State of New Mexico Energy, Minerals and Natural Resources Department Susana Martinez Governor David Martin Cabinet Secretary Tony Delfin Deputy Cabinet Secretary

June 21, 2016 MCKAY OIL CORP OGRID #14424 One McKay Place P.O. Box 2014 Roswell, NM 88202 OCD Case No. 15589 Application for Compliance Order Against McKay Oil Corp., OGRID 14424 OCD Exhibit 3: Notifications of Violations Sent Page 1 of 14

Re: 19.15.5.9 NMAC Compliance

Dear Operator:

The Oil Conservation Division (OCD) is conducting ongoing review of all operators' compliance status with Subsection A of 19.15.5.9 NMAC. According to OCD records, your company is not in compliance with Subsection A of 19.15.5.9 NMAC for the following reasons:

Financial assurance. Your company is in violation of the financial assurance requirements for well plugging set out in 19.15.8.9 NMAC. Specifically, your company has not posted the required financial assurance required for state or fee wells which have been inactive for more than two years. The wells requiring single-well financial assurances are identified in the attached sheet.

<u>Corrective action. Order</u>, issued on , found your company to be in violation of an order requiring corrective action.

X Inactive wells. According to the attached inactive well list, your company has too many wells in violation of 19.15.25.8 NMAC (the inactive well rule) that are not subject to an inactive well agreed compliance order. As an operator of 22 wells, your company may have no more than _____wells in violation of the inactive well rule. Your company has __19 wells in violation of the inactive well rule.

Non-compliance with 19.15.5.9 NMAC will prevent your company from acquiring any new wells, acquiring approval of exploration and development plans, receiving new allowables, and obtaining drilling, injection, and other OCD issued permits, and potentially expose your company to additional compliance actions including an OCD order requiring compliance, and revocation of injection permits. As the operator of a non 19.15.5.9 NMAC compliant company, you will not be permitted to register any additional companies to operate in New Mexico or have any interest exceeding 25 percent in any other companies in New Mexico.

1220 South St. Francis Drive • Santa Fe, New Mexico 87505 Phone (505) 476-3460 • Fax (505) 476-3462 • www.emind.state.nm.us/ocd January 4, 2017 Page 2

The OCD is requesting that you review the OCD's online database for your specific Oil and Gas Registration Identification (OGRID) number and notify the OCD how your company plans to return to compliance with 19.15.5.9 NMAC. This is an opportunity for your company to work with the OCD toward achieving its goal of maintaining compliance with the rules of the State of New Mexico. Please respond to the OCD within 30 days of receipt of this letter. If no response is received the OCD may begin formal compliance action.

Respectfully yours,

Ec:

Daniel Sanchez, Compliance and Enforcement Manager (505)476-3493 Daniel.sanchez@state.nm.us

> David R. Catanach, Division Director Maxey Brown, District 1 Supervisor Charlie Perrin, District 3 Supervisor Randolph Bayliss, District 2 Supervisor Will Jones, District 4 Supervisor Keith Herrmann, Attorney, Santa Fe

> > OCD Case No. 15589 Application for Compliance Order Against McKay Oil Corp., OGRID 14424 OCD Exhibit 3: Notifications of Violations Sent Page 2 of 14

State of New Mexico Energy, Minerals and Natural Resources Department

Susana Martinez Governor David Martin Cabinel Secretary

Tony Delfin Deputy Cabinet Secretary May 25, 2016

McKay Oil Corp P.O. Box 2014 Roswell, NM 88202 OCD Case No. 15589 Application for Compliance Order Against McKay Oil Corp., OGRID 14424 OCD Exhibit 3:Notifications of Violations Sent. Page 3 of 14

David R. Catanach, Division Director

Oil Conservation Division

Notice of Violation

Dear McKay Oil Corp,

Pursuant to 19.15.8.9 NMAC, a operator is required to furnish a financial assurance acceptable to the Oil Conservation Division ("OCD") in the form of an irrevocable letter of credit, plugging insurance policy, or cash or surety bond running to the state of New Mexico conditioned that the well be plugged and abandoned and the location restored and remediated in compliance with division rules. According to OCD records, McKay Oil Corp is the operator of record of the attached list of wells that require additional financial assurance.

