

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

Section 390

Categorical Exclusion for Oil and Gas Development

NUMBER: DOI-BLM-CO-110-2013-0061-CX

CASEFILE/PROJECT NUMBER:

- COC-60755
- COC-76087 (disposal well pad and access road)
- COC-76088 (water pipeline)

PROJECT NAME: WPX Proposed Injection Well Conversion Federal 299-23-2 with Water Line

LEGAL DESCRIPTION: T2S, R99W, Sec.23, NESE

APPLICANT: WPX Energy Ryan Gulch LLC (WPX)

DESCRIPTION OF PROPOSED ACTION: WPX Energy injection program is required for disposal of produced and used completions and workover fluids that are in excess of the storage capacity of their Ryan Gulch and Barcus Creek operations. In an attempt to minimize truck traffic and shutting in wells, WPX is requesting authorization for injection into the Upper Williams Fork Formation of the Federal 299-23-3 well. WPX anticipates injection rates at the wellhead from 500 bbls/day at 100 psi up to 8,500 bbls/day at 3,500 psi.

Water would be cleaned and separated offsite (at the Mautz Ranch) and then piped to the 299-23-2 well via existing water pipelines and a proposed lateral water pipeline. The proposed 2 inch later water line connecting the subject well pad to the adjacent access road and pipeline corridor would be 556 ft in length and would be buried entirely within a 50ft existing disturbance width. The 0.64 acres of disturbance created from burying the water pipeline requested in conjunction with this application would be reclaimed after construction, and reclamation would not be delayed past the first BLM-recommended seeding window after construction is complete.

The subject Salt Water Disposal well would only be utilized to dispose of excess production and completions water and would not be used to dispose of actual drilling or frac waters containing frac sands. Excess solids would be removed via the polishing filters before water would be injected downhole. Filter pod materials would be disposed of at approved, third party disposal

sites ECDC Environmental (East Carbon, UT) or Wray Gulch Landfill. Solid waste recovered from the Mautz Ranch pit would also be disposed of via approved, third party disposal facilities.

Temporary equipment (diesel pump, filter pods, temporary Baker tanks) would be set on existing disturbance on WPX's fee-surface Mautz Ranch Multi-well pit until 3 phase power could be run to the Mautz Ranch property. White River Electric Association anticipates power would be available at the Mautz Ranch by December of 2013, at which time the temporary diesel pump would be removed and replaced with an electric, 600 HP centrifugal pump. The temporary Baker tanks would also be replaced by permanent tanks at that time.

Incoming water for disposal would be piped or trucked from individual wells throughout the Ryan Gulch and Barcus Creek leaseholds and from Federal RGU 13-360-198 and RG 12-14-198 mass water storage tanks. Trucked water would be offloaded at the approved Mautz Ranch Multiwell Pit and piped water would be pumped to the Mautz Ranch pit via temporary, portable pumps. Please refer to the COGCC Form 26 (submitted as part of this application) for a list of wells that could produce excess water which could be disposed of in the subject SWD well. Upon arrival at the Mautz Ranch pit, water would be processed, separated, and stored in the temporary or permanent tanks, after which it would be filtered and pumped to the proposed 299-23-2 saltwater disposal well for downhole disposal.

No additional surface disturbance would be required on the Federal 299-23-3 well pad to accommodate injection. The existing separator unit has been removed. Once production and water disposal operations cease (i.e. once the well reaches the end of its economic life), the well would be plugged and abandoned and the pad would be fully reclaimed consistent with approved reclamations plans approved for this well pad.

Design Features: The Sundry Notice submitted by the operator contains technical details and design features pertinent to the Proposed Action.

Decision to be Made: BLM will decide 1) whether or not to authorize the conversion, operation, and maintenance of the existing Federal RGU 299-23-2 injection well into a salt water disposal well, and 2) whether or not authorize the associated 556ft of water line in an existing pipeline corridor, and if so, under what conditions

PLAN CONFORMANCE REVIEW:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: 2-5

Decision Language: "Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values."

CATEGORICAL EXCLUSION REVIEW: The Energy Policy Act of 2005 (P.L. 109-58) prescribed five categorical exclusions (CX) for activities whose purpose is for the exploration of oil or gas.

