

HOBBS OCD

OCD Hobbs

DEC 7 2011

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB No 1004-0137
Expires July 31, 2010

SUNDRY NOTICES AND REPORTS ON WELLS
RECEIVED
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. NMNM086
2 Name of Operator COG Operating LLC		6 If Indian, Allottee, or Tribe Name
3a Address 2208 W. Main Street Artesia, NM 88210	3b Phone No. (include area code) 575-748-6940	7 If Unit or CA Agreement Name and/or No
4 Location of Well (Footage, Sec., T., R., M., or Survey Description) 330 FNL & 330' FWL, Unit D (NWNW) Sec25-T19S-R34E		8 Well Name and No Tusk Federal #2H
Lat. Long.		9 API Well No. 30-025-39555
		10 Field and Pool, or Exploratory Area Lea; Bone Spring
		11 County or Parish, State Lea County NM

12 CHECK APPROPRIATE BOX(S) 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"/> Altering 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
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and abandon	<input type="checkbox"/> Temporarily Abandon	Frac Water Line
	<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 recompleat horizontally, give subsurface locations and measured and true vertical depths or pertinent markers and sands. Attach the Bond under which the work will performed or provide the Bond No. on file with the 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 recompleat in a new interval, a Form 3160-4 shall be filed once testing has been completed. Final Abandonment Notice shall be filed only after all requirements, including reclamantion, have been completed, and the operator has determined that the site is ready for final inspection.)

COG Operating LLC respectfully proposes to construct a 8" poly line inside a 24" steel casing which will cross Hwy 62/180 the purpose of transporting fresh water. NMDOT is needing environmental clearance prior to the States approval.

**SEE ATTACHED FOR
CONDITIONS OF APPROVAL**

14 I hereby certify that the foregoing is true and correct Name (Printed/ Typed) Mayte Reyes		Title Regulatory Analyst
Signature <i>Mayte Reyes</i>		Date 11/30/11

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved by: <i>/s/ James A. Amos</i>	Title: <i>SEPS</i>	Date: DEC 15 2011
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 CARLSBAD FIELD OFFICE

Title 18 USC Section 1001 AND Title 43 USC Section 1212, make it a crime for any person knowingly and willfully to make 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)

MW/OCD 12-28-2011

APPLICATION FOR PERMIT TO INSTALL UTILITY FACILITIES

WITHIN PUBLIC RIGHT OF WAY

Permit No. _____

TO: NEW MEXICO DEPARTMENT OF TRANSPORTATION
P.O. BOX 1457
ROSWELL, NEW MEXICO 88202-1457

New Installation _____
Renewal Permit _____
Relocation _____
Remain In Place _____

1. Pursuant to New Mexico Statutes Annotated, 1978 Compilation, Sections 67-8-13 and 69-8-14, the undersigned

Concho Resources

Address: 2407 Pecos Ave., Arkesia Nm 88210

Here in makes application to use Highway Right of Way to install:

Size and Type of Facility SWO 8" Poly Line in 24" Steel Casing

In the following location: GPS Coordinate: N 32°37'59.5" W 103°31'13.3" S.R. No. Hwy 62/180

Highway Mile Post 81-North to Highway Mile Post 81-South in Lea County.

Section 25, Township 19S, Range 34E

2. For the purpose of this application "within" shall be construed as meaning "on, over, under, across or along."

a. "Engineer" shall be construed as meaning the District Highway Engineer of the New Mexico Department of Transportation or his representative.

b. "Applicant" shall be construed as meaning the individual, firm, corporation, association, governmental subdivision, or other organization making application, or the successors of any of the above.

c. "Facility" shall be construed as meaning, but not limited to, any publicly, privately, cooperatively, municipally or governmentally owned facility used for carriage, distribution or transmission of water, gas, electricity, oil and products derived there from, sewage, stream or other projects carried by means of pipelines, conduits, wires, culverts, ditches, conveyors or other methods.

d. If application is for a parallel installation, justification as to why private right may not be utilized must be furnished.

