

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

OCD Hobbs

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.*

**HOBBS OCD**

DEC 09 2016

RECEIVED

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

1. Type of Well <input checked="" type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input type="checkbox"/> Other		5. Lease Serial No. NMM100567
2. Name of Operator DEVON ENERGY PROD. CO. LP ✓		6. If Indian, Allottee or Tribe Name
Contact: GREGG LARSON E-Mail: gregg.larson@dvn.com		7. If Unit or CA/Agreement, Name and/or No.
3a. Address 333 WEST SHERIDAN AVENUE OKLAHOMA CITY, OK 73102-5015	3b. Phone No. (include area code) Ph: 940-393-2190	8. Well Name and No. RATTLESNAKE 13-12 FED COM 1H ✓
4. Location of Well (Footage, Sec., T., R., M., or Survey Description) Sec 13 T26S R34E Mer NMP ✓		9. API Well No. 3#0-025-40912 ✓
		10. Field and Pool, or Exploratory JABALINA
		11. County or Parish, and State LEA COUNTY 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 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.)

Respectfully request approval to install one six (6") inch buried steel gas pipeline being 159.76 Feet (9.68 Rods) by 30 feet in width containing .112 acres. One 30' X 30" above ground valve site to make connections to the gathering line. Gas line is located in SE/4 SE/4 of Section 13 T26S-R34E, Lea County, New Mexico.

And one four (4") inch buried SDR 7 saltwater pipeline being 70.30 feet (4.26 Rods) by 30 feet in width containing .048 acres. One 30' X 30' above ground valve site to make connections to the gathering line. Saltwater line is located in the SE/4 SE/4 of Section 13, T26S-R34E, Lea County, New Mexico.

Estimated construction duration 30 days.

14. I hereby certify that the foregoing is true and correct. <b>Electronic Submission #328340 verified by the BLM Well Information System For DEVON ENERGY PROD. CO. LP, sent to the Hobbs</b>	
Name (Printed/Typed) GREGG LARSON	Title FIELD LANDMAN
Signature (Electronic Submission)	Date 01/12/2016

**THIS SPACE FOR FEDERAL OR STATE OFFICE USE**

Approved By <i>Cody D. Taylor</i>	Title <i>for</i> FIELD MANAGER	Date <i>11/29/16</i>
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 \*\***

*KB*

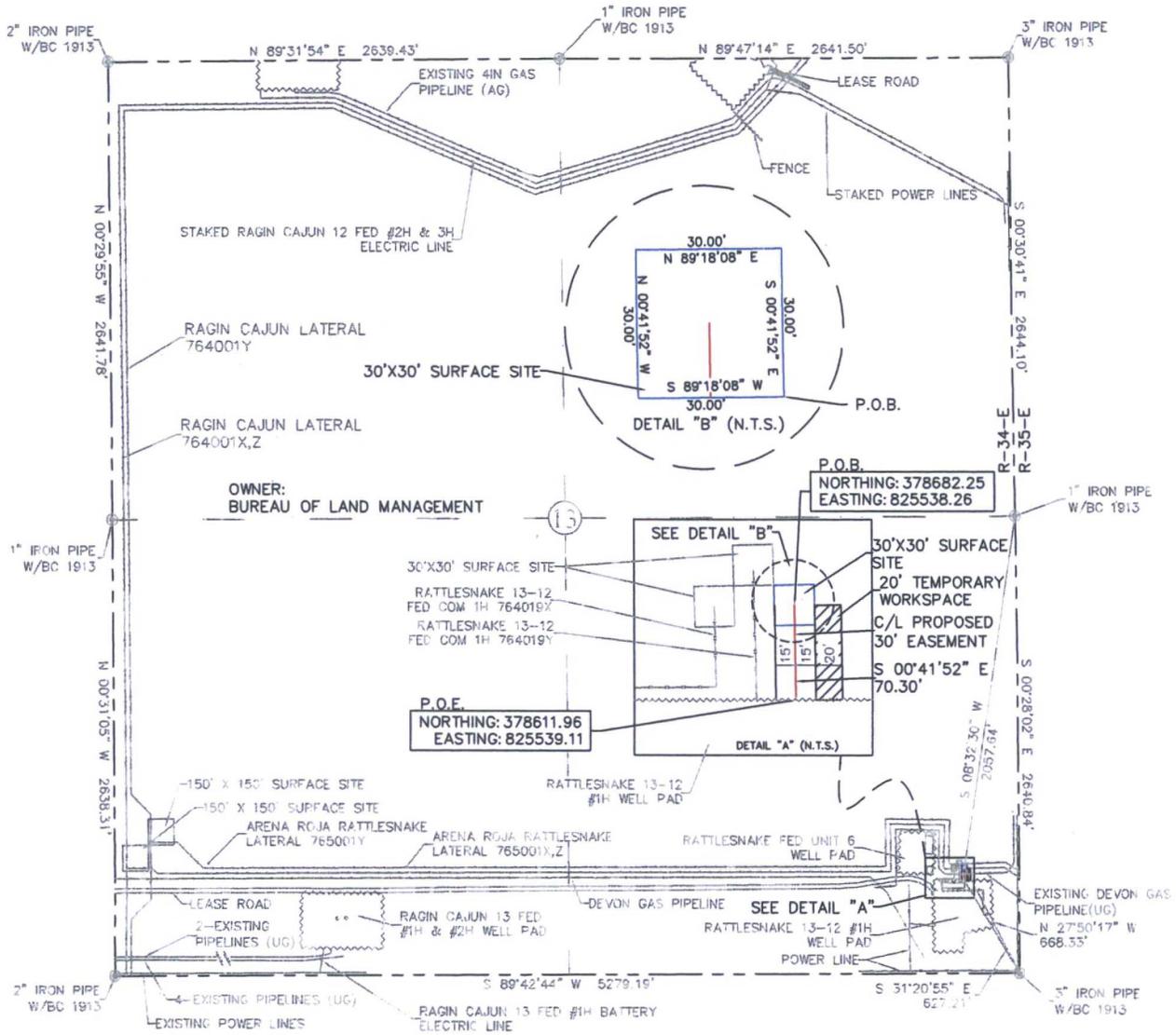
**Additional data for EC transaction #328340 that would not fit on the form**

