

HOBBS OCD

JUL 20 2016

RECEIVED

District I
1625 N. Francis Dr., Hobbs, NM 88241
Phone: (505) 383-4141 Fax: (505) 383-4723
District II
511 E. First St., Artesia, NM 88210
Phone: (505) 749-1988 Fax: (505) 749-8728
District III
1000 Ave. de los Rios, Aztec, NM 87410
Phone: (505) 334-4110 Fax: (505) 334-4170
District IV
1222 S. St. Francis Dr., Santa Fe, NM 87505
Phone: (505) 476-3470 Fax: (505) 476-3462

State of New Mexico Energy, Minerals and Natural Resources Oil Conservation Division 1220 S. St Francis Dr. Santa Fe, NM 87505 Change of Operator

Form O-105
August 1, 2011

Form O-105

221973

Previous Operator Information

OCID# 16906
Name OOY USA, INC.
Address PO Box 4294
City, State, Zip Houston, TX 77210

New Operator Information

Effective Date Effective on the date of approval by the OCD
OCID# 16906
Name BC OPERATING, INC.
Address P.O. Box 10020
City, State, Zip Midland, TX 79710

I hereby certify that the rules of the Oil Conservation Division (OCD) have been complied with and that the information on this form and the certified list of wells is true to the best of my knowledge and belief.

Additionally, by signing below, BC OPERATING, INC. certifies that it has read and understands the following synopsis of applicable rules:

PREVIOUS OPERATOR certifies that all below-grade tanks constructed and installed prior to June 16, 2008 associated with the selected wells being transferred are either (1) in compliance with 19.15.17 NMAC, (2) have been closed pursuant to 19.15.17.13 NMAC or (3) have been retrofitted to comply with Paragraphs 1 through 4 of 19.15.17.11(i) NMAC.

BC OPERATING, INC. understands that the OCD's approval of this operator change:

1. constitutes approval of the transfer of the permit for any permitted on, below-grade tank or closed-loop system associated with the selected wells; and
2. constitutes approval of the transfer of any below-grade tanks constructed and installed prior to June 16, 2008 associated with the selected wells, regardless of whether the transferor has disclosed the existence of those below-grade tanks to the transferee or to the OCD, and regardless of whether the below-grade tanks are in compliance with 19.15.17 NMAC.

As the operator of record of wells in New Mexico, BC OPERATING, INC. agrees to the following statements:

1. I am responsible for ensuring that the wells and related facilities comply with applicable statutes and rules, and am responsible for all regulatory filings with the OCD. I have familiarized myself with all applicable statutes and rules, and just the rules referenced in this form. I understand that the OCD's rules (19.15.2-19.15.12 NMAC) and the Water Quality Control Commission's rules (20.9.2-20.9.7 NMAC) are available at the New Mexico State Records Center and Archives website (www.state.nm.us).
2. I understand that if I acquire wells from another operator, the OCD must approve the operator change before I begin operating those wells, see 19.15.9 NMAC. I understand that if I acquire wells or facilities subject to a compliance order addressing inactive wells or environmental cleanup, before the OCD will approve the operator change I may require me to enter into an enforceable agreement to return those wells to compliance. See 19.15.9 NMAC(2) NMAC.
3. I must file a monthly C-115 report showing production for each non-plugged well completion for which the OCD has approved an allowable and authorization to transport, and injection for each injection well. See 19.15.7.24 NMAC. I understand that the OCD may cancel my authority to transport from or inject into all the wells I operate if I fail to file C-115 reports. See 19.15.7.24(c) NMAC.
4. I UNDERSTAND THAT New Mexico requires wells that have been inactive for certain time periods to be plugged or placed on approved temporary abandonment. See 19.15.25.8 NMAC. I understand the requirements for plugging and approved temporary abandonment in 19.15.25 NMAC. I understand that I can check my compliance with the basic requirements of 19.15.25.8 NMAC by using the "Inactive Well List" on OCD's website.

They live on OGD's website.

