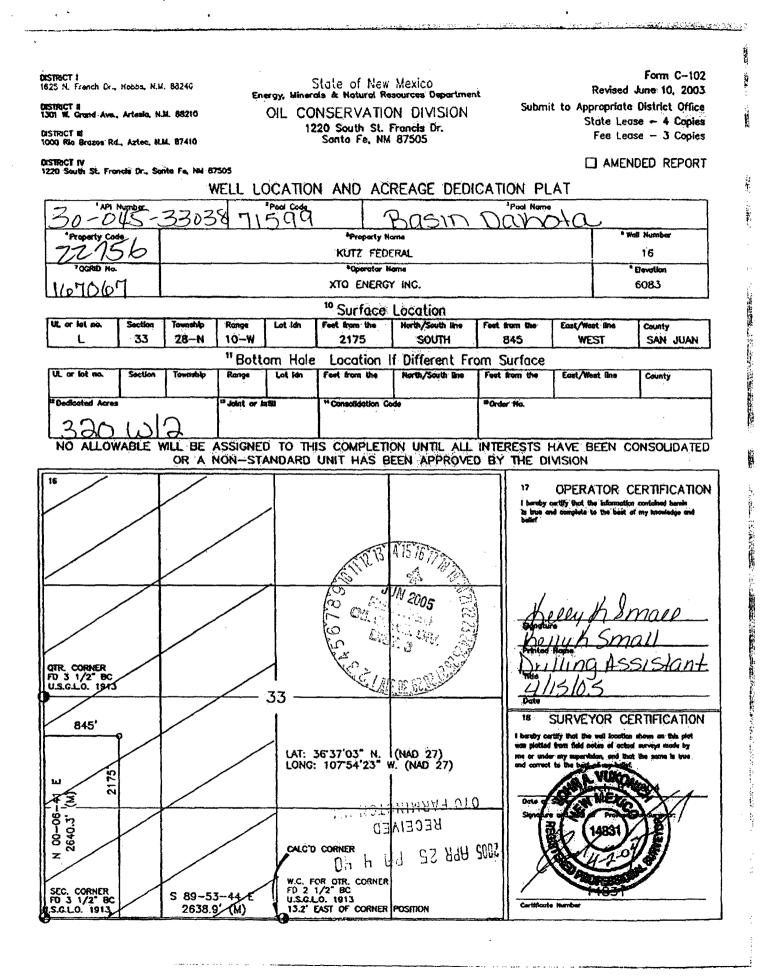
| Form 3160-3 (April 2004) | DEPARTMEN | TED STATES IT OF THE INTERI LAND MANAGEM | | | FORM APPROVED OMB NO. 1004-0137 Expires March 31, 2007 | | | |
|---|---|--|---|-------------------------|---|--|--|--|
| | | | | 5. Lease Serial | No. | | | |
| | APPLICATION FOR PE | KMIT TO DKILL | OR REENTEROUN | SF-0465 | | | | |
| la. Type of Work | DRILL | REENTE | R | 2 | lotee or Tribe Name | | | |
| 1b. Type of Well | Oil Well 🙀 Gas Wel | II 门 Other [| Single Zone | 7. Unit or CA | Agreement Name and No. | | | |
| 2. Name of Operator | | | fer, off | | and Well No. | | | |
| XTO Energy In 3a. Address | 3 | | 3b. Phone No. (include area co | | DERAL #16 | | | |
| 2700 Farmingt | an Ave., Bldg. K. Ste Report location clearly and in ad | 1 Farmington, | NM 505-324-1090 | 30-04 | 15-22038 | | | |
| | 5' FSL x 845' FWL in | - | - | DAKOTA/ | ool, or Exploratory CHACRA , M., or Blk. and Survey or Area | | | |
| At proposed prod. | zone SAME | | | L S33, T2 | - - | | | |
| 4. Distance in miles a | nd direction from nearest town or | post office* | | 12. County or I | | | | |
| | Approx 8 air miles som | utheast of Blog | mfield, NM Post_Office | San Juan | NEX | | | |
| 5. Distance from pro | | | 16. No. of Acres in lease | 17. Spacing Unit dedi | cated to this well | | | |
| location to neares property or lease (Also to nearest d | | 5' | 2522.06 | 320 W | 1/2, 160 SW/4 | | | |
| 8. Distance from pro | posed location* | | 19. Proposed Depth | 20.BLM/BIA Bond | No. on file | | | |
| applied for, on thi | illing, completed, s lease, ft. 585 ' | | 6935' | | | | | |
| .I. Elevations (Show | whether DF, KDB, RT, GL, etc. | | 22. Approximate date work will sta | urt* 23.Estima | ated duration | | | |
| 6083' Grou | md Elevation | | summer 2005 | | 2 weeks | | | |
| | an (if the location is on National I ed with the appropriate Forest Se | | Item 20 above). S. Operator certification. Such other site specific in authorized officer. | nformation and/or plans | s as may be required by the | | | |
| 25. Signuatire | 7/ N | | Name (Printed/Typed) | <u></u> | Date | | | |
| Kyla | Vaughar | | Kyla Vaughan | | 04/22/05 | | | |
| Regulatory | Compliance Tech | | | | | | | |
| Approved by (Signant | | - 1 | Name (Printed/Typed) | | Date | | | |
| Litle | MI Quelle d | | | | 619-05 | | | |
| | AFM | | Office FFO | | | | | |
| conduct operations the | ercon. | the applicant holds lega | al or equitable title to those rights in | the subject lease whic | h would entitle the applicant to | | | |
| ondations of approve | I, if any, are attached. | | | 0 | | | | |
| Fitle 18 U.S.C. Sectio States any false, fictiti | n 1001 and Title 43 U.S.C. Sections or fraudulent statements or re | on 1212, make it a crim presentations as to any | e for any person knowlingly and willfin matter within its jurisdiction. | | لنز | | | |
| (Instructions on page | 2) This action is subject to te | | DRILLING OPERATIONS AU SUBJECT TO COMPLIANCE | TINBINE INC. | | | | |
| ١ | and appeal pursuant to 43 | | "GENERAL REQUIREMENTS | | N PA | | | |
| , | | | | | о | | | |
| | A | T U | "GENERAL REQUIREMENTS | | ပ္သ စ | | | |
| | Ň | | NMOCD | ≈ % | | | | |
| | • | • | | | | | | |

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| DISTRICT 1 | | | c | State of New | Mexico | | | | | Form. C102 |
|---|----------------------|---------------------------|-------------|-------------------------------|---------------------------|----------|------------------------------------|----------------------------------|---------------------|---------------------------------------|
| 1625 N. French UK., Nobba, N.A | * 00244 | | ergy, Miner | de la Natural Re | sources Ospartmen | it | S. J. mail | | | June 10, 2003 |
| 1301 W. Grand Ave., Artesia, N | .M. 85210 | | | | DN DIVISION | | Suomi | •• | • | District Office se - 4 Copies |
| DISTRICT # 1000 Rio Brazos Rd., Aztec. N | JA. 87410 | | 14 | 20 South St. Sonto Fe, NM | | | | | | se - 3 Copies |
| DISTRUCT IV 1220 South St. Francis Dr., Sa | into Fe, NM 87 | | | | | <i>.</i> | | |) AMEN | DED REPORT |
| | <u></u> | | | N AND AC | REAGE DEDI | | DN PL | | | |
| 20-045-3 | 33038 82329 (Hero C) | | | | | | | Ċ, | | |
| *Property Code | | <u></u> | | Property H | ame | | | $\overline{}$ | • ₩6 | di Number |
| 11150 | | | | KUTZ FED | | | | | | 16 |
| 107001 | | | | *Operator i XTO ENERG | · . | | | | | Elevation 6083 |
| | | | | ¹⁰ Surface | Location | | | | | |
| UL or lot no. Section L 33 | Tawaship 28-N | Range 10W | Lot ion | Feet from the 2175 | North/South line SOUTH | | an the 45 | East/Wes | | County SAN JUAN |
| | | " Botto | m Hole | Location | If Different Fro | om Su | urface | | | |
| UL or lot no. Section | Township | Range | Lol Ida | Foot from the | North/South live | Feat & | com tive | East/Wes | it fine | County |
| ⁴ Dedicated Acres | 1 | ¹³ Joint or In | | ¹⁴ Consolidation C | ¢de | *Order | No. | L | | |
| 17/00 500 |]4 | | | | | | | .• | | |
| NO ALLOWABLE | | | | | | | | | EEN CO | NSOLIDATED |
| (| URAN | | | UNIT HAS B | EEN APPROVE | | THE DI | VISION | | |
| 16 | | | | | | | 17 | • | | ERTIFICATION |
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| OTR. CORNER | | | | | | | Dri | Ing | ASS | istant_ |
| FD 3 1/2".8C U.S.G.L.O, 1913 | | | 1 | | |]] | 4 | 1510 | 5 | |
| | | | 33 — | | a. | | Date 18 | TIDVEY | | RTIFICATION |
| 845 | | / | 1 | • | | | I bereby co | the the | nail location | shown as this plot |
| | | | LAT: | 36'37'03" N. 107'54'23" | (NAD 27) | | ms or unde | r my supervisi | | surveys made by the same is true |
| u x | | | LUNG | 107 54 23 | W. (NAU 27) | | and correct | to the best | VULD | |
| 51 ¥ | | | | | | | Data of | | Neig | X/- |
| | · | | 1 | | | | Single | 121 | Proloce | X x / |
| 2640 | | | CALCT | CORNER | | | | XX | 4831 | TE |
| zŇ | | | 1 | | | | Ŏ | R | 12 | <u></u> |
| SEC. CORNER | | / | FD 2 | OR OTR. CORNER | | | | | 1031 | |
| FD 3 1/2" 8C I.S.G.L.O. 1913 | /S 89-53 2638.9 | | U.S.C.L | .0. 1913 EAST OF CORNER | POSITION | | Certificati | Number | | <u></u> |