Failure to provide the OCD with acceptable financial assurance is a violation of OCD rules and the Oil and Gas Act, NMSA 1978 § 70-2 *et. seq.*, and could be punishable by a fine of not more than one thousand dollars (\$1,000) per day for each violation. NMSA 1978 § 70-2-31.

Please review 19.15.8 NMAC to determine the types and amounts of financial assurance that the OCD accepts. Immediate action is now required. If no response is received within 30 days, the OCD will take further compliance action against McKay Oil Corp, including, but not limited to, seeking a formal order to require McKay Oil Corp to provide acceptable financial assurance for the its wells at an OCD hearing and pursuing other legal available remedies to obtain compliance.

If you have any questions regarding the contents of this letter, please contact the OCD Compliance and Enforcement manager, Denise Gallegos at (505) 476-3453 to schedule a compliance conference to discuss the outstanding compliance issues.

Sincerely, est

Danut

Daniel Sanchez OCD Compliance and Enforcement Manager, UIC Program Director Daniel Sanchez@statemnus

EC: Keith Herrmann, ENMRD Assistant General Counsel Encl: Additional Financial Assurance Report

> 1220 South St. Francis Drive - Santa Fe, New Mexico 87505 Phone (505) 476-3460 - Fax (505) 476-3462 - www.emnird.state.nm.us/ocd

5/25/2016

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OCD Permitting

Inactive Well Additional Financial Assurance Report 14424 MCKAY OIL CORP Total Well Count: 22 Printed On: Wednesday, May 25 2016

Property	Wall Name	Louise Тура	ULITR	Unit Letter	API	Well Type		Additional Bond Messy Due Dept	aread	Required Bond Amount	Bond Required Now	Covered By Blanket TA Bend	Bond In Pixon	In Violation
6672	ANTELOPE FEDERAL #001	F	E-29-04S-22E	E	30-005-61661	G	02/2015	Unkno	own				0	
	ANTELOPE FEDERAL #002	F	J-29-04S-22E	L	30-005-61766	G	02/2015	Unkno	own				0	
	ANTELOPE FEDERAL #003	F	M-29-04S-22E	м	30-005-61774	G	02/2015	Unkno	own				0	6
6674	BONNIE #001	Р	0-30-05S-22E	0	30-005-62551	G	01/1994	02/01/1996 4	296	9296	Y		9296	
24146	CAMP STATE #001	s	J-25-05S-22E		30-005-61446	G		3	650				0	
6683	FIVE MILE TANK FEDERAL #002	F	J-09-06S-23E	J	30-005-81403	G	08/2002	3	751				0	
6687	HUSKY-MCKAY #001	F	0-18-085-26E	0	30-005-81616	G	02/2006	Unkno	own				0	
6688	INEXCO FEDERAL #002	F	J-25-05S-21E	J	30-005-62389	G	03/2009	Unkno	own				0	
	INEXCO FEDERAL #004	F	2-30-05S-22E	E	30-005-62382	G	04/2012	4:	255				0	
	INEXCO FEDERAL #005	F	A-25-05S-21E	A	30-005-63601	G	08/2012	4:	295				0	
	INEXCO FEDERAL #006	F	4-19-05S-22E	4	30-005-63740	G	05/2009	4:	260				0	
6690	JERRY DON FEDERAL #001	F	A-24-04S-21E	A	30-005-62221	G	11/2010	Unkno	own				0	
37428	LOOKOUT D FEDERAL #008	F	B-09-06S-22E	в	30-005-64062	G		Unkno	own				0	
35183	MCKAY B FEDERAL #004	F	H-33-05S-21E		30-005-64082	G	04/2012	2	800				0	
26569	MCKAY BERRENDO #001Y	P	1-02-105-24E	1	30-005-62161	G	08/2011	09/01/2013 40	010	9010	Y		0	Y
6705	PRONGHORN FEDERAL #001	F	A-30-045-22E	A	30-005-62204	G	04/2011	Unkno	nwa				0	
17135	RUGGED FEDERAL #001	F	C-23-05S-21E		30-005-62851	G	02/2009	4:	260				0	
6713	WEST FORK UNIT #001	s	C-32-04S-22E	С	30-005-62625	G	11/2003	12/01/2005 4	578	9578	Y		9578	
	WEST FORK UNIT #002	F	4-07-055-22E	м	30-005-62482	G	03/2009	4	343				0	
1	WEST FORK UNIT #004	5	K-32-045-22E	к	30-005-62821	G	07/2012	08/01/2014 34	400	8400	Y		0	Y
17022	WEST MCKAY HARVEY FEDERAL A #001	F	B-26-08S-23E	в	30-005-62189	G	02/1997	3	500				0	
6715	WOOLWORTH RANCH UNIT #001	F	J-04-24S-35E	J	30-025-26180	G	02/2016	14:	340				0	

