

**U.S. Department of the Interior
Bureau of Land Management
Colorado River Valley Field Office
2300 River Frontage Road
Silt, Colorado 81652**

Section 390 Categorical Exclusions for Oil and Gas Development, Exclusion No. 1

NEPA LOG NUMBER: DOI-BLM-CO-N040-2013-0055-CX (390)

A. Background

Bureau of Land Management (BLM) Office: Colorado River Valley Field Office

CASEFILE/PROJECT NUMBER: COC76086 for BLM Right-of-Way

PROPOSED ACTION TITLE/TYPE: Proposal to Convert Existing DOE 2-W-29 Well to Water Disposal and Install Surface and Buried Water Delivery Pipelines Across BLM Land 5 Miles Northeast of Parachute, Garfield County, Colorado. Authorized by Right-of-Way Grant.

LOCATION OF THE PROPOSED ACTION: Township 6 South (T6S), Range 95 West (R95W), Section 28, W $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$; Section 29, Lot 8, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sixth Principal Meridian. The project area lies approximately 5 miles northeast of Parachute, Garfield County, Colorado. The frontage road on the north side of Interstate 70 (I-70) provides vehicle access to the East Parachute field and the DOE 2-W-29 well pad.

DESCRIPTION OF THE PROPOSED ACTION: WPX Energy Rocky Mountain LLC (“WPX”) proposes to convert the producing DOE 2-W-29 low-volume natural gas well to a salt water disposal (SWD) well. The DOE 2-W-29 pad presently supports 11 producing gas wells including the DOE 2-W-29 well which initially began producing natural gas in 1989 after being drilled and completed in the Wasatch formation by the Department of Energy. The existing pad was reclaimed in 2012 after a third drilling visit in 2011. The working area of the pad (1.07 acres) would remain in its currently reclaimed condition to accommodate the conversion of the DOE 2-W-29 well to a water disposal well (Figure 1). The only surface feature on the pad needed to accommodate the well conversion would be an insulating 4-walled building installed over the well head to avoid freezing issues during winter weather.

To efficiently deliver produced water to the well for disposal into the target Wasatch G formation, WPX proposes to (1) install a buried 4-inch diameter Flexsteel water pipeline from the existing PA 42-33 pad on private land near the valley floor to the DOE 2-W-29 pad on BLM land to deliver produced water to the SWD well for its operating period, and (2) install a surface 4-inch diameter steel water pipeline from the existing PA 33-28 pad (Cottonwood frac pit) across a reclaimed pipeline corridor and alongside the existing DOE 2-W-29 access road to deliver produced water to the SWD well during the construction period for the buried water delivery line.

Features of the Water Disposal Well. Excess salt water stored at WPX’s Parachute and Rulison Evaporation Facilities and generated from numerous producing wells operated by WPX in the surrounding fields would be delivered in the new water pipelines and disposed through the DOE 2-W-29 wellbore to the Wasatch G Formation. The BLM ROW grant (COC76086) would authorize the disposal of off-lease produced waters within Federal minerals, authorize the new pipelines (buried and surface) to



Legend

- Proposed Injection Well (DOE 2-W-29)
- Production Gas Well

WPX Energy Rocky Mountain, LLC

DOE 2-W-29 Proposed Injection Well

T6S R95W, Section 29



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Figure 1. DOE 2-W-29 Water Disposal Well Location and Aerial View of Reclaimed Pad

