

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

OCD Hobbs
HOBBS OCD

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.

JUN 14 2016

RECEIVED

SUBMIT IN TRIPLICATE - Other instructions on reverse side.

5. Lease Serial No.
NMNM100568

6. If Indian, Allottee or Tribe Name

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

8. Well Name and No.
MULTIPLE MULTIPLE

9. API Well No.
30-025-41292

10. Field and Pool, or Exploratory
JABALINA

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

1. Type of Well
 Oil Well Gas Well Other

2. Name of Operator
DEVON ENERGY PROD. CO. LP
Contact: GREGG LARSON
E-Mail: gregg.larson@dvn.com

3a. Address
333 WEST SHERIDAN
OKLAHOMA CITY, OK 73102-5015

3b. Phone No. (include area code)
Ph: 940-393-2190

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)
Sec 23 T26S R34E Mer NMP

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 checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input 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 recomplete 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.)

Gas, Saltwater, and Electric Line connections for a central tank battery containing the following wells: Mean Green 23 Fed 1H, 30-025-41292, and the Mean Green 26 Fed 1H, 30-025-41246.

Respectful request approval to install a three phase 22.8/13.2kV overhead electric line starting at an existing electric line in the NE/4 NE/4 of section 23, T26S-R34E, N.M.P.M., Lea County, New Mexico.

Wire size will be 1/0 with 45'C4 poles. Approximately 24 poles.
5,492.72 feet (332.89 Rods) by 30 feet in width containing 3.783 acres, located in the E/2 E/2 of Section 23, T26S-R34E, Lea County, New Mexico.

Request approval to install one six (6") inch buried Fiberspar Gas Pipeline being 309.04 feet (18.73 Rods) by thirty feet in width containing 0.21 acres. One 30'X 30' above ground valve site

14. I hereby certify that the foregoing is true and correct.
Electronic Submission #327378 verified by the BLM Well Information System For DEVON ENERGY PROD. CO. LP, sent to the Hobbs

Name (Printed/Typed) GREGG LARSON Title FIELD LANDMAN

Signature (Electronic Submission) Date 12/29/2015

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved By Chris Walls Title for FIELD MANAGER Date 6/7/16