3. Applicant proposes to relocate, install or leave facility _____ feet within the _____ right of way line.

The proposed installation shall be:

Crossing
(Crossing or Parallel)

Subsurface
(Subsurface or Overhead)

Boring
(Boring, Jacking, or Pavement Cut)

a. If Applicant requests installation by pavement cut, complete justification therefore shall be submitted by attachment.

b. Where application for pavement cut is justified, the application may be held in abeyance pending receipt of cash bond in an amount to be fixed by the Engineer.

4. There is attached hereto a diagrammatic dimensioned drawing showing the location of existing and/or proposed installation referenced to roadway and right of way, right of way lines, and any access control lines, distance of proposed installation above, or below grade, highway stationing, identification of materials to be used and any other pertinent data. If application is for parallel installation, nature of adjacent land use shall be shown. Proposed installations on or in bridges or other structures, or for the installation of any structures will require detailed structural drawings.

5. Applicant desires this permit to be in effect for 25 years. Permit will not be issued for a period longer than 25 years must be renewed upon expiration and the burden of timely renewal is on the Applicant. The Applicant shall formally notify the engineer of actual commencement and completion of the installation. The Applicant shall also formally notify the Engineer of removal or abandonment of the facility, or relinquishment of the permit.

6. The signing of the application by the Engineer and returning it to the Applicant shall validate this application as a permit. The granting of this permit shall not be construed as granting any easement or property right.

7. Servicing of facilities will not be permitted within the access control lines on any controlled access project. Should an emergency occur, the applicant shall notify the Engineer and shall provide such flagmen, flashers, warning or other safety devices as required by the Engineer. All routine maintenance shall be performed from outside any access control lines.

8. The relocation or installation of facilities within public right of way shall be in strict conformance with all provisions of this application, drawings and the instructions for Utility Permits, as they may be modified by the Engineer, and no departure therefrom may be made without written consent of the Engineer. All facilities shall be so placed that they will not interfere with nor endanger any roadway features nor other existing facilities. All such work shall be performed so that danger, inconvenience and delay to the traveling public will be held to a minimum. Protection and handling of traffic during the installation are the responsibility of the Applicant and must be approved by the Engineer.