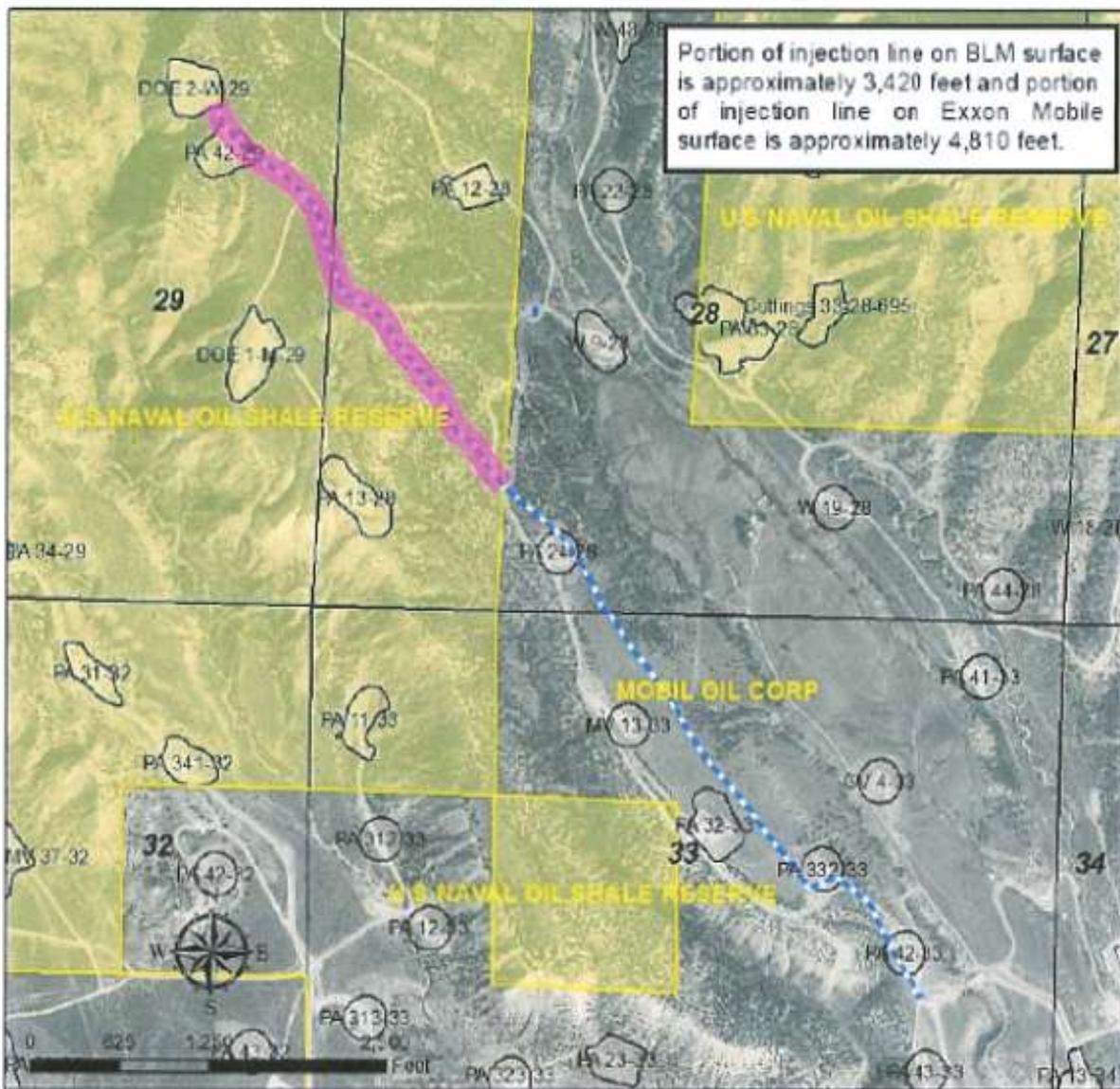


Figure 2. Proposed Buried Water Delivery Pipeline Alignment

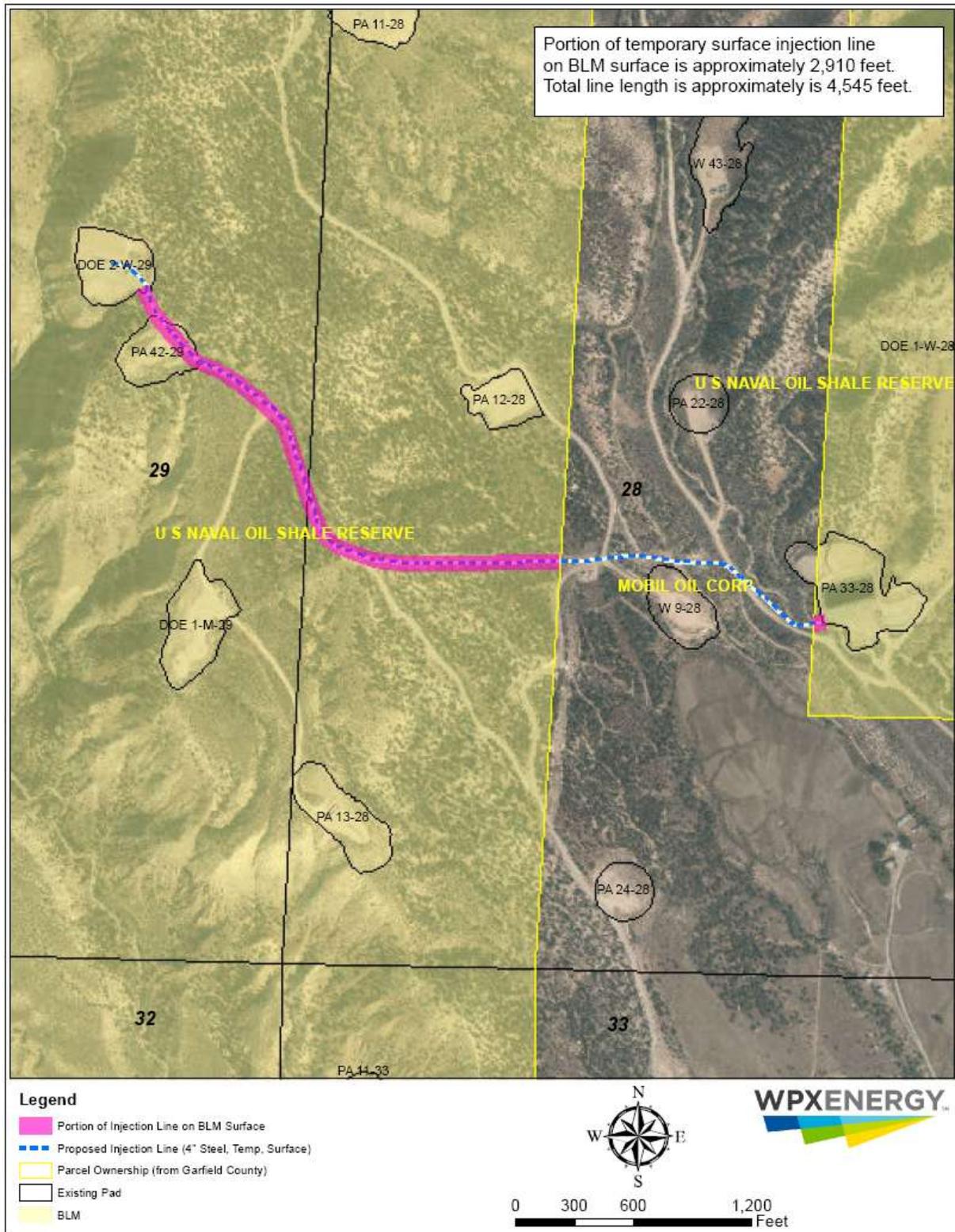


Figure 3. Proposed Surface Water Delivery Pipeline Alignment

deliver salt water to the well, and require annual payment of fees for the disposal of waters and rental schedules for the well and pipelines. The volume of produced water disposed through the wellbore into the formation below would be measured and reported to BLM on an annual basis. Colorado Oil and Gas Conservation Commission (COGCC), the permitting agency in Colorado for water disposal wells (termed Underground Injection Conversion or “UIC” by COGCC), is undergoing permit review of this well conversion and water disposal action. An aquifer exemption request has been reviewed and granted by the U.S. Environmental Protection Agency (EPA), Colorado Department of Public Health and Environment (CDPHE) and COGCC as part of the COGCC UIC permitting process. BLM, CRVFO is undergoing Sundry Notice review of the potential effects of the action on the Federal mineral estate. It is estimated that the water disposal actions in the DOE 2-W-29 wellbore could be undertaken for a period of 30 years.

Features of the Buried Water Delivery Line. Across BLM, the buried water delivery line would be located within the existing road (estimated 20-foot corridor) resulting in 1.57 acres of re-disturbance. For the purposes of the SCX criteria, the amount of disturbance on Federal lease would be negligible as the entire water line across BLM would occur within the existing DOE 2-W-29 roadway. Across the private land segments, about 3.85 acres (based on 40-foot corridor width) would be newly disturbed from the BLM boundary south across the dryland pasture field and the remainder of the pipeline would be buried within the existing roadways to the PA 42-33 pad (0.28 acres of re-disturbance based on 20-foot wide corridor). The total disturbance estimates for the project are reflected in Table 1. Except for the roadway segments which would be resurfaced with gravel, the entire pipeline corridor disturbance would be seeded after the pipeline is installed negating any long-term disturbance. As previously mentioned, there is no surface disturbance allocated for the installation of the 4-inch diameter surface water line to be installed and operated temporarily while the buried water line is being constructed.

Table 1. Project Disturbance Summary		
<i>Land Ownership</i>	<i>Buried Water Line Length</i>	<i>Disturbance Area of Buried Line</i>
BLM	3,420 feet	1.57 acres Redisturbance ¹
Private	4,190 feet	3.85 acres New Disturbance
Private	620 feet	0.28 acres Redisturbance
Total	8,230 feet	5.70 acres; 1.57 acres ¹ on BLM
¹ For the purposes of the SCX criteria, the amount of disturbance on Federal lease would be negligible as the entire water line across BLM would occur within the existing DOE 2-W-29 roadway.		

An existing network of water pipelines would deliver produced water from WPX’s Parachute and Rulison water management facilities to the proposed pump station at the PA 42-33 pad. The pump would provide the pressure to deliver the estimated water volume (2,000-3,000 barrels/day) through the proposed water line to the DOE 2-W-29 disposal well. Since the pump would be powered with electricity from existing overhead powerlines, no long-term on-site emissions would be expected from the operation of the pump or the WDW operation. The use of two diesel-powered pumps during the operation of the temporary surface delivery line and filtration process would be authorized in the short-term (estimated period of no more than 3 months).

The new buried water line would be installed by windrowing topsoil alongside the un-disturbed alignment or windrowing road gravel along the existing road segment, excavating a minimum 4-foot deep trench, connecting the pipeline segments with industry certified connections for Flexsteel materials, installing aboveground valve access where needed, reclaiming the existing pipeline corridor by replacing trenched material, spreading topsoil or gravel (whichever the case) across the area of disturbance and promptly seeding the pipeline alignment. Any staging areas for materials on public land would be located on existing roads or pads. Road gravel replacement would be required along the entire pipeline alignment that is installed in the existing roadway.

The buried water delivery line would be approximately 8,230 feet in total length with approximately 3,420 feet across BLM land. The entire length of water line across BLM would be buried directly within the DOE 2-W-29 access road footprint. The 4,810-foot pipeline alignment across private land would run primarily cross-country along the edge of a dry pasture field and secondarily follow portions of the existing road to the PA 42-33 pad (Figure 2). The planned disturbance width to install the water line in the road way across BLM would be 20 feet; the proposed disturbance corridor along the cross-country segment over private land would be 40 feet. No temporary work spaces would be needed to install the water line in the roadway on BLM.

Features of the Temporary Surface Water Delivery Line. The steel surface water delivery line (8,000 psi rating) would be approximately 4,545 feet in total length with approximately 2,910 feet across BLM land. The entire length of the surface line across BLM would be laid alongside the DOE 2-W-29 access road or within a previously-disturbed reclaimed pipeline corridor which was most recently used from 2010 to 2012 for surface lines supporting Federal wells in the area. The 1,635-foot pipeline segment across private land would occur entirely within the existing pipeline ROW corridor (Figure 3). Since the water line would be welded on either the DOE 2-W-29 pad or the PA 33-28 pad and pulled along the road and pipeline corridor with a trackhoe or front-end loader, there would be no new disturbance associated with the surface line installation. The proposed right-of-way width for the surface line would be 10 feet with no additional area needed for construction or installation.

