

23 July 07
DATE IN

8/13/07
SUSPENSE

P. Catarach
ENGINEER

25 July 07
LOGGED IN

NSC
TYPE

PLUP 0720 627605
APP NO.

ABOVE THIS LINE FOR DIVISION USE ONLY

NEW MEXICO OIL CONSERVATION DIVISION
- Engineering Bureau -
1220 South St. Francis Drive, Santa Fe, NM 87505



5678

ADMINISTRATIVE APPLICATION CHECKLIST

THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE

Application Acronyms:

- [NSL-Non-Standard Location] [NSP-Non-Standard Proration Unit] [SD-Simultaneous Dedication]
- [DHC-Downhole Commingling] [CTB-Lease Commingling] [PLC-Pool/Lease Commingling]
- [PC-Pool Commingling] [OLS - Off-Lease Storage] [OLM-Off-Lease Measurement]
- [WFX-Waterflood Expansion] [PMX-Pressure Maintenance Expansion]
- [SWD-Salt Water Disposal] [IPI-Injection Pressure Increase]
- [EOR-Qualified Enhanced Oil Recovery Certification] [PPR-Positive Production Response]

- [1] TYPE OF APPLICATION - Check Those Which Apply for [A]
- [A] Location - Spacing Unit - Simultaneous Dedication
 NSL NSP SD
- Check One Only for [B] or [C]
- [B] Commingling - Storage - Measurement
 DHC CTB PLC PC OLS OLM
- [C] Injection - Disposal - Pressure Increase - Enhanced Oil Recovery
 WFX PMX SWD IPI EOR PPR
- [D] Other: Specify _____
- [2] NOTIFICATION REQUIRED TO: - Check Those Which Apply, or Does Not Apply
- [A] Working, Royalty or Overriding Royalty Interest Owners
- [B] Offset Operators, Leaseholders or Surface Owner
- [C] Application is One Which Requires Published Legal Notice
- [D] Notification and/or Concurrent Approval by BLM or SLO
U.S. Bureau of Land Management - Commissioner of Public Lands, State Land Office
- [E] For all of the above, Proof of Notification or Publication is Attached, and/or,
- [F] Waivers are Attached

[3] SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED ABOVE.

[4] CERTIFICATION: I hereby certify that the information submitted with this application for administrative approval is accurate and complete to the best of my knowledge. I also understand that no action will be taken on this application until the required information and notifications are submitted to the Division.

Note: Statement must be completed by an individual with managerial and/or supervisory capacity.

Print or Type Name

Signature

Title

Date

e-mail Address



RECEIVED
2007 JUL 20 AM 10:52

July 19, 2007

FEDERAL EXPRESS

Mr. Mark Fesmire
New Mexico Oil Conservation Division
1220 S St Francis Dr
Santa Fe NM 87504

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s Kutz Federal No. 12F
1,220' FSL and 2,525' FWL, Section 21, T28N, R10W
San Juan County, New Mexico
Dakota & Chacra formations

Dear Mr. Fesmire:

XTO Energy Inc. (XTO) hereby requests administrative approval for an unorthodox location for the above referenced well. Attached for your reference are the following exhibits:

1. Well location plat (NMOCD Form C-102)
2. Topographic Map
3. Aerial Photograph
4. Dakota & Chacra formation Ownership Map
5. Dakota & Chacra formation Production Map

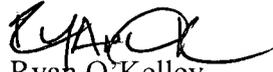
At the proposed location of 1,220' FSL and 2,525' FWL, the above captioned well is at a non-standard location to the east by 545' for both the Dakota and Chacra formations. The well was placed at this location due to topographic issues and to obtain the greatest distance from the Kutz Federal No. 12 well (existing Dakota formation producing well located in the same quarter location). In addition, drilling this well as a directional well, in order to make the location standard, would not be economical for this area according to XTO's economics. The Dakota formation is spaced on a 320-acre W/2 stand-up unit and the Chacra formation is spaced on a 160-acre SW/4 unit.

In addition to XTO, the offsetting Dakota and Chacra operating rights to the east of the proposed location are owned by ConocoPhillips Company, who has been notified via Federal Express. In addition, all Dakota and Chacra operating rights owners in the W/2 of the section have been notified via either Federal Express or Express Mail.