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 **

MWS/OCD
6/14/2016

Additional data for EC transaction #327378 that would not fit on the form

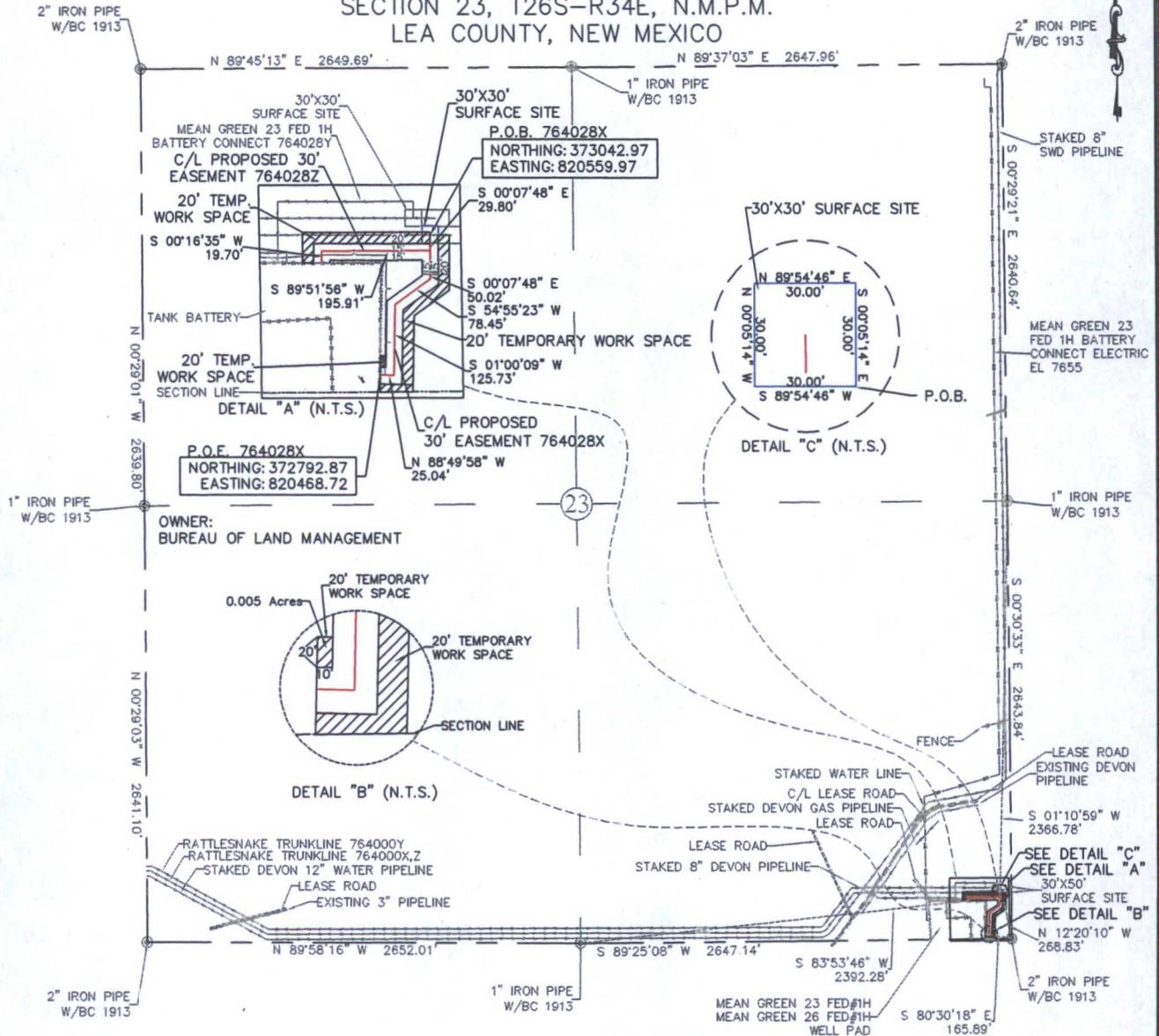
32. Additional remarks, continued

to make connections to the main gas line. Valve site will be shared with saltwater line. Located in the SE/4 SE/4 of Section 23, T26S-R34E, Lea County, New Mexico.

Request approval to install one four (4") Poly SDR 7 Saltwater Pipeline being 245.41 feet (14.87 Rods) by thirty feet in width containing 0.17 acres. One 30' X 30' above ground valve site to make connections to the main saltwater line. Valve site will be shared with the gas line. Located in the SE/4 SE/4 of Section 23, T26S-R34E, Lea County, New Mexico.

See attached plats.

EXHIBIT "A"
PAGE 1 of 8
SECTION 23, T26S-R34E, N.M.P.M.
LEA COUNTY, NEW MEXICO



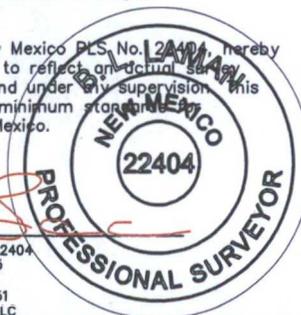
30'X30' SURFACE SITE EASEMENT AREA = 0.021 ACRE(S)
 30' EASEMENT AREA = 0.351 ACRE(S)
 20' TEMPORARY WORKSPACE AREA = 0.276 ACRE(S)
 524.65 FEET OR 31.80 RODS

MEAN GREEN 23 FED 1H BATTERY CONNECT 764028Z

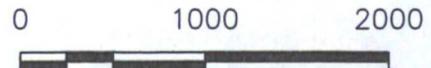
0+00.0	P.O.B. AT STAKED RATTLESNAKE TRUNKLINE 764000X
0+15.0	EXIT 30' X 30' SURFACE SITE
0+29.8	MEAN GREEN 23 FED 1H BATTERY CONNECT 764028Z
0+49.9	P.O.T. MEAN GREEN 23 FED 1H BATTERY (RT. 196.0') CONNECT 764028Z/WELL PAD
3+08.4	ENTER MEAN GREEN 23 & 26 FED 1H WELL PAD
3+09.0	P.O.E.