7. The Applicant will, except as otherwise ordered by the Engineer, restore the public right of way, and all bridges or other structures thereon or adjacent thereto which have been altered or affected by facility installation performed hereunder, in accordance with sound construction practices and the Engineer's specifications, and shall cause the work to be done in a workmanlike manner. If any damage is caused to the highway right of way or to any bridge, structure or improvement thereon or adjacent thereto by reason of the installation, maintenance, alteration or removal of such facilities or other appurtenances, the Applicant will reimburse the Engineer the full amount thereof promptly upon demand by the Engineer provided, however, that the obligation imposed under this paragraph shall not apply in the event the damage resulted from causes beyond the control of the Applicant. All such facilities located within the right of way shall at times to be kept in such repair so as not damage the highway, inconvenience or endanger the traveling public and shall be kept free from advertisement, posters and the like.
10. The Applicant will at all times indemnify and save harmless the Engineer from any and all claims of every kind and character caused by or incident to the installation, alteration, removal or condition of these facilities in the right of way and will promptly reimburse the Engineer for any and all expenses incurred by the Engineer in resisting any such claim or claims. Nothing herein shall be construed to mean that the Applicant hereunder will indemnify and save harmless the Engineer from any claim caused by or incident to any neglect, carelessness or breach of duty on the part of the Engineer.
11. Should the Applicant at any time fail to promptly and fully perform any of the obligations imposed hereby and after thirty (30) days written notice thereof, the Engineer may, at his option (a) cause the obligations to be fully carried out and performed, and that the Applicant will promptly reimburse the Engineer for all costs and expenses incident thereto, (b) may summarily order the removal of such facility and if the Applicant fails to comply within a reasonable time, the Engineer may direct the removal of the facility with all costs and expenses thereto to be borne by Applicant.
12. If by reason of any change in the location, construction, grade or by any other matter affecting the highway upon which any facility is located because of changing traffic conditions or otherwise, it shall become advisable in the opinion of the Engineer that said facility be removed, relocated or otherwise modified, the Applicant, upon written notice from the Engineer, shall remove, relocate, or modify such facility without undue delay in such manner the Engineer may direct or approve, at the Applicant's expense and at no cost to the Engineer. All facilities located on public right of way under the dual jurisdiction of the State and a subordinate governmental entity shall comply with all applicable rules and regulations of the Engineer. The Engineer makes no warranty either express or implied as to the continued existence of any highway in any particular location and expressly assumes no obligation with regard to the facility upon change, vacation or abandonment of any highway or portions thereof.
13. Neither the making of this application nor anything herein contained shall constitute a waiver on the part of the Applicant of any rights or claims had or made by some with respect to the occupancy of the streets and highways under the Constitution and Laws of the State of New Mexico, nor shall anything herein contained in anyway prejudice or impair any rights or claims existing independent of this application with respect to the construction, operation and maintenance of the Applicant's facilities in the State of New Mexico.
14. Each copy of the application must be signed by the Applicant as an individual owner or by any official designated to execute such documents. This application is hereby granted subject to all provisions herein and to the following special provisions, changes or amendments:
1. The utility owner shall provide "as-built" horizontal and vertical utility information, within thirty (30) days of the completion of the project, in hard copy and electronic file in AUTOCAD DWG (3D) or MICROSTATION DGN (3D) format. The standard horizontal datum shall be North American Datum 1983 (NAD83) and the standard projections shall be the New Mexico Plane Coordinate System 1983 (NMSPCS 83). The standard vertical datum shall be North American Vertical Datum (NAVD 88). The preferred media in which this data must be submitted is CD ROM; 3.5" diskette may be used for the data submittal. The utility location information shall be tied to Department monuments and referenced to highway mile posts or to highway project construction stationing, and certified by a New Mexico Registered Land Surveyor. Metadata or "data about the data" shall be submitted with each utility's as-built electronic file, preferably as a separate text file on the electronic submittal media, and shall include: 1.) District Utility Permit Number. 2.) Name, address and phone number of the responsible land surveyor. 3.) Date of completion of survey. 4.) Equipment used to conduct the survey. 5.) Horizontal and vertical control marks used to tie the survey to NMSPC83 and NAVD88. 6.) Ground to Grid combined scale factor used 7.) Elevations shall be provided every 500 feet and at all survey break points, including all high and low points.

If construction of facility does not commence within 6 months of the date of the "Notice to Proceed" the permit will expire.

Applicant Concho Resources
By Raul Ruiz
Title Regulatory Coordinator
Ph # 575-748-6965

Approval of this permit is hereby given this _____ day of _____, 20 _____

New Mexico Department of Transportation By _____

A PIPELINE CROSSING U.S. HWY. 62/180
MILE MARKER 81.157
32°37'59.5"N, 103°31'13.3"W

NOVEMBER 14, 2011

PERMIT NUMBER:

