

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

NMOCD

FORM APPROVED
OMB NO. 1004-0137
Expires: January 31, 2018**SUNDRY NOTICES AND REPORTS ON WELLS**
*Do not use this form for proposals to drill or to re-enter an abandoned well. Use form 3160-3 (APD) for such proposals.***SUBMIT IN TRIPLICATE - Other instructions on page 2**

1. Type of Well <input checked="" type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input type="checkbox"/> Other		5. Lease Serial No. NMLC031622A
2. Name of Operator XTO ENERGY INC.		6. If Indian, Allottee or Tribe Name
3a. Address 500 W. ILLINOIS, SUITE 100 MIDLAND, TX 79701		7. If Unit or CA/Agreement, Name and/or No.
3b. Phone No. (include area code) Ph: 432-620-4318 Fx: 432-618-3530		8. Well Name and No. EMSU B SAT 14 SEE BELOW
4. Location of Well (Footage, Sec., T., R., M., or Survey Description) Sec 23 T20S R36E Mer NMP 660FNL 660FEL		9. API Well No.
		10. Field and Pool or Exploratory Area EUNICE MONUMENT;GB-SA
		11. County or Parish, State LEA COUNTY, NM

12. CHECK THE APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION	TYPE OF ACTION			
<input checked="" type="checkbox"/> Notice of Intent	<input type="checkbox"/> Acidize	<input type="checkbox"/> Deepen	<input type="checkbox"/> Production (Start/Resume)	<input type="checkbox"/> Water Shut-Off
<input type="checkbox"/> Subsequent Report	<input type="checkbox"/> Alter Casing	<input type="checkbox"/> Hydraulic Fracturing	<input type="checkbox"/> Reclamation	<input type="checkbox"/> Well Integrity
<input type="checkbox"/> Final Abandonment Notice	<input type="checkbox"/> Casing Repair	<input type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input checked="" type="checkbox"/> Other
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon	Venting and/or Flaring
	<input type="checkbox"/> Convert to Injection	<input type="checkbox"/> Plug Back	<input type="checkbox"/> Water Disposal	ng

13. Describe Proposed or Completed Operation: Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recompleat horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports must be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompleat in a new interval, a Form 3160-4 must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has determined that the site is ready for final inspection.

EUNICE MONUMENT SOUTH UNIT B SAT #14

ASSOCIATED WELLS:

EUNICE MONUMENT SO. UNIT B 882 GRBG/SA API#30-025-04253
EUNICE MONUMENT SO. UNIT B 884 GRBG/SA API#30-025-04268
EUNICE MONUMENT SO. UNIT B 890 GRBG/SA API#30-025-04266
EUNICE MONUMENT SO. UNIT B 893 GRBG/SA API#30-025-04252
EUNICE MONUMENT SO. UNIT B 895 GRBG/SA API#30-025-04308
EUNICE MONUMENT SO. UNIT B 900 GRBG/SA API#30-025-04297
EUNICE MONUMENT SO. UNIT B 902 GRBG/SA API#30-025-04292
EUNICE MONUMENT SO. UNIT B 904 GRBG/SA API#30-025-04291
EUNICE MONUMENT SO. UNIT B 906 GRBG/SA API#30-025-04295

SEE ATTACHED FOR
CONDITIONS OF APPROVAL

14. I hereby certify that the foregoing is true and correct.	
Electronic Submission #350899 verified by the BLM Well Information System For XTO ENERGY INC., sent to the Hobbs Committed to AFMSS for processing by DEBORAH MCKINNEY on 09/15/2016	
Name (Printed/Typed) PATTY R URIAS	Title REGULATORY ANALYST
Signature (Electronic Submission)	Date 09/12/2016 OCT 18 2017

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved By _____	Title _____	Date _____
Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.		
Office _____		

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

(Instructions on page 2)