The Proposed Action qualifies as a categorical exclusion under the Section 390 of the Energy Policy Act, #1: *“Individual surface disturbances of less than five 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 the NEPA has been previously completed.”*

Documentation

The BLM NEPA Handbook (H-1790-1) provides specific instructions for using this CX.

1) Is surface disturbance associated with the Proposed Action less than five acres?

Yes. Burying the 556ft pipeline in a 50ft corridor would result in 0.64 acres of surface disturbance, within the already-disturbed right-of-way.

2) Is there less than 150 acres of surface disturbance, including the Proposed Action, on the entire leasehold?

There are 21.88 acres of oil and gas-related disturbance on the 640 acre COC-60755 lease, the lease where the proposed injection well pad is located and where the 0.64 acres of surface disturbance (556ft water line installation) would occur. The ancillary water lines and access roads that occur on different leases that would be used in association with the injection process are already installed and/or constructed, and require no additional surface disturbance.

3) Is the Proposed Action within the boundaries of an area included in a site-specific NEPA document? (The NEPA document must have analyzed the exploration and/or development of oil and gas (not just leasing) and the action/activity being considered must be within the boundaries of the area analyzed in the environmental assessment (EA) or environmental impact statement (EIS). The NEPA document need not have addressed the specific permit or application being considered.)

Yes. The DOI-BLM-CO-110-2004-164-EA was signed 10/20/2004 and analyzed both the installation of pipeline, construction of the existing well pad, and oil and gas drilling, operations, and maintenance activities. Drilling, operations, and maintenance activities for an injection well are substantially similar in scope, duration, and intensity to that expected for a producing oil and gas well for surface impacts. Primarily, the conversion process is a subsurface procedure which will reverse the flow of water to allow water to be injected down hole. No substantial changes to pad layout, design, or operations are proposed.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 3/26/2013. A list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	4/11/2013
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	04/12/2013
Baili Foster	Ecologist Intern	Special Status Plant Species	04/09/2013

REMARKS:

Cultural Resources: The proposed injection well pad and new produced water pipeline have been inventoried as the Class III (100 percent) pedestrian level (Baer et al. 2009 compliance dated 11/25/2009, Conner and Davenport 2004 compliance dated 8/26/2004, Scott 1992 compliance dated 6/26/1992). These inventories have not identified any surface manifestations of cultural resources in the project area. It is unlikely that any known cultural resources will be impacted by the project.

Native American Religious Concerns: No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

Paleontological Resources: The proposed water pipeline is located in an area generally mapped as the Uintah Formation (Tweto 1979) which the BLM, WRFO has classified as a Potential Fossil Yield Classification (PFYC) 5 formation meaning the formation is known to produce scientifically noteworthy fossil resources (C. F. Armstrong and Wolny 1989). There is a potential to impact fossil resources during excavation of the trench for the proposed pipeline. Any impacts to fossil resources would likely result in an irreversible and irretrievable loss of data from the regional paleontological database.

Threatened and Endangered Wildlife Species: There are no threatened or endangered animal species that are known to inhabit or derive important use from the project area. Mapped priority sage-grouse habitat is located approximately one mile west of the proposed location. The greater sage-grouse is a candidate for listing under the Endangered Species Act (ESA) and considered a sensitive species by the BLM. Priority habitats are those that support nearly all of the lekking (courtship), nesting and brood-rearing activities of this species. There are two active leks southwest of the proposed location, the nearest being approximately 4.5 miles away. Impacts associated with vehicle traffic have consistently been shown to negatively influence grouse

through disruption (leading to decreased lek attendance), avoidance of functional habitats, and direct mortality (Holloran 2005, Blickley et al. 2012). It is strongly encouraged that all incoming trucked water to the 299-23-2 location use routes originating from the east. Use of County Road (CR) 68 from the west to access the location is highly discouraged, particularly during the nesting and brood-rearing seasons (April 15 – July 7). All other wildlife issues and concerns were adequately addressed in the original environmental document (DOI-BLM-CO-110-2004-164-EA).