Two diesel-powered pumps (centrifugal pump to filter the water and positive displacement pump to provide water delivery), two frac tanks and filter pod would be staged on the PA 33-28 pad to temporarily deliver the produced water through the surface water line to the DOE 2-W-29 SWD well. The filter pod would be used to clean and prepare water for downhole disposal. The frac tanks would collect the filtered residues from the filter pod. The existing Cottonwood Water Storage Facility located on the PA 33-28 pad would be used to store and stage water for delivery through the temporary surface water line.

After the buried 4-inch water delivery line and pump station at the PA 42-33 pad are installed and placed into service successfully delivering produced water to the DOE 2-W-29 well, the 4-inch surface water delivery line and PA 33-28 pump support would be removed from operation, dismantled and removed from BLM land. WPX would provide written documentation to BLM of the decommissioning plans for the surface water line.

The project work on BLM land would be subject to a big game winter timing limitation covering the period from December 1 to April 30.

During the project planning, BLM determined that the entire new water line alignments would be considered a connected Federal action since the produced water would be disposed of within Federal minerals overlying Federal lands.

The pipeline construction work would follow industry Best Management Practices and the guidelines established in the BLM Gold Book, *Surface Operating Standards for Oil and Gas Exploration and Development* (USDI and USDA 2007). After installation, the lines would be tested using air compressed from the atmosphere. Pipelines shall be constructed and maintained according to industry standards and COGCC regulations.

The DOE 2-W-29 water disposal well and water delivery pipelines would be authorized with the BLM ROW grant pursuant to Title V of the Federal Land Policy and Management Act (FLPMA) of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

Resource surveys including wildlife and special status plants were completed for this project in April 2013. The proposed alignment had been previously inventoried for cultural resources. An onsite for the project was conducted on March 15, 2013.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: The current land use plan is the *Glenwood Springs Resource Management Plan* (RMP) (BLM 1984, revised 1988). Relevant amendments include the *Oil and Gas Plan Amendment to the Glenwood Springs Resource Management Plan* (BLM 1991) and the *Oil & Gas Leasing & Development Record of Decision and Resource Management Plan Amendment* (BLM 1999).

Date Approved/Amended: *Oil and Gas Plan Amendment to the Glenwood Springs Resource Management Plan* (BLM 1991) – approved November 27, 1991; *Oil & Gas Leasing & Development Record of Decision and Resource Management Plan Amendment* (BLM 1999) – approved March 24, 1999.

Determination of Conformance: The Proposed Action is in conformance with the 1991 and 1999 RMP amendments cited above because the Federal mineral estate proposed for development was designated as open to oil and gas leasing and development, and Federal oil and gas leases COC62161 and COC62162 were duly issued pursuant thereto. In addition, the 1999 RMP amendment requires multi-year development plans known at that time as Geographic Area Plans (GAPs) for lease development over a large geographic area. The current project is within the area covered by the Wheeler to Webster GAP (CO140-2001-048) and also meets GAP exception criteria in the 1999 RMP Amendments based on its small size and location along existing access roads and pipeline corridors. Therefore, the Proposed Action is in conformance with the current land use plan.

C. Compliance with NEPA

Consistency with CX Category #1: *Individual surface disturbances of less than 5 acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to NEPA has been previously completed.* All of the questions listed in Table 2 must be answered “Yes” to use this Section 390 CX.

Table 2. Project Screening Questions	Yes	No
1. Will the proposed action disturb less than 5 acres?	<u>Yes</u>	
2. Is the current amount of surface disturbance on the entire leasehold, plus the proposed action, less than 150 acres? (See Figures 4a and 4b)	<u>Yes</u>	
3. Was the proposed action adequately analyzed in an existing site-specific National Environmental Policy Act (NEPA) document?	<u>Yes</u>	

