

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

OCD Artesia

FORM APPROVED  
OMB No 1004-0135  
Expires November 30, 2000

SUNDRY NOTICES AND REPORTS ON WELLS

Do not use this form for proposals to drill or to re-enter an  
abandon well. Use Form 3160-3 (APD) for such proposals.

SUBMIT IN TRIPLICATE - Other instructions on reverse side

1. Type of Well <input checked="" type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input type="checkbox"/> Other		5. Lease Serial No NMNM 030454
2. Name of Operator BOPCO, L.P.		6. If Indian, Allottee or Tribe Name
3a. Address P O Box 2760 Midland, Texas 79702-2760	3b. Phone No (include area code) (432) 683-2277	7. If Unit or CA/Agreement, Name and/or No NMNM 71016C
4. Location of Well (Footage, Sec., T., R., M., or Survey Description) 1650' FSL, 1980' FWL, UL K, SEC 33, T-24-S, R-31-E		8. Well Name and No POKER LAKE UNIT #197
		9. API Well No 30-015-34783
		10. Field and Pool, or Exploratory Area BIG SINKS (WOLFCAMP)
		11. County or Parish, State EDDY COUNTY, N M

12. CHECK 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	<input type="checkbox"/> Casing Repair <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Recomplete <input checked="" type="checkbox"/> Other
