

§9.35

representative must notify the Superintendent within sixty (60) days of the transfer of: the site(s) involved; the name and address of the person to whom an interest has been conveyed; and a description of the interest transferred. Failure to so notify the Superintendent shall render the approval of any previously approved plan of operations void.

(b) The transferring owner shall remain responsible for compliance with the plan of operations and shall remain liable under his bond until such time as the Superintendent is notified of the transfer in accordance with paragraph (a). At that time the Superintendent will prohibit the new owner from operating until such time as the new owner has filed with the Superintendent: (1) A statement ratifying the existing plan of operations and stating his intent to be bound thereby, or a new plan of operations, and (2) a suitable substitute performance bond which complies with the requirements of §9.48.

§9.35 Use of water.

No operator may use for operations any water from a point of diversion which is within the boundaries of any unit unless authorized in writing by the Regional Director. The Regional Director shall not approve a plan of operations requiring the use of water from such source unless the operator shows either that his right to the use of the water is superior to any claim of the United States to the water, or where the operator's claim to the water is subordinate to that of the United States that the removal of the water from the water system will not damage the unit's resources. In either situation, the operator's use of water must comply with appropriate State water laws.

§9.36 Plan of operations.

(a) The proposed plan of operations shall include, as appropriate to the proposed operations, the following:

(1) The names and legal addresses of the following persons: The operator, and the owner(s) or lessee(s) (if rights are State-owned) other than the operator;

(2) Copy of the lease, deed, designation of operator, or assignment of

36 CFR Ch. I (7-1-07 Edition)

rights upon which the operator's right to conduct operations is based;

(3) A map or maps showing the location of the perimeter of the area where the operator has the right to conduct operations, as described in §9.36(a)(2), referenced to the State plane coordinate system or other public land survey as acceptable to the Superintendent;

(4) A map or maps showing the location, as determined by a registered land surveyor or civil engineer, of a point within a site of operations showing its relationship to the perimeter of the area described in §9.36(a)(2) and to the perimeter of the site of operations; the location of existing and proposed access roads or routes to the site; the boundaries of proposed surface disturbance; the location of proposed drilling; location and description of all surface facilities including sumps, reserve pits and ponds; location of tank batteries, production facilities and gathering, service and transmission lines; wellsite layout; sources of construction materials such as fill; and the location of ancillary facilities such as camps, sanitary facilities, water supply and disposal facilities, and airstrips. The point within the site of operations identified by registered land surveyor or civil engineer shall be marked with a permanent ground monument acceptable to the Superintendent, shall contain the point's State plane coordinate values, and shall be placed at least to an accuracy of third order, class I, unless otherwise authorized by the Superintendent;

(5) A description of the major equipment to be used in the operations, including a description of equipment and methods to be used for the transport of all waters used in or produced by operations, and of the proposed method of transporting such equipment to and from the site;

(6) An estimated timetable for any phase of operations for which approval is sought and the anticipated date of operation completion;

(7) The geologic name of the surface formation;

(8) The proposed drilling depth, and the estimated tops of important geologic markers;