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OCD Case No. 15589 Application for Compliance Order Against McKay Oil Corp., OGRID 14424 OCD Exhibit 3: Notifications of Violations Sent Page 4 of 14

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OCD Case No. 15589

Page 6 of 14

Application for Compliance Order Against McKay Oil Corp., OGRID 14424 OCD Exhibit 3: Notifications of Violations Sent

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OIL-CONSERVATION DIVISION 1220 SOUTHIST FRANCIS DRIVE SANTA FE, NEW MEXICO 87805 Denise

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State of New Mexico Energy, Minerals and Natural Resources Department

Susana Martinez Governor David Martin Cabinet Secretary Tony Defin Deputy Cabinet Secretary May 18, 2016 OCD Case No. 15589

McKay Oil Corp P.O. Box 2014 Roswell, NM 88202 OCD Case No. 15589 Application for Compliance Order Against McKay Oil Corp., OGRID 14424 OCD Exhibit 3: Notifications of Violations Sent Page 7 of 14

Notice of Violation

Dear McKay Oil Corp,

Pursuant to 19.15.8.9 NMAC, a operator is required to furnish a financial assurance acceptable to the Oil Conservation Division ("OCD") in the form of an irrevocable letter of credit, plugging insurance policy, or cash or surety bond running to the state of New Mexico conditioned that the well be plugged and abandoned and the location restored and remediated in compliance with division rules. According to OCD records, McKay Oil Corp is the operator of record of the attached list of wells that require additional financial assurance.

Failure to provide the OCD with acceptable financial assurance is a violation of OCD rules and the Oil and Gas Act, NMSA 1978 § 70-2 *et. seq.*, and could be punishable by a fine of not more than one thousand dollars (\$1,000) per day for each violation. NMSA 1978 § 70-2-31.

