

RECR - 11

**GENERAL
CORRESPONDENCE**

**YEAR(S):
2012**

Oil and Gas Reclamation Fund
Oil Conservation Division
Energy, Minerals and Natural Resources Department
1220 South St. Francis
Santa Fe, New Mexico 87505

CONSENT TO ENTRY FOR INVESTIGATION, RECLAMATION, & MONITORING

Hutcherson #1 Pit Reclamation PROJECT
Roosevelt COUNTY (IES)
E-21-8S-34E UNIT LETTER, SECTION, TOWNSHIP, RANGE

Pursuant to Chapter 70, Article 2, Section 38 of the Oil and Gas Act, the Director of the Oil Conservation Division (OCD) proposes to utilize the Oil and Gas Reclamation Fund in order to restore and remediate abandoned well sites and associated production facilities to protect public health and the environment.

To achieve this objective, it will be necessary for OCD, its employees, agents, and contractors to enter upon the property described below:

The general area of the former oil & gas pit located in Unit Letter E of Section 21 in Township 8 South
Range 34 East, NMPM in Roosevelt County on private property accessed from South Roosevelt
County Road Y approximately 3.3 miles south of State Road 258, southwest of Milnesand, NM

A(n) _____, interest in such property is held by
Mr. Shannon Kiser (name of interest holder). Such interest was
acquired by _____ (deed, patent, etc.) as recorded in Book ____/____
page(s) _____, in _____ County _____ records.

NOW, THEREFORE, in consideration of the benefits that will accrue to the Interest Holder and to the general public, the Interest Holder does hereby grant to the OCD, its employees, agents, contractors, and subcontractors a right of entry into, over, and upon the property described above, including all necessary and convenient rights of ingress, egress, and regress, with all materials and equipment necessary to conduct the proposed investigation and reclamation activities and to do any and all things necessary and convenient to effectively carry on said activities in a good and workmanlike manner, including but not limited to the temporary storage of equipment and materials, the right to remove or dispose of materials necessary to reclamation, and the construction of temporary roadways on the property. Said right of entry is granted to complete the reclamation activities and to conduct inspections of, and perform maintenance and repairs to, the reclamation activities completed on the property.

The Interest Holder understands and acknowledges that the success of the project cannot be warranted and the proposed work may not accomplish the intended result. The Interest Holder also acknowledges

that the OCD has no responsibility or liability for any oil and gas related damage to the property that occurred prior to or that might occur during or after the reclamation work.

It is understood the work performed in the project area shall be done by contractors for the OCD and the OCD is without authority to assume the risk of injury to persons or damage to persons or property resulting from the action of the contractors, however the OCD shall require contractors performing the work on the property to obtain and keep in force liability insurance in the minimum amount of \$1,000,000 per occurrence and \$2,000,000 per aggregate.

Execution of this Consent to Entry does not obligate OCD to perform any part of the contemplated or proposed reclamation work.

Interest Holder agrees that any sale, assignment, mortgage, or other encumbrance or conveyance of this property shall be made subject to this Consent to Entry. Additionally, Interest Holder agrees to provide written notice to the OCD ten (10) days in advance of any such event.

Witness my hand or seal this _____ day of May 2012.

Signature of Interest Holder

ACKNOWLEDGEMENT

STATE OF _____)

COUNTY OF _____)

The foregoing Consent to Entry was acknowledged before me this _____ day of _____, 20____,
by _____.

My commission expires: _____

(Seal)

Notary Public

ACKNOWLEDGEMENT FOR CORPORATION

STATE OF _____)

COUNTY OF _____)

The foregoing Consent to Entry was acknowledged before me this _____ day of _____, 20____,
by _____ (name of Interest Holder) the _____ (title)
of _____ (name of Corporation) a _____ (state) corporation.

My commission expires: _____

(Seal)

Notary Public