

District I
1625 N. Preset Fire, Hobby, NM 88240

State of New Mexico
Energy, Minerals and Natural Resources Department

Form C-107A
Revised June 10, 2003

District II
1301 W. Grand Avenue, Artesia, NM 88210

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, New Mexico 87505

APPLICATION TYPE
Single Well
Establish Pre-Approved Pools
EXISTING WELLBORE

District III
000 Rio Brazos Road, Aztec, NM 87410

District IV
1220 S. 9. Francis Dr., Santa Fe, NM 87505

APPLICATION FOR DOWNHOLE COMMINGLING

Yes No

Burnett Oil Co., Inc.

Burnett Plaza Suite 1500, 801 Cherry St, Unit #9, Fort Worth, Texas 76102-6881

Operator Address
Stevens A 10 Unit L Sec 13, T17S, R30E Eddy
Lease Well No. Unit Letter-Section-Township-Range County
OGRID No. 003080 Property Code '002389 API No. 30-015-32793 Lease Type: X Federal State Fee

DATA ELEMENT	UPPER ZONE	INTERMEDIATE ZONE	LOWER ZONE
Pool Name	Grayburg Jackson San Andres		Cedar Lake Yeso
Pool Code	28509		96831
Top and Bottom of Pay Section (Perforated or Open-Hole Interval)	3568' to 4031'		4622' to 4869'
Method of Production (Flowing or Artificial Lift)	Artificial Lift		Artificial Lift
Bottomhole Pressure <small>(Note: Pressure data will not be required if the bottom perforation in the lower zone is within 150% of the depth of the top perforation in the upper zone)</small>			
Oil Gravity or Gas BTU <small>(Degree API or Gas BTU)</small>	35.8 Degrees API		37.1 Degrees API
Producing, Shut-In Or New Zone	New Zone Producing		Producing
Date and Oil/Gas/Water Rates of Last Production. <small>(Note: For new zones with no production history, applicant shall be required to attach production estimates and supporting data.)</small>	Date: 8/01/2007 Rates: 4 OIL, 7 GAS, 21 WTR	Date: Rates:	Date: 8-27-05 Rates: 15 BOPD, 41 MCFPD, 59 BWPD
Fixed Allocation Percentage <small>(Note: If allocation is based upon something other than current or, production, supporting date or explanation will be required.)</small>	Oil Gas 21% OIL, 15% GAS, 78% WTR	Oil Gas	Oil Gas 79% OIL, 85% GAS, 22% WTR

ADDITIONAL DATA

Are all working, royalty and overriding royalty interests identical in all commingled zones? Yes No
If not, have all working, royalty and overriding royalty interest owners been notified by certified mail? Yes No
Are all produced fluids from all commingled zones compatible with each other? Yes No
Will commingling decrease the value of production? Yes No
If this well is on, or communitized with, state or federal lands, has either the Commissioner of Public Lands or the United States Bureau of Land Management been notified in writing of this application? Yes No

NMOCD Reference Case No. applicable to this well: DHC 2578-3578 7/01/2005

Attachments: THE PERCENTAGES HAVE BEEN IN USE SINCE AUGUST 2007 ON THE C115. JHA

C-102 for each zone to be commingled showing its spacing unit and acreage dedication. Production curve for each zone for at least one year. (If not available, attach explanation.) For zones with no production history, estimated production rates and support

Notification list of working, royalty and overriding royalty interests for uncommon interest cases. Any additional statements, data or documents required to support commingling.

PRE-APPROVED POOLS

If application is to establish Pre-Approved Pools, the following additional information will be required:

List of other orders approving downhole commingling within the proposed Pre-Approved Pools

List of all operators within the proposed Pre-Approved Pools

Proof that all operators within the proposed Pre-Approved Pools were provided notice of this application.

Bottomhole pressure data.

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

SIGNATURE Mark A Jacoby TITLE Engineering Manager DATE 1/20/2009

TYPE OR PRINT NAME Mark A Jacoby TELEPHONE NO. (817) 332-5108

E-MAIL ADDRESS MJacoby@burnettoil.com