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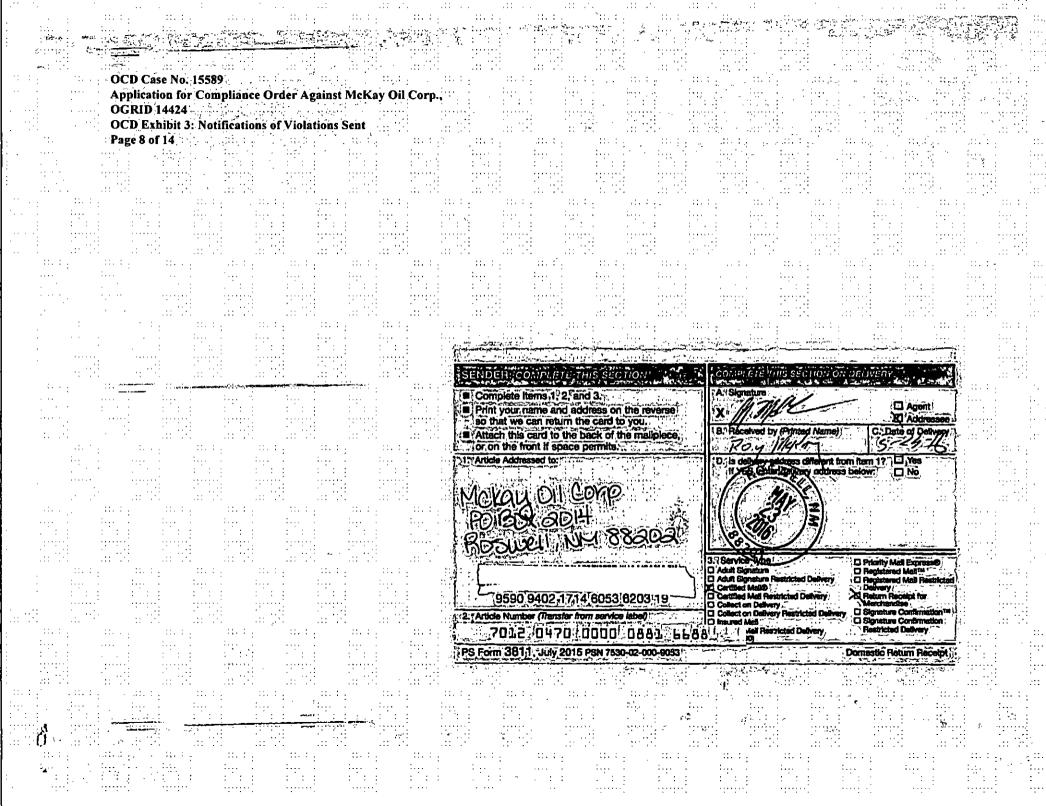
If you have any questions regarding the contents of this letter, please contact the OCD Compliance and Enforcement manager, Denise Gallegos at (505) 476-3453 to schedule a compliance conference to discuss the outstanding compliance issues.

Sincerely,

Daniel Sanchez OCD Compliance and Enforcement Manager, UIC Program Director Daniel Sanchez@statemnus

EC: Keith Herrmann, ENMRD Assistant General Counsel Encl: Additional Financial Assurance Report

> 1220 South St. Francis Drive • Santa Fe, New Maxico 87505 Phone (505) 476-3460 • Fax (505) 476-3482 • www.emnrd.state.nm.us/ocd



OCD Case No. 15589 Application for Compliance Order Against McKay Oil Corp., OGRID 14424 OCD Exhibit 3: Notifications of Violations Sent Page 9 of 14

> 1220 SOUTH ST. FRANCIS DRI SANTA FEI NEW MEXICO 8750 AMM. LDN

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CONSERVATION DIVISION

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BILL RICHARDSON Governor Joanna Prukop Cabinet Secretary

0001 4145 1140 1008 NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

Mark E. Fesmire, P.E. Director **Oll Conservation Division**

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Response Required - Deadline Enclosed

19-Jun-09

MCKAY OIL CORP One McKay Place P. O. Box 2014 Roswell NM 88202

LOV NO. 02-09-027

LETTER OF VIOLATION - Inspection

Dear Operator:

The following inspection(s) indicate that the well, equipment, location or operational status of the well(s) failed to meet standards of the New Mexico Oil Conservation Division as described in the detail section below. To comply with standards imposed by Rules and Regulations of the Division, corrective action must be taken immediately and the situation brought into compliance. The detail section indicates preliminary findings and/or probable nature of the violation. This determination is based on an inspection of your well or facility by an inspector employed by the Oil Conservation Division on the date(s) indicated.

Please notify the proper district office of the Division, in writing, of the date corrective actions are scheduled to be made so that arrangements can be made to reinspect the well and/or facility.

