

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

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 abandoned well. Use Form 3160-3 (APD) for such proposals.

5. Lease Serial No.

NM-71526

6. If Indian, Allottee or Tribe Name

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

8. Well Name and No.

Bennett Ranch Unit #1-Y

9. API Well No.

30-035-20028

10. Field and Pool, or Exploratory Area

Wildcat Mississippian

11. County or Parish, State

Otero County, NM

SUBMIT IN TRIPLICATE - Other instructions on reverse side

1. Type of Well

☐ Oil Well

☒ Gas Well

☐ Other

2. Name of Operator

Harvey E. Yates Company

3. Address

P.O. Box 1933, Roswell, NM 88202

3b. Telephone No. (include area code)

(505)623-6601

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

Unit B, 990' FNL & 2005' FEL, Sec 14, Twp 26S, R12E

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 & Abandon

☐ Plug Back

☐ Production (start/resume)

☐ Reclamation

☐ Recomplete

☐ Temporarily Abandon

☐ Water Disposal

☐ Water Shut-Off

☐ Well Integrity

☐ Other _____

13. Describe Proposed or Completed Operations (Clearly state all pertinent details, and give pertinent dates, including estimated date of starting 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 site is ready for final inspection.)

Harvey E. Yates Company would like to amend the 9/22/00 3160-5 Sundry for New Construction of a gathering system from the Bennett Ranch Unit 1-Y to the NW 1/4, NW1/4, Sec 12, Blk C, University Lands, Hudspeth County, Texas. The change is as follows:

Original sundry stated installation was to be a 6" gathering system.
This needs to be changed to an 8" gathering system.

A copy of the original Sundry notice is attached for your reference.

14. I hereby certify that the foregoing is true and correct

Name (Printed)

Jen Atkinson

Title

Production Analyst

Signature

Date

18-Mar-04

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved by

Title

Date

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

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.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
Budget Bureau No. 1004-0135
Expires: March 31, 1993

SUNDRY NOTICES AND REPORTS ON WELLS

Do not use this form for proposals to drill or to deepen or reentry to a different reservoir.
Use "APPLICATION FOR PERMIT—" for such proposals

SUBMIT IN TRIPLICATE

1. Type of Well ☐ Oil Well ☒ Gas Well ☐ Other

2. Name of Operator
Harvey E. Yates Company

3. Address and Telephone No.

P.O. Box 1933, Roswell, NM 88202

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)
Unit B, 990' FNL & 2005' FEL
Sec 14, T26S, R12E

5. Lease Designation and Serial No.

NM-71526

6. If Indian, Allottee or Tribe Name

7. If Unit or CA, Agreement Designation

8. Well Name and No.

Bennett Ranch Unit #1-Y

9. API Well No.

30-035-20028

10. Field and Pool, or Exploratory Area

Wildcat Mississippian

11. County or Parish, State

Otero County, NM

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

TYPE OF SUBMISSION

☐ Notice of Intent
☒ Subsequent Report
☐ Final Abandonment Notice

TYPE OF ACTION

☐ Abandonment
☐ Recompletion
☐ Plugging Back
☐ Casing Repair
☐ Altering Casing
☐ Other _____
☐ Change of Plans
☒ New Construction
☐ Non-Routine Fracturing
☐ Water Shut-Off
☐ Conversion to Injection
☐ Dispose Water
(Note: Report results of multiple completion on Well Completion or Recompletion Report and log form.)

13. Describe Proposed or Completed Operations (Clearly state all pertinent details, and give pertinent dates, including estimated date of starting any proposed work. If wells directionally drilled, give subsurface locations and measured and true vertical depths for all markers and zones pertinent to this work.)*

- 1) Installation of a 6" gathering system from the Bennett Ranch Unit 1-Y to the NW 1/4, NW 1/4, Sec 12, Blk C, University Lands, Hudspeth County, Texas.
- 2) Attached are pipeline surveys covering Sections 13 & 14, Section 24, Section 25, and Section 36 all being in Township 26 South, Range 12 East.
- 3) The archaeological survey for this pipeline has been previously submitted to the Las Cruces BLM office.

