

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

OCD-ARTESIA

FORM APPROVED  
OMB No 1004-0135  
Expires: January 31, 2004

**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.  
NMNM 044698 NM0144698

6. If Indian, Allottee or Tribe Name

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

8. Well Name and No.  
Colt 5 Federal #3H

9. API Well No.  
30-015-38064

10. Field and Pool, or Exploratory Area  
Winchester Bone Spring 65010

11. County or Parish, State  
Eddy County, NM

**SUBMIT IN TRIPLICATE - Other instructions on reverse side**

1. Type of Well  
 Oil Well  Gas Well  Other

2. Name of Operator  
Mewbourne Oil Company 14744

3a. Address  
PO Box 5270 Hobbs, NM 88241

3b. Phone No. (include area code)  
575-393-5905

4. Location of Well (Footage, Sec., T, R., M., or Survey Description)  
330' FSL & 990' FEL, Sec 5-T20S-R29E Unit Letter P (Surface)  
330' FNL & 400' FEL, Sec 5-T20S-R29E Unit Letter A (BHL)

**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 Notice	<input type="checkbox"/> Casing Repair	<input type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input checked="" type="checkbox"/> Other <u>Frac pit</u>
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon	
	<input type="checkbox"/> Convert to Injection	<input type="checkbox"/> Plug Back	<input type="checkbox"/> Water Disposal	

3. 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 site is ready for final inspection.)

Mewbourne Oil Company is requesting to build a fresh water frac pit on the above captioned well. The outside dimensions of the fresh water pit will be 330' x 130'. The inside dimensions of the fresh water pit will be 300' x 100'. The fresh water pit will be built on the SW side of the location. By using these dimensions the fresh water pit will be built inside the original 600' x 600' arch survey. The fresh water pit will be constructed in a manner which creates the smallest possible surface disturbance, consistent with safety & Mewbourne Oils operational needs. The topsoil will be stockpiled in the SW berm. The topsoil to be stripped is approximately 6" in depth. After construction the fresh water pit will be fenced for safety and to prevent entry of livestock. The topsoil will be used for final reclamation of pit. Pit may be left open & utilized on other fracs in the area and will be closed & reclaimed when no longer needed. Tanner Nygren approved onsite 08/20/10.

**RECEIVED**  
SEP 20 2010  
NMOCD ARTESIA

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

Jackie Lathan Title Hobbs Regulatory

Signature *Jackie Lathan* Date 08/26/10

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

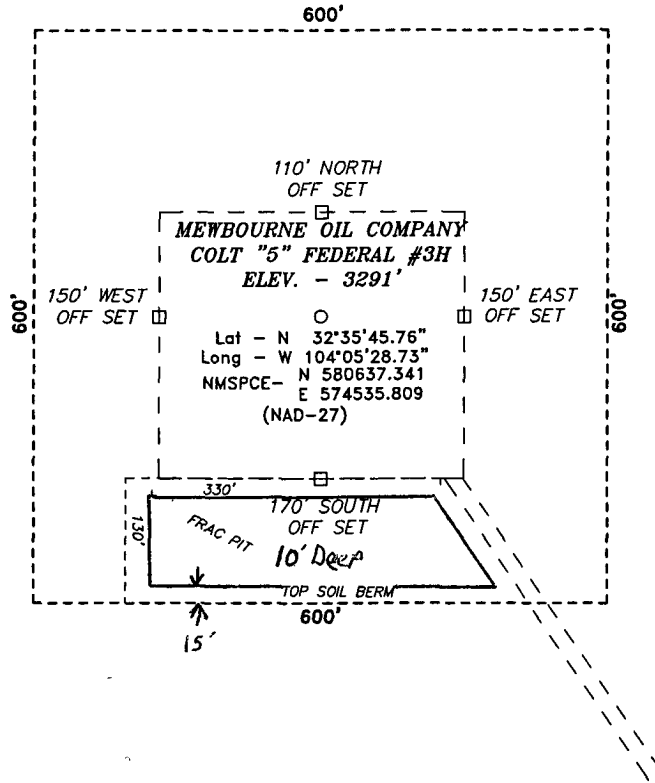
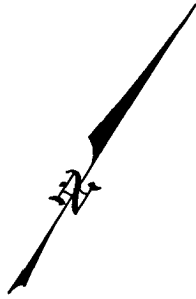
Approved by (Signature) */s/ Don Peterson* Name */s/ Don Peterson* Title **FORFIELD MANAGER**

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 **BLM Carlsbad Field Office** Date **SEP 24 2010**

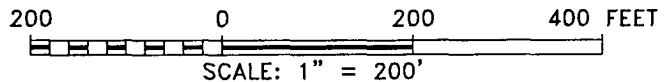
Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

SECTION 5, TOWNSHIP 20 SOUTH, RANGE 29 EAST, N.M.P.M.,  
 EDDY COUNTY, NEW MEXICO.



NOTE: POINTS FOR FRAC PIT WERE  
 STAKED IN THE FIELD BY  
 MEWBOURNE OIL COMPANY.

ONLY DRAFTING WAS DONE  
 BASIN SURVEYS.



**MEWBOURNE OIL COMPANY**

REF: COLT "5" FEDERAL #3H / WELL PAD TOPO

THE COLT "5" FEDERAL #3H LOCATED 330'  
 FROM THE SOUTH LINE AND 990' FROM THE EAST LINE OF  
 SECTION 5, TOWNSHIP 20 SOUTH, RANGE 29 EAST,  
 N.M.P.M., EDDY COUNTY, NEW MEXICO.

