

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENTNMOCD  
ArtesiaFORM APPROVED  
OMB NO. 1004-0137  
Expires: January 31, 2018**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.  
NMLC029426B

6. If Indian, Allottee or Tribe Name

7. If Unit or CA/Agreement, Name and/or No.

**SUBMIT IN TRIPLICATE - Other instructions on page 2**

1. Type of Well

☒ Oil Well ☐ Gas Well ☐ Other8. Well Name and No.  
H.E. WEST B2 0432. Name of Operator  
LINN OPERATING, INC.Contact: MINDY K KOTESKY  
E-Mail: MKOTESKY@LINNENERGY.COM9. API Well No.  
30-015-260493a. Address  
600 TRAVIS, STE 1400  
HOUSTON, TX 770023b. Phone No. (include area code)  
Ph: 281-840-420810. Field and Pool or Exploratory Area  
GRAYBURG JACKSON;SRQGSA

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)

Sec 9 T17S R31E Mer 6PM 660FSL 760FWL

11. County or Parish, State

EDDY COUNTY COUNTY, NM

**12. CHECK THE 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"/> Hydraulic Fracturing	<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	Venting and/or Flaring
	<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 recompleteness 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 recompleteness 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.

LINN RESPECTFULLY REQUESTS TO FLARE FROM 5/1/17 TO 7/31/17 AT 52 MCF/D FROM THE H.E. WEST B2 BATTERY DUE TO REQUEST FROM FRONTIER GAS PLANT TO SHUT-IN BATTERY DUE TO HIGH NITROGEN CONTENT IN GAS. PLEASE SEE ATTACHED LIST FOR THE WELLS INCLUDED IN THIS BATTERY.

NM OIL CONSERVATION  
ARTESIA DISTRICT

AUG 29 2017

RECEIVED

SEE ATTACHED FOR  
CONDITIONS OF APPROVAL

14. I hereby certify that the foregoing is true and correct.

**Electronic Submission #382096 verified by the BLM Well Information System  
For LINN OPERATING, INC., sent to the Carlsbad  
Committed to AFMSS for processing by JENNIFER SANCHEZ on 08/08/2017 ()**

Name (Printed/Typed) MINDY K KOTESKY

Title REGULATORY SPECIALIST

Signature (Electronic Submission)

Date 07/21/2017

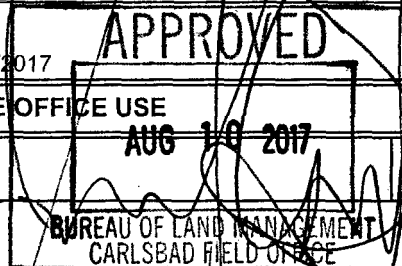
**THIS SPACE FOR FEDERAL OR STATE OFFICE USE**

Approved By

Title

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



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.

(Instructions on page 2)