14. I hereby certify that the foregoing is true and correct

Signed

Dianna Rodgers
Dianna Rodgers

Title Production Analyst

Date

22-Sep-00

(This space for Federal or State office use)

Approved by

Conditions of approval, if any:

Title

ASST FIELD MGR
ASST FIELD MGR

Date

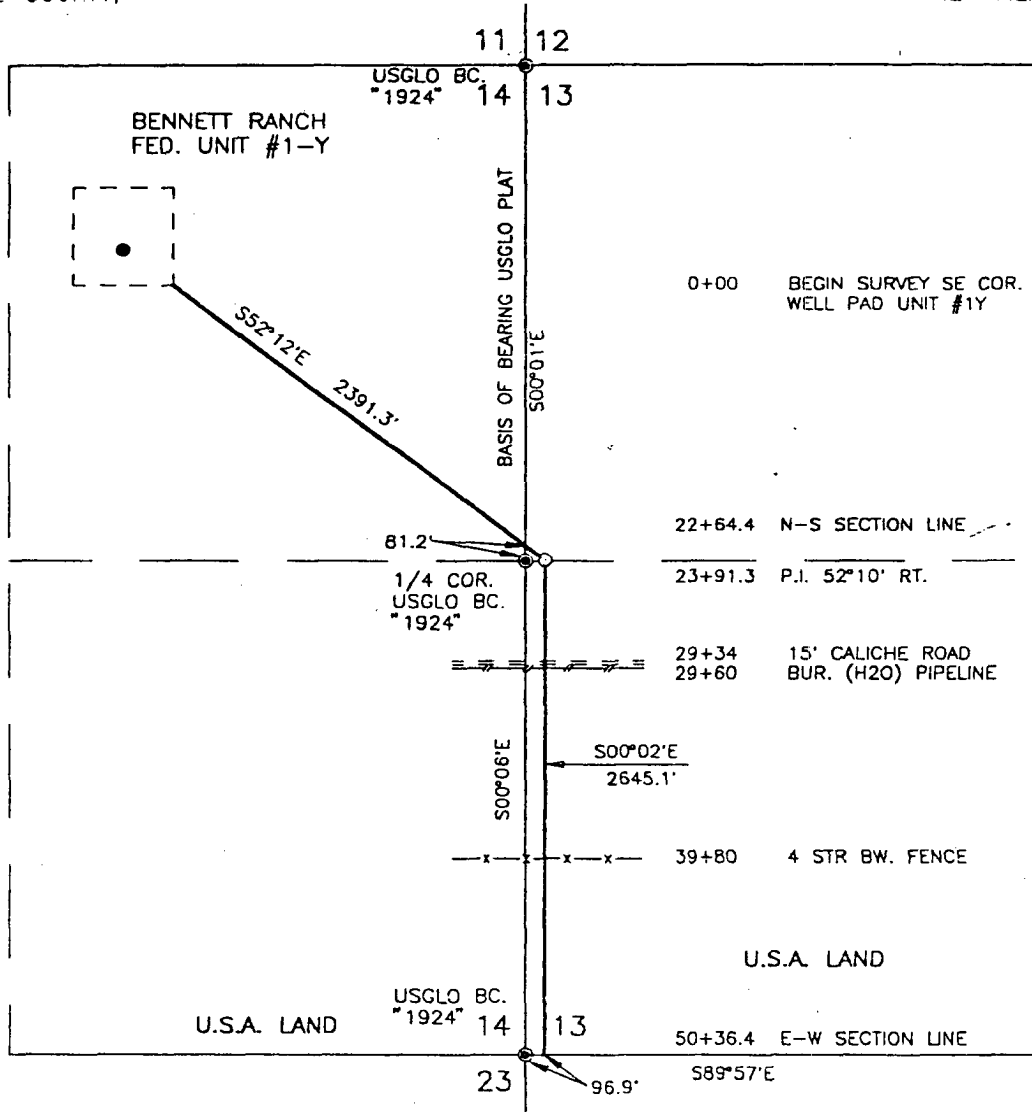
7/9/01
7/9/01

SEE ATTACHED CONDITIONS (4 PAGES)

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.