*Mr. Mark Fesmire
New Mexico Oil Conservation Division
Kutz Federal No. 12F
July 19, 2007
Page Two*

XTO Energy Inc. requests your administrative approval for the unorthodox location based on the above information. Should you need any additional information, please contact me at (817) 885-3091.

Yours truly,



Ryan O'Kelley
Associate Landman

Enclosures

DISTRICT I
1625 N. French Dr., Hobbs, N.M. 88240

DISTRICT II
1301 W. Grand Ave., Artesia, N.M. 88210

DISTRICT III
1000 Rio Brazos Rd., Aztec, N.M. 87410

DISTRICT IV
1220 South St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy, Minerals & Natural Resources Department

OIL CONSERVATION DIVISION
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-102
Revised October 12, 2005

Submit to Appropriate District Office
State Lease - 4 Copies
Fee Lease - 3 Copies

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

¹ API Number		² Pool Code	³ Pool Name
⁴ Property Code	⁵ Property Name KUTZ FEDERAL		⁶ Well Number 12F
⁷ OGRID No.	⁸ Operator Name XTO ENERGY INC.		⁹ Elevation 6047

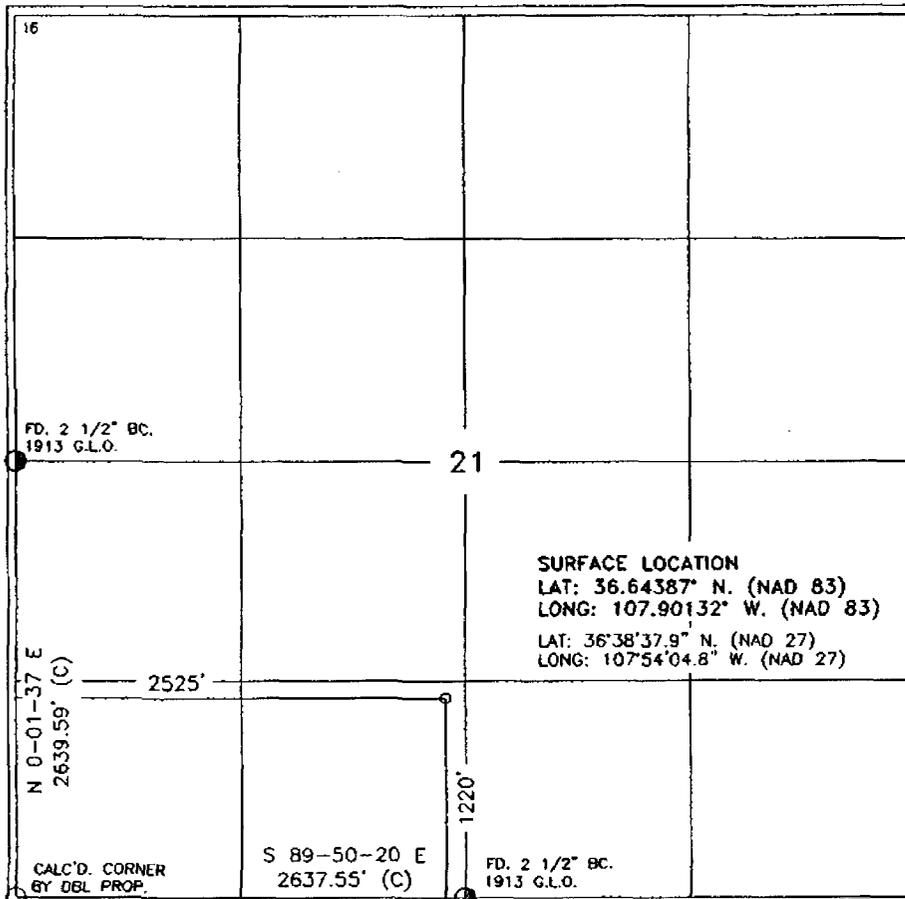
¹⁰ Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
N	21	28-N	10-W		1220	SOUTH	2525	WEST	SAN JUAN

¹¹ 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
¹² Dedicated Acres			¹³ Joint or Infill		¹⁴ Consolidation Code		¹⁵ Order No.		

