Form 3161-3 (August 2007) DEC 56 5001

UNITED STATES

ATS-08-145

OMB No 1004-0137 Expires July 31, 2010

OCU-A DEPARTMENT O	of the interior 15		NMN	IM 2748
BUREAU OF LAN	ID MANAGEMENT		6. If Indian, Allottee or T	ribe Name
APPLICATION FOR PERM	IIT TO DRILL OR REENTER			
a Type of Work: DRILL	REENTER		7. If Unit or CA Agreem	ent, Name and No
		1	8 Lease Name and Well	No.
b Type of Well.	her Single Zone Multiple	Zone	GISSL	ER B#40
Name of Operator			9. API Well No.	
SURNETT OIL CO., INC.			30	-015- 36034
a Address	3b Phone No. (include area code)		10. Field and Pool, or Ex	
01 Cherry ST. Unit #9 Fort Worth,	(817) 332-5108		LOCO HILI	rs'i
Location of Well (Report location clearly and in accordance	with any State requirements *)		11. Sec., T., R., M., or B	lk. and Survey or Area
At surface UNIT I, 2310' FSL, 9	90' FEL Roswell Controlled Water B	asin	SEC 11, T17S, R	130E
At proposed prod zone SAME AS ABOVE			12 Country on Pani-1	12 54-4-
4. Distance in miles and direction from nearest town or post offi approx 6 miles East & North of Loco Hills			12. County or Parish EDDY CTY	13 State NEW MEXICO
. Distance from proposed*	16. No of Acres in lease	17. Spacing	Unit dedicated to this we	
location to nearest 990' property or lease line, ft	1240 ACRES	40 ACR	ES	
(Also to nearest drig. unit line, if any)				
Distance from proposed location* to nearest well, drilling, completed, applied for, on this lease, ft.  40'	19. Proposed Depth 6000'	NMB# 0	A Bond No on file 00197	
Elevations (Show whether DF, KDB, RT, GL, etc.)	22. Approximate date work will start*		23. Estimated duration	
738' GL	FEBRUARY 1, 2008		25 Days to Drill	
	24. Attachments	-11.0		
well plat certified by a registered surveyor.  A Drilling Plan.  A Surface Use Plan (if the location is on National SUPO shall be filed with the appropriate Forest Service Offi	Forest System Lands, the cce)  4. Bond to cover Item 20 above) 5. Operator certif 6. Such other sit BLM.	the operation	·	existing bond on file (see
5. Signature  MMRA. Jeceby  interpretation of the property of	Name (Printed Typed)  MARK JACOBY		Date	0/31/200
pproved by (Signature) /s/ Don Peterson	Name (Printed/Typed) /s/ Don Pe	eterson	Date	DEC 19 200/
FIELD MANAGER	Office CARLSBA	AD FIE	LD OFFICE	,
pplication approval does not warrant or certify that the appearations thereon	licant holds legal or equitable title to those rights			
anditions of approval if any pre-attached		APPRI	IVAL FOR TV	WI VENDO

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

SEE ATTACHED FOR CONDITIONS OF APPROVAL

(Continued on page 2)

States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

**APPROVAL SUBJECT TO** GENERAL REQUIREMENTS

AND SPECIAL STIPULATIONS

**ATTACHED** 

# State of New Mexico

DISTRICT 1 1625 N. FRENCH DR., HOBBS, NM 88240

Energy, Minerals and Natural Resources Department

Form C-102

Revised October 12, 2005

Submit to Appropriate District Office

State Lease - 4 Copies Fee Lease - 3 Copies

DISTRICT II 1301 W. GRAND AVENUE, ARTESIA, NM 88210

DISTRICT III 1000 Rio Brazos Rd., Aztec, NM 87410 OIL CONSERVATION DIVISION 1220 SOUTH ST. FRANCIS DR. Santa Fe, New Mexico 87505