COG OPERATING LLC

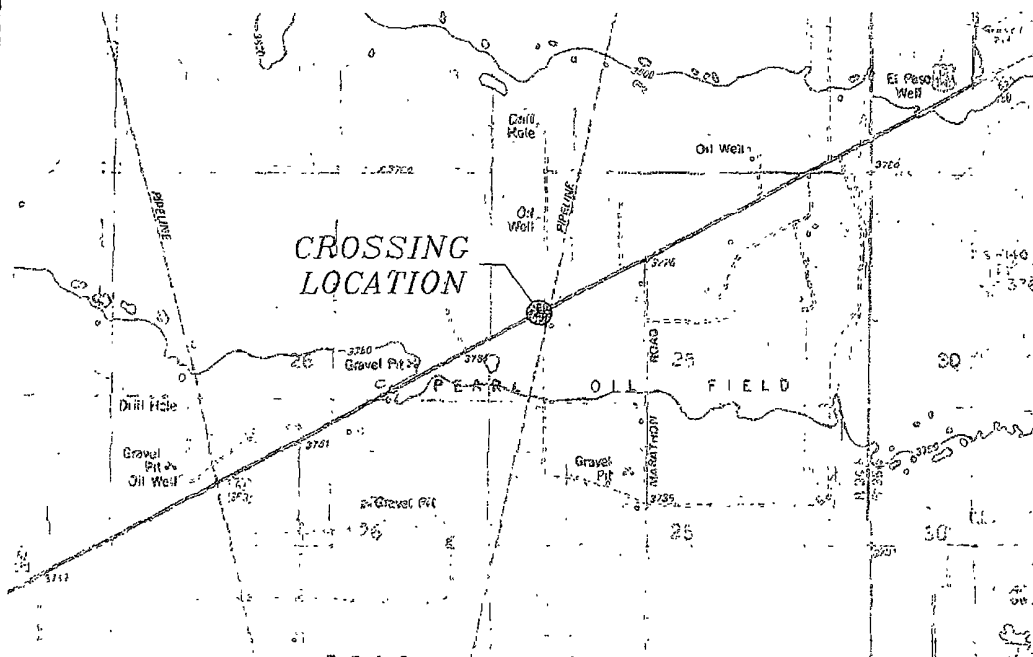
CROSSING LOCATION
SECTION 25, TOWNSHIP 19 SOUTH
RANGE 34 EAST, N.M.P.M.
LEA COUNTY, STATE OF NEW MEXICO

EQUIPMENT USED:
TRIMBLE R8

CONTROL POINTS USED:

MILE MKR 81 - N	MILE MKR 81 - S
32°37'56.19036"N	32°37'54.97711"N
103°31'22.24098"W	103°31'21.48102"W
NMSP EAST (FT)	NMSP EAST (FT)
N=594703.86	N=594581.72
E=790843.23	E=790909.16
EL=3755.50	EL=3755.51

