

DATE IN 04/20/09	SUSPENSE	ENGINEER D. Brooks	LOGGED IN 4/20/09	TYPE NSL	APP NO. PKAA0911060668
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ABOVE THIS LINE FOR DIVISION USE ONLY

NEW MEXICO OIL CONSERVATION DIVISION
- Engineering Bureau -
1220 South St. Francis Drive, Santa Fe, NM 87505



30-045-28356
Fullerton Fed. #33
2999B¹⁴
XTO 5380

ADMINISTRATIVE APPLICATION CHECKLIST

THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE

Application Acronyms:

[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 Oil 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
- [3] **SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED ABOVE.**

[4] **CERTIFICATION:** I hereby certify that the information submitted with this application for administrative approval is **accurate** and **complete** to the best of my knowledge. I also understand that **no action** will be taken on this application until the required information and notifications are submitted to the Division.

Note: Statement must be completed by an individual with managerial and/or supervisory capacity.

RYAN O'Kelley
Print or Type Name

Signature

LANDMAN
Title

4/20/09
Date

RYAN.OKELLEY@XTOENERGY.COM
e-mail Address



RECEIVED

2009 APR 20 AM 10 15

April 16, 2009

FEDERAL EXPRESS

Mr. Mark Fesmire
New Mexico Oil Conservation Division
1220 S St Francis Dr
Santa Fe NM 87504

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s Fullerton Federal 14 No. 33
2,420' FSL and 1,995' FWL, Section 14, T27N, R11W
San Juan County, New Mexico
Fruitland Coal formation

Dear Mr. Fesmire:

XTO Energy Inc. (XTO) hereby requests administrative approval for an unorthodox location for the above referenced well. Attached for your reference are the following exhibits:

1. Well location plat (NMOCD Form C-102)
2. Topographic Map
3. Fruitland Coal Ownership Map
4. Fruitland Coal Production Map

At the current location of 2,420' FSL and 660' FWL, the above captioned well is at a non-standard location to the north by 440' for the Fruitland Coal. The existing Pictured Cliffs/Fruitland Sand well was placed at this location due to the presence of a river bank and extreme elevation changes in the SE/4 of Section 14 as depicted on the attached Topographic Map. As with the original well, a standard location for a stand alone Fruitland Coal well cannot be found in the SE/4 of Section 14. The Fruitland Coal formation is spaced on a 320-acre S/2 lay-down unit.

The non-standard location will encroach on XTO's acreage to the north. XTO owns 100% of the offsetting operating rights in the Fruitland Coal formation in the N/2 of Section 14, so no offset owner notice is required.

*Mr. Mark Fesmire
New Mexico Oil Conservation Division
Fullerton Federal 14 No. 33 - FC
April 16, 2009
Page Two*

XTO Energy Inc. requests your administrative approval for the unorthodox location based on the above information. Should you need any additional information, please contact me at (817) 885-3091.

Yours truly,

A handwritten signature in black ink, appearing to read "Ryan O'Kelley". The signature is stylized with a large, sweeping initial "R" and "O".

Ryan O'Kelley
Landman

Enclosures

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

District II
811 South First, 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 October 12, 2005
Submit to Appropriate District Office
Fee Lease - 3 Copies
State Lease - 4 Copies

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

¹ API Number 30-045-28356		² Pool Code 71629		³ Pool Name BASIN FRUITLAND COAL	
⁴ Property Code 32611		⁵ Property Name FULLERTON FEDERAL 14			⁶ Well Number #33
⁷ OGRID No. 5380		⁸ Operator Name XTO Energy, Inc.			⁹ Elevation 6101'

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
J	14	27N	11W		2420	SOUTH	1995	EAST	SAN JUAN

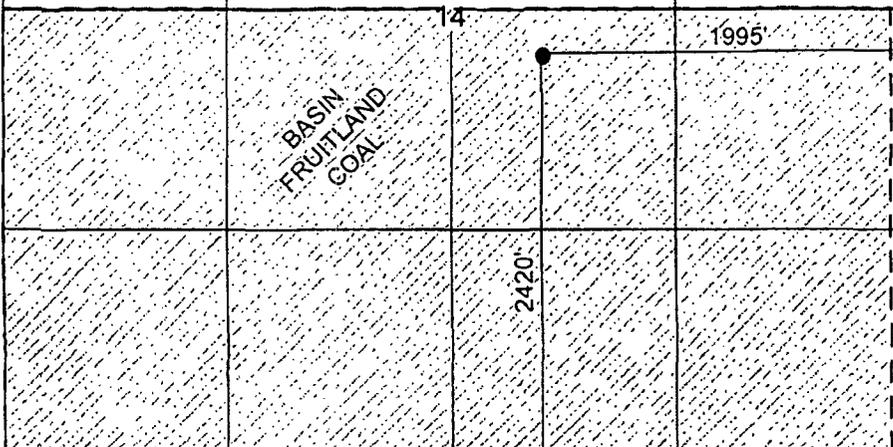
¹¹ Bottom Hole Location If Different From Surface