DISTRICT IV WELL LOCATION AND ACREAGE DEDICATION PLAT □ AMENDED REPORT 1220 S. ST. FRANCIS DR., SANTA FR. NM 87505 API Number H. Glorieta - 4050 Well Number Property Name GISSLER B 40 Operator Name Elevation BURNETT OIL COMPANY 3738

#### Surface Location

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
1	11	17-S	30-E		2310	SOUTH	990	EAST	EDDY

#### Bottom Hole Location If Different From Surface

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
Dedicated Acres		r Infill Co	nsolidation	Code Ore	der No.		<u> </u>	I	

# NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED

OPERATOR CERTIFICATION  I broby vertify that the information that the organization effects and that this organization effects are unlessed mineral interest in the land including the proposed below mole location including the proposed below mole location including the proposed below mineral or writing interest, or to a voluntary pooling agreement or a common of working interest, or to a voluntary pooling agreement or a common of the proposed below mineral or writing interest, or to a voluntary pooling agreement or a common of the plat was poling agreement or a common of the proposed poling agreement or a common of the plat was poling agreement or a common of the plat was poling agreement or a common of the plat was poling agreement or a common of the proposed poling agreement or a common of the plat was poling agreement or a common of the plat was poling agreement or a c
RONALD EIDSON 3239



#### MASTER DRILLING PLAN BURNETT OIL CO., INC.

# ALL VERTICAL CEDAR LAKE / LOCO HILLS PADDOCK WELLS

FEDERAL LEASE # LC029338A, LC029339A, LC030570A, LC055264, LC055958, NM2746, NM2747 FEDERAL LEASE # NM2748 & NM074939

Section 11, 12, 13, 14, 23, 24 & 25, Township 17 South, Range 30 East, Eddy County, N.M.

#### ACTUAL WELL LOCATION WILL BE ON THE SUBMITTED 3160-3 AND SURFACE USE PLAN

#### 1. Geological Name of Surface Formation

a. Alluvium.....Surface

2

# 2. Estimated tops of Geologic Markers & Depths of Anticipated Fresh Water, Oil or Gas:

a.	Seven Rivers	.1604	Uil
b.	Queen	2222'	Oi
C.	Grayburg	2670'	Oi
d.	San Andres	2985'	Oi
e.	Glorieta	4460'	Οi
f.	Total Depth	6000'	

No other formations are expected to yield oil, gas or fresh water in measurable volumes. We will set 10-3/4" casing @ approx. +/- 400' in the Anhydrite, above the Salt and circulate cement to surface. We will isolate the oil zones by running 7" casing to total depth and circulating cement to the surface.

# 3. Casing Program: (ALL CASING WILL BE NEW API APPROVED MATERIAL.)

<u>Hole</u> Size	<u>Interval</u>	OD Csq	Weight	Collar	<u>Grade</u>	<u>Collapse</u> Design <u>Factor</u>	Burst Design Factor	Tension Design Factor
14-3/4"	0'-380'	10-3/4"	32.75#	ST&C	H40	1.125	1.00	1.80
8-3/4"	0,-6000,	7"	23.00#	LT&C	J55	1.125	1.00	1.80

# 4. Cementing Program (Note Yields and DV Tool Depth if Multiple Stage.)

a. 10-3/4" Surface Cement to surface Lead with 150 sks Class C cement +10% A-10, + 10#/sk LCM-1, 1% CaCl, 0.01 gps FP-6L, 14.6 ppg, 1.67 CF/Sk Yield. Tail with 500 sks Class C cement + 2% CaCl + 0.01 gps FP-6L.14.8 ppg, 1.35 CF/Sk yield. TOC Surface.

# b. 7" Production Stage 1 Cement: 550 sks (50:50) Poz (Fly Ash):Class C cement + 2%

Bentonite + 0.01 gps FP-6L ÷ 0.3% FL-52A + 1.2% CD-32 + 5% Sodium Chloride. 1.27 CF/Sk Yield. DV @ approx. 2600'

Stage 2 Cement: Lead with1800 sks (35:65) Poz (Fly Ash): Class C cement + 6% Bentonite + 5 lbs/sk LCM-1 + 0.125 lbs/sk Cello Flake + .01 gps FP-6L + 5% Sodium Chloride, 1.89 CF/Sk Yield. Tail with 100 sks Class C cement + 1% CaCl + 0.01 gps FP-6L.14.8 ppg, 1.62 CF/Sk Yield, TOC Surface.