ALL POINTS NA0 83
COMBINED FACTOR: 0.999802616



SURVEY NO. 683 1-3

MADRON SURVEYING, INC. 301 SOUTH CANA CARLSBAD, NEW MEXICO
14752 231 1241

COG OPERATING LLC

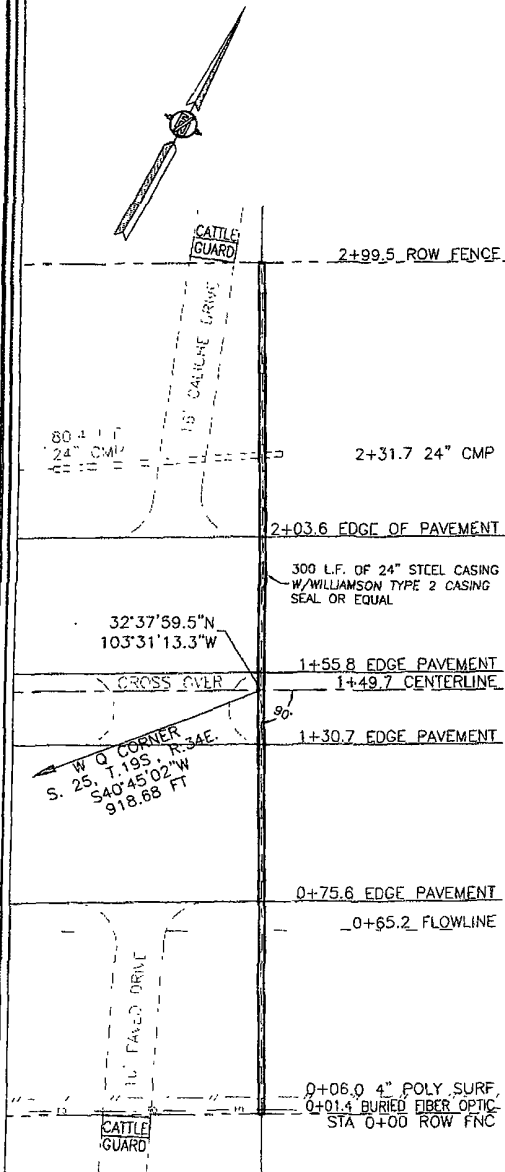
A PIPELINE CROSSING U.S. HWY 62/180

MILE MARKER 81.157

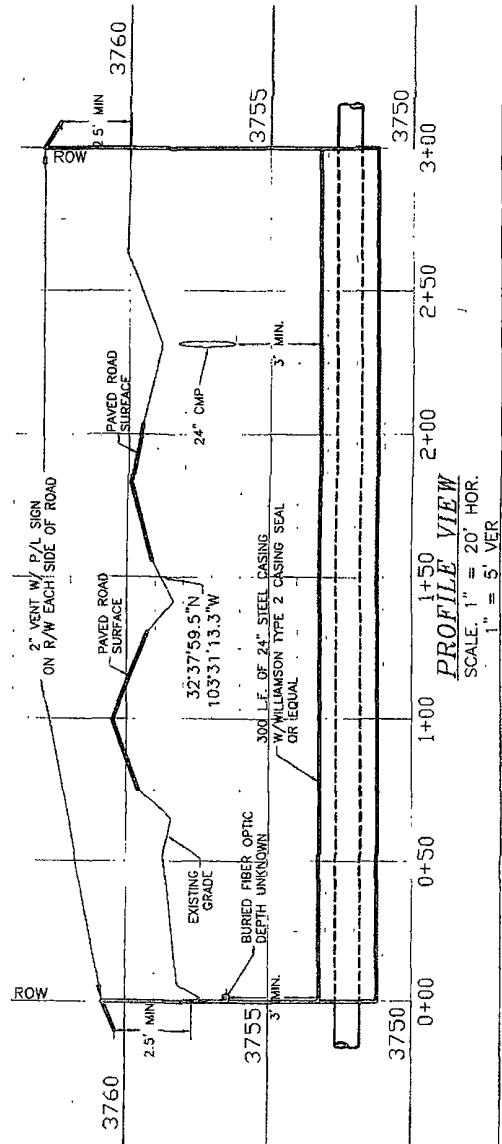
SECTION 25, TOWNSHIP 19 SOUTH

RANGE 34 EAST, N.M.P.M.

LEA COUNTY, STATE OF NEW MEXICO



PLAN VIEW
SCALE: 1" = 20'



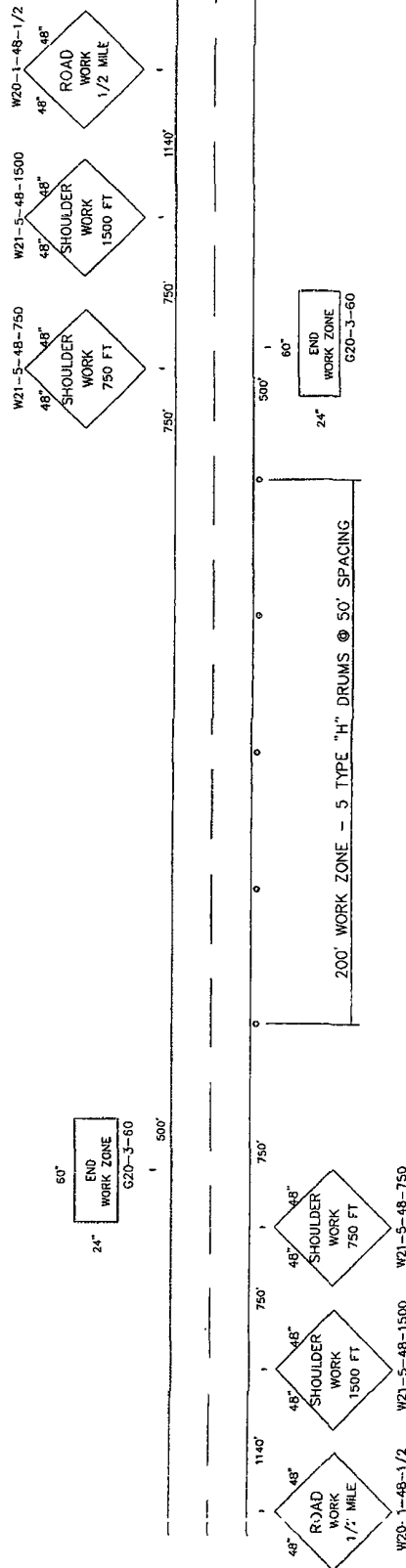
PROFILE VIEW
SCALE: 1" = 20' HOR.
1" = 5' VER

