

DATE IN 3/25/10	SUSPENSE	ENGINEER RICE	LOGGED IN 3/25/10	TYPE SC	PTG-W	APP NO. 1008447734
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2010 MAR 25 PM 1 23
 ABOVE THE LINE FOR DIVISION 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
 NSL NSP 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 Surface Commingling

PC-1223

[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
U.S. 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] **CERTIFICATION:** I hereby certify that the information submitted with this application for administrative approval is **accurate** and **complete** to the best of my knowledge. I also understand that **no action** 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.

JALYN N. FISKE
 Print or Type Name

Jalyn N. Fiske
 Signature

REGULATORY SPEC.
 Title Date 2/15/10

Jalyn.fiske@conocophillips.com
 e-mail Address

District I
1625 N. French Drive, Hobbs, NM 88240
District II
1301 W. Grand Ave, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St Francis Dr, Santa Fe, NM
87505

State of New Mexico
Energy, Minerals and Natural Resources Department

Form C-107-B
Revised June 10, 2003

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.

APPLICATION FOR SURFACE COMMINGLING (DIVERSE OWNERSHIP)

OPERATOR NAME: CONOCOPHILLIPS COMPANY

OPERATOR ADDRESS: 3300 N. A STREET, MIDLAND, TX, 79705.

APPLICATION TYPE:

Pool Commingling Lease Commingling Pool and Lease Commingling Off-Lease Storage and Measurement (Only if not Surface Commingled)

LEASE TYPE: Fee State Federal

Is this an Amendment to existing Order? Yes No If "Yes", please include the appropriate Order No. _____

Have the Bureau of Land Management (BLM) and State Land office (SLO) been notified in writing of the proposed commingling
 Yes No

(A) POOL COMMINGLING

Please attach sheets with the following information

(1) Pool Names and Codes	Gravities / BTU of Non-Commingled Production	Calculated Gravities / BTU of Commingled Production	Calculated Value of Commingled Production	Volumes
See attachment "E3"	See attachment "A"	Attachment "A"	Attachment "A"	Attachment "A"

- (2) Are any wells producing at top allowables? Yes No
 (3) Has all interest owners been notified by certified mail of the proposed commingling? Yes No.
 (4) Measurement type: Metering Other (Specify)
 (5) Will commingling decrease the value of production? Yes No If "yes", describe why commingling should be approved

(B) LEASE COMMINGLING

Please attach sheets with the following information

- (1) Pool Name and Code.
 (2) Is all production from same source of supply? Yes No
 (3) Has all interest owners been notified by certified mail of the proposed commingling? Yes No
 (4) Measurement type: Metering Other (Specify)

(C) POOL and LEASE COMMINGLING

Please attach sheets with the following information

- (1) Complete Sections A and E.

(D) OFF-LEASE STORAGE and MEASUREMENT

Please attached sheets with the following information

- (1) Is all production from same source of supply? Yes No
 (2) Include proof of notice to all interest owners.

(E) ADDITIONAL INFORMATION (for all application types)

Please attach sheets with the following information

- (1) A schematic diagram of facility, including legal location. (See Attachment E1)
 (2) A plat with lease boundaries showing all well and facility locations. Include lease numbers if Federal or State lands are involved. (See Attachment E2)
 (3) Lease Names, Lease and Well Numbers, and API Numbers. (See Attachment E3)

I hereby certify that the information above is true and complete to the best of my knowledge and belief.

SIGNATURE: Jalyn N. Fiske
 TYPE OR PRINT NAME: JALYN N. FISKE

TITLE: REG. SPEC.

DATE: 2-15-10

TELEPHONE NO.: 432-688-6813

E-MAIL ADDRESS: jalyn.fiske@CONOCOPHILLIPS.COM

Attachment "A"

Result if Burger B20 #2 & #5 are commingled.

Pool	BOPD	API Gravity	Sulfur wt. %	MSCFD	Wet BTU	BWPD	Comments
Burger B20 #2 Warren Tubb Oil Blinebry Oil & Gas	9	38.0	0.4061	36	1150	10	
Burger B20 #5 Blinebry-Tubb	24	38.9	0.3847	84	1150	18	
Total	33	38.7	0.3905	120	1150	28	Result (Sweet)

63280
6660
6660

Production sold separately

Production Revenues					
Pool	BOPD	API Gravity	\$ Value/BO*	Revenue/Day	Comments
Burger B20 #2 Warren Tubb Oil Blinebry Oil & Gas	9	38.0	\$69.93	\$629.37	
Burger B20 #5 Blinebry-Tubb	24	0.0	\$74.31	\$1,783.44	
Total	33	0.0	\$72.12	\$2,412.81	
* Value/BO is paid on crude price deemed API 40 gravity.					