Threatened and Endangered Plant Species: The Proposed Action falls within the USFWS designated Section 7 zone for *Physaria obcordata*. However, the nearest potential habitat is found approximately 524 meters (1719 feet) south of the Proposed Action. Pipeline surveys are required if project activity is within 300 meters of potential habitat. Since the Proposed Action will occur predominately on preexisting disturbance and the nearest known potential special status plant species (SSPS) habitat is more than 300 meters from the project area, there will be no known impacts to SSPS.

REFERENCES CITED:

Armstrong, Harley J., and David G. Wolny

1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.

Baer, Sarah, Karen Reed, Anthony Lopez, Scott Phillips, Nicole Hurlburt, Matthew Bandy, John Kennedy, Michelle Delmas, Ashley Fife, Ryan Byerly, Cynthia Manseau, and Scott Slessman.

2009 A Class III Cultural Resource Inventory for the Williams Ryan Gulch Unit, Rio Blanco County, Colorado. SWCA Environmental Consultants, Broomfield, Colorado. (09-127-09: SHPO RB.LM.R1173)

Blickley, J.L., D. Blackwood, and G.L. Patricelli.

2012 Experimental evidence for the effects of chronic anthropogenic noise on abundance of Greater Sage-Grouse at leks. *Conservation Biology* 26:461-471.

Conner, Carl E., and Barbara J. Davenport

2004 Class III Cultural Resource Inventory Report for Five Proposed Well Locations and Their Associated Pipeline Routes (8.8 miles) and a Compressor Site in Rio Blanco County, Colorado for Riata Energy Inc. Grand River Institute, Grand Junction, Colorado. (04-11-20: SHPO # RB.LM.R789)

Holloran, M.J.

2005 Greater sage-grouse (*Centrocercus urophasianus*) population response to natural gas field development in western Wyoming. Doctoral thesis. University of Wyoming, Laramie.

Tweto, Ogden

1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

MITIGATION:

Timing Limitation:

- 1) All incoming trucked water to the 299-23-2 location shall use routes originating from the east when possible. Use of County Road (CR) 68 from the west to access the location is highly discouraged, particularly during the nesting and brood-rearing seasons (April 15 – July 7).

Cultural and Paleontological Resources

- 2) WPX is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
- 3) If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. WPX will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. WPX, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
- 4) Pursuant to 43 CFR 10.4(g), WPX must notify the AO, by telephone and 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), WPX must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
- 5) WPX is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
- 6) If any paleontological resources are discovered as a result of operations under this authorization, WPX or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and

avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

- 7) Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start

Realty Stipulations for disposal wells

- 8) This ROW grant is independent of Environmental Protection Agency (EPA) and Colorado Oil and Gas Conservation Commission (COGCC) approvals. If the holder 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.
- 9) This ROW is granted only for the disposal of produced water in well Federal #299-23-2.
- 10) The initial cost per barrel fee will be \$0.15 (originating only from those wells operated by the holder, as recognized by the BLM or COGCC) and \$0.25 (originating from any well) of produced water injected into well Federal #299-23-2. Prior approval must be obtained from the BLM for the procedures and equipment proposed to be used for measurement of produced water injected into well Federal #299-23-2 (T2S, R99W, sec. 23) before such injection begins. The BLM may modify the proposal and condition the approval.
- 11) This ROW is granted to WPX Energy Ryan Gulch, LLC for the exclusive use of well Federal #299-23-2 for disposal of produced water originating from any well.

Hazardous and Solid Waste Management

- 12) Comply with all Federal, State and/or local laws, rules and regulations, including but not limited to onshore orders and notices to lessees, addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment. All spills or leakages of oil, gas, produced water, toxic liquids or waste materials, blowouts, fires, shall be reported by the operator in accordance with the regulations and as prescribed in applicable orders or notices .
- 13) Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, provide a current copy of said plan to the BLM WRFO.
- 14) When drilling to set the surface casing, drilling fluid will be composed only of fresh water, bentonite, and/or a benign lost circulation material that does not pose a risk of harm to human health or the environment (e.g., cedar bark, shredded cane stalks, mineral fiber and hair, mica flakes, ground and sized limestone or marble, wood, nut hulls, corncobs, or cotton hulls).
- 15) All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, shall be stored in appropriate containers and in secondary containment systems at 110% of the largest vessel's capacity. Secondary fluid containment systems, including but not limited to tank batteries shall be lined with a minimum 24 mil impermeable liner.
- 16) Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials 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.