The above cement volumes may be revised pending the caliper measurement from the open hole logs. Casing design is to bring all cement to the surface.

BURNETT PLAZA - SUITE 1500 801 CHERRY STREET - UNIT #9

BURNETT OIL CO., INC.

FORT WORTH, TX 76102-6881 (817) 332-5108

#### 5. Pressure Control Equipment:

The blowout prevention equipment (BOPE) shown in Drilling Exhibit E will consist of a 2000 PSI Hydril Unit with hydraulic closing equipment. The equipment will comply with Onshore Order #2 and will be tested as described in this order. The 10-3/4" drilling head will be installed on the surface casing and in use continuously until total depth is reached. An independent testing company (**Mann Welding**) will be used for the testing. All BOPE and associated equipment will be tested to 2000 PSI with the rig pump prior to drilling out the 10-3/4" casing shoe. A 2" kill line and 3" choke line will be incorporated in the drilling spool below the BOP. Other accessory BOP equipment will include a Kelly cock, floor safety valve, choke lines and choke manifold having 2000 PSI WP rating.

COA

#### 6. Proposed Mud Circulation System

<u>Depth</u>	Mud Wt	<u>Visc</u>	<u>Fluid Loss</u>	Type System
0'-380'	8.6–9.5			Fresh Water
381'-6000'	10.0 max			Brine Water

The necessary mud products for weight addition and fluid loss control will be on location at all times.

#### 7. Auxiliary Well Control and Monitoring Equipment:

- a. A Kelly cock will be in the drill string at all times.
- b. A full opening drill pipe stabbing valve with the appropriate connections on the rig floor at all times.
- c. Hydrogen Sulfide detection equipment will be in operation after drilling out 10-3/4" casing shoe until 7" casing is cemented. The breathing equipment will be on location from drilling out the 10-3'4" casing shoe until total depth is reached.

#### 8. Hydrogen Sulfide Plan and Training:

- a. All personnel, whether regularly assigned, contracted, or employed on an unscheduled basis, will receive training from a qualified instructor in the following areas prior to commencing drilling operations on each well:
- b. The hazards and characteristics of Hydrogen Sulfide (H2S).
- c. The proper use and maintenance of personal protective equipment and life support systems.
- d. The proper use of H2S detectors, alarms, warning systems, briefing areas, evacuation procedures and the prevailing wind.
- e. The proper techniques for first aid and rescue procedures.

#### In addition, supervisory personnel will be trained in the following areas:

- a. The effects of H2S on metal components. If high tensile tubulars are to be used, personnel will be trained in special maintenance requirements.
- b. Corrective action and shut-in procedures when drilling or reworking a well, blowout prevention and well control procedures.
- c. The contents and requirements of the H2S Drilling Operations Plan and the Public Protection Plan (if applicable.)

There will be an initial training session just prior to encountering a known or probable H2S zone (within 3 days or 500 feet) and weekly H2S and well control drills for all personnel in each crew. The initial training session shall include a review of the site specific H2S Drilling Operations Plan and the Public Protection Plan (if applicable). This plan shall be available at the well site. All personnel will be required to carry documentation that they have received the proper training.

# a. Protective equipment for essential personnel:

1. Mark II Surviveair (or equivalent) 30 minute units located in the dog house and at the primary briefing area (to be determined.)

# b. H2S detection and monitoring equipment:

1. Three (3) portable H2S monitors positioned on location for best coverage and response. These units have warning lights and audible sirens when H2S levels of 20 PPM are reached.