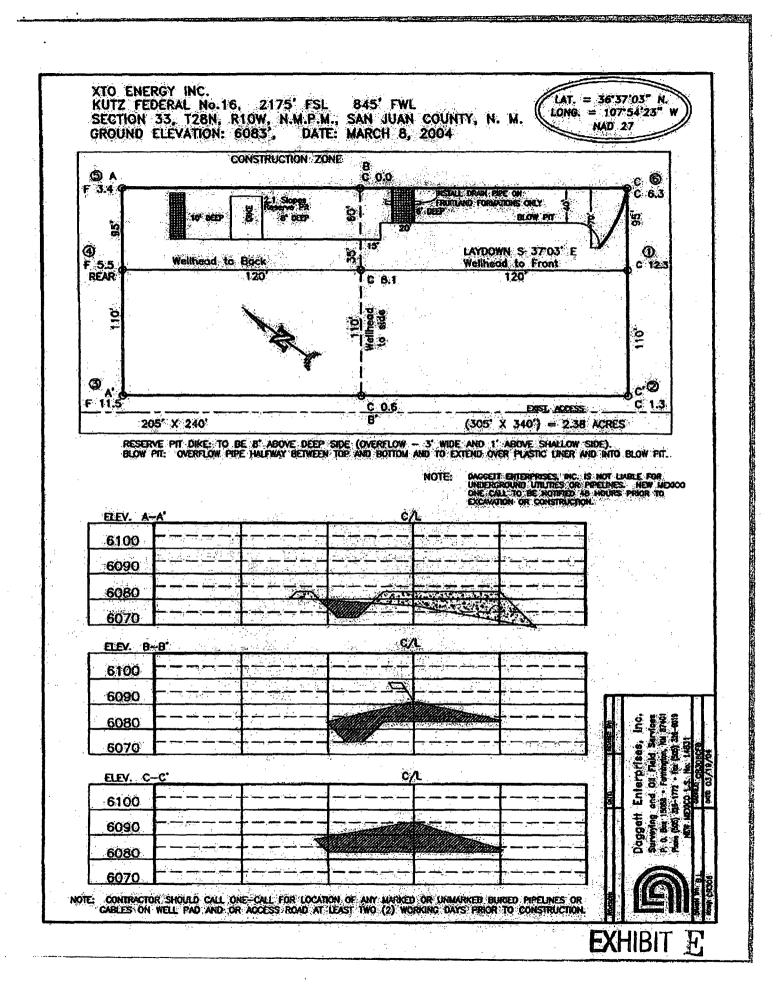
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| Submit 3 Copies To Appropriate District State of New Mexico | Form C-103 |
|---|---|
| Office Energy, Minerals and Natural Resources | May 27, 2004 |
| District I 1625 N. French Dr., Hobbs, NM 87240 | WELL API NO. |
| District II 1301 W. Grand Ave., Artesia, NM 88210 1200 Sauch St. Example Dr. | 5. Indicate Type of Lease |
| 1301 W. Grand Ave., Alcesia, NM 802101220 South St. Francis Dr.District III1000 Rio Brazos Rd., Aztec, NM 87410Santa Fe, NM 87505 | STATE FEE |
| District IV 1220 S. St. Francis Dr., Santa Fe, NM 87505 | 6. State Oil & Gas Lease No. SF-046563 |
| SUNDRY NOTICES AND REPORTS ON WELLS | 7. Lease Name or Unit Agreement Name: |
| (DO NOT USE THIS FORM FOR PROPOSALS TO DRILL OR TO DEEPEN OR PLUG BACK TO A DIFFERENT RESERVOIR. USE "APPLICATION FOR PERMIT" (FORM C-101) FOR SUCH (PROPOSALS.) | KUTZ FEDERAL |
| 1. Type of Well: | 8. Well Number |
| Oil Well Gas Well 🕱 Other | #16 9. OGRID Number |
| 2. Name of Operator XTO Energy Inc. | 167067 |
| 3. Address of Operator | 10. Pool name or Wildcat |
| 2700 Farmington Ave., Bldg. K. Ste 1 Farmington, NM 87401 | BASIN DAKOTA/OTERO CHACRA |
| 4. Well Location | |
| Unit Letter L feet from the line and | 845 feet from the WISST line |
| Section 33 Township 26N Range 10W | NMPM NMPM County SAN JUAN |
| 11. Elevation (Show whether DR, RKB, RT, GR, 6083' CL. | etc.) |
| Pit or Below-grade Tank Application a or Closure | |
| Pit type _DRILL Depth to Groundwater _>100_ Distance from nearest fresh water well _1 MILE | Distance from nearest surface water 1 MILE |
| Pit Liner Thickness: <u>12</u> mil Below-Grade Tank: Volumebbls; Constru | |
| | |
| 12 Check Ampropriate Day to Indicate Nature of Natio | a Demost on Other Data |
| 12. Check Appropriate Box to Indicate Nature of Notic NOTICE OF INTENTION TO: | · · · |
| PERFORM REMEDIAL WORK PLUG AND ABANDON REMEDIAL WORK | BSEQUENT REPORT OF: |
| | |
| PULL OR ALTER CASING CASING TEST AN COMPLETION CASING TEST AN CEMENT JOB | |
| OTHER: DRILLING PIT | |
| Describe proposed or completed operations. (Clearly state all pertinent details, and g of starting any proposed work). SEE RULE 1103. For Multiple Completions: Atta or recompletion. | |
| XTO Energy Inc. proposes to install a pit on location for drillin | g. The pit will be removed |
| from location in accordance with New Mexico Oil Conservation divisi | on guidelines when work is completed. |
| | |
| | |
| | |
| | |
| I hereby certify that the information above is true and complete to the best of my knowled | |
| grade tank has been/will be constructed or closed according to NMOCD guidelines , a general perm | ige and Deller. I further certify that any pit or below- it or an (attached) alternative OCD-approved plan |
| | Compliance Tech DATE 04/22/05 |
| | cyla_vaughan@ctoenergy.com Telephone No. 505-564-6726 |
| For State Use Only | AS INSPECTOR, DIST. 50 JUN 16 2005 |
| across on a start of a start | AN DEADTHE LEET DING AND UNLUMN I D /1115 |
| | |
| APPROVED BY TITLE Conditions of Approval, if any: | |

EXHIBIT D



XTO ENERGY INC. Kutz Federal #16 APD Data April 22, 2005

Location: 2,175' FSL x 845' FWL Sec 33, T28N, R10W County: San Juan

State: New Mexico

EXHIBIT F

GREATEST PROJECTED TD: <u>6,935'</u> APPROX GR ELEV: <u>6,083'</u> OBJECTIVE: <u>Basin Dakota</u> Est KB ELEV: <u>6,095' (12' AGL)</u>

1. MUD PROGRAM:

| INTERVAL | 0' to 360' | 360' to 4,000' | 4,500' to TD |
|------------|-------------|----------------|---------------------|
| HOLE SIZE | 12-1/4" | 7-7/8" | 7-7/8" |
| MUD TYPE | FW/Spud Mud | FW/Polymer | LSND / Gel Chemical |
| WEIGHT | 8.6-9.0 | 8.4-8.8 | 8.6-9.0 |
| VISCOSITY | 28-32 | 28-32 | 45-60 |
| WATER LOSS | NC | NC | 8-10 |

<u>Remarks:</u> Use fibrous materials as needed to control seepage and lost circulation. Pump high viscosity sweeps as needed for hole cleaning. Raise viscosity at TD for logging. Reduce viscosity after logging for cementing purposes.

2. CASING PROGRAM:

Surface Casing: 8-5/8" casing to be set at $\pm 360'$ in a 12-1/4" hole filled with 8.8 ppg mud

| | | | | | Coll | Burst | | | | | | |
|----------|--------|-------|------|------|--------|--------|---------|-------|-------|------|-------|-------|
| | | | | | Rating | Rating | Jt Str | ID | Drift | SF | SF | SF |
| Interval | Length | Wt | Gr | Cplg | (psi) | (psi) | (M-lbs) | (in) | (in) | Coll | Burst | Ten |
| 0'-360' | 360' | 24.0# | J-55 | STC | 1370 | 2950 | 244 | 8.097 | 7.972 | 7.32 | 7.95 | 29.39 |

| Production Casing: | 5-1/2" casing to be set at TD | (±6.935' |) in 7-7/8" hole | e filled with 9.0 ppg mud. |
|--------------------|-------------------------------|----------|------------------|----------------------------|
| | | | | |

| Trata and | Y an oth | 11/4 | C- | Crite | Coll Rating | Burst Rating | Jt Str | D | Drift | SF | SF | SF |
|-----------------------|------------------|-------------|------------|-------|----------------|-----------------|---------|-------|-------|------|-------|------|
| Interval 0'-TD | Length 6,935' | Wt 15.5# | Gr J-55 | Cplg | (psi) | (psi) | (M-lbs) | (in) | (in) | Coll | Burst | Ten |
| <u><u><u></u></u></u> | 0,933 | 15.5# | 1-22 | STC | 4040 | 4810 | 202 | 4.950 | 4.825 | 1.22 | 1.45 | 2.02 |

3. WELLHEAD:

- A. Casing Head: Larkin Fig 92 (or equivalent), 9" nominal, 2,000 psig WP (4,000 psig test) with 8-5/8" 8rnd thread on bottom and 11-3/4" 8rnd thread on top.
- B. Tubing Head: Larkin Fig 612 (or equivalent), 6.456" nominal, 2,000 psig WP (4,000 psig test), 5-1/2" 8rnd female thread on bottom, 8-5/8" 8rnd thread on top.

4. <u>CEMENT PROGRAM (Slurry design may change slightly, but the plan is to circulate cement to surface on both casing strings):</u>

A. Surface: 8-5/8", 24#, J-55, STC casing to be set at \pm 360' in 12-1/4" hole.

210 sx of Type III cement (or equivalent) typically containing accelerator and LCM, mixed at 14.5 ppg, 1.39 ft³/sk, & 6.70 gal wtr/sk.

Total slurry volume is 297 ft³, 100% excess of calculated annular volume to 360'.

B. <u>Production:</u> 5-1/2", 15.5#, J-55 (or K-55), STC casing to be set at $\pm 6,935'$ in 7-7/8" hole. DV Tool set @ $\pm 4,000'$

1st Stage

LEAD:

225 sx of Premium Lite HS (Type III/Poz/Gel) with additives (dispersants, fluid loss, LCM) mixed at 12.5 ppg, 2.01 ft³/sk, 10.55 gal wtr/sx.

TAIL:

150 sx Type III with additives (bonding additive, dispersant, fluid loss, LCM) mixed at 14.2 ppg, 1.54 cuft/sx, 8.00 gal/sx.

2nd Stage

LEAD: 375 sx of Type III with additives (gel, LCM) mixed at 11.9 ppg, 2.54 ft³/sk, 15.00 gal wtr/sx.

TAIL:

100 sx Type III neat mixed at 14.5 ppg, 1.39 cuft/sx, 6.3 gal/sx.

Total estimated slurry volume for the 5-1/2" production casing is 1,775 ft³.

Note: The slurry design may change slightly based upon actual conditions. Final cement volumes will be determined from the caliper logs plus 40%. It will be attempted to circulate cement to the surface.

5. LOGGING PROGRAM:

A. Mud Logger: The mud logger will come on at 5,500' and will remain on the hole until TD. The mud will be logged in 10' intervals.

B. Open Hole Logs as follows: Run Array Induction/SFL/GR/SP fr/TD (6,730') to the bottom of the surface csg. Run Neutron/Lithodensity/Pe/GR/Cal from TD (6,730') to the bottom of the surface casing.

EXHIBIT F

FORMATION TOPS: 6.

| Est. KB Elevation: 6,095 | | | | | | | | | |
|---------------------------|--------------|------------|--|--|--|--|--|--|--|
| Formation | Subsea Depth | Well Depth | | | | | | | |
| Ojo Alamo SS | +5136' | 959' | | | | | | | |
| Kirtland Shale | +4982' | 1113' | | | | | | | |
| Farmington SS | | | | | | | | | |
| Fruitland Formation | +4542' | 1553' | | | | | | | |
| Lower Fruitland Coal | +4109' | 1986' | | | | | | | |
| Pictured Cliffs SS | +4089' | 2006' | | | | | | | |
| Lewis Shale | +3915' | 2180' | | | | | | | |
| Chacra | +3150' | 2945' | | | | | | | |
| Cliffhouse SS | +2522' | 3573' | | | | | | | |
| Menefee | +2427' | 3668' | | | | | | | |
| Point Lookout SS | +1755' | 4340' | | | | | | | |
| Mancos Shale | +1388' | 4707' | | | | | | | |
| Gallup SS | +529' | 5566' | | | | | | | |
| Greenhorn Limestone | -259' | 6354' | | | | | | | |
| Graneros Shale | -324' | 6419' | | | | | | | |
| 1 st Dakota SS | -354' | 6449' | | | | | | | |
| 2 nd Dakota SS | -379' | 6474' | | | | | | | |
| 3 rd Dakota SS | -436' | 6531' | | | | | | | |
| 4 th Dakota SS | -505' | 6600' | | | | | | | |
| 5 th Dakota SS | -540' | 6635' | | | | | | | |
| 6 th Dakota SS | -584' | 6679' | | | | | | | |
| Burro Canyon SS | -605' | 6700' | | | | | | | |
| Morrison Shale | -641' | 6736' | | | | | | | |
| Project TD | -840' | 6935' | | | | | | | |

