

14-788

OCD Artesia

Form 3160-5
(August 2007)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 1004-0135
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. NMNM92167 |
| 6. If Indian, Allottee or Tribe Name |
| 7. If Unit or CA/Agreement, Name and/or No. |
| 8. Well Name and No. DA VINCI 7 FEDERAL FRAC POND 003 |
| 9. API Well No. 30-015-40203 |
| 10. Field and Pool, or Exploratory HAY HALLOW; B.S. NORTH |
| 11. County or Parish, and State EDDY COUNTY, NM |

SUBMIT IN TRIPLICATE - Other Instructions on reverse side.

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| 1. Type of Well <input type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input checked="" type="checkbox"/> Other: UNKNOWN OTH | |
| 2. Name of Operator CIMAREX ENERGY CO OF COLORADO | |
| Contact: MICHELLE CHAPPELL Email: mchappell@cimarex.com | |
| 3a. Address 600 N. MARIENFELD STREET, SUITE 600 MIDLAND, TX 79701 | 3b. Phone No. (include area code) Ph: 432-620-1959 Fx: 432-620-1940 |
| 4. Location of Well (Footage, Sec., T., R., M., or Survey Description) Sec 7 T25S R27E SWSE | |

12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

| TYPE OF SUBMISSION | TYPE OF ACTION | | | |
|------------------------------------------------------|-----------------------------------------------|-------------------------------------------|----------------------------------------------------|-------------------------------------------|
| <input checked="" type="checkbox"/> Notice of Intent | <input type="checkbox"/> Acidize | <input type="checkbox"/> Deepen | <input type="checkbox"/> Production (Start/Resume) | <input type="checkbox"/> Water Shut-Off |
| <input type="checkbox"/> Subsequent Report | <input type="checkbox"/> Alter Casing | <input type="checkbox"/> Fracture Treat | <input type="checkbox"/> Reclamation | <input type="checkbox"/> Well Integrity |
| <input type="checkbox"/> Final Abandonment Notice | <input type="checkbox"/> Casing Repair | <input type="checkbox"/> New Construction | <input type="checkbox"/> Recomplete | <input checked="" type="checkbox"/> Other |
| | <input type="checkbox"/> Change Plans | <input type="checkbox"/> Plug and Abandon | <input type="checkbox"/> Temporarily Abandon | Surface Disturbance |
| | <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 recomple 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 recomple 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 site is ready for final inspection.)

Cimarex Energy Co. of Colorado respectfully requests approval to build a frac pond associated with the DaVinci 7 Federal Com 3H. The 3H battery is in the SW/SE of Sec. 7, T25S, R27E and the frac pond will be located in the NE 1/4 NW 1/4, both on lease NMNM-092167. The total area we would like to construct on would be 430' x 580' or 5.725 acres. The proposed pit will be 430' x 430' with a 430' x 150' turn around / truck unloading area. The pit floor will be lined with 8 oz felt, 20 mil poly liner and caliche to protect against any rocks. The pit will be fenced with an 8' game fence with a 12' gate. The pit will service Cimarex operated Bone Springs and Avalon completions in the area. Fast lines from water haulers will be utilized along existing roads to fill the pit and transport fresh water to the wells for fracture treating. When drilling has ceased in the area, the pit will be reclaimed, contoured and reseeded per BLM specs.

Please see attached diagrams.

