Form 3160-5 (August 2007) DEPARTMENT OF THU BUREALLOF LAND MA	IE INTERIOR Isbad Field Expires: July 31, 2010
SUNDRY NOTICES AND REI	PORTS ON WELLS PAR LCS II Indian, Allottee or Tribe Name
Do not use this form for proposals abandoned well. Use Form 3160-3	is to drill or to re-enter an
SUBMIT IN TRIPLICATE - Ott 1. Type of Well	ther instructions on page 2. 7. If Unit of CA/Agreement, Name and/or No. Burton Flat Deep Unit
Oil Well Gas Well Other	8. Well Name and No. 52H
2. Name of Operator DEVON ENERGY PRODUCTION CO.,	9. APJ Well No. 30-015-40693
3a. Address 333 WEST SHERIDAN AVENUE OKC, OK 73102	3b. Phone No. (include area code) 10. Field and Pool or Exploratory Area (405) 552-7970 Avalon; BONE SPRING
4. Location of Well (Footage, Sec., T.,R.,M., or Survey Description	
SEC. , T21S, R27E	Eddy County, NM
12. CHECK THE APPROPRIATE	E BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT OR OTHER DATA
TYPE OF SUBMISSION	TYPE OF ACTION
Notice of Intent	Deepen Production (Start/Resume) Water Shut-Off
Alter Casing	Fracture Treat Reclamation Well Integrity
Subsequent Report	New Construction Recomplete I Other Flaring
Change Plans	Plug and Abandon Temporarily Abandon
Final Abandonment Notice	ion 🗌 Plug Back 🗌 Water Disposal
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BUREAU OF LAND MANAGEMENT Carlsbad Field Office 620 East Greene Street Carlsbad, New Mexico 88220 575-234-5972

Devon Energy Production Co. Burton Flat Deep Unit 51H, 58H NM0560289 / Unit # NM70798D

March 15, 2016

This field office has evaluated the attached Notice of Intent as a request for flaring/venting beyond NTL-4A allowable thresholds (reasons, timeframes and volumes), and has determined the following Conditions of Approval apply.

Condition of Approval to Flare Gas

- 1. Comply with NTL-4A requirements
- 2. Subject to like approval from NMOCD
- 3. Flared volumes are considered "avoidably lost" and will require payment of royalties. Volumes shall be reported on OGOR "B" reports as disposition code "08
- 4. "Avoidably lost" flare volumes shall be metered due to their royalty bearing status. Install gas meter on vent/flare line to measure gas prior to venting/flaring operations if it is not equipped as such at this time.
- 5. Vent/flare gas metering to meet all requirements for a sales meter as per Federal Regulations, Onshore Order #5 and NTL 2008-01. Include meter serial number on sundry (form 3160-5).
- 6. This approval does not authorize any additional surface disturbance.
- An updated facility diagram is required within 60 days of modifications to existing facilities per Onshore Order #3.
- Approval not to exceed 30 days, (from <u>3/14/2016</u> to <u>4/13/2016</u>), if flaring is still required past 14 days submit new request for approval.
- 9. Submit Subsequent Report with actual volumes of gas flared for each month gas is flared on a sundry form 3160-5.

Definition: As per **NTL-4A II. A.** "Avoidably lost" production shall mean the venting or flaring of produced gas without the prior authorization, approval, ratification, or acceptance of the Supervisor and the loss of produced oil or gas when the Supervisor determines that such loss occurred as a result of (1) negligence on the part of the lessee or operator, or (2) the failure of the lessee or operator to take all reasonable measures to prevent and/or to control the loss, or (3) the failure of the lessee or operator to comply fully with the applicable lease terms and regulations, appropriate provisions of the approved operating plan, or the prior written orders of the Supervisor, or (4) and combination of the foregoing.

43CFR3162.7-1 (a) The operator shall put into marketable condition, if economically feasible, all oil, other hydrocarbons, gas and sulphur produced from the leased land.

43CFR3162.1 (a) The operating rights owner or operator, as appropriate, shall comply with applicable laws and regulations; with the lease terms, Onshore Oil and Gas Orders, NTL's; and with other orders and instructions of the authorized officer. These include, but are not limited to, conducting all operations in a manner which ensures the proper handling, measurement, disposition, and site security of leasehold production; which protects other natural resources and environmental quality; which protects life and property; and which results in maximum ultimate economic recovery of oil and gas with minimum waste and with minimum adverse effect on ultimate recovery of other mineral resources.