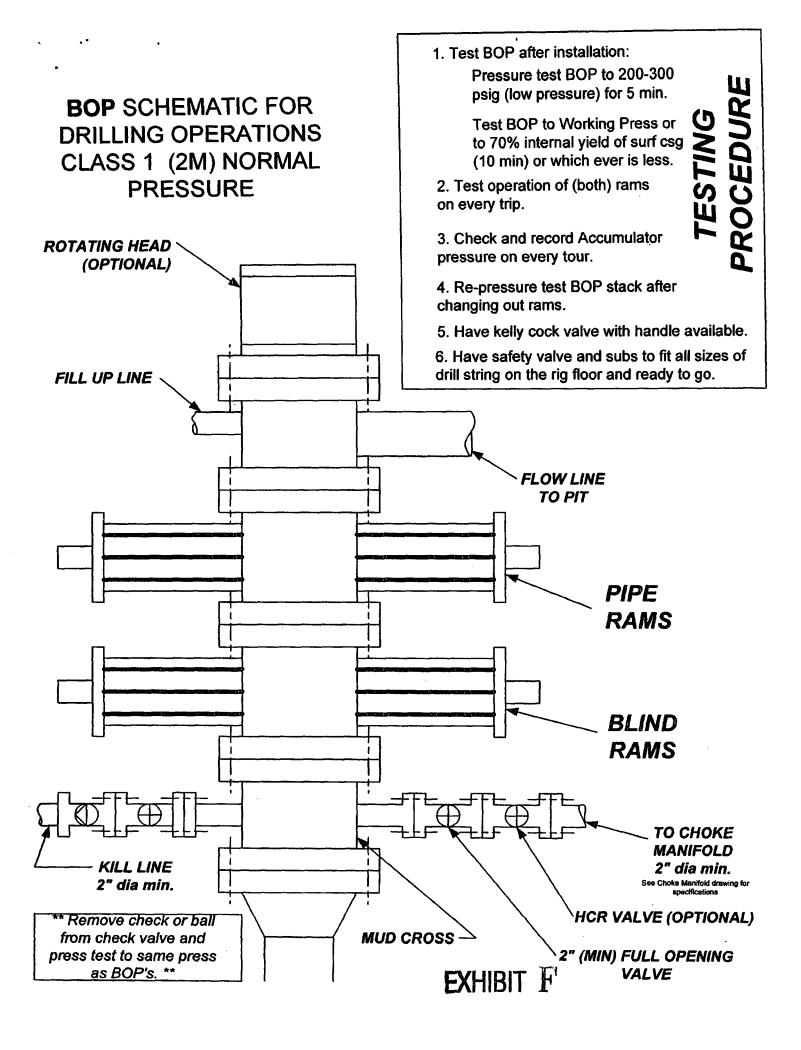
ABHAN 2500poi

7. <u>COMPANY PERSONNEL:</u>

| Name | Title | Office Phone | Home Phone |
|--------------|--------------------|--------------|--------------|
| Jeff Patton | Drilling Engineer | 505-324-1090 | 505-632-7882 |
| Dennis Elrod | Drilling foreman | 505-486-6460 | 505-326-2024 |
| Randy Hosey | Project Geologist | 817-885-2398 | 817-427-2475 |
| Barry Voigt | Reservoir Engineer | 817-885-2462 | 817-540-2092 |

JWP 4/22/05

EXHIBIT \mathbb{F}



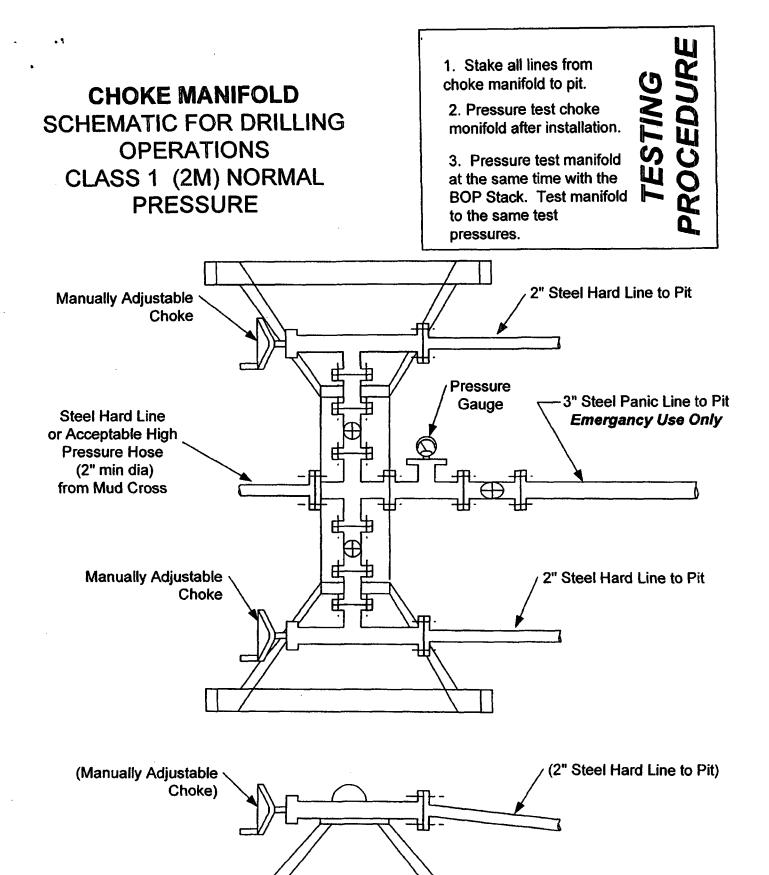


EXHIBIT F

| Submit 3 Copies To Appropriate DistrictState of New MexicoOfficeDistrict IDistrict I1625 N. French Dr., Hobbs, NM 88240District II1301 W. Grand Ave., Artesia, NM 88210District III000 Rio Brazos Rd., Aztec, NM 87410District IV1220 South St. Francis Dr. Santa Fe, NM 87505 | Form C-103 May 27, 2004 WELL API NO. |
|---|---|
| District I Energy, Winerals and Natural Resources 1625 N. French Dr., Hobbs, NM 88240 District II 1301 W. Grand Ave., Artesia, NM 88210 OIL CONSERVATION DIVISION 1301 W. Grand Ave., Artesia, NM 88210 1220 South St. Francis Dr. 1000 Rio Brazos Rd., Aztec, NM 87410 Santa Fe, NM 87505 | |
| 1625 N. French Dr., Hobbs, NM 88240 District II 1301 W. Grand Ave., Artesia, NM 88210 District III 1000 Rio Brazos Rd., Aztec, NM 87410 District IV OIL CONSERVATION DIVISION 1220 South St. Francis Dr. Santa Fe, NM 87505 | |
| Joistrict III 1220 South St. Francis Dr. 1000 Rio Brazos Rd., Aztec, NM 87410 Santa Fe, NM 87505 | 30-045-33038 |
| District III 1220 South St. Francis Dr. 1000 Rio Brazos Rd., Aztec, NM 87410 Santa Fe, NM 87505 | 5. Indicate Type of Lease |
| District IV Salita Fe, 1414 67505 | STATE FEE |
| 220 S. St. Francis Dr., Santa Fc, NM | 6. State Oil & Gas Lease No. |
| 37505 | SF046563 |
| SUNDRY NOTICES AND REPORTS ON WELLS (DO NOT USE THIS FORM FOR PROPOSALS TO DRILL OR TO DEEPEN OR PLUG BACK TO A DIFFERENT RESERVOIR. USE "APPLICATION FOR PERMIT" (FORM C-101) FOR SUCH | 7. Lease Name or Unit Agreement Name Kutz Federal |
| PROPOSALS.) | 8. Well Number #16 |
| 1. Type of Well: Oil Well Gas Well X Other 2. Name of Operator | 9. OGRID Number |
| XTO ENERGY INC. | 167067 |
| 3. Address of Operator 2700 FARMINGTON AVE, SUITE K-1, FARMINGTON, NM 87401 | 10. Pool name or Wildcat Basin DK/Basin Mancos/Otero CH |
| 4. Well Location | |
| Unit Letter L: 2175' feet from the South line and E | 345' feet from the <u>West</u> line |
| Section 33 Township 28N Range 10W | NMPM San Juan County |
| 11. Elevation (Show whether DR, RKB, RT, GR, etc. | |
| 6083' GL | |
| | |
| it or Below-grade Tank Application in or Closure | ····· |
| it typeDepth to GroundwaterDistance from nearest fresh water wellDis | • |
| it Liner Thickness: mil Below-Grade Tank: Volume bbls; C | onstruction Material |
| PERFORM REMEDIAL WORK PLUG AND ABANDON REMEDIAL WOR TEMPORARILY ABANDON CHANGE PLANS COMMENCE DR PULL OR ALTER CASING MULTIPLE COMPL CASING/CEMEN | |
| OTHER: Downhole Commingle | |
| 13. Describe proposed or completed operations. (Clearly state all pertinent details, ar of starting any proposed work). SEE RULE 1103. For Multiple Completions: A | nd give pertinent dates, including estimated da ttach wellbore diagram of proposed completion |
| or recompletion. | |
| or recompletion. TO Energy Inc. requests approval for an exception to Rule 303-C to permit DH t akota (71599), Basin Mancos (97232) & Otero Chacra (82329) in Kutz Federal # | |
| or recompletion. (TO Energy Inc. requests approval for an exception to Rule 303-C to permit DH t Dakota (71599), Basin Mancos (97232) & Otero Chacra (82329) in Kutz Federal # rim mingle these pools upon completion of this well. | |
| or recompletion. TO Energy Inc. requests approval for an exception to Rule 303-C to permit DH t bakota (71599), Basin Mancos (97232) & Otero Chacra (82329) in Kutz Federal # im mingle these pools upon completion of this well. | |
| or recompletion. TO Energy Inc. requests approval for an exception to Rule 303-C to permit DH to Dakota (71599), Basin Mancos (97232) & Otero Chacra (82329) in Kutz Federal # im mingle these pools upon completion of this well. Illocations are based upon a 9 section EUR and are calculated as follows: Basin Dakota: Gas 85% (Basin Mancos Gas 5% (| Dil 81% Dil 19% |
| or recompletion. TO Energy Inc. requests approval for an exception to Rule 303-C to permit DH to Dakota (71599), Basin Mancos (97232) & Otero Chacra (82329) in Kutz Federal # im mingle these pools upon completion of this well. Illocations are based upon a 9 section EUR and are calculated as follows: Basin Dakota: Gas 85% (Basin Mancos Gas 5% (| 16. XTO Energy, Inc plans to downhole |
| or recompletion. (TO Energy Inc. requests approval for an exception to Rule 303-C to permit DH t Dakota (71599), Basin Mancos (97232) & Otero Chacra (82329) in Kutz Federal # rim mingle these pools upon completion of this well. Allocations are based upon a 9 section EUR and are calculated as follows: Basin Dakota: Gas 85% (Basin Mancos Gas 5% (Otero Chacra Gas 10% (Working interest, net royalty interest and overriding interest owners have been not 3 th , 2005. The BLM has been notified with form 3160-5 of our intent to DH Trim r conomical method of production while protecting against reservoir damage, wast | 16 XTO Energy, Inc plans to downhole Dil 81% Dil 19% Dil 0% ified by certified, return receipt mail on the ningling. Downhole trim mingle will offer a e of reserves and violation of correlative |
| or recompletion. (TO Energy Inc. requests approval for an exception to Rule 303-C to permit DH t Dakota (71599), Basin Mancos (97232) & Otero Chacra (82329) in Kutz Federal # rim mingle these pools upon completion of this well. Allocations are based upon a 9 section EUR and are calculated as follows: Basin Dakota: Gas 85% (Basin Mancos Gas 5% (Otero Chacra Gas 10% (Norking interest, net royalty interest and overriding interest owners have been not 3 th , 2005. The BLM has been notified with form 3160-5 of our intent to DH Trim re conomical method of production while protecting against reservoir damage, waster ights. Mac Mac | 16 XTO Energy, Inc plans to downhole Dil 81% Dil 19% Dil 19% Dil 0% Lified by certified, return receipt mail on U ningling. Downhole trim mingle will offer a e of reserves and violation of correlative MANY IN Same |
| or recompletion. (TO Energy Inc. requests approval for an exception to Rule 303-C to permit DH t Dakota (71599), Basin Mancos (97232) & Otero Chacra (82329) in Kutz Federal # rim mingle these pools upon completion of this well. Allocations are based upon a 9 section EUR and are calculated as follows: Basin Dakota: Gas 85% (Basin Mancos Gas 5% (Otero Chacra Gas 10% (Norking interest, net royalty interest and overriding interest owners have been not 3 th , 2005. The BLM has been notified with form 3160-5 of our intent to DH Trim reconomical method of production while protecting against reservoir damage, waster ights. Mac Method formation above is true and complete to the best of my knowledge | Dil 81% Dil 19% Dil 19% Dil 19% Dil 0% ified by certified, return receipt mail on Ut ningling. Downhole trim mingle will offer a e of reserves and violation of correlative MIMY IN Same re and belief. I further certify that any nit or below |
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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 | PI Number | , , | | ¹ Pool Code | | | ³ Pool Name | | | |
|-----------------------------------|-----------------------|-------------------------|--------------------------|------------------------|--------------------------|--|------------------------|----------------|-------------|--|
| 30 | -045-33038 | | 71 | 559/97232/82 | 329 | Basin Dakota/Basin Mancos/Otero Chacra | | | | |
| ⁴ Property C | ode | | | | ⁴ Property Na | me | | · v | Vell Number | |
| 22756 | | | Kutz Federal 16 | | | | | | | |
| 'OGRID N | le. | | * Operator Name | | | | | | | |
| 167037 | | | XTO Energy Inc. 6083' GL | | | | | | | |
| | | | | | ¹⁰ Surface L | ocation | | | | |
| UL or lot no. | Section | Township | Range | Lot Idu | Feet from the | North/South line | Feet from the | East/West line | County | |
| L | 33 | 28N | 10W | | 2175' | South | 845' | West | San Juan | |
| | | | ¹¹ Bo | ttom Ho | le 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 o | r Infill ^M C | onsolidation (| Code 15 Or | der No. | I | l_ | | | |
| DK W/2 320 ac MA/CH SW/4160 ac | | | | | | | | | | |
| | | | | | | | | | | |

