Form 3160-5 (March 2012)

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

abandoned well. Use Form 3160-3 (APD) for such proposals.

OCD Artesia

FORM APPROVED OMB No. 1004-0137 Expires: October 31, 2014

5. Lease Serial No.

NMNM 0303836
6. If Indian, Allottee or Tribe Name

SUNDRY NOTICES AND REPORTS ON WELLS Do not use this form for proposals to drill or to re-enter an

If Unit of CA/Agreement, Name and/or No. SUBMIT IN TRIPLICATE - Other instructions on page 2. 1. Type of Well 8. Well Name and No. Oil Well Gas Well Other Smith Federal Com #2 2. Name of Operator BC Operating, Inc. 9. API Well No 30-015-20807 3b. Phone No. (include area code) 10. Field and Pool or Exploratory Area 3a. Address P.O. Box 50820 Rock Tank; Upper Morrow (Gas) Midland, Texas 79710 432-684-9696 11. County or Parish, State 4. Location of Well (Footage, Sec., T., R., M., or Survey Description) Eddy County, New Mexico 660' FSL & 3300' FEL Unit Letter 'P', Section 11, T-23S, R-24E 12. CHECK THE APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT OR OTHER DATA TYPE OF SUBMISSION TYPE OF ACTION ___ Deepen Acidize Production (Start/Resume) Water Shut-Off ✓ Notice of Intent Alter Casing Fracture Treat Reclamation Well Integrity Casing Repair New Construction Recomplete ✓ Other Subsequent Report Change Plans Plug and Abandon Temporarily Abandon Change of Operator Final Abandonment Notice Convert to Injection Plug Back 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 recomplete 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 must be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompletion in a new interval, a Form 3160-4 must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has determined that the site is ready for final inspection.) This is notification that BC Operating, Inc. (#160825) is has taken over operations of this well Smith Federal Com #2. Per NTL89, BC Operating, Inc., as new operator, accepts all applicable terms, conditions, stipulations and restrictions concerning operations conducted on this well, on this lease or portion of the lease described. Bond Coverage: BLM Bond File No: NM 2572 Change of Operator Effective: 11/01/2013 JAN 17 2014 Former Operator: Sundown Energy, LP (#232611) MMOCD ARTESIA SEE ATTACHED FOR SUBJECT TO LIKE ccepted for record

NMOCD 1/17/2014 CONDITIONS OF APPROVAL APPROVAL BY STATE 14. I hereby certify that the foregoing is true and correct. Name (Printed/Typed) Pam Stevens Title Regulatory Analyst Stevens Date 11/01/2013 Signature THIS SPACE FOR FEDERAL OR STATE Approved by Is/ Jerry Blakley Γitle JAN 15 2014 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 Office entitle the applicant to conduct operations thereon. Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and will fully the United States any false. fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

BUREAU OF LAND MANAGEMENT Carlsbad Field Office 620 East Greene Street Carlsbad, New Mexico 88220 575-234-5972

Effective 11/1/2013 Bond NM2572

1/15/2014 Approved subject to Conditions of Approval. JDB Change of Operator Conditions of Approval

- 1. Tank battery must be bermed/diked (must be able to contain 1 1/2 times the volume of the largest tank).
- 2. Submit for approval of water disposal method.
- 3. Submit updated facility diagrams as per Onshore Order #3
- 4. This agency shall be notified of any spill or discharge as required by NTL-3A.
- 5. All outstanding environmental issue must be addressed within 90 days. Contact Jim Amos for inspection and to resolve environmental issues. 575-234-5909
- 6. Install legible well sign on location with operator name, well name and number, lease number, unit number, 1/4 1/4, section, township, and range. NMOCD requires the API number on well signs.
- 7. Subject to like approval by NMOCD.
- 8. All Reporting to ONRR (OGOR Reports) must be brought current within 30 days of this approval including any past history.
- 9. If this well is incapable of producing in paying quantities submit NOI to plug and abandon this well or obtain approval to do otherwise within 90 days.
- 10. If not in place acquire operating rights on this lease within 30 days with BLM office in Santa Fe, NM.