Form 3160-5 (June 2015)

### **UNITED STATES** DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

SUNDRY NOTICES AND REPORTS ON WELLS

**Carlsbad Field Office OCD Hobbs** 

FORM APPROVED OMB NO. 1004-0137

Expires: January 31, 2018

#### 5. Lease Serial No. NMNM0245247

| Do not use thi<br>abandoned wel   | s form for proposals to drill or to re-<br>l.  Use form 3160-3 (APD) for such p  | 0 2017   | 6. If Indian, Allottee or   | Tribe Name  |   |
|---|--|--|---|---|---|
| SUBMIT IN T   | RIPLICATE - Other instructions on  | page 2 JUL 1   | ENE   | 7. If Unit or CA/Agreen   | nent, Name and/or No.                     |
| 1. Type of Well   |  | 250  | EIV   | 8. Well Name and No.  |   |
| ☑ Oil Well ☐ Gas Well ☐ Oth   |  | RE   |   | EK 29 BS2 FEDER   | AL COM 1H                                 |
| Name of Operator     MCELVAIN ENERGY INC  | Contact: TONY G COO  E-Mail: tony.cooper@mcelvain.co   | OPER<br>m  |   | 9. API Well No.<br>30-025-43687-00  | -X1                                       |
| 3a. Address<br>1050 17TH STREET SUITE 2<br>DENVER, CO 80265   | 3b. Phone No<br>Ph: 303-89   | (include area code)<br>3-0933 Ext: 331   |   | 10. Field and Pool or Ex<br>EK-BONE SPRIN   | ploratory Area<br>IG                      |
| 4. Location of Well (Footage, Sec., T.  |  |  |   | 11. County or Parish, St  | ate                                       |
| Sec 29 T18S R34E NENE 210<br>32.433102 N Lat, 103.344002  |  |  |   | LEA COUNTY, N   | M   |
| 12. CHECK THE AF  | PROPRIATE BOX(ES) TO INDICA  | TE NATURE OF   | NOTICE,   | REPORT, OR OTHE   | ER DATA                                   |
| TYPE OF SUBMISSION  |  | TYPE OF  | ACTION  |   |   |
| Notice of Intent  | ☐ Acidize ☐ Dee  | pen  | ☐ Producti  | on (Start/Resume)   | ☐ Water Shut-Off                          |
|   | ,  | raulic Fracturing  | ☐ Reclama   |   | ☐ Well Integrity                          |
| ☐ Subsequent Report   |  | Construction   | Recomp  |   | ☑ Other<br>Surface Commingling            |
| ☐ Final Abandonment Notice  |  | and Abandon  |   | arily Abandon   | Sarrage Comminging                        |
|   | ☐ Convert to Injection ☐ Plug  |  | □ Water D   | 1   |   |
| Attach the Bond under which the wor following completion of the involved testing has been completed. Final Abdetermined that the site is ready for final McElvain Energy, Inc. is respectively.  McElvain Energy, Inc. is respectively.  The central tank battery will be located in NENE Sec. 29-T183 metering separator with Corion natural gas orifice electronic flallocated back to each well utility. | ectfully requesting approval for a Central elocated on the shared pad for the EK S-R34E. The production from each we is measurement to meter the oil, flow row meter, to meter the naturalgas. VR lizing the percentage of each wells mo | a file with BLM/BIA. e completion or recon requirements, includir al Tank Battery ar  29 BS2 Fed Com ell will have its own meter, to meter the U gas production nthly oil production | Required sub<br>appletion in a ring reclamation<br>and Surface<br>in 1H & 2H in three phase water, an will be in. | sequent reports must be fi<br>lew interval, a Form 3160-<br>n, have been completed an | iled within 30 days -4 must be filed once |
|   | Electronic Submission #379184 verifie<br>For MCELVAIN ENERGY   | INC, sent to the h   | lobbs   | _   |   |
| Name (Printed/Typed) AJ GIBSO   | nmitted to AFMSS for processing by PRI   |  |   | (17PP0401SE)<br>EERING CONSULT  |   |
| Name (17 med/19 ped) At GIBOC   | 514  | THE TACILITY   | LO LIVOIN   | LEINING CONSOLT   |   |
| Signature (Electronic S   | Submission)  | Date 06/19/20  | 17  |   |   |
|   | THIS SPACE FOR FEDERA  | L OR STATE C   | FFICE US  | SE  |   |
| ertify that the applicant holds legal or equ  | 1. Approval of this notice does not warrant or itable title to those rights in the subject lease   | Title TIPE   |   |   | Date 5/17                                 |
| which would entitle the applicant to condu  | ct operations thereon.  U.S.C. Section 1212, make it a crime for any pe  | Office C   |   | ke to any department or a   | gency of the United                       |
| States any false fictitions or fraudulents  | tatements or representations as to any matter w  | ithin its inrisdiction   | villully to illa  | ike to any department of a  | gency of the Officed                      |

(Instructions on page 2) \*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\*



#### Additional data for EC transaction #379184 that would not fit on the form

#### 32. Additional remarks, continued

common Targa Central Delivery Point (number to be provided upon receipt) meter which is located on the southeast corner of the location. Oil, gas, and water volumes from these wells producing to this battery will be determined by using an individual metering separator per well.

Attached are the required supporting documents as per IM NMPO-2013-02 & 43 CFR 3173.14 for the Central Tank Battery and Surface Lease Commingle request.

#### APPLICATION FOR A CENTRAL TANK BATTERY & LEASE COMMINGLE

Central Tank Battery Proposal for the EK 29 Fed Com 1H and 2H Wells:

McElvain Energy, Inc. is requesting approval for the Central Tank Battery and Lease Commingle for the following wells:

| Federal Lense: NAINA10245247 & NAINA1012277 Oil |                       |              |                 |      |           |       |       |
|---|-----------------------|--------------|-----------------|------|-----------|-------|-------|
| Well Name                                       | Location              | API#         | Pool 21650      | BOPD | Gravities | MCFPD | BTU   |
| EK 29 BS2 Fed Com 1H                            | NENE Sec.29 T18SR34E  | 30-015-43687 | EK; Bone Spring | 600* | 38*       | 600*  | 1350* |
|   | 3                     | 0-025- 43687 | 100             |      |           |       |       |
| Federal Lease: NMNM10                           | 245247 & NMINNI#12277 |              |                 | Oil  |           |       |       |
| Well Name                                       | Location              | API#         | Pool 21650      | BOPD | Gravities | MCFPD | BTU   |
| EK 29 BS2 Fed Com 2H                            | NEME Sec.29 T18SR34E  | 30-015-43686 | EK; Bone Spring | 600* | 38*       | 600*  | 1350* |
|   | NW 30-07              | 5-43/07/0    |                 |      |           |       |       |

These are proposed totals for these wells; once these wells are drilled the production information will be amended. I will submit production volumes for the EK 29 BS2 Fed Com 1H & 2H upon receipt.

Attached map displays the federal leases and well locations in NENE Sec. 29-T18S-R34E.

Although the Federal royalty rate is the same in both wells (Federal Lease NMNM0245247 and NMNM012277 is 12.5%.); there is a 25% private mineral interest in the SESE Sec. 29 T18SR34E associated with the EK 29 BS2 Fed Com 1H well.

Even though the mineral ownership in both wells is different, McElvain Energy Inc. is confident that commingling these wells is in the best interest of the public and meets the requirements set forth in 43 CFR 3173.14 for approval of a CAA.