Surface OK - See Attached COA's JR 3/31/14

Accepted for record
NMCCD 705
4-15-2014

RECEIVED
APR 15 2014
NMCCD ARTESIA

| | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| 14. I hereby certify that the foregoing is true and correct. Electronic Submission #237036 verified by the BLM Well Information System For CIMAREX ENERGY CO OF COLORADO, sent to the Carlsbad | |
| Name (Printed/Typed) MICHELLE CHAPPELL | Title REGULATORY TECHNICIAN |
| Signature (Electronic Submission) | Date 02/26/2014 |

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

| | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------------------|
| Approved By <u>Stephen T Coffey</u> | Title <u>Fva</u> FIELD MANAGER | Date <u>4</u> 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 entitle the applicant to conduct operations thereon. | | Office <u>CARLSBAD FIELD OFFICE</u> |

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

**** OPERATOR-SUBMITTED ** OPERATOR-SUBMITTED ** OPERATOR-SUBMITTED ****

Additional data for EC transaction #237036 that would not fit on the form

32. Additional remarks, continued

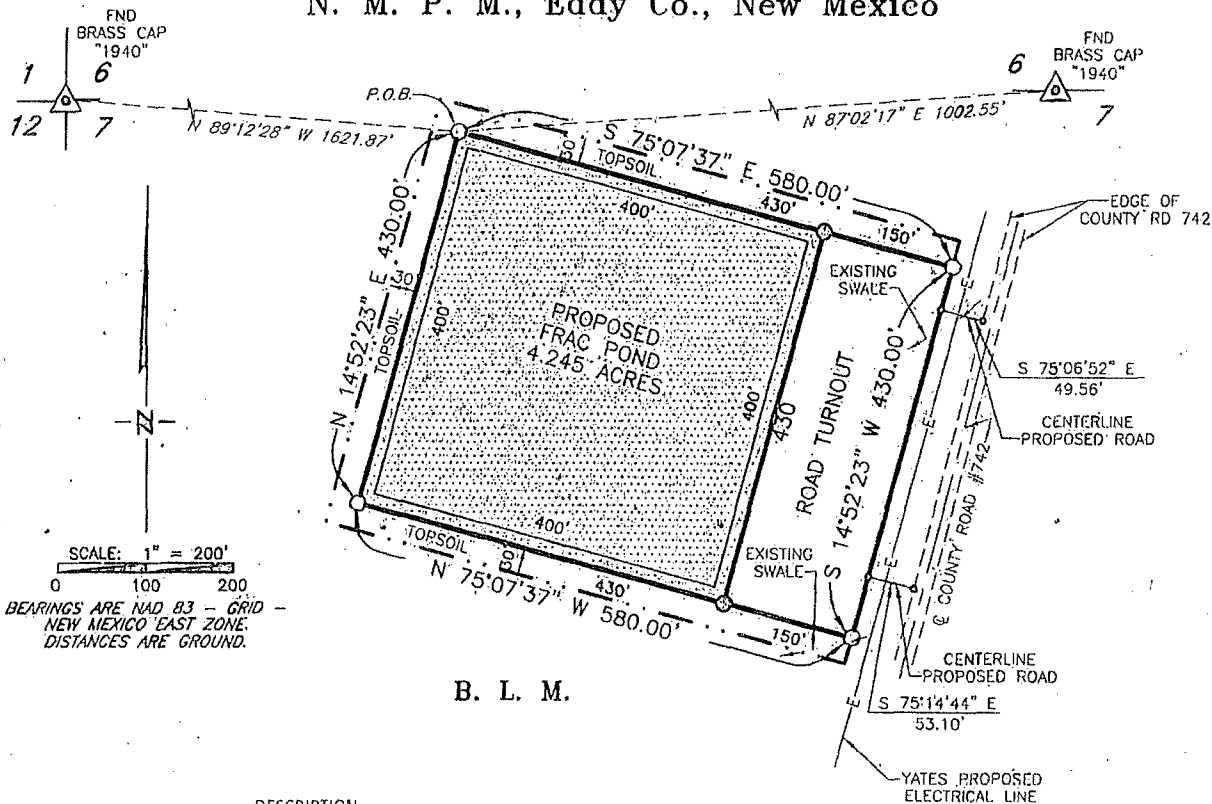
The following wells will utilize this pit for water storage for their frac jobs:

Scoter 6 Fed 3H, Scoter 6 Fed 4H, Marquardt Fed 12H, Marquardt 1 Fed 14H, Marquardt 1 Fed 15H, Marquardt 1 Fed 16H, Marquardt Fed 11H, Taos Fed 5H and Jake State 7H.

