

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Carlsbad Field Office  
OCD Hobbs  
FORM APPROVED  
004-0137  
Expires January 31, 2018

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

5. Well Serial No. 6394

6. If Indian, Allottee or Tribe Name

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

8. Well Name and No. VACA DRAW 20-17 FEDERAL 5H

9. API Well No. 30-025-44150-00-X1

10. Field and Pool or Exploratory Area WILDCAT BONE SPRING

11. County or Parish, State LEA COUNTY, NM

**SUBMIT IN TRIPLICATE - Other instructions on page 2**

MAY 08 2018

RECEIVED

1. Type of Well  
 Oil Well  Gas Well  Other

2. Name of Operator CIMAREX ENERGY COMPANY  
Contact: TERRI STATHEM  
E-Mail: tstatthem@cimarex.com

3a. Address 600 N. MARIENFELD SUITE 600  
MIDLAND, TX 79701

3b. Phone No. (include area code)  
Ph: 432-620-1936

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)  
Sec 20 T25S R33E SWSW 330FSL 670FWL  
32.109737 N Lat, 103.600685 W Lon

12. CHECK THE 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"/> Hydraulic Fracturing	<input type="checkbox"/> Reclamation	<input type="checkbox"/> Well Integrity
<input type="checkbox"/> Final Abandonment Notice	<input type="checkbox"/> Casing Repair	<input type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input checked="" type="checkbox"/> Other
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon	Change to Original APD
	<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 must 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 must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has determined that the site is ready for final inspection.

Cimarex Energy Co. respectfully requests approval to change the SHL and construct a new battery and infrastructure for the Vaca Draw 20-17 Federal #5H well.

Approved SHL: 330' FSL 670' FWL, Sec. 20-25S-33E  
Proposed SHL: 390' FSL 610' FWL, Sec. 20-25S-33E  
NO additional disturbance is required for the well location move. Please see attached well pad diagram- Exhibit D.  
The attached rig layout diagram, including V-door and flare line may change depending on rig availability. The pad dimensions and orientation will remain the same. There will be no additional disturbance if a rig layout change is necessary to accommodate the drilling rig.

Cimarex also requests approval to construct a new battery for the well. Please see attached

Surface good DP 4-C-2018

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

**Electronic Submission #395112 verified by the BLM Well Information System  
For CIMAREX ENERGY COMPANY, sent to the Hobbs  
Committed to AFMSS for processing by ZOTA STEVENS on 12/12/2017 (18ZS0026SE)**

Name (Printed/Typed) TERRI STATHEM Title MANAGER REGULATORY COMPLIANCE

Signature (Electronic Submission) Date 11/15/2017

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

Approved By *[Signature]* Title *AFM-LM* Date *04/18/2018*

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 *CFO*

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.

**Additional data for EC transaction #395112 that would not fit on the form**

**32. Additional remarks, continued**

location layout for the detailed diagram of the 450' X 400' battery pad.

Also, please see attached plats:

On lease Flowline: 682.41', 4" HP steel buried pipeline

On lease Gas lift: 697.61', 4" HP steel buried pipeline

On lease access road: 980.04' of on lease new road construction - Exhibit F

On lease power line: 1194.98' of on lease construction, four (4) 40' poles, 480 volt, 4 wire, 3 phase.

On lease gas sales: 20.01' of on lease 12" LP Steel, 8" HP Steel, & 4" HP steel buried pipeline. MAOP: 1440#.

On lease SWD: 739.97' of on lease pipeline. one 4" surface HP poly & one 12" buried poly.

Please see attached plats and other exhibits for additional information.

District I  
1625 N. French Dr., Hobbs, NM 88240  
Phone: (575) 393-6161 Fax: (575) 393-0720  
District II  
811 S. First St., Artesia, NM 88210  
Phone: (575) 748-1283 Fax: (575) 748-9720  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
Phone: (505) 334-6178 Fax: (505) 334-6170  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM 87505  
Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico  
Energy, Minerals & Natural Resources Department  
OIL CONSERVATION DIVISION  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

Form C-102  
Revised August 1, 2011  
Submit one copy to appropriate  
District Office

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

<sup>1</sup> API Number <b>30025-44150</b>	<sup>2</sup> Pool Code <b>97994</b>	<sup>3</sup> Pool Name <b>WC-025 G-06 S253329D; Wildcat Upper Bone Spring</b>
<sup>4</sup> Property Code <b>319775</b>	<sup>5</sup> Property Name <b>VACA DRAW 20-17 FEDERAL</b>	
<sup>7</sup> OGRID No. <b>215099</b>	<sup>8</sup> Operator Name <b>CIMAREX ENERGY CO.</b>	<sup>6</sup> Well Number <b>5H</b>
		<sup>9</sup> Elevation <b>3423.3'</b>

<sup>10</sup> Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
M	20	25S	33E		390	SOUTH	610	WEST	LEA

<sup>11</sup> Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
D	17	25S	33E		330	NORTH	380	WEST	LEA

<sup>12</sup> Dedicated Acres <b>320</b>	<sup>13</sup> Joint or Infill	<sup>14</sup> Consolidation Code	<sup>15</sup> Order No.
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No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.

<sup>16</sup> NOTE:

- Distances referenced on plat to section lines are perpendicular.
- Basis of Bearing is a Transverse Mercator Projection with a Central Meridian of W103°53'00"

NAD 83 (SURFACE HOLE LOCATION)	
LATITUDE = 32°06'35.65" (32.109904°)	
LONGITUDE = 103°36'03.16" (103.600878°)	
NAD 27 (SURFACE HOLE LOCATION)	
LATITUDE = 32°06'35.21" (32.109779°)	
LONGITUDE = 103°36'01.46" (103.600406°)	
STATE PLANE NAD 83 (N.M. EAST)	
N: 404489.93' E: 768121.44'	
STATE PLANE NAD 27 (N.M. EAST)	
N: 404432.14' E: 726935.29'	

NAD 83 (BOTTOM HOLE LOCATION)	
LATITUDE = 32°08'13.02" (32.136950°)	
LONGITUDE = 103°36'05.80" (103.601611°)	
NAD 27 (BOTTOM HOLE LOCATION)	
LATITUDE = 32°08'12.57" (32.136825°)	
LONGITUDE = 103°36'04.09" (103.601136°)	
STATE PLANE NAD 83 (N.M. EAST)	
N: 414327.54' E: 767827.61'	
STATE PLANE NAD 27 (N.M. EAST)	
N: 414269.50' E: 726641.92'	

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N30°01'37"W	461.23'

SCALE  
DRAWN BY: S.F. 01-20-17  
REV: 3 10-27-17 C.D.  
(SHL MOVE)

- = SURFACE HOLE LOCATION
- = BOTTOM HOLE LOCATION
- ▲ = SECTION CORNERS LOCATED
- ◇ = LANDING POINT

The diagram shows a grid of sections 17 and 20. Section 17 is on the left and section 20 is on the right. A well location (BHL) is marked in section 17. A landing point (LP) and surface hole location (SHL) are marked in section 20. Bearings and measurements are provided for all boundary lines. A scale bar and north arrow are also present.

**" OPERATOR CERTIFICATION**

I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.

