

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RECEIVED

APR 05 2012

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.

5. Lease Serial No.

NMSF-079035A

6. If Indian, Allottee or Tribe Name

N/A

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

N/A

8. Well Name and No.

BREECH A #175F

9. API Well No.

30-039-31071

10. Field and Pool, or Exploratory Area

BASIN DK/BASIN MC/BLANCO MV

11. County or Parish, State

RIO ARriba NM

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)

505-333-3204

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

1000' FSL & 1880' FEL SWSE SEC 8 (O) -T26N-R6W

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

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> Acidize | <input type="checkbox"/> Deepen | <input type="checkbox"/> Production (Start/Resume) | <input type="checkbox"/> Water Shut-Off |
| <input type="checkbox"/> Alter Casing | <input type="checkbox"/> Fracture Treat | <input type="checkbox"/> Reclamation | <input type="checkbox"/> Well Integrity |
| <input type="checkbox"/> Casing Repair | <input type="checkbox"/> New Construction | <input type="checkbox"/> Recomplete | <input checked="" type="checkbox"/> Other <u>DRILLING</u> |
| <input type="checkbox"/> Change Plans | <input type="checkbox"/> Plug and Abandon | <input type="checkbox"/> Temporarily Abandon | <u>DURING CLOSURE</u> |
| <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 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 final site is ready for final inspection.)

XTO Energy Inc. has obtained a waiver from the surface land owner to drill and complete the above mentioned well during the closure.
Please see attached waiver.

RCVD APR 17 '12
OIL CONS. DIV.
DIST. 3

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

MALIA VILLERS

Title PERMITTING TECH.

Signature

malia villers

Date 4.4.12

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved by

[Signature]

Title

Petr. Eng

Date

4/13/12

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

NMOCD



March 22, 2012

Lyle C. Cox Living Trust and
Betty Cox Living Trust
P. O. Box 344
Mancos, Colorado 81328

Re: Waiver of BLM Closure

Breech A #175F Well
Section 8: W1/2SE1/4
Township 26 North,
Range 6 West, N.M.P.M.
Rio Arriba County, NM
(collectively, the "Wells")

Breech A #175G Well
Section 8: S/2NE/4 & N/2SE/4
Township 26 North,
Range 6 West, N.M.P.M.
Rio Arriba County, NM

Breech A #132F Well
Section 9: SE1/4NW1/4
Township 26 North
Range 6 West
Rio Arriba County, NM

Breech F #48F Well
Section 35: S1/2SE1/4
Township 27 North
Range 6 West
Rio Arriba County, NM

Dear Mr. and Mrs. Cox:

Reference is made to the Bureau of Land Management-Farmington Field Office ('BLM')-Seasonal Drilling Restrictions on Ensenada Mesa also known as the BLM Closure, in effect each year May1 through July 31, during which XTO Energy Inc. ('XTO') drilling and completion operations is restricted on Owner Fee property unless so waived by Owner.

In as much as Owner and XTO have entered into Surface Use And Compensation Agreements covering the Wells, XTO respectfully requests Owner Waive the BLM Closure.

Owner agrees to this Waiver of BLM Closure as it applies to the Wells to be drilled and completed by XTO on the above described Owner Fee properties and hereby waives the Seasonal Drilling Restrictions on Ensenada Mesa during the closure period.

If you are in agreement with this Waiver of BLM Closure, please indicate your acceptance below by *signing* and returning this Waiver to the undersigned at XTO in the enclosed self-addressed stamped envelope, a copy is also enclosed for your records. If you have any questions, please feel free to call Mike Simone at 970-560-5606.

Sincerely yours,
XTO Energy Inc.

Mike Simone Paul M. Lehrman
Paul M. Lehrman, Senior Land Surface Supervisor

WAIVER OF BLM CLOSURE AGREED TO AND ACCEPTED THIS 22nd DAY OF MARCH, 2012.

OWNER

Lyle C. Cox Living Trust dated November 11, 2006 and
Betty Cox Living Trust dated November 11, 2006

By: Lyle C. Cox
Lyle C. Cox, as Trustee of the Lyle C. Cox
Living Trust dated November 11, 2006

By: Betty Cox
Betty Cox, as Trustee of the Betty Cox
Living Trust dated November 11, 2006