	<input type="checkbox"/> Change Plans <input type="checkbox"/> Plug and Abandon <input type="checkbox"/> Temporarily Abandon <input type="checkbox"/> Excavate Frac Pond
	<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 proposed is to deepen directionally or recompleat horizontally, give subsurface locations 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 site is ready for final inspection.)

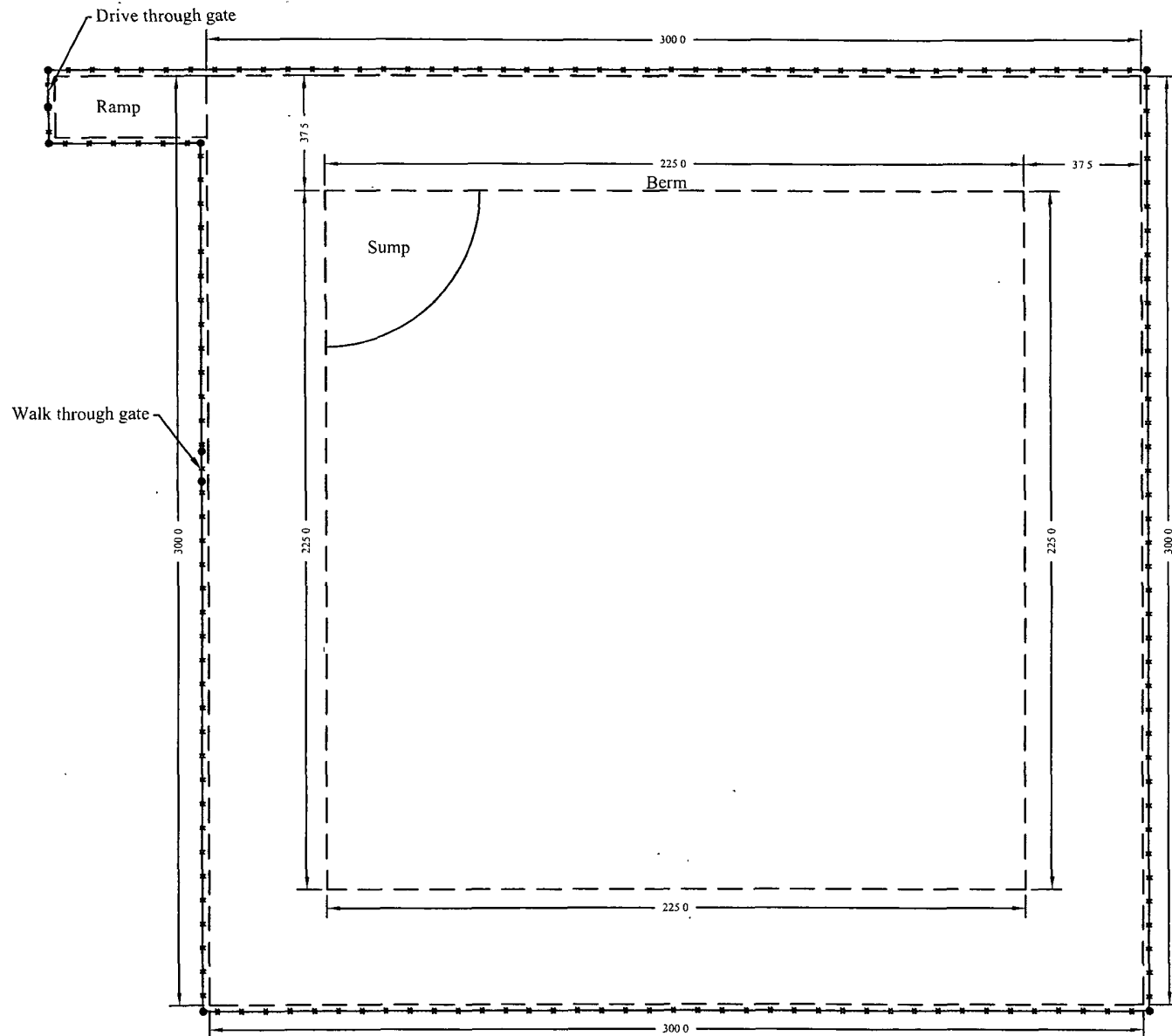
BOPCO, L.P. respectfully requests approval for a frac pond to be excavated south of the PLU #197 location. The frac pond will run along the southern edge of the location. The dimensions on the proposed pit are 300' x 300' by 12' high out side and 225' x 225' by 12' high inside and hold an estimated 90,000 to 100,000 bbls of fresh water. The berm will measure eight feet in width at the top, and 37.5 feet at the base. The pit will be secured by a perimeter chain link fence, topped with barbed wire, with a 20' access gate on the northwest side. The surrounding soil will be protected with a 20 mm reinforced liner on a felt bottom. The pit will be monitored to prevent unwanted contamination of the fresh water and only be used for BOPCO wells.

