

Submit 3 Copies To Appropriate District  
Office  
District I  
1625 N. French Dr., Hobbs, NM 87240  
District II  
1301 W. Grand Ave., Artesia, NM 88210  
District III  
1000 Rio Brazos Rd., Aztec, NM 87410  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico  
Energy, Minerals and Natural Resources

OIL CONSERVATION DIVISION  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

Form C-103  
May 27, 2004

WELL API NO. <b>30-045-24967</b>
5. Indicate Type of Lease STATE <input type="checkbox"/> FEE <input type="checkbox"/>
6. State Oil & Gas Lease No. <b>RCVD JUN 6 '08</b>
7. Lease Name or Unit Agreement Name: <b>FEDERAL 33 OIL CONS. DIV.</b>
8. Well Number <b>DIST. 3 #44</b>
9. OGRID Number <b>5380</b>
10. Pool name or Wildcat <b>WEST KUTZ PC/BASIN FRUITLAND COAL</b>

**SUNDRY NOTICES AND REPORTS ON WELLS**  
(DO NOT USE THIS FORM FOR PROPOSALS TO DRILL OR TO DEEPEN OR PLUG BACK TO A DIFFERENT RESERVOIR. USE "APPLICATION FOR PERMIT" (FORM C-101) FOR SUCH PROPOSALS.)

1. Type of Well: Oil Well <input type="checkbox"/> Gas Well <input checked="" type="checkbox"/> Other	7. Lease Name or Unit Agreement Name: <b>FEDERAL 33 OIL CONS. DIV.</b>
2. Name of Operator <b>XTO Energy Inc.</b>	8. Well Number <b>DIST. 3 #44</b>
3. Address of Operator <b>382 CR 3100 AZTEC, NM 87410</b>	9. OGRID Number <b>5380</b>
4. Well Location Unit Letter <b>P</b> : <b>1090</b> feet from the <b>SOUTH</b> line and <b>960</b> feet from the <b>EAST</b> line Section <b>33</b> Township <b>27N</b> Range <b>11W</b> NMPM County <b>SAN JUAN</b>	10. Pool name or Wildcat <b>WEST KUTZ PC/BASIN FRUITLAND COAL</b>
11. Elevation (Show whether DR, RKB, RT, GR, etc.)	
Pit or Below-grade Tank Application <input type="checkbox"/> or Closure <input type="checkbox"/> Pit type _____ Depth to Groundwater _____ Distance from nearest fresh water well _____ Distance from nearest surface water _____ Pit Liner Thickness: _____ mil Below-Grade Tank: Volume _____ bbls; Construction Material _____	

12. Check Appropriate Box to Indicate Nature of Notice, Report, or Other Data

NOTICE OF INTENTION TO:

PERFORM REMEDIAL WORK ☐ PLUG AND ABANDON ☐  
TEMPORARILY ABANDON ☐ CHANGE PLANS ☐  
PULL OR ALTER CASING ☐ MULTIPLE COMPLETION ☐  
OTHER: **DOWNHOLE COMMINGLE** ☒

SUBSEQUENT REPORT OF:

REMEDIAL WORK ☐ ALTERING CASING ☐  
COMMENCE DRILLING OPNS. ☐ PLUG AND ABANDONMENT ☐  
CASING TEST AND CEMENT JOB ☐  
OTHER: ☐

13. Describe proposed or completed operations. (Clearly state all pertinent details, and give pertinent dates, including estimated date of starting any proposed work). SEE RULE 1103. For Multiple Completions: Attach wellbore diagram of proposed completion or recompletion.

XTO requests approval to DHC production fr/the PC (79680) & the FC (71629) in this well. XTO will DHC upon approval of this application. Allocations are based upon production & are calculated as follows:

Gas: PC 31% FC 69% Water: PC 91% FC 9% Oil: PC 100% FC 0%

Both pools are in the NMOCD pre-approved pool combinations for DHC in the SJ Basin. All interest owners were notified by certified, return receipt mail on 4/21/08. The BLM has been notified of our intent via submission of form 3160-5. DHC will offer an economical method of production while protecting against reservoir damage, waste of reserves & violation of correlative rights.

**DHC 2890 A=**

I hereby certify that the information above is true and complete to the best of my knowledge and belief. I further certify that any pit or below-grade tank has been/will be constructed or closed according to NMOCD guidelines ☒ , a general permit ☐ or an (attached) alternative OCD-approved plan ☐

SIGNATURE *Lorri Bingham* TITLE REGULATORY COMPLIANCE TECH DATE 6/5/08

Type or print name LORRI D. BINGHAM E-mail address: Lorri\_bingham@xtoenergy.com Telephone No. 505-333-3100

For State Use Only

APPROVED BY *[Signature]* TITLE Deputy Oil & Gas Inspector, District #3 DATE JUN 24 2008

Conditions of Approval, if any:

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

RECEIVED

JUN 09 2008

FORM APPROVED  
OMB NO 1004-0137  
Expires July 31, 2010

## 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.

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)

505-333-3100

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

1090' FSL &amp; 960' FEL Sec 33P-T27N-11W

5. Lease Serial No

MSF 078896

6. If Indian, Allottee or Tribe Name

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

8. Well Name and No.

FEDERAL 33 #44

9. API Well No.

30-045-24967

10 Field and Pool, or Exploratory Area

WEST KUTZ PICTURED CLIFFS/  
BASIN FRUITLAND COAL

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

☒ Notice of Intent☐ Subsequent Report☐ Final Abandonment Notice

## TYPE OF ACTION

☐ 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 DOWNHOLECOMMINGLE

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 recomple 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 recomple 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. requests approval for an exception to NMOCD Rule 303-C permit DHC of production from the W. Kutz PC & the Basin FC in the Federal 33 #44. XTO proposes to downhole commingle these pools upon completion of this well.

Daily Rate

Allocations are based upon a 9-section ~~per~~ and are calculated as follows:

Pictured Cliffs	Gas: 31%	Water: 91%	Oil: 100%
Basin Fruitland Coal	Gas: 69%	Water: 9%	Oil: 0%

RCVD JUN 11 '08

OIL CONS. DIV.

DIST. 3

Pools are included in the NMOCD pre-approved pool combinations for DHC in the San Juan Basin. Ownership is not common in both zones; therefore, interest owners were notified by certified mail, return receipt on 4/21/08. Downhole commingling will offer an economical method of production while protecting against reservoir damage, waste of reserves & violation of correlative rights.

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

LORRI D. BINGHAM

Title REGULATORY COMPLIANCE TECH

Signature

Date 6/6/08

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved by

Title Ged

Date 6-10-08

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 FFO

NMOCD