**32. Additional remarks, continued**

See attached plats.

Saltwater Line

EXHIBIT "A"  
PAGE 1 of 5  
SECTION 13, T26S-R34E, N.M.P.M.  
LEA COUNTY, NEW MEXICO

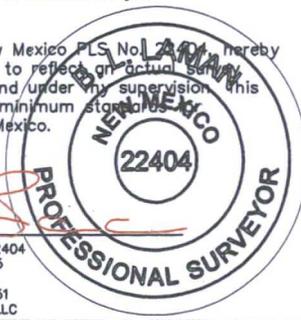


30'X30' SURFACE SITE EASEMENT AREA = 0.021 ACRE(S)  
 30' EASEMENT AREA = 0.048 ACRE(S)  
 20' TEMPORARY WORKSPACE AREA = 0.032 ACRE(S)  
 70.30 FEET OR 4.26 RODS

0+00.0 P.O.B. AT STAKED ARENA ROJA RATTLESNAKE LATERAL 765001Z  
 0+15.0 EXIT 30' X 30' SURFACE SITE  
 0+32.4 EXISTING DEVON GAS PIPELINE(UG)  
 0+70.2 ENTER RATTLESNAKE 13-12 #1H WELL PAD  
 0+70.3 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 of surveying in New Mexico.



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



HORIZON ROW LLC

Drawn for:



Drawn by:  
CHRIS MAAS

Date: 09/02/2015

DEVON ENERGY PRODUCTION COMPANY, L.P.  
 RATTLESNAKE 13-12 FED COM 1H  
 BATTERY CONNECT

PROPOSED 30' EASEMENT  
 ON THE PROPERTY OF  
 BUREAU OF LAND MANAGEMENT  
 SECTION 13, T26S-R34E, N.M.P.M.

LINE NUMBER:  
764019Z  
 WBS NUMBER:  
CC-115556.03  
 SCALE:  
1" = 1000'  
 REVISIONS:  
 SHEET:  
1 OF 5

**SECTION 13, 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 13, 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 13, T26S-R34E, N.M.P.M., Lea County, New Mexico;

Thence S 08°32'30" W a distance of 2057.64' to the **Point of Beginning** of this easement having coordinates of Northing=378682.25, Easting=825538.26 feet and continuing the following courses;

Thence S 00°41'52" E a distance of 70.30' to the **Point of Ending** having coordinates of Northing=378611.96, Easting=825539.11 feet in the southeast quarter of Section 13, T26S-R34E, N.M.P.M., Lea County, New Mexico, from said point a 3" iron pipe w/BC 1913 for the southeast corner of Section 13, T26S-R34E, bears S 31°20'55" E a distance of 627.21', covering **70.30' or 4.26 rods** and having an area of **0.048 acre**.

