SUNDRY NOTICES AND REPORTS ON WELLS NMLC049998B Do not use this form for proposals to drill or to re-enter an abandoned well. Use form 3160-3 (APD) for such proposals. 6. If Indian, Allottee or Tribe Name SUBMIT IN TRIPLICATE - Other instructions on page 2 7. If Unit or CA/Agreement, Name and No. HUMMINOBIRD FEDERAL COM HUMMINOBIRD FEDERAL		EPARTMENT OF THE INT UREAU OF LAND MANAGE			MB NO. 1004-0137 res: January 31, 2018
SUBMIT IN TRIPLICATE - Other instructions on page 2 7. If Unit or CA-Agresment, Name and I. Type of Well Gas Well B Other: UNKNOWN OTH 8. Well Name and No. I. On Well Gas Well B Other: UNKNOWN OTH 8. Well Name and No. I. Share of Operation E.Mait: Emily FolisiB @geochecop.com 9. Address 3. 30 VETERANS AIRPARK LANE SUITE 1000 The Prove No. (neclede area code) 9. Feb J. Status of Developmenty Area 3. 30 VETERANS AIRPARK LANE SUITE 1000 The Prove No. (neclede area code) 10. Field and Pool or Evaluation y Area 3. 40 Adress Sec 1 117S R31E SWNW 2310FNL 100FWL EDDY COUNTY COUNTY, N Sec 1 117S R31E SWNW 2310FNL 100FWL EDDY COUNTY COUNTY, N 12. CHECK THE APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA TYPE OF ACTION II. Adress II. Adress II. Adress II. Adress II. Adress II. Adress II. Adress II. Adress II. Adress II. CHECK THE APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA III. Ceansy or Parish, State II. CHECK THE APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA III. Ceansy or Parish, State II. Adress III. Ceansy or Parish, State III. Ceansy or Parish,	SUNDRY	NOTICES AND REPORT	S ON WELLS		
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	Subsequent Report	• ,	New Construction	Recomplete	Other
13. Describe Proposed or Completed Operation: Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration in If the proposal is to deepen directionally or recomplete horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and and the Bond More. Mile With BLMBIA. Required subsequent reports must be filed within 30 of following completion of the involved operations. If the operation results in a multiple completion or recompletion in a new interval, a from 3160-4 must be filed within 30 of following completion of the involved operations. If the operation must be filed within 30 of following completion of the involved operations. If the operation is must be filed within 30 of following completion of the involved operations. If the operation is must be filed within 30 of following completion of the involved operations. If the operation is must be filed within 30 of following completion of the involved operations. The below listed wells. Gas will be measured and the operator of thermined that the site is ready for final inspection. Apache is requesting to flare an estimated 2mmcf per day for 90 days from 03/27/17thru 06/27/2017 on the below listed wells. Gas will be measured prior to flaring. Hummingbird Foderal Com 7H API # 30-015-43050 // JUL 1 9 201 SEE ATTACHED FOR Hummingbird Battery 12(NORTH) located Section 1 T17s R31E 14. 1 hereby certify that the foregoing is true and correct. Electronic Submission #371166 verified by the BLM Well Information System For APACHE CORPORATION, sent to the Cartistad Committed to AFMSS for processing by DEBORAH MCKINNEY on D3/22/2017 Name (Printed Typed) EMILY FOLLIS Signature (Electronic Submission) THIS SPACE FOR FEDERAL OR STAT OF Fick USE Approved By. Conditions of approval, if any, are attached. Approval of this notice does not warrant or cartify that the applicant holds legal or equitable file to those rights in the subject lease which would entitle the applica	Final Abandonment Notice		-		-
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Additional data for EC transaction #371166 that would not fit on the form

32. Additional remarks, continued

NOTE: HUMMINGBIRD FEDERAL NORTH BATTERY(3)

- 6

- METER # F124
 Volumes are being reported to the BLM
 Copies have been sent to the OCD
 Facility diagram with Flare location has been sent previously

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

Pursuant to, 43 CFR 3179

Lessees or operators are hereby authorized to vent or flare gas on a short-term basis <u>without incurring a</u> <u>royalty</u> obligation in the following circumstances:

- A. 43 CFR 3179.105 Emergencies (a) An operator may flare or, if flaring is not feasible given the emergency, vent gas royalty-free under §3179.4 (a) (vi) of this subpart during an emergency. For purposes of this subpart, an "emergency" is a temporary, infrequent and unavoidable situation in which the loss of gas or oil is uncontrollable or necessary to avoid risk of an immediate and substantial adverse impact on safety, public health, or the environment. For purposes of royalty assessment, an "emergency" is limited to a short-term situation of 24 hours or less (unless the BLM agrees that the emergency conditions necessitating venting or flaring extend for a longer period) caused by an unanticipated event or failure that is out of the operator's control and was not due to operator negligence.
- B. 43 CFR 3179.4 Determining when the loss of oil or gas is avoidable or unavoidable.
 (2) Avoidably lost oil or gas means: Lost oil or gas that is not "unavoidably lost," as defined in paragraph (a) of this section; waste oil that became waste oil through operator negligence; and, any "excess flared gas," as defined in §3179.7.
- C. 43 CFR 3179.5 When lost production is subject to royalty.
 (a) Royalty is due on all avoidably lost oil or gas.
 (b) Royalty is not due on any unavoidably lost oil or gas.

Condition of Approval to Flare Gas

- The first 24 hours of a <u>temporary emergency flare</u> is considered "unavoidably lost" and is therefore royalty free. Flared volumes that are considered unavoidably lost are not to be included in Sundry Notice (Form 3160-5). These Volumes are not royalty bearing and shall be reported on OGOR "B" as either disposition code "21" or "22".
- 2. Flared volumes considered to be "avoidably lost":

These flare events will require prior approval via Notice of Intent- Sundry Notice (Form 3160-5). Volumes flared beyond limits defined in 43 CFR 3179.7 are considered "avoidably lost" and will require payment of royalties, unless an exception is granted in accordance with 43 CFR 3179. Volumes for avoidably lost gas shall be reported on OGOR "B" reports as disposition code "08".

If the operator believes that the flared volumes were "unavoidably lost" and the BLM determines them to be "avoidably lost", the operator can submit a more detailed request via Sundry Notice (Form 3160-5) for an exception in accordance with 43 CFR 3179.4, 3179.103 - 3179.105. As an alternative to producing oil and flaring gas the operator may choose to shut the well in and avoid paying royalties on otherwise avoidably lost gas.

3. Approval not to exceed 90 days, if flaring is still required past 90 days submit new request for approval.

- 4. Submit Subsequent Report with actual volumes of gas flared for each month gas is flared on a Sundry Notice (Form 3160-5). <u>Include method for volume determination and duration</u>. <u>Report</u> <u>unavoidably lost (first 24 hrs. of unexpected event) and avoidably lost (exceeding the first 24 hrs. or flared gas that has been approved as avoidably lost by the Authorized Officer) volumes and durations on the Subsequent Report.</u>
- 5. In determining the volumes of gas to be reported, shall be in accordance with 43 CFR 3179.4, 43 CFR 3179.5, 43 CFR 3179.9 and 43 CFR 3179.10
- 6. The operator must estimate or measure all volumes of gas vented or flared gas by one of the following methods.
 - Measure the flare gas by a meter. The meter shall meet all requirements for a sales meter as per Federal Regulations, 43 CFR 3175 (due to volume of gas being flared).
 Include meter serial number on Sundry Notice (Form 3160-5).
 - ii. Calculate the volume of the flared gas based on the results of a regularly performed GOR test and measured values for the volumes of oil production and gas sales, so as to allow BLM to independently verify the volume, rate, and heating value of the gas flared.

Regulation Ref: Link to 43 CFR 3179 Waste Prevention and Resources Conservation; <u>https://www.ecfr.gov/cgi-</u>

bin/retrieveECFR?gp=1&SID=dbd49eda8cdc488870172ed096d47be9&ty=HTML&h=L&mc=true &n=sp43.2.3170.3179&r=SUBPART