#### 43 CFR 3173.14 states;

- "(2) The operator or operators must provide a methodology acceptable to BLM for allocation among the properties from which production is to be commingled (including a method for allocating produced water), with a signed agreement if there is more than one operator;
- (3) For each of the leases, unit PAs, or CAs proposed for inclusion in the CAA, the applicant demonstrates to the AO that a lease, unit PA, or CA proposed for inclusion is producing in paying quantities (or, in the case of Federal leases, capable of production in paying quantities) pending approval of the CAA; and
- (4) The FMP(s) for the proposed CAA measure production originating only from the leases, unit PAs, or CAs in the CAA."

Overriding considerations for CAA approval include:

- Reduced surface disturbance to public lands where additional measurement and production related equipment necessary to achieve non-commingled measurement would have to be located reducing impacts to special status species such as the Lesser Prairie Chicken and the Sand Dunes Lizard.
- The ability to access and develop all of the available oil and gas resources in the final 25% of the horizontal lateral in the EK 29 BS2 Fed Com 1H well thus reducing the possibility of stranding valuable resources.

#### Allocation Methodology:

The central tank battery is located on the shared pad for the EK 29 BS2 Fed Com 1H & 2H located in NENE Sec. 29-T18S-R34E. The production from each well will have its own three phase metering separator with Coriolis to meter the oil, flow meter to meter the water and gas orifice allocation meter to meter the gas. VRU gas production will be allocated back to each well utilizing each wells monthly oil production.

The EK 29 BS2 Fed Com 1H & 2H will have four oil tanks that all wells will utilize and they have a common Targa Central Delivery Point (number to be provided upon receipt) meter which is located on the southeast corner of the location. Oil, gas and water volumes from these wells producing to this battery will be determined by using an individual metering separator per well.

EK 29 BS2 Fed Com 1H production flows to its own three phase metering separator, where after separation gas is routed to the gas orifice allocation meter (number to be provided upon receipt) then to the common Targa Central Delivery Point (number to be provided upon receipt) meter. Produced water and oil are separated; the oil is then metered with a Coriolis meter (number to be provided upon receipt) and combines with the other well's oil into a common heater treater, then into a common production line and to one of the 1000 bbl oil tanks. The water is metered using a flow meter and then flows into a common produced water line and to one of the 1000 bbl produced water tanks. Oil will be sold by truck loadout using manual tank gauging (numbers to be provided upon receipt).

EK 29 BS2 Fed Com 2H production flows to its own three phase metering separator, where after separation gas is routed to the gas orifice allocation meter (number to be provided upon receipt) then to the common Targa Central Delivery Point (number to be provided upon receipt) meter. Produced water and oil are separated; the oil is then metered with a Coriolis meter (number to be provided upon receipt) combines with the other well's oil into a common heater treater, then into a common production line and to one of the 1000 bbl oil tanks. The water is metered using a flow meter and then flows into a common produced water line and to one of the 1000 bbl produced water tanks. Oil will be sold by truck loadout using manual tank gauging (numbers to be provided upon receipt).

Oil production will be allocated on a daily basis based on the well's individual Coriolis meters. These meter will be proven, as per API, NMOCD and BLM specifications, when installed, once per month for the first 3 months (to establish a consistent repeatability factor), and then quarterly thereafter, the factor obtained will be used to allocate the production volumes. Oil from both wells will then commingle into a common heater treater then into a common production line and to one of the 1000 bbl oil tanks. Oil will be sold by truck loadout using manual tank gauging (numbers to be provided upon receipt). Gas production will be allocated on a daily basis based on the subtraction method from the common Targa Central Delivery Point (number to be provided upon receipt) meter and the well's individual gas orifice allocation meters. The gas production from the VRU and the well's individual gas orifice allocation meters will commingle and flow through the common Targa Central Delivery Point (number to be provided upon receipt) meter on the southeast comer of the location. These meters will be calibrated on a regular basis per API, NMOCD and BLM specifications. The BLM & OCD will be notified of any future changes in the facility.

#### Process and Flow Descriptions:

Please see the proposed facility diagram for the EK 29 BS2 Fed Com 1H & 2H location. The proposed commingling is appropriate based on the BLM's guidance in IM 2013-02. The proposed commingling will maximize the ultimate recovery of oil and/or gas from the federal leases and will reduce environmental impacts by minimizing surface disturbance and emissions. The proposed commingling will reduce operating expenses, as well as, not adversely affect federal royalty income, production accountability, or the distribution of royalty.

McElvain Energy Inc. understands the requested approval will not constitute the granting of any right-of-way or construction rights not granted by the lease instrument.

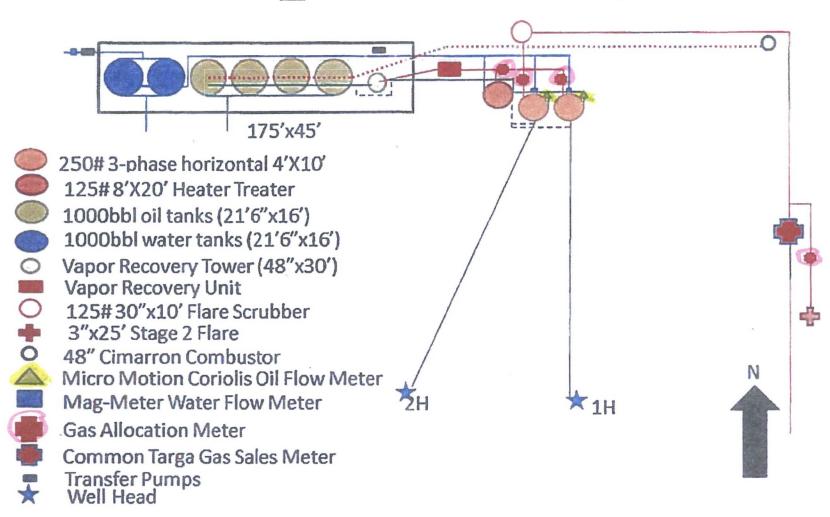
Working, royalty, and overriding interest owners have been notified of this proposal via certified mail (see attached list).