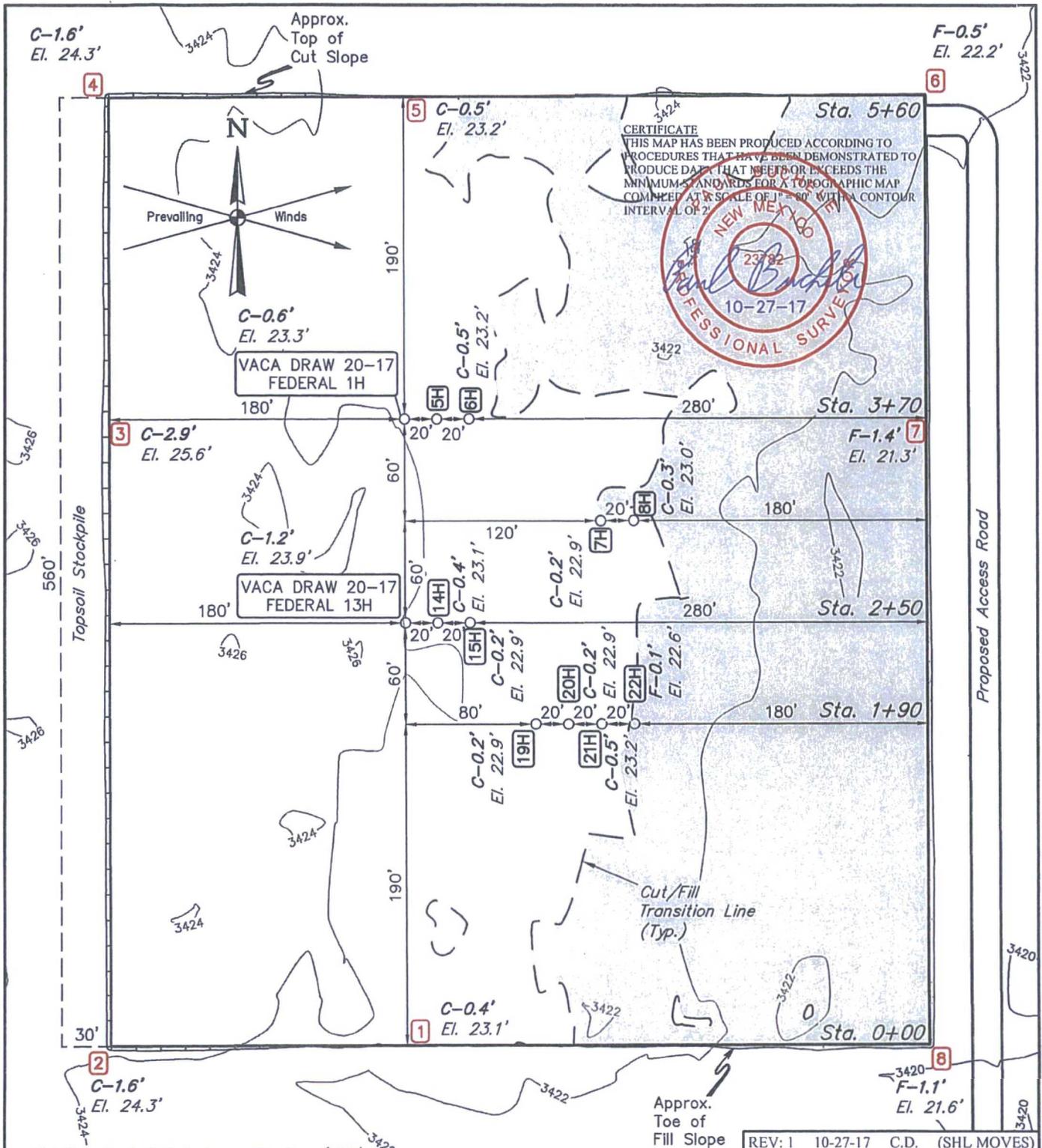
Signature: *Terri Stathem* Date: 11/15/17  
Printed Name: Terri Stathem  
E-mail Address: tstathem@Cimarex.com

**" SURVEYOR CERTIFICATION**

I hereby certify that the well location 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.

January 19, 2017  
Date of Survey  
Signature and Seal of Professional Surveyor:

Certificate Number:



REV: 1 10-27-17 C.D. (SHL MOVES)

NOTE: Earthwork calculations require a fill @ the 22H location stake for balance. All fill is to be compacted to a minimum of 95% of the maximum dry density obtained by AASHTO method t-99.

FINISHED GRADE ELEVATION = 3422.7'

- NOTES:**
- Contours shown at 2' intervals.
  - Cut/Fill slopes 1 1/2:1 (Typ. except where noted)
  - Underground utilities shown on this sheet are for visualization purposes only, actual locations to be determined prior to construction.

**CIMAREX ENERGY CO.**

VACA DRAW 20-17 FEDERAL 1H, 5H, 6H, 7H, 8H, 13H, 14H, 15H, 19H, 20H, 21H & 22H  
 SW 1/4 SW 1/4, SECTION 20, T25S, R33E, N.M.P.M.  
 LEA COUNTY, NEW MEXICO

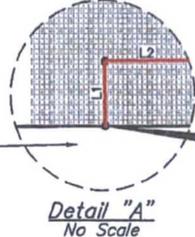
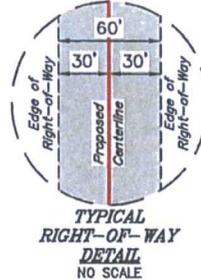
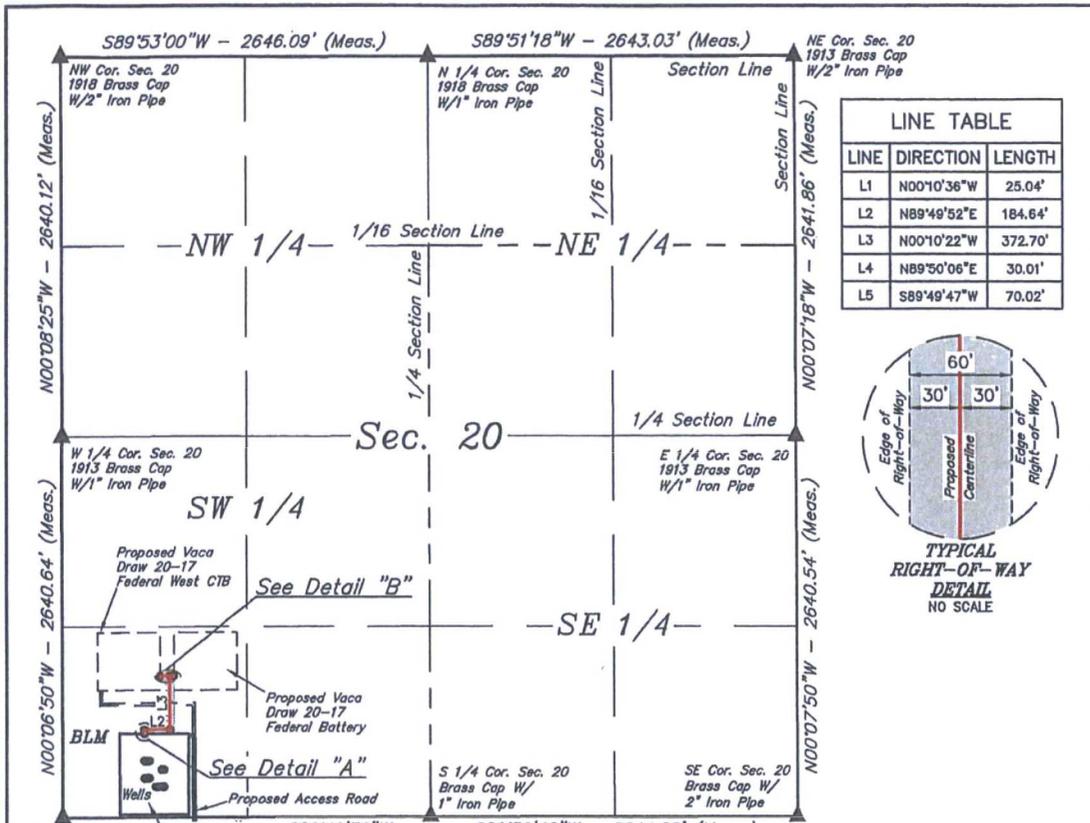
SURVEYED BY	C.J., D.J.	01-19-17	SCALE
DRAWN BY	S.F.	01-20-17	1" = 80'

**LOCATION LAYOUT**      **EXHIBIT D**

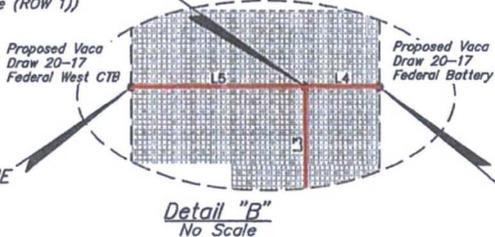


**UELS, LLC**  
 Corporate Office \* 85 South 200 East  
 Vernal, UT 84078 \* (435) 789-1017





BEGINNING OF PROPOSED FLOW LINE LATERAL RIGHT-OF-WAY (At STA. 5+82.38 of Centerline of Proposed Flow Line (ROW 1))



END OF PROPOSED FLOW LINE LATERAL RIGHT-OF-WAY (At Edge of Proposed Vaca Draw 20-17 Federal West CTB)

END OF PROPOSED FLOW LINE RIGHT-OF-WAY (At Edge of Proposed Vaca Draw 20-17 Federal Battery)



ACREAGE / LENGTH TABLE				
	OWNERSHIP	FEET	RODS	ACRES
SEC. 20 (SW 1/4)	BLM	612.38	37.11	0.843

ACREAGE / LENGTH TABLE - LATERAL				
	OWNERSHIP	FEET	RODS	ACRES
SEC. 20 (SW 1/4)	BLM	70.02	4.24	0.096

▲ = SECTION CORNERS LOCATED.