The water supply will be pumped from local area wells by M&M Excavating out of Carlsbad, NM.

This is located outside of the MOA boundary, so an arch report will be provided for the pit under a separate cover.

CIMAREX ENERGY COMPANY
DA VINCI 7 FEDERAL COM FRAC POND & ROAD TURNOUT
 Section 7, T-25-S, R-27-E,
 N. M. P. M., Eddy Co., New Mexico



B. L. M.

DESCRIPTION

A TRACT OF LAND SITUATED WITHIN SECTION 7, TOWNSHIP 25 SOUTH, RANGE 27 EAST, N. M. P. M., EDDY COUNTY, NEW MEXICO, ON B. L. M. LAND AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" REBAR WITH A CAP MARKED "HOWETT 19680" SET FOR A CORNER FROM WHICH A BRASS CAP, STAMPED "1940", FOUND FOR THE NORTHWEST CORNER OF THE AFOREMENTIONED SECTION 7 BEARS N 89°12'28" W, 1,621.87 FEET AND A BRASS CAP, STAMPED "1940", FOUND FOR THE NORTH QUARTER CORNER OF SAID SECTION 7 BEARS N 87°02'17" E, 1002.55 FEET;

THENCE S 75°07'37" E, 580.00 FEET TO A 5/8" REBAR WITH A CAP MARKED "HOWETT 19680" SET FOR A CORNER;

THENCE S 14°52'23" W, 430.00 FEET TO A 5/8" REBAR WITH A CAP MARKED "HOWETT 19680" SET FOR A CORNER;

THENCE N 75°07'37" W, 580.00 FEET TO A 5/8" REBAR WITH A CAP MARKED "HOWETT 19680" SET FOR A CORNER;

THENCE N 14°42'23" W, 430.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 249,400 SQUARE FEET OR 5.725 ACRES, MORE OR LESS.

I, ROBERT M. HOWETT, NEW MEXICO PROFESSIONAL SURVEYOR NO. 19680, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WAS PERFORMED UNDER MY DIRECT SUPERVISION AND THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF NEW MEXICO AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

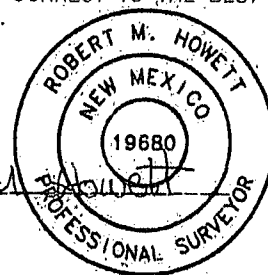
ROBERT M. HOWETT

DATE: 02/11/14

LEGEND



Record data per deed/plat
 Set 5/8" Rebar W/ Red Cap Marked "Howett NMPS 19680"
 Set 60d Nail



Firm No.: TX 10193838 NM 4655451

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| | | |
|--------------------|----------|---------|
| 1 | NAME | 2/25/14 |
| NO. | REVISION | DATE |
| JOB NO.: LS140083 | | |
| DWG. NO.: 140083FP | | |

RRC

308 W. BROADWAY ST., HOBBS, NM 88240 (575) 964-8200

SCALE: 1" = 200'