Signed: Printed Name: Tony Cooper

Title: Regulatory Compliance Manager

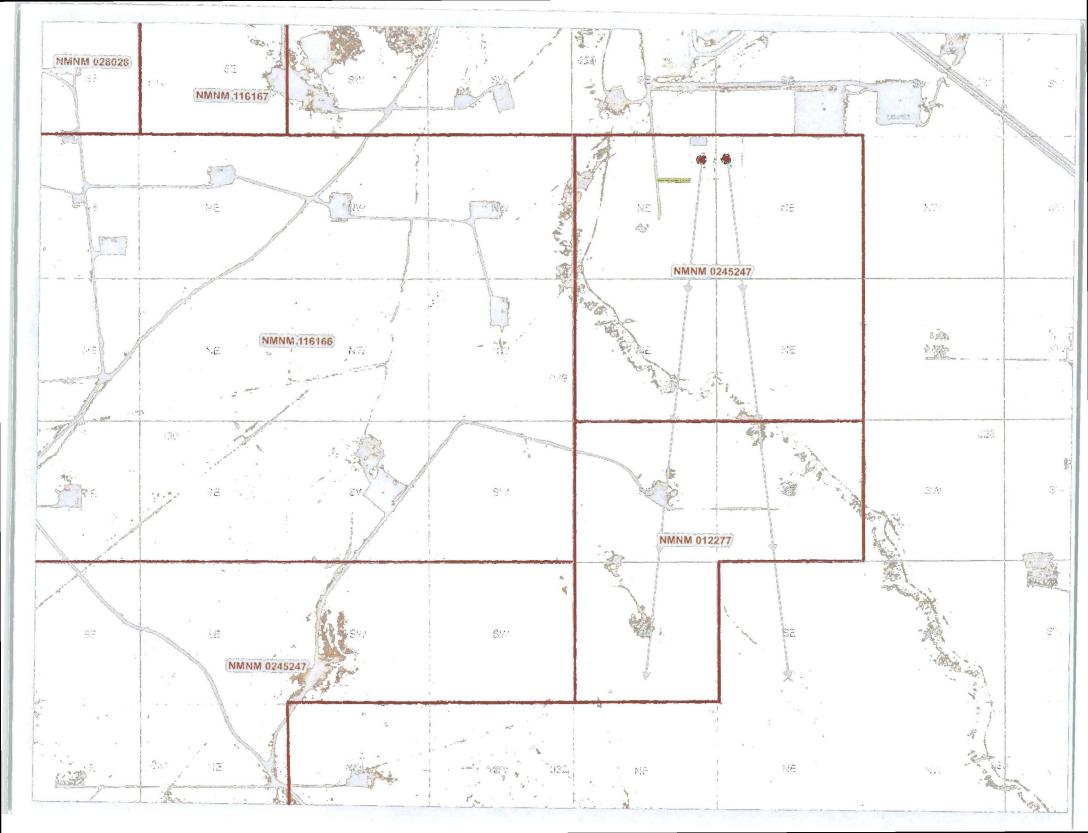
Date: 5-9-2017

## EK29\_1H & 2H Facility



| PANAGES AND PROPERTY OF THE PARTY OF THE PAR |                   | 25         | 11-15-E4-5E4V-94-4E-E01 .                                    |
|--|-------------------|------------|--|
| ВНГ  | PHF               |            | ३४ ज्ञांच्यात् के क्षेत्रीत्री                               |
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|  |                   | murper, to | Targa Contral Delivery Point (n                              |
|  | 9.00.1            |            | ######################################                       |
|  | riszosztu irkingi |            | BK 50 BRS Led COM  |
|  |                   |            | EK 53 BZS LEG COM LEGIJIA FOCULOU  EK 53 BZS LEG COM 1H & 5H |





#### Shell Trading (US) Company 1000 Main Street, Level 12 Houston, TX 77002 Crude Domestic LEASE Facsimile: (713) 246 8682

Please note that all contractual correspondence for this deal and all future deals between our companies must be directed to the above address. Shell Trading (US) Company ("STUSCO") will not be held responsible for delays resulting from correspondence sent to any other place.

As agreed between the respective traders at the time of negotiation, STUSCO is the documenting party and this Contract is the governing document and any contract or contract confirmation generated by MCELVAIN ENERGY, INC. is therefore rejected and not accepted as part of the negotiated terms of this Contract.

This Contract amends, restates and supersedes in its entirety that certain Contract entered into between STUSCO and MCELVAIN ENERGY, INC. dated February 1. 2014, as subsequently modified and amended.

STUSCO CONTRACT REF. NO. CL83LP0003 – AMENDED AND RESTATED EFFECTIVE JANUARY 1, 2017 MCELVAIN ENERGY, INC.: Please advise your contract ref:

#### **SELLERS**

MCELVAIN ENERGY, INC. 1050 17TH ST STE 2500 DENVER Colorado United States 80265-2080

#### BUYERS

Shell Trading (US) Company 1000 MAIN ST LEVEL 12 HOUSTON Texas United States 77002-6336

#### TERM

This Contract shall commence on 1 January 2017 and continue through 31 January 2017 ("InItial Term"), after which it will continue on a one (1) month(s) evergreen basis until either party terminates this Contract in accordance with this paragraph. By giving the other Party 30 day(s) prior written notice, either Party may terminate this Contract effective as of the end of the Initial Term or any subsequent month thereafter.

## GRADE AND QUALITY WTI type Crude Oil.

#### QUANTITY

Equal to 100% of the owned and or controlled production from the lease(s) as shown on Attachment 1.

Seller warrants that it has the right to commit the full volume for the leases identified in this Contract for the full duration of the term of this Contract.

#### TERMS OF DELIVERY

From lease tankage into Buyer's designated trucks.

#### PRICE

#### LEASE PRICE CODE - BBA

The price per barrel shall be the average of the daily settlement price for "Light Sweet Crude Oil" Prompt Month future contracts reported by the New York Mercantile Exchange (NYMEX) from the first day of the delivery month through and including the last day of the delivery month, including weekends and holidays observed by NYMEX.

#### MCELVAIN ENERGY, INC.

1050 17TH STREET, SUITE 2500 DENVER, COLORADO 80265-2080

RICK HARRIS LAND MANAGER TELEPHONE 303-962-6487

FAX 855-643-9137

E-MAIL: RICK-HARRISG MCREVAIN COM

May 9, 2017

## CERTIFIED MAIL RETURN RECEIPT REQUESTED

Interest Owners

RE:

Request for a CTB & Commingle & Off lease measurement EK 29 BS2 Federal Com #1H & EK 29 BS2 Federal Com #2H Sec. 29-T18S-R34E

API # 30-025-43687 & 30-025-43676

2nd Bone Spring

Lea County, New Mexico

#### Interest Owner:

This is to advise you that McElvain Energy, Inc., as general partner and operator for T. H. McElvain Oil & Gas LLLP ("McElvain"), is filing an application with the New Mexico Oil Conservation Division ("NMOCD") seeking approval for a Central Tank Battery & Off-Lease Gas Measurement, Sales, & Storage for the above mentioned wells.

A copy of our application submitted to the Division is attached.

Any objections or requests that a hearing should be held regarding this application much be submitted to the New Mexico Oil Conservation Division Santa Fe office within 20 days from the date of this letter.

Please contact the undersigned at 303-962-6487 should you have any questions or need anything further.

Sincerely,

McElvain Energy, Inc.

Rick Harris Land Manager

Enclosures

#### Wells: EK 29 BS2 Federal Com #1H and EK 29 BS2 Federal Com #2H

#### Federal Lease(s): NMNM0245247 & NMNM012277

Name/Address

Certified Mailing Number

#### **WORKING INTEREST OWNERS**

TH MCELVAIN OIL & GAS LLLP **PARTNERSHIP** 1050 17TH STREET, SUITE 2500 DENVER CO 80265

McELVAIN ENERGY FUND 2011 LLC 1050 17TH STREET, SUITE 2500 DENVER CO 80265

PRIMA EXPLORATION INC 100 FILLMORE ST SUITE 450 DENVER CO 80206

MCELVAIN OIL COMPANY, L.P. C/O DAVID P MCELVAIN P O BOX 801888 DALLAS TX 75380-1888

TRAINER PARTNERS LTD. PO BOX 3788 MIDLAND TX 79702

BURK ROYALTY CO LTD PO BOX 94903 WICHITA FALLS TX 76308 7012 3050 0000 7175 0927

7012 3050 0000 7175 0934

7012 3050 0000 7175 0941

7012 3050 0000 7175 0958

#### **ROYALTY OWNERS**

U.S. DEPARTMENT OF THE INTERIOR OFFICE OF NATURAL RESOURCES REV PO BOX 25627

**DENVER CO 80225-0627** 

JOHN RICHARD ANDERSON **PO BOX 136 GAIL TX 79738** 

**ERIK ANDERSON** 2292 ROAD 220 CHEYENNE WY 82009

SARAH ANDERSON 2017 CANYON DRIVE CHEYENNE WY 82009

SCHARBAUER MINERALS LP PO BOX 1471 MIDLAND TX 79702

GERALDINE B LEE 600 GOLIAD COURT NW ALBUQUERQUE NM 87107 7012 3050 0000 7175 0965

7012 3050 0000 7175 0972

7012 3050 0000 7175 0989

7012 3050 0000 7175 0996

7012 3050 0000 7175 1009

7012 3050 0000 7175 1016

Name/Address Certified Malling Number

MICHELLE M WILEY DYNASTY TRUST
215 HAWTHORN STREET 7012 3050 0000 7175 1023

FREDERICK CO 80530

STEPHEN P ANDERSON DYANSTY TRUST

STEPEHN P ANDERSON TRUSTEE

720 ELIZABETH STREET CIR

DACONO CO 80514

7012 3050 0000 7175 1030

GILES M LEE & JOIE ANDERSON LEE
ELIZABETH FORRESTER LEE BERRY POA
44 SWAMP ROAD
LOVINGTON NM 88260-9665
7012 3050 0000 7175 1047

