DATE IN SUSPENSE 5 ENGINEER US LOGGED IN THE PART APP NO.	029327
ABOVE THIS LINE FOR DIVISION USE ONLY	
NEW MEXICO OIL CONSERVATION DIVISION - Engineering Bureau - 1220 South St. Francis Drive, Santa Fe, NM 87505	
ADMINISTRATIVE APPLICATION CHECKLIST	· · ·
THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGUL WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE Application Acronyms:	ATIONS
[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 Oll 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	1 d. 2.
[3] SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE OF APPLICATION INDICATED ABOVE.	TYPE
[4] CERTIFICATION: I hereby certify that the information submitted with this application for administ approval is accurate and complete to the best of my knowledge. I also understand that no action will be taken application until the required information and notifications are submitted to the Division.	rative 1 on this
Note: Statement must be completed by an individual with managerial and/or supervisory capacity.	
Print or Type Name Signature Title Dat	ie .

e-mail Address



2700 Farmington Ave, K-1 Farmington, NM 87401 Phone: (505) 324-1090 FAX: (505) 564-6700

July 13, 2005

Mr. Will Jones New Mexico Oil Conservation Division 1220 S. St. Francis Drive Santa Fe, NM 87505

OH CONSERVATION

Subject: Application for Downhole Commingle Kutz Federal #16 Unit L Sec 33-T28N- R10W; 30-045-33038 Basin Dakota/Basin Mancos/Otero Chacra SF046563; San Juan, NM

Dear Mr. Jones:

Enclosed please find an administrative application form (C107A) and attachments for downhole trim mingling for the captioned well. All Working interest, net royalty interest and overriding royalty interest owners have been notified by certified, return receipt mail on July 13, 2005 of XTO Energy Inc. plans to downhole trim mingle the Kutz Federal #16. Trim mingling of zones will not reduce the recovery of these pools, but will improve recovery of liquids, thus eliminating redundant surface equipment. Waste will not result and correlative rights will not be violated. Notice of our intent has been filed with the BLM on form 3160-5.

Any questions pertaining to this matter, please call me at (505) 566-7925.

Sincerely,

Wideson Color

Melissa M. Osborne Regulatory Compliance Tech

xc: Wellfile OCD, Aztec Office BLM, Farmington

and the second and th				F C 102
Submit'3 Copies To Appropriate District Office	State of New Me			Form C-103 May 27, 2004
District I 1625 N. French Dr., Hobbs, NM 88240	Energy, Minerals and Natu	ral Resources	WELL API NO.	Widy 27, 2004
District II	OIL CONSERVATION	DIVISION	30-045-33038	
1301 W. Grand Ave., Artesia, NM 88210, District III	IV 1220 South St. Fran		5. Indicate Type of Lea STATE	
	Nanta Hel NM X	7505	6. State Oil & Gas Lea	FEE
District IV 1220 S. St. Francis Dr., Santa Fe, NM 87505	8 2005		SF046563	
		· · · · · · · · · · · · · · · · · · ·	7. Lease Name or Unit	Agreement Name
SUNDEYINOTICES (DO NOT USE THIS FORM FOR PROPOSALS DIFFERENT RESERVOIR. USE "APPLICATIO	TO DRIFT OR TO DEEPEN OR PL NEOR PERMIT" (FORM C-101) FO	, UG BACK TO A DR SUCH	Kutz Federal	Agreement Ivanie
PROPOSALS.) 1. Type of Well: Oil Well Gas	Well X Other		8. Well Number	#16
2. Name of Operator			9. OGRID Number	
XTO ENERGY INC.			1670	
3. Address of Operator 2700 FARMINGTON AVE, SUITE K	-1, FARMINGTON, NM 874	401	10. Pool name or Wild Basin DK/Basin Man	
4. Well Location			·#	
Unit LetterL : 2175'	feet from the <u>South</u>		345' feet from the We	
Section 33	Township 28N	Range 10W		Juan County
	. Elevation (Show whether DR 6083' GI			
Pit or Below-grade Tank Application 🔲 or Clos	[7]			
	Distance from nearest fresh v	vatar wall Die	tance from nearest surface we	tar
	Below-Grade Tank: Volume		onstruction Material	
	opriate Box to Indicate N			
	-		Report of Other Data	L
NOTICE OF INTER	NTION TO:	SUE	SEQUENT REPOR	RT OF
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APPROVED BY:	
Conditions of Approval	(if any)

