave ecosystems are extremely fragile and easily disturbed, the negative effects to the cave's biological components may include disruption of some of its species. Because karst terrains and cave systems are directly and integrally linked to groundwater recharge leaking or ruptured pipelines in karst areas may lead directly to groundwater contamination.

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 buried pipelines or cables, alignments may be rerouted to avoid karst features. The BLM, Carlsbad Field Office, will be informed immediately if any subsurface drainage channels, passages, or voids are intersected by trenching, and no pipe will be laid in the trench at that point until clearance has been issued by the Authorized Officer. Special restoration stipulations or realignment may be required at such intersections, if any.