BECKY BROOKS L CHRISTMAS
PO BOX 173
WAGON MOUND NM 87752-0173
7012 3050 0000 7175 1054

ELIZABETH FORREST BERRY
P.O. BOX 160 7012 3050 0000 7175 1061
EUNICE NM 88231-0160

MARY ANN LEE WALDROP
6556 NUTMEG ROAD
7012 3050 0000 7175 1078
SAN ANGELO TX 76901-5517

RODDY D & BROOKIE L HUGHES REVOC
TRUST DECL DTD 4/7/16, RODDY D HUGHES &
BROOKIE LEE HUGHES AS CO-TRUSTEES
2814 EMERSON PLACE
MIDLAND TX 79705-4202
7012 3050 0000 7175 1085

LEE FAMILY TRUST DTD 4/13/93
AS AMENDED 6/4/96
BILL LEE SUCCESSOR TRUST
PO BOX 363
LOVINGTON NM 88260

Total 2 3050 0000 7175 1092

#### **OVERRIDDING ROYALTY OWNERS**

SABINE ROYALTY TRUST
SOUTHWEST BANK ESCROW AGENT & TTEE
PO BOX 678600
DALLAS TX 75267-8600

7012 3050 0000 7175 1108

BRAILLE INSTITUTE OF AMERICA
BANK OF AMERICA, N.A., AGENT
PO BOX 840738
DALLAS TX 75284-0738
7012 3050 0000 7175 1115

GROSS FAMILY LTD PARTNERSHIP
PO BOX 358
ROSWELL NM 88201
7012 3050 0000 7175 1122

SELMA E ANDREWS TRUST F/B/O
PEGGY BARRETT
BANK OF AMERICA NA SOLE TRUSTEE 7012 3050 0000 7175 1139
PO BOX 840738
DALLAS TX 75284-0738

| Name/Address<br>SELMA E ANDREWS PERPETUAL  | Certified Mailing Number |
|--|--------------------------|
| CHARITABLE TRUST BANK OF AMERICA NA SOLE TRUSTEE PO BOX 840738 DALLAS TX 75284-0738  | 7012 3050 0000 7175 1146 |
| RANDALL M TRAINER<br>2802 NORTH GARFIELD STREET<br>MIDLAND TX 79705  | 7012 3050 0000 7175 1153 |
| THOMASTON, LLC<br>1050 17TH STREET<br>SUITE 2500<br>DENVER CO 80265-2080   |                          |
| HTI RESOURCES INC<br>PO BOX 10690<br>SAVANNAH GA 31412   | 7012 3050 0000 7175 1160 |
| MARY ANNE BERLINER FNDTN TRUST<br>FIRST NATIONAL BANK TRUSTEE<br>PO BOX AA<br>ARTESIA NM 88211-7526  | 7012 3050 0000 7175 1177 |
| SHARBRO ENERGY LLC<br>PO BOX 840<br>ARTESIA NM 88211-0840  | 7012 3050 0000 7175 1184 |
| MCGARY LIVING TRUST - SPH<br>BRIAN MCGARY TRUSTEE<br>BANK OF AMERICA NA AGENT<br>901 MAIN STREET 17TH FLOOR, TX1-492-17-01<br>DALLAS TX 75202-3738 | 7012 3050 0000 7175 1191 |
| MCGARY FAMILY TRUST - KELLY SP KELLY MCGARY TRUSTEE BANK OF AMERICA NA AGENT 901 MAIN STREET 17TH FLOOR, TX1-492-17-01 DALLAS TX 75202-3738        | 7012 3050 0000 7175 1207 |
| PEGGY P MCELVAIN TRUST<br>PO BOX 17892<br>HOLLADAY UT 84117  | 7012 3050 0000 7175 1214 |
| JACQUELIN M WITHERS TR UAD 12/10/92<br>WILLIAM P WITHERS TRUSTEE<br>3429 DEVONSHIRE WAY<br>PALM BEACH GARDENS FL 33418                             | 7012 3050 0000 7175 1221 |
| BILLY J COOK<br>4204 NELSON ROAD<br>MIDLAND TX 79707   | 7012 3050 0000 7175 1238 |
| LERWICK I LTD<br>508 W WALL ST, STE 1250<br>MIDLAND TX 79701   | 7012 3050 0000 7175 1245 |
| EGL RESOURCES INC<br>3001 S. HARDIN BLVD, STE 110 PMB #507<br>MCKINNEY TX 75070  | 7012 3050 0000 7175 1252 |

| Name/Address RHOMBUS ENERGY COMPANY PO BOX 627 LITTLETON CO 80160-0627  | Certified Mailing Number<br>7012 3050 0000 7175 1269 |
|---|--|
| J SANDRA STANTON TRUST<br>1544 OCEAN DRIVE<br>MANTOLOKING NJ 08738  | 7012 3050 0000 7175 1276                             |
| GERALDINE S GRAY<br>57 NAUTILUS DRIVE<br>LEONARDO NJ 07737  | 7012 3050 0000 7175 1283                             |
| SHORT 2008 TRUST DTD 12/08/2008<br>WM H & PATRICIA SHORT TRUSTEES<br>3767 PRAIRIE DUNES DRIVE<br>SARASOTA FL 34238                                  | 7012 3050 0000 7175 1290                             |
| JAMES D & LORNA J SHORT LIV TRUST<br>JAMES DAVID SHORT TRUSTEE<br>486 LAKEVIEW DRIVE - UNIT 58<br>PALM HARBOR FL 34683                              | 7012 3050 0000 7175 1306                             |
| DAVID M TRAINER ESTATE RONALD A JANES IND EXECUTOR 615 PERRY STREET MARLIN TX 76661-2237  | 7012 3050 0000 7175 1313                             |
| EOG RESOURCES ASSETS LLC<br>1111 BAGBY<br>SKY LOBBY 2<br>HOUSTON TX 77002   | 7012 3050 0000 7175 1320                             |
| MARY JANE MCGARY TRUST<br>MARY JANE MCGARY TRUSTEE<br>BANK OF AMERICA NA AGENT<br>901 MAIN STREET 17TH FLOOR, TX1-492-17-01<br>DALLAS TX 75202-3738 | 7012 3050 0000 7175 1337                             |
| ASA G ASHWORTH ESTATE<br>C/O JOHN P ASHWORTH<br>1577 YANKEE LANE<br>HORNELL NY 14843-9101   | 7012 3050 0000 7175 1344                             |

#### **BUREAU OF LAND MANAGEMENT CASE RECORDATION** (LIVE) SERIAL REGISTER PAGE

Run Date/Time: 07/05/17 05:37 AM

Page 1 of 16

01 02-25-1920;041STAT0437;30USC226

Case Type 311111: O&G LSE NONCOMP PUB LAND

Commodity 459: OIL & GAS

Case Disposition: AUTHORIZED

Case File Juris:

**Total Acres** 1,111.440

Serial Number NMNM-- 0 245247

Serial Number: NMNM-- 0 245247

| Name & Address                       |                              | Serial Number: N.                            |                                   | nterest      |
|--------------------------------------|------------------------------|--|-----------------------------------|--------------|
| BELLAMY SIDNEY E                     | PO BOX 29193                 | DALLAS TX 752290193                          | OPERATING RIGHTS                  | 0.000000000  |
| BOSWELL INTERESTS LTD                | 1320 LAKE ST                 | FORT WOTH TX 76102                           | OPERATING RIGHTS                  | 0.000000000  |
| BRADFORD CARYL M                     | 4005 EUCLID AVE              | DALLAS TX 75205                              | LESSEE                            | 4.166600000  |
| BUCKEYE ENERGY INC                   | PO BOX 3788                  | MIDLAND TX 79702                             | OPERATING RIGHTS                  | 0.00000000   |
| BURNETT OIL CO                       | 801 CHERRY ST #1500 UNIT #9  | FORT WORTH TX 761026881                      | OPERATING RIGHTS                  | 0.000000000  |
|                                      | 1320 LAKE ST                 | FORT WORTH TX 76102                          | OPERATING RIGHTS                  | 0.00000000   |
| CEB OIL CO<br>CHEVRON USA INC        | 6301 DEAUVILLE               | MIDLAND TX 797062964                         | OPERATING RIGHTS                  | 0.00000000   |
|                                      | 600 W ILLINOIS AVE           | MIDLAND TX 797002904<br>MIDLAND TX 797014882 | OPERATING RIGHTS                  | 0.00000000   |
| COG OPERATING LLC<br>DAHLIN MERLYN W | 3220 N FWY                   | FORT WORTH TX 76102                          |                                   |              |
| DAHLIN RUTH G                        | 3220 N FWT<br>3220 N FREEWAY |  | OPERATING RIGHTS OPERATING RIGHTS | 0.000000000  |
|                                      |                              | FORT WORTH TX 76111                          |                                   | 0.000000000  |
| DURAN PROPERTIES LLC                 | PO BOX 1854                  | ROSWELL NM 88202                             | OPERATING RIGHTS                  | 0.000000000  |
| EAB OIL CO                           | 1320 LAKE ST                 | FORT WORTH TX 76102                          | OPERATING RIGHTS                  | 0.000000000  |
| EOG RESOURCES ASSETS LLC             | 105 S 4TH ST                 | ARTESIA NM 882102177                         | OPERATING RIGHTS                  | 0.000000000  |
| EXPRESS AIR DRILLING                 | 3833 OAK LAWN AVE            | DALLAS TX 752194516                          | OPERATING RIGHTS                  | 0.000000000  |
| FLETCHER LOY C                       | PO BOX 852                   | ARTESIA NM 88210                             | OPERATING RIGHTS                  | 0.00000000   |
| FRAM GEORGE                          | PO BOX 563                   | ROSWELL NM 882020563                         | OPERATING RIGHTS                  | 0.000000000  |
| HAVEL KATHLEEN A                     | 7607 CHALKSTONE              | DALLAS TX 752194516                          | OPERATING RIGHTS                  | 0.000000000  |
| HAVEL MICHAEL J                      | 7607 CHALKSTONE              | DALLAS TX 752194516                          | OPERATING RIGHTS                  | 0.000000000  |
| HENDERSON DAVID L                    | 815 W 10TH ST                | FORT WORTH TX 76102                          | OPERATING RIGHTS                  | 0.000000000  |
| HENDERSON DAWN                       | 815 W 10TH ST                | FORT WORTH TX 76102                          | OPERATING RIGHTS                  | 0.000000000  |
| HICKS LIVING TRST                    | 6212 OSUNA NE                | ALBUQUERQUE NM 871092561                     | OPERATING RIGHTS                  | 0.000000000  |
| HISSOM TRUST EL AL                   | 5666 CHEVY CHASE DR          | HOUSTON TX 770564005                         | OPERATING RIGHTS                  | 0.000000000  |
| HOUSTON & EMMA HILL TRUST EST        | 500 THROCKMORTON #2803       | FORT WORTH TX 761023865                      | OPERATING RIGHTS                  | 0.000000000  |
| JACQUELIN M WITHERS TRUSTEE          | 3429 DEVONSHIRE WAY          | PALM BEACH GARDENS FL 33418688               | LESSEE                            | 12.500000000 |
| JAMES CLEO THOMPSON JR LP            | 325 N ST PAUL #4300          | DALLAS TX 75201                              | OPERATING RIGHTS                  | 0.000000000  |
| JOHN P OIL COMPANY                   | 1320 LAKE STREET             | FORT WORTH TX 76102                          | OPERATING RIGHTS                  | 0.000000000  |
| KAISER FRANCIS OIL                   | PO BOX 21463                 | TULSA OK 741211468                           | OPERATING RIGHTS                  | 0.000000000  |
| KERR-MCGEE OG ONSHORE LP             | 1999 BROADWAY #3700          | DENVER CO 80202                              | OPERATING RIGHTS                  | 0.000000000  |
| LOS SIETE EXPL INC                   | 215 W THIRD ST               | ROSWELL NM 88201                             | OPERATING RIGHTS                  | 0.000000000  |
| MAGNUM HUNTER PRODUCTION INC         | 202 S CHEYENNE AVE STE 1000  | TULSA OK 741033001                           | OPERATING RIGHTS                  | 0.000000000  |
| MARY JANE MCGARY TRUST               | PO BOX 830308                | DALLAS TX 752830308                          | OPERATING RIGHTS                  | 0.000000000  |
| MARY JANE MCGARY TRUST               | PO BOX 830308                | DALLAS TX 752830308                          | LESSEE                            | 8.333400000  |
| MATCO 850 LTD                        | 3300 N A ST BLDG 4 #102      | MIDLAND TX 79705                             | OPERATING RIGHTS                  | 0.000000000  |
| MCELVAIN DAVID P                     | PO BOX 2148                  | SANTA FE NM 875042148                        | LESSEE                            | 4.166700000  |
| MCELVAIN ENERGY FUND 2011 LLC        | 1050 17TH ST STE 2500        | DENVER CO 802652080                          | OPERATING RIGHTS                  | 0.000000000  |
| MCELVAIN JAMES E                     | PO BOX 2148                  | SANTA FE NM 875042148                        | LESSEE                            | 4.166700000  |
| MCELVAIN OIL & GAS PROP INC          | 1050 17TH ST STE 2500        | DENVER CO 802652080                          | OPERATING RIGHTS                  | 0.000000000  |
| MCELVAIN OIL CO                      | PO BOX 801888                | DALLAS TX 75380                              | OPERATING RIGHTS                  | 0.000000000  |
| MCELVAIN OIL CO                      | PO BOX 17892                 | HOLLADAY UT 841170892                        | OPERATING RIGHTS                  | 0.000000000  |
| MCELVAIN RALPH C JR                  | PO BOX 9502                  | SALT LAKE CITY UT 84109                      | LESSEE                            | 12.500000000 |
| MCELVAIN RUTH P                      |                              | SANTA FE NM 875042148                        |                                   |              |
|                                      | PO BOX 2148                  | DALLAS TX 752830308                          | LESSEE                            | 12.500000000 |
| MCGARY BRIAN SPH TRUSTEE             | PO BOX 830308                |  | LESSEE                            | 8.333300000  |
| MCGARY BRIAN SPH TRUSTEE             | PO BOX 830308                | DALLAS TX 752830308                          | OPERATING RIGHTS                  | 0.000000000  |
| MCGARY KELLY TRUSTEE                 | PO BOX 830308                | DALLAS TX 752830308                          | OPERATING RIGHTS                  | 0.000000000  |
| MCGARY KELLY TRUSTEE                 | PO BOX 830308                | DALLAS TX 752830308                          | LESSEE                            | 8.33330000   |
| MCKAY PETROLEUM CORP                 | PO BOX 2014                  | ROSWELL NM 88202                             | OPERATING RIGHTS                  | 0.00000000   |
| MEXCO ENERGY CORP                    | PO BOX 10502                 | MIDLAND TX 79702                             | OPERATING RIGHTS                  | 0.00000000   |
| MITCHELL ROYALTY LTD                 | RR 2 BOX 10 A                | HASKELL OK 74436                             | OPERATING RIGHTS                  | 0.00000000   |
| MOORE R KEITH                        | 2972 VALLEY VIEW LN          | FARMERS BRANCH TX 75234                      | OPERATING RIGHTS                  | 0.00000000   |
| MOREXCO INC                          | PO BOX 481                   | ARTESIA NM 882110481                         | OPERATING RIGHTS                  | 0.000000000  |
| NEARBURG EXPL CO LLC                 | 3300 N A ST #120             | MIDLAND TX 79705                             | OPERATING RIGHTS                  | 0.000000000  |
| P J GUY FAMILY TRUST                 | PO BOX 100                   | ARTESIA NM 882110100                         | OPERATING RIGHTS                  | 0.000000000  |

