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DEC 0 8 2|003 UNITED STATES FORM APPROVED DEPARTMENT OF THE INTERIOR Form 3160-5 Budget Bureau No 1004-0135 Du. Dau of Land Winnersharth Expires March 31, 1993 **BUREAU OF LAND MANAGEMENT** (June 1990) SUNDRY NOTICES AND REPORTS ON WELLS Do not use this form for proposals to drill or to deepen or reentry to a different reservoir SF-077056 Use "APPLICATION FOR PERMIT -" for such proposals 6 If Indian, Allottee or Tribe Name SUBMIT IN TRIPLICATE 1 Type of Well 7 If Unit or CA, Agreement Designation Oil Well Gas Well Other 8 Well Name and No 2 Name of Operator Synergy Operating, LLC (163458) White 29-11-19 # 106 OGRID # 163458 9 API Well No 3 Address and Telephone No PO Box 5513 (505) 325-5549 30-045-33378 Farmington, NM 87499 10 Field and Pool, or Exploratory 4 Location of Well (Footage, Sec, T R, M, or Survey Description) Basin Fruitland Coal Unit K, 1670' FSL, 1855' FWL, Sec 19, T29N - R11W 11 County or Parish, State San Juan County New Mexico 12. CHECK APPROPRIATE BOX(S) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA TYPE OF SUBMISSION X Notice of Intent Abandoment Change of Plans Recompletion New Construction Subsequent Report Plugging Back Non-Routine Fracturing Casing Repair Water Shut-Off Converion to Injection Final Abandonment Notice Altering Casing Dispose Water (Note Report results of multiple completton on Well Completion or recompletion Report and Log Form) 13 Describe Proposed or Completed Operations (Clearly state all pertinent details, and give pertinent dates, including, estimated date of starting work If well is directionally drilled give subsurface locations and measured and true vertical depths for all markers and zones of pertinent to this work SYNERGY OPERATING, LLC SUBMITS THIS NOTICE IN RESPONSE TO THE LETTER DATED 11-07-2008 SYNERGY OPERATING. LLC IS COMPLETING DISCUSSIONS WITH OUR PARTNERS IN THE SUBJECT WELL TO ABANDON THE FRUITLAND COAL INTERVAL AND RECOMPLETE THE WELLBORE INTO THE PICTURED CLIFFS AND THE FARMINGTON SAND INTERVAL THE SPACING UNITS DIFFER BETWEEN THE FRUITLAND COAL (320) AND THESE FORMATIONS (160) AND WE ARE WORKING OUT THE ARRANGEMENT TO COMPENSATE THE DIFFERENT OWNERS FOR PRIOR INVESTMENTS SYNERGY REQUESTS NINETY (90) DAYS TO SUBMIT THE DETAILED RECOMPLETION PROCEDURE ROUD DEC 10'08 OIL CONS. DIV. DIST. 3 14 I hereby certif Engineering Manager 12-06-2008 Signed: Thomas E Mullins tom mullins@synergyoperating com Telephone (505) 599-4905 This space for federal or state office use Original Signed: Stephen Mason DFC 0 9 2008 Approved by: Title: Date:

Conditions of approval if any