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



17 OPERATOR CERTIFICATION
I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.

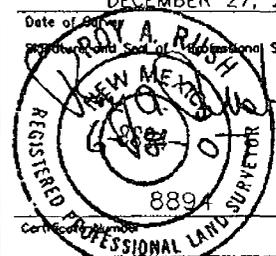
Signature _____ Date _____
Printed Name _____

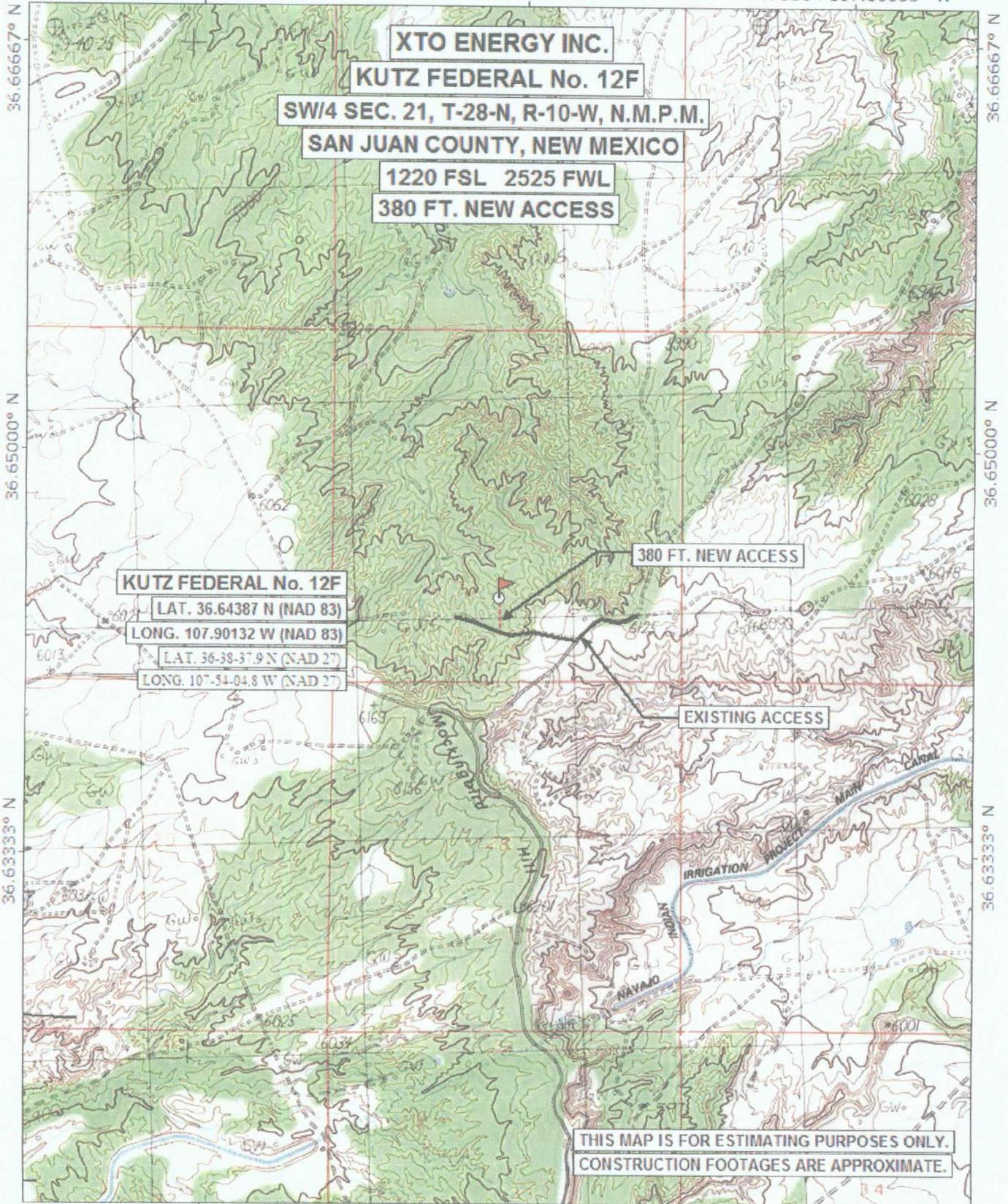
18 SURVEYOR CERTIFICATION
I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