COC 62161

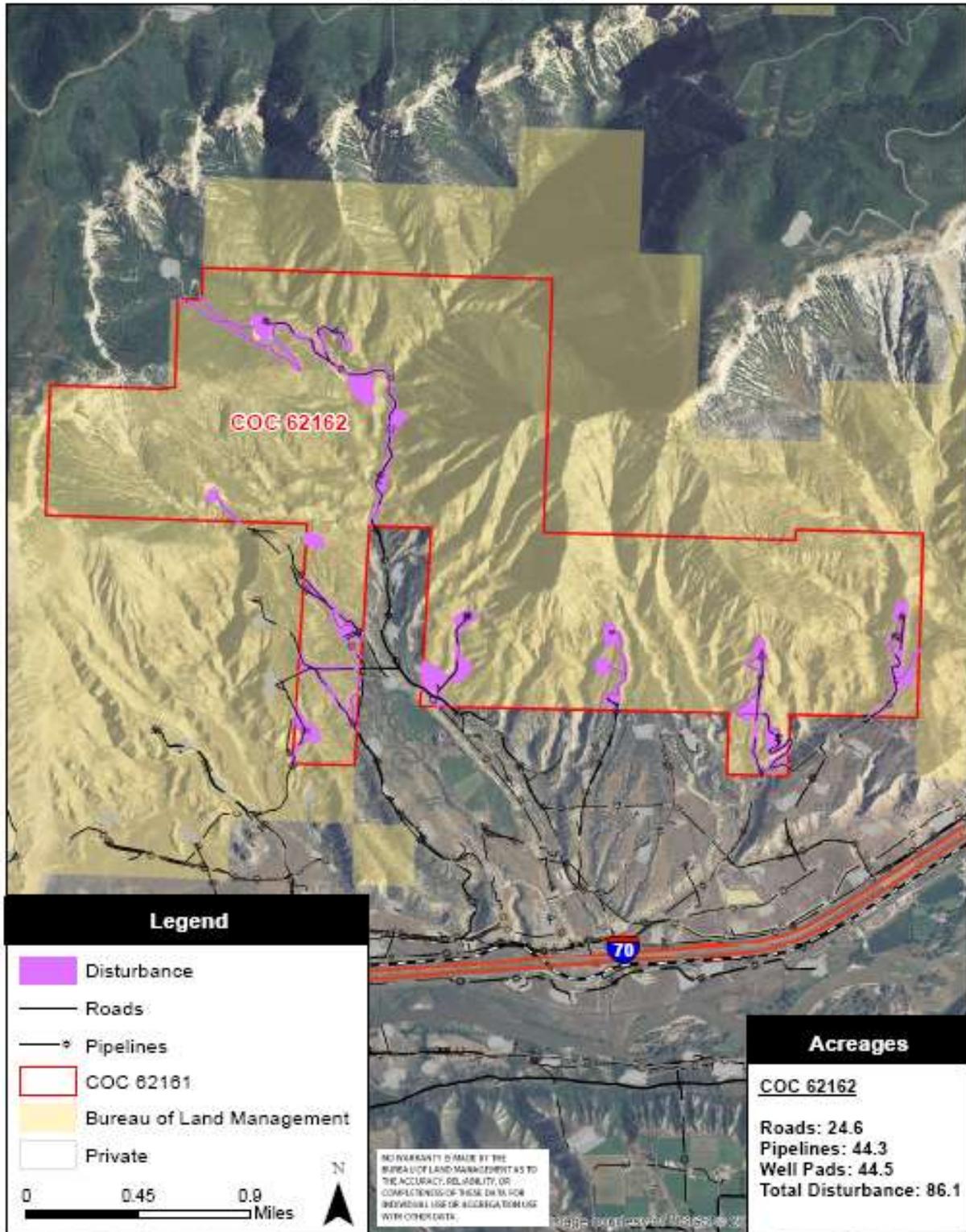


Figure 4a. Disturbance Acreage for Federal Lease COC62161

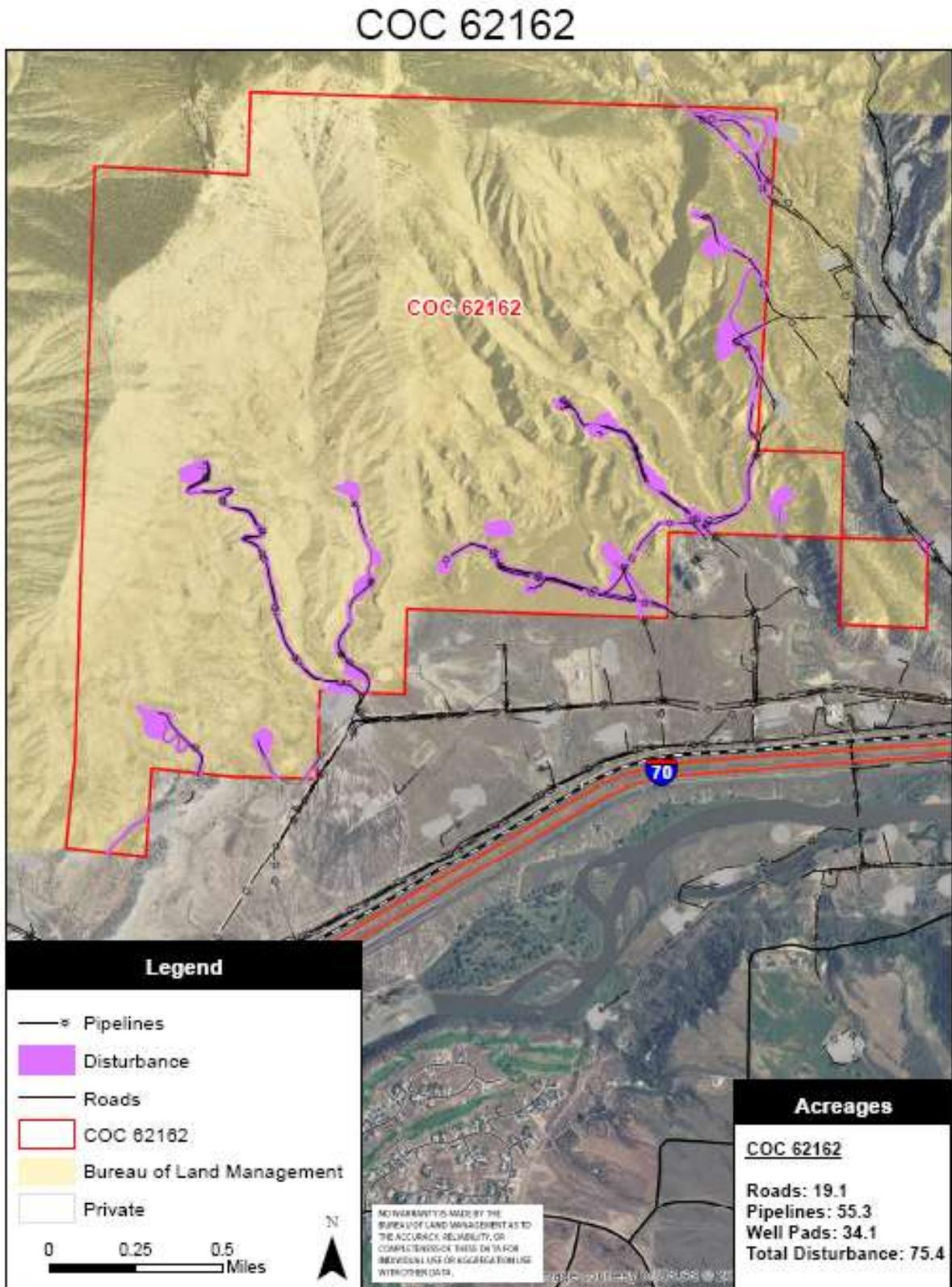


Figure 4b. Disturbance Acreage for Federal Lease COC62162

NEPA Document Name: The proposed pipeline project would be constructed within the boundary of the DOE 2-W-29/DOE 3-W-29 Drilling Project (EA #DOI-BLM-CO-NO40-2010-0058) approved on August 26, 2010, and that the existing EA satisfies the criteria of being an activity-level or project-level EIS or EA that is applicable to the Proposed Action.

Persons and/or Agencies Consulted: WPX: Lisa Dee, John Doose, Richard Jenkins, Wayne Gallahan, Justin Hall, Mike Reynolds, Kris Meil

Interdisciplinary Review: BLM staff from the CRVFO listed in Table 3 participated in the preparation of this Section 390 CX, including review of resource survey results submitted by the Operator’s consultants, evaluation of impacts likely to occur from implementation of the proposed action, and identification of appropriate COAs.

Table 3. BLM Interdisciplinary Team Authors and Reviewers		
<i>Name</i>	<i>Title</i>	<i>Areas of Participation</i>
DJ Beaupourt	Realty Specialist	Right-of-Way Permitting
John Brogan	Archaeologist	Cultural Resources, Native American Religious Concerns
Jim Byers	Natural Resource Specialist	EA Project Lead, Access & Transportation, Socioeconomics, Wastes-Hazardous or Solid,
Allen Crockett, Ph.D., J.D.	Supervisory NRS	NEPA Review
Shauna Kocman, Ph.D., P.E.	Hydrologist	Air Quality, Noise, Soils, Surface Water, Waters of the U.S.
Julie McGrew	Natural Resource Specialist	Visual Resources
Judy Perkins, Ph.D.	Botanist	Invasive Non-native Species, Special-status Species (Plants), Vegetation
Sylvia Ringer	Wildlife Biologist	Migratory Birds, Special-status Species (Animals), Wildlife, Aquatic and Terrestrial
Todd Sieber	Geologist	Paleontology

The Proposed Action was presented to the Colorado River Valley Field Office interdisciplinary team on March 15, 2013. The Section 390 CX was posted on the CRVFO NEPA website on March 22, 2013 to solicit public comment on this project. No comments were received.

MITIGATION: Terms and conditions to be attached to the Right-of-Way Grant for the DOE 2-W-29 Water Disposal Well and Water Delivery Pipelines are listed in the attachment to this Section 390 CX.

Name of Preparer: Jim Byers, NRS Date: May 9, 2013

D. Signature

The Proposed Action is statutorily categorically excluded from further NEPA documentation in accordance with Section 390 (b)(1) of the Energy Policy Act of 2005, which provides for such exclusion of:

“Individual surface disturbances of less than 5 acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to NEPA has been previously completed.”

Authorizing Official: Allen Crockett Date: 5-9-13

E. Decision and Rationale for Action

I have decided to approve the DOE 2-W-29 Water Disposal Well and Water Delivery Pipelines with the stipulations and conditions of approval identified in the COAs and stipulations attached to this form. The stipulations and COAs are required by this decision, and variance from these stipulations and COAs during project implementation may require further NEPA review.

I have reviewed Section C. Land Use Plan Conformance and Compliance with NEPA, and have determined that the proposed activity is in conformance with the applicable land use plan(s) and referenced NEPA documents. I have also evaluated the proposal to ensure the appropriate exclusion category as described in Section 390 of the Energy Policy Act of 2005 has been correctly applied. I have determined, that no further environmental analysis is required.

Allen Crockett 5-9-13
Allen Crockett, Ph.D. Date
Supervisory Natural Resource Specialist

F. Administrative Review or Appeal Opportunities

FLPMA Rights-of-Way or Temporary Use Permits

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, part 4. If an appeal is taken, your notice of appeal must be filed in this office (*Insert the appropriate office address of the officer who made the decision*) within 30 days from receipt of this decision, if served a copy of the document, or otherwise within 30 days of the date of the decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 2801.10 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

ATTACHMENT B
Stipulations and Conditions of Approval
WPX Energy Rocky Mountain LLC
DOE 2-W-29 Water Disposal Well and Water Delivery Pipelines

These Stipulations shall be applicable to all activities within WPX's DOE 2-W-29 Water Disposal Well and Water Delivery Pipelines Right-of-Way Grant (COC76086), unless otherwise specified.

Copies of the ROW grant with the stipulations shall be kept on site during construction and maintenance activities. All construction personnel shall review the grant and stipulations before working on the ROW.