**CERTIFICATE**  
THIS IS TO CERTIFY THAT THIS EASEMENT PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



FILE: 61357-A Sheet 1 of 2  
REV: 1 10-24-17 S.F. (ADDED FLOW LINE LATERAL)

**NOTES:**  
\* Basis of Bearings is a Transverse Mercator Projection with a Central Meridian of W103°53'00"



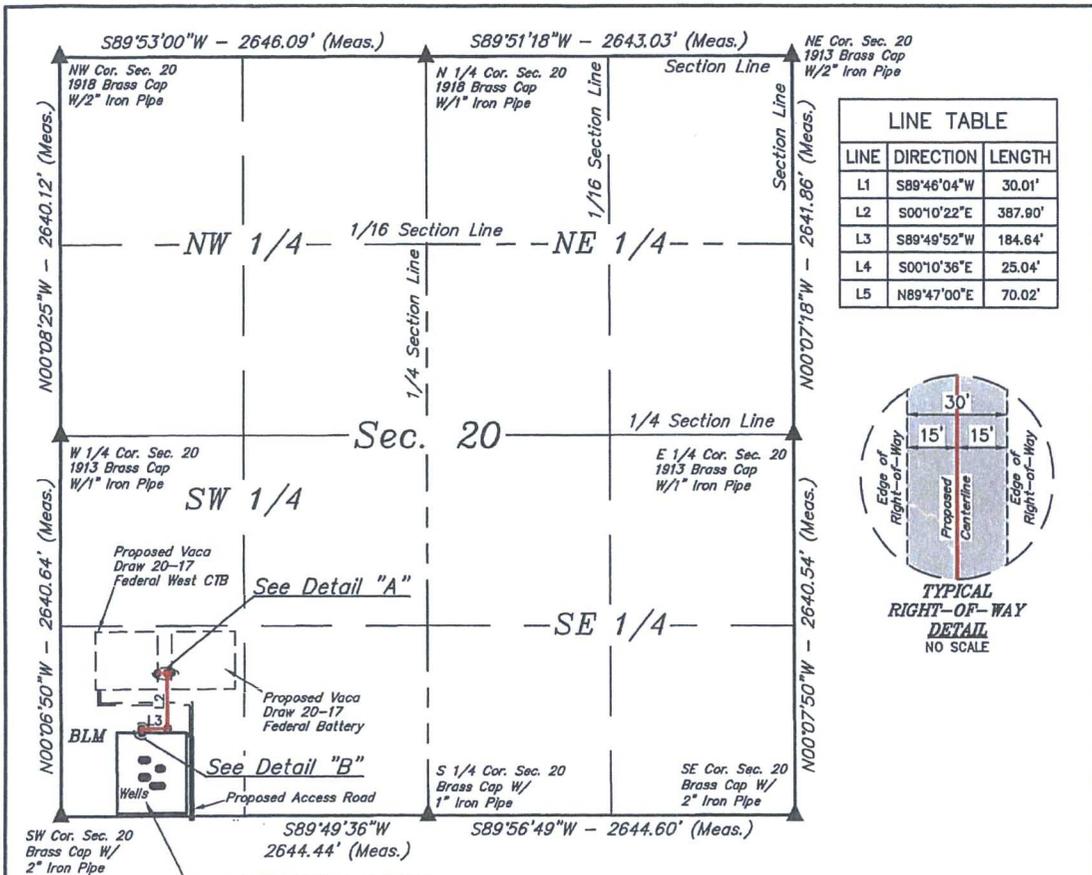
**CIMAREX ENERGY CO.**

VACA DRAW 20-17 FEDERAL 1H, 5H, 6H, 7H, 8H, 13H, 14H, 15H, 19H, 20H, 21H & 22H (ROW 1)  
SECTION 20, T25S, R33E, N.M.P.M.  
LEA COUNTY, NEW MEXICO

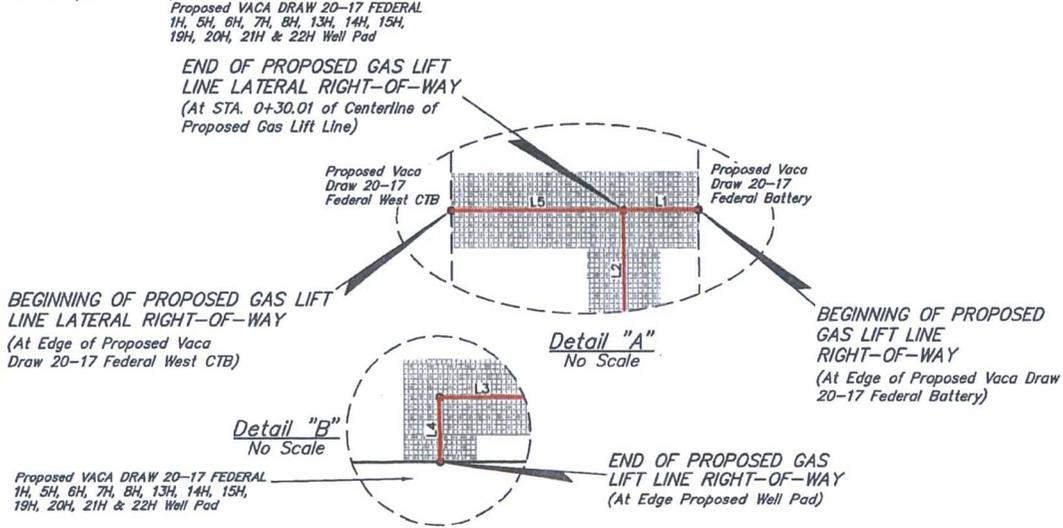
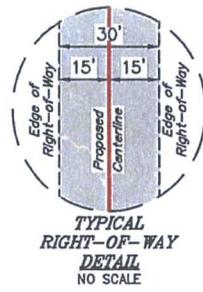
SURVEYED BY	C.J., D.J.	01-19-17	SCALE
DRAWN BY	B.D.H.	01-27-17	1" = 1000'
<b>FLOW LINE R-O-W</b>		<b>EXHIBIT M</b>	



**UELS, LLC**  
Corporate Office \* 85 South 200 East  
Vernal, UT 84078 \* (435) 789-1017



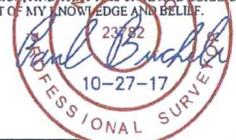
LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S89°46'04"W	30.01'
L2	S00°10'22"E	387.90'
L3	S89°49'52"W	184.64'
L4	S00°10'36"E	25.04'
L5	N89°47'00"E	70.02'



ACREAGE / LENGTH TABLE				
	OWNERSHIP	FEET	RODS	ACRES
SEC. 20 (SW 1/4)	BLM	627.59	38.04	0.432

ACREAGE / LENGTH TABLE - LATERAL				
	OWNERSHIP	FEET	RODS	ACRES
SEC. 20 (SW 1/4)	BLM	70.02	4.24	0.048

CERTIFICATE  
 THIS IS TO CERTIFY THAT THIS EASEMENT PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



FILE: 61356-A Sheet 1 of 2  
 REV: 1 10-24-17 S.F. (ADDED GAS LINE LATERAL)

NOTES:  
 \* Basis of Bearings is a Transverse Mercator Projection with a Central Meridian of W103°53'00"

**CIMAREX ENERGY CO.**

VACA DRAW 20-17 FEDERAL 1H, 5H, 6H, 7H, 8H, 13H, 14H, 15H, 19H, 20H, 21H & 22H  
 SECTION 20, T25S, R33E, N.M.P.M.  
 LEA COUNTY, NEW MEXICO