**20' TEMPORARY WORK SPACE DESCRIPTION:**

Being a temporary workspace twenty (20) feet in width lying on the left side and adjoining the left side of the above described thirty (30) feet easement, having an area of **0.032 acre**.

**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 13, T26S-R34E, N.M.P.M. Lea County, New Mexico, and being more particularly described as follows;

Commencing from a 3" iron pipe w/ BC 1913 for the southeast corner of Section 13, T26S-R34E, N.M.P.M., Lea County, New Mexico;

Thence N 27°50'17" W a distance of 668.33' to the **Point of Beginning** of this surface site and continuing the following courses;

- S 89°18'08" W a distance of 30.00' to a point;
- N 00°41'52" W a distance of 30.00' to a point;
- N 89°18'08" E a distance of 30.00' to a point;
- S 00°41'52" E a distance of 30.00' to the point of beginning,

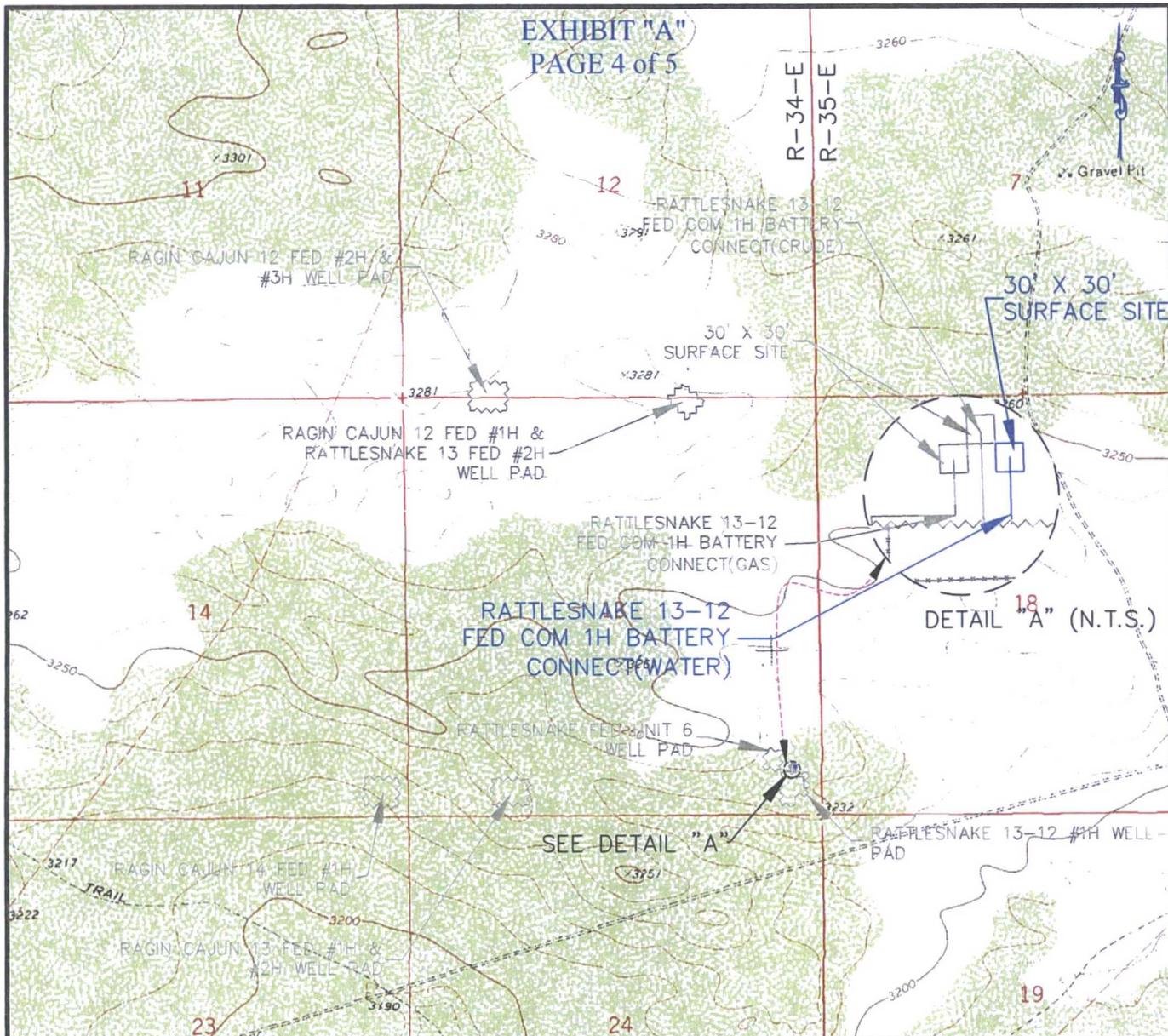
**NOTES:**

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: 09-09-2015  
Horizon Row, LLC  
571 State Street Jasper, Tx  
(409) 202-5111      75951  
Employee of Horizon Row, LLC