DATE: 2-10-14

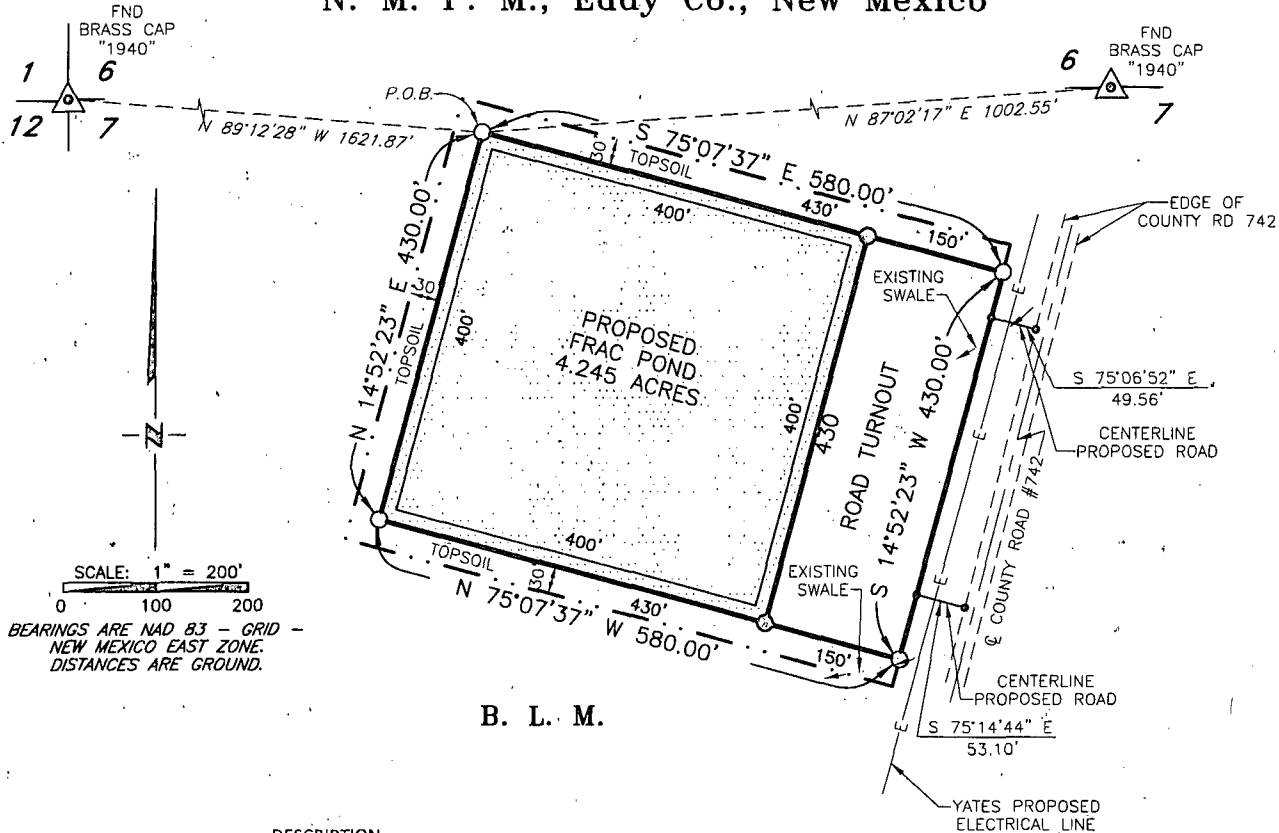
SURVEYED BY: BK/IE

DRAWN BY: KED

APPROVED BY: LWB

SHEET : 1 OF 1

CIMAREX ENERGY COMPANY
DA VINCI 7 FEDERAL COM FRAC POND & ROAD TURNOUT
 Section 7, T-25-S, R-27-E,
 N. M. P. M., Eddy Co., New Mexico



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ROBERT M. HOWETT *Robert M. Howett*

DATE: 02/11/14

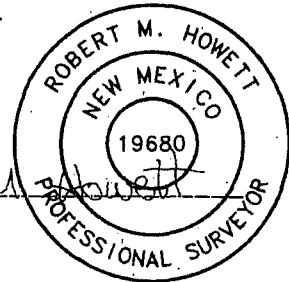
LEGEND



Record data per deed/plat

Set 5/8" Rebar W/ Red Cap Marked "Howett NMPS 19680"

Set 60d Nail



Firm No.: TX 10193838 NM 4655451

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| | | |
|-----------|----------|---------|
| 1 | NAME | 2/25/14 |
| NO. | REVISION | DATE |
| JOB NO.: | LS140083 | |
| DWG. NO.: | 140083FP | |

