

OCD-HOBBS

Form 3160-5
April 2004)UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RECEIVED

JUN 15 2009

HOBBSOCD

FORM APPROVED
OMB No 1004-0137
Expires March 31, 2007

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 reverse side

1 Type of Well



Oil Well



Gas Well



Other

2 Name of Operator

SUNDOWN ENERGY LP

3a Address

13455 NOEL RD, STE 2000, DALLAS, TX 75240

3b Phone No (include area code)

214-368-6100

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

UNIT F, SEC. 23, T-20S, R-33E

1990' FWL & 1650' FNL

5. Lease Serial No.

NMNM 89889

6. If Indian, Allottee or Tribe Name

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

NMNM 88522

8. Well Name and No.

TOMAHAWK '28' FEDERAL COM #1

9. API Well No

30-025-31895

10. Field and Pool, or Exploratory Area

SALT LAKE, S. (DONS SPRINGS)

11. County or Parish, State

LEA CO., NM

12 CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION

TYPE OF ACTION

☒ Notice of Intent☐ Subsequent Report☐ Final Abandonment Notice

Acidize



Alter Casing



Casing Repair



Change Plans



Convert to Injection



Deepen



Fracture Treat



New Construction



Plug and Abandon



Plug Back



Production (Start/Resume)



Reclamation



Recomplete



Temporarily Abandon



Water Disposal



Water Shut-Off



Well Integrity



Other

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.)

Install 3 phase, 12500 V, 3 wire electric power line from existing line to above said well. Line will run along existing lease as per attached plat. Line is approx 2038' in length. Will be constructed using above ground poles. Starting date will be ASAP

14 I hereby certify that the foregoing is true and correct

Name (Printed/Typed)

Belinda Bradley

Title Admin. Asst.