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#### **BUREAU OF LAND MANAGEMENT CASE RECORDATION** (LIVE) SERIAL REGISTER PAGE

| Run Date/Time                    | : 07/05/17  | 05:37 AM                                     | Tr.   |                                   | Page 2 of 16                               |
|----------------------------------|-------------|--|---|-----------------------------------|--|
| PALACE ECPL CO                   |             | 5 E 59TH FL                                  | NEW YORK NY 100221027                       | OPERATING RIGHTS                  | 0.000000000                                |
| PATRICIA DEAN BO                 | OSWELL TRUS | STEE 1320 LAKE ST                            | FORT WORTH TX 76120                         | OPERATING RIGHTS                  | 0.00000000                                 |
| POLO OIL & GAS C                 | CO          | PO BOX 699                                   | ROSWELL NM 882020699                        | OPERATING RIGHTS                  | 0.000000000                                |
| PVB OIL CO                       |             | 1320 LAKE ST                                 | FORT WORTH TX 76102                         | OPERATING RIGHTS                  |  |
| RHOMBUS ENERG                    |             | 200 N LORAINE #1270                          | MIDLAND TX 79701                            | OPERATING RIGHTS                  |  |
| SAPPINGTON JACI                  | KL          | 3105 STANOLIND                               | MIDLAND TX 79705                            | OPERATING RIGHTS                  |  |
| SCOTT WARREN                     |             | 215 W THIRD ST                               | ROSWELL NM 88201                            | OPERATING RIGHTS                  |  |
| SEELY C W<br>SEELY INA B         |             | 815 W 10TH STREET<br>815 WEST 10TH STREET    | FORT WORTH TX 76102<br>FORT WORTH TX 76102  | OPERATING RIGHTS OPERATING RIGHTS |  |
| SEELY OIL CO                     |             | 815 W 10TH ST                                | FORT WORTH TX 76102                         | OPERATING RIGHTS                  |  |
| SEELY OIL CO                     |             | 311 W QUAY                                   | ARTESIA NM 88211                            | OPERATING RIGHTS                  |  |
| SLATE RIVER OIL                  | & GAS LLC   | PO BOX 627                                   | LITTLETON CO 801600627                      | OPERATING RIGHTS                  |  |
| SMITH TERRY                      | 0,10 220    | #20 SMOKEY TRL                               | ARTESIA NM 88210                            | OPERATING RIGHTS                  |  |
| SOBECK NANCY                     |             | 1800 CEDAR RIDGE DR                          | AUSTIN TX 78741                             | OPERATING RIGHTS                  |  |
| SSV&H ASSOCIATI                  | ES          | 815 W 10TH ST                                | FORT WORTH TX 76102                         | OPERATING RIGHTS                  | 0.00000000                                 |
| T H MCELVAIN OIL                 | & GAS LLLP  | 1050 17TH ST STE 2500                        | DENVER CO 802652080                         | <b>OPERATING RIGHTS</b>           | 0.00000000                                 |
| TH MCELVAIN OG                   | LLLP        | 1050 17TH ST STE 2500                        | DENVER CO 802652080                         | OPERATING RIGHTS                  | 0.00000000                                 |
| TH MCELVAIN OG                   | LLLP        | 1050 17TH ST STE 2500                        | DENVER CO 802652080                         | LESSEE                            | 25.000000000                               |
| THE PEGGY P MC                   | ELVAIN TRUS |  | SALT LAKE CITY UT 841170892                 | OPERATING RIGHTS                  |  |
| THOMPSON CLEO                    | J           | 325 N SAINT PAUL ST STE 4300                 | DALLAS TX 752013993                         | OPERATING RIGHTS                  |  |
| TRAINER C W                      |             | PO BOX 3788                                  | MIDLAND TX 797023788                        | OPERATING RIGHTS                  |  |
| TRAINER JACKIE                   |             | PO BOX 754                                   | MIDLAND TX 79702                            | OPERATING RIGHTS                  |  |
| TROBAUGH PROP                    |             | 3300 N A ST BLDG 4 #102                      | MIDLAND TX 79705                            | OPERATING RIGHTS                  |  |
| WES-TEX DRILLING                 | G CO LP     | PO BOX 3739                                  | ABILENE TX 79604                            | OPERATING RIGHTS                  |  |
| M T B (                          | C 07        |  | Serial Number:                              |                                   |  |
| Mer Twp Rng                      | Sec SType   | e Nr Suff Subdivision                        | District/Resource Area                      | County                            | Mgmt Agency                                |
| 23 0180S 0330E                   |             | Q W2,W2SE;                                   | CARLSBAD FIELD OFFICE                       |                                   | BUREAU OF LAND MGMT                        |
| 23 0180S 0340E                   |             |  | CARLSBAD FIELD OFFICE                       |                                   | BUREAU OF LAND MGMT                        |
| 23 0180S 0340E                   |             |  | CARLSBAD FIELD OFFICE                       |                                   | BUREAU OF LAND MGMT                        |
| 23 0180S 0340E                   |             |  | CARLSBAD FIELD OFFICE                       |                                   | BUREAU OF LAND MGMT                        |
| 23 0180S 0340E<br>23 0180S 0340E |             |  | CARLSBAD FIELD OFFICE CARLSBAD FIELD OFFICE | LEA<br>LEA                        | BUREAU OF LAND MGMT<br>BUREAU OF LAND MGMT |
| 23 01003 0340E                   | 031 LOT     | 5 1,2,                                       |   |                                   |  |
|                                  |             |  | Se  | erial Number: N                   | MNM 0245247                                |
| _                                |             | ndrawn Lands                                 |   |                                   |  |
| 23 0180S 0330E 72                |             | W2NE SEGR;                                   | CARLSBAD FIELD OFFICE                       |                                   | BUREAU OF LAND MGMT                        |
| 23 0180S 0340E 72                |             | NW,N2SW SEGR;                                | CARLSBAD FIELD OFFICE                       |                                   | BUREAU OF LAND MGMT                        |
| 23 0180S 0340E 73                | 30 FF       | NE,E2NW,N2SE SEGR;                           | CARLSBAD FIELD OFFICE                       | LEA                               | BUREAU OF LAND MGMT                        |
|                                  |             |  | Contal Number                               | 37074 0 04                        | E047                                       |
|                                  |             |  |   | r: NMNM 0 24                      |  |
| Act Date                         | Code        | Action                                       | Action Remarks                              | Pending                           | Office                                     |
| 09/01/1949                       | 387         | CASE ESTABLISHED                             |   |                                   |  |
| 09/01/1949                       | 496         | FUND CODE                                    | 05;145003                                   |                                   |  |
| 09/01/1949                       | 530         | RLTY RATE - 12 1/2%                          |   |                                   |  |
| 09/01/1949                       | 868         | EFFECTIVE DATE                               |   |                                   |  |
| 12/01/1961                       | 209         | CASE CREATED BY SEGR                         | OUT OF NMLC069457;                          |                                   |  |
| 02/26/1962                       | 648         | EXT BY PROD ON ASSOC LSE                     | NMLC069457;                                 |                                   |  |
|                                  |             | HELD BY PROD - ACTUAL                        | /1/   |                                   |  |
| 06/19/1962                       | 650         |  |   |                                   |  |
| 06/19/1962                       | 658         | MEMO OF 1ST PROD-ACTUAL                      | /1/MCELVAIN#2;                              |                                   |  |
| 12/06/1963                       | 932         | TRF OPER RGTS FILED                          | MCELVAIN/HUMBLE OIL                         |                                   |  |
| 01/21/1964                       | 103         | ADDTL INFO RECD                              | MCELVAIN/HUMBLE OIL                         |                                   |  |
| 02/12/1964                       | 932         | TRF OPER RGTS FILED                          | IBEX CO/INC                                 |                                   |  |
|                                  |             | mpn on tumppeon nitro                        | DEGREE TOTAL DEGREE                         |                                   |  |
| 02/19/1964                       | 396         | TRF OF INTEREST FILED                        | REGAN EST/R REGAN                           |                                   |  |
| 02/19/1964                       |             | TRE OF INTEREST FILED TRE OPER RGTS APPROVED | EFF 01/01/1963;                             |                                   |  |
| 02/19/1964                       | 933         | TRF OPER RGTS APPROVED                       | EFF 01/01/1963;                             |                                   |  |
|                                  |             |  |   |                                   |  |