#### c. Visual warning systems:

- 1. Wind direction indicators will be positioned for maximum visibility.
- Caution/Danger signs shall be posted on roads providing direct access to location. Signs will be painted a high visibility yellow with black lettering of sufficient size to be readable at reasonable distance from the immediate location. Bilingual signs will be used when appropriate.

#### d. Mud program:

The mud program has been designed to minimize the volume of H2S circulated to the surface.
 Proper mud weight, safe drilling practices and the use of H2S scavengers will minimize hazards when penetrating H2S bearing zones.

#### e. Communication:

- 1. Cellular Telephone and/or 2-way radio will be provided at well site.
- 2. Landline telephone is located in field office.

#### f. Metallurgy:

- 1. All drill strings, casings, tubing, wellheads, Hydril BOPS, drilling spools, kill lines, choke manifold, valves and lines will be suitable for H2S service.
- 2. All elastomers used for packing and seals shall be H2S trim.

# 9. Logging, Coring and Testing program:

- a. Any drill stem tests will be based on geological sample shows.
- b. The open hole electrical logging program will be:
  - 1. Total depth to 1000': Dual Laterolog-Micro Laterolog wit SP and GR. Compensated Neutron-Z Density log with Gamma Ray and Caliper.
  - 2. Total depth to Surface: Compensated Neutron with Gamma Ray.
  - 3. No coring program is planned.
  - 4. Additional testing will be done subsequent to setting the 7" production casing. The specific Intervals will be based on log evaluation, geological sample shows and drill stem tests.

# 10. Potential Hazards:

No abnormal pressures or temperatures are expected. There is known H2S in this area. The operator will comply with the provisions of Onshore Oil and Gas Order #6. No lost circulation is expected to occur. All personnel will be familiar with the safe operation of the equipment being used to drill this well. The maximum anticipated bottom hole pressure is 1000#. The maximum anticipated bottom hole temperature is 92°F.

# 11. Anticipated Start Date and Duration of Operation

. Road and location construction will begin after BLM has approved the APD and has approved the start of the location work. The anticipated spud date will be as soon as the location building work has been completed and the drilling rig is available to move to the location. Move in and drilling is expected to take approx 25 days. If production casing is run, an additional 60 days would be required to complete the well and install the necessary surface equipment (pumping unit, electricity, flowline and storage facility) to place the well on production.

#### 12. Operator's representative on the site:

Burnett Oil Co., Inc. field representative responsible for compliance with the approved drilling and operations plan is

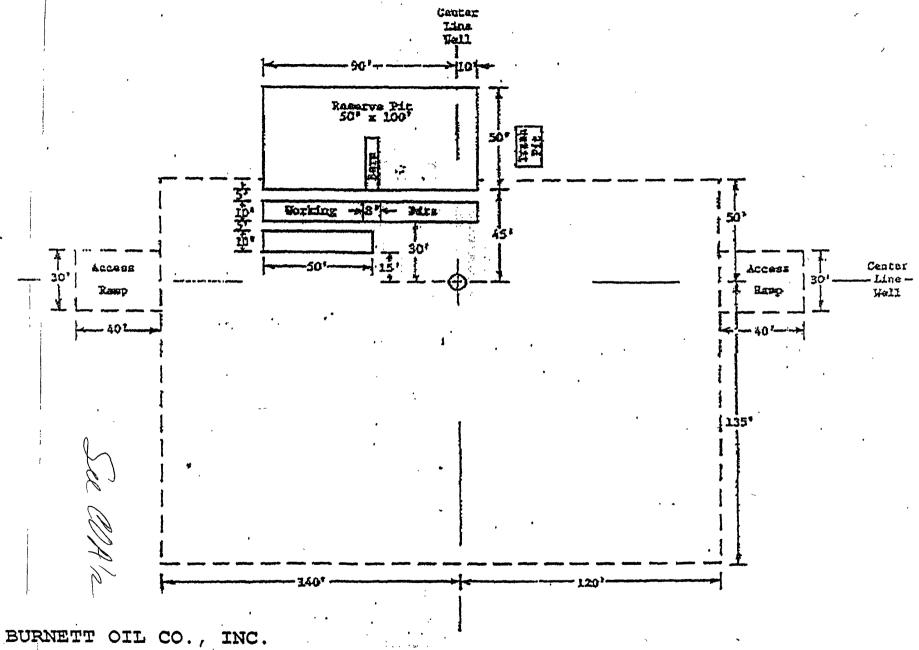
Mr. Belton Mathews, District Supt. P.O. Box 188 Loco Hills, New Mexico 88255