Signature

Date

5/22/2009

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved by

JD Whitlock Jr

PETROLEUM ENGINEER

Date JUN 17 2009

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 right in the subject lease

which would entitle the applicant to conduct operations thereon

Office

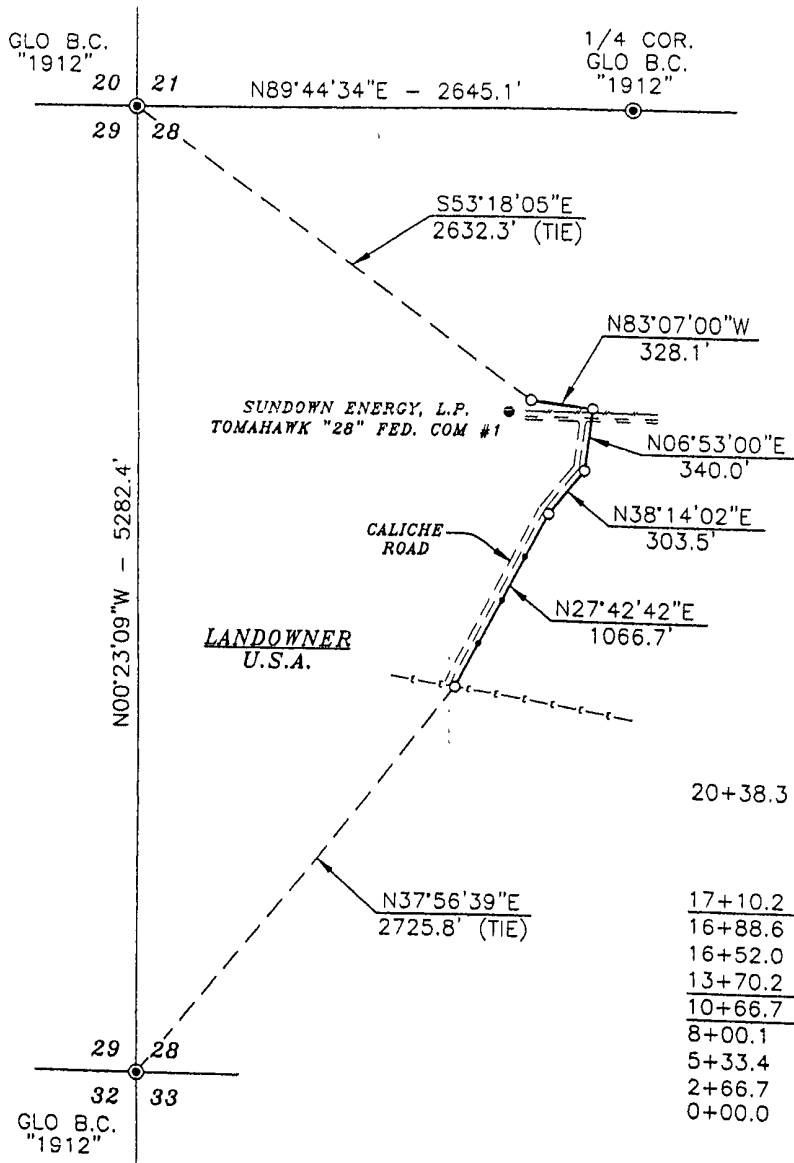
CARLSBAD FIELD OFFICE

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)

SECTION 28, TOWNSHIP 20 SOUTH, RANGE 33 EAST, N.M.P.M.,
LEA COUNTY
NEW MEXICO

Basis of Bearings - GPS Geodetic Measurements
NM East Zone (83) North American Datum of 1983



20+38.3 END SURVEY @
SUNDOWN ENERGY, L.P.
TOMAHAWK "28" FED. COM #1
POLE #8
17+10.2 P.I. 90°00'00" LT. POLE #7
16+88.6 BPL (MITCHEL ENERGY)
16+52.0 CL CALICHE ROAD 30'W
13+70.2 P.I. 31°21'02" LT. POLE #6
10+66.7 P.I. 10°31'20" RT. POLE #5
8+00.1 POLE #4
5+33.4 POLE #3
2+66.7 POLE #2
0+00.0 BEGIN SURVEY @ EXISTING
3W ELECTRIC LINE POLE #1

DESCRIPTION

A STRIP OF LAND 30.0 FEET WIDE AND 2038.3 FEET OR 0.386 MILES IN LENGTH CROSSING U.S.A. LAND IN SECTION 28, TOWNSHIP 20 SOUTH, RANGE 33 EAST, N.M.P.M., LEA COUNTY, NEW MEXICO AND BEING 15.0 FEET LEFT AND 15.0 FEET RIGHT OF THE ABOVE PLATTED CENTERLINE SURVEY.



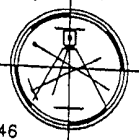
SURVEYORS CERTIFICATE

I, TERRY J. ASEL, NEW MEXICO PROFESSIONAL SURVEYOR NO. 15079, DO HEREBY CERTIFY THAT I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEETS THE "MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO" AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS.

Terry J. Asel 5/12/2009
Terry J. Asel N.M. R.P.S. No. 15079

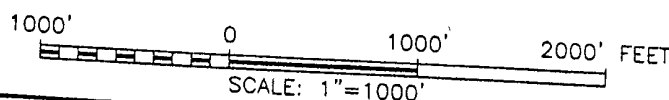
Asel Surveying

P.O. BOX 393 - 310 W. TAYLOR
HOBBS, NEW MEXICO - 575-393-9146



LEGEND

⊙ - DENOTES FOUND MONUMENT AS NOTED



SUNDOWN ENERGY, L.P.

SURVEY FOR AN ELECTRIC LINE EASEMENT
CROSSING U.S.A. LAND IN SECTION 28,
TOWNSHIP 20 SOUTH, RANGE 33 EAST,
N.M.P.M., LEA COUNTY, NEW MEXICO

Survey Date: 05/06/09	Sheet 1 of 1 Sheets
W.O. Number: 090506EL	Drawn By: KA
Date: 05/11/09	090506EL.DWG Scale: 1"=1000'

Submit to Appropriate
District Office
State Lease - 4 copies
Federal Lease - 3 copies