District I 1625 N. French Dr., Hobbs, NM 88240 District II 1301 W. Grand Avenue, Artesia, NM 88210 District III 1000 Rio Brazos Rd., Aztec, NM 87410 District IV 1220 S. 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 June 10, 2003 Submit to Appropriate District Office State Lease - 4 Copies Fee Lease - 3 Copies

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

1 A	API Number		² Pool Code ³ Pool Name																						
3	0-045-33038		7	1559/97232/82	329	Basin Dakota/Basin Mancos/Otero Chacra											Basin Dakota/Basin Mancos/Otero Chacra								
⁴ Property (ode			· · · · ·	⁵ Property 1	Name		· ` `	Vell Number																
22756	1				Kutz Fede	eral			16																
'OGRID N	No.				* Operator !	Name			'Elevation																
167037					XTO Energ	y Inc.			6083' GL																
					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																
L	33	28N	10W		2175'	South	845'	West	San Juan																
	<u> </u>		¹¹ Bo	ottom Ho	le Location I	f Different Fron	n 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 DK W/2 320 ac MA/CH SW/4160 ac		r Infill ¹⁴ Co	nsolidation	Code ¹⁵ Ord	der No.	L																			

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. Signature
	Melissa M. Osborne Printed Name Regulatory Compliance Tech Title and E-mail Address April 20th, 2004 Date
B45'	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. August 30th, 2004 Date of Survey
21138	John A. Vukonch Certificate Number 14831

• . • District I

ve, Hobbs, NM 88240 District II

1301 W. Grand Avenue,

District III NM 87410

District IV

1220 S. St. Francis Dr., Santa Fe, NM 87505

NM 88210

DAC-3548 State of New Mexico Energy, Minerals and Natural Resources Department

Form C-107A Revised June 10, 2003

Oil Conservation Division

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

APPLICATION TYPE X_Single Well Establish Pre-Approved Pools EXISTING WELLBORE Yes <u>X</u>No

APPLICATION FOR DOWNHOLE COMMINGLING

Farmington, NM 87401 2700 Farmington Ave, Suite K-1 XTO Energy Inc. Address Operator L Sec 33, T28N-R10W San Juan County #16 Kutz Federal County Lease Well No. Unit Letter-Section-Township-Range

30-045-33038 OGRID No. 167037 Property Code 22756 _Lease Type X_Federal State ___Fee API No

DATA ELEMENT	UPPER ZONE	INTERMEDIATE ZONE	LOWER ZONE
Pool Name	Otero Chacra	WC Basin Mancos	Basin Dakota
Pool Code	82329	97232	71599
Top and Bottom of Pay Section (Perforated or Open-Hole Interval)	2,180' - 2,945'	4,340' - 4,707'	6,419' - 6,679'
Method of Production (Flowing or Artificial Lift)			
Bottomhole Pressure (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)			
Oil Gravity or Gas BTU (Degree API or Gas BTU)			
Producing, Shut-In or New Zone	New Zone	New Zone	New Zone
Date and Oil/Gas/Water Rates of Last Production. (Note: For new zones with no production history, applicant shall be required to attach production estimates and supporting data.)	Date: Rates:	Date: Rates	Date: Rates:
Fixed Allocation Percentage (Note: If allocation is based upon something other than current or past production, supporting data or explanation will be required.)	Oil Gas 0% - 10%	Oil Gas 19% - 5%	Oil Gas 81% - 85%

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_X	No
Are all produced fluids from all commingled zones compatible with each other?	Yes <u>X</u>	No
Will commingling decrease the value of production?	Yes	X
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 <u>X</u>	No
NMOCD Reference Case No. applicable to this well:		

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 supporting data.