** OPERATOR-SUBMITTED ** OPERATOR-SUBMITTED ** OPERATOR-SUBMITTED **

MAB/OCD
11/20/2017

Additional data for EC transaction #350899 that would not fit on the form

32. Additional remarks, continued

EUNICE MONUMENT SO. UNIT B 908 GRBG/SA API#30-025-04316
EUNICE MONUMENT SO. UNIT B 909 GRBG/SA API#30-025-04314
EUNICE MONUMENT SO. UNIT B 910 GRBG/SA API#30-025-04313
EUNICE MONUMENT SO. UNIT B 915 GRBG/SA API#30-025-04300
EUNICE MONUMENT SO. UNIT B 919 GRBG/SA API#30-025-04303
EUNICE MONUMENT SO. UNIT B 921 GRBG/SA API#30-025-04296
EUNICE MONUMENT SO. UNIT B 923 GRBG/SA API#30-025-04304
EUNICE MONUMENT SO. UNIT B 925 GRBG/SA API#30-025-32122

PLEASE SEE ATTACHED FOR DETAILED INFORMATION

XTO Energy Inc.(XTO) requests approval to flare royalty-free for the reasons set forth in the marked paragraphs below:

☒ **Emergency Flaring:**

- ☒ *Equipment Malfunction or Failure:* Due to the equipment malfunction or failure more fully described in the "Additional Information" box below, XTO's production was unavoidably and automatically flared for a duration exceeding 24 hours per incident, 144 cumulative hours for the lease during the calendar month, or both. The method that XTO used to determine the duration of flaring and the flared volumes is set forth in the marked paragraph below.
- ☐ The flared production was measured by a meter installed on the flare line. The total duration and volume of flaring for each flare incident (if intermittent) and the total duration and volume for each calendar month, as measured by the meter, is provided in the "Additional Information" box below.
- ☒ There is no meter installed on the flare line. XTO estimated the start date based on a comparison of the metered sales volume to the daily average sales volumes. Specifically, XTO divided the theoretical flare volume (derived by the difference between the average sales volumes and the actual sales volume for a given duration) by the average daily sales volume and then multiplied that figure by 24 to determine an estimated number of hours. The sales meter is the first meter for the production (there is no separate production meter). XTO determined the flared volumes by comparing the sales volume during the period of flaring to the average sales volume. Specifically, XTO subtracted the actual sales volume from the average sales volume (both figures taken from the sales meter).
- ☐ *Relief of High Line Pressure:* To relieve the high line pressure described more fully in the "Additional Information" box below, XTO's production was unavoidably and automatically flared for a duration exceeding 24 hours per incident, 144 cumulative hours for the lease during the calendar month, or both. The flaring occurred due to high line pressure on a third-party gathering line. When the production in the line reached the pressure threshold for the line, XTO's production could not be delivered into the line. As a result, XTO's production automatically flared. The pressure threshold is determined by all of the production in the line, not just XTO's production; therefore, XTO had no control over the condition of the line that caused the flaring. Additionally, the flaring automatically occurred when XTO's production could not be delivered into the line, and XTO had no ability to reinitiate delivery into the line until the abnormally high line pressure was relieved. As soon as the abnormal line pressure was relieved and delivery into the line resumed, the flaring ended.
- ☐ The flared production was measured by a meter installed on the flare line. The total duration and volume of flaring for each flare incident (if intermittent) and the total duration and volume for each calendar month, as measured by the meter, is provided in the "Additional Information" box below.
- ☐ There is no meter installed on the flare line. XTO estimated the start date based on a comparison of the metered sales volume to the daily average sales volumes. Specifically, XTO divided the theoretical flare volume (derived by the difference between the average sales volumes and the actual sales volume for a given duration) by the average daily sales volume and then multiplied that figure by 24 to determine an estimated number of hours. The sales meter is the first meter for the production (there is no separate production meter). XTO determined the flared volumes by comparing the sales volume during the period of flaring to the average sales volume. Specifically, XTO subtracted the actual sales volume from the average sales volume (both figures taken from the sales meter).

- ☐ **Initial Well Test Flaring:** Due to initial well testing more fully described in the "Additional Information" box below, XTO's production was flared for a duration exceeding 30 days or of a volume exceeding 50 MMcf before 30 days of flaring.
- ☐ The flared production was metered. The total duration of flaring and volume flared in relation to this initial well test flaring event is provided in the "Additional Information" box below.