State of New Mexico
Energy, Minerals and Natural Resources Department

Form 6-102
Revised 1-1-89

OIL CONSERVATION DIVISION

P.O. Box 2088
Santa Fe, New Mexico 87504-2088

EXHIBIT 2
Tomahawk "28" Federal No.1
Lea County, New Mexico

DISTRICT I
P.O. Box 1980, Hobbs, NM 88240

DISTRICT II
P.O. Drawer DD, Artesia, NM 88210

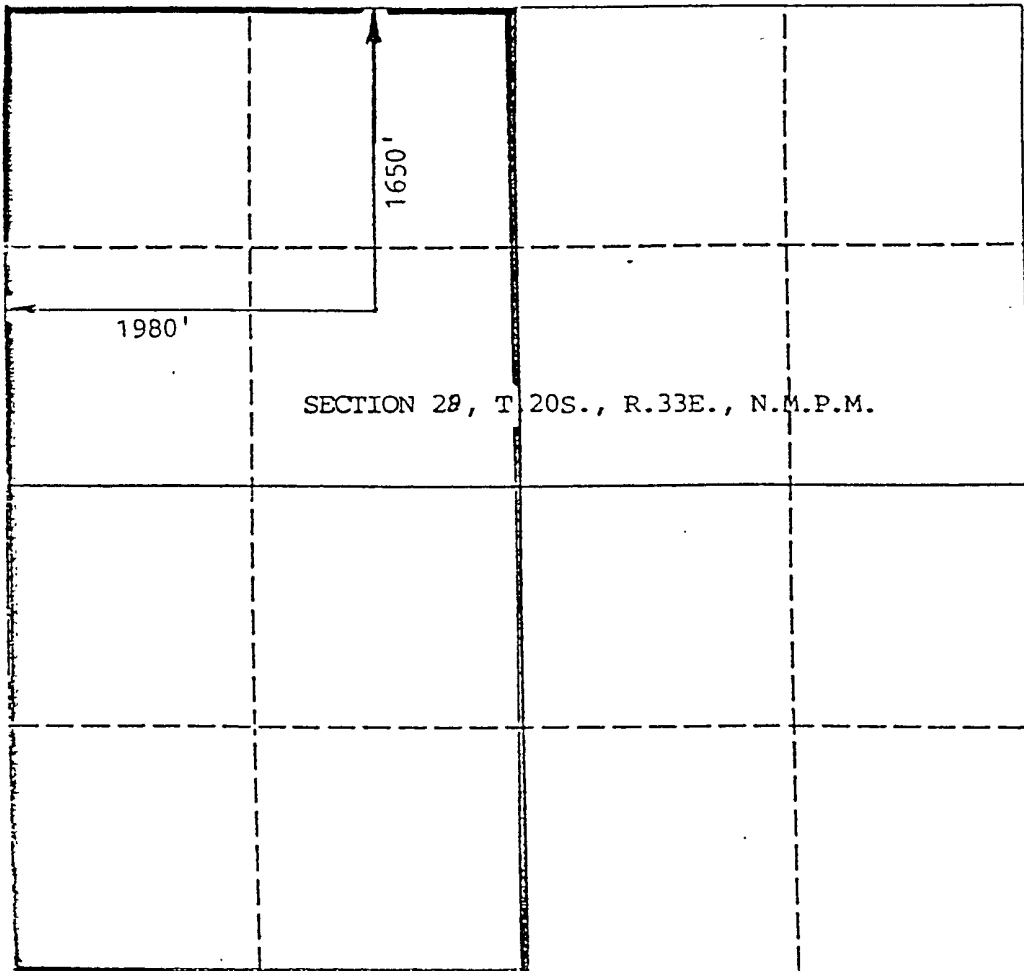
DISTRICT III
P.O. Box 1140, Aztec, NM 87410

WELL LOCATION AND ACREAGE DEDICATION PLAT

All Distances must be from the outer boundaries of the section

Operator MITCHELL ENERGY Corporation			Lease TOMAHAWK 28 FEDERAL		Well No. #1
Section Letter F	Section 28	Township 20S.	Range 33E.	County N.M.P.M. LEA	
Actual Footage Location of Well:					
1650 feet from the NORTH line and		1980 feet from the WEST line			
Ground level Elev. 3595	Producing Formation Morrow		Pool South Salt Lake-Morrow		Dedicated Acreage: 320 Acres