SEE THE ATTACHED LEGAL DESCRIPTION
 Note: All bearings recited herein are based on the New Mexico State Plane Coordinate System, NAD 83, New Mexico East Zone 3001, US Survey Feet, all distances are grid.

I, B.L. Laman, New Mexico PLS. No. 22404, hereby certify this survey to reflect an actual survey made on the ground under my supervision. This survey meets the minimum standards for surveying in New Mexico.



B.L. Laman PLS #22404
 Date Signed: 09-27-2015
 571 State St., Jasper, TX
 (409) 202-5111 75951
 Employee of Horizonrow, LLC



HORIZON ROW LLC

Drawn for:



Drawn by:
CHRIS MAAS

Date: 09/07/2015

DEVON ENERGY PRODUCTION COMPANY, L.P.

MEAN GREEN 23 FED 1H
BATTERY CONNECT

PROPOSED 30' EASEMENT
ON THE PROPERTY OF

BUREAU OF LAND MANAGEMENT
SECTION 23, T26S-R34E, N.M.P.M.

LINE NUMBER:
764028X,Z

WBS NUMBER:
CC-115561.01.03

SCALE:
1" = 1000'

REVISIONS:

SHEET:
1 OF 8

**SECTION 23, T26S-R34E, N.M.P.M.,
LEA COUNTY, NEW MEXICO**

LEGAL DESCRIPTION

FOR

DEVON ENERGY PRODUCTION COMPANY, L.P.

BUREAU OF LAND MANAGEMENT

30' EASEMENT DESCRIPTION:

BEING an easement thirty (30) feet in width lying fifteen (15) feet on the right side and fifteen (15) feet on the left side of the survey centerline described below, being out of the southeast quarter (SE ¼) of Section 23, Township 26 South, Range 34 East, N.M.P.M., Lea County, New Mexico, and being out of a parcel of land owned by the Bureau of Land Management. Said centerline of easement being more particularly described as follows:

Commencing from a 1" iron pipe w/ BC1913 found for the east quarter corner of Section 23, T26S-R34E, N.M.P.M., Lea County, New Mexico;

Thence S 01°10'59" W a distance of 2366.78' to the **Point of Beginning** of this easement having coordinates of Northing=373042.97, Easting=820559.97 feet and continuing the following courses;

Thence S 00°07'48" E a distance of 29.80' to a point of intersection;

Thence S 89°51'56" W a distance of 195.91' an angle point;

Thence S 00°16'35" W a distance of 19.70' to a point of termination (P.O.T.) of a portion of this easement, where a 2" iron pipe w/BC 1913 for the south quarter corner of said Section 23 bears for reference S 83°53'46" W a distance of 2392.28';

Thence resuming from the point of intersection S 00°07'48" E a distance of 50.02' to an angle point

Thence S 54°55'23" W a distance of 78.45' to an angle point;

Thence S 01°00'09" W a distance of 125.73' to an angle point;

Thence N 88°49'58" W a distance of 25.04 to the **Point of Ending** having coordinates of Northing= 372792.87, Easting= 820468.72 feet in the southeast quarter of Section 23, T26S-R34E, N.M.P.M., Lea County, New Mexico, from said point a 2" iron pipe w/BC 1913 for the southeast corner of Section 23, T26S-R34E, bears S 80°30'18" E a distance of 165.89', covering **524.65' or 31.80 rods** and having an area of **0.351 acre**.