Production sold after commingle

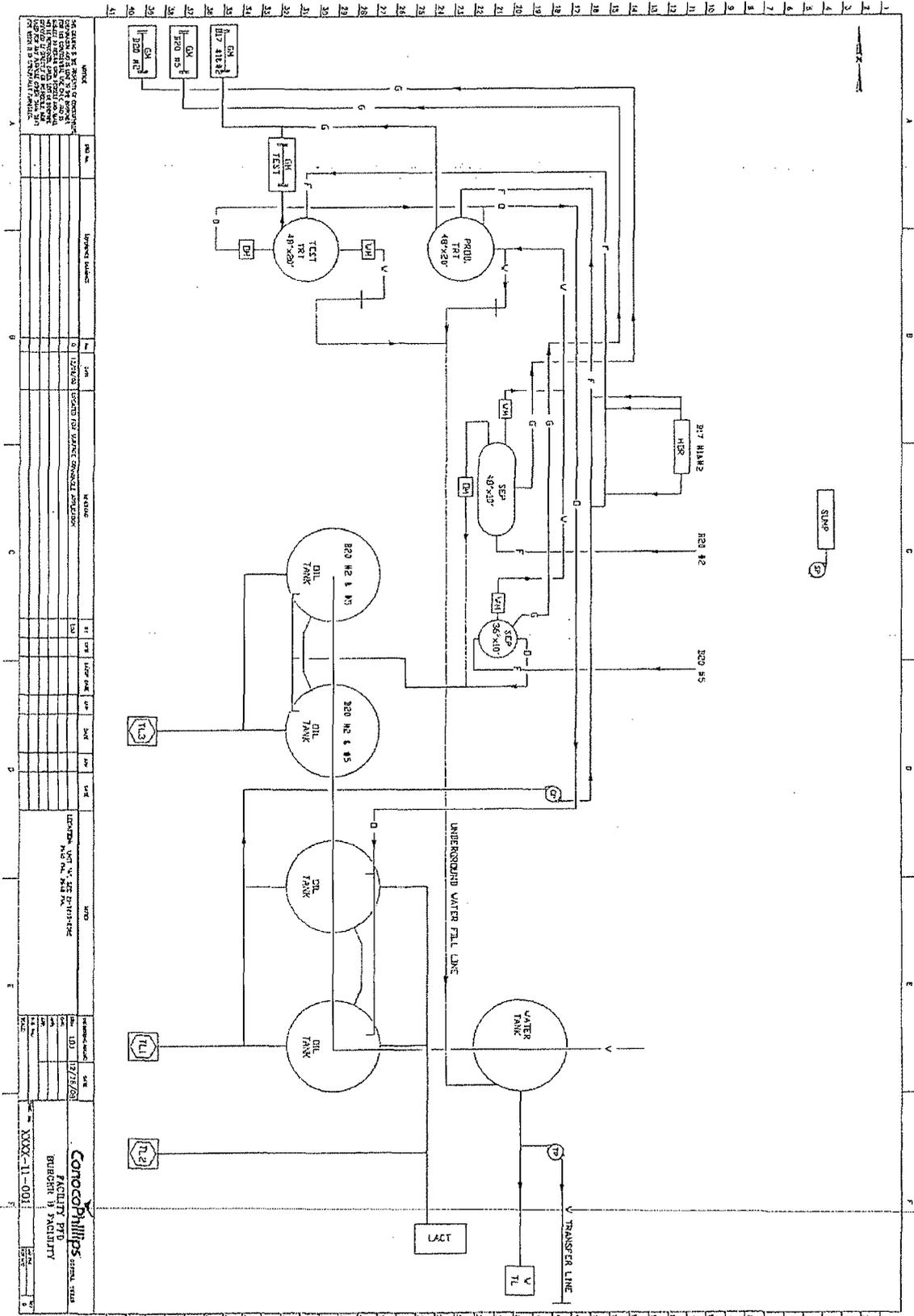
Production Revenues					
Pool	BOPD	API Gravity	\$ Value/BO*	Revenue/Day	Comments
Burger B20 #2 Warren Tubb Oil Blinebry Oil & Gas	9	38.0	\$74.31	\$668.79	
Burger B20 #5 Blinebry-Tubb	24	38.9	\$74.31	\$1,783.44	
Total	33	38.7	\$74.31	\$2,452.23	Result is \$39.42/day incr.
* Value/BO is paid on crude price deemed API 40 gravity.					

