

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

OCD Artesia

FORM APPROVED
OMB No. 1004-0137
Expires: October 31, 2014

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.*

5. Lease Serial No.
State

6. If Indian, Allottee or Tribe Name

SUBMIT IN TRIPLICATE - Other instructions on page 2.

1. Type of Well

☒ Oil Well ☐ Gas Well ☐ Other

2. Name of Operator
Apache Corporation (873)

3a. Address
303 Veterans Airpark Lane, Suite 1000
Midland, TX 79705

3b. Phone No. (include area code)
432/818-1142

7. If Unit of CA/Agreement, Name and/or No.
8910138010

8. Well Name and No.
Empire Abo Unit D 40

9. API Well No.
30-015-01555

10. Field and Pool or Exploratory Area
Empire; Abo (22040)

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)
Sec 26 T17S R28E

11. County or Parish, State
Eddy 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"/> Fracture Treat	<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 Flaring
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon	
	<input type="checkbox"/> Convert to Injection	<input type="checkbox"/> Plug Back	<input type="checkbox"/> Water Disposal	

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.)

Apache is requesting an extension to flare gas from the Empire Abo Unit D-40 Federal Battery effective 03/01/2016 - 05/31/2016. A combined total of approximately 500 mcf per day will be flared from the wells listed below. Gas will be measured prior to flaring.

30-015-01534 EMPIRE ABO UNIT #42	30-015-01536 EMPIRE ABO UNIT #41A
30-015-01538 EMPIRE ABO UNIT #43	30-015-01550 EMPIRE ABO UNIT #38
30-015-01551 EMPIRE ABO UNIT #37	30-015-01552 EMPIRE ABO UNIT #39
30-015-01554 EMPIRE ABO UNIT #39A	30-015-01555 EMPIRE ABO UNIT #40
30-015-01556 EMPIRE ABO UNIT #40A	30-015-01557 EMPIRE ABO UNIT #37A
30-015-01736 EMPIRE ABO UNIT #38B	30-015-03192 EMPIRE ABO UNIT #48
30-015-03193 EMPIRE ABO UNIT #47	30-015-03194 EMPIRE ABO UNIT #46A
30-015-21822 EMPIRE ABO UNIT #382	30-015-21826 EMPIRE ABO UNIT #391
30-015-22203 EMPIRE ABO UNIT #372	30-015-22766 EMPIRE ABO UNIT #384
30-015-22772 EMPIRE ABO UNIT #375	30-015-22776 EMPIRE ABO UNIT #382
30-015-22786 EMPIRE ABO UNIT #376	30-015-22804 EMPIRE ABO UNIT #363
30-015-22805 EMPIRE ABO UNIT #373	30-015-22806 EMPIRE ABO UNIT #383A
30-015-22819 EMPIRE ABO UNIT #393	30-015-22843 EMPIRE ABO UNIT #395
30-015-22911 EMPIRE ABO UNIT #391A	30-015-39012 EMPIRE ABO UNIT #420

Accepted for record
NMD
4-13-16
SEE ATTACHED FOR
CONDITIONS OF APPROVAL
NM OIL CONSERVATION
ARTESIA DISTRICT
APR 08 2016

14. I hereby certify that the foregoing is true and correct. Name (Printed/Typed)

Isabel Hudson

Title Reg Analyst

Signature

Isabel Hudson

Date 02/10/2016

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved by

Title

Office

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.

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)

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

This field office has evaluated the attached Notice of Intent as a request for flaring/venting beyond NTL-4A allowable thresholds (reasons, timeframes and volumes), and has determined the following Conditions of Approval apply.

Condition of Approval to Flare Gas

1. Comply with NTL-4A requirements
2. Subject to like approval from NMOCD
3. **Flared volumes are considered "avoidably lost" and will require payment of royalties. Volumes shall be reported on OGOR "B" reports as disposition code "08"**
4. "Avoidably lost" flare volumes shall be metered due to their royalty bearing status. Install gas meter on vent/flare line to measure gas prior to venting/flaring operations if it is not equipped as such at this time.
5. Vent/flare gas metering to meet all requirements for a sales meter as per Federal Regulations, Onshore Order #5 and NTL 2008-01. Include meter serial number on sundry (form 3160-5).
6. This approval does not authorize any additional surface disturbance.
7. An updated facility diagram is required within 60 days of modifications to existing facilities per Onshore Order #3.
8. Approval not to exceed 90 days, if flaring is still required past 90 days submit new request for approval.
9. Submit Subsequent Report with actual volumes of gas flared for each month gas is flared on a sundry form 3160-5.

Definition: As per NTL-4A II. A. "Avoidably lost" production shall mean the venting or flaring of produced gas without the prior authorization, approval, ratification, or acceptance of the Supervisor and the loss of produced oil or gas when the Supervisor determines that such loss occurred as a result of (1) negligence on the part of the lessee or operator, or (2) the failure of the lessee or operator to take all reasonable measures to prevent and/or to control the loss, or (3) the failure of the lessee or operator to comply fully with the applicable lease terms and regulations, appropriate provisions of the approved operating plan, or the prior written orders of the Supervisor, or (4) and combination of the foregoing.

43CFR3162.7-1 (a) The operator shall put into marketable condition, if economically feasible, all oil, other hydrocarbons, gas and sulphur produced from the leased land.

43CFR3162.1 (a) The operating rights owner or operator, as appropriate, shall comply with applicable laws and regulations; with the lease terms, Onshore Oil and Gas Orders, NTL's; and with other orders and instructions of the authorized officer. These include, but are not limited to, conducting all operations in a manner which ensures the proper handling, measurement, disposition, and site security of leasehold production; which protects other natural resources and environmental quality; which protects life and property; and which results in maximum ultimate economic recovery of oil and gas with minimum waste and with minimum adverse effect on ultimate recovery of other mineral resources.