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

# H.E. WEST B2 BATTERY

30-015-05061	H E WEST A	#002	Oil	Federal	✓
<del>30-015-05066</del>	<del>H E WEST A</del>	<del>#007</del>	<del>Oil</del>	<del>Federal</del>	
30-015-26015	H E WEST A	#015	Oil	Federal	✓
30-015-26573	H E WEST A	#018	Oil	Federal	✓
30-015-26790	H E WEST A	#019	Oil	Federal	✓
30-015-26793	H E WEST A	#020	Oil	Federal	✓
30-015-26787	H E WEST A	#021	Oil	Federal	✓
30-015-27127	H E WEST A	#022	Oil	Federal	✓
30-015-27128	H E WEST A	#023	Oil	Federal	✓
30-015-27368	H E WEST A	#024	Oil	Federal	✓
30-015-27369	H E WEST A	#025	Oil	Federal	✓
30-015-28321	H E WEST A	#026	Oil	Federal	✓
30-015-28322	H E WEST A	#027	Oil	Federal	✓
30-015-28318	H E WEST A	#028	Oil	Federal	✓
30-015-28467	H E WEST A	#029	Oil	Federal	✓
30-015-28465	H E WEST A	#030	Oil	Federal	✓
30-015-28323	H E WEST A	#031	Oil	Federal	✓
30-015-28324	H E WEST A	#032	Oil	Federal	✓
30-015-28325	H E WEST A	#033	Oil	Federal	✓
30-015-28536	H E WEST A	#034	Oil	Federal	✓
30-015-26049	H E WEST B	#043	Oil	Federal	✓
30-015-26099	H E WEST B	#045	Oil	Federal	✓
30-015-27148	H E WEST B	#053	Oil	Federal	✓
30-015-27150	H E WEST B	#054	Oil	Federal	✓
30-015-27564	H E WEST B	#062	Oil	Federal	✓
30-015-27480	H E WEST B	#063	Oil	Federal	✓
30-015-27402	H E WEST B	#064	Oil	Federal	✓
30-015-28132	H E WEST B	#073	Oil	Federal	✓
30-015-28264	H E WEST B	#074	Oil	Federal	✓
30-015-28466	H E WEST B	#076	Oil	Federal	✓
30-015-28314	H E WEST B	#077	Oil	Federal	✓
30-015-28315	H E WEST B	#079	Oil	Federal	✓
30-015-28299	H E WEST B	#080	Oil	Federal	✓
30-015-28316	H E WEST B	#081	Oil	Federal	✓
30-015-28483	H E WEST B	#083	Oil	Federal	✓
30-015-28300	H E WEST B	#084	Oil	Federal	✓
30-015-28388	H E WEST B	#086	Oil	Federal	✓
30-015-28468	H E WEST B	#087	Oil	Federal	✓
30-015-28537	H E WEST B	#088	Oil	Federal	✓
30-015-28565	H E WEST B	#089	Oil	Federal	✓
30-015-28470	H E WEST B	#091	Oil	Federal	✓
30-015-28538	H E WEST B	#092	Oil	Federal	✓
30-015-05059	H E WEST B	#025	Oil	Federal	✓
30-015-25921	H E WEST B	#031	Oil	Federal	✓
30-015-25989	H E WEST B	#034	Oil	Federal	✓
30-015-26033	H E WEST B	#041	Oil	Federal	✓
30-015-26044	H E WEST B	#042	Oil	Federal	✓

ABD

## H.E. WEST B2 BATTERY

30-015-26791	H E WEST B	#049	Oil	Federal ✓
30-015-27109	H E WEST B	#050	Oil	Federal ✓
30-015-27110	H E WEST B	#051	Oil	Federal ✓
30-015-27149	H E WEST B	#052	Oil	Federal ✓
30-015-27353	H E WEST B	#056	Oil	Federal ✓
30-015-27317	H E WEST B	#057	Oil	Federal ✓
30-015-27311	H E WEST B	#058	Oil	Federal ✓
30-015-27318	H E WEST B	#059	Oil	Federal ✓
30-015-27561	H E WEST B	#060	Oil	Federal ✓
30-015-27401	H E WEST B	#061	Oil	Federal ✓
30-015-28634	H E WEST B	#065	Oil	Federal ✓
30-015-27785	H E WEST B	#066	Oil	Federal ✓
30-015-27354	H E WEST B	#067	Oil	Federal ✓
30-015-28575	H E WEST B	#068	Oil	Federal ✓
30-015-28535	H E WEST B	#069	Oil	Federal ✓
30-015-28574	H E WEST B	#070	Oil	Federal ✓
30-015-28573	H E WEST B	#071	Oil	Federal ✓
30-015-28466	H E WEST B	#076	Oil	Federal ✓
30-015-28387	H E WEST B	#085	Oil	Federal ✓

**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 without incurring a royalty 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**

- 1. The first 24 hours of a temporary emergency flare 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). Include method for volume determination and duration. Report 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.
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.
  - i. 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**;  
<https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=dbd49eda8cdc488870172ed096d47be9&ty=HTML&h=L&mc=true&n=sp43.2.3170.3179&r=SUBPART>