20' TEMPORARY WORK SPACE DESCRIPTION:

Being a temporary work space twenty (20) feet in width lying on the left side and adjoining the left side of the above described thirty (30) feet gas line easement, less the portion that falls south of the section line of the southeast quarter of Section 23, T26S-R34E having an area of 0.156 acre, and being a temporary work space twenty (20) feet in width lying on the right side adjoining the right side of the above described thirty (30) feet easement beginning at Sta: 2+84.0 to 3+09.0 having an area of 0.005 acre, having a total area of **0.161 acre**. See sheet 1 of this package for details. Being a temporary work space twenty (20) feet in width lying on the right side and adjoining the right side of the above described thirty (30) feet water line easement, having an area of **0.115 acres**, having a total area of **0.276 acres**.

30' X 30' SURFACE SITE EASEMENT DESCRIPTION:

Being a surface site easement thirty (30) feet in width and thirty (30) feet in length and out of the southeast quarter (SE ¼) of Section 23, T26S-R34E, N.M.P.M. Lea County, New Mexico, and being more particularly described as follows;

Commencing from a 2" iron pipe w/ BC 1913 for the southeast corner of Section 23, T26S-R34E, N.M.P.M., Lea County, New Mexico;

Thence N 12°20'10" W a distance of 268.83' to the **Point of Beginning** of this surface site and continuing the following courses;

- S 89°54'46" W a distance of 30.00' to a point;
- N 00°05'14" W a distance of 30.00' to a point;
- N 89°54'46" E a distance of 30.00' to a point;
- S 00°05'14" E a distance of 30.00' to the point of beginning.

NOTES:

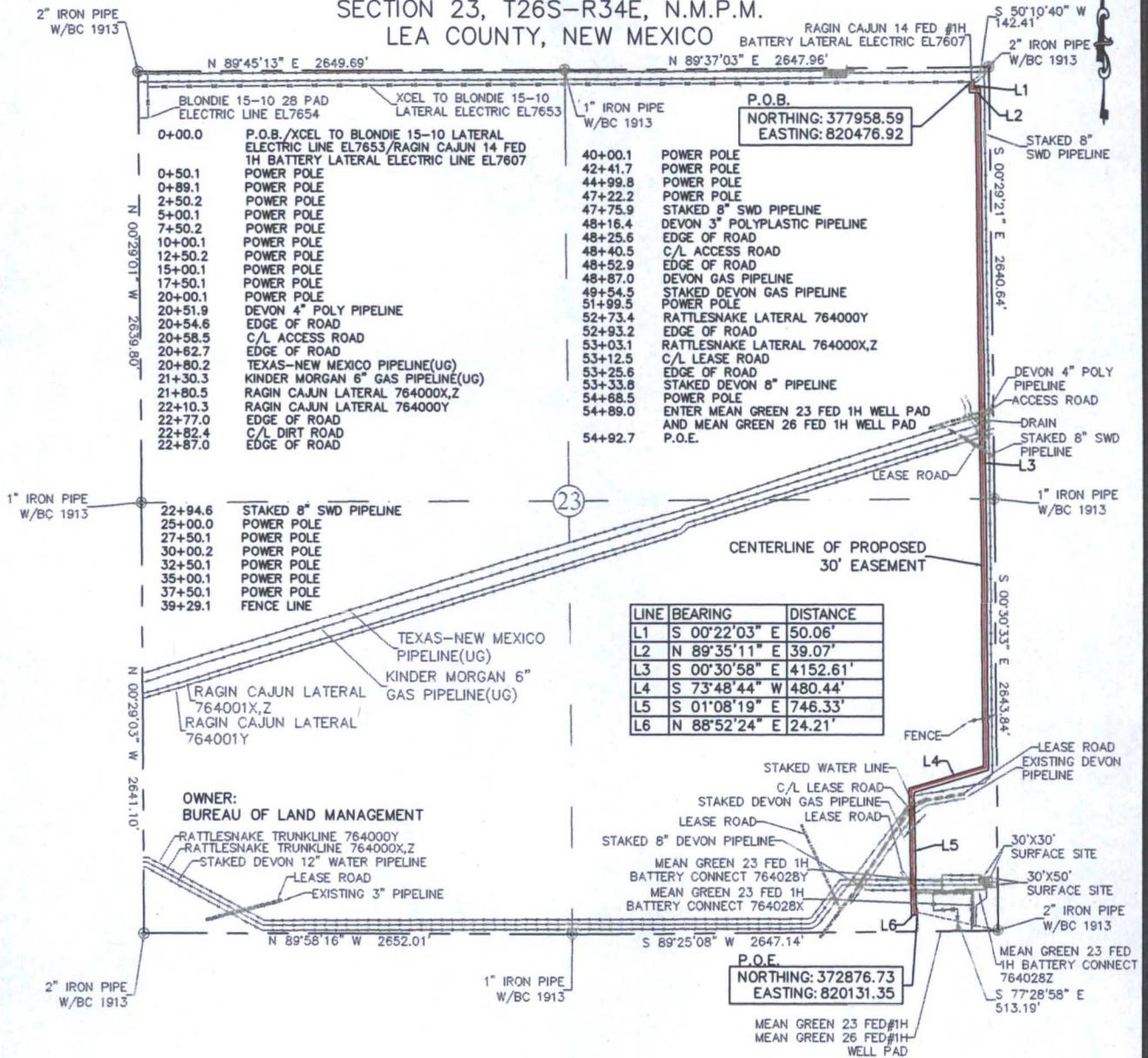
Bearings, distances and coordinates shown herein are based on New Mexico State Plane Coordinate System, NAD 83, East Zone 3001, US Survey Feet, all distances are grid.