Office phone: 505-677-2313 Home phone: 505-746-8647 Cellular phone: 505-703-9601

Date: //////200

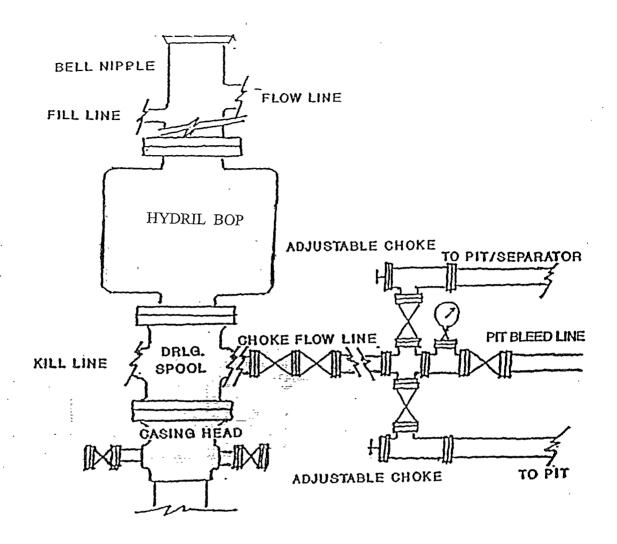
Mark A Jacob

Engineering Manager



PROPOSED DRILL SITE LAYOUT

GISSLER B #40 SURFACE EXHIBIT D



# BURNETT OIL CO., INC.

BLOWOUT PREVENTER & CHOKE MANIFOLD DIAGRAM 2000 PSI WORKING PRESSURE SERIES 600 FLANGES



#### SURFACE USE PLAN OF OPERATIONS

BURNETT OIL CO , INC.
Gissler B Well No. 40, Lease No. NM2748
Surface Location Unit I, 2310' FSL, 990' FEL
Section 11, Township 17 South, Range 30 East, Eddy County, N M

# 1. EXISTING ROADS:

- a The well site and elevation plat for the proposed well are reflected on the well site layout; Form C-102. This well was staked by John West Surveying Company.
- b. All roads into the location are shown on the Vicinity Map (Exhibit A.)
- c Directions to the location: from the intersection of US Hwy #82 and County Road (CR) #220 go North on CR #220 approx 2.5 miles, turn left, go west approx 0.7 mile, turn left and go approx 0.1 mile, follow road bend to the left and go approx.0.2 mile. Location is approx 200' North.

#### 2. New or Reconstructed Access Roads:

- a The well site layout, Form C-102 and Exhibit A1 & A2 show the existing area **This location** will require approx 47.1' of additional access road to connect existing lease roads.
- b. All construction material will be native caliche. It may be available at the proposed location. If unavailable on location or road, caliche will be hauled from nearest BLM approved caliche pit.
- c. No cattle guards, grates or fence cuts will be required.

#### 3. Location of existing wells:

a See the attached Exhibit B plat showing all wells within a ½ mile radius of the proposed well site

# 4. Location of existing and/or proposed production facilities:

See Exhibit B for location of **existing** approved Gissler B #3-1 Tank Battery facility on this Federal Lease.