SITE-SPECIFIC CONDITIONS OF APPROVAL
BLM RIGHT-OF- WAY (COC76086)
DOE 2-W-29 WATER DISPOSAL WELL

1. This ROW grant is independent of Environmental Protection Agency (EPA) and Colorado Oil and Gas Conservation Commission (COGCC) approvals. If the holder (WPX) identifies a conflict between this approval and the necessary approvals granted by the EPA and/or COGCC, the holder will immediately notify this office and propose corrective actions to remedy the conflict.
2. This ROW is granted only for the disposal of produced water in well DOE 2-W-29.
3. The initial cost per barrel fee shall be (\$0.15) of produced water injected into well DOE 2-W-29. Prior approval shall be obtained from the BLM for the procedures and equipment proposed to be used for measurement of produced water injected into well DOE 2-W-29 before such injection begins. The BLM may modify the proposal and condition of the approval.
4. This ROW is granted to WPX for the exclusive use of well DOE 2-W-29 for disposal of produced water originating from any well. WPX shall provide an accurate and up-to-date listing of all wells and their locations (legal descriptions) to the BLM for maintenance of case file number COC76086.
5. The holder must provide the authorized officer an annual injection volume report by October 15 of each year. The report needs to break down the number of barrels disposed by month with a yearly total. The report can be submitted electronically or in writing to this office. The initial report will be for the period from grant issuance through September 30, 2013. Subsequent reports will be for the period October 1 through September 30 of the following year.
6. Paint Color. All above ground structures not subject to safety requirements shall be painted by the operator to the specifications of the BLM in order to meet the Visual Resource Management (VRM) requirements for the area. Above-ground facilities shall be painted **Shadow Gray** to minimize contrast with adjacent vegetation or rock outcrops.

The only surface feature on the pad needed to accommodate the well conversion would be an insulating 4-walled building installed over the well head to avoid freezing issues during winter weather.

7. Well and Facility Identification. Per 43 CFR 3162.6: (b) For wells located on Federal and Indian lands, the operator shall properly identify, by a sign in a conspicuous place, each well, other than

those permanently abandoned. The well sign shall include the well number, the name of the holder, the lease serial number, the surveyed location (the quarter-quarter section, section, township and range or other authorized survey designation acceptable to the authorized officer; such as metes and bounds).

**SITE-SPECIFIC CONDITIONS OF APPROVAL
BLM RIGHT-OF- WAY (COC76086)**

4-INCH BURIED FLEXSTEEL WATER DELIVERY PIPELINE SERVING THE DOE 2-W-29 PAD

1. Administrative Notification. WPX Energy Rocky Mountain LLC (“WPX”) shall notify the BLM Authorized Officer (AO) at least 48 hours prior to initiation of construction. The operator shall schedule a preconstruction meeting with BLM, including key operator and contractor personnel, to ensure that any unresolved issues are fully addressed prior to initiation of surface-disturbing activities and review the stipulations of the ROW grant, including the POD as applicable, as well as required safety regulations, if appropriate. All existing buried pipelines within the roadway shall be located and marked prior to the preconstruction meeting to facilitate discussion of construction methods and logistics.
2. Utilities Locations. All existing pipelines, surface valves, and other utilities shall be field located, clearly marked, and the appropriate Utility Notification Center (www.unc.org) shall be notified before any construction/surface work occurs. All publicly owned underground facilities shall be marked according to the APWA color code. Line location work shall be conducted prior to the preconstruction meeting and construction startup.
3. Pipeline Construction and Maintenance. The 4-inch diameter buried Flexsteel water pipeline shall be installed to industry, COGCC and BLM “Gold Book” standards. The pipeline shall be buried with a minimum depth of 48 inches from the top of the pipe to the surface. Overall construction width shall not exceed the 20-foot width of the existing DOE 2-W-29 access roadway unless otherwise directed by the Authorized Officer. Prior to construction, the gravel surfacing on the roadway shall be bladed aside for later re-use after water line installation. Use of vacuum trucks to “pothole” existing pipelines and pipeline crossings is recommended prior to pipeline trenching. No equipment or vehicle use shall be allowed outside the staked disturbance corridor of the pipeline ROW unless authorized by BLM personnel.
4. Pipeline Testing. After pipeline installation is completed and prior to being put into service, the 4-inch Flexsteel water line shall be tested by using air compressed from the atmosphere. The entire pipeline shall be tested in compliance with United States Department of Transportation (DOT) Code of Federal Regulations (CFR) (49 CFR Part 192). (Ref. 49 CFR 192.500.Subpart J entitled “Test Requirements”).
5. Fire Suppression. Welding, acetylene or other torch with open flame shall be operated in an area barren or cleared of all flammable materials at least ten feet on all sides of equipment. Internal combustion engines must be equipped with approved spark arrestors which meet either a) Department of Agriculture, Forest Service Standard 5100-1a, or b) Society of Automotive Engineers (SAE) recommended practices J335(b) and J350(a).
6. Saturated Soil Conditions. When saturated soil conditions exist on or along the proposed right-of-way, construction shall be halted until soil material dries out or is frozen sufficiently for construction to proceed without undue damage and erosion to soils.

7. Warning Signs. Pipeline warning signs shall be installed within 5 days of completion of construction and prior to use of the pipeline for transportation of product. Pipeline warning shall be installed at all road crossings and shall be visible from sign to sign along the ROW. For safety purposes each sign shall be permanently marked with the operator's name and shall clearly identify the owner (emergency contact) and purpose (product) of the pipeline.
8. Survey Monuments. The holder shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority, if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the holder shall secure the services of a registered land surveyor or a Bureau Cadastral Surveyor to restore the disturbed Monument(s) and References using survey procedures found in the Manual of Surveying Instruction of the Survey of the Public Lands in the United States, latest edition. The holder shall record survey into the appropriate county and send a copy to the authorized officer. If the Bureau Cadastral Surveyors or other Federal surveys are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost. Reference 43 CFR 9185.4-1(a).
9. Sanitary Site Conditions. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment. Disposal of all liquid and solid wastes produced during construction or operation of the pipeline shall be in an approved manner so as to not adversely affect the air, soil, water, vegetation, or wildlife.
10. Other Required Approvals and Permits. This authorization is contingent upon receipt of and compliance with all appropriate Federal, state, county and local, permits. The operator shall be responsible for obtaining all necessary environmental clearances and permits from all agencies (U.S. Army Corps of Engineers, Colorado Parks and Wildlife, U.S. Fish and Wildlife Service, Colorado Department of Transportation, Colorado Department of Public Health and Environment, Garfield County Road and Bridge, and City of Rifle) before commencing any work under this permit. Without all clearances and permits, this permit shall be not in effect. Operator shall assume all responsibility and liability related to potential environmental hazards encountered in connection with work under this permit.
11. Compliance with Federal Regulations. This grant amendment is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.
12. Compliance with Laws. WPX shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the operator shall comply with the Toxic Substances Control Act of 1976 (TSCA), as amended (15 U.S.C. 2601 *et seq.*) with regard to any toxic substances that are used, generated by, or stored on the ROW or on facilities authorized under this ROW grant (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 of 1980 (CERCLA),

Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release of spill of any toxic substances shall be furnished to the BLM concurrently with the filing of the reports to the involved Federal agency or State government.

13. Hold Harmless Clause. WPX 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 (CERCLA), 42 U.S.C. 9601 *et seq.* or the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901, *et seq.*) on the ROW (unless the release or threatened release is wholly unrelated to the operator's activity in the ROW). This agreement applies without regard to whether a release is caused by the operator, its agent, or unrelated third parties.
14. Paint Color. All above ground structures not subject to safety requirements shall be painted by the operator to the specifications of the BLM in order to meet the Visual Resource Management (VRM) requirements for the area. Above-ground facilities shall be painted **Shadow Gray** to minimize contrast with adjacent vegetation or rock outcrops.
15. As-Built Survey. An "as-built" center line survey of the right-of-way crossing Federal land, provided by a Certified Land Surveyor licensed to work in the State of Colorado, shall be provided to the BLM within 2 months of completion of the project.
16. Open Trenches. All open trenches shall be maintained in a safe condition to ensure no side-wall collapsing occurs and that all personnel, livestock, and wildlife are safe from falling into an open trench or being trapped or injured within the trenches.

Some protective systems may include (*Reference: OSHA 29 CFR 1926.650*):

- Shoring by installing supports to prevent soil movement for trenches that do not exceed 20 feet in depth.
- Shielding to protect workers by using trench boxes or other types of supports to prevent soil cave-ins.
- Always provide a way to exit a trench, such as a ladder or ramp, no more than 25 feet of lateral travel for personnel, livestock, or wildlife in the trench.
- Keep spoils at least 2 feet back from the edge of a trench.
- Make sure that trenches are inspected by competent personnel prior to entry and after any hazard-increasing event such as a rainstorm, etc.