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

W.O. Number: 21792      Drawn By: J. SMALL

Date: 10-07-2009      Disk: JMS 21792

Survey Date: 10-05-2009      Sheet 1 of 1 Sheets

**BLM LEASE NUMBER:** NMNM44698  
**COMPANY NAME:** Mewbourne Oil Co.  
**ASSOCIATED WELL NO. & NAME:** Colt 5 Federal #3H

#### FRAC POND CONDITIONS OF APPROVAL

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

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

1. The BLM shall administer compliance and monitor construction of the frac pond. Notify Jim Amos (575-234-5909) at least 3 working days prior to commencing construction of the frac pond.
2. The operator shall stockpile the topsoil in a low profile manner in order to prevent wind/water erosion of the topsoil. The topsoil to be stripped is approximately 6 inches in depth. The topsoil shall not be used for constructing the berms of the frac pond and will be used for final reclamation.
3. 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.
4. The Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated.
5. The frac pond will only be authorized to contain freshwater and testing of water quality is required during the life of the frac pond. The Authorized Officer may ask the operator to sample water quality of the frac pond at any time during the life of the frac pond. 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. Reclamation efforts will then commence. Otherwise, reclamation efforts will commence immediately after the frac pond is no longer needed for the purpose of completing the wells. 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. Upon failure of holder to control, dispose of, or clean up such discharge, or to repair all damages resulting therefrom, 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.
5. All construction and maintenance activity should be confined to the authorized area to avoid excess disturbance.
6. If other wells, not mentioned in the current Sundry Notice, need to be serviced by the frac pond, a separate Sundry Notice needs to be submitted to the appropriate BLM office.

7. Mineral materials extracted during construction of the frac pond shall not be used for surfacing the well pad or access road or other facilities. All mineral material extracted shall only be used for constructing the frac pond or stored adjacent to the frac pond.

8. The frac pond will be lined. The frac pond shall be constructed so that upon completion of drilling operations the plastic lining will be removed.

9. The frac pond shall be fenced on all sides.

10. In those areas where erosion control structures are required to stabilize soil conditions, the holder will install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound resource management practices.

11. Seeding is required and will be done according to the attached seeding requirements, using the following seed mix.

- |                                                    |                                         |
|----------------------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> seed mixture 1 | <input type="checkbox"/> seed mixture 3 |
| <input type="checkbox"/> seed mixture 2            | <input type="checkbox"/> seed mixture 4 |

12. All above-ground structures not subject to safety requirements shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be color which simulates "Standard Environmental Colors" – **Shale Green**, Munsell Soil Color No. 5Y 4/2.

13. 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.

14. 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.

15. 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.

16. When the frac pond is no longer stimulating wells, reclamation shall commence. The plastic liner shall be removed before any earthwork begins. Any associated pipelines shall be removed as well. All disturbed areas and erosion caused by the frac pond, pipelines or other infrastructure will be reclaimed. Earthwork for final reclamation must be completed within three (3) months of final well completion. The frac pond location must be reclaimed to a satisfactory revegetated,

safe, and stable condition. The area of the frac pond must be recontoured to match the surrounding landscape. After all disturbed areas have been satisfactorily prepared; these areas need to be revegetated with the seed mixture provided. Seeding may need to be repeated until revegetation is successful. Operators shall contact a BLM surface protection specialist prior to surface reclamation operations for site specific objectives (Jim Amos: 575-234-5909).

17. The frac pond shall not be left empty more than one year. While the pond is empty, the frac pond must be maintained.

18. Special Stipulations:

**Cave/Karst**

**Construction:**

In the advent that any underground voids are opened up during construction activities, construction activities will be halted and the BLM will be notified immediately.

**No Blasting:**

No blasting will be utilized for pad construction. The pad will be constructed and leveled by adding the necessary fill and caliche.

BLM SERIAL #: NMNM44698  
COMPANY REFERENCE: Mewbourne Oil Co.  
WELL # & NAME: Colt 5 Fed. #3H

Seed Mixture 1, for Loamy Sites

The holder shall seed all disturbed areas with the seed mixture listed below. The seed mixture shall be planted in the amounts specified in pounds of pure live seed (PLS)\* per acre. There shall be no primary or secondary noxious weeds in the seed mixture. Seed will be tested and the viability testing of seed will be done in accordance with State law(s) and within nine (9) months prior to purchase. Commercial seed will be either certified or registered seed. The seed container will be tagged in accordance with State law(s) and available for inspection by the authorized officer.

Seed will be planted using a drill equipped with a depth regulator to ensure proper depth regulator to ensure proper depth of planting where drilling is possible. The seed mixture will be evenly and uniformly planted over the disturbed area (small/heavier seeds have a tendency to drop the bottom of the drill and are planted first). The holder shall take appropriate measures to ensure this does not occur. Where drilling is not possible, seed will be broadcast and the area shall be raked or chained to cover the seed. When broadcasting the seed, the pounds per acre are to be doubled. The seeding will be repeated until a satisfactory stand is established as determined by the authorized officer. Evaluation of growth will not be made before completion of at least one full growing season after seeding.

Species to be planted in pounds of pure live seed\* per acre:

<u>Species</u>	<u>lb/acre</u>
Plains lovegrass ( <i>Eragrostis intermedia</i> )	0.5
Sand dropseed ( <i>Sporobolus cryptandrus</i> )	1.0
Sideoats grama ( <i>Bouteloua curtipendula</i> )	5.0

\*Pounds of pure live seed:

Pounds of seed x percent purity x percent germination = pounds pure live seed