RATTLESNAKE 13-12 FED COM 1H  
BATTERY CONNECT (WATER)

SECTION 13, 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: 09/03/2015

Drawn for:



LINE NUMBER:  
764019Z

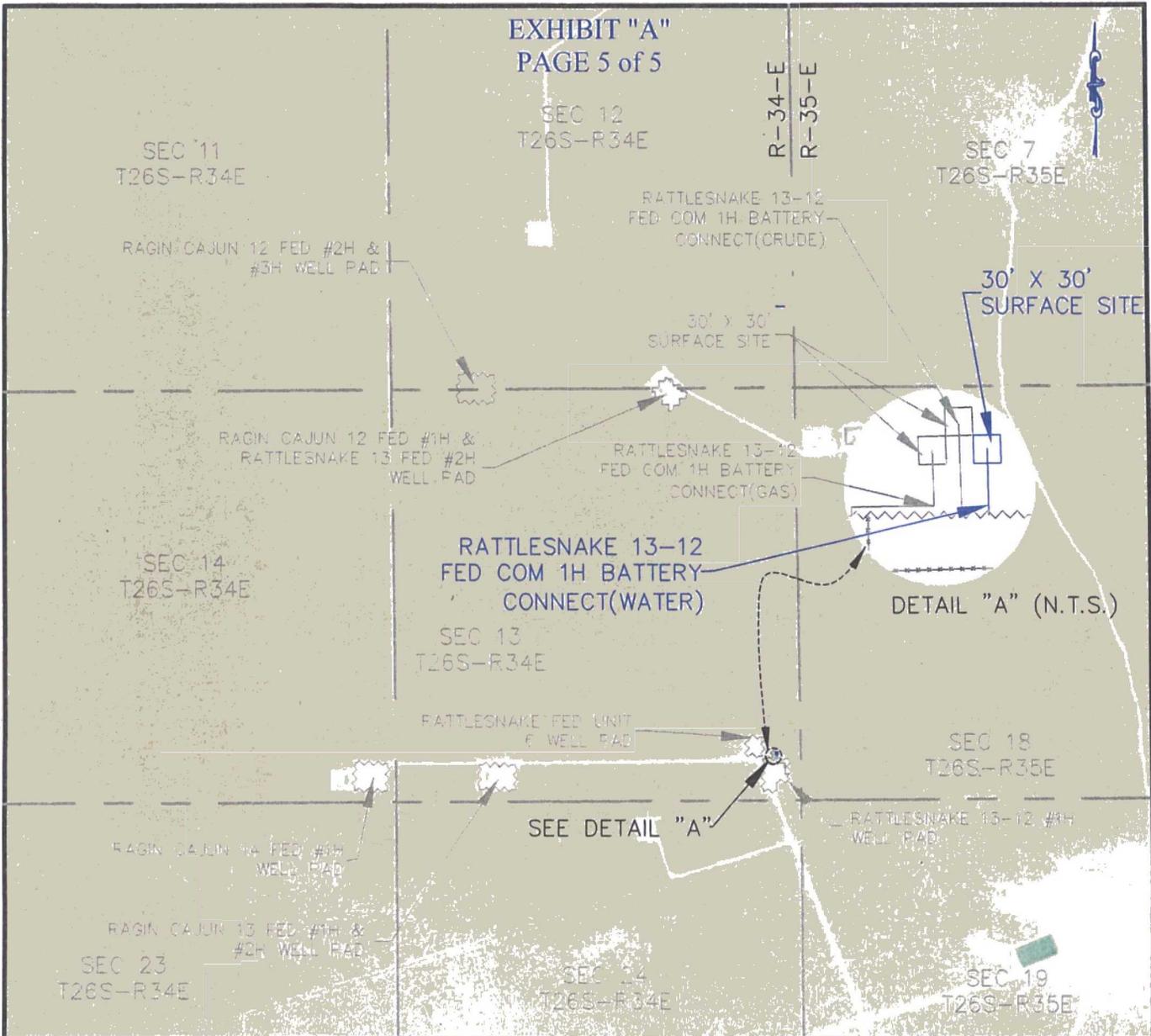
WBS NUMBER:  
CC-115556.03

SCALE:  
1" = 2000'