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#### **BUREAU OF LAND MANAGEMENT CASE RECORDATION** (LIVE) SERIAL REGISTER PAGE

Run Date/Time: 07/05/17 05:45 AM

Page 1 of 3

01 02-25-1920;041STAT0437;30USC181ETSEQ

Case Type 311211: O&G LSE SIMO PUBLIC LAND

Commodity 459: OIL & GAS

Case Disposition: AUTHORIZED Case File Juris:

**Total Acres** 120.000

Serial Number

NMNM-- - 012277

Serial Number: NMNM-- - 012277

| Name & Address              |                       |                            | Int Rel          | %Interest           |
|-----------------------------|-----------------------|----------------------------|------------------|---------------------|
| BURK ROYALTY CO LTD         | PO BOX 94903          | WICHITA FALLS TX 763080903 | OPERATING RIGHTS | 0.000000000         |
| KERR-MCGEE OG ONSHORE LP    | 1999 BROADWAY #3700   | DENVER CO 80202            | OPERATING RIGHTS | 0.000000000         |
| MCKAY OIL CORP              | PO BOX 2014           | ROSWELL NM 882022014       | OPERATING RIGHTS | 0.000000000         |
| MCKAY PETROLEUM CORP        | PO BOX 2014           | ROSWELL NM 88202           | OPERATING RIGHTS | 0.000000000         |
| PERRY WESLEY W              | PO BOX 371            | MIDLAND TX 79702           | OPERATING RIGHTS | 0.000000000         |
| RHOMBUS ENERGY CO           | 200 N LORAINE #1270   | MIDLAND TX 79701           | LESSEE           | 100.000000000       |
| SAPPINGTON JACK L           | 3105 STANOLIND        | MIDLAND TX 79705           | OPERATING RIGHTS | 0.000000000         |
| T H MCELVAIN OIL & GAS LLLP | 1050 17TH ST STE 2500 | DENVER CO 802652080        | OPERATING RIGHTS | 0.000000000         |
|                             |                       | Serial Number:             | NMNM 012         | 277                 |
| Mer Twp Rng Sec SType       | Nr Suff Subdivision   | District/Resource Area     | County           | Mgmt Agency         |
| 23 0180S 0340E 029 ALIQ     | N2SE,SWSE;            | CARLSBAD FIELD OFFICE      | LEA              | BUREAU OF LAND MGMT |

Serial Number: NMNM-- - 012277

| Act Date   | Code | Action                   | Action Remarks        | Pending Office |
|------------|------|--------------------------|-----------------------|----------------|
| 07/26/1970 | 387  | CASE ESTABLISHED         |                       |                |
| 07/27/1970 | 888  | DRAWING HELD             | #1000;                |                |
| 08/13/1970 | 237  | LEASE ISSUED             |                       |                |
| 09/01/1970 | 496  | FUND CODE                | 05;145003             |                |
| 09/01/1970 | 530  | RLTY RATE - 12 1/2%      |                       |                |
| 09/01/1970 | 868  | EFFECTIVE DATE           |                       |                |
| 12/01/1970 | 898  | ASGN EFFECTIVE           | SHORT GERI            |                |
| 06/26/1972 | 940  | NAME CHANGE RECOGNIZED   | PENNZOIL UNITED/CO    |                |
| 02/19/1975 | 315  | RENTAL RATE DET/ADJ      | \$2.00;               |                |
| 12/17/1980 | 246  | LEASE COMMITTED TO CA    | NMNM88498;            |                |
| 12/17/1980 | 658  | MEMO OF 1ST PROD-ACTUAL  | NMNM88498;            |                |
| 12/31/1980 | 235  | EXTENDED                 | THRU 08/31/82;        |                |
| 01/05/1981 | 650  | HELD BY PROD - ACTUAL    |                       |                |
| 04/30/1981 | 102  | NOTICE SENT-PROD STATUS  |                       |                |
| 05/08/1981 | 315  | RENTAL RATE DET/ADJ      | \$2.00;               |                |
| 10/02/1984 | 963  | CASE MICROFILMED/SCANNED | CNUM 104,226 AC       |                |
| 09/11/1987 | 974  | AUTOMATED RECORD VERIF   | MLM/MT                |                |
| 10/26/1988 | 140  | ASGN FILED               | PENNZOIL CO/EXPL&PROD |                |
| 10/26/1988 | 932  | TRF OPER RGTS FILED      |                       |                |
| 12/02/1988 | 139  | ASGN APPROVED            | EFF 11/01/88;         |                |
| 12/02/1988 | 933  | TRF OPER RGTS APPROVED   | EFF 11/01/88;         |                |
| 12/03/1988 | 974  | AUTOMATED RECORD VERIF   | MCS/MT                |                |
| 04/02/1991 | 932  | TRF OPER RGTS FILED      | C W TRAINER/SUN ETAL  |                |
| 06/07/1991 | 933  | TRF OPER RGTS APPROVED   | EFF 05/01/91;         |                |
| 06/07/1991 | 974  | AUTOMATED RECORD VERIF   | MT/CG                 |                |
| 09/25/1992 | 932  | TRF OPER RGTS FILED      | SUN OPER/RHOMBUS ENE  |                |

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| DATE IN | SUSPENSE | ENGINEER | LOGGED IN | TYPE | APP NO |
|---------|----------|----------|-----------|------|--------|