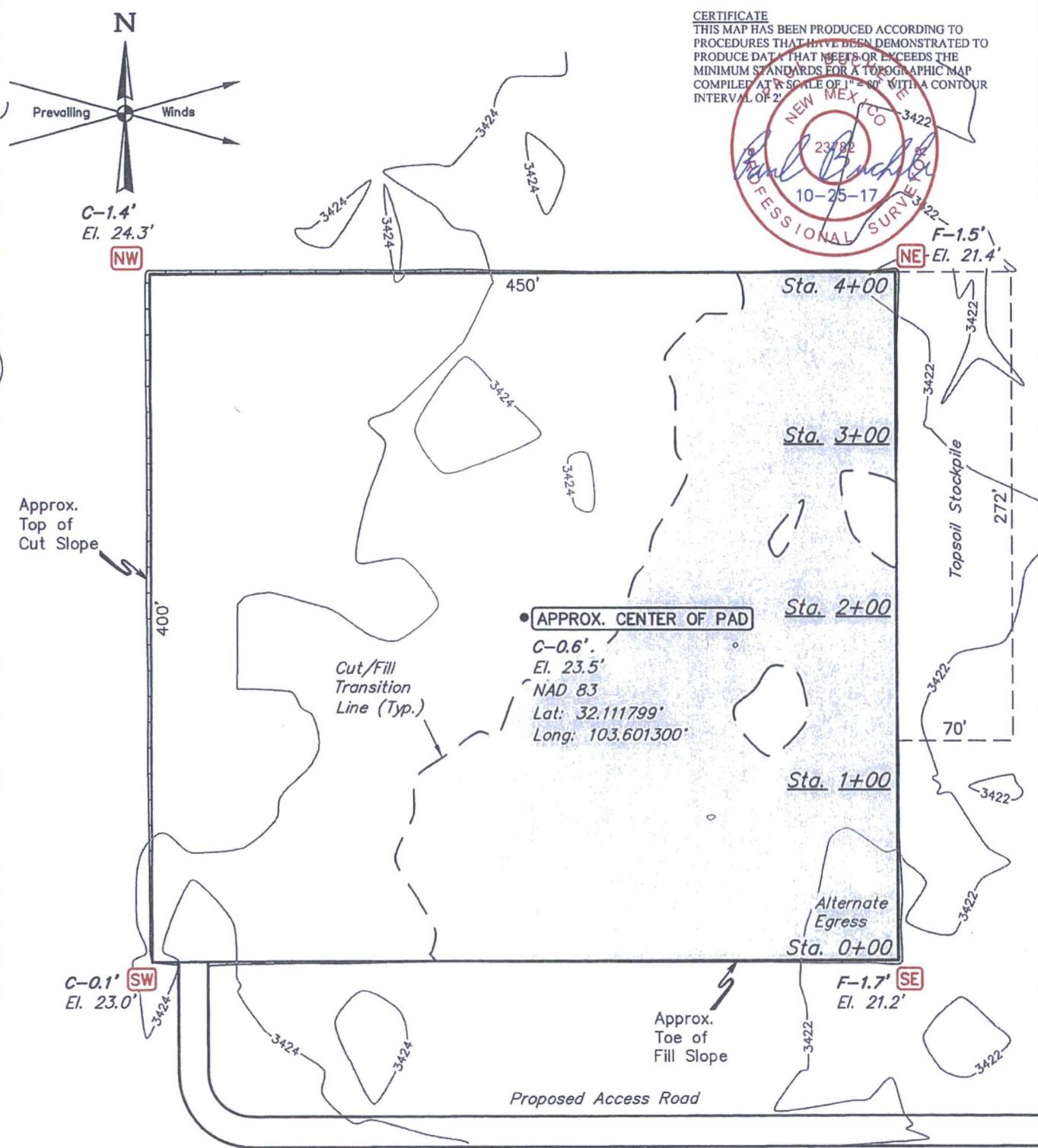
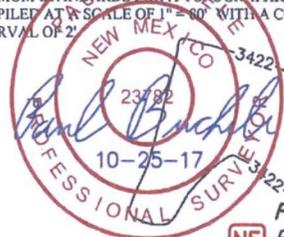
SURVEYED BY	C.J., D.J.	01-19-17	SCALE
DRAWN BY	B.D.H.	01-27-17	1" = 1000'

**GAS LIFT LINE R-O-W**



**UELS, LLC**  
 Corporate Office \* 85 South 200 East  
 Vernal, UT 84078 \* (435) 789-1017

**CERTIFICATE**  
 THIS MAP HAS BEEN PRODUCED ACCORDING TO PROCEDURES THAT HAVE BEEN DEMONSTRATED TO PRODUCE DATA THAT MEETS OR EXCEEDS THE MINIMUM STANDARDS FOR A TOPOGRAPHIC MAP COMPILED AT A SCALE OF 1" = 80' WITH A CONTOUR INTERVAL OF 2'



**FINISHED GRADE ELEVATION = 3422.9'**

- NOTES:**
- Contours shown at 2' intervals.
  - Cut/Fill slopes 1 1/2:1 (Typ. except where noted)
  - Topsoil stockpile to be seeded in place prior to reclamation.

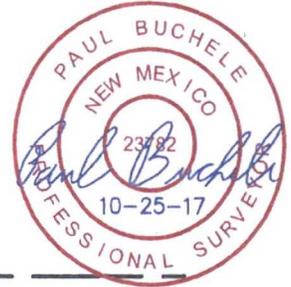
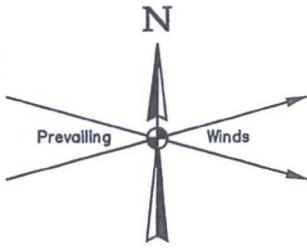
**CIMAREX ENERGY CO.**

**VACA DRAW 20-17 FEDERAL WEST CTB**  
 SW 1/4 SW 1/4, SECTION 20, T25S, R33E, N.M.P.M.  
 LEA COUNTY, NEW MEXICO

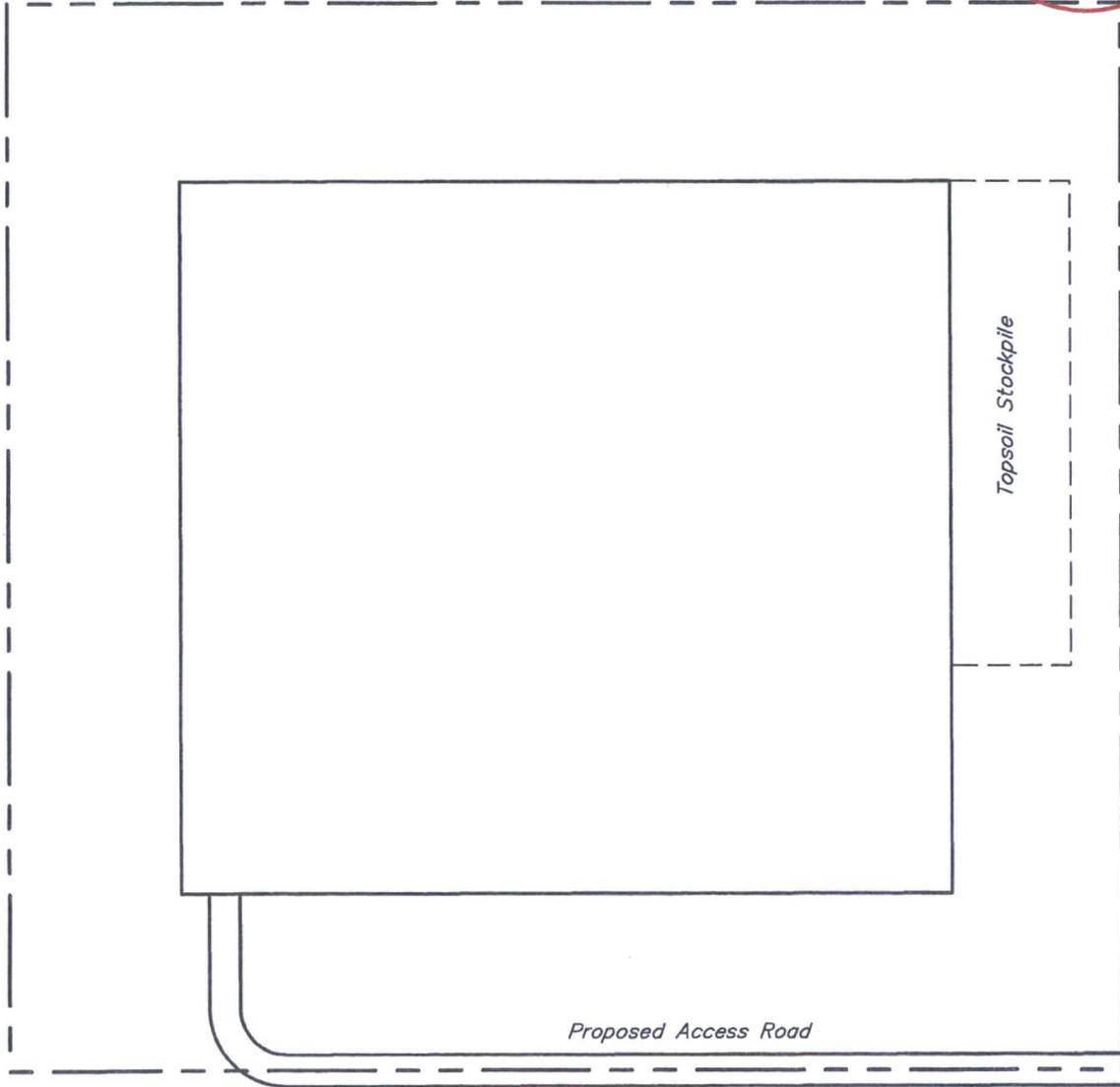


**UELS, LLC**  
 Corporate Office \* 85 South 200 East  
 Vernal, UT 84078 \* (435) 789-1017

<b>SURVEYED BY</b>	C.J., A.V.	10-17-17	<b>SCALE</b>
<b>DRAWN BY</b>	S.F.	10-20-17	1" = 80'
<b>LOCATION LAYOUT</b>		<b>EXHIBIT F</b>	