RRC

308 W. BROADWAY ST., HOBBS, NM 88240 (575) 964-8200

SCALE: 1" = 200'

DATE: 2-10-14

SURVEYED BY: BK/IE

DRAWN BY: KED

APPROVED BY: LWB

SHEET : 1 OF 1

BLM LEASE NUMBER: NMNM92167

COMPANY NAME: Cimarex Energy Company of Colorado

ASSOCIATED WELL NAME: Da Vinci 7 Federal 3H

FRAC POND CONDITIONS OF APPROVAL

A copy of the application (APD, Grant, or Sundry Notice) and attachments, including stipulations, survey plat and diagram, will be on location during construction. BLM personnel may request to see a copy of your permit during construction to ensure compliance with all conditions of approval.

Holder agrees to comply with the following conditions of approval to the satisfaction of the Authorized Officer:

1. The Holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this permit.
2. The Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated.
3. Required Standard Conditions of Approval:

a. Notification

Contact the Supervisory Environmental Protection Specialist, Jim Amos, at 575-234-5909 at least 24 hours prior to starting construction.

b. Freshwater Only

The frac pond will only be authorized to contain freshwater and testing of water quality is required. Additives are not allowed without consent of the authorized officer in writing.

c. Contamination

If at any time the water in the frac pond becomes polluted with salts or other contaminants, use of the frac pond will cease and desist, and all liquids will be removed from the frac pond and disposed of properly. The operator will preclude releases of oil into open pits. The operator must remove any accumulation of oil, condensate, or contaminant in a pit within 48 hours of discovery.

d. Authorized Disturbance

Confine all construction and maintenance activity to the approved authorized area applied for in the application.

e. Facilities

Porto-johns and trash containers will be on-location during fracturing operations or any other crew-intensive operations. Grey-water, sewage, and trash shall be removed from the site and disposed of properly at a state approved facility.

f. Escape Ramps

The operator will construct and maintain frac ponds to prevent livestock, wildlife, and humans from becoming entrapped. At a minimum, the operator will construct and maintain escape ramps, ladders, or other methods of avian and terrestrial wildlife escape in frac ponds. Escape ramps must be installed at every corner of

the frac pond and in the center of each side if that side exceeds 100 feet in length. Escape ramps must be in contact with the side of the frac pond, bottom of the frac pond, and the top of the frac pond berm. Escape ramps cannot be made of metal and cannot be steeper than a 3:1 slope (Horizontal Distance: Vertical Distance) or 30% slope. (*Examples of escape ramps: 12" wide wooden planks wrapped in matting, felt lining, etc.*)

g. Frac Pond Pipelines

Temporary pipelines flowing from the frac pond to the target well will be laid along existing roadways unless an exception has been granted by the authorized officer in writing.

h. Mineral Material from Excavation

Mineral materials extracted during construction of the frac pond will be stored on-location and/or used for constructing the frac pond.

i. Frac Pond Liner

The frac pond will be lined with at least a 30 mil. plastic liner. The plastic lining will be removed prior to final abandonment.

j. Topsoil Stockpile

The operator shall strip at least the top 6 inches of soil (root zone) from the entire frac pond area and stockpile the topsoil approximately 25 feet outside the bermed perimeter of the pond in a low profile manner, reasonably protected from wind and water erosion. Topsoil shall not be used for constructing the frac pond. The topsoil will be used for final reclamation purposes only.

k. Frac Pond Fence

The operator will install and maintain enclosure fencing on all sides of the frac pond to prevent access to public, livestock, and large forms of wildlife. The fence shall be installed at the base of the berm and never on top of the berm.