Additional Information:

TARGA PLANT MAINTENANCE AT MONUMENT PLANT - FIRST 24 HOURS 8/10/16 AND NOT TO EXCEED 94 MCFD

BUREAU OF LAND MANAGEMENT
Carlsbad Field Office
620 East Greene Street
Carlsbad, New Mexico 88220
575-234-5972

Pursuant to, 43 CFR 3179

Lessees or operators are hereby authorized to vent or flare gas on a short-term basis without incurring a royalty obligation in the following circumstances:

- A. **43 CFR 3179.105 Emergencies** (a) An operator may flare or, if flaring is not feasible given the emergency, vent gas royalty-free under §3179.4 (a) (vi) of this subpart during an emergency. For purposes of this subpart, an "emergency" is a temporary, infrequent and unavoidable situation in which the loss of gas or oil is uncontrollable or necessary to avoid risk of an immediate and substantial adverse impact on safety, public health, or the environment. For purposes of royalty assessment, an "emergency" is limited to a short-term situation of 24 hours or less (unless the BLM agrees that the emergency conditions necessitating venting or flaring extend for a longer period) caused by an unanticipated event or failure that is out of the operator's control and was not due to operator negligence.
- B. **43 CFR 3179.4 Determining when the loss of oil or gas is avoidable or unavoidable.**
(2) *Avoidably lost oil* or gas means: Lost oil or gas that is not "unavoidably lost," as defined in paragraph (a) of this section; waste oil that became waste oil through operator negligence; and, any "excess flared gas," as defined in §3179.7.
- C. **43 CFR 3179.5 When lost production is subject to royalty.**
(a) Royalty is due on all avoidably lost oil or gas.
(b) Royalty is not due on any unavoidably lost oil or gas.

Condition of Approval to Flare Gas

- 1. The first 24 hours of a temporary emergency flare is considered "unavoidably lost" and is therefore royalty free. Flared volumes that are considered unavoidably lost are not to be included in Sundry Notice (Form 3160-5). These Volumes are not royalty bearing and shall be reported on OGOR "B" as either disposition code "21" or "22".
- 2. Flared volumes considered to be "avoidably lost":
These flare events will require prior approval via Notice of Intent- Sundry Notice (Form 3160-5). Volumes flared beyond limits defined in 43 CFR 3179.7 are considered "avoidably lost" and will require payment of royalties, unless an exception is granted in accordance with 43 CFR 3179. Volumes for avoidably lost gas shall be reported on OGOR "B" reports as disposition code "08".

If the operator believes that the flared volumes were "unavoidably lost" and the BLM determines them to be "avoidably lost", the operator can submit a more detailed request via Sundry Notice (Form 3160-5) for an exception in accordance with 43 CFR 3179.4, 3179.103 - 3179.105. As an alternative to producing oil and flaring gas the operator may choose to shut the well in and avoid paying royalties on otherwise avoidably lost gas.

- 3. Approval not to exceed 90 days, if flaring is still required past 90 days submit new request for approval.

4. Submit Subsequent Report with actual volumes of gas flared for each month gas is flared on a Sundry Notice (Form 3160-5). Include method for volume determination and duration. Report unavoidably lost (first 24 hrs. of unexpected event) and avoidably lost (exceeding the first 24 hrs. or flared gas that has been approved as avoidably lost by the Authorized Officer) volumes and durations on the Subsequent Report.
5. In determining the volumes of gas to be reported, shall be in accordance with 43 CFR 3179.4, 43 CFR 3179.5, 43 CFR 3179.9 and 43 CFR 3179.10
6. The operator must estimate or measure all volumes of gas vented or flared gas by one of the following methods.
 - i. Measure the flare gas by a meter. The meter shall meet all requirements for a sales meter as per Federal Regulations, 43 CFR 3175 (due to volume of gas being flared). Include meter serial number on Sundry Notice (Form 3160-5).
 - ii. Calculate the volume of the flared gas based on the results of a regularly performed GOR test and measured values for the volumes of oil production and gas sales, so as to allow BLM to independently verify the volume, rate, and heating value of the gas flared.

Regulation Ref: Link to 43 CFR 3179 **Waste Prevention and Resources Conservation**;
<https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=dbd49eda8cdc488870172ed096d47be9&ty=HTML&h=L&mc=true&n=sp43.2.3170.3179&r=SUBPART>