ABOVE THIS LINE FOR DATSION USE ONLY

## NEW MEXICO OIL CONSERVATION DIVISION

- Engineering Bureau -1220 South St. Francis Drive, Santa Fe, NM 87505



| ADMINISTRATIVE APPLICATION CHECKLIST  |
|---|
| THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE   |
| Application Acronyms:  [NSL-Non-Standard Location] [NSP-Non-Standard Proration Unit] [SD-Simultaneous Dedication]  [DHC-Downhole Commingling] [CTB-Lease Commingling] [PLC-Pool/Lease Commingling]  [PC-Pool Commingling] [OLS - Off-Lease Storage] [OLM-Off-Lease Measurement]  [WFX-Waterflood Expansion] [PMX-Pressure Maintenance Expansion]  [SWD-Salt Water Disposal] [IPI-Injection Pressure Increase]  [EOR-Qualified Enhanced Oil Recovery Certification] [PPR-Positive Production Response] |
| [1] TYPE OF APPLICATION - Check Those Which Apply for [A]  [A] Location - Spacing Unit - Simultaneous Dedication  [In NSL In NSP In SD]  [In NSL In NSP In SD]  |
| Check One Only for [B] or [C]  [B] Commingling - Storage - Measurement  DHC CTB PLC PC OLS OLM  |
| [C] Injection - Disposal - Pressure Increase - Enhanced Oil Recovery  WFX PMX SWD IPI EOR PPR   |
| [D] Other: Specify  |
| [2] NOTIFICATION REQUIRED TO: - Check Those Which Apply, or Does Not Apply [A] Working, Royalty or Overriding Royalty Interest Owners   |
| [B] Offset Operators, Leaseholders or Surface Owner   |
| [C] Application is One Which Requires Published Legal Notice  |
| [D] Notification and/or Concurrent Approval by BLM or SLO US Bureau of Land Management - Commissioner of Public Lands, State Land Office  |
| [E] For all of the above, Proof of Notification or Publication is Attached, and/or,   |
| [F] Waivers are attached  |
| [3] SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED ABOVE.   |
| [4] <b>CERTIFICATION:</b> I hereby certify that the information submitted with this application for administrative approval is <b>accurate</b> and <b>complete</b> to the best of my knowledge. I also understand that <b>no action</b> will be taken on this application until the required information and notifications are submitted to the Division.   |
| Note: Statement must be completed by an individual with managerial and/or supervisory capacity.   |
| Print or Type Name  Signature  Signature  Title  Date   |
| e-mail Address  |

District | 1625 N. French Drive, Hobbs, NM 88240 District | 11 811 S. First St., Artesia, NM 88210 District | 11 | 1000 Rio Brazos Road, Aztec, NM 87410 District 1V

1220 S. St Francis Dr., Santa Fe, NM 87505

State of New Mexico Energy, Minerals and Natural Resources Department

Form C-107-B Revised August 1, 2011

#### OIL CONSERVATION DIVISION

1220 S. St Francis Drive Santa Fe, New Mexico 87505

Submit the original application to the Santa Fe office with one copy to the appropriate District Office.

|   | N FOR SURFACE  | COMMINGLING   | (DIVERSE              | OWNERSHIP)                                      |                    |
|---|--|---|-----------------------|---|--------------------|
|   | vain Energy Inc  |   |                       |   |                    |
|   | 17th Street, Suite 2500, De  | enver, CO 80265   |                       |   |                    |
| APPLICATION TYPE:   | u Peta   |   |                       |   |                    |
|   | igling Pool and Lease Co   |   | Storage and Measur    | ement (Only if not Surface                      | c Commingled)      |
| LEASE TYPE:  Fcc  | State Fede   |   |                       |   |                    |
| Is this an Amendment to existing Of<br>Have the Bureau of Land Managem  |  |   |                       |   | ingling            |
|   |  | L COMMINGLINGS with the following in                      |                       |   |                    |
| (1) Pool Names and Codes  | Gravities BTU of<br>Non-Commingled<br>Production   | Calculated Gravities /<br>BTU of Commingled<br>Production |                       | Calculated Value of<br>Commingled<br>Production | Volumes            |
| Pool 21650, EK Bone Springs<br>EK 29 BS2 Fed Com 1H   | 38 1350  |   |                       |   | 600BOPD<br>600MCFD |
| Pool 21650, EK Bone Springs   | 29:1350  | 20 1350   |                       | S45 BO S3 MCF                                   | 600BOPD            |
| EK 29 BS2 Fed Com 2H  | 38/1350  | 38 1350   |                       | 242 BO 22 MCL                                   | 600MCFD            |
|   |  |   |                       |   |                    |
|   |  | -   |                       |   |                    |
| (1) Pool Name and Code. (2) Is all production from same source. (3) Has all interest owners been notifie. (4) Measurement type: Metering  | Please attach sheet of supply?   Yes  d by certified mail of the pro Other (Specify)   | posed commingling?  | nformation<br>⊠Yes □N | io .  |                    |
|   |  | I LEASE COMMIN  |                       |   |                    |
| (1) Complete Sections A and E.  | r rease attach shee  | es with the johowing i                                    | mormativit            |   |                    |
|   |  |   |                       |   |                    |
|   | (D) OFF-LEASE S'   |   |                       |   |                    |
| (1) Is all production from same source  |  | eets with the following                                   | information           |   |                    |
| Is all production from same source     Include proof of notice to all inter   |  | <b>10</b>   |                       |   |                    |
| (E)   | ADDITIONAL INFO  |   |                       | ypes)   |                    |
|   | STATE OF THE PARTY | ts with the following i                                   | nformation            |   |                    |
| <ol> <li>A schematic diagram of facility, i</li> <li>A plat with lease boundaries show</li> <li>Lease Names, Lease and Well Nu</li> </ol> | ing all well and facility loca   | tions. Include lease numb                                 | ers if Federal or St  | ate lands are involved.                         |                    |
| I hereby certify that the information abo   | ve is true and complete to th  | e best of my knowledge as                                 | nd belief             |   |                    |
| SIGNATURE. J. Coop  | 24   | TILE Rogulaton  | Mgr                   | DATE 5  | 8-17               |
| TYPE OR PRINT NAME TOO E-MAIL ADDRESS. TOOK C. 6  | y Cooper   | on  | TEI                   | EPHONE NO 305                                   | 501 0009           |

Bureau of Land Management Carlsbad Field Office 620 East Greene Street Carlsbad, New Mexico 88220 575-234-5972

EK 29 BS2 Federal Com 1H, EK 29 BS2 Federal Com 2H 3002543687, 3002543676 Leases NMNM0245247 & NMNM12277, CAs pending

# McElvain Energy, Inc. July 5, 2017 Condition of Approval Surface commingling and off lease measurement, storage & sales

- 1. This approval is subject to like approval by the New Mexico Oil Conservation Division.
- 2. This agency shall be notified of any spill or discharge as required by NTL-3A.
- 3. This agency reserves the right to modify or rescind approval whenever it determines continued use of the approved method may adversely affect the surface or subsurface environments or product accountability.
- 4. This approval does not constitute right-of-way approval for any off-lease activities. Within 30 days, an application for right-of-way approval must be submitted to the Realty Section if not already done.
- 5. Approval for combining production from various sources is a privilege which is granted to lessees for the purpose of aiding conservation and extending the economic life of leases. Applicants should be cognizant that failure to operate in accordance with the provisions outlined in the Authorized Officer's conditions of approval and/or subsequent stipulations or modifications will subject such approval to revocation.
- 6. Gas measurement for allocation must be measured as per Federal Regulations, AGA and API requirements for sales meters.
- 7. All gas and oil subject to royalty shall be measured as per federal regulations and shall be reported to ONRR as required. All gas which is vented, flared or used on lease shall be reported as per 43 CFR 3178 & 3179 to ONRR. All gas which is vented or flared shall be subject to royalty, unless prior approval was given by the authorized officer.
- 8. This agency shall be notified of any change in sales method or location of sales point.
- 9. Additional wells and/or leases require additional commingling approvals.
- 10. Submit meter numbers upon installation of meters and also provide updated facility diagram with meters numbers.
- 11. Notify this office 24 Hrs. prior to any meter calibration/proving to allow time for an inspector to witness.