

District I
1625 N. French Dr., Hobbs, NM 88240

District II
811 S. First St., Artesia, NM 88210

District III
1000 Rio Brazos Road, Aztec, NM 87410

District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-129
Revised August 1, 2011

Submit one copy to appropriate
District Office

NFO Permit No. _____
(For Division Use Only)

APPLICATION FOR EXCEPTION TO NO-FLARE RULE 19.15.18.12

(See Rule 19.15.18.12 NMAC and Rule 19.15.7.37 NMAC)

A. Applicant Breitbart Operating LP

whose address is 1401 McKinney Street, Suite 2400 Houston, Texas 77010

hereby requests an exception to Rule 19.15.18.12 for 7 days or until

September 28, 2016, for the following described tank battery (or LACT):

Name of Lease: Encore M State Satellite Name of Pool: Blinbry Oil and Gas (Oil), Drinkard, Tubb Oil and Gas (Oil), Wantz Abo, Devonian

Location of Battery: Unit Letter: G Section: 19 Township: 22S Range: 37E

Number of wells producing into battery: 14 SEE ATTACHED.

B. Based upon oil production of 260 barrels per day, the estimated * volume

of gas to be flared is 2500 MCF; Value: \$8,750.00 (Approx.) per day.

C. Name and location of nearest gas gathering facility:

Targa Eunice Plant

D. Distance 8 +/- miles Estimated cost of connection: Connected

E. This exception is requested for the following reasons: Force Majeure

Targa Electrical Repairs

OPERATOR

I hereby certify that the rules and regulations of the Oil Conservation Division have been complied with and that the information given above is true and complete to the best of my knowledge and belief.

Signature

Shelly Doescher

Printed Name

& Title Shelly Doescher, Agent

E-mail Address shelly_doescher@yahoo.com

Date 09/21/2016 Telephone No. 505-320-5682

OIL CONSERVATION DIVISION

Approved Until

9/28/2016

By

Mary Brown

Title

Dist Supervisor

Date

9/21/2016

* Gas-Oil ratio test may be required to verify estimated gas volume.

API WELL #	Well Name	Well #	Operator Name
30-025-38961-00-00	ENCORE M STATE	001	BREITBURN OPERATING
30-025-39541-00-00	ENCORE M STATE	002	BREITBURN OPERATING
30-025-39751-00-00	ENCORE M STATE	003	BREITBURN OPERATING
30-025-40091-00-00	ENCORE M STATE	004	BREITBURN OPERATING
30-025-40299-00-00	ENCORE M STATE	005	BREITBURN OPERATING
30-025-40398-00-00	ENCORE M STATE	006	BREITBURN OPERATING
30-025-40399-00-00	ENCORE M STATE	007	BREITBURN OPERATING
30-025-40721-00-00	ENCORE M STATE	008	BREITBURN OPERATING
30-025-40749-00-00	ENCORE M STATE	009	BREITBURN OPERATING
30-025-41061-00-00	ENCORE M STATE	010	BREITBURN OPERATING
30-025-41529-00-00	ENCORE M STATE	011	BREITBURN OPERATING
30-025-41530-00-00	ENCORE M STATE	012	BREITBURN OPERATING
30-025-41531-00-00	ENCORE M STATE	013	BREITBURN OPERATING
30-025-41942-00-00	ENCORE M STATE	014	BREITBURN OPERATING
30-025-42363-00-00	ENCORE M STATE	015	BREITBURN OPERATING
30-025-42391-00-00	ENCORE M STATE	016	BREITBURN OPERATING
30-025-42392-00-00	ENCORE M STATE	018	BREITBURN OPERATING
30-025-42393-00-00	ENCORE M STATE	017	BREITBURN OPERATING
30-025-42779-00-00	ENCORE M STATE	019	BREITBURN OPERATING

16 WELLS