			INSPECTI	ON DETAIL	SECTION			
FIVE MILI Inspection Date	E TANK FEI Type Inspecti	ERAL No.002		Violation?	J-9-6S-23E *Significant Non-Compliance?	30-005-61403-00 Corrective Action Due By:	-00 Inspection No.	
06/19/2009	File and Con	npliance Review	Richard Inge	Yes	No	9/22/2009	iREI0917047532	
Comments	on Inspection:		D rule 19.15.25.8 108. Last reported			DONED. TA Statu:	s	
		Completion Acti	ther be returned to on Due By date. 1 een no production	This well will no		and abandoned by mporary Abandonme	ent	
CAMP STA Inspection Date	TE No.001 Type Inspectio		Inspector	Violation?	J-25-5S-22E *Significant Non-Compliance?	30-005-61446-00- Corrective Action Due By:	Inspection No.	
06/18/2009	Routine/Peri	odic	Richard Inge	Yes	No	9/21/2009	iRE10916949729	
Comments o	n Inspection:	Violation of OCD rule 19.15.25.8 WELLS TO BE PROPERLY ABANDONED. Expired TA on 1/19/2006. No equipment or flowline on location. The well must either be returned to beneficial use or properly plugged and abandoned by Completion Action Due By date. This well will not be approved for Temporary Abandonment since there has been no production reported on this well.						
· ·					esia, New Mexico 8821 //www.ennrd.state.nm.	Applicat Order A 0 OGRID	whibit 3: Notifications of ns Sent	

	ICO CS STAT	1 E .NO.UUZ			J-2-7S-22E	30-005-61586-00	-00
Inspection Date	Type Inspectio	n	Inspector	Violation?	*Significant Non-Compliance?	Corrective Action Due By:	Inspection No.
06/19/2009	File and Com	pliance Review	Richard Inge	Yes	No	9/22/2009	IREI0917048162
Comments	on Inspection:	Violation of OC production date		WELLS TO I	BE PROPERLY ABA	NDONED. Last repo	orted
					e, properly plugged ar n Action Due By date		ed into
Inspection	CKAY No.001		Inspector	Violation?	O-18-8S-26E *Significant	30-005-61616-00 Corrective	-00 Inspection No.
Date)6/19/2009	Type Inspection		Inspector Disband Inco	_	Non-Compliance?	Action Due By: 9/22/2009	iRE[0917047745
	on Inspection:	pliance Review Violation of OCI reported 2/1/200	D rule 19.15.25.8	Yes WELLS TO E	No IE PROPERLY ABAI		
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ICKAY-W	INSTON No.0	01			C-3-8S-26E	30-005-62145-00-	00 .
Inspection Date	Type Inspection		Inspector	Violation?	*Significant Non-Compliance?	Corrective Action Due By:	Inspection No.
6/19/2009	File and Com	liance Review	Richard Inge	Yes	No	9/22/2009	iREI0917047979
Comments o	n Inspection:) rule 19.15.25.8		E PROPERLY ABAN 2003.	IDONED. Expired T	`A on
					, properly plugged and Action Due By date.	d abandoned or placed	1 into
	AY HARVEY	FEDERAL A	No.001		B-26-8S-23E	30-005-62189-00-0)0
Inspection Date	Type Inspection		Inspector	Violation?	*Significant Non-Compliance?	Corrective Action Due By:	Inspection No.
	•• .	liance Review	-	Yes	No	9/22/2009	IRE10917048446
Comments or	1	production date 02	2/01/1997. Well v er be returned to l n Due By date. Th	vas under ACC beneficial use	PROPERLY ABAN DI-126A which expire or properly plugged au ot be approved for Ter 2/1/1007	d on 2/28/2007. Ind abandoned by	
ÉST FORK	UNIT No.001					30-005-62625-00-0	
Inspection	Type Inspection	1	nspector	Violation?	*Significant	Corrective	Inspection No.
	Routine/Periodi		Lichard Inge	Yes	Non-Compliance? No	Action Due By: 9/21/2009	iREI0916939489
Comments on	p A to T	roduction date 11. COI. But TA stat a flow line. he well must eithe	/01/2003. Well w tus has since expire tr be returned to b	eneficial use, p	PROPERLY ABANE II-126 and TA'd to cor 08. No equipment on properly plugged and a Action Due By date.	nplete requirements o location. Not hooke	f this d up
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Oil Conservation Division * 1301 W. Grand * Artesia, New Mexico 88210 Phone: 505-748-1283 * Fax: 505-748-9720 * http://www.emnrd.state.nm.us

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In the event that a satisfactory response is not received to this letter of direction by the "Corrective Action Due By:" date shown above, further enforcement will occur. Such enforcement may include this office applying to the Division for an order summoning you to a hearing before a Divison Examiner in Santa Fe to show cause why you should not be ordered to permanently plug and abandon this well. Such a hearing may result in imposition of CIVIL PENALTIES for your violation of OCD rules.

