

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

**NMOCD**  
**Artesia**

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. Multiple--See Attached
6. If Indian, Allottee or Tribe Name
7. If Unit or CA/Agreement, Name and/or No. Multiple--See Attached
8. Well Name and No. Multiple--See Attached
9. API Well No. Multiple--See Attached
10. Field and Pool, or Exploratory Multiple--See Attached
11. County or Parish, and State  EDDY COUNTY, NM

**SUBMIT IN TRIPLICATE - Other instructions on reverse side.**

1. Type of Well <input checked="" type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input type="checkbox"/> Other	
2. Name of Operator XTO ENERGY INCORPORATED	Contact: PATTY R URIAS E-Mail: patty_urias@xtoenergy.com
3a. Address 500 W ILLINOIS STREET SUITE 100 MIDLAND, TX 79701	3b. Phone No. (include area code) Ph: 432-620-4318 Fx: 432-618-3530
4. Location of Well (Footage, Sec., T., R., M., or Survey Description) Multiple--See Attached	

**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 Venting and/or Flaring
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon	
	<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 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 shall 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 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.)

NASH 42 BATTERY

*April - End of June*

**ASSOCIATED WELLS:**

- NASH UNIT #001 30-015-21277
- NASH UNIT #005 30-015-21800
- NASH UNIT #006 30-015-21803
- NASH UNIT #010 30-015-26992
- NASH UNIT #011 30-015-27520
- NASH UNIT #012 30-015-27602
- NASH UNIT #013 30-015-27316
- NASH UNIT #014 30-015-27510
- NASH UNIT #015 30-015-28049

**NM OIL CONSERVATION**  
ARTESIA DISTRICT

APR 20 2016

RECEIVED

SEE ATTACHED FOR  
CONDITIONS OF APPROVAL

Accepted for record  
NMOCDAB 4/26/16

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

Electronic Submission #335343 verified by the BLM Well Information System  
For XTO ENERGY INCORPORATED, sent to the Carlsbad  
Committed to AFMSS for processing by PRISCILLA PEREZ on 04/01/2016 (16PP0013SE)

Name (Printed/Typed) PATTY R URIAS	Title REGULATORY ANALYST
Signature (Electronic Submission)	Date 04/01/2016

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

Approved By _____	Title _____	Date APR 13 2016
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.

**\*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\* BLM REVISED \*\***

**Additional data for EC transaction #335343 that would not fit on the form**

**5. Lease Serial No., continued**

NMNM0499988  
 NMNM0554221  
 NMNM0554223  
 NMNM0556857  
 NMNM0556859  
 NMNM0556859A  
 NMNM0556863  
 NMNM10776  
 NMNM14140  
 NMNM17589  
 NMNM19246  
 STATE