650' X 600' Archaeological Survey Boundary



**NOTES:**

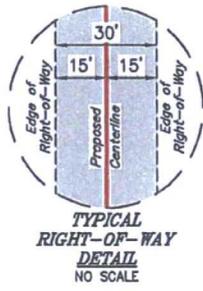
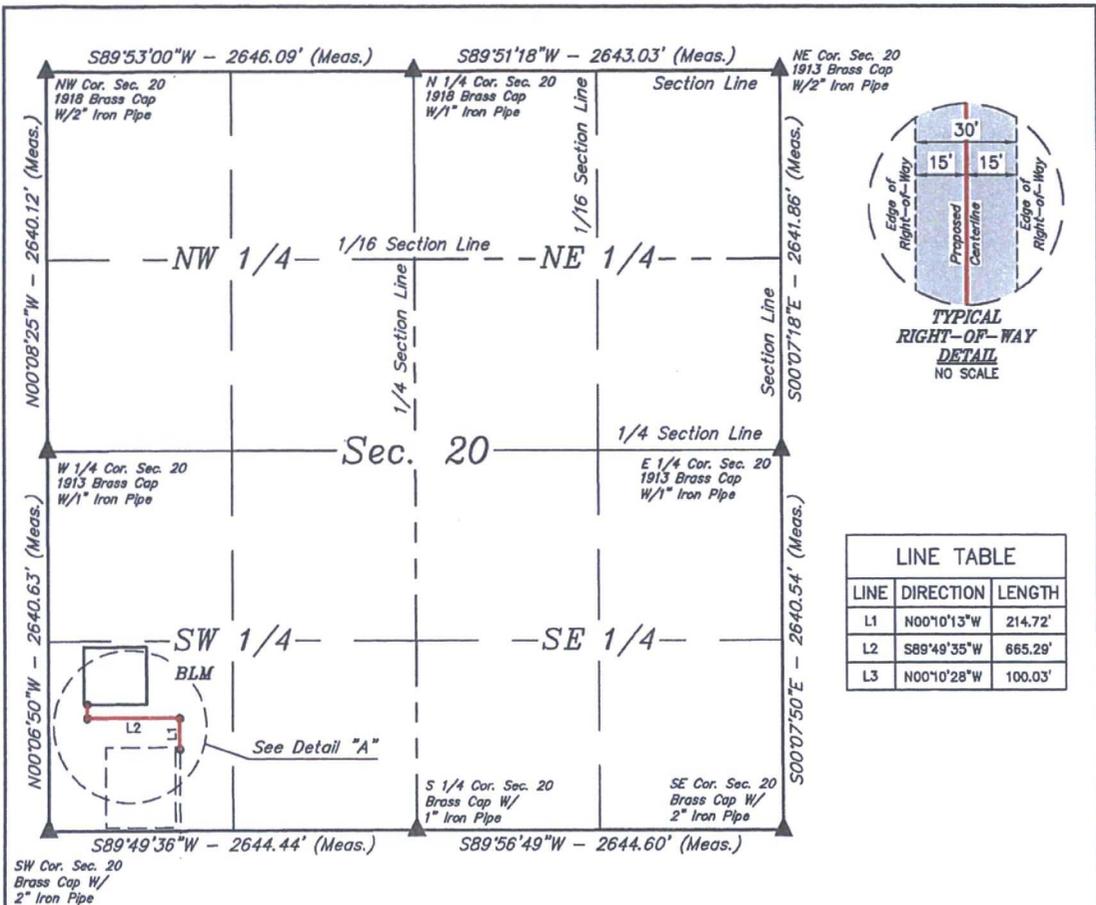
**CIMAREX ENERGY CO.**

VACA DRAW 20-17 FEDERAL WEST CTB  
 SW 1/4 SW 1/4, SECTION 20, T25S, R33E, N.M.P.M.  
 LEA COUNTY, NEW MEXICO



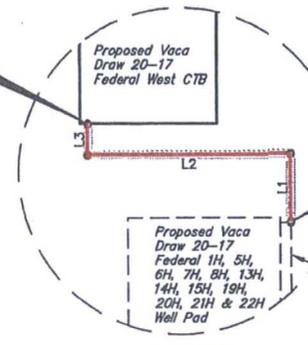
**UELS, LLC**  
 Corporate Office \* 85 South 200 East  
 Vernal, UT 84078 \* (435) 789-1017

<b>SURVEYED BY</b>	C.J., A.V.	10-17-17	<b>SCALE</b>
<b>DRAWN BY</b>	S.F.	10-20-17	1" = 100'
<b>ARCHAEOLOGICAL SURVEY BOUNDARY</b>			<b>EXHIBIT F</b>



SW Cor. Sec. 20  
Brass Cap W/  
2" Iron Pipe

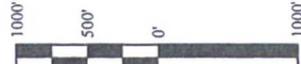
END OF PROPOSED  
ROAD RIGHT-OF-WAY  
(At Edge of Proposed Vaca  
Draw 20-17 Federal West CTB)



Detail "A"  
No Scale

BEGINNING OF PROPOSED  
ROAD RIGHT-OF-WAY  
(At STA. 10+67.84 of Centerline  
of Proposed Access Road for the  
Vaca Draw 20-17 Federal 1H,  
5H, 6H, 7H, 8H, 13H, 14H, 15H,  
19H, 20H, 21H & 22H Well Pad)

Centerline of Proposed Access  
Road for the Vaca Draw  
20-17 Federal 1H, 5H, 6H, 7H,  
8H, 13H, 14H, 15H, 19H, 20H,  
21H & 22H Well Pad



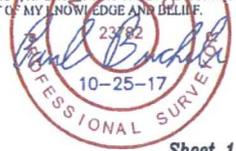
ACREAGE / LENGTH TABLE				
	OWNERSHIP	FEET	RODS	ACRES
SEC. 20 (SW 1/4)	BLM	980.04	59.40	0.675

▲ = SECTION CORNERS LOCATED.

NOTES:

- The maximum grade of existing ground for the proposed access road is ±0.6%.
- Basis of Bearings is a Transverse Mercator Projection with a Central Meridian of W103°53'00"

CERTIFICATE  
THIS IS TO CERTIFY THAT THIS EASEMENT PLAT AND  
THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT  
IS BASED WERE PERFORMED BY ME OR UNDER MY  
DIRECT SUPERVISION, THAT I AM RESPONSIBLE FOR  
THIS SURVEY, THAT THIS SURVEY MEETS THE  
MINIMUM STANDARDS FOR SURVEYING IN NEW  
MEXICO, AND THAT IT IS TRUE AND CORRECT TO THE  
BEST OF MY KNOWLEDGE AND BELIEF.



FILE: 62272-A1

Sheet 1 of 2



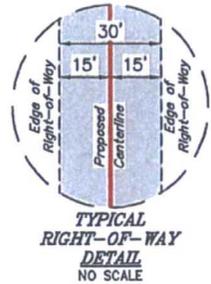
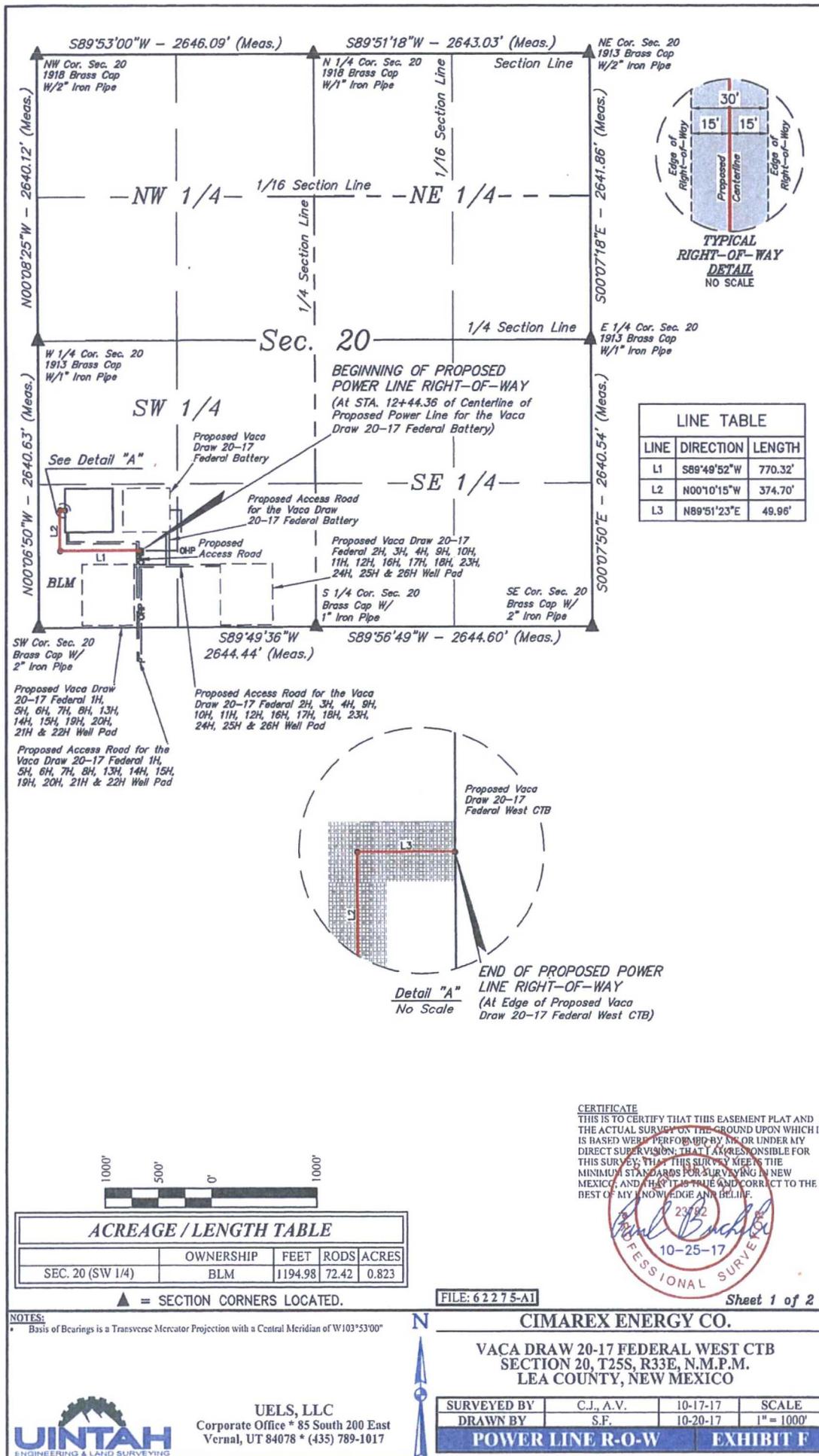
CIMAREX ENERGY CO.