I, B.L. Laman, New Mexico PLS No. 22404, hereby certify this survey to reflect an actual survey made on the ground under my supervision. This survey meets the minimum standards for surveying in New Mexico.


B.L. Laman PLS# 22404
Date Signed: 09-27-2015
Horizon Row, LLC
571 State Street Jasper, Tx
(409) 202-5111 75951
Employee of Horizon Row, LLC



EXHIBIT "A"
ELECTRIC LINE PLAT PAGE 4 of 8
SECTION 23, T26S-R34E, N.M.P.M.
LEA COUNTY, NEW MEXICO

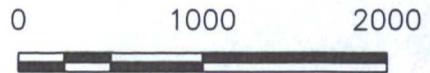


30' EASEMENT AREA = 3.783 ACRE(S)
 5492.72 FEET OR 332.89 RODS

SEE THE ATTACHED LEGAL DESCRIPTION
 Note: All bearings recited herein are based on the New Mexico State Plane Coordinate System, NAD 83, New Mexico East Zone 3001, US Survey Feet, all distances are grid.

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 571 State St., Jasper, TX.
 (409) 202-5111 75951
 Employee of Horizonrow, LLC



HORIZON ROW LLC Drawn for:		DEVON ENERGY PRODUCTION COMPANY, L.P.	LINE NUMBER: EL7655
		MEAN GREEN 23 FED 1H LATERAL BATTERY CONNECT ELECTRIC LINE	WBS NUMBER: CC-110933.01
Drawn by: CHRIS MAAS		PROPOSED 30' EASEMENT ON THE PROPERTY OF BUREAU OF LAND MANAGEMENT SECTION 23, T26S-R34E, N.M.P.M.	SCALE: 1" = 1000'
		Date: 09/08/2015	REVISIONS:
			SHEET: 4 OF 8

**SECTION 23, T26S-R34E, N.M.P.M.,
LEA COUNTY, NEW MEXICO**

ELECTRIC LINE PLAT

LEGAL DESCRIPTION

FOR

DEVON ENERGY PRODUCTION COMPANY, L.P.