- a. This battery is a Grayburg production Facility. We request on lease above ground commingling permission for the Grayburg and Loco Hills Paddock production for this Federal Lease. The interest will be the same for all wells being produced into this facility. This commingling plan will allow us to conserve land use by not having to construct a new battery on this Federal Lease. All production will be allocated based on periodic individual well tests. We will upgrade the present facility to include a permanent testing setup as part of the new well hookup. We will also request like approval from New Mexico Oil Conservation Division.
- b. The well site will require electricity for the prime mover. We will contact <u>Central Valley Electric Cooperative</u>, <u>Inc</u>. to provide the electric power poles and the electric line from their nearest connection. The routing and pole placement will be provided in their ROW application. All electric installation will be done in accordance with all existing state and federal regulations.
- c. We propose to lay approx. **2400' of new 3" PVC flowline** from this new Gissler B Loco Hills Paddock well to this Gissler B #3-1 Tank Battery header. This flowline will be laid above ground along existing road route on this Federal lease. (See Exhibit B & C plat.)

#### 5. Location and Type of Water Supply:

All water to be used in drilling this well will be brine or fresh water transported by truck over existing and above proposed lease road from Loco Hills, New Mexico or produced water furnished from our existing waterflood facilities in the area. We may install a pump and lay a temporary 2" poly line on the lease from the battery to the rig for this drilling water.

#### 6. Construction Materials:

All construction material for the roadway and drilling pad will be native caliche from the nearest BLM approved pit or from existing available deposits found on the location. All will be in accordance with the drilling stipulations for this well.

#### 7. Methods of Handling Waste Disposal:

- a. Drill cuttings will be disposed of in the lined reserve drilling pit. Auxiliary lined emergency water containment pits may also be necessitated by large volume water flows. All drilling fluids will be allowed to evaporate after completion of drilling. After proper disposal of contents, pits will be back filled, leveled and re-seeded per BLM site stipulations.
- b. Trash, waste paper, garbage and junk will be placed in a portable, screened trash container on location. All trash and debris will be transported to an authorized off-lease disposal station within 30 days following the completion activities.
- c. A properly maintained Porto-john will be provided for the crews during drilling and completion operations. All will be removed after completion operations have ended.
- d. Oil produced during testing will be put into steel storage tank for later sales.
- e. Water produced during testing operations will be put in the lined reserve pit until well is turned to the lease tank battery. All pit contents will be disposed of through one of our approved disposal methods.
- 8. Ancillary Facilities: There are no planned ancillary facilities for this well.

#### 9. Well Site Layout:

- a. Exhibit D shows the relative location and dimensions of the drilling pad and related components. Only minor differences, if any, in length and/or width of the drilling pad are anticipated, depending on which drilling contractor is selected to drill the well. Only minor leveling of the drilling site is anticipated.
- b. All pits will be in accordance with the stipulations for this well. Pit liner will be 6 mils thick polyethylene and will extend over the dike and be anchored in place. Reserve pit will be fenced until empty.

#### 10. Plans for surface Reclamation:

- a. After drilling and successful completion operations are finished, all equipment and other materials not required for normal production operations will be removed. Pits liners will be buried or hauled away. Pits will be backfilled, leveled and re-seeded in accord with the BLM well stipulations.
- b. Any unguarded pits containing fluid will be fence until backfilled.
- c. The pad size will be reduced to the amount required for normal operation of the producing well. This reduced portion will be restored to the BLM stipulations in section a.
- d. If a well is abandoned, the surface location and unneeded road will be restored according to BLM stipulations within 90 days of final abandon and sit re-seeded with BLM (B) seed mix.

#### 11. Surface ownership:

All lands are owned by the U.S. Government and is administered by the Bureau of Land Management. The surface is multiple use with the primary use of the region for the production of oil and gas and the grazing of livestock.

#### 12. Other information:

- a. The area surrounding the well site is grassland. The area is relatively flat with small hills and sand dunes. The topsoil is fine, deep sand underlain by caliche. Vegetation cover is generally sparse and consists of mesquite, yucca, shinnery oak and sparse native grasses. Wildlife in the area includes deer, coyotes, rabbits, rodents, reptiles, dove and quail.
- b. No permanent or live water is found in the general proximity of this area.
- c. No dwellings are found within two (2) miles of this location.
- d. There is intermittent cattle grazing and hunting in the area; however, the principal land use is for oil and gas production.
- e. An archaeological clearance report from <u>Boone Archaeological Services</u> will be sent to the BLM office in Carlsbad, N.M.