Data to support allocation method or formula.

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

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I hereby certify that the information above is true and complete to the best of my knowledge and belief. 10 Regulatory Compliance Tech

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SIGNATORE	/ /	Messer !!	<u>۱</u>	101	IIILE	

TYPE OR PRINT NAME Melissa M Osborne

_TELEPHONE NO.

July 13, 2005

DATE

(505) 566-7925

E-MAIL ADDRESS

S:\REGULATORY\D H C\Kutz Federal #16\Kutz Federal 16 Allo DK-CH-MA.xls

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Allocation: Chacra Gallup/Mancos Dakota	4,260 1,014	6.686	2,713 139	1,172	1,115 3,874	4,945	4,002	1,411	5,423	506 511 L	252	4,259	919	3,502	601	299 5	8,636	830	1,143	2,554	2.214	2,738	174	5,887	1,076	1,073	3,068	رب 83	5		193	100	158
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Page 1

Kutz Federal #16

BLM 1235 La Plata Hwy, Ste A Farmington, NM 87401

* . *

Miriam I. Findley 6511 North County Road #3 Fostoria, OH 44830

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

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

Rita Treasa Floyd C/O Comerica Bank -TX Trustee Attn: John W. Lowrie P.O. Box 4167 (Mail Code 6605) Houston, TX 77210-4167

Leon M. Ducharme Marital Trust Rita Mae Ducharme & Joyce J. Neville, Co-Trustees 2617 S. Wadsworth Circle Lakewood, CO 80227-3220

Rita Mae Ducharme 2617 S. Wadsworth Circle Lakewood, CO 80227-3220

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

TCW DR II Royalty Partnership 865 South Figueroa St #1800 Los Angeles, CA 90017

Mathias Family Trust 9/9/81 Barbara J. Mathias & Carol J. Hopper Co-Trustees 3233 Spring Lane Falls Church, VA 22041-2607

.

Virginia L. Mullin 2500 Cherry Creek S Drive Apt. 504 Denver, CO 80209

Bernard Hyde Dr Living Trust Dated 4-6-88 Bernard Hyde Dr Trustee 28242 Yanez Mission Viejo, CA 92692-1836

Richard P. Shooshan 686 E Union Street Pasadena, CA 91101-1820



2700 Farmington Ave, K-1 Farmington, NM 87401 Phone: (505) 324-1090 FAX: (505) 564-6700

July 13, 2005

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RE: Notice of Intent to Apply for Downhole Commingling

Kutz Federal #16 L Sec 33, T28N, R10W; 2,175' FSL & 845' FWL San Juan County, NM

To: All working interest, royalty interest and overriding royalty interest owners.

XTO Energy Inc. is applying for permission to downhole trim mingle the Basin Dakota (71599), Basin Mancos (97232) and the Otero Chacra (82329) pools in the Kutz Federal #16 We propose to downhole trim mingle production from these pools after this well is drilled and upon approval from the NMOCD. NMOCD requires all interest owners be notified of intent to downhole trim mingle if ownership is different between pools.

Based upon the 9-section EUR's for the Basin Dakota, Basin Mancos and Otero Chacra, XTO Energy Inc. proposes allocation of trim mingled production as follows:

Pool	Oil	Gas
Basin Dakota	81%	85%
Basin Mancos	19%	5%
Otero Chacra	0%	10%

If you need additional information or have any questions, I may be contacted at (505) 566-7925. If you are opposed to trim mingling production from these pools please respond in writing within 20 days of the date of this letter to XTO Energy Inc., 2700 Farmington Avenue, Suite K-1, Farmington, NM 87401.

Sincerely,

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Melissa M Osborne Regulatory Compliance Tech

xc: Well File FW Land Dept.

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certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon. Title 18 U.S.C. Section 1001, and Title 43 U.S.C. Section 1212, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.