The frac pond will be used for the following proposed wells located in the surrounding area, 312, 313, 353, 355, 356, 357, 400, 401, 409, 410, 411, 412, 413, 414, 415, 454, any other wells that could be permitted. Diagrams of the pit dimensions and berm size are attached along with the survey plats and a map.

Accepted for record  
NMOC

14. I hereby certify that the foregoing is true and correct Name (Printed/Typed) Bill Franks		Title Production Foreman
Signature <i>Bill Franks</i>		Date 08/16/11
THIS SPACE FOR FEDERAL OR STATE OFFICE USE		
Approved by /s/ Don Peterson	Title FIELD MANAGER	Date OCT 7 2011
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 CARLSBAD FIELD OFFICE

Title 18 U.S.C. Section 1001, 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.

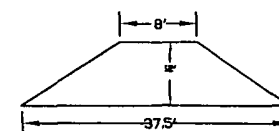


X — Center. Top Soil

Legend	
---	Berm
—X—	Chain link Fence

Pit will have felt bottom  
and a 20 mil reinforced liner

### Berm Profile



Date: 08/15/2011

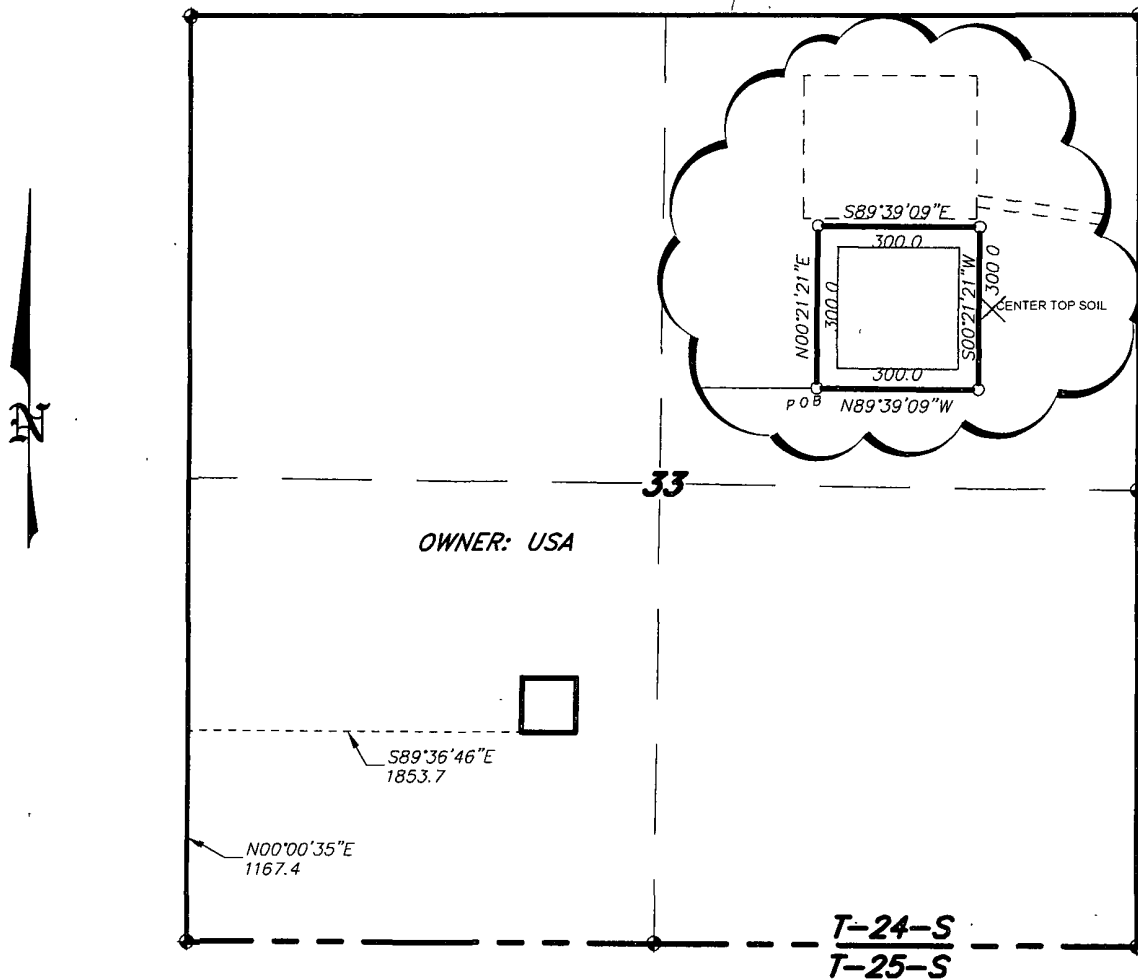
Scale: NTS

Drawn By: TJS

Poker Lake Unit #197 FRAC Pit  
BOPCO, L.P.

Eddy County, New Mexico  
N 32.17104, W 103.78426

SECTION 33, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M.,  
EDDY COUNTY, NEW MEXICO.



LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN SECTION 33, TOWNSHIP 24 SOUTH, RANGE 31 EAST, N.M.P.M., EDDY COUNTY, NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH LIES N 00°00'35\"E, 1167.4 FEET AND S.89°36'46\"E, 1853.7 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 33, THENCE N 00°21'21\"E., 300.0 FEET; THENCE S.89°39'09\"E., 300.0 FEET; THENCE S 00°21'21\"W, 300.0 FEET; THENCE N 89°39'09\"W, 300.0 FEET TO THE POINT OF BEGINNING SAID TRACT OF LAND CONTAINING 2.07 ACRES, MORE OR LESS.

I HEREBY CERTIFY THAT THIS MAP WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY AND MEETS OR EXCEEDS ALL REQUIREMENTS FOR LAND SURVEYS AS SPECIFIED BY THIS STATE.