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

891014168B  
 891014168X

**Wells/Facilities, continued**

Agreement	Lease	Well/Fac Name, Number	API Number	Location
NMNM70992C	NMNM0554221	NASH UNIT 39H	30-015-36951-00-S1	Sec 12 T23S R29E NESW 2415FSL 1645FWL 32.319023 N Lat, 103.941525 W Lon
NMNM70992C	NMNM10776	NASH UNIT 40H	30-015-37166-00-S1	Sec 12 T23S R29E NESW 2374FSL 1616FWL
NMNM70992C	STATE	NASH UNIT 1	30-015-21277-00-S3	Sec 13 T23S R29E SENE 1980FNL 660FEL
NMNM70992C	NMNM19246	NASH UNIT 10	30-015-26992-00-S1	Sec 13 T23S R29E SWNE 1750FNL 1850FEL
NMNM70992C	NMNM0556859A	NASH UNIT 11	30-015-27520-00-S1	Sec 12 T23S R29E SESW 498FSL 2000FWL
NMNM70992C	NMNM17589	NASH UNIT 12	30-015-27602-00-S1	Sec 12 T23S R29E SWSE 918FSL 2153FEL
NMNM70992C	NMNM0556859A	NASH UNIT 13	30-015-27316-00-S1	Sec 12 T23S R29E NESW 2315FSL 1746FWL
NMNM70992C	STATE	NASH UNIT 14	30-015-27510-00-S1	Sec 13 T23S R29E NENE 660FNL 500FEL
NMNM70992C	NMNM0556859	NASH UNIT 15	30-015-28049-00-S1	Sec 13 T23S R29E NWNW 10FNL 475FWL
NMNM70992C	NMNM14140	NASH UNIT 19	30-015-27590-00-S1	Sec 12 T23S R29E NWSE 2202FSL 2201FEL
NMNM70992C	NMNM0556857	NASH UNIT 20	30-015-27877-00-S1	Sec 18 T23S R30E NENW 1230FNL 1350FWL
NMNM70992C	NMNM0556859	NASH UNIT 23	30-015-28272-00-S1	Sec 13 T23S R29E SWNW 1650FNL 990FWL
NMNM70992C	NMNM0556859	NASH UNIT 24	30-015-28271-00-S1	Sec 14 T23S R29E SENE 1750FNL 890FEL
NMNM70992C	NMNM0556859	NASH UNIT 25	30-015-28818-00-S1	Sec 14 T23S R29E NESE 1650FSL 500FEL
NMNM70992C	NMNM0554221	NASH UNIT 33	30-015-32476-00-S1	Sec 12 T23S R29E SWSW 10FSL 175FWL
NMNM70992C	NMNM14140	NASH UNIT 34	30-015-33991-00-S1	Sec 12 T23S R29E NWSE 2403FSL 2102FEL
NMNM70992C	NMNM0554221	NASH UNIT 36	30-015-30176-00-S1	Sec 12 T23S R29E NESW 1460FSL 1585FWL
NMNM70992C	NMNM0556859	NASH UNIT 38	30-015-29737-00-S1	Sec 13 T23S R29E SESW 330FSL 2450FWL
NMNM70992C	NMNM10776	NASH UNIT 41H	30-015-37165-00-S1	Sec 12 T23S R29E NESW 2456FSL 1674FWL
NMNM70992C	NMNM0556863	NASH UNIT 42H	30-015-37194-00-S1	Sec 18 T23S R30E SWNW 2015FNL 505FWL
NMNM70992C	NMNM17589	NASH UNIT 5	30-015-21800-00-S2	Sec 13 T23S R29E NESE 2310FSL 330FEL
NMNM70992C	NMNM0554221	NASH UNIT 54Y	30-015-42311-00-S1	Sec 13 T23S R29E SWNW 1822FNL 909FWL 32.182671 N Lat, 103.563773 W Lon
NMNM70992C	STATE	NASH UNIT 6	30-015-21803-00-S2	Sec 18 T23S R30E SWNW 1980FNL 330FWL
NMNM70992C	NMNM0499988	NASH UNIT 43H	30-015-42206-00-S1	Sec 12 T23S R29E NWSE 2280FSL 1890FEL 32.190709 N Lat, -103.560881 W Lon
NMNM70992C	NMNM19246	NASH UNIT 44H	30-015-42195-00-S1	Sec 18 T23S R30E Lot 1 0550FNL 330FWL
NMNM70992C	NMNM19246	NASH UNIT 45H	30-015-42048-00-S1	Sec 18 T23S R30E NENW 0550FNL 1565FWL 32.183893 N Lat, 103.553219 W Lon
NMNM70992X	NMNM0556863	NASH UNIT 49H	30-015-38663-00-S1	Sec 13 T23S R29E NENE 510FNL 500FEL
NMNM70992X	NMNM0556863	NASH UNIT 50H	30-015-38991-00-S1	Sec 13 T23S R29E NESE 1980FSL 200FEL
NMNM70992X	NMNM0556863	NASH UNIT 51H	30-015-38365-00-S1	Sec 18 T23S R30E SWSW 660FSL 210FWL
NMNM70992X	NMNM0554223	NASH UNIT 56H	30-015-38992-00-S1	Sec 14 T23S R29E SENE 1940FNL 370FEL
NMNM70992X	NMNM0554223	NASH UNIT 57H	30-015-39303-00-S1	Sec 14 T23S R29E NESE 1700FSL 350FEL
NMNM70992X	NMNM0554223	NASH UNIT 58H	30-015-39304-00-S1	Sec 14 T23S R29E NESE 1650FSL 350FEL