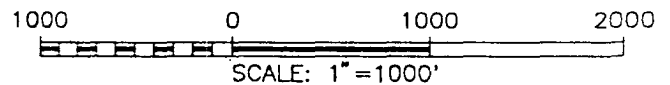
*See Instructions on Reverse Side

SECTIONS 13&14, TOWNSHIP 26 SOUTH, RANGE 12 EAST, N.M.P.M.,
OTERO COUNTY, NEW MEXICO.



DESCRIPTION

A STRIP OF LAND 50.0 FEET WIDE AND 5036.4 FEET OR 0.954 MILES IN LENGTH AND BEING 25.0 FEET RIGHT AND 25.0 FEET LEFT OF THE ABOVE PLATTED SURVEY OF CENTERLINE:



I HEREBY CERTIFY THAT I DIRECTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

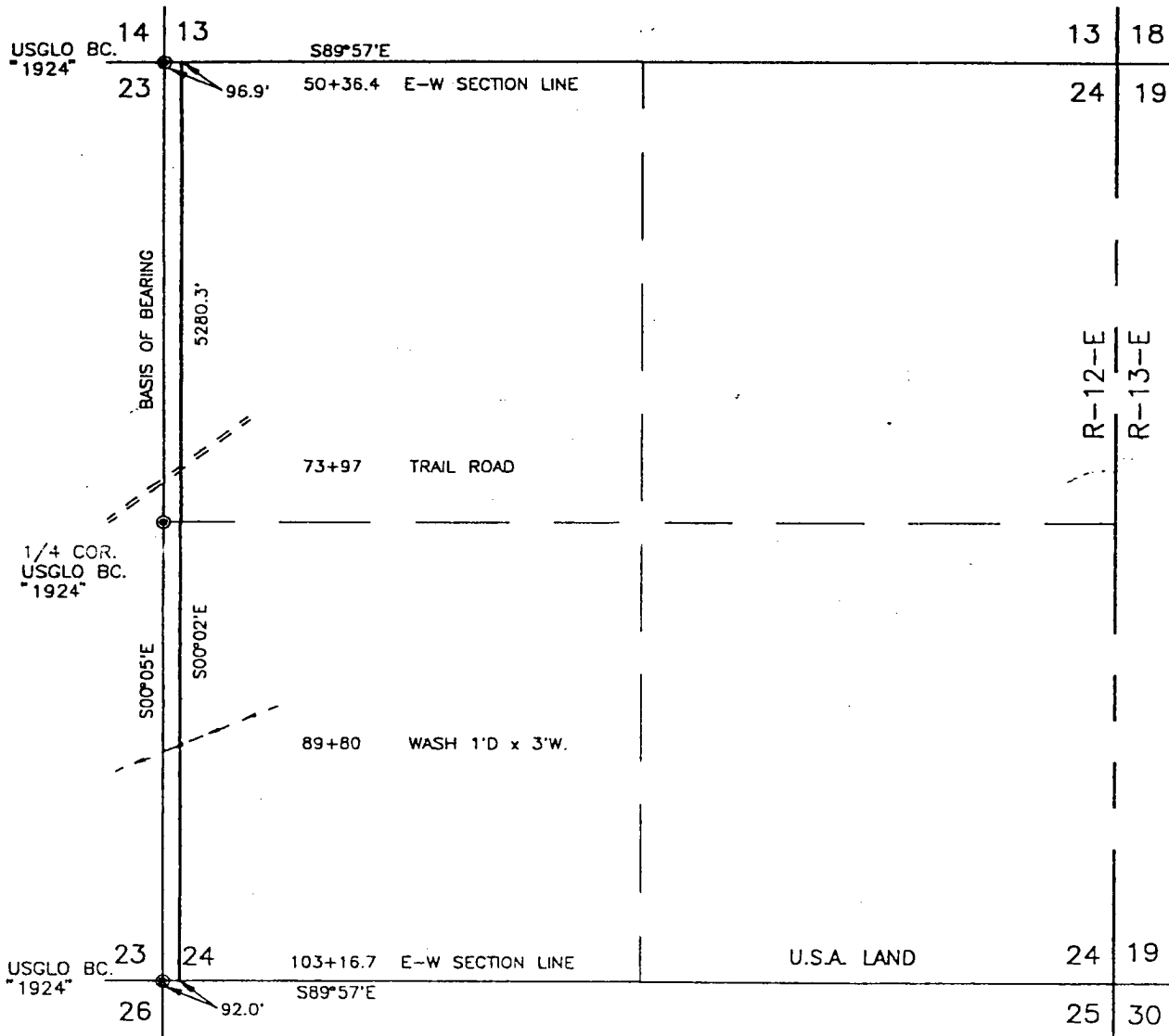
Ronald J. Eidson 8/24/00
RONALD J. EIDSON, N.M. R.P.S. No. 3239
GARY G. EIDSON, N.M. R.P.S. No. 12641
JOHN WEST SURVEYING COMPANY
412 N. DAL PASO, HOBBS, N.M., (505)393-3117

