

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Farmington Field Office
6251 College Blvd. - Suite A
Farmington, New Mexico 87402

IN REPLY REFER TO:
NMNM 122109 (CA)
3105 (NMF0110)

February 9, 2015

30-045-33419

XTO Energy, Inc.
ATTN: Debra Churchill
810 Houston Street
Fort Worth, TX 76102-6298

RECEIVED
2015 FEB 12 P 2:55

Dear Ms. Hanks,

Reference is made to Communitization Agreement (CA) NMNM 122109 approved on March 25, 2009 and was effective as of March 25, 2009. The agreement communitized 80.00 acres of Federal minerals in lease NMSF 078643 and 80.00 acres of Fee minerals described as SW/4 of Section 5, T. 29N., R. 13W., NMPM, San Juan County, New Mexico as to natural gas and associated liquid hydrocarbons producible from the Pictured Cliffs formation. The term of the agreement was for two years and so long thereafter as communitized substances are, or can be produced in paying quantities.

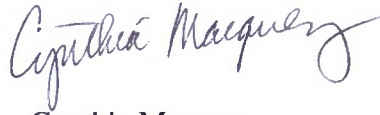
Our records show the well dedicated to the above-described communitized spacing unit is the FLOG 5 No. 3 well. The referenced CA terminated on its own terms effective March 24, 2011. The public interest requirements for an approved communitization agreement were not met and are now invalid *ab initio* under section 3105.2-3.

The Wildwood No 3 holds lease NMSF 078643 by actual production.

Under 43 CFR 3165.3, you may request an Administrative Review of any instructions, orders, or decisions issued by the Authorized Officer. Such a request, including all supporting documents, must be filed in writing within 20 business days of receipt of this notice and must be filed with the State Director, Bureau of Land Management, P.O. Box 27115, Santa Fe, New Mexico 87502-0115. Such a request will not result in a suspension of the instructions, orders, or decisions unless the reviewing official so determines. Procedures governing appeals from the instructions, orders, or decisions are contained in 43 CFR 3165.4 and 43 CFR 4.400 et. Seq.

If you have any questions regarding this agreement, please contact me at the above address or telephone (505) 599-8935.

Sincerely,

A handwritten signature in cursive script, reading "Cynthia Marquez". The signature is written in black ink and is positioned above the printed name.

Cynthia Marquez
Land Law Examiner
Petroleum Management Branch

cc: NMSO
ONRR, MS-357-B1, Denver CO
NMOCD, Santa Fe
NM Tax & Rev. Dept.