**10. Field and Pool, continued**

NASH DRAW-BRUSHY CANYON

**32. Additional remarks, continued**

NASH UNIT #019 30-015-27590  
 NASH UNIT #020 30-015-27877  
 NASH UNIT #023 30-015-28272  
 NASH UNIT #024 30-015-28271  
 NASH UNIT #025 30-015-28818  
 NASH UNIT #033H 30-015-32476  
 NASH UNIT #034H 30-015-33991  
 NASH UNIT #036H 30-015-30176  
 NASH UNIT #038 30-015-29737  
 NASH UNIT #039H 30-015-36951  
 NASH UNIT #040H 30-015-37166  
 NASH UNIT #041H 30-015-37165  
 NASH UNIT #042H 30-015-37194  
 NASH UNIT #043H 30-015-42206

**32. Additional remarks, continued**

NASH UNIT #044H 30-015-42195  
NASH UNIT #045H 30-015-42048  
NASH UNIT #049H 30-015-38663  
NASH UNIT #050H 30-015-38991  
NASH UNIT #051H 30-015-38365  
NASH UNIT #054Y 30-015-42311  
NASH UNIT #056H 30-015-38992  
NASH UNIT #057H 30-015-39303  
NASH UNIT #058H 30-015-39304

The unexpected malfunction of a equipment maintained by 3RD PARTY GAS PURCHASER has caused emergency flaring from the NASH 42 TB of approximately 3500 mcf/day. The volumes flared as a result of this equipment malfunction and force majeure event constitute "unavoidably lost" production under NTL 4A Section II.C.(2) ("Unavoidably lost" production shall mean "(2) that oil or gas which is lost because of line failures, equipment malfunctions, blowouts, fires, or otherwise") and NTL 4A Section III.A. ("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.

During temporary emergency situations, such as compressor or other equipment failures"). Therefore, the flared volumes are ~~not royalty bearing~~ under NTL 4A. *See cat*

GAS PURCHASER CONTINUES TO HAVE AN ISSUE WITH THEIR COMPRESSOR, CAUSING XTO TO FLARE INTERMITTENTLY. XTO CAN FLARE UP TO 3500 MCFD. PLEASE ACCEPT THIS AS NOTICE FOR APRIL - JUN 2016.