HARVEY E. YATES COMPANY

A PIPELINE LINE CROSSING U.S.A. LAND
LOCATED IN SECTIONS 13&14, TOWNSHIP 26 SOUTH,
RANGE 12 EAST, N.M.P.M., OTERO COUNTY, NEW MEXICO.

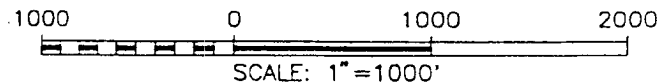
Survey Date: 8/17/00	Sheet 1 of 1 Sheets
W.O. Number: 00-11-1003	Drawn By: J. L. Presley
Date: 8/22/00	DISK: JLP#R40 HEY1003

SECTION 24, TOWNSHIP 26 SOUTH, RANGE 12 EAST, N.M.P.M.,
OTERO COUNTY, NEW MEXICO.



DESCRIPTION

A STRIP OF LAND 50.0 FEET WIDE AND 5280.3 FEET OR 1.000 MILES IN LENGTH AND BEING 25.0 FEET RIGHT AND 25.0 FEET LEFT OF THE ABOVE PLATTED SURVEY OF CENTERLINE:



I HEREBY CERTIFY THAT I DIRECTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

Ronald J. Eidson 8/24/00

RONALD J. EIDSON, N.M. R.P.S. No. 3239
GARY G. EIDSON, N.M. R.P.S. No. 12641

JOHN WEST SURVEYING COMPANY
412 N. DAL PASO, HOBBS, N.M., (505)393-3117

HARVEY E. YATES COMPANY

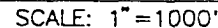
A PIPELINE LINE CROSSING U.S.A. LAND
LOCATED IN SECTION 24, TOWNSHIP 26 SOUTH,
RANGE 12 EAST, N.M.P.M., OTERO COUNTY, NEW MEXICO.

Survey Date: 8/17/00	Sheet 1 of 1 Sheets
W.O. Number: 00-11-1003	Drawn By: J. L. Presley
Date: 8/22/00	DISK: JLP#R40 HEY1003

NEW MEXICO.



A STRIP OF LAND 50.0 FEET WIDE AND 5278.8 FEET OR 1.000 MILES IN LENGTH AND BEING 25.0 FEET RIGHT AND 25.0 FEET LEFT OF THE ABOVE PLATTED SURVEY OF CENTERLINE:



Donald L. Gaulton 8/24/00

GARY G. EIDSON, N.M. R.P.S. No. 12641

JOHN WEST SURVEYING COMPANY

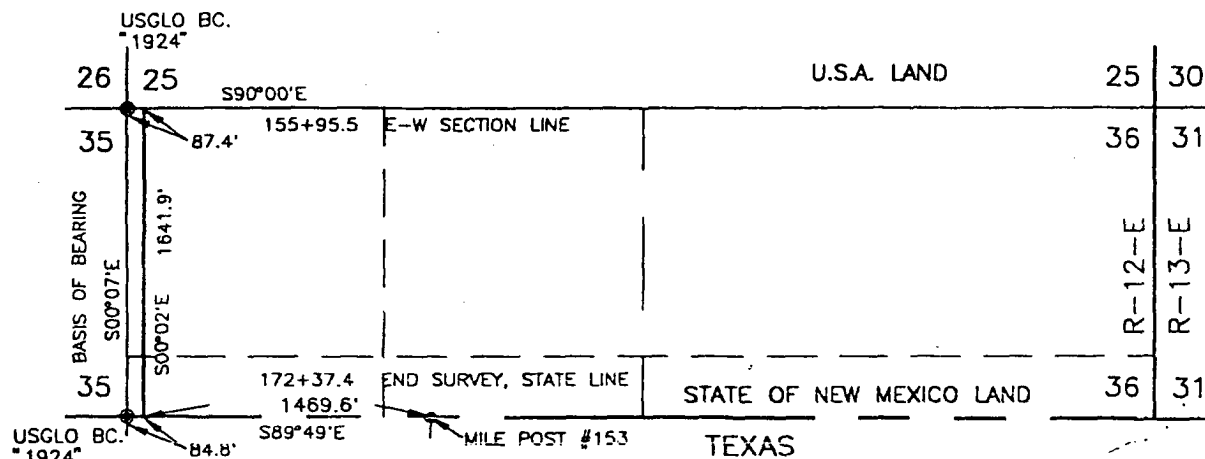
A PIPELINE LINE CROSSING U.S.A. LAND
LOCATED IN SECTION 25, TOWNSHIP 26 SOUTH,
RANGE 12 EAST, N.M.P.M., OTERO COUNTY, NEW MEXICO.

Survey Date: 8/17/00 Sheet 1 of 1 Sheets

W.O. Number: 00-11-1003	Drawn By: J. L. Presley
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Date: 8/22/00	DISK: JLP#R40	HEY1003	
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SECTION 36, TOWNSHIP 26 SOUTH, RANGE 12 EAST, N.M.P.M.,
OTERO COUNTY, NEW MEXICO.



DESCRIPTION

A STRIP OF LAND 30.0 FEET WIDE CROSSING STATE OF NEW MEXICO LAND LOCATED IN SECTION 36, TOWNSHIP 26 SOUTH, RANGE 12 EAST, N.M.P.M., OTERO COUNTY, NEW MEXICO, AND BEING 15.0 FEET RIGHT AND 15.0 FEET LEFT OF THE FOLLOWING DESCRIBED SURVEY OF CENTERLINE:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION WHICH LIES S90°00'E, 87.4 FEET FROM A USGLO BRASS CAP FOUND FOR THE NORTHWEST CORNER OF SAID SECTION; THEN S00°02'W, 1641.9 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION, AND THE TEXAS AND NEW MEXICO STATE LINE, WHICH LIES S89°49'E, 84.8 FEET FROM A USGLO BRASS CAP FOUND FOR THE SOUTHWEST CORNER OF SAID SECTION:

SAID STRIP OF LAND BEING 1641.9 FEET OR 99.50 RODS IN LENGTH AND CONTAINS 1.131 ACRES OF LAND AND BEING ALLOCATED BY FORTIES AS FOLLOWS:

NW/4 NW/4	80.00 RODS	0.909 ACRES
LOT 1	19.50 RODS	0.222 ACRES

1000 0 1000 2000
SCALE: 1"=1000'

I HEREBY CERTIFY THAT I DIRECTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

Ronald J. Eidson 8/24/00
RONALD J. EIDSON, N.M. R.P.S. No. 3239
GARY G. EIDSON, N.M. R.P.S. No. 12641
JOHN WEST SURVEYING COMPANY
412 N. DAL PASO, HOBBS, N.M., (505)393-3117

HARVEY E. YATES COMPANY

A PIPELINE LINE CROSSING U.S.A. LAND
LOCATED IN SECTION 36, TOWNSHIP 26 SOUTH,
RANGE 12 EAST, N.M.P.M., OTERO COUNTY, NEW MEXICO.

Survey Date: 8/17/00	Sheet 1 of 1 Sheets
W.O. Number: 00-11-1003	Drawn By: J. L. Presley
Date: 8/22/00	DISK: JLP#R40 HEY1003