Trenches adjacent to access roads and/or public or private dwellings shall be covered and/or warning barriers erected upon completion of daily construction or at any time personnel are not present on the construction site.

17. Notification of Other ROW Holders. The holder shall notify all existing ROW holders in the project area prior to beginning any surface disturbance or construction activities. It is the holder's responsibility to coordinate with all other ROW holders and resolve any conflicts.
18. Restrictions on Onsite Materials Storage. The operator shall not store hazardous materials, chemicals, fuels, lubricating oils, or perform concrete coating activities within 200 feet of any water body or dry drainage. Equipment or vehicles that are crossing or working within 200 feet of water bodies shall not be refueled unless the Environmental Inspector gives a specific exception. If any hazardous material must be temporarily stored or transferred within 200 feet of a water body (i.e.,

stationary pumps), it must be placed within a secondary containment structure that is capable of containing 110% of the volume of the stored material.

19. Traffic Control. Appropriate precautions for traffic control on public lands shall be in place and conform to the guidelines of the “Manual on Uniform Traffic Control Devices (MUTCD): Temporary Traffic Control Elements”. A copy of the traffic control plan shall remain on site at all times during construction activities.
20. Noise and Traffic Calming. To mitigate noise impacts to public land users in the area, WPX shall instruct its employees and contractors that use of engine braking by trucks serving the project area is not allowed on BLM roads. To avoid conflicts with vehicular traffic accessing nearby private land, WPX shall implement signing and traffic control measures during pipeline construction. WPX shall obtain approved access, overweight load, and utility permits from Garfield County and shall adhere to Garfield County safety and road maintenance requirements including dust abatement.
21. Private Landowners and Existing Rights-of-Way. The operator shall obtain agreements allowing construction with all existing authorized surface users of Federal ROW locations prior to surface disturbance or construction of the location, staging areas, or access across or adjacent to any existing ROW locations. In the case of privately owned surface, the operator shall certify to BLM that a Surface Use Agreement has been reached with the authorized surface user prior to construction.
22. Dust Abatement. The operator shall implement dust abatement measures as needed to prevent fugitive dust from vehicular traffic, equipment operations, or wind events. The BLM may direct the operator to change the level and type of treatment (watering or application of various dust agents, surfactants, and road surfacing material) if dust abatement measures are observed to be insufficient to prevent fugitive dust. Posted speed limits on county and private roads shall be strictly followed during all phases of the pipeline project to reduce vehicle speeds and thereby reduce dust along the access roads.
23. Drainage Crossings and Culverts. Construction activities at perennial, intermittent, and ephemeral drainage crossings (e.g., burying pipelines, installing culverts) shall be timed to avoid high flow conditions. Construction that disturbs any flowing stream shall utilize a piped stream diversion (flumed flows) to divert flow around the disturbed area.

Culverts at drainage crossings shall be designed and installed to pass a 25-year or greater storm event. On perennial and intermittent streams, culverts shall be designed to allow for passage of aquatic biota. The minimum culvert diameter in any installation for a drainage crossing or road drainage shall be 24 inches. Crossings of drainages deemed to be jurisdictional waters of the U.S. pursuant to Section 404 of the Clean Water Act may require additional culvert design capacity. Due to the flashy nature of area drainages and anticipated culvert maintenance, the U.S. Army Corps of Engineers (USACE) recommends designing drainage crossings for the 100-year event. Contact the USACE Colorado West Regulatory Branch at 970-243-1199 ext. 17.

Pipelines installed beneath perennial stream crossings shall be buried at a minimum depth of 7 feet below the channel substrate to avoid exposure by channel scour and degradation. At ephemeral and intermittent washes the pipeline shall be buried at a minimum depth of 4 feet below the channel substrate. Following burial, the channel grade and substrate composition shall be returned to pre-construction conditions.

24. Jurisdictional Waters of the United States. The operator shall obtain appropriate permits from the U.S. Army Corps of Engineers (USACE) prior to discharging fill material into Waters of the US in accordance with Section 404 of the Clean Water Act. Waters of the US are defined in 33 CFR Section 328.3 and may include wetlands as well as perennial, intermittent, and ephemeral streams. Permanent impacts to Waters of the US may require mitigation. Contact the USACE Colorado West Regulatory Branch at 970-243-1199 ext. 17. Copies of any printed or emailed approved USACE permits or verification letters shall be forwarded to the BLM.
25. Reclamation. The goals, objectives, timelines, measures, and monitoring methods for final reclamation of oil and gas disturbances are described in Appendix I (Surface Reclamation) of the 1998 Draft Supplemental EIS (DSEIS). Specific measures to follow during interim and temporary (pre-interim) reclamation are described below.
- a. Reclamation Plans. In areas that have low reclamation potential or are especially challenging to restore, reclamation plans will be required prior to ROW Grant approval. The plan shall contain the following components: detailed reclamation plans, which include contours and indicate irregular rather than smooth contours as appropriate for visual and ecological benefit; seeding; soil test results and/or a soil profile description; amendments to be used; soil treatment techniques such as roughening, pocking, and terracing; erosion control techniques such as hydromulch, blankets/matting, and wattles; and visual mitigations, if in a sensitive Visual Resource Management (VRM) area.
- b. Deadline for Reclamation Earthwork and Seeding. Reclamation, including seeding, of temporarily disturbed areas along roads and pipelines, and of topsoil piles and berms, shall be completed within 30 days following completion of construction. Any such area on which construction is completed prior to December 1 shall be seeded during the remainder of the early winter season instead of during the following spring, unless BLM approves otherwise based on weather. If pipeline construction occurs discontinuously or continuously but with a total duration greater than 30 days, reclamation, including seeding, shall be phased such that no portion of the temporarily disturbed area remains in an unreclaimed condition for longer than 30 days. BLM may authorize deviation from this requirement based on the season, individual reclamation requirements for sensitive areas including sensitive plant species or ecological sites, and the amount of work remaining on the entirety of the road or pipeline when the 30-day period has expired.
- The deadlines for seeding described above are subject to extension upon approval of the BLM based on season, timing limitations (TLs), or other constraints on a case-by-case basis. If the BLM approves an extension for seeding, the operator may be required to stabilize the reclaimed surfaces using hydromulch, erosion matting, or other method until seeding is implemented.
- c. Topsoil Stripping, Storage, and Replacement. All topsoil shall be stripped following removal of vegetation during construction of pipelines, access roads, or other surface facilities. In areas of thin soil, a minimum of the upper 6 inches of surficial material shall be stripped. The BLM may specify a stripping depth during the onsite visit or based on subsequent information regarding soil thickness and suitability. The stripped topsoil shall be stored separately from subsoil or other excavated material and replaced prior to final seedbed preparation.
- d. Seedbed Preparation. For cut-and-fill slopes, initial seedbed preparation shall consist of backfilling and recontouring to achieve the configuration specified in the reclamation plan. For compacted areas, initial seedbed preparation shall include ripping to a minimum depth of 18

inches, with a maximum furrow spacing of 2 feet. Where practicable, ripping shall be conducted in two passes at perpendicular directions. Following final contouring, the backfilled or ripped surfaces shall be covered evenly with topsoil.

Final seedbed preparation shall consist of scarifying (raking or harrowing) the spread topsoil prior to seeding. If more than one season has elapsed between final seedbed preparation and seeding, and if the area is to be broadcast-seeded or hydroseeded, this step shall be repeated no more than 1 day prior to seeding to break up any crust that has formed.

If directed by the BLM, the operator shall implement measures following seedbed preparation (when broadcast-seeding or hydroseeding is to be used) to create small depressions to enhance capture of moisture and establishment of seeded species. Depressions shall be no deeper than 1 to 2 inches and shall not result in piles or mounds of displaced soil. Excavated depressions shall not be used unless approved by the BLM for the purpose of erosion control on slopes. Where excavated depressions are approved by the BLM, the excavated soil shall be placed only on the downslope side of the depression.