Construction of the fence shall consist of steel and/or wooden posts set firmly into natural ground. Hog panel or chain-link fencing must be used as the fence and tied securely to the fence posts. Barbed-wire fencing or electric fences shall not be used. The fence height shall not be shorter than six (6) feet. The erected fence shall be maintained in adequate condition until the frac pond is reclaimed.

l. Erosion Prevention

Install earthen erosion-control structures as are suitable for the specific terrain and soil conditions.

m. Reclamation Start

I. Reclamation efforts will commence immediately after the frac pond is no longer needed for the purpose of completing wells.

II. Within 3 months of completion of frac operations on associated wells, all earthwork and final reclamation must be completed. This includes reclaiming and/or removal of:

- i. Any roads approved for use with the pond
- ii. Surface water lines
- iii. Tanks, pumps, fencing etc.

Requirements for Operations and Final Reclamation:

4. If, during any phase of the construction, operation, maintenance, or termination of the frac pond, any pollutant should be released from the contaminated frac pond, the control and total removal, disposal, and cleaning up of such pollutant, wherever found, shall be the responsibility of holder, regardless of fault.

Upon failure of holder to control, dispose of, or clean up such discharge, or to repair all damages resulting there-from, the Authorized Officer may take such measures as he deems necessary to control and clean up the discharge and restore the area, including where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve holder of any responsibility as provided herein.

5. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf shall be immediately reported to the Authorized Officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

6. The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes the roads, pads, associated pipeline corridor, and adjacent land affected by the establishment of weeds due to this action. The operator shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.

7. After all disturbed areas have been satisfactorily contoured and prepared for seeding the location needs to be revegetated with the seed mixture provided. Seeding may need to be repeated until revegetation is successful. Operators shall contact Jim Amos, Supervisor, Environmental Protection – (575)234-5909, **prior** to beginning surface reclamation operations.

8. Seeding is required: Use the following seed mix.

- | | |
|--------------------------------------------------------|--------------------------------------------------|
| <input checked="" type="checkbox"/> (X) seed mixture 1 | <input type="checkbox"/> () seed mixture 3 |
| <input type="checkbox"/> () seed mixture 2 | <input type="checkbox"/> () seed mixture 4 |
| <input type="checkbox"/> () LPC mixture | <input type="checkbox"/> () Aplomado Falcon mix |

9. Special Stipulations:
None.

Seed Mixture 1, for Loamy Sites

The holder shall seed all disturbed areas with the seed mixture listed below. The seed mixture shall be planted in the amounts specified in pounds of pure live seed (PLS)* per acre. There shall be no primary or secondary noxious weeds in the seed mixture. Seed will be tested and the viability testing of seed will be done in accordance with State law(s) and within nine (9) months prior to purchase. Commercial seed will be either certified or registered seed. The seed container will be tagged in accordance with State law(s) and available for inspection by the authorized officer.

Seed will be planted using a drill equipped with a depth regulator to ensure proper depth regulator to ensure proper depth of planting where drilling is possible. The seed mixture will be evenly and uniformly planted over the disturbed area (small/heavier seeds have a tendency to drop the bottom of the drill and are planted first). The holder shall take appropriate measures to ensure this does not occur. Where drilling is not possible, seed will be broadcast and the area shall be raked or chained to cover the seed. When broadcasting the seed, the pounds per acre are to be doubled. The seeding will be repeated until a satisfactory stand is established as determined by the authorized officer. Evaluation of growth will not be made before completion of at least one full growing season after seeding.

Species to be planted in pounds of pure live seed* per acre:

Species

lb/acre

| | |
|-----------------------------------------------------|-----|
| Plains lovegrass (<i>Eragrostis intermedia</i>) | 0.5 |
| Sand dropseed (<i>Sporobolus cryptandrus</i>) | 1.0 |
| Sideoats grama (<i>Bouteloua curtipendula</i>) | 5.0 |
| Plains bristlegrass (<i>Setaria macrostachya</i>) | 2.0 |

*Pounds of pure live seed:

Pounds of seed x percent purity x percent germination = pounds pure live seed