CONDITIONS OF APPROVAL

- A. Site preparation for the pipeline will consist of clearing only to minimize soil surface disturbance. Clearing is defined as removal of brush while leaving ground vegetation (grasses and forbs) intact. Clearing is accomplished by holding the blade 4 to 6 inches above the ground surface. The maximum width of clearing shall not exceed that which is necessary for construction and maintenance of the pipeline, and shall not exceed 50 ft.
- B. Butterfield Trail Crossing Requirements: In order to protect cultural resources associated with the Butterfield Trail, construction width must narrow 250 feet north and south of the trail crossing. The narrowed 500 ft north/south length of construction shall be no wider than the width of the existing road plus 25 ft on one side. The trench and stockpile shall be placed within the existing road in this area. A single joint of pipe shall span the trail crossing. No surface blading, except to backfill the trench, will occur in the 500 ft Butterfield Trail area. No waterbars, soil ripping, seed drilling, or other surface disturbance will occur in this zone during reclamation.
- C. Permanent roads or trails shall not be established on the pipeline route, except where previously occurring.
- D. No large rocks (> 12 in), individually or in piles, will be left on the surface following completion of pipeline construction.
- E. No construction operations will occur during muddy conditions. Soils that are visibly moist or wet on the surface will be avoided.
- F. Reclamation requirements - To return disturbed areas, except roads and the 500 ft. Butterfield Trail crossing zone, to previous ecological form and function and to minimize erosion and potential for establishment of exotic plant species, contouring and water diversions will be placed and vegetation will be re-established after completion of construction.

Water Diversions

Water diversions will be constructed as needed to control surface water runoff and soil erosion. A guideline for spacing of the waterbars are as follows:

<u>Percent slope</u>	<u>Spacing Interval</u>
Less than 1%	400'
1-5%	300'
5-15%	200'
15-25%	100'
More than 25%	50'

Additional diversions may be required by the BLM Authorized Officer.

Contouring

Ripping or plowing compacted soils may be necessary in some areas and will be addressed

on a case by case basis.

Reseeding

Seeding will be carried out during June (following any spring rainfall and preceding summer rainfall) to time germination and seedling establishment for the main period of rainfall. Because revegetation projects are strongly dependent on adequate rainfall, and adequate rainfall needed for seedling establishment is uncertain in desert areas, seeding operations will be repeated in up to 2 subsequent years if adequate cover is not established.

Seed must be certified relatively weed free and/or analyzed before purchase to ensure minimum weed content.

Drill seeding should be accomplished using a disc type drill with two boxes for various seed sizes. Drill rows will be 7 to 14 inches apart. The seed will be planted not less than ¼ inch deep or more than 1 inch deep. The seeder will be followed with a drag, packer, or roller to ensure uniform coverage and adequate compaction.

The following is the seed mixture and application rates for reseeding. Application rates are shown as pounds of pure-live-seed per acre. Species substitutions and deviations to application rates must be approved by the Authorized Officer.

<u>Species</u>	<u>Application Rate</u>	<u>Lbs./AC</u>	<u>PLS @</u>
Blue grama (<u>Bouteloua gracilis</u> var. <u>Hachita</u>)	1.0		
Sideoats grama (<u>Bouteloua curtipendula</u> var. <u>Vaughn</u>)			2.0
Sand dropseed (<u>Sporobolus cryptandrus</u>)	1.0		
Vine mesquite (<u>Panicum obtusum</u>)	2.0		
Desert globemallow (<u>Sphaeralcea imbigua</u>)	1.0		
Winterfat (<u>Eurotia lanata</u>)	2.0		

Mulching

Mulching will be required on all seeding projects and must come from relatively weed free sources. Acceptable mulches include:

- 1) Straw or native hay (2 tons/AC)
- 2) Wood residues (2 tons/AC)
- 3) Hydro-mulching (1,500 lb./AC)

Straw, hay, and wood residue mulch shall be applied on the surface following reseeding. Rotted or moldy hay or straw will not be accepted.

G. Noxious weeds may be introduced to the area by dirt and mud on equipment entering the drill sites from outside areas. The contractor will be responsible for prevention, monitoring, and control of noxious weed control on the pipeline. Noxious weed requirements include, but are not limited to:

1. All equipment will be cleaned of all mud, dirt, and plant parts before moving into the construction area.
2. Vegetation will be re-established on all disturbed areas as soon as possible after

use ceases (see Item F. Reclamation).

3. All fill material must come from sources free of exotic weeds.

4. The permittee will monitor the pipeline bi-annually for infestation of exotic weeds. If exotic weeds are detected the BLM Authorized Officer shall be contacted immediately.

