

*Sent to Bill Pierce  
7 Jan 09*30 015 34919  
**OPERATOR'S COPY**

Number 09TG011

Page 1 of 2☒ Certified Mail - Return  
Receipt Requested  
70073020000206490343**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
NOTICE OF WRITTEN ORDER**

IDENTIFICATION	
IID	
Lease	NMNM100545
CA	
Unit	
PA	

Bureau of Land Management Office <b>CARLSBAD FIELD OFFICE</b>				Operator <b>AMERISTATE EXPLORATION</b>			
Address <b>620 E GREENE STREET CARLSBAD NM 88220</b>				Address <b>401 11<sup>th</sup> CONGRESS AVENUE STE-2700-2900 AUSTIN TX 78701</b>			
Telephone <b>575-234-5958</b>				Attention			
Inspector <b>GREGSTON</b>				Attn Addr			
Site Name <b>MENTAL FLOSS 7 FED</b>	Well or Facility <b>1</b>	1/4 1/4 Section <b>NWSE 7</b>	Township <b>16S</b>	Range <b>27E</b>	Meridian <b>NMP</b>	County <b>EDDY</b>	State <b>NM</b>
Site Name	Well or Facility	1/4 1/4 Section	Township	Range	Meridian	County	State
Site Name	Well or Facility	1/4 1/4 Section	Township	Range	Meridian	County	State

The following condition(s) were found by Bureau of Land Management Inspectors on the date and at the site(s) listed above

Date	Time (24-hour clock)	Corrective Action to be Completed by	Date Corrected	Authority Reference
12/28/2008	11:00	03/27/2009		43 CFR 3162.1(a), 43 CFR 3162 5-1(b)

## Remarks

This well location was built, but the well was never drilled. APD has expired and location needs to be reclaimed.

## CONTACT BLM

Contact Terry Gregston, (575) 234-5958, three days prior to beginning work on this location, three days prior to finishing work, and three days prior to seeding.

## TRASH AND OTHER DEBRIS:

Remove well sign, fencing, trash, and metal cellar retaining wall.  
(Remarks continued on following page(s).)

When the Written Order is complied with, sign this notice and return to above address

Company Representative Title	Signature	Date
Company Comments		

**Warning**

The Authorized Officer has authority to issue a Written Order in accordance with 43 CFR 3161.2. Written Order correction and reporting time frames begin upon receipt of this Notice or 7 business days after the date it is mailed, whichever is earlier. Each stipulation must be corrected within the prescribed time from receipt of this Notice and reported to the Bureau of Land Management Office at the address shown above. If you do not comply as noted above under "Corrective Action to be Completed By", you shall be issued an Incident of Noncompliance (INC) in accordance with 43 CFR 3163.1(a). Failure to comply with the INC may result in assessments as outlined in 43 CFR 3163.1 and may also incur civil penalties (43 CFR 3163.2). All self-certified corrections must be postmarked no later than the next business day after the prescribed time frame for correction.

Section 109(d)(1) of the Federal Oil and Gas Royalty Management Act of 1982, as implemented by the applicable provisions of the operating regulations at Title 43 CFR 3163.2(f)(1), provides that any person who "knowingly or willfully" prepares, maintains, or submits false, inaccurate, or misleading reports, notices, affidavits, records, data or other written information required by this part shall be liable for a civil penalty of up to \$25,000 per violation for each day such violation continues, not to exceed a maximum of 20 days.

**Review and Appeal Rights**

A person contesting a decision shall request a State Director review of the Written Order. This request must be filed within 20 working days of receipt of the Notice with the appropriate State Director (see 43 CFR 3165.3). The State Director review decision may be appealed to the Interior Board of Land Appeals, 801 North Quincy Street, Suite 300, Arlington, VA 22203 (see 43 CFR 3165.4). Contact the above listed Bureau of Land Management office for further information.

Signature of Bureau of Land Management Authorized Officer		Date	Time
<i>Terry Gregston</i>		12/28/08	17:30
FOR OFFICE USE ONLY			
Number	Date	Type of Inspection	
3		ES	

BLM Remarks, continued

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**CALICHE:**

Strip off caliche from pad and 4080 feet of access road. Caliche can be used to build other roads or pads, or it can be hauled back to a nearby caliche pit.

**CELLAR:**

Backfill cellar.

**RESTORE NATIVE CONTOUR AND TOPSOILS:**

Restore pad and access road to natural contours and topsoils similar to surrounding pastures

**RIP LOCATION**

Rip final recontour of pad, access road, and other trespass roads associated with location perpendicular to downslope drainage. Any large boulders pulled up during the ripping process need to be reburied on location

**EROSION CONTROL**

Install windrows and/or erosion berms across location and reclaimed roads to protect reclaimed location from loss of topsoils due to wind scouring or water erosion.

**RESEED LOCATION**

Seed the location with BLM seed mixture, combination #3 and #4. BLM may wish to inspect final dirt work prior to removal of reclamation equipment and to witness the seeding process. Contact Terry Gregston three days prior to removal of heavy equipment from location and three days prior to seeding: (575) 234-5958.

**PROTECTION OF FINAL RECLAMATION WORK**

Once all the reclamation of the site is completed and approved by BLM, reclaimed surface areas must be protected from trespass traffic by fencing and/or berming access to the reclaimed areas. The berm and fencing should be high enough and long enough to barricade the reclaimed area from trespass traffic. Do not leave pullouts large enough for vehicles to park between the main lease road and the berm. Fencing may also be required in addition to the berm to ensure trespass traffic does not drive around the berm.

If you have any questions, contact Terry Gregston, Environmental Protection Specialist, (575) 234-5958.