VACA DRAW 20-17 FEDERAL WEST CTB  
SECTION 20, T25S, R33E, N.M.P.M.  
LEA COUNTY, NEW MEXICO

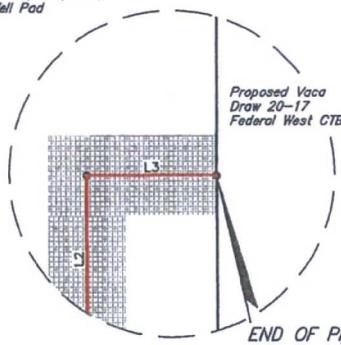
SURVEYED BY	C.J., A.V.	10-17-17	SCALE
DRAWN BY	S.F.	10-20-17	1" = 1000'
ACCESS ROAD R-O-W		EXHIBIT F	



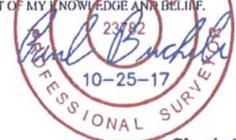
UELS, LLC  
Corporate Office \* 85 South 200 East  
Vernal, UT 84078 \* (435) 789-1017



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S89°49'52"W	770.32'
L2	N00°10'15"W	374.70'
L3	N89°51'23"E	49.96'



**CERTIFICATE**  
THIS IS TO CERTIFY THAT THIS EASEMENT PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT THE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



ACREAGE / LENGTH TABLE				
	OWNERSHIP	FEET	RODS	ACRES
SEC. 20 (SW 1/4)	BLM	1194.98	72.42	0.823

▲ = SECTION CORNERS LOCATED.

FILE: 62275-A1

Sheet 1 of 2

**NOTES:**  
• Basis of Bearings is a Transverse Mercator Projection with a Central Meridian of W103°53'00"

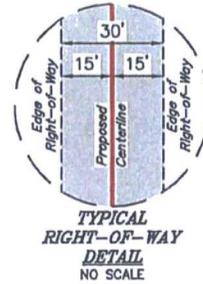
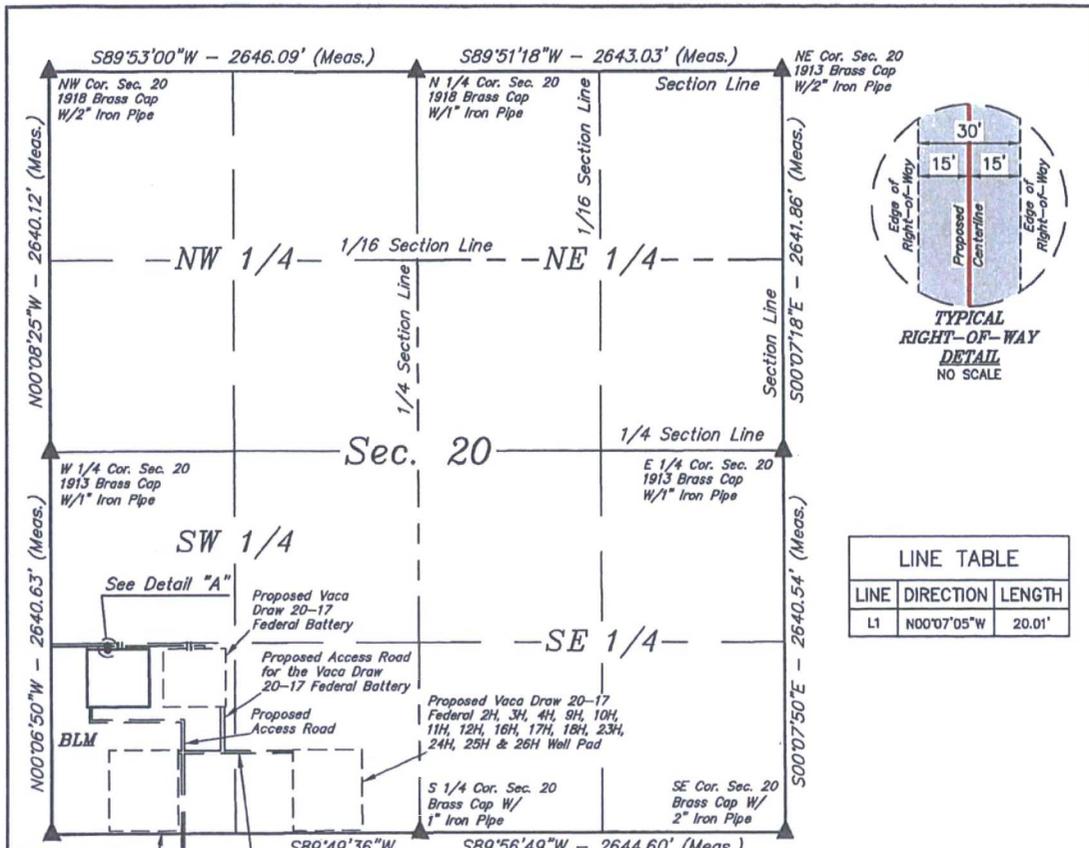
**CIMAREX ENERGY CO.**

VACA DRAW 20-17 FEDERAL WEST CTB  
SECTION 20, T25S, R33E, N.M.P.M.  
LEA COUNTY, NEW MEXICO

SURVEYED BY	C.J., A.V.	10-17-17	SCALE
DRAWN BY	S.F.	10-20-17	1" = 1000'
<b>POWER LINE R-O-W</b>		<b>EXHIBIT F</b>	



**UELS, LLC**  
Corporate Office \* 85 South 200 East  
Vernal, UT 84078 \* (435) 789-1017



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N00°07'05\"W	20.01'

SW Cor. Sec. 20  
Brass Cap W/  
2" Iron Pipe

Proposed Vaca Draw  
20-17 Federal 1H,  
5H, 6H, 7H, 8H, 13H,  
14H, 15H, 19H, 20H,  
21H & 22H Well Pad

Proposed Access Road for the  
Vaca Draw 20-17 Federal 1H,  
5H, 6H, 7H, 8H, 13H, 14H, 15H,  
19H, 20H, 21H & 22H Well Pad

Proposed Vaca Draw 20-17  
Federal Battery

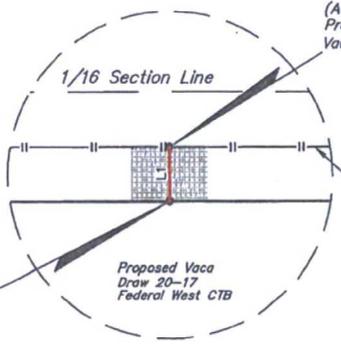
Proposed Access Road  
for the Vaca Draw  
20-17 Federal Battery

Proposed Access Road

Proposed Vaca Draw 20-17  
Federal 2H, 3H, 4H, 9H, 10H,  
11H, 12H, 16H, 17H, 18H, 23H,  
24H, 25H & 26H Well Pad

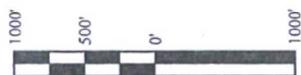
S 1/4 Cor. Sec. 20  
Brass Cap W/  
1" Iron Pipe

END OF PROPOSED GAS SALES  
PIPELINE RIGHT-OF-WAY  
(At STA. 7+20.06 of Centerline of  
Proposed Gas Sales Pipeline for the  
Vaca Draw 20-17 Federal Battery)



BEGINNING OF PROPOSED  
GAS SALES PIPELINE  
RIGHT-OF-WAY  
(At Edge of Proposed Vaca  
Draw 20-17 Federal West CTB)

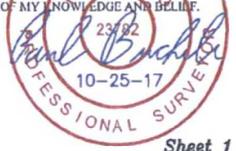
Detail "A"  
No Scale



ACREAGE / LENGTH TABLE				
	OWNERSHIP	FEET	RODS	ACRES
SEC. 20 (SW 1/4)	BLM	20.01	1.21	0.014

▲ = SECTION CORNERS LOCATED.