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 here in |
|-------|---|--|----------------|---|
| | | | | is true and complete to the best of my knowledge and |
| | | | | belief. |
| | | | | Signature alesso M Columna |
| | | | | Melissa M. Osborne Primed Name |
| | | | | Regulatory Compliance Tech Title and B-mail Address |
| | | | | April 20th, 2004 |
| | | | | Date |
| | | 33 | | ¹⁸ SURVEYOR CERTIFICATION |
| | | | 15101772 | I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys |
| B45' | | | | made by me or under my supervision, and that the |
| | | 10 | UL 2005 3 | same is true and correct to the best of my belief. |
| | | CU.01.6.8 | 32 | August 30th, 2004 |
| | | | - C | Date of Survey |
| | | L'O | DIST. 3 | Signature and Seal of Professional Surveyor: |
| 2178' | | No. | Z LEIGHT BRIDE | |
| 5 | | Contraction of the second seco | a Cal Allaure | John A. Vukonch |
| | | • | | Certificate Number |
| | | | | 14831 |
| | and the second | | | |

| | State of N | lew Mexico | Form C-107A |
|--|--------------------------------|---------------------------|---|
| District I 625 N. French Drive, Hobbs, NM 88240 | Energy, Minerals and Nat | ural Resources Department | Revised June 10, 2003 |
| District II 301 W. Grand Avenue, Artenia, NM \$\$210 | Oil Conser | vation Division | APPLICATION TYPE |
| | 1220 Sou | th St. Francis Dr. | X Single Well |
| District III 1000 Rio Brazos Road. Azecc, NM \$7410 | | lew Mexico 87505 | Establish Pre-Approved Pools EXISTING WELLBORE |
| District IV | | | Yes X No |
| 1220 S. St. Francis Dr., Santa Fe, NM 87905 | APPLICATION FOR DO | WNHOLE COMMINGLING | |
| XTO Energy Inc. | 2700 Farmington Ave, Suite K-1 | Farmington, NM 87401 | I |
| Operator Kutz Federal | | dress T28N-R10W | San Juan County |
| Lease | Well No. Unit Letter- | Section-Township-Range | County |
| OGRID No. 167037 Property Cod | e_22756API No30-04 | 5-33038 Lease Type | X Federal State Fee |
| DATA ELEMENT | UPPER ZONE | INTERMEDIATE ZONE | LOWER ZONE |
| Pool Name | Otero Chacra | Basin Mancos | Basin Dakota |
| Pool Code | 82329 | 97232 | 71599 |
| | 2,180' | 4,340' | 6,419' |
| Top and Bottom of Pay Section | - | | |
| (Perforated or Open-Hole Interval) | 2,945' | 4,707 3 14 15 15 | 6,679' |
| Method of Production | | | 14 B |
| (Flowing or Artificial Lift) | | | |
| Bottomhole Pressure | | | |
| (Note: Pressure data will not be required if the bottom | | CA CONT | |
| performion in the lower zone is within 150% of the depth of the top performion in the upper zone) | | C DIST. 3 | ··· 3 |
| Oil Gravity or Gas BTU | · | | |
| (Degree API or Gas BTU) | l | No. 19 | 2.49 |
| Producing, Shut-In or | | 1. El2. 11. 5 | |
| New Zone | New Zone | New Zone | New Zone |
| Date and Oil/Gas/Water Rates of | Date: | Date: | Date: |
| Last Production. (Note: For new zones with no production history, | Rates: | Rates | Rates: |
| applicant shall be required to attach production | | | |
| estimates and supporting data.) | | | |
| Fixed Allocation Percentage (Note: If allocation is based upon something other | Oil Gas | Oil Gas | Oil Gas |
| than current or past production, supporting data or explanation will be required.) | 0% - 10% | 19% - 5% | 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_X | 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_X | No |
| NMOCD Reference Case No. applicable to this well: | _ | |
| Attachments: 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 pressure data.

| I hereby certify that the information above is true and complete to | o the best of my knowledge a | nd belief. | |
|---|------------------------------|-------------|---------------|
| | Regulatory Compliance Tech | DATE | July 13, 2005 |
| TYPE OR PRINT NAME Melissa M Osborne | TELEPHONE NO | (505) 566-7 | 925 |

E-MAIL ADDRESS

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

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| | 27N 10W DAKOTA 27N 10W DAKOTA 28N 10W DAKOTA | 10W | 28N 10W GALLUP 28N 10W CHACRA 28N 10W CHACRA |
| All Gallup/ | ∞ 7 8 2 0 2 ∞ 3 0 8 0 2 1 8 ∞ 3 - 4 0 6 + 4 0 8 ∞ 0 5 3 4 0 8 8 8 0 0 0 0 0 0 0 0 0 0 0 0 0 | °408 | 0 0 7 |
| Allocation: Chacra Gallup/Mancos Dakota | 1,076 5,887 1,172 2,738 1,145 3,636 4,257 4,257 4,257 4,257 4,257 4,257 1,112 3,867 1,172 4,268 5,423 1,172 4,257 1,175 4,257 4,5577 4,557 4,557 4,557 4,557 4,557 4,5577 4,5577 4,5577 4,55777 4,5577 | 5,316 83 3,068 | 158 100 193 |
| Q | す | <u>ه م</u> | 0 |
| 0% 19% 81% | 。238939989999999999999999999999999999999 | 88 64 2 | 000 7 |
| 38 10% 5% | 1,076 6,707 6,707 1,355 2,559 3,988 3,9986 3,998 3,998 3,998 3,998 3,998 3,998 3,998 3,998 3,9996 3,9996 3,9996 3,9996 3,9996 3,9996 3,9996 3,9996 3,9996 3,99966 | 5,736 888 3,383 | 158 369 310 340 |

Page 1

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Kutz Federal #16

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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

1

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

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,

alissa M Osbache

Melissa M Osborne Regulatory Compliance Tech

xc: Well File FW Land Dept.