BUREAU OF LAND MANAGEMENT

30' EASEMENT DESCRIPTION:

BEING an easement thirty (30) feet in width lying fifteen (15) feet on the right side and fifteen (15) feet on the left side of the survey centerline described below, being out of the southeast quarter (SE ¼) of Section 23, Township 26 South, Range 34 East, N.M.P.M., Lea County, New Mexico, and being out of a parcel of land owned by the Bureau of Land Management. Said centerline of easement being more particularly described as follows:

Commencing from a 2" iron pipe w/ BC1913 found for the northeast corner of Section 23, T26S-R34E, N.M.P.M., Lea County, New Mexico;

Thence S 50°10'40" W a distance of 142.41' to the **Point of Beginning** of this easement having coordinates of Northing=377958.59, Easting=820476.92 feet and continuing the following courses;

Thence S 00°22'03" E a distance of 50.06' to an angle point;

Thence N 89°35'11" E a distance of 39.07' to an angle point

Thence S 00°30'58" E a distance of 4152.61' to an angle point

Thence S 73°48'44" W a distance of 480.44' to an angle point

Thence S 01°08'19" E a distance of 746.33' to an angle point

Thence N 88°52'24" E a distance of 24.21' to the **Point of Ending** having coordinates of Northing= 372876.73, Easting= 820131.35 feet in the southeast quarter of Section 23, T26S-R34E, N.M.P.M., Lea County, New Mexico, from said point a 2" iron pipe w/BC

1913 for the southeast corner of Section 23, T26S-R34E, bears S 77°28'58" E a distance of 513.19', covering **5492.72'** or **332.89 rods** and having an area of **3.783 acre**.

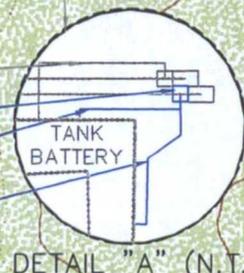
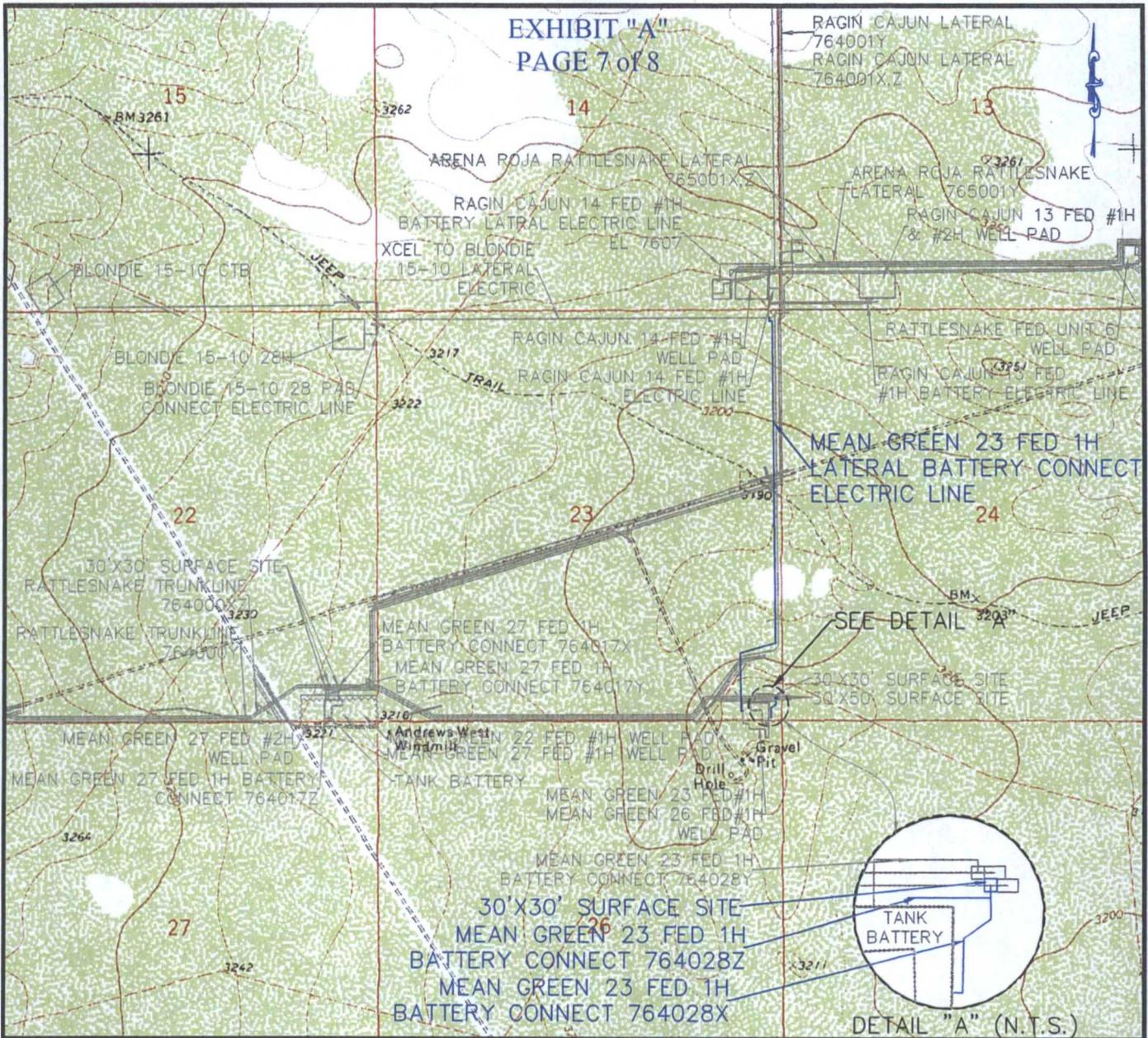
NOTES:

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B.L. Laman PLS# 22404
Date Signed: 09-27-2015
Horizon Row, LLC
571 State Street Jasper, Tx
(409) 202-5111 75951
Employee of Horizon Row, LLC





**MEAN GREEN 23 FED 1H
BATTERY CONNECT (GAS, WATER & ELECTRIC LINE)**

SECTION 23, T26S-R34E, N.M.P.M.;
LEA COUNTY, NEW MEXICO

HORIZON ROW LLC

DEVON ENERGY PRODUCTION CO., L.P.

PROPOSED 30' EASEMENT

Drawn by:
CHRIS MAAS

Date: 09/07/2015

Drawn for:



LINE NUMBER:
764028X,Z
EL7655

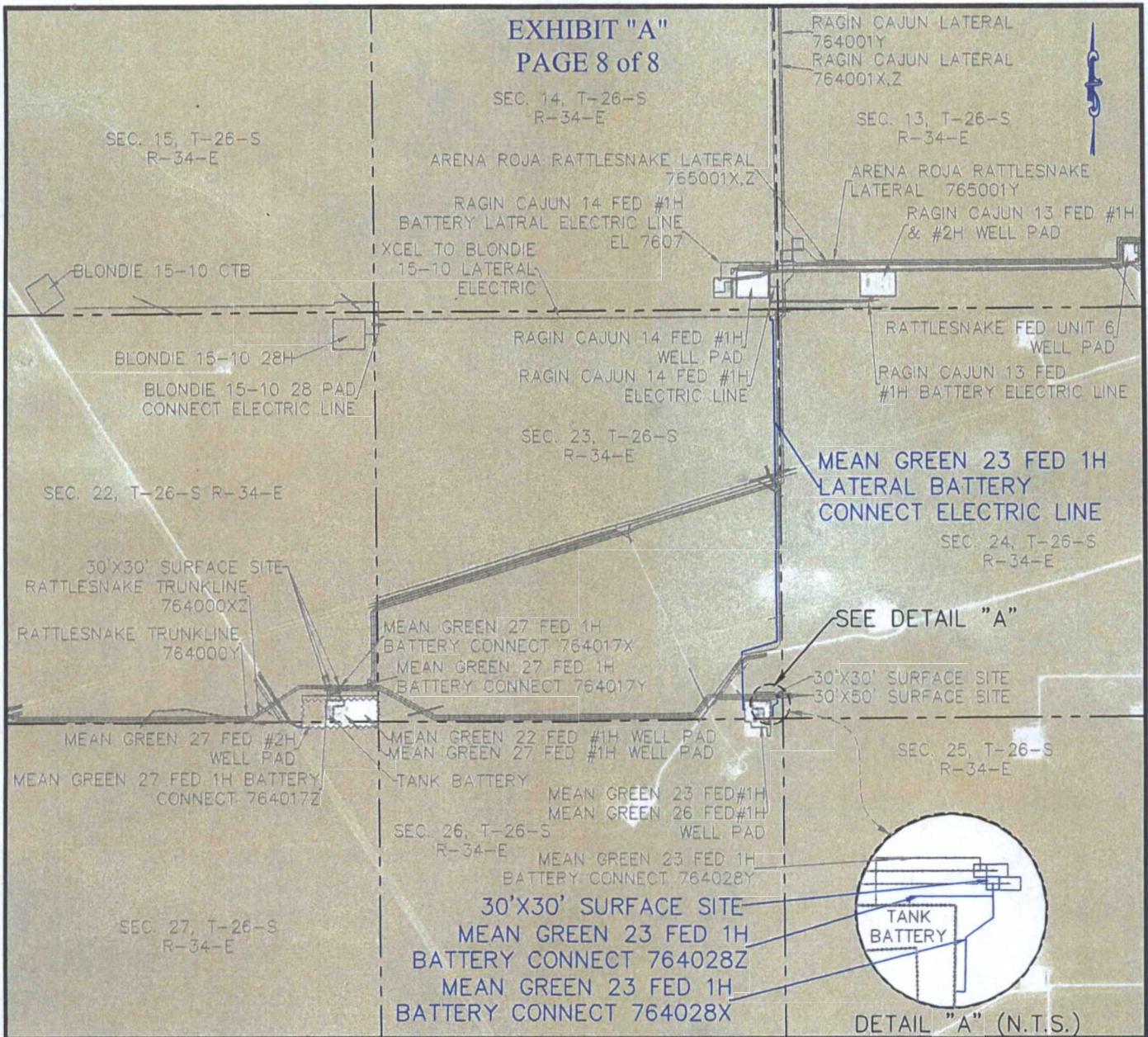
WBS NUMBER:
CC-115561.01.03
CC-110933.01

SCALE:
1" = 2000'

REVISIONS:

SHEET:
7 OF 8

EXHIBIT "A"
PAGE 8 of 8



**MEAN GREEN 23 FED 1H
BATTERY CONNECT (GAS, WATER & ELECTRIC LINE)**

SECTION 23, T26S-R34E, N.M.P.M.;
LEA COUNTY, NEW MEXICO

HORIZON ROW LLC	
DEVON ENERGY PRODUCTION CO., L.P.	
PROPOSED 30' EASEMENT	
Drawn by: CHRIS MAAS	Date: 09/07/2015

Drawn for:	
LINE NUMBER: 764028X,Z EL7855	
WBS NUMBER: CC-115561.01.03 CC-110933.01	
SCALE: 1" = 2000'	
REVISIONS:	
SHEET: 8 OF 8	

Devon Energy Production Company, L.P.
Lease No. NMNM 100568
Mean Green 23 Fed #1H BC Gas Line
Mean Green 23 Fed #1H BC Saltwater Line
Mean Green 23 Fed #1H BC Electric Line

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.

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.

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 power line structures placed on this right-of-way, should they be necessary to ensure the safety of large perching birds. The holder without liability or expense shall make such modifications and/or additions to the United States.

Devon Energy Production Company, L.P.
Lease No. NMNM 100568
Mean Green 23 Fed #1H BC Gas Line
Mean Green 23 Fed #1H BC Saltwater Line
Mean Green 23 Fed #1H BC Electric Line

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.

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.

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 power line structures placed on this right-of-way, should they be necessary to ensure the safety of large perching birds. The holder without liability or expense shall make such modifications and/or additions to the United States.