Nov.

74.31 Posted WTI Sweet Crude
69.93 Posted WTI Sour Crude

Warren Tubb Oil -
Blinebry Oil -

Attachment "E1"



NO. DATE & BY	REVISION	DESCRIPTION
1	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
2	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
3	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
4	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
5	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
6	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
7	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
8	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
9	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
10	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
11	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
12	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
13	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
14	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
15	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
16	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
17	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
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36	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
37	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
38	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
39	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
40	12/27/02	ISSUED FOR DESIGN CONSTRUCTION
41	12/27/02	ISSUED FOR DESIGN CONSTRUCTION

CONOCO Phillips
 FACILITY PFD
 BUREAU 19 FACILITY
 XXXX-11-001



Garrett Haag
Landman
Mid-America - Permian Basin
WL2-15080
P. O. Box 2197
Houston, TX 77252-2197
Tel: 832-486-2782
Fax: 832-486-2674
Garrett.Haag@conocophillips.com

January 15, 2010

VIA CERTIFIED MAIL

BP America Production Company
Attn: Craig Ferguson, WL1 6.196
501 Westlake Park Blvd.
Houston, TX 77079

XTO Energy
Attn: Steve Cobb
810 Houston Street
Fort Worth, TX 76102

Apache Corporation
Attn: Michelle Hanson
Two Warren Place, Suite 1500
6120 S. Yale Ave
Tulsa, OK 74136

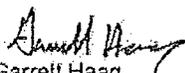
RE: Surface Commingling Application
Burger B 20 #2 (API: 3002526540)
Burger B 20 #5 (API: 3002537927)
Lea County, New Mexico
A704870 A710357 C-100110

ConocoPhillips Company (COPC), as operator of the Burger B 20 #2 and the Burger B 20 #5, is hereby providing notice of our application for surface commingling (diverse ownership) of said wells. By commingling the production, COPC will be able to sell production at higher sweet crude prices.

If you have questions of a technical nature concerning the operation, please contact Larry Johansen at (432) 368-1223.

Respectfully,

CONOCOPHILLIPS COMPANY


Garrett Haag

Encl: Burger B 20 #2 and Burger B 20 #5 Ownership



Mid-America - Permian Basin
P. O. Box 2197
Houston, TX 77252-2197
Tel: 832-486-2000
Fax: 832-486-6446

January 15, 2010

RE: Surface Commingling Application
Burger B 20 #2 and Burger B 20 #5
Lea County, New Mexico

The Burger B 20 #2 well is located 1980 FNL & 1980 FEL Sec. 20, T20S, R38E on USA LC-031670-B lease. The ownership for the working interest, overriding royalty interest and royalty interest owners is noted below:

ConocoPhillips Lease 018642 (USA LC-031670-B) - SWNE Section 20, T20S, R38E

Burger B 20 #2 (API: 3002526540)

<u>Interest Owner</u>	<u>Working Interest</u>	<u>Net Revenue Interest</u>	<u>ORR Interest</u>	<u>Royalty Interest</u>
ConocoPhillips Company	50.00%	43.75%		
BP America Production	25.00%	21.875%		
Apache Corporation	25.00%	21.875%		
Minerals Mgmt. Service				12.50%

The Burger B 20 #5 well is located 990 FNL & 990 FEL Sec. 20, T20S, R38E on USA LC-031670-B lease. The ownership for the working interest, overriding royalty interest and royalty interest owners is noted below:

ConocoPhillips Lease 018642 (USA LC-031670-B) - NENE Section 20, T20S, R38E

Burger B 20 #5 (API: 3002537927)

<u>Interest Owner</u>	<u>Working Interest</u>	<u>Net Revenue Interest</u>	<u>ORR Interest</u>	<u>Royalty Interest</u>
ConocoPhillips Company	25.00%	21.875%		
BP America Production	25.00%	21.875%		
Apache Corporation	25.00%	21.875%		
XTO Energy Inc.	25.00%	21.875%		
Minerals Mgmt. Service				12.50%

I certify that the above information is true and correct.