| Perm 140-3 Perm 140-4 | . ` | | | | | | |
|---|--|---|--|---|--|---|---|
| Additional DEPARTMENT OF THE INTERIOR Object 2000 BUREAU OF LAND MANAGEMENT SUBARY NOTICES AND REPORTS ON WELLS Department of proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after an abandonal weak lists form for proposals to difficit to re-after and prove the abandonal weak lists form for proposals to difficit to re-after and prove the after an abandonal weak lists form for proposals to difficit to re-after and prove the abandonal weak lists form for proposals to difficit to re-after and prove the after an abandonal weak lists form for proposals to difficit to re-after and prove the after an abandonal weak lists form for proposals to difficit to re-after and prove the after and prove the after and prove the after and prove the after an abandonal weak lists form for proposals to difficit to | · | UNI | TED STATES | | . (| | |
| BUREAU OF LAND MANAGEMENT SUBMIT NOTICES AND REPORTS ON WELLS Do not use this form for proposals to diff or to re-arter an abandoned well. Use form 3180-3 (APD) for such proposals. SUBMIT M TRPL/CATE - Other instructions on reverse side | | | | R | | | |
| SUNDRY NOTICES AND REPORTS ON WELLS pr 04553 Do not use this form for proposals to diffi or to re-information in the summary substantiant of proposals. c. Fladma, Aluntes or Tribe Name SUBMIT IN TRIPLICATE - Other Instructions on reverse side 7. If Cit or CAAgnormal, Name and/or No. 1. Ope of Well Go an Well Other. 2. Name of Operating 8. Well Name and No. 3. Address 9. AT Well No. 3. Location of Weigney, Go. T. A. M. or Durry Durry Well 9. Address of No. 2. (THE CK APPROPRIATE BOX[ES) TO NDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA TYPE OF SUBMISSION TYPE OF ACTION 12. CHECK APPROPRIATE BOX[ES) TO NDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA TYPE OF SUBMISSION TYPE of Address 13. Dearch Proposad or Completed Operation theory | | BUREAU OF L | AND MANAGEME | T | | | |
| Do not use this form for proposals to drill or to re-enter an abandoned well. Uses Form 3160-2 (APD) for such proposals. SUBMIT IN TRIPLICATE - Other instructions on reverse side I. Trype of Well Other Content instructions on reverse side I. Well Normal State Content instructions on reverse side I. Well Normal State Content instructions on reverse side I. Well Normal State Content instructions on reverse side I. Well Normal State Content instructions on reverse side I. Well Normal State Content instructions on reverse side I. Well Normal State Content instructions on reverse side I. Well Normal State Content instructions on reverse side I. Well Normal State Content instructions on reverse side I. Well Normal State Content instructions on reverse side I. Content of Well Other Content instructions on reverse side I. Well Normal State Content instructions on reverse side I. Content of Well I I I Normal State I I I Normal Normal I I I Normal Normal I I I I Normal I I I I I I I I I I I I I I I I I I I | | CUNDRY NOTICES | AND DEPOPTS (| | | | |
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| SUBAIN W TAPLEATE - Unter Instructions in Inverse stude 1. Type of Well 0.3 well [2] Cas Well Other 2. Name of Operator S. Well Nume and No. 2700 Beograp Table. 9. API Well No. 34. Address 320-045-33038 27100 Texperized Table No. 326-045-33038 2. Locates of Well (Forage, Sc., T. A. M. or Survey Description) 326-1039 2. Locates of Well (Forage, Sc., T. A. M. or Survey Description) 326-1039 2. Locates of Well (Forage, Sc., T. A. M. or Survey Description) 326-1039 2. Locates of Well (Forage, Sc., T. A. M. or Survey Description) 326-045-708 3. Locates of Well (Forage, Sc., T. A. M. or Survey Description) 326-1039 2. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE. REPORT, OR OTHER DATA TYPE OF SUBMISSION TYPE OF ACTION Basia Day OF Parish, State Basia Day 3. Motice of Inter Andrés 3. Stategeran Report Clarge Report Charge Fast Ping Bask 13. Decript Proposed or Completed Operators (deskry state all pertition testing data disappet proposed with an approximate during data of any proposed with and approximate during data of any proposed with and approximate during data disappet profil and Handroment Notice shall be find only affer all requirements, including an | | abandoned well. Use For | n 3160-3 (APD) for | such proposals. | | | |
| Out Weil _ Out Weil _ Other | <u></u> | SUBMIT IN TRIPLICATE - | Other instructions | on reverse side | | 7. If Unit or C | A/Agreement, Name and/or No. |
| 2FO Energy The. 9. Addres 9. Addres 9. Addres 3700 Presentation No, PLAG. K. Site 1. Restination. 364-1020 364-1020 10. Fail and Pool, or Exploring No 2,1757 FEL. & 8451 FML, UL L, Sec 33, 728N, RLOW 364-1020 10. Fail and Pool, or Exploring No 10. Fail and Pool, or Explored No 2,1757 FEL. & 8451 FML, UL L, Sec 33, 728N, RLOW 11. County or Path. State 2001 12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA TYPE OF SUBMISSION 11. County or Path. State 12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA TYPE OF SUBMISSION TYPE OF COUNTS (Summer Path. State 13. Describe Proposed or Complete Operation (Summer Path. State 20 One _ Domphele Weet State(State State) 13. Describe Proposed or Complete Operation (Centry state all perfect dettil, scholing estimated stating det of any proposed work and approximate duration the state all perfect dettil, scholing estimated stating det of any proposed work and approximate duration the state of any proposed work and approximate duration for the state of the st | Oil Well | X Gas Well Other | | | | | |
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| Working interest, net royalty interest and overriding interest owners have been notified by certified, return receipt mail on July 13th, 2005. The NMOCD has been notified of our intent by submission of a C-103. Downhole Trim mingling will offer an economical method of production while protecting against reservoir damange, waste of reserves & violation of correlative rights. Image: Difference of the serves is a construction of the serves of the serves in the serves of the serves is a construction of the serves of the serves is a construction of the serves of the serves in the serves of the serves of the serves is a construction of the serves of the serves is a construction of the serves of the serve | | Basin Mancos | Gas 5% | 011 19% | | | |
| return receipt mail on July 13th, 2005. The NMOCD has been notified of our intent by submission of a C-103. Downhole Trim mingling will offer an economical method of production while protecting against reservoir damange, waste of reserves & violation of correlative rights. | | Otero Chacra | Gas 10% | Oil 0% | | | |
| 14. I hereby certify that the foregoing is true and correct Name (PrintedTyped) Title Melissa M Osborne Melins, M Gbbc REGULATORY COMPLIANCE TECH Date 07/13/2005 THIS SPACE FOR FEDERAL OR STATE OFFICE USE Approved by Title Conditions of approval, if my, are attached. Approval of this notice does not warrant or 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 | retu C-10 | um receipt mail on July 13th 3. Downhole Trim mingling w | , 2005. The NAM ill offer an ecc rves & violation | CD has been notified momical method of pr n of correlative righ | l of our i roduction ats. | ntent by s | ubmission of a |
| Name (Printed/Typed) Meliasa M Osborne Meling, MGW REGULATORY COMPLIANCE TECH Date 07/13/2005 THIS SPACE FOR FEDERAL OR STATE OFFICE USE Approved by Date Date Date Date Date Date Date Date | | | PA | e order suproces | 55 | | |
| Date 07/13/2005 THIS SPACE FOR FEDERAL OR STATE OFFICE USE Approved by Conditions of approval, if any, are attached. Approval of this notice does not warrant or 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 | Name (F | Printed/Typed) | ∞ $n (2)$ | } | ORY COMPLI | ANCE TROU | |
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District 1

1625 N. French Dr., Hobbs, NM 88240 <u>District II</u> 1301 W. Grand Avenue, Artesia, NM 88210 <u>District III</u> 1000 Rio Brazos Rd., Aztec, NM 87410 <u>District IV</u> 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

| ' A' | PI Number | | | ¹ Pool Code | | | ¹ Pool Name | | |
|-------------------------------|------------|---------------------------------------|-------------------|------------------------|--------------------------|------------------|------------------------|----------------|------------|
| 30 | -045-33038 | | 715 | 59/97232/823 | 29 | Basin l | Dakota/Basin Mancos | /Otero Chacra | |
| ⁴ Property C | ode | | | | * Property Na | me | | • • | eil Number |
| 22756 | } | | | | Kutz Federa | 1 | | | 16 |
| 'OGRID N | 0. | | | | ⁴ Operator Na | me | | , | Elevation |
| 167037 | | | | | XTO Energy I | BC. | | | 6083' GL |
| | | | | | ¹⁰ Surface L | ocation | | | |
| 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 |
| | | · · · · · · · · · · · · · · · · · · · | ¹¹ Bot | tom Hole | e Location If | Different From | Surface | | |
| UL or lat no. | Section | Township | Range | Lot Idn | Feet from the | North/South line | Feet from the | East/West line | County |
| ¹² Dedicated Acres | " Joint of | r Infill " C | onsolidation C | ode ¹⁵ Ord | er No. | | l | | |
| MA/CH SW/4160 ac | | | | | | | | | |

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. |
| | | | Malisso M Dickno |
| | | | Melissa M. Osborne Printed Name |
| | | | Regulatory Compliance Tech Title and E-mail Address April 20th, 2004 |
| | | | Date |
| | 33 | | ¹⁸ SURVEYOR CERTIFICATION I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys |
| 845' | | | 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 Signature and Seal of Professional Surveyor. |
| 2178 | | | John A. Vukonch |
| | | , | Certificate Number 14831 |

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

C A MCADAMS R P HARGRAVE J R P HARGRAVE J Average KUTZ DEEP GAS COM D C A MCADAMS C C A MCADAMS C R P HARGRAVE MARTIN C FEDERAL KUTZ FEDERAL C FEDERAL A DAVIDSON GAS COM F DAVIDSON GAS COM F KUTZ DEEP GAS COM D FEDERAL GAS COM FEDERAL F FEDERAL F HARGRAVE FEDERAL FRED FEASEL L FRED FEASEL H HUBBELL GAS COM C HUBBELL GAS COM C HUBBELL A FEDERAL GAS COM FEDERAL GAS COM HUBBELL A FEDERAL GAS COM FRED FEASEL J KUTZ FEDERAL FRED FEASEL H FEDERAL A Average FRED FEASEL J MCLEOD MCLEOD KUTZ FEDERAL FRED FEASEL L FEDERAL A C C 2 XTO ENERGY INCORPORATED 2 XTO ENERGY INCORPORATED 1 XTO ENERGY INCORPORATED 1 XTO ENERGY INCORPORATED 2 XTO ENERGY INCORPORATED 2 XTO ENERGY INCORPORATED 2 XTO ENERGY INCORPORATED 2 XTO ENERGY INCORPORATED 1 XTO ENERGY INCORPOR 1 XTO ENERGY INCORPORATED 1E XTO ENERGY INCORPORATED 1 XTO ENERGY INCORPORATED 1E XTO ENERGY INCORPORATED 1 TENNECO OIL COMPANY 1E XTO ENERGY INCORPORATED 1 XTO ENERGY INCORPORATED BP AMERICA PRODUCTION COMPANY 344 Г M C X O I - I M X - Z Ч U L A Ч X - Z Ч 27 | 32 K 0.0 4 ⊼ σ (Jh 4 4 æ ω ω ω 0 ດ T ㅈ σ I 0 πz σ 27N 27N 27N 27N 27N 27N 28N 27N 27N 27N 27N 27N 27N 27N 28N 10W 10W 100 100 100 10W 10W 10W 10W 10W 10W Ĩ 1000 10W 1000 10W 10% 1000 10W CHACRA **10W CHACRA** 10W GALLUP Ī Ŵ Ĩ 100 1 Q Ĩ Î Ĩ 10W Î 100 No. Š IOW / DAKOTA / DAKOTA 867820783680414883146644708867433188888688 00 ~ Allocation Chacra 467 6,686 4,260 1,014 2,2,738 2,2144 2,2144 2,254 830 8,636 8,636 8,636 8,636 8,636 8,636 9,119 9,119 9,119 9,119 9,119 1,411 1,411 1,411 1,414 4,1784,178 4,178 4,178 4,178 4,1784,178 4,178 4,17 5,316 83 3,068 1,073 5,887 5,887 100 158 4 u a a a o ΝωωΝ ~ ~ 440 - NNN 00404 W W N N A ພະພ 0 õ 0% 19% 81% 8822489865443389424864440857488833 29 26 85 64 **≥** 88 æ 000 ~ ဌ္မန 5,736 3,383 1,540 5,736 3,383 1,540 5,557 9,565 3,985 3,995 843 467 7,209 4,607 1,272 2,808 10% 5% 85% 369 340 158

Gallup/Mancos

Dakota

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Page 1

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 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

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,

elson MOSTOR

Melissa M Osborne Regulatory Compliance Tech

xc: Well File FW Land Dept.



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

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,

Midesse M (എന്ന Melissa M. Osborne

Regulatory Compliance Tech

xc: Wellfile OCD, Aztec Office BLM, Farmington

| Submit 3 Copies To Appropriate District | State of New Mex | tico | | Form C-103 |
|---|--|--|---|---|
| Office District 1 | Energy, Minerals and Natura | al Resources | WELL API NO. | May 27, 2004 |
| 1625 N. French Dr., Hobbs, NM 88240 District II | | | 30-045-33038 | |
| 1301 W. Grand Ave., Artesia, NM 88210 | OIL CONSERVATION | | 5. Indicate Type of Lease | |
| District III 1000 Rio Brazos Rd., Aztec, NM 87410 | 1220 South St. France | | STATE FEE | |
| District IV 1220 S. St. Francis Dr., Santa Fe, NM | Santa Fe, NM 87: | 505 | 6. State Oil & Gas Lease No SF046563 | D. |
| 87505 | | | | |
| SUNDRY NOTI | CES AND REPORTS ON WELLS | | 7. Lease Name or Unit Agro | eement Name |
| (DO NOT USE THIS FORM FOR PROPOS DIFFERENT RESERVOIR. USE "APPLIC | SALS TO DRILL OR TO DEEPEN OR PLU CATION FOR PERMIT" (FORM C-101) FO | R SUCH | Kutz Federal | |
| PROPOSALS.) | Gas Well 🕅 Other | | 8. Well Number | #16 |
| 1. Type of Well: Oil Well 2. Name of Operator | Gas well X Other | | 9. OGRID Number | |
| XTO ENERGY INC. | | | 167067 | |
| 3. Address of Operator | | <u> </u> | 10. Pool name or Wildcat | |
| | TE K-1, FARMINGTON, NM 874 | 01 | Basin DK/Basin Mancos/ | |
| 4. Well Location | 175' foot from the David | line and O | 115' feat from the West | line |
| Unit Letter <u>L</u> : 2 Section 33 | <u>175'</u> feet from the <u>South</u> Township 28N | Range 10W | 145' feet from the <u>West</u> NMPM San Jua | - 1 |
| | 11. Elevation (Show whether DR, | | | County |
| | 6083' GL | | | |
| | | <u>.</u> | | |
| Pit or Below-grade Tank Application 🗋 o | | | | |
| Pit typeDepth to Groundw | | | tance from nearest surface water | |
| Pit Liner Thickness: mil | | | onstruction Material | |
| 12. Check | Appropriate Box to Indicate N | ature of Notice, | Report or Other Data | |
| NOTICE OF IN | TENTION TO: | SUB | SEQUENT REPORT | OF: |
| PERFORM REMEDIAL WORK | PLUG AND ABANDON | REMEDIAL WOR | | |
| | | | | |
| | | COMMENCE DR | | |
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| TEMPORARILY ABANDON | | COMMENCE DR CASING/CEMEN OTHER: | ILLING OPNS. PAND A | |
| TEMPORARILY ABANDON Image: Comparison of the comparison | CHANGE PLANS | COMMENCE DR CASING/CEMEN OTHER: pertinent details, an | ILLING OPNS. PAND A | |
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District I 1625 N. French Drive. Hobbs, NM 88240