- 17) As a reasonable and prudent lessee/operator in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the BLM WRFO (970) 878-3800.
- 18) As a reasonable and prudent lessees/operator and/or right-of-way holder in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders will provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the lessee/operator or right-of-way holder fails, refuses or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the BLM WRFO may take measures to clean-up and test air, water (surface and/or ground) and soils at the lessee/operator's expense. Such action will not relieve the lessee/operator of any liability or responsibility.

The following applicable mitigation from DOI-BLM-CO-110-2004-164-EA has been carried forward:

Pre-Construction Activities and Notifications

- 19) All activity shall cease when soils or road surfaces become saturated to a depth of three inches unless otherwise approved by the Authorized Officer.

Access and Transportation

- 20) Applicant will spread water on road surfaces to control fugitive dust during construction and continue on an as needed basis for the life of the wells.

Stormwater Management

- 21) Oil and Gas operations are considered to be a light industrial activity by the Colorado Department of Public Health and Environment. As an industrial discharger, the applicant is required to obtain a permit authorizing the discharge of stormwater from these sites. The permit requires development of a stormwater management plan showing how BMPs would be used to control runoff and sediment transport.
- 22) All sediment control structures or disposal pits will be designed to contain a 100-year, 6-hour storm event. Storage volumes within these structures will have a design life of 25 years.
- 23) Eliminate undesirable berms that retard normal surface runoff.
- 24) Eliminate undesirable berms that retard normal surface runoff.
- 25) Water bars or dikes shall be constructed on all of the rights-of-way, and across the full width of the disturbed area, as directed by the authorized officer.
- 26) When erosion is anticipated, sediment barriers shall be constructed to slow runoff, allow deposition of sediment, and prevent it from leaving the site. In addition, straining or filtration mechanisms may also contribute to sediment removal from runoff

Reclamation and Weed Management

- 27) Eradicate all noxious and invasive species which occur on site using materials and methods approved in advance by the Authorized Officer.
- 28) When preparing the site, all suitable topsoil should be stripped from the surface of the location and stockpiled for reclamation for use, once the drilling is completed.
- 29) Provide vegetation or artificial stabilization of cut and fill slopes in the design process. Avoid establishment of vegetation where it inhibits drainage from the road surface or where it restricts safety or maintenance.
- 30) Slopes within the disturbed area shall be stabilized by non-vegetative practices designed to hold the soil in place and minimize erosion. Vegetative cover shall be reestablished to increase infiltration and provide additional protection from erosion.
- 31) When erosion is anticipated, sediment barriers shall be constructed to slow runoff, allow deposition of sediment, and prevent it from leaving the site. In addition, straining or filtration mechanisms may also contribute to sediment removal from runoff
- 32) Eradicate all noxious and invasive species which occur on site using materials and methods approved in advance by the Authorized Officer. The applicant will also water/apply magnesium chloride to access roads to reduce airborne dust transport and deposition on vegetation.
- 33) Use low profile production facilities. Paint all production facilities Juniper Green.

MONITORING AND COMPLIANCE: On-going compliance inspections and monitoring of drilling, production, and post-production activities will be conducted by White River Field Office staff during construction of well pads, access roads, and pipelines. Specific mitigation developed in the associated Categorical Exclusion and the lease terms and conditions will be followed. The Operator will be notified of compliance related issues in writing.

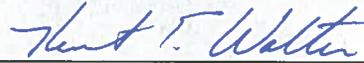
NAME OF PREPARER: Christina Ashley

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy Act.

