

# NADEL AND GUSSMAN HEYCO, LLC

February 28, 2008

Intrepid Mining  
700 17th St., Suite 1700  
Denver, CO 80202  
Attention: Mrs. Katy Keller

RE: Township 20 South, Range 30 East  
Section 32: 1650' FNL & 1980' FWL  
Eddy County, New Mexico

Dear Mrs. Keller:

Nadel and Gussman HEYCO, LLC is proposing to drill a Morrow gas test to a depth of 12,675' at the referenced location by the end of May 2008. Therefore, we are seeking a waiver from Intrepid Mining, which would allow us to drill the proposed well in your area.

If you have no objections to the drilling of said well, please execute the waiver below and fax a copy to 575-624-5321. You may return the original to us in the enclosed self-addressed stamped envelope, retaining the copy for your files.

Please feel free to contact me if you have any questions or need further information.

Sincerely,

Keith Cannon  
Drilling Superintendent

KC/dl

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Intrepid Mining hereby waives any and all objections to Nadel and Gussman HEYCO, LLC drilling a 12,675' Morrow gas test at the above referenced location.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Oil Conservation Division

Case No. \_\_\_\_\_

Exhibit No. 4

DISTRICT I  
1070 N. FRANKLIN ST., WICHITA, KS 67202

DISTRICT II  
1204 W. GRAND AVENUE, ANTELOPE, NE 68210

DISTRICT III  
1000 N. DRAKE RD., ARLING, MN 57410

DISTRICT IV  
1220 S. 9TH AVE., SALT LAKE CITY, UT 84115

State of New Mexico

Survey, Minerals and Natural Resources Department

OIL CONSERVATION DIVISION

1220 SOUTH ST. FRANCIS DR.  
Santa Fe, New Mexico 87505

Form C-102  
Revised October 15, 2004  
Submit to Appropriate District Office  
State EDDYee - 4 Copies  
Fee EDDYee - 2 Copies

WELL LOCATION AND ACREAGE DEDICATION PLAT

☐ AMENDED REPORT

API Number	Pool Code	Pool Name
Property Code	Property Name <b>HEYCO STATE</b>	Well Number <b>2</b>
ORDER No.	Operator Name <b>NADEL AND GUSSMAN HEYCO, LLC</b>	Elevation <b>3338'</b>

Surface Location

UL or lot No.	Section	Township	Range	Lot 1/4	Feet from the	North/South line	Feet from the	East/West line	County
F	32	20-S	30-E		1650	NORTH	1980	WEST	EDDY

Bottom Hole Location If Different From Surface

UL or lot No.	Section	Township	Range	Lot 1/4	Feet from the	North/South line	Feet from the	East/West line	County

Dedicated acres	Joint or drill	Consolidation Code	Order No.
320			

NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED  
OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION

	<p><b>OPERATOR CERTIFICATION</b></p> <p>I hereby certify that the information herein is true and correct to the best of my knowledge and belief, and that the information is not a violation of any law or regulation of the State of New Mexico.</p> <p>Signature: <u>Terry R. West</u> Date: <u>2/24/08</u></p> <p>Printed Name: <u>TERRY R. WEST</u></p>
	<p><b>SURVEYOR CERTIFICATION</b></p> <p>I hereby certify that the well location shown on this plat was plotted from field notes of actual survey made by me or under my supervision, and that the same is true and correct to the best of my belief.</p> <p>Signature: <u>Ronald J. Edson</u> Date: <u>2/24/08</u></p> <p>Printed Name: <u>RONALD J. EDSON</u></p>

GEODETIC COORDINATES  
NAD 27 NME.

Y=557577.3 N  
X=603973.7 E

LAT.=32.532436° N  
LONG.=103.985965° W

FEBRUARY 26 2008

Date Registered  
Signature of Surveyor  
Professional Surveyor

3299

2/24/08

Certificate No. WERT E. EDSON 12641  
RONALD J. EDSON 8739