GARY L. JOHNSON, N.M.P.S. No. 7977  
No. 5074

**BASIN SURVEYS** P.O. BOX 1786 - HOBBS, NEW MEXICO

W.O. Number: 25045 Drawn By: J. M. SMALL

Date: 08-10-2011 Disk: JMS 25045

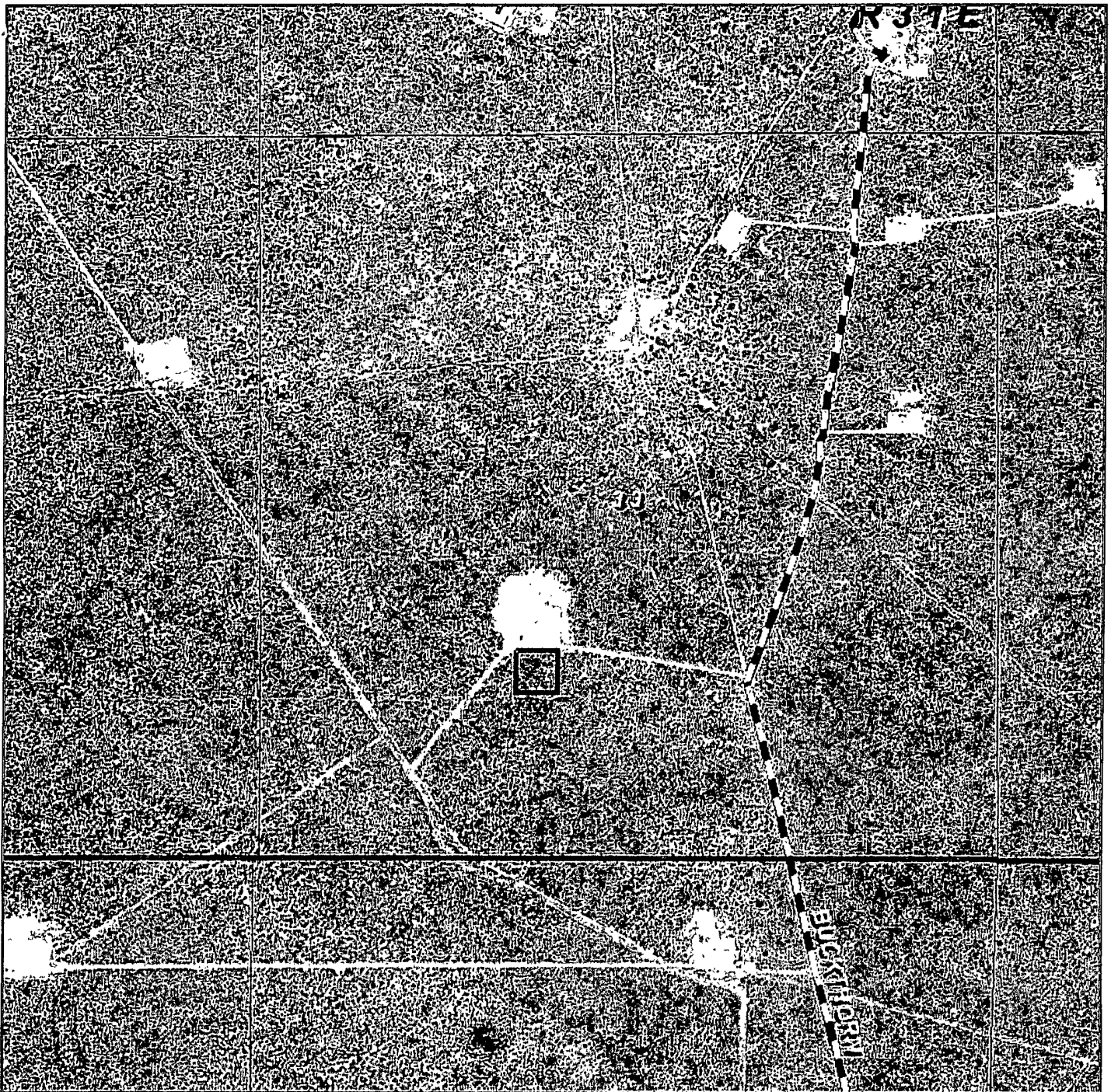
1000 0 1000 2000 FEET

**BOPCO, L.P.**

REF: PROPOSED FRAC POND

A TRACT OF LAND LOCATED ON USA LAND IN  
SECTION 33, TOWNSHIP 24 SOUTH, RANGE 31 EAST,  
N.M.P.M., EDDY COUNTY, NEW MEXICO.