- Outline the acreage dedicated to the subject well by colored pencil or hatchure marks on the plat below.
- If more than one lease is dedicated to the well, outline each and identify the ownership thereof (both as to working interest and royalty).
- If more than one lease of different ownership is dedicated to the well, have the interest of all owners been consolidated by communitization, unitization, force-pooling, etc.?
☐ Yes ☐ No If answer is "yes" type of consolidation _____
If answer is "no" list the owners and tract descriptions which have actually been consolidated. (Use reverse side of this form if necessary).
No allowable will be assigned to the well until all interests have been consolidated (by communitization, unitization, forced-pooling, or otherwise) or until a non-standard unit, eliminating such interest, has been approved by the Division.



OPERATOR CERTIFICATION

I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief.

Signature
George Mullen

Printed Name
George Mullen

Position
Reg. Affairs Specialist

Company
Mitchell Energy Corp.

Date
November 4, 1992

SURVEYOR CERTIFICATION

I hereby certify that the well location shown on this plat was plotted from field notes or actual surveys made by me or under my supervision, and that the same is true and correct to the best of my knowledge and belief.

Date Surveyed

10/15/92

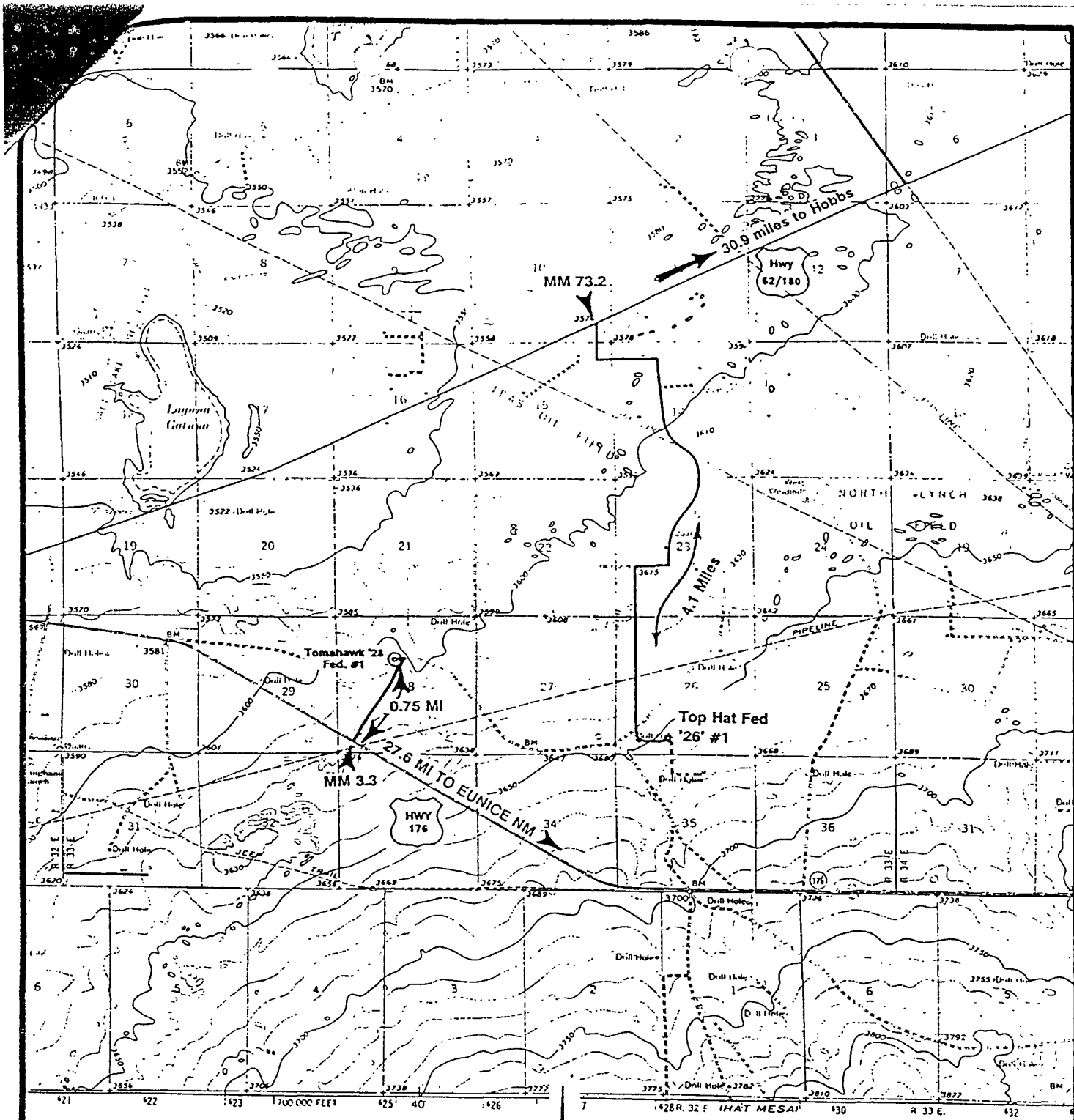
Signature & Seal of
Professional Surveyor

