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MAY 13 2009

Form C-144 CLEZ
July 21, 2008District I
1625 N. French Dr., Hobbs, NM 88240District II
1301 W. Grand Avenue, Artesia, NM 88210District III
1000 Rio Brazos Road, Aztec, NM 87410District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

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State of New Mexico
Energy Minerals and Natural Resources
Department
Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

For closed-loop systems that only use above ground steel tanks or haul-off bins and propose to implement waste removal for closure, submit to the appropriate NMOCD District Office.

Closed-Loop System Permit or Closure Plan Application

(that only use above ground steel tanks or haul-off bins and propose to implement waste removal for closure)

Type of action: ☒ Permit ☒ Closure

Instructions: Please submit one application (Form C-144 CLEZ) per individual closed-loop system request. For any application request other than for a closed-loop system that only use above ground steel tanks or haul-off bins and propose to implement waste removal for closure, please submit a Form C-144.

Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.

Operator: Chesapeake Operating, Inc.

OGRID #: 147179

Address: P.O. Box 18496 Oklahoma City, OK 73154-0496

Facility or well name: J A Akens # 12

API Number: 30-025-29514

OCD Permit Number:

P1-00905

U/L or Qtr/Qtr ☒ Section 3 Township 21S Range 36E County: Lea

Center of Proposed Design: Latitude 32.502410

Longitude -103.24513

NAD: ☒ 1927 ☐ 1983Surface Owner: ☐ Federal ☐ State ☒ Private ☐ Tribal Trust or Indian Allotment☒ Closed-loop System: Subsection H of 19.15.17.11 NMACOperation: ☐ Drilling a new well ☒ Workover or Drilling (Applies to activities which require prior approval of a permit or notice of intent) ☐ P&A☒ Above Ground Steel Tanks or ☐ Haul-off Bins

Signs: Subsection C of 19.15.17.11 NMAC

☐ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers☒ Signed in compliance with 19.15.3.103 NMAC

Closed-loop Systems Permit Application Attachment Checklist: Subsection B of 19.15.17.9 NMAC

Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

☒ Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC☒ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC☒ Closure Plan (Please complete Box 5) - based upon the appropriate requirements of Subsection G of 19.15.17.9 NMAC and 19.15.17.13 NMAC☐ Previously Approved Design (attach copy of design)

API Number:

☐ Previously Approved Operating and Maintenance Plan

API Number:

Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only: (19.15.17.13 NMAC)

Instructions: Please identify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if more than two facilities are required.

Disposal Facility Name: Controlled Recovery, Inc.

Disposal Facility Permit Number: NM-01-0006

Disposal Facility Name: Sundance Disposal

Disposal Facility Permit Number: NM-01-0003

Will any of the proposed closed-loop system operations and associated activities occur on or in areas that will not be used for future service and operations?

☐ Yes (If yes, please provide the information below) ☒ No

Required for impacted areas which will not be used for future service and operations:

☐ Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19.15.17.13 NMAC☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC**Operator Application Certification:**

I hereby certify that the information submitted with this application is true, accurate and complete to the best of my knowledge and belief.

Name (Print): Linda Good

Title: Sr. Reg. Compl. Specialist

Signature: Linda Good

Date: 02/02/2009

e-mail address: linda.good@chk.com

Telephone: (405) 935-4275

7. **OCD Approval:** ☐ Permit Application (including closure plan) ☒ Closure Plan (only)
OCD Representative Signature: Camy W. Hill Approval Date: FEB 13 2009
Title: DISTRICT 1 SUPERVISOR OCD Permit Number: PI-00905

8. **Closure Report (required within 60 days of closure completion):** Subsection K of 19.15.17.13 NMAC
Instructions: Operators are required to obtain an approved closure plan prior to implementing any closure activities and submitting the closure report. The closure report is required to be submitted to the division within 60 days of the completion of the closure activities. Please do not complete this section of the form until an approved closure plan has been obtained and the closure activities have been completed.
☒ Closure Completion Date: 3/17/09

9. **Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:**
Instructions: Please identify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized.
Disposal Facility Name: _____ Disposal Facility Permit Number: _____
Disposal Facility Name: _____ Disposal Facility Permit Number: _____
Were the closed-loop system operations and associated activities performed on or in areas that will not be used for future service and operations?
☐ Yes (If yes, please demonstrate compliance to the items below) ☒ No
Required for impacted areas which will not be used for future service and operations:
☐ Site Reclamation (Photo Documentation)
☐ Soil Backfilling and Cover Installation
☐ Re-vegetation Application Rates and Seeding Technique

10. **Operator Closure Certification:**
I hereby certify that the information and attachments submitted with this closure report is true, accurate and complete to the best of my knowledge and belief. I also certify that the closure complies with all applicable closure requirements and conditions specified in the approved closure plan.
Name (Print): Pat Richards Title: Production Assistant
Signature: Pat Richards Date: 5/8/09
e-mail address: pat.richard5@chk.com Telephone: 575-391-1462

Camy W. Hill

Chesapeake Operating, Inc.'s Closed Loop System
J A Akens # 12
Unit X, Sec. 3, T-21-S R-36-E
Lea Co., NM
API #: 30-025-29514

Equipment & Design:

Chesapeake Operating, Inc. is to use a closed loop system in the re-entry of this well.
(1) 250 bbl frac tank

Operations & Maintenance:

During each and every tour, the rig's drilling crew will inspect and monitor closely the fluids contained within the steel tank and visually monitor any spill which may occur.

Within 48 hours should a spill, release or leak occur, the NMOCD District I office in Hobbs (575-393-6161) will be notified. Please note that notifications may be made earlier to the district office should a greater release occur.

This is in keeping with the reporting requirements of NMOCD's rule 116.

Closure:

After work-over/re-entry operations, fluids that may be collected will be hauled and disposed to the Controlled Recovery, Inc.'s (CRI) location.

The disposal permit number for CRI is: NM-01-0006

Should this facility not be available, Sundance Disposal is the alternative site.

The permit # for this facility is: NM-01-0003.