DECEMBER 27, 2006
Date of Survey

Professional Land Surveyor

Certified Professional Land Surveyor

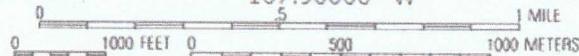




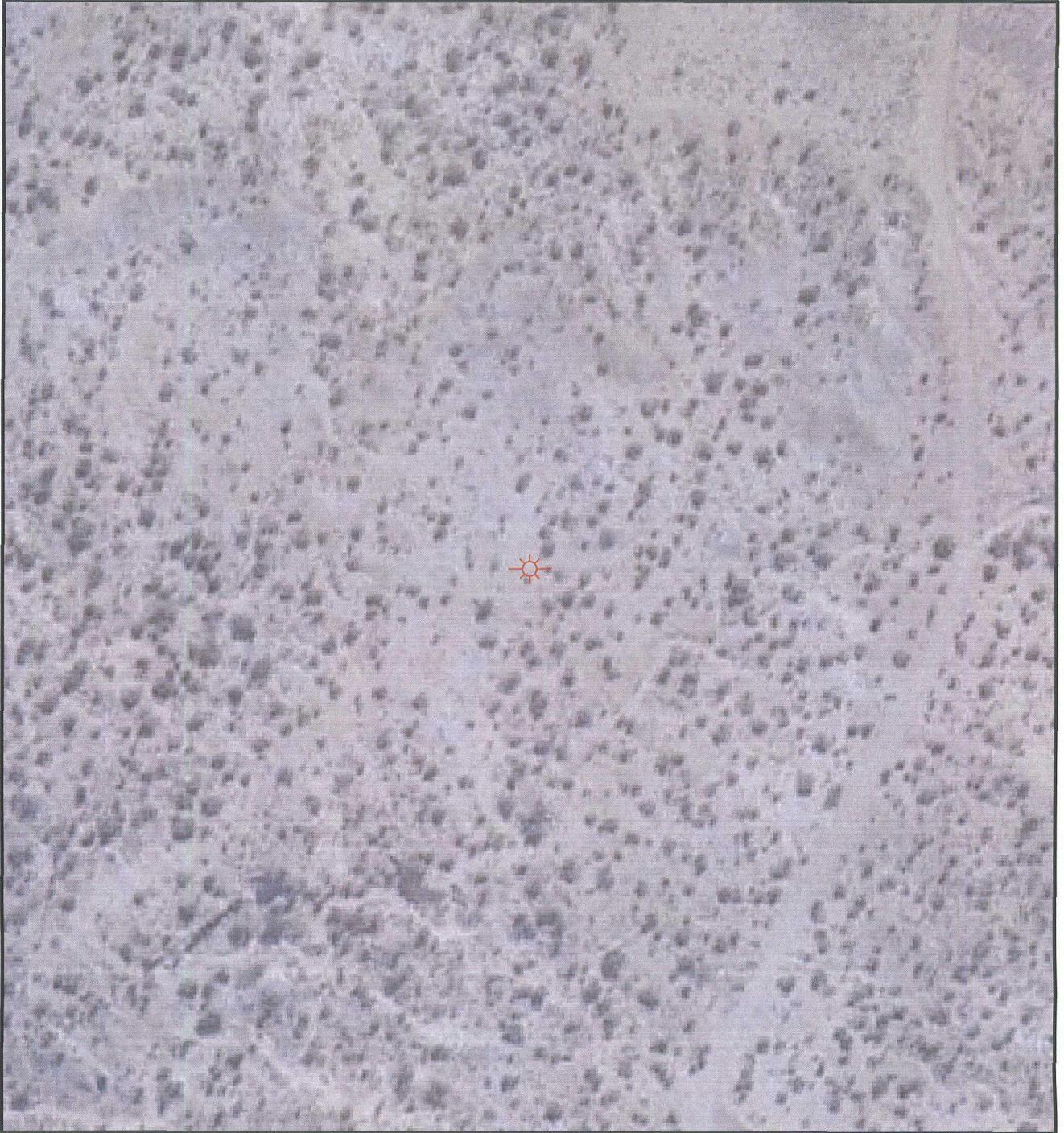
107.91667° W

107.90000° W

WGS84 107.88333° W



XTO ENERGY INC.
KUTZ FEDERAL No. 12F
SEC. 21, T-28-N, R-10-W, N.M.P.M.
SAN JUAN COUNTY, NEW MEXICO



Legend

 KUTZ FEDERAL No. 12F



Daggett Enterprises, Inc.
Surveying and Oil Field Services
P. O. Box 15068 Farmington, NM 87401
Phone (505) 326-1772 Fax (505) 326-6019

PAGE 1 OF 1

CADFILE: CR785AM1

DRAWN BY: A.G.