D. JAGUESS
NEW MEXICO
6290

[Signature]
Certificate No. **6290**

ME282038

0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000



MITCHELL ENERGY CORP.

LOCATION & ACCESS ROAD
TOP HAT '26' FED. #1
TOMAHAWK '28' FED. #1

LEA COUNTY, NEW MEXICO

SCALE: 1"=1 MILE
DATE: 11-92

EXHIBIT _____

BLM Serial Number: NM-89889
Company Reference: Sundown Energy LP
Well No. & Name: Tomahawk 28 Federal Com1

STANDARD STIPULATIONS FOR OVERHEAD ELECTRIC DISTRIBUTION LINES

A copy of the grant and attachments, including stipulations, survey plat and/or map, will be on location during construction. BLM personnel may request to you a copy of your permit during construction to ensure compliance with all stipulations.

Holder agrees to comply with the following stipulations 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 grant.
2. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC 2601 et seq. (1982) with regards to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
3. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq.) on the Right-of-Way (unless the release or threatened release is wholly unrelated to the Right-of-Way holder's activity on the Right-of-Way), or resulting from the activity of the Right-of-Way holder on the Right-of-Way. This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
4. There will be no clearing or blading of the right-of-way unless otherwise agreed to in writing by the Authorized Officer.
5. Powerlines shall be constructed in accordance to standards outlined in "Suggested Practices for Raptor Protection on Powerlines," Raptor Research Foundation, Inc., 1981. The holder shall assume the burden and expense of proving that pole designs not shown in the above publication are "raptor safe." Such proof shall be provided by a raptor expert approved by the Authorized Officer. The BLM reserves the right to require modification or additions to all powerline structures placed on this right-of-way, should they be necessary to ensure the safety of large

perching birds. Such modifications and/or additions shall be made by the holder without liability or expense to the United States.

6. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

7. The BLM serial number assigned to this authorization shall be posted in a permanent, conspicuous manner where the power line crosses roads and at all serviced facilities. Numbers will be at least two inches high and will be affixed to the pole nearest the road crossing and at the facilities served.

8. Upon cancellation, relinquishment, or expiration of this grant, the holder shall comply with those abandonment procedures as prescribed by the Authorized Officer.

9. All surface structures (poles, lines, transformers, etc.) shall be removed within 180 days of abandonment, relinquishment, or termination of use of the serviced facility or facilities or within 180 days of abandonment, relinquishment, cancellation, or expiration of this grant, whichever comes first. This will not apply where the power line extends service to an active, adjoining facility or facilities.

10. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land 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. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

11. Special Stipulations:

- For reclamation remove poles, lines, transformer, etc. and dispose of properly.
- Fill in any holes from the poles removed.
- See attached reclamation plans.
- **The route is identified as habitat for the lesser prairie chicken; therefore, all construction activities will be restricted to the hours of 9:00 am through 3:00 am for the period of March 1 through June 15. No construction should occur between 3:00 am and 9:00 am.**