SURVEY NO. 683 2-3

MADRON SURVEYING, INC. 501 974TH AVE. CARLSBAD, NEW MEXICO

COG OPERATING LLC

A PIPELINE CROSSING U.S. HWY 62/180
MILE MARKER 81.157
SECTION 25, TOWNSHIP 19 SOUTH
RANGE 34 EAST, N.M.P.M.
LEA COUNTY, STATE OF NEW MEXICO



CONSTRUCTION TRAFFIC CONTROL

SURVEY NO. 683 3-3

MADRON SURVEYING, INC. V.I. SOUTH CANAL (575) 236-3361 CARLSBAD, NEW MEXICO



NEW MEXICO
STATE LAND OFFICE

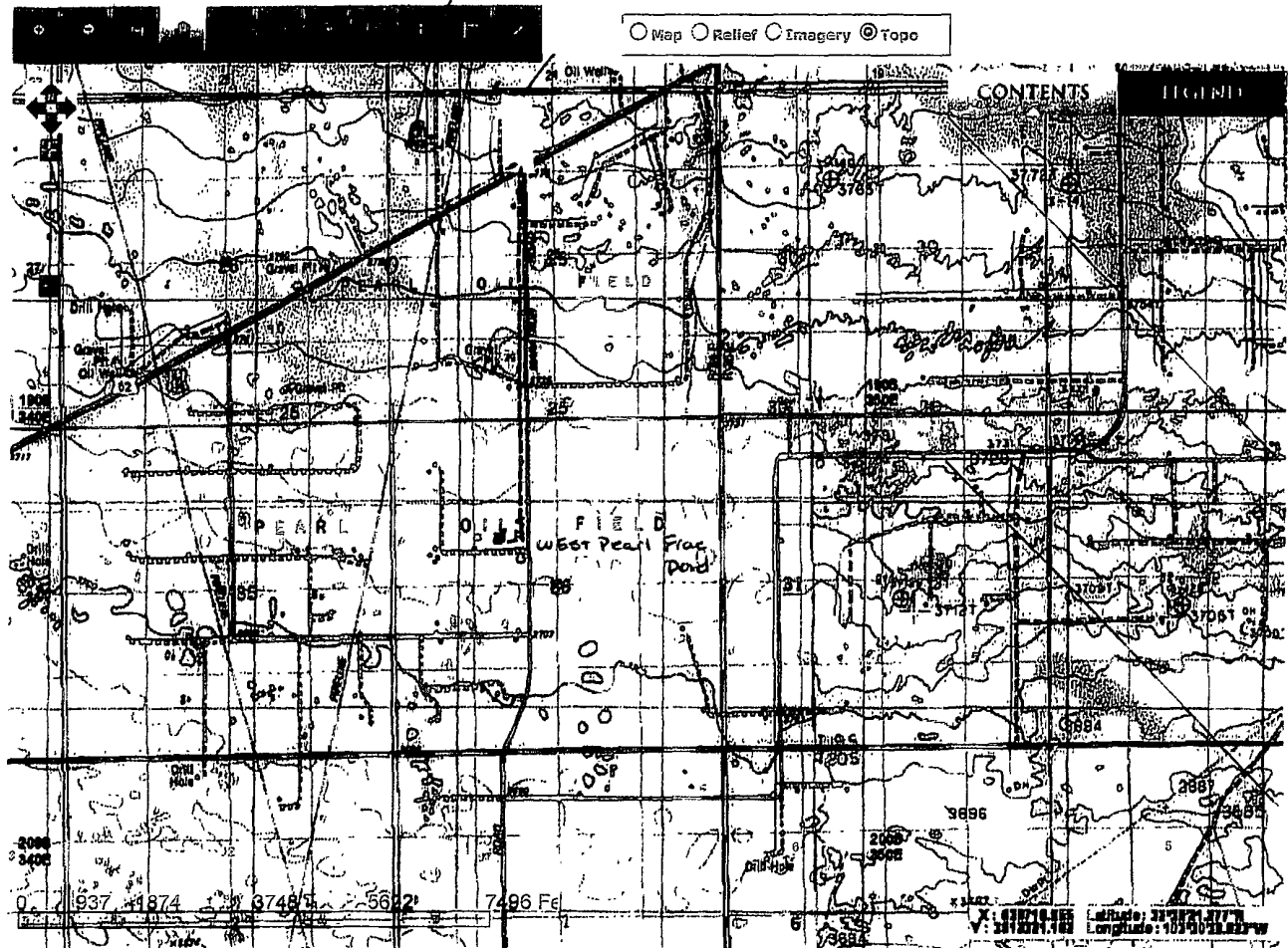
Home About the Department Employee Access Contact