Sincerely.

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RILHARD INAS

Artesia OCD District Office

Note: Information in Detail Section comes directly from field inspector data entries - not all blanks will contain data. *Significant Non-Compliance events are reported directly to the EPA, Region VI, Dallas, Texas

> OCD Case No. 15589 Application for Compliance Order Against McKay Oil Corp., OGRID 14424 OCD Exhibit 3: Notifications of Violations Sent Page 12 of 14

Oil Conservation Division * 1301 W. Grand * Artesia, New Mexico 88210 Phone: 505-748-1283 * Fax: 505-748-9720 * http://www.emnrd.state.nm.us

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OCD Case No. 15589 Application for Compliance Order Against McKay Oil Corp., OGRID 14424 OCD Exhibit 3: Notifications of Violations Sent Page 13 of 14

State of New Mexico Energy, Minerals and Natural Resources Department

Susana Martinez Governor

Tony Delfin Acting Cabinet Secretary David R. Catanach, Division Director Oil Conservation Division



Response Required - Deadline Enclosed

14-Dec-16

MCKAY OIL CORP

One McKay Place P. O. Box 2014 Roswell NM 88202-

LETTER OF VIOLATION ~ Inactive Well(s)

Dear Operator:

A review of our records and recent inspection(s) indicate that the subject well(s) has been shut-in for an extended period of time. Rule 19.15.25.8 of the Rules and Regulation of the Oil Conservation Division provides that a well may be shut-in no longer than sixty days after suspension of drilling operations, upon determining that ther well is no longer usable (e.g., a dry hole), or one year after last production. To comply with guidelines as established in the Rules and Regulations, corrective actions must be taken immediately and the well(s) brought into compliance.

The detail section below indicates preliminary findings and/or probable nature of the violation.

The following options are available:

- 1. Immediately restore the well(s) to production, injection or disposal as applicable.
- 2. Request 'Temporary Abandoned' status pursuant to Rule 19.15.25.13, which requires that you set a plug and conduct a mechanical integrity test.
- 3. Submit a proposal to 'Plug and Abandon' the well(s) pursuant to Rule 19.15.25.9, proceed with plugging procedures on a timely basis after the proposal has been evaluated, amended and/or approved.

In the event that a satisfactory response is not received to this letter of direction by the "Corrective Action Due By:" date shown above, further enforcement will occur. Such enforcement may include this office applying to the Division for an order summoning you to a hearing before a Division Examiner in Santa Fe to show cause why you should not be ordered to permanently plug and abandon this well. Such a hearing may result in imposition of CIVIL PENALTIES for your violation of OCD rules.

	IDLE WELL INSPE	CTION DETAIL SECTIO	 DN			
CAMP STATE 001	J-25-58-22E	30-005-61446-00-00	Inspection No. iGC1634932416			
Inspection Date: 12/14/20	16 9:00:15 AM	Correctiv	e Action Due by: 3/19/2017			
Type Inspection	Inspector	Violation?	*Significant Non-Compliance?			
Routine/Periodic Comments on Inspection:	Gilbert Corder Violation of rule 19,15.25.8.	NO PRODUCTION REPORTS	No S			
ANTELOPE FEDERAL 001	E-29-4S-22E	30-005-61661-00-00	Inspection No. iGC1634944516			
Inspection Date: 12/14/20	16 12:21:55 PM	Corrective Action Due by: 3/19/2017				
Type Inspection	Inspector	Violation?	*Significant Non-Compliance?			
Routine/Periodic	Gilbert Corder	Yes	No			
Comments on Inspection:		LAST REPORTED PRODUCT	ΓΙΟΝ 2-1-15			
ANTELOPE FEDERAL 002	J-29-4S-22E	30-005-61766-00-00	Inspection No. iGC1634944233			