If directed by the BLM, the operator shall conduct soil testing prior to reseeding to identify if and what type of soil amendments may be required to enhance revegetation success. At a minimum, the soil tests shall include texture, pH, organic matter, sodium adsorption ratio (SAR), cation exchange capacity (CEC), alkalinity/salinity, and basic nutrients (nitrogen, phosphorus, potassium [NPK]). Depending on the outcome of the soil testing, the BLM may require the operator to submit a plan for soil amendment. Any requests to use soil amendments not directed by the BLM shall be submitted to the CRVFO for approval.

Seedbed preparation is not required for topsoil storage piles or other areas of temporary seeding.

- e. Seed Mixes. A seed mix consistent with BLM standards in terms of species and seeding rate for the specific habitat type shall be used on all BLM lands affected by the project (per the BLM CRVFO letter provided to operators dated October 23, 2012). Note that temporary seeding no longer allows the use of sterile hybrid non-native species.

For private surfaces, the menu-based seed mixes are recommended, but the surface landowner has ultimate authority over the seed mix to be used in reclamation. The seed shall contain no prohibited or restricted noxious weed seeds and shall contain no more than 0.5% by weight of other weed seeds. Seed may contain up to 2.0% of “other crop” seed by weight, including the seed of other agronomic crops and native plants; however, a lower percentage of other crop seed is recommended. Seed tags or other official documentation shall be submitted to BLM at least 14 days before the date of proposed seeding for acceptance. Seed that does not meet the above criteria shall not be applied to public lands.

- f. Seeding Procedures. Seeding shall be conducted no more than 24 hours following completion of final seedbed preparation.

Where practicable, seed shall be installed by drill-seeding to a depth of 0.25 to 0.5 inch. Where drill-seeding is impracticable, seed may be installed by broadcast-seeding at twice the drill-seeding rate, followed by raking or harrowing to provide 0.25 to 0.5 inch of soil cover or by hydroseeding and hydromulching. Hydroseeding and hydromulching shall be conducted in two separate applications to ensure adequate contact of seeds with the soil.

If interim revegetation is unsuccessful, the operator shall implement subsequent reseeding until interim reclamation standards are met.

- g. Mulch. Mulch shall be applied within 24 hours following completion of seeding. Mulch may consist of either hydromulch or of certified weed-free straw or certified weed-free native grass hay crimped into the soil.

NOTE: Mulch is not required in areas where erosion potential mandates use of a biodegradable erosion-control blanket (straw matting).

- h. Erosion Control. Cut-and-fill slopes shall be protected against erosion with the use of water bars, lateral furrows, or other measures approved by the BLM. Cut-and-fill slopes along drainages or in areas with high erosion potential shall also be protected from erosion using hydromulch designed specifically for erosion control or biodegradable blankets/matting, bales, or wattles of weed-free straw or weed-free native grass hay. A well-anchored fabric silt fence shall also be placed at the toe of cut-and-fill slopes along drainages or to protect other sensitive areas from deposition of soils eroded off the slopes. Additional BMPs shall be employed as necessary to reduce soil erosion and offsite transport of sediments.
- i. Monitoring. The operator shall conduct annual monitoring surveys of all sites categorized as “operator reclamation in progress” and shall submit an annual monitoring report of these sites to the BLM by **December 31** of each year. The monitoring program shall use the four Reclamation Categories defined in Appendix I of the 1998 DSEIS to assess progress toward reclamation objectives. The annual report shall document whether attainment of reclamation objectives appears likely. If one or more objectives appear unlikely to be achieved, the report shall identify appropriate corrective actions. Upon review and approval of the report by the BLM, the operator shall be responsible for implementing the corrective actions or other measures specified by the BLM.

26. Weed Control. The operator shall regularly monitor and promptly control noxious weeds or other undesirable plant species as set forth in the Glenwood Springs Field Office *Noxious and Invasive Weed Management Plan for Oil and Gas Operators*, dated March 2007. A Pesticide Use Proposal (PUP) must be approved by the BLM prior to the use of herbicides. Annual weed monitoring reports and Pesticide Application Records (PARs) shall be submitted to BLM by **December 1**.
27. Big Game Winter Range. In conformance with the current land use plan that governs ROW actions, all activities related to pipeline construction on the Federal portion of the pipeline route are prohibited from **December 1 to April 30**.

The operator shall report spills that might affect wildlife (in particular spills that impact water) to the local CPW District Wildlife Manager within 24 hours of detection.

28. Bald and Golden Eagles. It shall be the responsibility of the operator to comply with the Bald and Golden Eagle Protection Act (Eagle Act) with respect to “take” of either eagle species. Under the Eagle Act, “take” includes to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest and disturb. “Disturb” means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle; (2) a decrease in its productivity by substantially interfering with normal breeding, feeding, or sheltering behavior; or (3) nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior. Avoidance of eagle nest sites, particularly during the nesting season, is the primary and

preferred method to avoid a take. Any oil or gas construction, drilling, or completion activities planned within 0.5 mile of a bald or golden eagle nest, or other associated activities greater than 0.5 miles from a nest that may disturb eagles, should be coordinated with the BLM project lead and BLM wildlife biologist and the USFWS representative to the BLM Field Office (970-876-9051).

29. **Raptor Nesting.** Raptor nest surveys in the project vicinity conducted in April 2013 did not result in location of raptor nest structures within 0.25 mile of a well pad or 0.125 mile of an access road, pipeline, or other surface facility associated with this project. Therefore, a 60-day raptor nesting TL is not required. However, to help ensure compliance with the Migratory Bird Treaty Act (MBTA), the operator should schedule construction or drilling activities to begin outside the raptor nesting season (February 1 to August 15) if practicable. If initiation of construction, drilling, or completion activities during these dates cannot be avoided, the operator is responsible for complying with the MBTA, which prohibits the “take” of birds or of active nests (those containing eggs or young), including nest failure caused by human activity (see COA for Migratory Birds).
30. **Migratory Birds – General.** It shall be the responsibility of the operator to comply with the Migratory Bird Treaty Act (MBTA) with respect to “take” of migratory bird species, which includes injury and direct mortality resulting from human actions not intended to have such result. All mortality or injury to birds shall be reported immediately to the BLM project lead and to the USFWS representative to the BLM Field Office at 970-243-2778 x28 and visit <http://www.fws.gov/mountain-prairie/contaminants/oilpits.htm>.
31. **Migratory Birds – Birds of Conservation Concern.** Pursuant to BLM Instruction Memorandum 2008-050, all vegetation removal or surface disturbance in previously undisturbed lands providing potential nesting habitat for Birds of Conservation Concern (BCC) is prohibited from **May 1 to July 1**. An exception to this TL may be granted if nesting surveys conducted no more than one week prior to surface-disturbing activities indicate that no BCC species are nesting within 30 meters (100 feet) of the area to be disturbed. Nesting shall be deemed to be occurring if a territorial (singing) male is present within the distance specified above. Nesting surveys shall include an aural survey for diagnostic vocalizations in conjunction with a visual survey for adults and nests. Surveys shall be conducted by a qualified breeding bird surveyor between sunrise and 10:00 AM under favorable conditions for detecting and identifying a BCC species. This provision does not apply to ongoing construction, drilling, or completion activities that are initiated prior to May 1 and continue into the 60-day period at the same location.
32. **Range Management.** Range improvements (fences, gates, reservoirs, pipelines, etc.) shall be avoided during development of natural gas resources to the maximum extent possible. If range improvements are damaged during exploration and development, the operator will be responsible for repairing or replacing the damaged range improvements. If a new or improved access road bisects an existing livestock fence, steel frame gate(s) or a cattle guard with associated bypass gate shall be installed across the roadway to control grazing livestock.
33. **Fossil Resources.** All persons associated with operations under this authorization shall be informed that any objects or sites of paleontological or scientific value, such as vertebrate or scientifically important invertebrate fossils, shall not be damaged, destroyed, removed, moved, or disturbed. If in connection with operations under this authorization any of the above resources are encountered the operator shall immediately suspend all activities in the immediate vicinity of the discovery that might further disturb such materials and notify the BLM of the findings. The discovery must be protected until notified to proceed by the BLM.

