

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

**NMOOD**  
**Artesia**

FORM 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*

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

1 Type of Well <input checked="" type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input type="checkbox"/> Other		5 Lease Serial No NMLC028784C
2 Name of Operator COG OPERATING LLC		6 If Indian, Allottee or Tribe Name
Contact: DANA KING E-Mail: dking@concho.com		7 If Unit or CA/Agreement, Name and/or No NMNM88525X
3a Address ONE CONCHO CENTER, 600 W ILLINOIS AVE MIDLAND, TX 79701	3b Phone No (include area code) Ph 432-818-2267	8 Well Name and No BURCH KEELY UNIT 940H
4 Location of Well (Footage Sec T R M or Survey Description) Sec 13 T17S R29E Mer NMP 1650FNL 195FEL		9 API Well No. 30-03544080
		10 Field and Pool or Exploratory Area BK, GLORIETA-UPPER YESO
		11 County or Parish, State EDDY 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 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 must 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 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.

COG OPERATING LLC RESPECTFULLY REQUESTS TO FLARE AT THE BURCH KEELY SEC 13A - 6631221

RECEIVED

NUMBER OF WELLS TO FLARE (21)

- BURCH-KEELY UNIT 420 30-015-36180
- BURCH-KEELY UNIT 505 30-015-39438
- BURCH-KEELY UNIT 508 30-015-39313
- BURCH-KEELY UNIT 509 30-015-39439
- BURCH-KEELY UNIT 512 30-015-39314
- BURCH-KEELY UNIT 513 30-015-39440
- BURCH-KEELY UNIT 517 30-015-39441
- BURCH-KEELY UNIT 519 30-015-40690

FOR RECORDS ONLY

4/23/18 APR 19 2018

SEE ATTACHED FOR DISTRICT II ARTESIA O.C.D. CONDITIONS OF APPROVAL

14 I hereby certify that the foregoing is true and correct		Electronic Submission #404837 verified by the BLM Well Information System For COG OPERATING LLC, sent to the Carlsbad Committed to AFMSS for processing by PRISCILLA PEREZ on 02/23/2018	
Name (Printed/Typed) DANA KING	Title SUBMITTING CONTACT		
Signature (Electronic Submission)	Date 02/19/2018	APPROVED	
<b>THIS SPACE FOR FEDERAL OR STATE OFFICE USE</b>			
Approved By _____	Title _____	Date APR 7 2018	
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 BUREAU OF LAND MANAGEMENT CARLSBAD FIELD 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 \*\***

**Additional data for EC transaction #404837 that would not fit on the form**

**32 Additional remarks, continued**

BURCH-KEELY UNIT 520 30-015-39315  
BURCH-KEELY UNIT 524 30-015-39518  
BURCH-KEELY UNIT 525 30-015-39754  
BURCH-KEELY UNIT 527 30-015-40315  
BURCH-KEELY UNIT 530 30-015-39519  
BURCH-KEELY UNIT 531 30-015-40316  
BURCH-KEELY UNIT 532 30-015-40317  
BURCH-KEELY UNIT 533 30-015-40318  
BURCH-KEELY UNIT 536 30-015-39520  
BURCH-KEELY UNIT 930H 30-015-40969  
BURCH-KEELY UNIT 931H 30-015-42761  
BURCH-KEELY UNIT 933H 30-015-40970  
BURCH-KEELY UNIT 940H 30-015-44080

FROM 03/01/2018 To 05/30/2018

BBL OIL/DAY 400  
MCF/DAY 1000  
REASON UNPLANNED MIDSTREAM CURTAILMENT  
PLANT SHUT DOWN DUE TO HLP OR PLANT MAINTENANCE