5. I must keep current with financial assurances for well plugging. I understand that New Mexico requires each state or fee well that has been inactive for more than two years and has not been plugged and released to be covered by a single-well financial assurance or blanket plugging financial assurance for wells in temporary abandoned status, even if the well is also covered by a blanket financial assurance and even if the well is on approved temporary abandonment status. See 19.15.6.9(C) NMAC. I understand that I can check my compliance with the single-well financial assurance requirements by using the "Inactive Well Additional Financial Assurance Report" on the OGD's website.
6. I am responsible for reporting releases as defined by 19.15.25 NMAC. I understand the OGD will look to me as the operator of record to take corrective action for releases at my wells and related facilities, including releases that occurred before I became operator of record.
7. I have read 19.15.5.9 NMAC, commonly known as "Rule 5.9" and understand that to be in compliance with its requirements I must have the appropriate financial assurances in place, comply with orders requiring corrective action, pay penalties assessed by the courts or agreed to by me in a settlement agreement, and not have too many wells out of compliance with the inactive well rule (19.15.25.8 NMAC). ~~If I am in violation of 19.15.5.9 NMAC, I may not be allowed to drill, acquire or produce any additional wells, and will not be able to obtain any new injection permits. See 19.15.10.10 NMAC, 19.15.25.8 NMAC, 19.15.2.2 NMAC and 19.15.14.12 NMAC. If I am in violation of 19.15.5.9 NMAC, the OGD may, after notice and hearing, revoke my existing injection permits. See 19.15.25.8 NMAC.~~
8. For injection (or disposal) wells, I acknowledge that I have read and agree to operate my wells in compliance with 19.15.25 NMAC. I acknowledge that I have read and agree to the terms of my injection permit. I understand that I must report injection volume and injection pressure on my monthly C-115 report. I understand that I must conduct mechanical integrity tests on my injection wells at least once every five years. See 19.15.25.11 NMAC. I understand that when there is a continuous one-year period of non-injection into all wells in an injection or storage project or into a saltwater disposal well or special purpose injection well, authority for that injection automatically terminates. See 19.15.25.12 NMAC. I understand that if I transfer operation of any injection well to another operator, the OGD must approve the transfer of authority to inject, and the OGD may require me to demonstrate the well's mechanical integrity prior to approving that transfer. See 19.15.25.15 NMAC.
9. I am responsible for providing the OGD with my current address of record and emergency contact information, and I am responsible for updating that information when it changes. See 19.15.9.5.C NMAC. I understand that I can update that information on the OGD's website under "Electronic Permitting."
10. If I transfer well operations to another operator, the OGD must approve the change before the new operator can begin operations. See 19.15.9.9(B) NMAC. I remain responsible for the wells and related facilities and all related regulatory filings until the OGD approves the operator change. I understand that the transfer will not relieve me of responsibility or liability for any act or omission which occurred while I operated the wells and related facilities.

Previous Operator

Signature: [Signature]
 Printed Name: Kevin Montgomerie
 Title: Representing Major
 Date: 7/20/16 Phone: 352-454-8127

New Operator

Signature: [Signature]
 Printed Name: Sarah Presley
 Title: Regulatory Analyst
 Date: 7.20.16 Phone: 432-684-9696

NMOCD Approval

Electronic Signature: Paul Kautz, District 1

Date: July 20, 2016

District I
 1625 N. French Dr., Hobbs, NM 88240
 Phone:(575) 393-6161 Fax:(575) 393-0720
District II
 811 S. First St., Artesia, NM 88210
 Phone:(575) 748-1283 Fax:(575) 748-9720
District III
 1000 Rio Brazos Rd., Aztec, NM 87410
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State of New Mexico

Energy, Minerals and Natural Resources

Oil Conservation Division

1220 S. St Francis Dr.

Santa Fe, NM 87505

Comments

Permit 221973

CHANGEOP COMMENTS

Operator: OXY USA INC PO Box 4294 Houston, TX 77210	OGRID:	16696
	Permit Number:	221973
	Permit Type:	ChangeOp

Comments

Created By	Comment	Comment Date
degalligos	In Violation of Rule 5.9 - 9 inactive wells	7/19/2016
degalligos	In Violation of Rule 5.9 - 9 inactive wells	7/19/2016