

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

FORM APPROVED OMB NO. 1004-0137 Expires: January 31, 2018

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.

Carlsbad Field Office OCD Artesia

5. Lease Serial No. 6. If Indian, Name of Tribe

SUBMIT IN TRIPLICATE - Other instructions on page 2

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

1. Type of Well [X] Oil Well [] Gas Well [] Other

8. Well Name and No. EMPIRE ABO D 40

2. Name of Operator APACHE CORPORATION Contact: ALICIA FULTON E-Mail: Alicia.fulton@apachecorp.com

9. API Well No. 30-015-01555-00-S17

3a. Address 303 VETERANS AIRPARK LANE SUITE 3000 MIDLAND, TX 79705

3b. Phone No. (include area code) Ph: 432-818-1088

10. Field and Pool or Exploratory Area EMPIRE-ABO

4. Location of Well (Footage, Sec., T., R., M., or Survey Description) Sec 26 T17S R28E SESE 660FSL 660FEL

11. County or Parish, State EDDY COUNTY, NM

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

Table with columns TYPE OF SUBMISSION and TYPE OF ACTION. Includes checkboxes for Notice of Intent, Subsequent Report, Final Abandonment Notice, Acidize, Deepen, Production, etc.

13. Describe Proposed or Completed Operation: Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof.

Apache is requesting an extension to flare gas from the Empire Abo Unit D-40 Federal Battery effective 10/30/2018-01/30/2019. A combined total of approximately 500 mcf per day will be flared from the wells listed below due to high line pressure. Gas will be measured prior to flaring.

* Is "Empire ABO Unit #40" (STATE) RECEIVED

State wells except for 2 federal wells

- 30-015-01534 EMPIRE ABO UNIT #42-TA
30-015-01536 EMPIRE ABO UNIT #41A
30-015-01538 EMPIRE ABO UNIT #43
30-015-01550 EMPIRE ABO UNIT #38

STATE WELLS* Accepted for record NMOCD

NOV 06 2018

DISTRICT II-ARTESIA O.C.D.

* Please Submit E-129 for approval to flare 11/7/18 AF3

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

Electronic Submission #439591 verified by the BLM Well Information System For APACHE CORPORATION, sent to the Carlsbad Committed to AFMSS for processing by DEBORAH MCKINNEY on 10/18/2018 (19DLM0044SE)

Name (Printed/Typed) ALICIA FULTON

Title SR. REGULATORY ANALYST

Signature (Electronic Submission)

Date 10/15/2018

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved By /s/ Jonathon Shepard

Petroleum Engineer Carlsbad Field Office

OCT 25 2018

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)

** BLM REVISED **

Additional data for EC transaction #439591 that would not fit on the form

32. Additional remarks, continued

30-015-01557 EMPIRE ABO UNIT #37A
30-015-01551 EMPIRE ABO UNIT #37 - TA
30-015-01736 EMPIRE ABO UNIT #38B
30-015-01552 EMPIRE ABO UNIT #39

30-015-01554 EMPIRE ABO UNIT #39A
30-015-01555 EMPIRE ABO UNIT #40 -TA -STATE WELL
30-015-01556 EMPIRE ABO UNIT #40A
30-015-03194 EMPIRE ABO UNIT #46A
30-015-03193 EMPIRE ABO UNIT #47 -federal well
30-015-03192 EMPIRE ABO UNIT #48- federal well

** Federal Wells is to be reported to BLM.*

30-015-22804 EMPIRE ABO UNIT #363
30-015-22203 EMPIRE ABO UNIT #372
30-015-22805 EMPIRE ABO UNIT #373
30-015-22772 EMPIRE ABO UNIT #375
30-015-22786 EMPIRE ABO UNIT #376
30-015-21822 EMPIRE ABO UNIT #382
30-015-22776 EMPIRE ABO UNIT #382
30-015-22766 EMPIRE ABO UNIT #384
30-015-22806 EMPIRE ABO UNIT #383A
30-015-21826 EMPIRE ABO UNIT #391
30-015-22911 EMPIRE ABO UNIT #391A
30-015-22819 EMPIRE ABO UNIT #393 - TA
30-015-22843 EMPIRE ABO UNIT #395
30-015-39012 EMPIRE ABO UNIT #420

BUREAU OF LAND MANAGEMENT

**Carlsbad Field Office
620 East Greene Street
Carlsbad, New Mexico 88220
575-234-5972**

Conditions of Approval to Flare Gas

1. Approval not to exceed 180 days from date of submission.
2. All flaring under this request is considered to be "avoidably lost". Volumes for avoidably lost gas shall be reported on OGOR "B" reports as disposition code "33".

Exceptions:

- a. The first 24 hours of a temporary emergency flare is considered "unavoidably lost" and is therefore royalty free. Flared volumes that are considered unavoidably lost are not to be included in Sundry Notice (Form 3160-5). These Volumes are not royalty bearing and shall be reported on OGOR "B" as either disposition code "21" or "22".
- b. If the operator believes that the flared volumes were "unavoidably lost", the operator can submit a request via Sundry Notice (Form 3160-5) with justification for an exception in accordance with 43 CFR 3179.4, 3179.103 - 3179.105.