

RECEIVED**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.***Farmington Field Office****Bureau of Land Management**
SUBMIT IN TRIPLICATE - Other instructions on page 2

1. Type of Well

☐ Oil Well ☒ Gas Well ☐ Other

2. Name of Operator

XTO Energy Inc.

3a. Address

382 CR 3100, AZTEC, NM 87410

3b. Phone No. (include area code)

505-333-3630

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

790' FSL & 1850' FEL SWSE SEC.14(O)-T26N-R11W N.M.P.M.

5. Lease Serial No

NMSE-078641

6. If Indian, Allottee or Tribe Name

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

8. Well Name and No.

BERGER #5

9. API Well No

30-045-05821

10. Field and Pool, or Exploratory Area

GALLEGOS GALLUP**BASIN DAKOTA**

11. County or Parish, State

SAN JUAN**NM**

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

TYPE OF SUBMISSION

TYPE OF ACTION

☒ Notice of Intent☐ Subsequent Report☐ Final Abandonment Notice☐ Acidize☐ Alter Casing☐ Casing Repair☐ Change Plans☐ Convert to Injection☐ Deepen☐ Fracture Treat☐ New Construction☐ Plug and Abandon☐ Plug Back☐ Production (Start/Resume)☐ Reclamation☐ Recomplete☐ Temporarily Abandon☐ Water Disposal☐ Water Shut-Off☐ Well Integrity☒ Other **METER****CALIBRATION****VARIANCE**

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 shall 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 shall be filed once testing has been completed. Final Abandonment Notices shall be filed only after all requirements, including reclamation, have been completed, and the operator has determined that the final site is ready for final inspection.)

XTO Energy Inc. would like to request an exception to the Onshore Order #5 that requires quarterly meter calibration. Due to low volume (less than 100 mcf/d). XTO Energy Inc. proposes to calibrate the meter for this well semi-annual.

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

SHERRY J. MORROWTitle **REGULATORY ANALYST**

Signature

*Sherry J. Morrow*Date **9/28/2012****THIS SPACE FOR FEDERAL OR STATE OFFICE USE****ENTERED
AFMSS**

Approved by

ACCEPTED FOR RECORD

Title

Date

OCT 16 2012

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

BY [Signature] K.J. Schneider

Title 18 U.S.C. Section 1001, and Title 43 U.S.C. Section 1212, makes 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

APPROVED

Well and Notice Remarks

Doc. Number 13KJS2075S	Doc. Type VARI	Case Number NMSF078641	Type 311111	Name BERGER
API 300450582100C1 300450582100C2 FACILITY	Well Name BERGER BERGER BERGER	Number 5 5 5	Operator XTO ENERGY INC XTO ENERGY INC XTO ENERGY INC	
Doc. Number 13KJS2075S	Date 10/16/2012	Author KEVIN SCHNEIDER	Subject VARI	Category APPROVAL

Category GENERAL

Date 10/16/2012

Variance to Onshore Order #5, for semi-annual gas meter calibrations in accordance with NTL 92-5. Wells produce Less than 100 MCFD. Approval is indefinite and will remain in effect until production no longer meets the requirement of NTL 92-5 or is rescinded by the BLM by written notice