District II

District IV

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1301 W. Grand Avenue, Artesia, NM 88210

District III 1000 Ris Brazos Road, Aztec, NM 87410

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

| XTO Energy Inc. | 2700 Farmir | ngton Ave, Suite K-1 | Farmington, NM 8 | 7401 |
|--------------------------|---------------------|----------------------------|------------------|----------------------|
| Operator Kutz Federal | #16 | Address L Sec 33, T28N- | R10W | San Juan County |
| Lease | Well No. | Unit Letter-Section- | Township-Range | County |
| OGRID No. 167037 | Property Code 22756 | API No 30-045-33038 | Lease Ty | pe_X_FederalStateFee |

30-045-33038 OGRID No. 167037 Property Code 22756 API No_

| DATA ELEMENT | UPPER ZONE | INTERMEDIATE ZONE | LOWER ZONE |
|--|-----------------------|---------------------|-----------------------|
| Pool Name | Otero Chacra | 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 performation in the lower zone is within 150% of the depth of the top performation 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% |

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| rm 3160-5 | UN | ITED STATES | | 1 | FORM APPROVED OMB NO, 1004-0137 |
| pril 2004) | DEPARTME | NT OF THE INTERIO | ι | | Expires Mann 31, 2007 |
| | BUREAU OF | LAND MANAGEMEN | т | | 5. Lease Serial No. |
| | | AND REPORTS O | | | / |
| ÷ | | | the second se | | 6. Af-Indian, Allottee or Tribe Name |
| · · · · | Do not use this form fo abandoned well. Use Fo | r proposals to drill o rm 3160-3 (APD) for | such proposals. | 3 PM 1 | 31 |
| | SUBMIT IN TRIPLICATE | - Other instructions | | CENED MENTON | 7. If Unit or CA/Agreement, Name and/or |
| Type of Well Oil Well | Gas Well Other | | | 362 | 8. Well Name and No. RDTZ PEDERAL #16 |
| Name of Operat | tor | P | | A. | |
| XTO Energy | Inc. | · | 5 | | 9. API Well No. |
| . Address | | | 30. Phone, No. (include an | a-code) | 30-045-33038 |
| 2700 Farm | ington Ave., Bldg. K. St | e 1 Farmington, | 505-324-1090- | | 10. Field and Pool, or Exploratory Area |
| Location of We | ell (Footage, Sec., T., R., M., or Surve | ry Description) | | | BASIN DAKOTA |
| 2,175' FSI | L & 845' FWL in SEC. L33 | , 128N, R10W | | | OTERO CHACRA |
| | | | | | 11. County or Parish, State |
| | | | | | SAN JUAN NK |
| 12 | 2. CHECK APPROPRIAT | FE BOX(ES) TO INC | ICATE NATURE OF I | NOTICE, REP | PORT, OR OTHER DATA |
| ŤΫ | PE OF SUBMISSION | | TY | PE OF ACTION | 1 |
| 1 | | | | | |
| | Notice of Intent | Acidize | Deepen | Productio | m (Start/Resume) Water Shut-Off |
| | • | Alter Casing | Fracture Treat | Reclamati | ion Well Integrity |
| ليا ` | Subsequent Report | Casing Repair | New Construction | Recomple | ete Other |
| | | X Change Plans | Plug and Abandon | H | rily Abandon |
| | Final Abandonment Notice | Change Flans | I Prug and Adandon | | niy Adandoh |
| | | | | | |
| If the prop Attach the following c testing has | osal is to deepen directionally or reco Bond under which the work will be completion of the involved operation | performed or provide the s. If the operation results is nt Notices shall be filed on | ils, including estimated starti ubsurface locations and mea Bond No. on file with BLM n a maltiple completion or r | sured and true ve /BIA. Required ccompletion in a | sposal roposed work and approximate duration ther ertical depths of all pertiment markers and zo subsequent reports shall be filed within 30 i new interval, a Form 3160-4 shall be filed o ion, have been completed, and the operator |
| If the prop Attach the following c testing has determined The APD XTO Bree | osal is to deepen directionally or rece- Bond under which the work will be completion of the involved operation been completed. Final Abandonme I that the final site is ready for final in | arty state all pertinent deta samplete horizontally, give s performed or provide the is . If the operation results is nt Notices shall be filed on spection.) well was approved | ils, including estimated starti ubsurface locations and mea Bond No. on file with BLM n a multiple completion or r uly after all requirements, in 6/14/05 for the Ba | ing date of any pusured and true vo /BIA. Required ccompletion in a cluding reclamati | roposed work and approximate duration ther ertical depits of all periment markers and zo subsequent reports shall be filed within 30 new interval, a Form 3160-4 shall be filed ion, have been completed, and the operator & Oterro Chacra formations. |
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| 130 | OI W Grand Ave. | , Artesia, N. | M. 63210 | | | NSERVATIO 20. South St. 1 | N DIVISION Francis Dr. | 000 | Ste | ite Léas | e - 4 Copies |
| DIS | STREET III OO RIG Brazos Ro | L, Artoc, N. | M. 87410 | | | Santa Fe, NM | | | F | ee Leos | e – 3 Coples |
| 00S 122 | STRACT IV 20 South St. Fra | ncia Dr. So | oto fe, NM 87 | 505 | | | | | | AMEND | ED REPORT |
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| | TOGRID No. | | | | | KUTZ FED | | | | ······ | 16 Invention |
| | 107010 | 7 | : | | | XTO ENERG | Y INC. | | | E | 6083 |
| <u>ب</u> | | | | | | ¹⁰ Surface | Location | | | | |
| ſ | ut or lot no. L | Section 33 | Township 28-N | Ronge 10W | Lot Idn | Fort from the 2175 | North/South line SOUTH | Feet from the 845 | East/West WES | | County SAN JUAN |
| L | · | L | 1.77 | I | om Hole | | If Different Fr | <u>+</u> | - I | | |
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| SUNDRY NOTICES | AND REPORTS C | N WELLS | | P-046563 |
| | | | 6. | If Indian, Allottee or Tribe Name |
| Do not use this form for abandoned well. Use Fon | n 3160-3 (APD) for | Such proposition AUG | Y PT | 1 47 |
| SUBMIT IN TRIPLICATE - | Other instructions | on reverse side | ECEIVED | If Unit or CA/Agreement, Name and/or No. |
| 1. Type of Well | | | | Well Name and No. |
| Oil Well 🔀 Gas Well 🚺 Other | · | | | Well'Name and No. DIZ FEDERAL #16 |
| 2. Name of Operator | | | L. | |
| TO Bhergy Inc. | | 3b. Phone No. (include area c | | API Well No. 19-945-33938 |
| 2700 Farmington Ave., Bldg. K. Ste | 1 Farmington, | 505-324-1090 | | 10. Field and Pool, or Exploratory Area |
| 4. Location of Well (Foolage, Sec., T., R., M., or Survey | | | 1 | Basin Dr. / Basin MC Diero Cr |
| 2,175' PSL & 845' FNL in SEC. L33, | T28N, RIOW | | | 11. County or Parish, State |
| | | | | SAN JUAN NM |
| 12. CHECK APPROPRIATE | BOX(ES) TO INC | DICATE NATURE OF NO | TICE, REPO | RT, OR OTHER DATA |
| TYPE OF SUBMISSION | | TYPE | OF ACTION | |
| Notice of Intent | Acidize | Deepen | Production (| Start/Resume) Water Shut-Off |
| | Alter Casing | Fracture Treat | Reclamation | Well Integrity |
| X Subsequent Report | Casing Repair | New Construction | Recomplete | X Other WELL SPOD |
| Final Abandonment Notice | Change Plans | Plug and Abundon | Temporarily | Abardon |
| | Convert to Inject | ion 🗌 Plug Back 🛛 | Water Dispo | sal |
| Describe Proposed or Completed Operation (clear If the proposal is to deepen directionally or recom Attach the Bond under which the work will be p following completion of the involved operations. testing has been completed. Final Abandonment determined that the final site is ready for final insp **CORRECTED SURF CSG INSPIRe**** KTO Energy Inc. spudded 12-1/4* | plete horizontally, give s erformed or provide the If the operation results Notices shall be filed of ection.) bole @11:00 p.m. | nuburface locations and measure Bond No. on file with BLM/Bl. in a mathing completion or record nly after all requirements, includ | ad and true verti A. Required su mpletion in a no ling reclamation 390° KB. PC | ical depths of all pertinent markers and zones. bsequent reports shall be filed within 30 days winterval, a Form 3160-4 shall be filed once , have been completed, and the operator has J & TIH w/9 jts 8-5/8", |
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| Conditions of approval, if any, are attached. Approval certify that the applicant holds legal or equitable table which would entitle the applicant to conduct operations | of this notice does not v o those rights in the sul thereon. | varrant or Office | | FARMINGIUN FIELD UFFICE |
| Title 18 U.S.C. Section 1001, and Title 43 U.S.C. Sect States any false, ficitious or fraudulent statements or re | ion 1212 makes it a crim | te for any person knowingly and atter within its jurisdiction. | willfully to mak | to any department of the United |