**Revisions to Operator-Submitted EC Data for Sundry Notice #335343**

	<b>Operator Submitted</b>	<b>BLM Revised (AFMSS)</b>
Sundry Type:	FLARE NOI	FLARE NOI
Lease:	NMNM0556857	NMNM0499988 NMNM0554221 NMNM0554223 NMNM0556857 NMNM0556859 NMNM0556859A NMNM0556863 NMNM10776 NMNM14140 NMNM17589 NMNM19246 STATE
Agreement:		891014168B (NMNM70992C) 891014168X (NMNM70992X)
Operator:	XTO ENERGY INC. 500 W. ILLINOIS SUITE 100 MIDLAND, TX 79701 Ph: 432-620-4318	XTO ENERGY INCORPORATED 500 W ILLINOIS STREET SUITE 100 MIDLAND, TX 79701 Ph: 432.620.6700
Admin Contact:	PATTY R URIAS REGULATORY ANALYST E-Mail: patty_urias@xtoenergy.com  Ph: 432-620-4318 Fx: 432-618-3530	PATTY R URIAS REGULATORY ANALYST E-Mail: patty_urias@xtoenergy.com  Ph: 432-620-4318 Fx: 432-618-3530
Tech Contact:	PATTY R URIAS REGULATORY ANALYST E-Mail: patty_urias@xtoenergy.com  Ph: 432-620-4318 Fx: 432-618-3530	PATTY R URIAS REGULATORY ANALYST E-Mail: patty_urias@xtoenergy.com  Ph: 432-620-4318 Fx: 432-618-3530
Location:		
State:	NM	NM
County:	EDDY	EDDY
Field/Pool:	CHERRY CANYON NASH DRAW	CHERRY CANYON NASH DRAW NASH DRAW-BRUSHY CANYON
Well/Facility:	NASH 42 TB SEE BELOW Sec 13 T23S R29E Mer NMP 1980FNL 660FEL	NASH UNIT 39H Sec 12 T23S R29E NESW 2415FSL 1645FWL 32.319023 N Lat, 103.941525 W Lon NASH UNIT 40H Sec 12 T23S R29E NESW 2374FSL 1616FWL NASH UNIT 1 Sec 13 T23S R29E SENE 1980FNL 660FEL NASH UNIT 10 Sec 13 T23S R29E SWNE 1750FNL 1850FEL NASH UNIT 11 Sec 12 T23S R29E SESW 498FSL 2000FWL NASH UNIT 12 Sec 12 T23S R29E SWSE 918FSL 2153FEL NASH UNIT 13 Sec 12 T23S R29E NESW 2315FSL 1746FWL NASH UNIT 14 Sec 13 T23S R29E NENE 660FNL 500FEL NASH UNIT 15 Sec 13 T23S R29E NWNW 10FNL 475FWL NASH UNIT 19 Sec 12 T23S R29E NWSE 2202FSL 2201FEL NASH UNIT 20 Sec 18 T23S R30E NENW 1230FNL 1350FWL NASH UNIT 23 Sec 13 T23S R29E SWNW 1650FNL 990FWL NASH UNIT 24 Sec 14 T23S R29E SENE 1750FNL 890FEL NASH UNIT 25 Sec 14 T23S R29E NESE 1650FSL 500FEL NASH UNIT 33 Sec 12 T23S R29E SWSW 10FSL 175FWL NASH UNIT 34 Sec 12 T23S R29E NWSE 2403FSL 2102FEL NASH UNIT 36

Sec 12 T23S R29E NESW 1460FSL 1585FWL  
NASH UNIT 38  
Sec 13 T23S R29E SESW 330FSL 2450FWL  
NASH UNIT 41H  
Sec 12 T23S R29E NESW 2456FSL 1674FWL  
NASH UNIT 42H  
Sec 18 T23S R30E SWNW 2015FNL 505FWL  
NASH UNIT 5  
Sec 13 T23S R29E NESE 2310FSL 330FEL  
NASH UNIT 54Y  
Sec 13 T23S R29E SWNW 1822FNL 909FWL  
32.182671 N Lat, 103.563773 W Lon  
NASH UNIT 6  
Sec 18 T23S R30E SWNW 1980FNL 330FWL  
NASH UNIT 43H  
Sec 12 T23S R29E NWSE 2280FSL 1890FEL  
32.190709 N Lat, 103.560881 W Lon  
NASH UNIT 44H  
Sec 18 T23S R30E Lot 1 0550FNL 330FWL  
NASH UNIT 45H  
Sec 18 T23S R30E NENW 0550FNL 1565FWL  
32.183893 N Lat, 103.553219 W Lon  
NASH UNIT 49H  
Sec 13 T23S R29E NENE 510FNL 500FEL  
NASH UNIT 50H  
Sec 13 T23S R29E NESE 1980FSL 200FEL  
NASH UNIT 51H  
Sec 18 T23S R30E SWSW 660FSL 210FWL  
NASH UNIT 56H  
Sec 14 T23S R29E SENE 1940FNL 370FEL  
NASH UNIT 57H  
Sec 14 T23S R29E NESE 1700FSL 350FEL  
NASH UNIT 58H  
Sec 14 T23S R29E NESE 1650FSL 350FEL

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

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.
7. An updated facility diagram is required within 60 days of modifications to existing facilities per Onshore Order #3.
8. Approval not to exceed 90 days, if flaring is still required past 90 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.