

OCD EXHIBIT No. 4 (Revised)

Case No.15726

July 13, 2017

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EXHIBIT A to PROPOSED MODIFICATIONS OF RULE CHANGES

19.15.16.19 LOG, COMPLETION AND WORKOVER REPORTS

A. Completion report. Within ~~20 days~~ **(45 days in the case of a horizontal well)** after completion of a well drilled for oil or gas, or recompletion of a well into a common source of supply, the operator shall file a completion report with the division on form C-105. For the purpose of 19.15.16.19 NMAC, a hole drilled or cored below fresh water or that penetrates oil- or gas-bearing formations or that an owner drills is presumed to be a well drilled for oil or gas. The operator shall signify on form C-105, or alternately on form C-103, whether the well has been hydraulically fractured.

B. Hydraulic fracture disclosure. For a hydraulically fractured well, the operator shall also complete and file ~~the division's hydraulic disclosure form,~~ with the FracFocus chemical disclosure registry, ~~and with the division,~~ a completed hydraulic fracturing disclosure within 45 days after completion, **recompletion or other hydraulic fracturing treatment** of the well. The hydraulic fractureing disclosure shall include the well API number; the well name; the well number; the well location by unit, lot, section, township and range; the county where the well is located; the well's surface and bottom hole locations by footage from the section line; the operator's name and address; the operator's OGRID; the operator's phone number; the fracture date; the well's production type (oil or gas); the pool code; the well's gross fractured interval; the well's true vertical depth; the total volume of fluid pumped; and a description of the hydraulic fluid composition and concentration listing each ingredient and for each ingredient the trade name, supplier, purpose, chemical abstract service number, maximum ingredient concentration in additive as percentage by mass, maximum ingredient concentration in the hydraulic fracturing fluid as percentage by mass; certification by the operator that the information included on the hydraulic fracture disclosure form is true and complete to the best of the operator's knowledge and belief; and the signature, printed name, e-mail address and title of the operator or operator's designated representative. ~~be completed on a then current edition of the hydraulic fracturing fluid product component information form published by FracFocus and shall include complete and correct responses disclosing all information called for by the FracFocus form; provided that:~~

1. The division does not require the reporting of information beyond the material safety data sheet data as described in 29 C.F.R. 1910.1200.
2. The division does not require the reporting or disclosure of proprietary, trade secret or confidential business information.

C. If the FracFocus chemical disclosure registry is temporarily inoperable, the operator of a well on which hydraulic fracturing treatment(s) were performed shall file the information required by the then most recent FracFocus form with the division along with Well Completion Report (Forms C-105) or Sundry Notice (Form C-103) reporting the hydraulic fracture treatment and file the information on the FracFocus Internet website when the website is again operable. If the FracFocus chemical disclosure registry is discontinued or becomes permanently inoperable, the operator shall continue filing the information with the division until otherwise provided by rule or order.

19.15.7.16 WELL COMPLETION OR RECOMPLETION REPORT AND LOG (Form C-105):

A. Within ~~20~~ 45 days following the completion or recompletion of a well, the operator shall file form C-105 with the appropriate division district office accompanied by a summary of special tests conducted on the well, including drill stem tests. In addition, the operator shall file a copy of electrical and radio-activity logs run on the well with form C-105. If the division does not receive form C-105 with attached logs and summaries within the specified ~~20-day~~ 45-day period, the division shall withhold the allowable for the well until the operator has complied with 19.15.7.16 NMAC.

B. In the case of a dry hole, a complete record of the well on form C-105 with the attachments listed in Subsection A of 19.15.7.16 NMAC shall accompany the notice of intention to plug the well, unless previously filed. The division shall not approve the plugging report or release the bond the operator has complied with 19.15.7.16 NMAC.

C. The division shall not keep form C-105 and accompanying attachments confidential unless the well's owner requests in writing that the division keep it confidential. Upon such request, the division shall keep these data confidential for 90 days from the date of the well's completion, provided, however, that the report, logs and other attached data may, when pertinent, be introduced in a public hearing before division examiners, the commission or in a court of law, regardless of the request that they be kept confidential.