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| 2. Name of Operator XTO Basergy Inc. | | | 9. API W | ell No -2 120 | | | |
| Ja. Address | | 3b. Phone No (include area code) | | うう ひにつ ひ | | | |
| 2700 Farmington Ave., Bldg. K. Ste | | 505-324-1090 | · · | and Pool, or Exploratory Area | | | |
| 4. Lucation of Well (Footage, Sec., T., R., M., or Survey | | | OTERO (| dk / Basdin MC Ch | | | |
| 2,175' FSL & 845' FWL in SEC. L33, | 140H, RIVH | | | nty or Parish. State | | | |
| | | | SAN JU | MK NA | | | |
| 12. CHECK APPROPRIATE | BOX(ES) TO INI | DICATE NATURE OF NOTIC | E, REPORT, OR | OTHER DATA | | | |
| TYPE OF SUBMISSION | | TYPE OF # | ACTION | | | | |
| Notice of Intent | Acidize | | Production (Start/Resu | | | | |
| X Subsequent Report | Alter Casing | | Reclamation Recomplete | Well integrity | | | |
| Final Abandonment Notice | Change Plans | | Temporarily Abandon Water Disposal | PROD CSG | | | |
| 13. Describe Proposed or Completed Operation (clear If the proposal is to deepen directionally or recom Attach the Bond under which the work will be pe following completion of the involved operations. testing has been completed. Final Abandonment determined that the final site is ready for final inspe | plete horizontally, give erformed or provide the of the operation results Notices shall be filed o | subsurface locations and measured an Bond No. on file with BLM/BIA. R in a multiple completion or recomple | d true vertical depth lequired subsequent tion in a new interva | s of all pertinent markers and zones, reports shall be filed within 30 days at a Form 3160-4 shall be filed once | | | |
| Reached driller's TD of 6,970' K to 6,954.99' KB. Cmt'd csg as fo PPS celloflake, 2% KCl, 6 2% phe w/0.3% CD-32, 0.2% FL-52, 5% A-1 Drogged bomb & op DV tool. Circ 1 PPS celloflake & 2% phenoseal (m (mixed @ 14.5 ppg & 1.39 cuft/so surf. Released Patterson #743 @ **PRODUCTION CSG WILL BE PRESSUR | B @ 8:00 a.m., (llows (1st stage noseal (mixed @ 0, 1/4 PPS cells btwn stage. Onto ixed @ 11.9 ppg). Dropped bomb 3:00 p.m., 08/12 | a): 440 ax Premium Lite 1 12.5 ppg & 2.01 cuft/ax, oflake, & 2% phenoseal (r 1 2nd stage as follows: ' & 2.60 cuft/ax) follower & closed DV tool. Float 2/05. | BS w/0.5% FL-: followed by mixed @ 14.2 p 723 sx Type I d by 100 sx Ty held Official states for the states of the | 32, 0.2% CD-32, 1/2 150 ax Type III cmt ppg & 1.54 cuft/ax). II cmt w/8% gel, 1/4 ype III Neat cmt | | | |
| 14. I hereby certify that the foregoing is true and correct Name (Printed Typed) KEILY K. SMALL | | Tále REGULATORY Date 08/15/05 | COMPLIANCE TE | ······································ | | | |
| | S SPACE FOR FE | DERAL OR STATE OFFICE U | ISE A | CCEPTED FOR RECORD | | | |
| Approved by | | Title | = | Darle 9 / 2005 | | | |
| Conditions of approval, if any, are attached. Approval certify that the applicant holds legal or equitable title to which would entate the applicant to conduct operations. | h those mante in the cut | | | PAUG 2 4 2005 | | | |
| Title 18 U.S.C. Section 1001, and Title 43 U.S.C. Section States any false, fictitious or fraudulent statements or rep | on 1717 makes it a crim | e for any person knowingly and willf matter within its jurisdiction. | ully to make to any o | BY Officer of the United | | | |

NHOCD



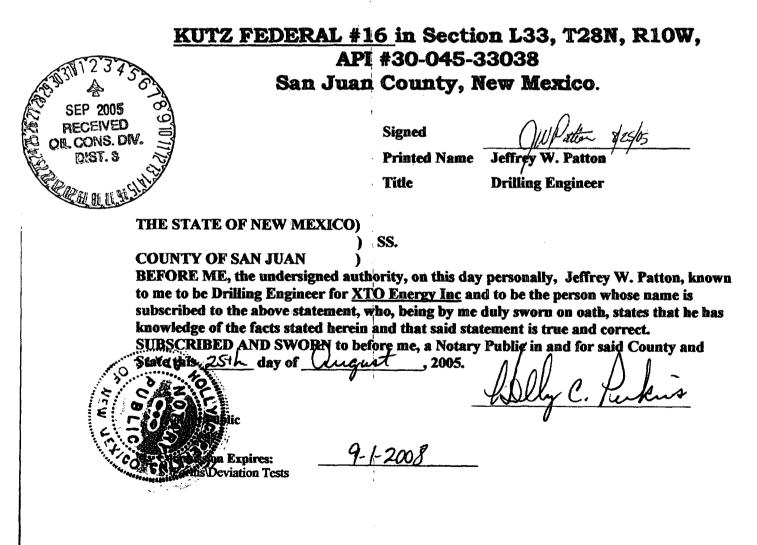
TABULATION OF DEVIATION TESTS

XTO Energy Inc.

| Depth | Degrees | Depth | Degrees_ | |
|--------|---------|--------|----------|--|
| 95' | 1/2° | 2,900' | 1° | |
| 285' | 1/2° | 3,443' | 1° | |
| 750' | 1-1/4° | 4,900' | 1° | |
| 1,009' | 1-1/4° | 5,522' | 1° | |
| 1,196' | 1-1/4° | 6,200' | 1° | |
| 1,698' | 1° | 6,647 | 10 | |
| 2,414' | 1-1/2° | 6,930' | 1-1/2° | |

AFFIDAVIT

THIS IS TO CERTIFY that to the best of my knowledge the above survey details the deviation tests taken on XTO ENERGY INC'S



| Form \$160-5 | UNIT | ED STATES | • | 1 | FORM APPROVED OMB NO. 1004-0137 |
|---|---|--|---|---|--|
| (April 2004) | | T OF THE INTERIOR | | | Expires March 31, 2007 |
| | BUREAU OF L | AND MANAGEMEN | Г | | 5. Lease Serial No. |
| | SUNDRY NOTICES | AND REPORTS ON | N WELLS | | SF-046563 |
| Do | not use this form for p | proposals to drill or | to re-enter an | | 6. If Indian, Allottee or Tribe Name |
| abai | ndoned well. Use Form | n 3160-3 (APD) for s | iuch proposals. | <u>107 U C</u> | m 1 47 |
| SUB | MIT IN TRIPLICATE - | Other instructions of | on reverse side | , , , , , , , , , , , , , , , , , , , | 7. If Unit or CA/Agreement, Name and/or No. |
| | | | | RECEIV | ED |
| I. Type of Well | Well Other | | 07 | O FARMINO | 8 Well Name and No. |
| 2. Name of Operator | | | | | KUTZ FEDERAL. #16 |
| XIO Energy Inc. | | | | | 9. API Well No. |
| 3a. Address | | | 3b. Phone No. (<i>include are</i> | a code) | 30-045-33038 |
| | Ave., Bldg. K. Ste ze, Sec., T., R., M., or Survey I | | 505-324-1090 | | 10. Field and Pool, or Exploratory Area |
| | 5' FWL in SEC. L33, | | | | BASIN DE Basin MC / OteroCH |
| | · | - | | | 11. County or Parish, State |
| | | | | | SAN JUAN MM |
| 12. 0 | CHECK APPROPRIATE | BOX(ES) TO INDI | CATE NATURE OF N | IOTICE, REP | ORT, OR OTHER DATA |
| TYPE OF S | UBMISSION | | TYP | E OF ACTION | |
| Notice of | Intent | Acidize | Deepen | Production | n (Start/Resume) Water Shut-Off |
| | | Alter Casing | Fracture Treat | | |
| X Subseque | ni Report | Casing Repair | New Construction | Recomplet | |
| | ndonment Notice | Change Plans | Plug and Abandon | | ily Abandon |
| | ndomnent Nonce | Convert to Injection | Plug Back | Water Dis | posal |
| following completion testing has been con determined that the f XTO Beergy In- | of the involved operations. | If the operation results in Notices shall be filed only ction.) 5-1/2" production | a multiple completion or revealed a filter all requirements, incomparing on 9/10/05 | completion in a sluding reclamation | subsequent reports shall be filed within 30 days new interval, a Form 3160-4 shall be filed once on, have been completed, and the operator has sig for 30 minutes. sig for 30 minutes. |
| 14 I hereby certify that the | e foregoint is true and correct | | 1 Title | | |
| Name (Printed Typed) | e foregoing is true and correct | | | TORY COMPLI | 315-02 marter |
| Koller | . T.e. Pars | · | Date 9/30/200 | | анта 1040. |
| | THK | S SPACE FOR FEDE | RAL OR STATE OFF | | ACCEPTED FOR RECORD |
| Approved by | | | Title | | Date |
| Conditions of approval, if | any, are attached. Approval o | of this notice does not wa | rrant or Office | | OCT_0 6 2005 |
| certify that the applicant h which would entitle the app | olds legal or equitable title to plicant to conduct operations the | those rights in the subje | ct lease | | FARMING TUN FIELD UFFICE |
| Title 18 U.S.C. Section 10 States any false, fictitions | 01, and Title 43 U.S.C. Section or fraudulent statements or rep | on 1212, makes it a crime | for any person knowingly a | nd willfully to ma | ake to any department one of the United |
| | | the second secon | | | APRAISE HE I I |

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| L | | | | | • • | • | | | | | | | | | | |
|---------------------------|----------------------------|----------------------|--------------------------------|-----------------|-------------------|--------------------|---------------|-----------------------|----------------|---|------------------|--|-------------|----------|---------------------------------|----------------|
| Form 3160-4 | | | - | NITED S | | | | | | | | | | | APPROVED 0. 1004-0137 | |
| (April 2004) | | | DEPARTN BUREAU (| | | | - | | | | | / | / - | | March 31, 2007 | |
| | | | | | | | | | | | \nearrow | 5. Lease | Serial N | NO. | | |
| | WELL | COMPL | ETION OF | | | | | | , | \leq | | | 46563 | | | |
| la. Type o | of Well | | 🗶 Gas W | | - | Other | | | _ | | | 6. If Ind | lian, Alic | otee or | Tribe Name | |
| b. Type o | f Completion: | Cthe | New Well | Work | Over | Deepen | 200 | Plug Back | 면 | ff-Res | Ţ, Ц | 7. Unit | or CA A | greem | ent Name and No. | |
| 2. Name of | | | | | | | | RI | ECEI | IED | | | e Name a | | | - |
| 3. Address | rgy Inc. | | <u></u> | | | | 3a. 1 | Phone No.A | | | ode) 11 | | Z FED | | #16 | |
| 2700 Fa | n of Well (Repo | we., B | <u>ldg. K. :</u> | <u>ste 1</u> | Farming | ton, N | 4 | · | 50532 | 41.09 | 0 | the second s | 045-3 | | | |
| 4. Location At surface | | | | | nce wiin r | eaerai reg | | msj * | | | | | and Poo | | xploratory | |
| 111 201 201 | 21/5/ | rsi k | 845' FWL | 1 | | | | | | | | 11.Sec., | | M., or | Block and | |
| At top pi | rod. interval rep | orted belo | w | | | | | | | | | SEC | : 33-T | 28N-1 | | |
| At total o | depth | | | | | | | | | | | SAN J | nty or Pa | นาเรก | 13. State | |
| 14. Date S | pudded | 15. Dat | e T.D. Reach | ed | | 16. Dat | | | | | | | | (DF, R | KB, RT, GL)* | |
| - / | | | | | | | D&A | 1.00 | Ready | to Pro | od. | 608 | 21 | | | |
| 18. Total I | /2005 Depth: MD | | <mark>8/2005</mark> 70י 19. | Plug Bac | k T.D.: 1 | ИD | | /2005 13' | 20. 1 | Depth | Bridge | Plug Set | | 1 | | |
| | TVD | | | | | TVD | | | , <u> </u> | | | | TVI | | | |
| 21. Type I | Electric & Other | Mechanic | al Logs Run | (Submit co | opy of cacl | n) | | I | 22. Wa | s well (s DST | | X № | | - | ubmit analysis) ubmit report | |
| | COMBO/AIL | | | | R | | | | | | al Survey | | x№ | | es (Submit copy) | |
| 23. Casing | and Liner Reco | ord (Repor | t all strings s | | | <u> </u> | | | | 61. | | | | | | |
| Hole Size | Size/Grade | Wt.(#ft.) | Top (MD) | <u></u> | n (MD) | Stage Cem Depth | | No.of SI Type of C | ement | | rry Vol. BBL) | | ement To | р• | Amount Pulled | |
| $\frac{12-1/4}{7.7/8}$ | 8-5/8 | 24 | + | | <u>35</u> 55 | | | <u> </u> | | | | | 0 | <u> </u> | 0 | |
| 7-7/8 | 5-1/2 | 15.5 | | -+ | <u>33</u> | | | 141 | <u></u> | | | +- | | | | |
| | | | | | | _ | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| 24. Tubin | e Record | | | | 1 | | <u> </u> | <u> </u> | | | | | | | 6911112 | \$ |
| Size | Depth Set (| MD) P | acker Depth (N | (D) | Size | Depth Set | (MD) | Packer D | epth (MD | <u>, </u> | Size | De | epth Set (i | MD | Packer DeptiffMI | |
| 2-3/8" | 6558 | | | | | | | | | Í | | | | T. | CCT 200 | |
| 25. Produ | cing Intervals | | | | | 26. Perfor | | | | | | N. 11 | | fm_ | Per SQAVS D | 5 |
| A) | Formation DAKOTA | | Тор 6450' | | ittom | | | 6639 · | | Size 0.34 | | No. Ho 21 | | 12 | Per States 0 | ₩. II |
| B) | | | | | | | | | | <u></u> | | | | F | (In | |
| <u>C)</u> | | | | | | | | | | | | | | | C 82/207674 | R. |
| D) | Fracture, Treats | ment Cam | ent Saucere | | | | | | | | | | | | Charles Strand | _ |
| 27. ACM, | Depth Interval | itelit, Cell | em squeeze, | Euc. | | | | Amount and | d Type of | Materi | al | | | | | |
| 64 | 50' - 6639 | • | A. w/ | 1250 ga | ls 15% | NEFE H | C1. ac | id. Fra | c'd w/ | 75,4 | 73 ga | ls 70 | Q Pur | egel | III LT CO2 | |
| | 1_1 | | foam | frac fl | d carr | ving 16 | 5,800 | # 20/40 | 8d. | | | | | | | |
| · | | | | | | | | | | | | | | | | |
| 28. Produc | tion - Interval A | | | | | | | · | | | | | | | | |
| Date First Produced | Test Date 9/23/2005 | Hours Tested 3 | Test Production | Oil BBL O | Gas MCF 176 | Water BBL 3 | Oil Grav | ity | Gas Gravity | | Produ | tion Met | | FLOW | ING | |
| Choke Size | Tbg. Press. Flwg. | Csg. Press. | 24 Hr. | Oil BBL | Gas MCF | Water BBL | Gas: Ratio | | Well Sta | itus | | | | | | B(IT): |
| 3/8 | " SI 400 | 500 | > | 0 | 1408 | 24 | 1 | | | SHUI | <u>IN</u> | | ACCI | EPTE | D FOR RECO | |
| Date First | Test | Hours | ' Test | Oa | Gas | Water | Oü | | Gas | | Prode | tion Met | | 007 | 0 0 2005 | |
| Produced | Date | Tested | Production | BBL | MCF | BBL | Gravi | ity | Gravity | | | | 1 | | 0 6 2005 | |
| Choke Size | Tbg. Press. Flwg. Sl | Csg. Press. | 24 Hr. | Oil BBL | Gas MCF | Water BBL | Gas: Ratio | | Well St | itus | | | FAR BY | Minu | IUN FIELD UFFI | |
| | | | | | | | _ | | | | | | | | | |