ROW#: CR785

DATE: 05/22/07



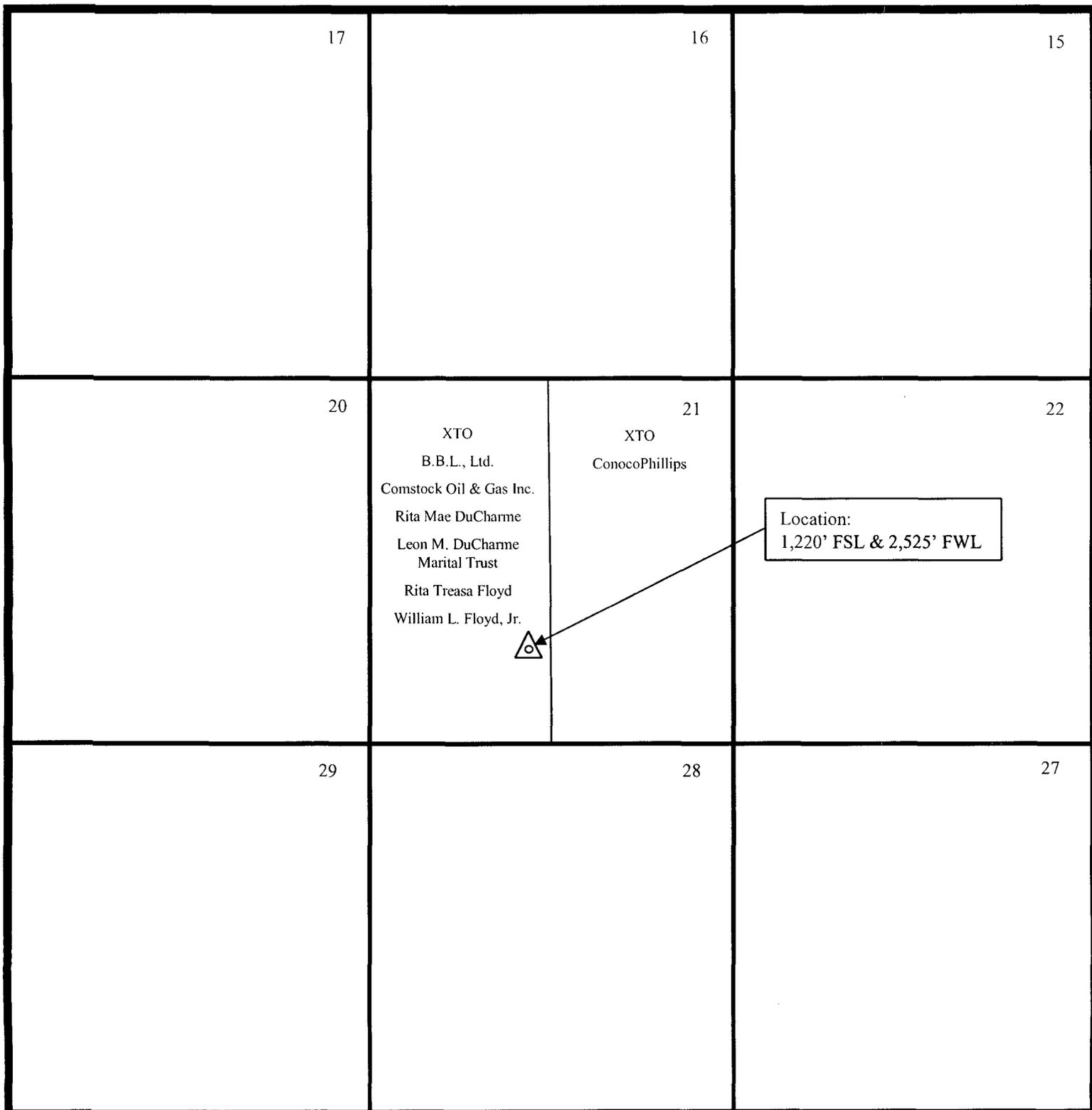
SECTION PLAT OF 9 SQUARE MILES

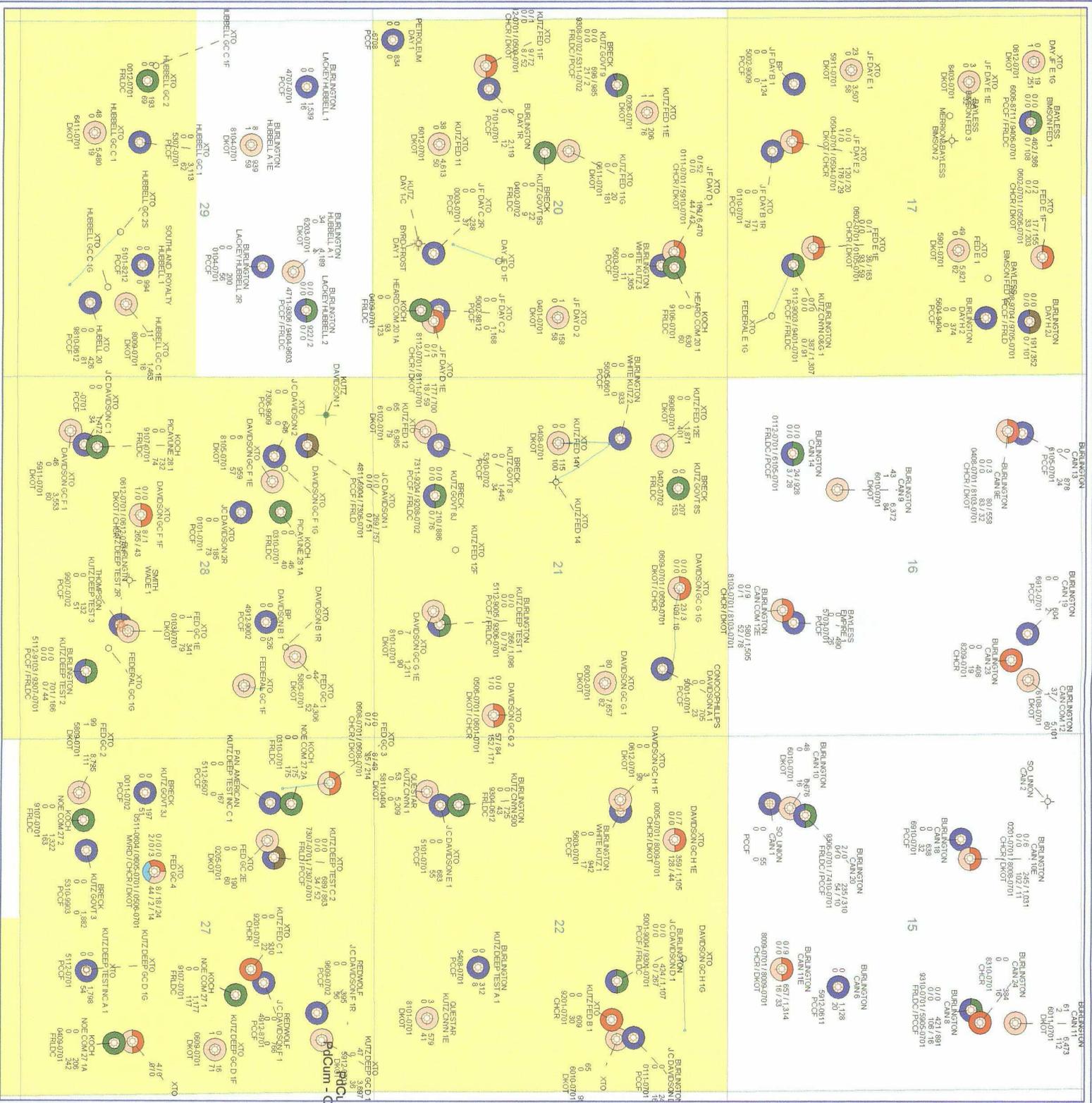
STATE: New Mexico COUNTY: San Juan

PROSPECT: Kutz Federal No. 12F DATE: July 19, 2007

SECTION: 21 TOWNSHIP: 28 North RANGE: 10 West

SCALE: 1'=2000'





POSTED WELL DATA

Operator: PETROBRAS

Well Label: PDCUM - CUMOL, MBLS, PDCUM - CUMGAS, PDCUM - ORATE YTD, BBL/D PDCUM - GASRATE, PDCUM - FROM DATE TO DATE, PDCUM - FINWAVE

ATTRIBUTE MAP

- Shallow
- Farmington
- Flinting Sand
- Flinting Coal
- Flinting Cliffs
- Maesa
- Galicia
- Dakota
- Morrison
- Deep

WELL SYMBOLS

- Gas Well
- Dry Hole
- Junken Gas Well
- Abandoned Oil Well
- Abandoned GAS Well
- Location

By: Jane Foster

May 25, 2007

XTO ENERGY INC.

SAN JUAN BASIN

SEC 21 T28N R10W

CUM PROD @ 1/2007

San Juan County, NM

Ratio Scale = 1" = 24,000

FEET

2,000



July 19, 2007

FEDERAL EXPRESS

ConocoPhillips Company
Attn: Rob Helton, Jr.
3401 East 30th St.