#### 13. Bond Coverage:

Current Bond is BLM Bond # NMB000197. The Surety Bond is #B000863. Both are effective May 21, 2004 and remain in place.

# 14. Operator's Representative:

Burnett Oil Co., Inc. field representative responsible for compliance with the approved surface use and operations plan is:

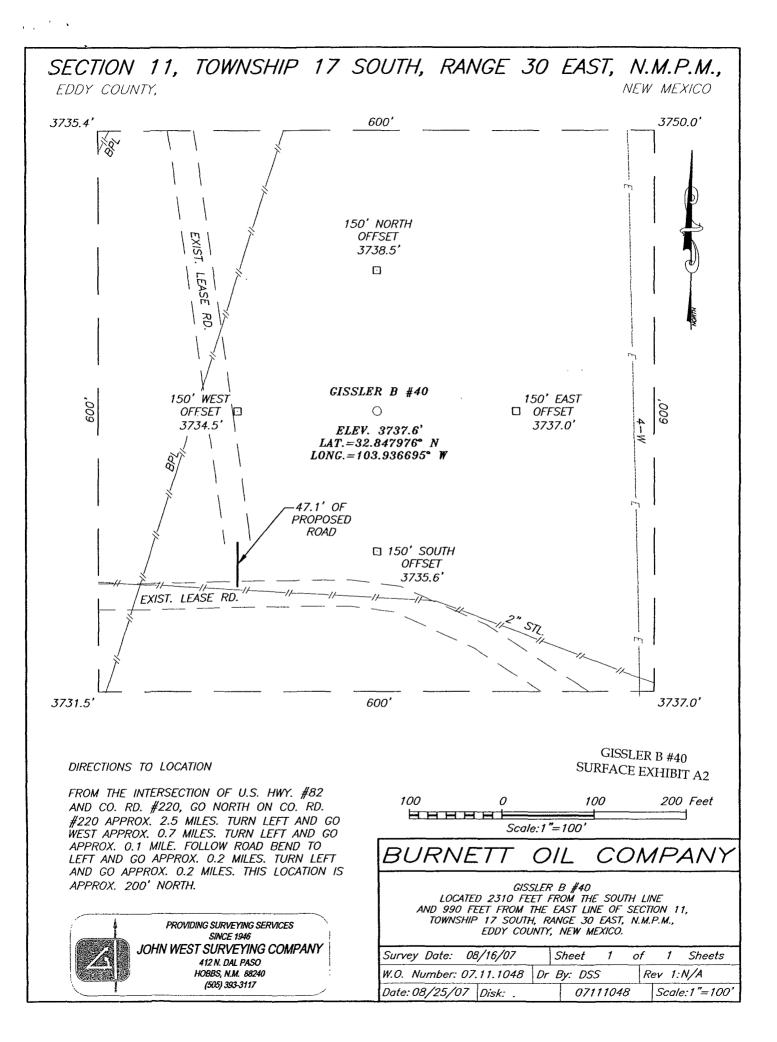
Mr. Belton Mathews, District Supt.

P.O. Box 188

Loco Hills, New Mexico 88255 Office phone: 505-677-2313 Home phone: 505-746-8647 Cellular phone: 505-703-9601

I hereby certify that I, or persons under my direct supervision have inspected the drill site and access route; that I am familiar with the conditions that currently exist; that the statements made in this plan are to the best of my knowledge, true and correct; and that the work associated with operations proposed herein will be performed by Burnett Oil Co., Inc. and its contractors and subcontractors in conformity with this plan and the terms and conditions under which it is approved. This statement is subject to the provisions of 18 U.S.C. 1001 for the filling of a false statement.