SIGNATURE OF AUTHORIZED OFFICIAL:

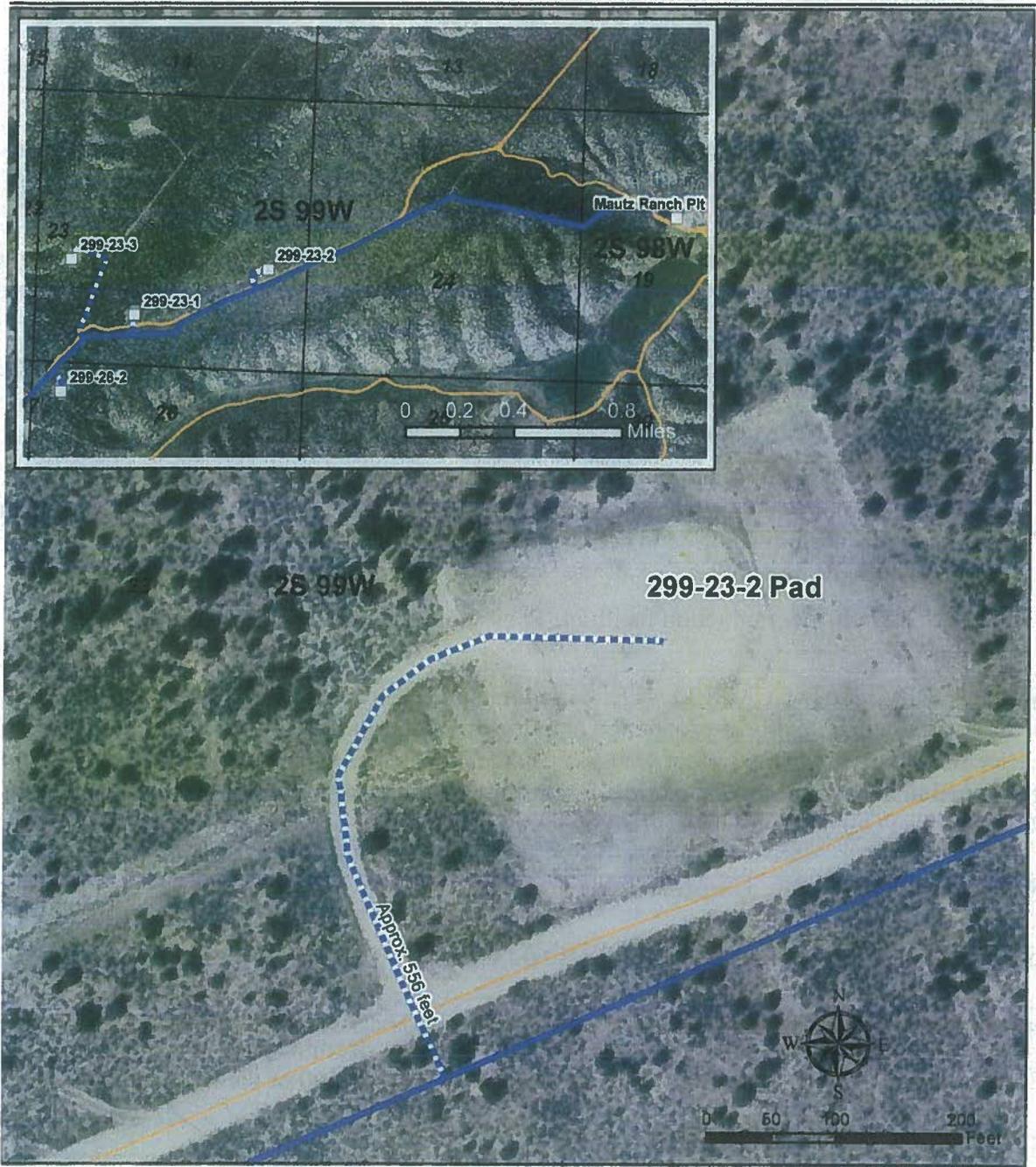


Field Manager

DATE SIGNED:

04/24/13

ATTACHMENTS: Proposed Injection Line and Disposal Site Map



Legend

- Existing Pad
- Proposed Injection Line
- Existing Injection Line
- Existing Road

WPX Energy Rocky Mountain, LLC

299-23-2 Proposed Injection Line Route
T2S R99W, Section 23

March 8, 2013



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**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

DECISION

PROJECT NAME: WPX Proposed Injection Well Conversion Federal 299-23-2 with Water Line

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-110-2013-0061-CX

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-110-2013-0061-CX, authorizing the conversion, operation, and maintenance of the existing Federal RGU 299-23-2 injection well into a salt water disposal well, and the associated 556ft of water line in an existing pipeline corridor, with the following conditions.