Survey Date: 07-29-2011 Sheet 1 of 1 Sheets



## PROPOSED FRAC POND

Section 33, Township 24 South, Range 31 East,  
N.M.P.M., Eddy County, New Mexico.

**basin**  
**surveys**

focused on excellence  
in the oilfield

P.O. Box 1786  
1120 N. West County Rd.  
Hobbs, New Mexico 88241  
(575) 393-7316 - Office  
(575) 392-2206 - Fax  
basinsurveys.com

W.O. Number: JMS 25045

Survey Date: 07-29-2011

Scale: 1" = 1000'

Date: 08-10-2011



*BOPCO, L.P.*

BOPCO LP  
PLU 197  
FRAC POND CONDITIONS OF APPROVAL

A copy of the Sundry Notice and attachments, including stipulations, survey plat and diagram, will be on location during construction. BLM personnel may request to see a copy of your permit during construction to ensure compliance with all conditions of approval.

Holder agrees to comply with the following conditions of approval to the satisfaction of the Authorized Officer:

1. The Holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this permit.
2. The Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated.
3. Required Standard Conditions of Approval:
  - Contact the Supervisory Environmental Protection Specialist, Jim Amos, at 575-234-5909 at least 24 hours prior to starting construction.
  - The frac pond will only be authorized to contain freshwater and testing of water quality is required. Additives are not allowed without consent of the authorized officer.
  - If at any time the water in the frac pond becomes polluted with salts or other contaminants, use of the frac pond will cease and desist, and all liquids will be removed from the frac pond and disposed of properly.
  - Confine all construction and maintenance activity to the authorized area.
  - Temporary pipelines flowing from the frac pond to the target well will be laid along existing roadways unless an exception has been granted by the authorized officer.
  - Mineral materials extracted during construction of the frac pond will be stored on-location and/or used for constructing the frac pond.
  - The frac pond will be lined.
  - The operator shall stockpile topsoil approximately 25 feet outside the bermed perimeter of the pond in a low profile manner, reasonably protected from wind and water erosion

- Topsoil shall not be used for constructing the frac pond. The topsoil will be used for final reclamation purposes only.
- The frac pond shall be fenced on all sides.
- Install earthen erosion-control structures as are suitable for the specific terrain and soil conditions.
- The plastic lining will be removed prior to final abandonment
- Reclamation efforts will commence immediately after the frac pond is no longer needed for the purpose of completing wells.
- Within 3 months of completion of frac operations on associated wells, all earthwork and final reclamation must be completed. This includes reclaiming and/or removal of:

Any roads approved for use with the pond

Surface water lines

Tanks, pumps, fencing etc.

- Porto-johns and trash containers will be on-location during fracturing operations or any other crew-intensive operations.

#### Requirements for Operations and Final Reclamation:

4. If, during any phase of the construction, operation, maintenance, or termination of the frac pond, any pollutant should be released from the contaminated frac pond, the control and total removal, disposal, and cleaning up of such pollutant, wherever found, shall be the responsibility of holder, regardless of fault.

5. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

6. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf shall be immediately reported to the Authorized Officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to

determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

7. The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes the roads, pads, associated pipeline corridor, and adjacent land affected by the establishment of weeds due to this action. The operator shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.

8. After all disturbed areas have been satisfactorily contoured and prepared for seeding the location needs to be revegetated with the seed mixture provided. Seeding may need to be repeated until revegetation is successful. Operators shall contact Jim Amos, Supervisor, Environmental Protection – (575)234-5909, **prior** to beginning surface reclamation operations.

9. Seeding is required: Use the following seed mix.

LPC mixture

10. The topsoil to be stripped is approximately 4 inches in depth.

11. Special Stipulations:

12. Upon failure of holder to control, dispose of, or clean up such discharge, or to repair all damages resulting there-from, the Authorized Officer may take such measures as he deems necessary to control and clean up the discharge and restore the area, including where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve holder of any responsibility as provided herein.

EA File # **2011-1430**