Date:



# VII. DRILLING

# A. DRILLING OPERATIONS REQUIREMENTS

The BLM is to be notified a minimum of 2 hours in advance for a representative to witness:

- a. Spudding well
- b. Setting and/or Cementing of all casing strings
- c. BOPE tests

# **Eddy County**

Call the Carlsbad Field Office, 620 East Greene St., Carlsbad, NM 88220, (575) 361-2822

- 1. A Hydrogen Sulfide (H2S) Drilling Plan should be activated 500 feet prior to drilling into the **Grayburg** formation. **Measurements between 500-2000 ppm in the gas stream.**
- 2. Unless the production casing has been run and cemented or the well has been properly plugged, the drilling rig shall not be removed from over the hole without prior approval.

#### B. CASING

- 1. The 10-3/4 inch surface casing shall be set a minimum of 25 feet into the Rustler Anhydrite and above the salt at approximately 380 feet and cemented to the surface.
  - a. If cement does not circulate to the surface, the appropriate BLM office shall be notified and a temperature survey utilizing an electronic type temperature survey with a surface log readout will be used or a cement bond log shall be run to verify the top of the cement.
  - b. Wait on cement (WOC) time for a primary cement job will be a minimum 18 hours for a water basin, 24 hours in the potash area, or 500 pounds compressive strength, whichever is greater. (This is to include the lead cement).
  - c. Wait on cement (WOC) time for a remedial job will be a minimum of 4 hours after bringing cement to surface or 500 pounds compressive strength, whichever is greater.
  - d. If cement falls back, remedial action will be done prior to drilling out that string.

Possible lost circulation in the Grayburg and San Andres formations. Possible water flows in the Salado and Artesia Groups.

- 2. The minimum required fill of cement behind the 7 inch production casing is:
  - Cement to surface. If cement does not circulate, contact the appropriate BLM office. First stage to circulate.
- 4. If hardband drill pipe is rotated inside casing, returns will be monitored for metal. If metal is found in samples, drill pipe will be pulled and rubber protectors which have a larger diameter than the tool joints of the drill pipe will be installed prior to continuing drilling operations.

# C. PRESSURE CONTROL

- 1. All blowout preventer (BOP) and related equipment (BOPE) shall comply with well control requirements as described in Onshore Oil and Gas Order No. 2 and API RP 53 Sec. 17.
- 2. The appropriate BLM office shall be notified a minimum of 2 hours in advance for a representative to witness the tests.
  - a. The tests shall be done by an independent service company.
  - b. The results of the test shall be reported to the appropriate BLM office.
  - c. All tests are required to be recorded on a calibrated test chart. A copy of the BOP/BOPE test chart and a copy of independent service company test will be submitted to the appropriate BLM office.
  - d. The BOP/BOPE test shall include a low pressure test from 250 to 300 psi. The test will be held for a minimum of 10 minutes if test is done with a test plug and 30 minutes without a test plug.

#### D. DRILL STEM TEST

If drill stem tests are performed, Onshore Order 2.III.D shall be followed.

Engineer on call phone (after hours): Carlsbad: (575) 706-2779

WWI 120707

January 8, 2008

New Mexico Oil Conservation Division 1301 Grand Avenue Artesia, New Mexico 88210 Attn: Mr. Byran Arrant

Re: H2S Rule 118 Contingency Plan. Gissler B #40, Unit I, 2310' FSL, 990' FEL SEC. 11, T17S, R30E- Eddy County, New Mexico

#### Dear Mr. Arrant:

Please accept this letter as our notice we do not believe the referenced plan is required for the referenced well. We have calculated the hazard volume as follows: highest H2S quantity 10,000 PPM, and using a production rate of 255 MCFGPD the 100 PPM radius is 181' and the 500 PPM radius is 83'. This footage does not get off our well locations.

Please contact our Mr. Mark Jacoby or the undersigned if you require additional information.

Yours truly, ormes H. arline

James H. Arline

Materials Coordinator

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