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THIS IS TO CERTIFY THAT THIS EASEMENT PLAT AND  
THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT  
IS BASED WERE PERFORMED BY ME OR UNDER MY  
DIRECT SUPERVISION, THAT I AM RESPONSIBLE FOR  
THIS SURVEY, THAT THIS SURVEY MEETS THE  
MINIMUM STANDARDS FOR SURVEYING IN NEW  
MEXICO, AND THAT THE SAME ARE CORRECT TO THE  
BEST OF MY KNOWLEDGE AND BELIEF.



FILE: 62273-A1

Sheet 1 of 2

NOTES:  
Basis of Bearings is a Transverse Mercator Projection with a Central Meridian of W103°53'00"

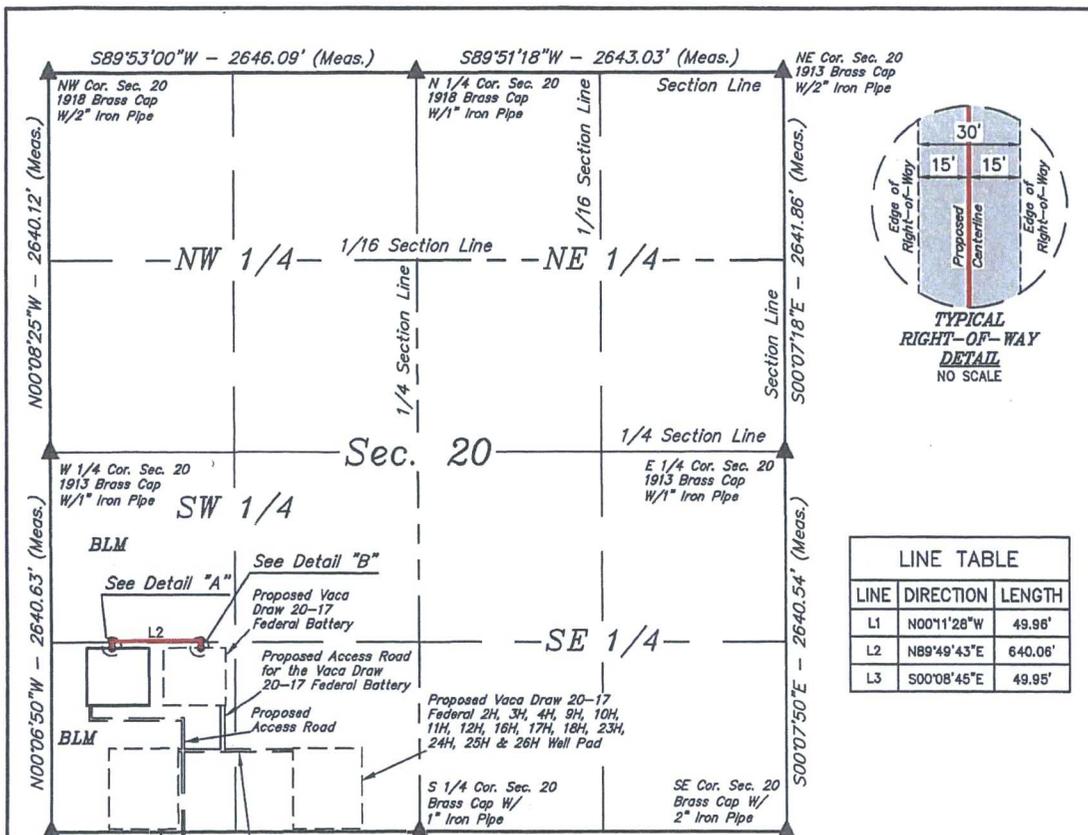
CIMAREX ENERGY CO.

VACA DRAW 20-17 FEDERAL WEST CTB  
SECTION 20, T25S, R33E, N.M.P.M.  
LEA COUNTY, NEW MEXICO

SURVEYED BY	C.J., A.V.	10-17-17	SCALE
DRAWN BY	S.F.	10-20-17	1" = 1000'
GAS SALES PIPELINE R-O-W		EXHIBIT F	



UELS, LLC  
Corporate Office \* 85 South 200 East  
Vernal, UT 84078 \* (435) 789-1017



**LINE TABLE**

LINE	DIRECTION	LENGTH
L1	N00°11'28"W	49.96'
L2	N89°49'43"E	640.06'
L3	S00°08'45"E	49.95'

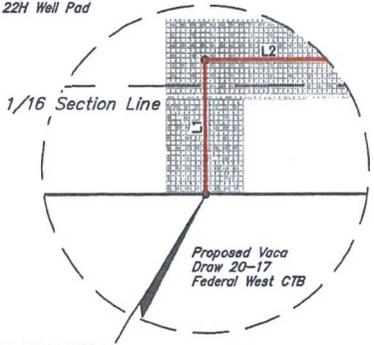
SW Cor. Sec. 20  
Brass Cap W/  
2" Iron Pipe

Proposed Vaca Draw  
20-17 Federal 1H,  
5H, 6H, 7H, 8H, 13H,  
14H, 15H, 19H, 20H,  
21H & 22H Well Pad

Proposed Access Road for the  
Vaca Draw 20-17 Federal 1H,  
5H, 6H, 7H, 8H, 13H, 14H, 15H,  
19H, 20H, 21H & 22H Well Pad

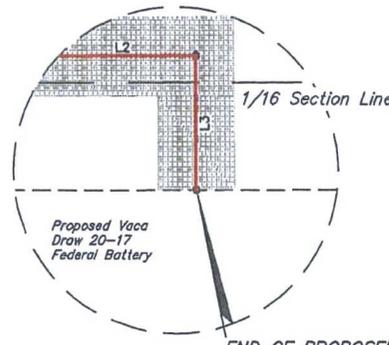
S 1/4 Cor. Sec. 20  
Brass Cap W/  
1" Iron Pipe

S 1/4 Cor. Sec. 20  
Brass Cap W/  
2" Iron Pipe



**Detail "A"**  
No Scale

BEGINNING OF PROPOSED  
SWD FLOW LINE  
RIGHT-OF-WAY  
(At Edge of Proposed Vaca  
Draw 20-17 Federal West CTB)



**Detail "B"**  
No Scale

END OF PROPOSED SWD  
FLOW LINE RIGHT-OF-WAY  
(At Edge of Proposed Vaca  
Draw 20-17 Federal Battery)



**ACREAGE / LENGTH TABLE**

	OWNERSHIP	FEET	RODS	ACRES
SEC. 20 (SW 1/4)	BLM	739.97	44.85	0.510

▲ = SECTION CORNERS LOCATED.

FILE: 6 2 2 7 4 - A 1

Sheet 1 of 2

**NOTES:**  
• Basis of Bearings is a Transverse Mercator Projection with a Central Meridian of W103°53'00"



**UELS, LLC**  
Corporate Office \* 85 South 200 East  
Vernal, UT 84078 \* (435) 789-1017



**CIMAREX ENERGY CO.**

VACA DRAW 20-17 FEDERAL WEST CTB  
SECTION 20, T25S, R33E, N.M.P.M.  
LEA COUNTY, NEW MEXICO

SURVEYED BY	C.J., A.V.	10-17-17	SCALE
DRAWN BY	S.F.	10-20-17	1" = 1000'
<b>SWD FLOW LINE R-O-W</b>			<b>EXHIBIT F</b>

**CERTIFICATE**  
THIS IS TO CERTIFY THAT THIS EASEMENT PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION THAT I AM RESPONSIBLE FOR THIS SURVEY. THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



## 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 checked="" type="checkbox"/> seed mixture 2 | <input type="checkbox"/> seed mixture 4          |
| <input 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.

**Tank Battery:**

Tank battery locations will be lined and bermed. A 20 mil permanent liner will be installed with a 4 oz. felt backing to prevent tears or punctures. Tank battery berms must be large enough to contain 1 ½ times the content of the largest tank or 24 hour production, whichever is greater.

Automatic shut off, check valves, or similar systems will be installed for tanks to minimize the effects of catastrophic line failures used in production or drilling.

STANDARD STIPULATIONS FOR SURFACE INSTALLED PIPELINES

**A copy of the Grant and attachments, including stipulations, survey plat(s) and/or map(s), shall be on location during construction. BLM personnel may request to review a copy of your permit during construction to ensure compliance with all stipulations.**

Holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer:

1. Holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant.

2. Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, Holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC § 2601 *et seq.* (1982) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant (*see* 40 CFR, Part 702-799 and in particular, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193). Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.

3. Holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. § 9601, *et seq.* or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, *et seq.*) on the Right-of-Way (unless the release or threatened release is wholly unrelated to activity of the Right-of-Way Holder's activity on the Right-of-Way), or resulting from the activity of the Right-of-Way Holder on the Right-of-Way. This provision applies without regard to whether a release is caused by Holder, its agent, or unrelated third parties.