Farmington, New Mexico 87499-4289

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s Kutz Federal No. 12F
1,220' FSL and 2,525' FWL, Section 21, T28N, R10W
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Should you have any questions or need more information, please contact me at (817) 885-3091. Your prompt attention to this matter will be very much appreciated.

Yours truly,

Ryan O'Kelley
Associate Landman

Enclosures

cc: Mr. Mark Fesmire, NMOCD

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By: _____
Printed Name: _____
Date: _____



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Ship to:	Rob Helton, Jr. Conoco Phillips Company 3401 East 30th St. Farmington, NM 874994289 US 817-885-3091	Package type:	FedEx Envelope
		Pickup/Drop Off:	give to scheduled courier at my loca
		Weight:	1 LBS
		Dimensions:	0 x 0 x 0 in
		Declared value:	0 USD
		Shipper account number:	104873456
		Bill transportation to:	104873456
From:	DC West XTO Energy 810 Houston St. Fort Worth, TX 76102 US 8178852921	Courtesy rate quote:*	6.82
		Discounted variable %	
		Cod amount	
		Special services:	
		Shipment Purpose:	Express
		Shipment type:	Express
Tracking no:	799178410316	Commercial/Residential Status:	Commercial
Your reference:	ro-Sec.21-28N-10W		
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July 19, 2007

FEDERAL EXPRESS

Comstock Oil & Gas Inc.
5300 Town & Country Blvd. #500
Frisco, TX 75034

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s Kutz Federal No. 12F
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Dakota & Chacra formations

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Yours truly,

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Ryan O'Kelley
Associate Landman

Enclosures

cc: Mr. Mark Fesmire, NMOCD

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By: _____
Printed Name: _____
Date: _____



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Your Shipment Details:

Ship to:	Comstock Oil & Gas, Inc. 5300 Town & Country Blvd. #500 Frisco, TX 75034 US 817-885-3091	Package type:	FedEx Envelope
		Pickup/Drop Off:	give to scheduled courier at my loca
		Weight:	1 LBS
		Dimensions:	0 x 0 x 0 in
		Declared value:	0 USD
		Shipper account number:	104873456
		Bill transportation to:	104873456
From:	DC West XTO Energy 810 Houston St. Fort Worth, TX 76102 US 8178852921	Courtesy rate quote:*	6.65
		Discounted variable %	
		Cod amount	
		Special services:	
		Shipment Purpose:	Express
		Shipment type:	Express
Tracking no:	798222513940	Commercial/Residential Status:	Commercial
Your reference:	ro-Sec.21-28N-10W		
Ship date:	Jul 19 2007		
Service type:	FedEx Express Saver		

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July 19, 2007

EXPRESS MAIL

B.B.L., Ltd.
P.O. Box 911
Breckenridge, TX 76424-0911

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Should you have any questions or need more information, please contact me at (817) 885-3091. Your prompt attention to this matter will be very much appreciated.

Yours truly,

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Ryan O'Kelley
Associate Landman

Enclosures

cc: Mr. Mark Fesmire, NMOCD

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By: _____
Printed Name: _____
Date: _____



July 19, 2007

FEDERAL EXPRESS

Rita Mae DuCharme
2617 South Wadsworth Circle
Lakewood, CO 80277-3220

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Date: _____



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Your Shipment Details:

Ship to:	Rita Mae DuCharme 2617 South Wadsworth Circle Lakewood, CO 802773220 US 817-885-3091	Package type: Pickup/Drop Off: Weight: Dimensions: Declared value: Shipper account number: Bill transportation to: Courtesy rate quote:* Discounted variable % Cod amount Special services: Shipment Purpose: Shipment type: Commercial/Residential Status:	FedEx Envelope give to scheduled courier at my loca 1 LBS 0 x 0 x 0 in 0 USD 104873456 104873456 9.32 Residential delivery Express Residential
From:	DC West XTO Energy 810 Houston St. Fort Worth, TX 76102 US 8178852921		
Tracking no:	790295546020		
Your reference:	ro-Sec.21-28N-10W		
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July 19, 2007

FEDERAL EXPRESS

William L. Floyd, Jr.
16 East 77th Street, #5A
New York, NY 10021-1723

Re: Application for Administrative Approval of Unorthodox Location
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Ryah O'Kelley
Associate Landman

Enclosures

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Your Shipment Details:

Ship to:	William L. Floyd, Jr. 16 East 77th Street, #5A New York, NY 100211723 US 817-885-3091	Package type: Pickup/Drop Off: Weight: Dimensions: Declared value: Shipper account number:	FedEx Envelope give to scheduled courier at my loca 1 LBS 0 x 0 x 0 in 0 USD 104873456
From:	DC West XTO Energy 810 Houston St. Fort Worth, TX 76102 US 8178852921	Bill transportation to: Courtesy rate quote:* Discounted variable % Cod amount Special services: Shipment Purpose:	104873456 9.43 Residential delivery
Tracking no:	790295527286	Shipment type:	Express
Your reference:	ro-Sec. 21-28N-10W	Commercial/Residential Status:	Residential
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July 19, 2007

FEDERAL EXPRESS

Leon M. DuCharme Marital Trust
2617 South Wadsworth Circle
Lakewood, CO 80277-3220

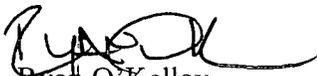
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Associate Landman

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Date: _____



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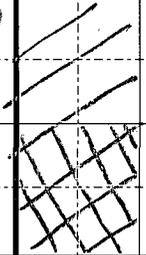
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From:	DC West XTO Energy 810 Houston St. Fort Worth, TX 76102 US 8178852921	Discounted variable % Cod amount Special services: Shipment Purpose: Shipment type: Express	
Tracking no:	792524648470		
Your reference:	ro-Sec.21-28N-10W		
Ship date:	Jul 19 2007		
Service type:	FedEx Express Saver		



Please note

*The courtesy rate shown here may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable [FedEx Service Guide](#) or the FedEx Rate Sheets for details on how shipping charges are calculated.

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdirection, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the contents, of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value (e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide). Written claims must be filed within strict time limits. Consult the applicable FedEx Service Guide for details.

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Township 28 N Range 10 W

Otero Chocoma
Baom - Dakota