Where feasible, the operator shall suspend ground-disturbing activities at the discovery site and immediately notify the BLM of any finds. The BLM will, as soon as feasible, have a BLM-permitted paleontologist check out the find and record and collect it if warranted. If ground-disturbing activities cannot be immediately suspended, the operator shall work around or set the discovery aside in a safe place to be accessed by the BLM-permitted paleontologist.

34. Cultural Education/Discovery. All persons in the area who are associated with this project shall be informed that if anyone is found disturbing historic, archaeological, or scientific resources, including collecting artifacts, the person or persons will be subject to prosecution.

Pursuant to 43 CFR 10.4(g), the BLM shall be notified by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4 (c) and (d), activities shall stop in the vicinity of the discovery, and the discovery shall be protected for 30 days or until notified by the BLM to proceed.

If in connection with operations under this contract, the operator, its contractors, their subcontractors, or the employees of any of them discovers, encounters, or becomes aware of any objects or sites of cultural value or scientific interest such as historic ruins or prehistoric ruins, graves or grave markers, fossils, or artifacts, the operator shall immediately suspend all operations in the vicinity of the cultural resource and shall notify the BLM of the findings (16 USC 470h-3, 36 CFR 800.112). Operations may resume at the discovery site upon receipt of written instructions and authorization by the BLM. Approval to proceed will be based upon evaluation of the resource. Evaluation shall be by a qualified professional selected by the BLM from a Federal agency insofar as practicable. When not practicable, the operator shall bear the cost of the services of a non-Federal professional.

Within five working days, the BLM shall inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- what mitigation measures the holder will likely have to undertake before the site can be used (assuming that *in-situ* preservation is not necessary)
- the timeframe for the BLM to complete an expedited review under 36 CFR 800.11, or any agreements in lieu thereof, to confirm through the SHPO State Historic Preservation Officer that the findings of the BLM are correct and that mitigation is appropriate

The operator may relocate activities to avoid the expense of mitigation and delays associated with this process, as long as the new area has been appropriately cleared of resources and the exposed materials are recorded and stabilized. Otherwise, the operator shall be responsible for mitigation costs. The BLM shall provide technical and procedural guidelines for relocation and/or to conduct mitigation. Upon verification from the BLM that the required mitigation has been completed, the operator shall be allowed to resume construction.

Antiquities, historic ruins, prehistoric ruins, and other cultural or paleontological objects of scientific interest that are outside the authorization boundaries but potentially affected, either directly or indirectly, by the Proposed Action shall also be included in this evaluation or mitigation. Impacts that occur to such resources as a result of the authorized activities shall be mitigated at the operator's cost, including the cost of consultation with Native American groups.

Any person who, without a permit, injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands shall be subject to arrest and penalty of law (16 USC 433, 16 USC 470, 18 USC 641, 18 USC 1170, and 18 USC 1361).

35. Visual Resources. Existing woody vegetation outside the ROW corridor shall be preserved when clearing and grading for the pipeline corridor. The BLM may direct that cleared woody vegetation and rocks within the ROW corridor be salvaged and redistributed over reshaped cut-and-fill slopes and along the highly visible sections of the pipeline corridor to emulate the texture closer to that of the native landscape and to encourage vegetation growth

To assist with revegetation, root systems shall be left in place where feasible and only removed in the trench construction. Above-ground facilities shall be painted **Shadow Gray** to minimize contrast with adjacent vegetation or rock outcrops.

During construction, the BLM and WPX representatives shall jointly review construction measures to determine effectiveness in meeting visual resource mitigation measures, and if subtle changes in construction techniques are warranted, they could be directed by the BLM Authorized Officer.

SITE-SPECIFIC CONDITIONS OF APPROVAL
BLM RIGHT-OF- WAY (COC76086)

4-INCH SURFACE STEEL WATER DELIVERY PIPELINE SERVING THE DOE 2-W-29 PAD

1. Administrative Notification. WPX Energy Rocky Mountain LLC (“WPX”) shall notify the BLM Authorized Officer (AO) at least 48 hours prior to initiation of construction. If requested by the AO, the operator shall first schedule a preconstruction meeting, including key operator and contractor personnel, to ensure that any unresolved issues are fully addressed prior to initiation of project work and review the stipulations of the ROW grant as well as required safety regulations, if appropriate.
2. Surface Gas Pipeline Installation. The pipeline shall be installed to industry and BLM “Gold Book” standards.

The surface water delivery pipeline (steel 4-inch line) shall be welded and installed within the 10-foot authorized limits of the granted right-of-way by laying out and welding the line together alongside the DOE 2-W-29 road or on the PA 33-28 frac pad. All layout work and welding shall be performed on the existing road or on existing well pads; the cross-country pipeline segments shall be welded together and pulled across the existing pipeline corridor with a cable. Two diesel-powered pumps (centrifugal pump to filter the water and positive displacement pump to provide water delivery), filter pad and associated frac tanks would be staged on the PA 33-28 pad to provide the lifting power and water filtration to deliver water to the DOE 2-W-29 SWD well. The existing Cottonwood Water Storage Facility shall be used to store and stage water for delivery through the temporary surface line.

The surface pipeline installation is not intended to create new surface disturbance; disturbance to existing vegetation shall be kept to a minimum. No equipment or vehicle use shall be allowed off the planned surface line alignment unless authorized by BLM personnel. The surface pipeline shall be a dark color to blend in with adjacent vegetation, if feasible. Anchors and other protective measures

shall be used to keep the surface lines off the traveled roadways to ensure the lines are anchored, stable and located away from the roadway and do not present a danger to passing vehicles.

3. Surface Gas Pipeline Decommissioning. After the buried 4-inch water delivery line and pump station at the PA 42-33 pad are installed and placed into service successfully delivering produced water to the DOE 2-W-29 well, the 4-inch surface water delivery line and all pumping operations at the PA 33-28 pad shall be removed from operation, dismantled and removed from BLM land. WPX shall provide written documentation to BLM of the decommissioning plans for the surface water line.
4. Welding of Pipeline. Visual inspections shall be performed on 100% of all pipeline welds. All welders shall be appropriately certified. (43CFR109.227) *Qualification of welders.* 49CFR192.241) *Inspection and test of welds.*

Welding must be performed by a qualified welder in accordance with welding procedures qualified under section 5 of API 1104 (incorporated by reference, *see* §192.7) or section IX of the ASME Boiler and Pressure Vessel Code “Welding and Brazing Qualifications” (incorporated by reference, *see* §192.7) to produce welds meeting the requirements of this subpart. The quality of the test welds used to qualify welding procedures shall be determined by destructive testing in accordance with the applicable welding standard(s).

5. Pipeline Testing. The entire pipeline shall be tested in compliance with United States Department of Transportation (DOT) Code of Federal Regulations (CFR) (49 CFR Part 192). (Ref. 49 CFR 192.500.Subpart J entitled “Test Requirements”). (49CFR 192.225 Welding procedures.)
6. Fire Suppression. Welding, acetylene or other torch with open flame shall be operated in an area barren or cleared of all flammable materials at least ten feet on all sides of equipment. Internal combustion engines must be equipped with approved spark arrestors which meet either a) Department of Agriculture, Forest Service Standard 5100-1a, or b) Society of Automotive Engineers (SAE) recommended practices J335(b) and J350(a).
7. Saturated Soil Conditions. When saturated soil conditions exist on or along the proposed right-of-way, construction shall be halted until soil material dries out or is frozen sufficiently for construction to proceed without undue damage and erosion to soils.
8. Warning Signs. Pipeline warning signs shall be installed within 5 days of completion of construction and prior to use of the pipeline for transportation of product. Pipeline warning shall be installed at all road crossings and shall be visible from sign to sign along the ROW. For safety purposes each sign shall be permanently marked with the operator’s name and shall clearly identify the owner (emergency contact) and purpose (product) of the pipeline.
9. Annual Inspection of Surface Pipelines. The entire length of the surface lines shall be inspected, at a minimum, within 12 months of installation, and in following subsequent years during the operational period of the line(s). Any evidence of compromised pipeline integrity including corrosion or physical damage to the surface lines shall be reported to the Authorized Officer and repaired in a timely manner.