REVISIONS:

SHEET:  
4 OF 5

EXHIBIT "A"  
PAGE 5 of 5



RATTLESNAKE 13-12 FED COM 1H  
BATTERY CONNECT (WATER)

SECTION 13, 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: 09/03/2015

Drawn for:



LINE NUMBER:  
764019Z

WBS NUMBER:  
CC-115556.03

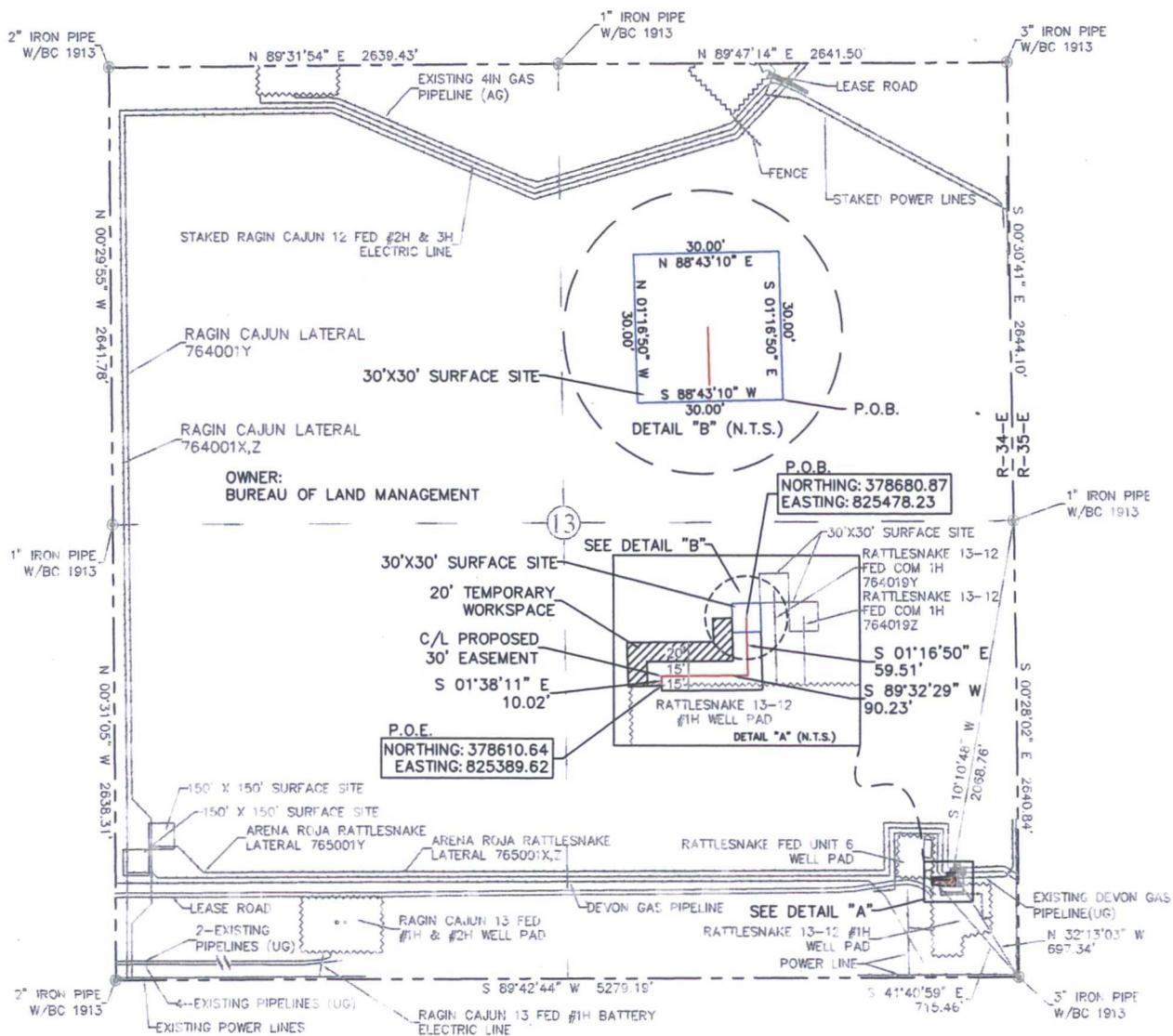
SCALE:  
1" = 2000'