5. Use of pesticides and herbicides shall comply with applicable Federal and State laws. Pesticides and herbicides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, holder shall obtain written approval from the Authorized Officer (AO) of a plan showing the type and quantity of materials to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the AO. Emergency use of pesticides shall be approved in writing by the AO prior to use.

H. Disturbance of nesting raptors is prohibited. BLM has located the pipeline to avoid, as much as possible, existing raptor nests.

I. Aplomado Falcon -The aplomado falcon is an endangered species. However none were found during site inspections of the area. Were the falcon to inhabit the area during surface construction, the applicant would need to comply with the standard lease term. The pipeline route has been located to avoid loss and minimize disturbance to yucca areas that are potential nest sites for aplomado falcons. BLM has conducted preliminary surveys for aplomado falcons. No aplomado falcons were sighted. If construction of the pipeline occurs during the nesting season for the aplomado falcon (January 1 through July 31) BLM permitted biologists will resurvey within 2 weeks of construction. In addition, BLM will conduct surveys as frequently as weekly during construction. If aplomado falcons are sighted, the applicant shall comply with Section 6 of the lease terms which state:

...Lessee may be required to complete minor inventories or short term special studies under guidelines provided by lessor. If in the conduct of operations, threatened or endangered species, objects of historic or scientific interest, or substantial unanticipated environmental effects are observed, lessee shall immediately contact lessor. Lessee shall cease any operations that would result in the destruction of such species or objects.

In order to complete surveys in a timely manner, the applicant shall advise the Authorized Officer at least 3 weeks prior to initiation of construction activities.

J. Surface disturbing activities may impact bird species covered by the Migratory Bird Treaty Act (MBTA). Such activities occurring during the nesting season may cause nests to be abandoned. The operator and onsite work crews are responsible for complying with the provisions of the MBTA.

K. Spills and leaks of fuels, lubricants, and hydraulic fluids would contaminate soil and water. This would endanger livestock and wildlife, and reduce or preclude plant growth.

1. Leaking equipment will be promptly repaired or removed from the site.
2. Contaminated soil and water will be promptly removed, transported, and disposed of.
3. Staging areas for equipment (including areas for fuel storage, refueling, and vehicle maintenance) will be located a minimum of 100 feet from stream (drainage) channels.
4. Spill precautions shall be taken to ensure that leaking vehicles and spilled

fuel will not contaminate groundwater supplies or surface drainages that may be flowing during runoff events. Such precautions include the following: vehicles are to be parked, maintained, and refueled on impermeable surfaces (such as a plastic sheet). Also, if more than 5 gallons of fuel (including lubricants and other petrochemicals) are to be stored on-site, this material needs to be stored on an impermeable surface, or in a vehicle parked on an impermeable surface, with berms to keep fuel from flowing off-site in case of a spill.

L. Proper facilities to dispose of litter will be provided and used by construction and maintenance personnel in order to minimize attracting potential nest predators such as ravens to the action area.

M. All mitigation measures and operating procedures will be reviewed and explained to HEYCO by the BLM project coordinator in a pre-work field conference.



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

Las Cruces Field Office
1800 Marquess
Las Cruces, New Mexico 88005
www.nm.blm.gov



IN REPLY REFER TO:

NM 71526
3100 (03000)

APR 21 2005

RECEIVED

APR 25 2005

ODD-ARTSOM

Harvey E. Yates Company
Attn: Leonard Carpenter
P.O. Box 1933
Roswell, NM 88202

Dear Mr. Carpenter:

Enclosed is a signed copy of your approved amendment Sundry Notice for new construction of a gathering system from Bennett Ranch Unit #1-Y to Hudspeth County Texas. This amendment is to change the pipeline from a 6-inch gathering system to an 8-inch gathering system. The route remains as approved on March 5, 2004. The conditions of approval to the Sundry Notice/Subsequent Report approved on July 9, 2001 for the 6-inch gathering system will apply to the 8-inch gathering system as well.

A copy of the original Sundry Notice and the conditions of approval are enclosed for your reference. Your contact for the surface use is John Besse at (505) 525-4363 or Joe Torrez at (505) 525-4374.

Sincerely,

Tim L. Sanders
Assistant Field Manager
Division of Multi-Resources

1 Enclosure

cc:

Armando Lopez (BLM)

✓ Tim Gum (NMOCD)