Contact Us: (505) 827-5760
310 Old Santa Fe Trail, Santa Fe NM 87501

DIVISIONS RESOURCES COMMUNICATIONS EVENTS TRUST STEWARDSHIP GIS MAP

Land Status

Corrected as per conversation
w/ Rand French 9/13-14-11



© 2011 New Mexico State Lands Office

----- Flowline

Designed and Developed by RealTime8Itas

A 120 day temporary surface frac water Flowline from the
West Pearl Frac Pond to the Tusk Federal #2H well.
Flow line will follow existing Roads

— Temporary Frac line

023

Tusk Federal #2H

024

019

Tusk Federal #2H

026

81
81

025

030

035

036

031

COMPANY:COG Operating LLC
ASSOCIATED WELL:Tusk Federal #2

Temporary Freshwater Pipelines (Fracturing Operations) CONDITIONS OF APPROVAL

Maintain a copy of your temporary permit and your approved route diagram on location. BLM personnel may request to see a copy of your permit during construction to ensure compliance with all conditions of approval.

Holder agrees to comply with the following conditions of approval to the satisfaction of the Authorized Officer:

1. The Holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this permit.

2. Standard Conditions of Approval:

- Temporary pipelines must be removed within 30-45 days from this route unless granted in writing by the authorized officer.
- Temporary pipelines flowing from the frac pond to the target well(s) will be laid along existing roadways unless an exception has been granted by the authorized officer.
- Pipe will be hand-carried and hand-laid along any cross country portion of the approved route.
- Areas impacted (disturbed greater than vegetation compaction) by your project may require full reclamation.
- Pipelines will be empty before disassembly. Flow water back to the pond whenever possible.
- Do not restrict traffic on existing roads. Place ramps where needed.
- Pipe will be placed not more than 2 feet off the edge of existing lease roads, 2-track roads, or buried pipeline corridors.
- All pumps will be placed on existing disturbance (pads, roads, etc.).

3. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf shall be immediately reported to the Authorized Officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer.

4. Special Stipulations:

Lesser Prairie-Chicken

Oil and gas activities will not be allowed in lesser prairie-chicken habitat during the period from March 1st through June 15th annually. During that period, other activities that produce noise or involve human activity, such as the maintenance of oil and gas facilities, geophysical exploration other than 3-D operations, and pipeline, road, and well pad construction, will be allowed except between 3:00 am and 9:00 am. The 3:00 am to 9:00 am restriction will not apply to normal, around-the-clock operations, such as venting, flaring, or pumping, which do not require a human presence during this period. Normal vehicle use on existing roads will not be restricted. Exhaust noise from pump jack engines must be muffled or otherwise controlled so as not to exceed 75 db measured at 30 ft. from the source of the noise.