REVISIONS:

SHEET:  
5 OF 5

Gas Line

EXHIBIT "A"  
PAGE 1 of 5  
SECTION 13, T26S-R34E, N.M.P.M.  
LEA COUNTY, NEW MEXICO



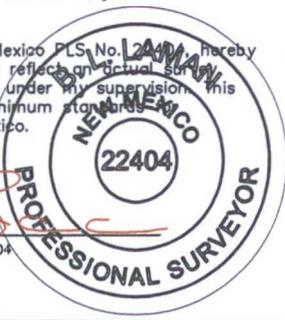
30'x30' SURFACE SITE EASEMENT AREA = 0.021 ACRE(S)  
 30' EASEMENT AREA = 0.112 ACRE(S)  
 20' TEMPORARY WORKSPACE AREA = 0.073 ACRE(S)  
 159.76 FEET OR 9.68 RODS

0+00.0 P.O.B. AT STAKED ARENA ROJA RATTLESNAKE LATERAL 765001X  
 0+15.0 EXIT 30' X 30' SURFACE SITE  
 0+31.6 EXISTING DEVON GAS PIPELINE(UG)  
 1+59.0 ENTER RATTLESNAKE 13-12 #1H WELL PAD  
 1+59.8 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: 09-09-2015  
 571 State St., Jasper, TX.  
 (409) 202-5111 75951  
 Employee of Horizonrow, LLC



**HORIZON ROW LLC**  
 Drawn for:  
  
 Drawn by: CHRIS MAAS  
 Date: 09/02/2015

DEVON ENERGY PRODUCTION COMPANY, L.P.  
 RATTLESNAKE 13-12 FED COM 1H BATTERY CONNECT  
 PROPOSED 30' EASEMENT ON THE PROPERTY OF BUREAU OF LAND MANAGEMENT SECTION 13, T26S-R34E, N.M.P.M.

LINE NUMBER: 764019X
WBS NUMBER: CC-115556.01
SCALE: 1" = 1000'
REVISIONS:
SHEET: 1 OF 5

**SECTION 13, 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 13, 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 13, T26S-R34E, N.M.P.M., Lea County, New Mexico;

Thence S 10°10'48" W a distance of 2068.76' to the **Point of Beginning** of this easement having coordinates of Northing=378680.87, Easting=825478.23 feet and continuing the following courses;

Thence S 01°16'50" E a distance of 59.51' to an angle point;

Thence S 89°32'29" W a distance of 90.23' to an angle point;

Thence S 01°38'11" E a distance of 10.02' to the **Point of Ending** having coordinates of Northing=378610.64, Easting=825389.62 feet in the southeast quarter of Section 13, T26S-R34E, N.M.P.M., Lea County, New Mexico, from said point a 3" iron pipe w/BC 1913 for the southeast corner of Section 13, T26S-R34E, bears S 41°40'59" E a distance of 715.46', covering **159.76' or 9.68 rods** and having an area of **0.112 acre**.

**20' TEMPORARY WORK SPACE DESCRIPTION:**

Being a temporary workspace twenty (20) feet in width lying on the right side and adjoining the right side of the above described thirty (30) feet easement, having an area of **0.073 acre**.

**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 13, T26S-R34E, N.M.P.M. Lea County, New Mexico, and being more particularly described as follows;

Commencing from a 3" iron pipe w/ BC 1913 for the southeast corner of Section 13, T26S-R34E, N.M.P.M., Lea County, New Mexico;

Thence N 32°13'03" W a distance of 697.34' to the **Point of Beginning** of this surface site and continuing the following courses;

- S 88°43'10" W a distance of 30.00' to a point;
- N 01°16'50" W a distance of 30.00' to a point;
- N 88°43'10" E a distance of 30.00' to a point;
- S 01°16'50" E a distance of 30.00' to the point of beginning,