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(See instructions and spaces for additional data on page 2)

| te First | n - Interval C | | | | | | | | | |
|---------------------|--|-----------------|-----------------------------------|-------------------------|------------------------|------------------------|---|----------------|-------------------|------------|
| oduced | Test Date | Hours Tested | Test Production | Oil BBL | Gas MCF | Water BBL | Oil Gravity | Gas Gravity | Production Method | |
| oke xc | Tbg. Press. Flwg. Sl | Csg. Press. | 24 Hr. | Oil BBL | Gas MCF | Water BBL | Gas: Oil Ratio | Well Status | | |
| c. Producti | on-Interval D | | | | | | | | | |
| nte First oduced | Test Date | Hours Tested | Test Production | Oil BBL | Gas MCF | Water BBL | Oil Gravity | Gas Gravity | Production Method | |
| ioke ze | Tbg. Press. Fiwg. SI | Csg. Press. | 24 Hr. | Oil BBL | Gas MCF | Water BBL | Gas: Oil Ratio | Well Status | | |
| . Dispositio | on of Gas (Sold, | used for j | fuel, vented, e | (c.) | | | | | | |
| . Summar | y of Porous Z | ones (Incl | ude Aquifers) | : | | | | 31. Format | ion (Log) Markers | ······ |
| tests, in | i important ze cluding depti s and recover | n interval | orosity and contrast tested, cush | ontents th tion used | ereof: Co , time to | red interv ol open, | rals and all drill-ster flowing and shut-i | | ISON FMT 6728 | |
| | | T | Demos | | Deer | intiana O | | | Nama | Тор |
| Format | ion | Тор | Bottom | | Desc | iptions, C | ontents, etc. | | Name | Meas.Depth |
| | | 1 | | | | | | OJO ALA | ND DM | 973 |
| | | | | | | | | KIRILAN | d Shale | 1115 |
| | 1 | | | | | | | FRUITLA | ND FORMATION | 1568 |
| | | | | | | | | PICTURE | D CLIFFS SS | 2006 |
| |] | | | | | | | LEWIS S | HALE | 2198 |
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| | 4 | | | | | | | GALLAIP | SS | 5566 |
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| | } | | | | | | | DAKOTA | | 6446 |
| ^ | | | [| | | | | BURROC | ANYON SS | 6700 |

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Name (please print) HOLLEY C. PERKINS Title RESULATORY COMPLIANCE TECH

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make 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.

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| Revised | |
|---------|--|
| 1000 | |

Form C-104 Revised June 10, 2003

| District II 1301 W Grand Aven District III 1000 Rio Brazos Rd District IV | que, Artesia, | NM 88210 | | OIL CONSER 1220 Sout Santa F | th St. | | Dr. | | Sut | smit te | _ | ate District Office 5 Copies |
|---|----------------------------------|-------------------------------|-----------------|---|-------------|------------------|------------------------|---------------|------------------------|---|-----------------|---------------------------------------|
| 1220 S. St. Francis I | | | | TT OWA | | | | | | L • אופ ר | — | VED REFURI |
| r | <u> </u> | Rr | QUEST r | OR ALLOWA | BLL | AND A | JTHORI | <u>ZA11</u> | 2 OGRID 1 | | | |
| Operator name a | | | | | | | | | * 00,00,1 | Numues | 1 | |
| XIO ENERGY | DKC. | | | | | | | | h | | 167067 | |
| 2700 FARMER | GION AVE | ande, sui | CTE K-1 | | | | | | ³ Reason fo | ir Filing | g Code/Effectiv | ve Date |
| FARMINGTON, | <u>NM 874</u> | 101 | | | | | | | | <u>N</u> | EW DRILL | |
| API Number | | I | 5 Pool Nan | ne | - | | | | | - | 6 Pool Code | ¢ |
| 30-0 | 45-33038 | - 1 | 1 | | F | BASIN DAI | TTTA | | | | 1 | 71599 |
| 7 Property Code | 40-2000. | · | 8 Property 1 | Name | | ADLY | | | | | 9 Well Num | |
| | | 1 | 1 | | 8 | CUTZ FED | MERT. | | | | | 16 |
| цю е | | | <u> </u> | ······ | £ | MAR SIZ | <u> XVAU</u> | | | | | |
| | urface L | | Dange | Lot. Idn F | and fr | om the | North/Sout | -h I ine | Feet from the | | East/West line | County |
| UL or lot no. | Section | Township | Range | Lot. tan | | | Notavoor | I Lun | | · | | |
| <u> </u> | 33 | 28N | 1.01 | | 2 | 2175 | | <u>TH</u> | 845 | <u> </u> | WEST | SAN JUAN |
| n j | Bottom | Hole Loo | cation | | | | | | | | | |
| UL or lot no. | Section | Township | Range | Lot. Idn F | eet fr | rom the | North/Sout | th Line | Feet from the | ۲ س د | East/West line | County |
| | | | | | | ' | 1 | | | | | |
| 12 Lse Code | 13 Producin | ng Method Co | ode 14 Gas | Connection Date | 15 (| C-129 Perm | nit Number | T | 16 C-129 Effect | tive Da | ate 17 C | -129 Expiration Date |
| | | | 1 | | | | | 1_ | | | | |
| III. Oil and | Gas Trar | nsporters | | | · | <u></u> | | | | | | M |
| 18 Transporte | | 19 | Transporter | Name | — | 20 POD | | 21 O/G | 22 | | POD ULSTR I | Location |
| OGRID | | | and Addr | | | | | | 1 | - | and Descrip | |
| | | TAMS PTT | LD SERVIC | 7980 | + | · | | | 1 | | | |
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| | | T LARE CI | | | | | | | | 18: | 9101777 | ta. |
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| IV. Produce | | · | | | _ | ······ | | | <u></u> | | | · |
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| ł | | | | | | | | | | | | |
| V. Well Cor | meletion | Data | | | | | | | | | | |
| 25 Spud Dat | | | ady Date | 27 TE | | | 28 PBT | | 29 P | erforatio | | DHC, MC |
| | · | | • | | , | | | D | | | | |
| 7/27/2005 | le Size | <u>9/23/200</u> | | <u>6970</u> ing & Tubing Size | | <u></u> 69 | 33 Dep | | 6450' | <u>- 6</u> 5 | | |
| | AC OWL | | | Ber I thing stra | | | | di sei | | | 34 Sacks | Cement |
| 12 | 2-1/4" | | 8-5/8 | 3" J-55 24 | 4# | | 3/ | 85'_ | | ······································ | 300. | ٢ |
| 7 | -7/8" | 1 | 5-1/2" | J-55 15. | .5# | 1 | 65 | 955 ' | } | 1413 8 | | |
| | | | | | | | | <u> </u> | | | 7 | <u> </u> |
| F | | | | | | -+ | | | + | | | |
| L | | | L | 2-7/8= | | | 65 | 558' | | | | |
| VI. Well Te | | | | | | | | | | | | |
| 35 Date New | Ōil | 36 Gas Deliv | ery Date | 37 Test Date | | 38 7 | Test Length | 1 | 39 Tbg. Pro | essure | 40 | Csg. Pressure |
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| 41 Choke Size | | 42 Oil | ,t | 43 Water | 2 | | <u>3 hrs</u> 44 Gas | + | 40 45 AOF | | | ⁶ Test Method |
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| 3/8= | <u> </u> | 0 | <u>A</u> I | <u> </u> | F | | 176 |] | | | | F |
| complied with and | that they rule that they info | s of the Ou L rmation give | in above is tru | Division have been e and complete to th / | ne 1/ | 10-12- | -15 1 | JIL C | ONSERVAT | 'ION | DIVISION | |
| best of my knowle | dige huld belie | I.A.L. | Jh | 1 | ĨĽ | Approved by | | ~ | 1 1.1 | 7 | | |
| Signature: | Why | (.Ti | Nu | S | 1. | uproved of | " 1 | Ch | . I. H. | _ | | |
| Printed name: | 1 | <u>~</u> | <u> </u> | <u> </u> | | Title: CLIC | | معصر مدد د | | | <u> </u> | |
| HOLLX C. P | <u>reactives</u> | | | | | | LKVISUM | UIS | TRICT # 3 | | | |
| Title: | | | | | - I | Approval Da | ate: 00. | T 1 | 2 2005 | | | |
| REGULATORY Email | COMPLIA | NCE TECH | | | ₽- | 18 ₁₀ | | 1 1 | <u> </u> | <u> </u> | <u> </u> | |
| Regulatory | ant conor | ov.com | | | | | | | | | | |
| | www.coener. | | | | | | | | | | | |
| Date: | excountry | 3/ | Dhama | 05-324-1090 | -1 | | | | | | | |

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State of New Mexico

Energy, Minerals & Natural Resources

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District I 1625 N. French Dr., Hobbs, NM 88240