**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

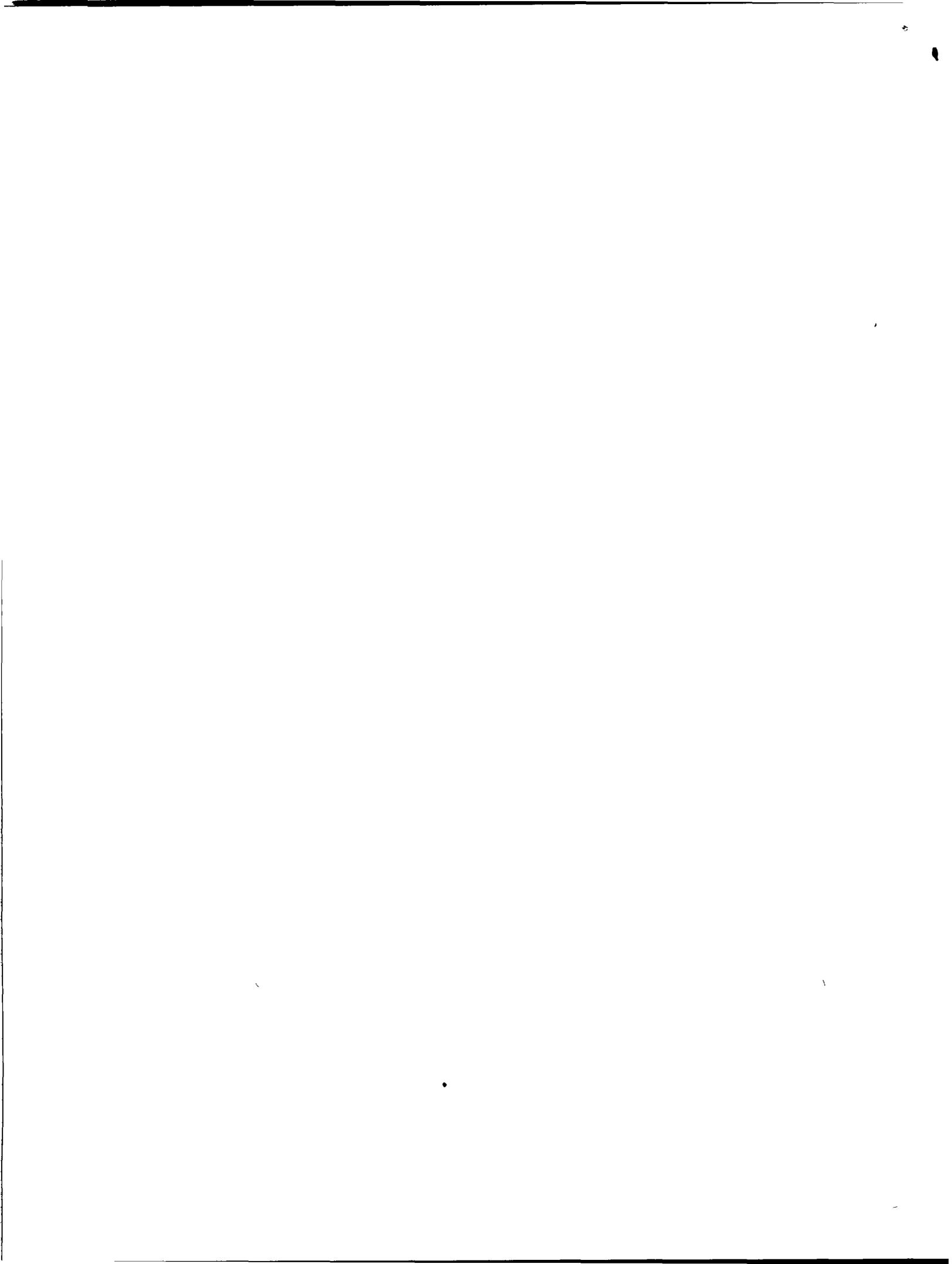
- A 43 CFR 3179 105 **Emergencies** (a) An operator may flare or, if flaring is not feasible given the emergency, vent gas royalty-free under §3179 4 (a) (vi) of this subpart during an emergency For purposes of this subpart, an "emergency" is a temporary, infrequent and unavoidable situation in which 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](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=dbd49eda8cdc488870172ed096d47be9&ty=HTML&h=L&mc=true&n=sp43%203170%203179&r=SUBPART)

**If H<sub>2</sub>S is detected in concentrations greater than 100 ppm, the Hydrogen Sulfide area shall meet Onshore Order 6 requirements.**