Oil Conservation Division * 811 S. First St. * Artesia, New Mexico 88210 Phone: 575-748-1283 * Fax: 575-748-9720 * http://www.emnrd.state.nm.us

Inspection Date: 12/14/2	2016 12:17:12 PM	Correc	tive Action Due by: 3/19/2017			
Type Inspection	Inspector	Violation?	*Significant Non-Compliance?			
Routine/Periodic	Gilbert Cordere	Yes	No			
Comments on Inspection:	Violation of rule 19.15.25.8.	LAST REPORTED PRODU	CTION 2-1-15			
ANTELOPE FEDERAL 00	3 M-29-4S-22E	30-005-61774-00-00	Inspection No. iGC1634943903			
Inspection Date: 2/14/2	2016 12:11:42 PM	Correc	tive Action Due by: 3/19/2017			
Type Inspection	Inspector	Violation?	*Significant Non-Compliance?			
Routine/Periodic	Gilbert Cordere) Yes	No			
Comments on Inspection:	Violation of rule 19.15.25.8.	LAST REPORTED PRODU	CTION 2-1-15			
PRONGHORN FEDERAL	001 A-30-4S-22E	30-005-62204-00-00	Inspection No. iGC1634944872			
Inspection Date: 12/14/2	2016 12:27:51 PM	Correc	tive Action Due by: 3/19/2017			
Type Inspection	Inspector	Violation?	*Significant Non-Compliance?			
Routine/Periodic	Gilbert Cordere	Yes	No			
Comments on Inspection:	Violation of rule 19.15.25.8.	LAST REPORTED PRODU	CTION 4-1-11			
WEST FORK UNIT 002	M-7-5S-22E	30-005-62482-00-00	Inspection No. iGC1634939207			
Inspection Date: 12/14/2	2016 10:53:26 AM	Corrective Action Due by: 3/19/2017				
Type Inspection	Inspector	Violation?	*Significant Non-Compliance?			
Routine/Periodic	Gilbert Cordero	Yes	No			
Comments on Inspection:	Violation of rule 19.15.25.8.	LAST REPORTED PRODU	CTION 3-1-09			
WEST FORK UNIT 001	C-32-4S-22E	30-005-62625-00-00	Inspection No. iGC1634943633			
Inspection Date: 2/14/2	2016 12:07:12 PM	Correct	live Action Due by: 3/19/2017			
Type Inspection	Inspector	Violation?	*Significant Non-Compliance?			
Routine/Periodic	Gilbert Cordero	Yes	No			
Comments on Inspection:	Violation of rule 19.15.25.8.	LAST REPORTED PRODU	CTION 11-1-03			
WEST FORK UNIT 004	K-32-4S-22E	30-005-62821-00-00	Inspection No. iGC1634941243			
Inspection Date: 12/14/2	2016 11:27:22 AM	Correct	tive Action Due by: 3/19/2017			
Type Inspection	laspector	Violation?	*Significant Non-Compliance?			
Routine/Periodic	Gilbert Cordere	Yes	No			
Comments on Inspection:	Violation of rule 19.15.25.8.	LAST REPORTED PRODU	C110N 7-1-12			

Thank you for your prompt attention to this matter and your efforts in helping to protect our environment and the infrastructure of the oil and gas industry.

Sincerely, Gilbert (Complia ordero **Compliance Officer**

Artesia OCD District Office

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* Significant Non-Compliance events are reported directly to the U.S. Environmental Protection Agency, Region VI, Dallas, Texas.

OCD Case No. 15589 Application for Compliance Order Against McKay Oil Corp., OGRID 14424 OCD Exhibit 3: Notifications of Violations Sent Page 14 of 14

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