Mitigation Measures

Timing Limitation:

- 1) All incoming trucked water to the 299-23-2 location shall use routes originating from the east when possible. Use of County Road (CR) 68 from the west to access the location is highly discouraged, particularly during the nesting and brood-rearing seasons (April 15 – July 7).

Cultural and Paleontological Resources

- 2) WPX is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
- 3) If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. WPX will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. WPX, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
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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), WPX must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

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Realty Stipulations for disposal wells

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Hazardous and Solid Waste Management

- 12) Comply with all Federal, State and/or local laws, rules and regulations, including but not limited to onshore orders and notices to lessees, addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment. All spills or leakages of oil, gas, produced water, toxic liquids or waste materials, blowouts, fires, shall be reported by the operator in accordance with the regulations and as prescribed in applicable orders or notices .
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the recovery of a release of any substance that poses a risk of harm to human health or the environment, provide a current copy of said plan to the BLM WRFO.

- 14) When drilling to set the surface casing, drilling fluid will be composed only of fresh water, bentonite, and/or a benign lost circulation material that does not pose a risk of harm to human health or the environment (e.g., cedar bark, shredded cane stalks, mineral fiber and hair, mica flakes, ground and sized limestone or marble, wood, nut hulls, corncobs, or cotton hulls).
- 15) All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, shall be stored in appropriate containers and in secondary containment systems at 110% of the largest vessel's capacity. Secondary fluid containment systems, including but not limited to tank batteries shall be lined with a minimum 24 mil impermeable liner.
- 16) Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials 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.
- 17) As a reasonable and prudent lessee/operator in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the BLM WRFO (970) 878-3800.
- 18) As a reasonable and prudent lessees/operator and/or right-of-way holder in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders will provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the lessee/operator or right-of-way holder fails, refuses or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the BLM WRFO may take measures to clean-up and test air, water (surface and/or ground) and soils at the lessee/operator's expense. Such action will not relieve the lessee/operator of any liability or responsibility.

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Access and Transportation

- 20) Applicant will spread water on road surfaces to control fugitive dust during construction and continue on an as needed basis for the life of the wells.

Stormwater Management

- 21) Oil and Gas operations are considered to be a light industrial activity by the Colorado Department of Public Health and Environment. As an industrial discharger, the applicant is required to obtain a permit authorizing the discharge of stormwater from these sites. The permit requires development of a stormwater management plan showing how BMPs would be used to control runoff and sediment transport.
- 22) All sediment control structures or disposal pits will be designed to contain a 100-year, 6-hour storm event. Storage volumes within these structures will have a design life of 25 years.
- 23) Eliminate undesirable berms that retard normal surface runoff.
- 24) Eliminate undesirable berms that retard normal surface runoff.
- 25) Water bars or dikes shall be constructed on all of the rights-of-way, and across the full width of the disturbed area, as directed by the authorized officer.
- 26) When erosion is anticipated, sediment barriers shall be constructed to slow runoff, allow deposition of sediment, and prevent it from leaving the site. In addition, straining or filtration mechanisms may also contribute to sediment removal from runoff

Reclamation and Weed Management

- 27) Eradicate all noxious and invasive species which occur on site using materials and methods approved in advance by the Authorized Officer.
- 28) When preparing the site, all suitable topsoil should be stripped from the surface of the location and stockpiled for reclamation for use, once the drilling is completed.
- 29) Provide vegetation or artificial stabilization of cut and fill slopes in the design process. Avoid establishment of vegetation where it inhibits drainage from the road surface or where it restricts safety or maintenance.
- 30) Slopes within the disturbed area shall be stabilized by non-vegetative practices designed to hold the soil in place and minimize erosion. Vegetative cover shall be reestablished to increase infiltration and provide additional protection from erosion.
- 31) When erosion is anticipated, sediment barriers shall be constructed to slow runoff, allow deposition of sediment, and prevent it from leaving the site. In addition, straining or filtration mechanisms may also contribute to sediment removal from runoff
- 32) Eradicate all noxious and invasive species which occur on site using materials and methods approved in advance by the Authorized Officer. The applicant will also water/apply magnesium chloride to access roads to reduce airborne dust transport and deposition on vegetation.
- 33) Use low profile production facilities. Paint all production facilities Juniper Green.

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