Thomas Scarbrough, CPL

Staff Landman
ConocoPhillips Company
January 15, 2010

Warnell, Terry G, EMNRD

From: Fiske, Jalyn N [Jalyn.Fiske@conocophillips.com]
Sent: Thursday, March 25, 2010 12:14 PM
To: Warnell, Terry G, EMNRD
Subject: RE: Surface Commingling
Attachments: 2010032513105981.pdf

The checklist doesn't have much info, so here's the whole thing.

Jalyn N. Fiske
Regulatory Specialist (SENM)
ConocoPhillips Company
432.688.6813 (work)
432.238.4287 (cell)
jalyn.fiske@conocophillips.com

From: Warnell, Terry G, EMNRD [mailto:TerryG.Warnell@state.nm.us]
Sent: Thursday, March 25, 2010 1:02 PM
To: Fiske, Jalyn N
Subject: RE: Surface Commingling

Hi Jalyn,

The only thing I see in our data base in February for you is PMX-255
Please fax or email me the administrative application check list so I can continue looking
Sorry for the confusion,
Terry

From: Fiske, Jalyn N [mailto:Jalyn.Fiske@conocophillips.com]
Sent: Thursday, March 25, 2010 9:10 AM
To: Warnell, Terry G, EMNRD
Subject: Surface Commingling

Can you give me an update on the surface commingling request for Burger B20 #2 and Burger B20 #5? I sent in the application in February and was wondering on the status. Thanks.

Jalyn N. Fiske
Regulatory Specialist (SENM)
ConocoPhillips Company
432.688.6813 (work)
432.238.4287 (cell)
jalyn.fiske@conocophillips.com

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Ezeanyim, Richard, EMNRD

From: Fiske, Jalyn N [Jalyn.Fiske@conocophillips.com]
Sent: Tuesday, April 06, 2010 2:28 PM
To: Ezeanyim, Richard, EMNRD
Subject: Info on Burger B's

Tank Battery Location:
Sec 20, T20S, R38E, 2310 FNL, 2210 FWL

Both wells have two pool codes - so they are being DHC, yes. The # 5 was drilled in 2006 and there's the DHC paperwork online, but I can't locate the # 2 DHC paperwork...that well goes way back, though.

Jalyn N. Fiske
Regulatory Specialist (SENM)
ConocoPhillips Company
432.688.6813 (work)
432.238.4287 (cell)
jalyn.fiske@conocophillips.com

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Address	
	B. Received by (Printed Name) Ferguson	
1. Article Addressed to: BP America Production Company Attn: Craig Ferguson, WL1 6.196 501 Westlake Park Blvd. Houston, Texas 77079 RE: Surface Commingling Application Burger B 20 #2 & #5		C. Date of Delivery 1/19/10
2. Article Number (Transfer from service label)		D. Is delivery address different from item 1? If YES, enter delivery address below:
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail		<input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee)		<input type="checkbox"/> Yes
2. Article Number (Transfer from service label)		7008 1830 0001 4066 3364
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-15		

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Address	
	B. Received by (Printed Name) Michelle Hanson	
1. Article Addressed to: Apache Corporation Attn: Michelle Hanson Two Warren Place, Suite 1500 6120 S Yale Ave. Tulsa, OK 74136 RE: Surface Commingling Application Burger B 20 #2 & #5		C. Date of Delivery 1/21/10
2. Article Number (Transfer from service label)		D. Is delivery address different from item 1? If YES, enter delivery address below:
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail		<input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee)		<input type="checkbox"/> Yes
2. Article Number (Transfer from service label)		7008 1830 0001 4066 3374 111
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-15		

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Address	
	B. Received by (Printed Name) Steve Cobb	
1. Article Addressed to: XTO Energy Attn: Steve Cobb 810 Houston Street Fort Worth, Texas 76102 RE: Surface Commingling Application Burger B 20 #2 & #5		C. Date of Delivery 1/21/10
2. Article Number (Transfer from service label)		D. Is delivery address different from item 1? If YES, enter delivery address below:
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail		<input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee)		<input type="checkbox"/> Yes
2. Article Number (Transfer from service label)		7008 1830 0001 4066 4842
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-15		