4. Holder shall be liable for damage or injury to the United States to the extent provided by 43 CFR Sec. 2883.1-4. Holder shall be held to a standard of strict liability for damage or injury to the United States resulting from pipe rupture, fire, or spills caused or substantially aggravated by any of the following within the right-of-way or permit area:

a. Activities of Holder including, but not limited to: construction, operation, maintenance, and termination of the facility;

b. Activities of other parties including, but not limited to:

- (1) Land clearing
- (2) Earth-disturbing and earth-moving work
- (3) Blasting
- (4) Vandalism and sabotage;

c. Acts of God.

The maximum limitation for such strict liability damages shall not exceed one million dollars (\$1,000,000) for any

one event, and any liability in excess of such amount shall be determined by the ordinary rules of negligence of the jurisdiction in which the damage or injury occurred.

This section shall not impose strict liability for damage or injury resulting primarily from an act of war or from the negligent acts or omissions of the United States.

5. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any oil, salt water, or other pollutant should be discharged from the pipeline system, impacting Federal lands, the control and total removal, disposal, and cleaning up of such oil, salt water, or other pollutant, wherever found, shall be the responsibility of Holder, regardless of fault. Upon failure of Holder to control, dispose of, or clean up such discharge on or affecting Federal lands, or to repair all damages resulting therefrom, on the Federal lands, the Authorized Officer may take such measures as he/she deems necessary to control and clean up the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of Holder. Such action by the Authorized Officer shall not relieve Holder of any responsibility as provided herein.

6. All construction and maintenance activity shall be confined to the authorized right-of-way width of 20 feet. If the pipeline route follows an existing road or buried pipeline right-of-way, the surface pipeline shall be installed no farther than 10 feet from the edge of the road or buried pipeline right-of-way. If existing surface pipelines prevent this distance, the proposed surface pipeline shall be installed immediately adjacent to the outer surface pipeline. All construction and maintenance activity shall be confined to existing roads or right-of-ways.

7. No blading or clearing of any vegetation shall be allowed unless approved in writing by the Authorized Officer.

8. Holder shall install the pipeline on the surface in such a manner that will minimize suspension of the pipeline across low areas in the terrain. In hummocky or dune areas, the pipeline shall be "snaked" around hummocks and dunes rather than suspended across these features.

9. The pipeline shall be buried with a minimum of 24 inches under all roads, "two-tracks," and trails. Burial of the pipe will continue for 20 feet on each side of each crossing. The condition of the road, upon completion of construction, shall be returned to at least its former state with no bumps or dips remaining in the road surface.

10. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

11. In those areas where erosion control structures are required to stabilize soil conditions, the holder will install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound resource management practices.

12. Excluding the pipe, all above-ground structures not subject to safety requirement shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be a color which simulates "Standard Environmental Colors" – **Shale Green**, Munsell Soil Color No. 5Y 4/2; designated by the Rocky Mountain Five State Interagency Committee.

13. The pipeline will be identified by signs at the point of origin and completion of the right-of-way and at all road crossings. At a minimum, signs will state the holder's name, BLM serial number, and the product being transported. Signs will be maintained in a legible condition for the life of the pipeline.

14. The holder shall not use the pipeline route as a road for purposes other than routine maintenance as determined necessary by the Authorized Officer in consultation with the holder. The holder will take whatever steps are necessary to ensure that the pipeline route is not used as a roadway.

15. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or

any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.

16. The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes the roads, powerline corridor, and adjacent land affected by the establishment of weeds due to this action. The operator shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.

17. Surface pipelines shall be less than or equal to 4 inches and a working pressure below 125 psi.

18. Special Stipulations:

- a. **Lesser Prairie-Chicken:** Oil and gas activities will not be allowed in lesser prairie-chicken habitat during the period from March 1st through June 15th annually. During that period, other activities that produce noise or involve human activity, such as the maintenance of oil and gas facilities and pipeline, road, and well pad construction, will be allowed except between 3:00 am and 9:00 am. The 3:00 am to 9:00 am restriction will not apply to normal, around-the-clock operations, such as venting, flaring, or pumping, which do not require a human presence during this period. Normal vehicle use on existing roads will not be restricted.

#### 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.

#### 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.

12. Special Stipulations:

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

#### STANDARD STIPULATIONS FOR OIL AND GAS RELATED SITES

A copy of the application (Grant/Sundry Notice) 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 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.

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 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.

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). 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 site or related pipeline(s), any oil or other pollutant should be discharged from site facilities, the pipeline(s) or from containers or vehicles impacting Federal lands, the control and total removal, disposal, and cleanup of such oil or other 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 Federal lands, or to repair all damages to Federal 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.
5. 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, petroleum products, brines, chemicals, oil drums, ashes, and equipment.
6. The operator will notify the Bureau of Land Management (BLM) authorized officer and nearest Fish and Wildlife Service (FWS) Law Enforcement office within 24 hours, if the operator discovers a dead or injured federally protected species (i.e., migratory bird species, bald or golden eagle, or species listed by the FWS as threatened or endangered) in or adjacent to a pit, trench, tank, exhaust stack, or fence. (If the operator is unable to contact the FWS Law Enforcement office, the operator must contact the nearest FWS Ecological Services office.)
7. 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 **Shale Green**, Munsell Soil Color Chart Number 5Y 4/2.
8. 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.
9. 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 (575-234-5972).
10. The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes the roads, pads, associated 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.

11. Once the site is no longer in service or use, the site must undergo final abandonment. At final abandonment, the site and access roads must undergo "final" reclamation so that the character and productivity of the land are restored. Earthwork for final reclamation must be completed within six (6) months of the abandonment of the site. All pads and facility locations and roads must be reclaimed to a satisfactory revegetated, safe, and stable condition, unless an agreement is made with the landowner or BLM to keep the road and/or pad intact. After all disturbed areas have been satisfactorily prepared, these areas need to be revegetated with the seed mixture provided. Seeding should be accomplished by drilling on the contour whenever practical or by other approved methods. Seeding may need to be repeated until revegetation is successful, as determined by the BLM.

Operators shall contact a BLM surface protection specialist prior to surface abandonment operations for site specific objectives (Jim Amos: 575-234-5909).

12. The holder shall stockpile an adequate amount of topsoil where blading occurs. The topsoil to be stripped is approximately   6   inches in depth. The topsoil will be segregated from other spoil piles. The topsoil will be used for final reclamation.

13. 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 checked="" type="checkbox"/> seed mixture 2 | <input type="checkbox"/> seed mixture 4          |
| <input type="checkbox"/> seed mixture 2/LPC        | <input type="checkbox"/> Aplomado Falcon Mixture |

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. Open-topped Tanks - The operator will take actions necessary to prevent wildlife and livestock access, including avian wildlife, to all open-topped tanks that contain or have the potential to contain salinity sufficient to cause harm to wildlife or livestock, hydrocarbons, or Resource Conservation and Recovery Act of 1976-exempt hazardous substances. At a minimum, the operator will net, screen, or cover open-topped tanks to exclude wildlife and livestock and prevent mortality. If the operator uses netting, the operator will cover and secure the open portion of the tank to prevent wildlife entry. The operator will net, screen, or cover the tanks until the operator removes the tanks from the location or the tanks no longer contain substances that could be harmful to wildlife or livestock. Use a maximum netting mesh size of 1 ½ inches. The netting must not be in contact with fluids and must not have holes or gaps

16. The operator will prevent all hazardous, poisonous, flammable, and toxic substances from coming into contact with soil and water. At a minimum, the operator will install and maintain an impervious secondary containment system for any tank or barrel containing hazardous, poisonous, flammable, or toxic substances sufficient to contain the contents of the tank or barrel and any drips, leaks, and anticipated precipitation. The operator will dispose of fluids within the containment system that do not meet applicable state or U. S. Environmental Protection Agency livestock water standards in accordance with state law;

the operator must not drain the fluids to the soil or ground. The operator will design, construct, and maintain all secondary containment systems to prevent wildlife and livestock exposure to harmful substances. At a minimum, the operator will install effective wildlife and livestock exclosure systems such as fencing, netting, expanded metal mesh, lids, and grate covers. Use a maximum netting mesh size of 1 ½ inches.

17. Open-Vent Exhaust Stack Exclosures – The operator will construct, modify, equip, and maintain all open-vent exhaust stacks on production equipment to prevent birds and bats from entering, and to discourage perching, roosting, and nesting. (Recommended exclosure structures on open-vent exhaust stacks are in the shape of a cone.) Production equipment includes, but may not be limited to, tanks, heater-treaters, separators, dehydrators, flare stacks, in-line units, and compressor mufflers.

18. Containment Structures - Proposed production facilities such as storage tanks and other vessels will have a secondary containment structure that is constructed to hold the capacity of 1.5 times the largest tank, plus freeboard to account for precipitation, unless more stringent protective requirements are deemed necessary.