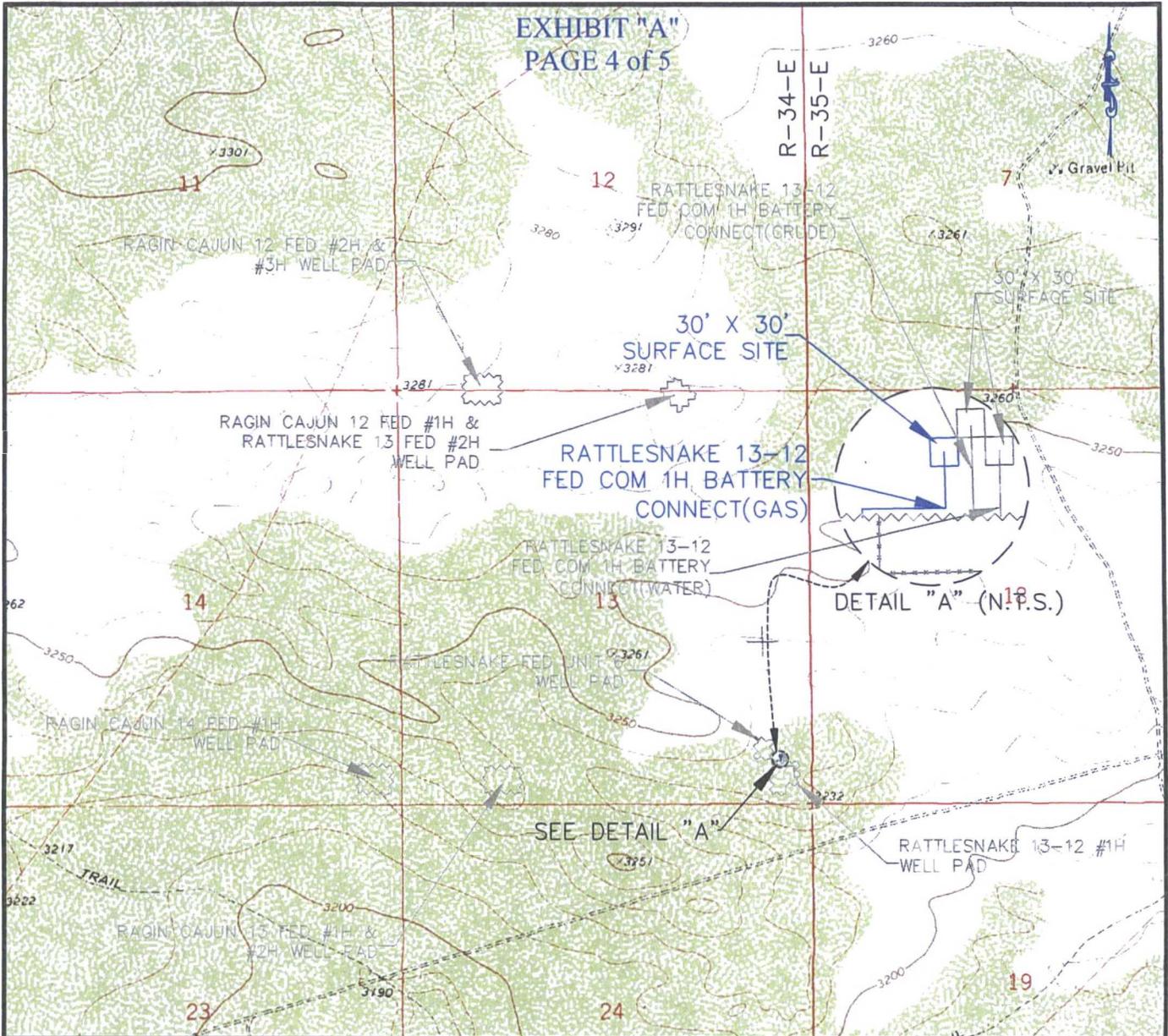
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I, B.L. Laman, New Mexico PLS No. 22404, hereby certify this survey to reflect an actual survey made on the ground under my supervision. This survey meets the minimum standards for surveying in New Mexico.

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





**RATTLESNAKE 13-12 FED COM 1H  
BATTERY CONNECT (GAS)**

**SECTION 13, 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: 09/03/2015

Drawn for:



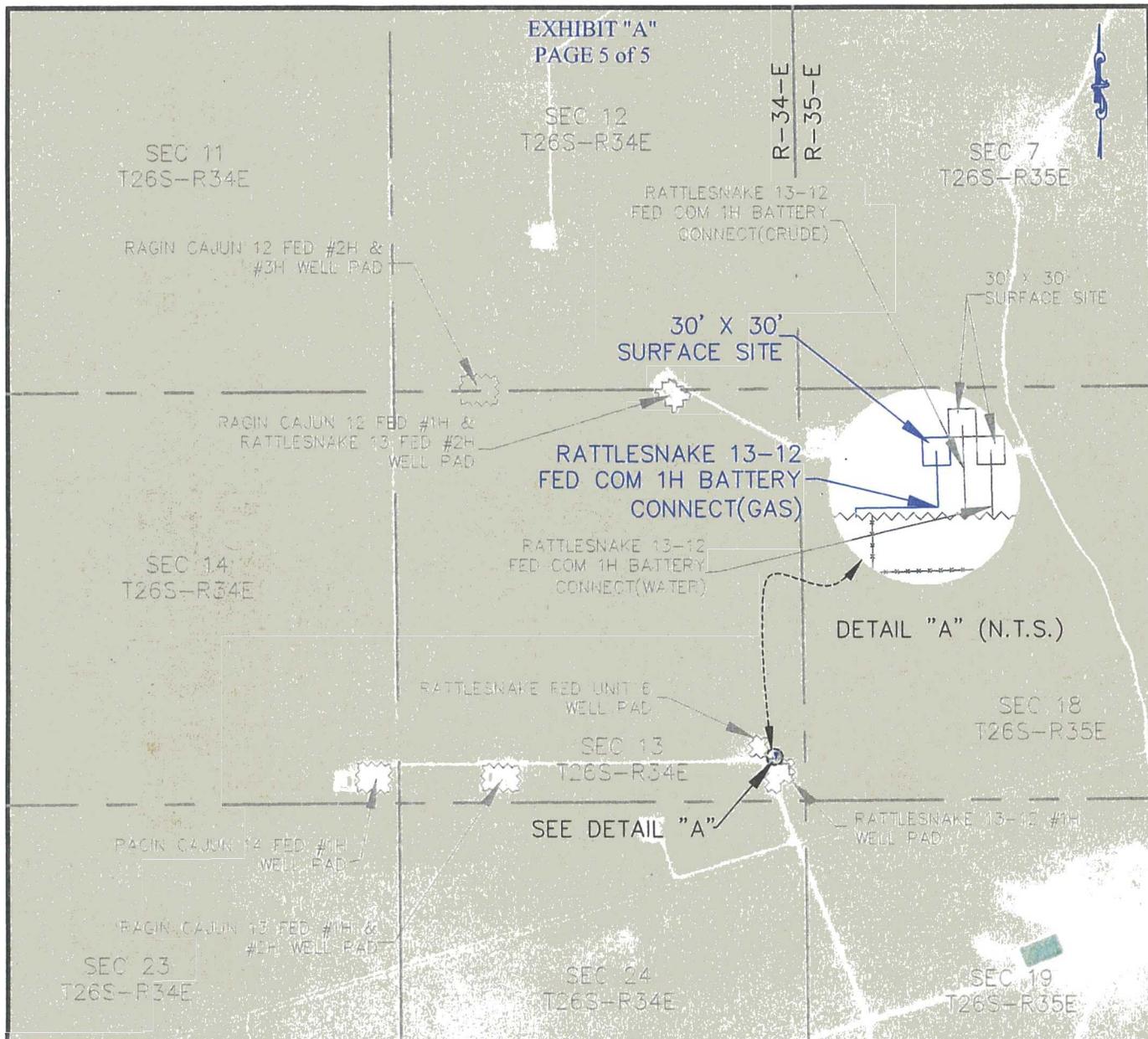
LINE NUMBER:  
764019X

WBS NUMBER:  
CC-115556.01

SCALE:  
1" = 2000'

REVISIONS:

SHEET:  
4 OF 5



**RATTLESNAKE 13-12 FED COM 1H  
BATTERY CONNECT (GAS)**

**SECTION 13, 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: 09/03/2015

Drawn for:



LINE NUMBER:  
764019X

WBS NUMBER:  
CC-115556.01

SCALE:  
1" = 2000'

REVISIONS:

SHEET:  
5 OF 5

Devon Energy Production Company L.P.  
Rattlesnake 13-12 Fed Com 1H Gas and Saltwater Pipelines  
Sundry

#### 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.

Any damage to structures that provide water to livestock throughout the life of the well, caused by operations from the well site, must be immediately corrected by the operator. 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.

Because the proposed project is in PFYC Class 2, the management concern for potential resources is minimal. If any fossil objects are discovered by any activities, the project proponent will cease activities in the area of discovery and notify the BLM within 24 hours. Therefore, no additional mitigation measures are necessary for this project as currently proposed.