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 FC: 320 ACRES	¹³ Joint or Infill	¹⁴ Consolidation Code	¹⁵ Order No.
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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>I hereby certify that the information contained herein is true & complete to the best of my knowledge & belief and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the Division.</i>		
				<i>Dolena Johnson</i> Signature		
				Dolena Johnson Printed Name		
				Regulatory Clerk Title		
				08/19/2008 Date		
					¹⁸ SURVEYOR CERTIFICATION	
					<i>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 & correct to the best of my belief.</i>	
					6/23/1984 Date of Survey	
					Original Survey Signed By: John A. Yukonich	
				14831 Certificate Number		





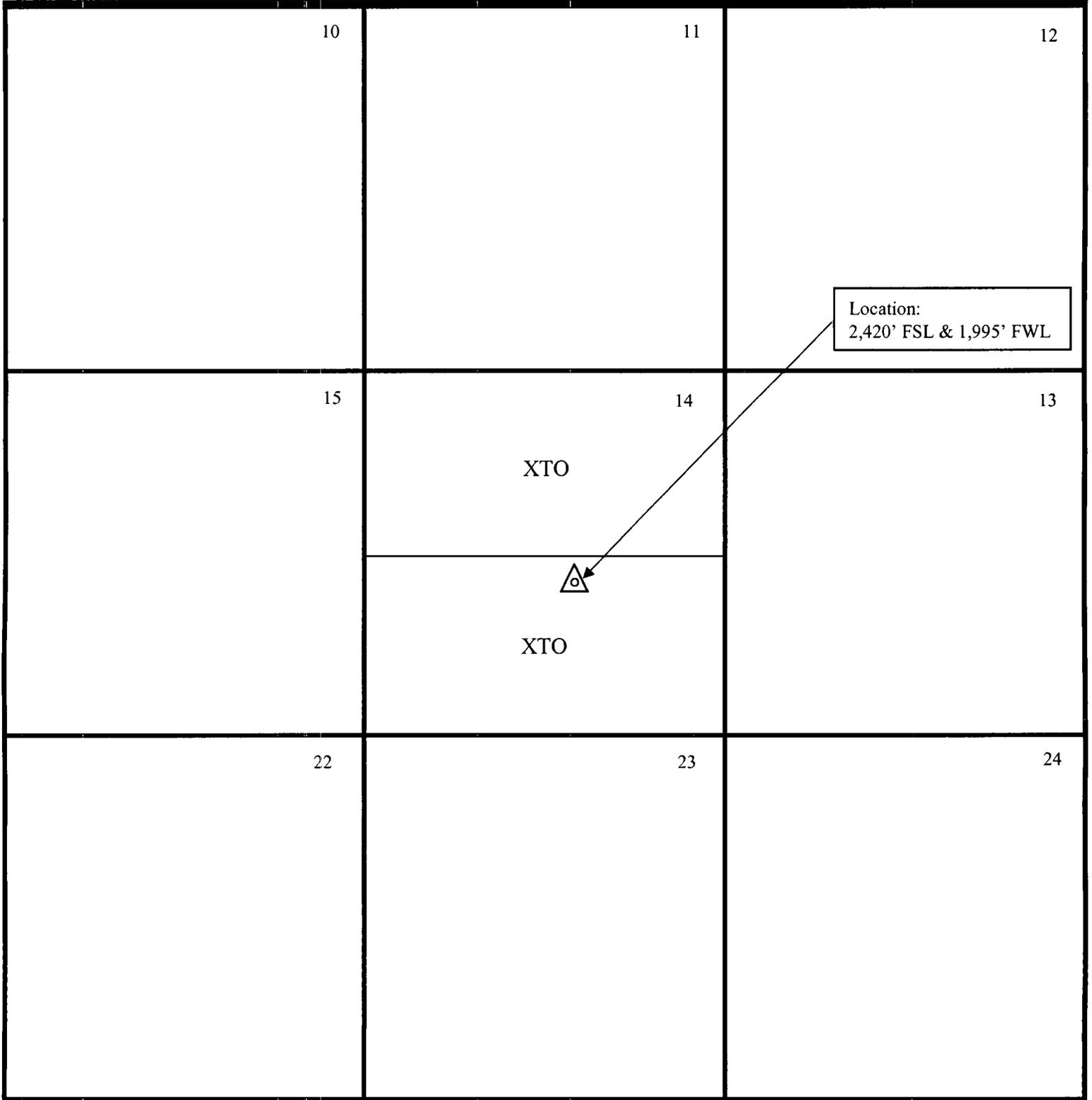
SECTION PLAT OF 9 SQUARE MILES

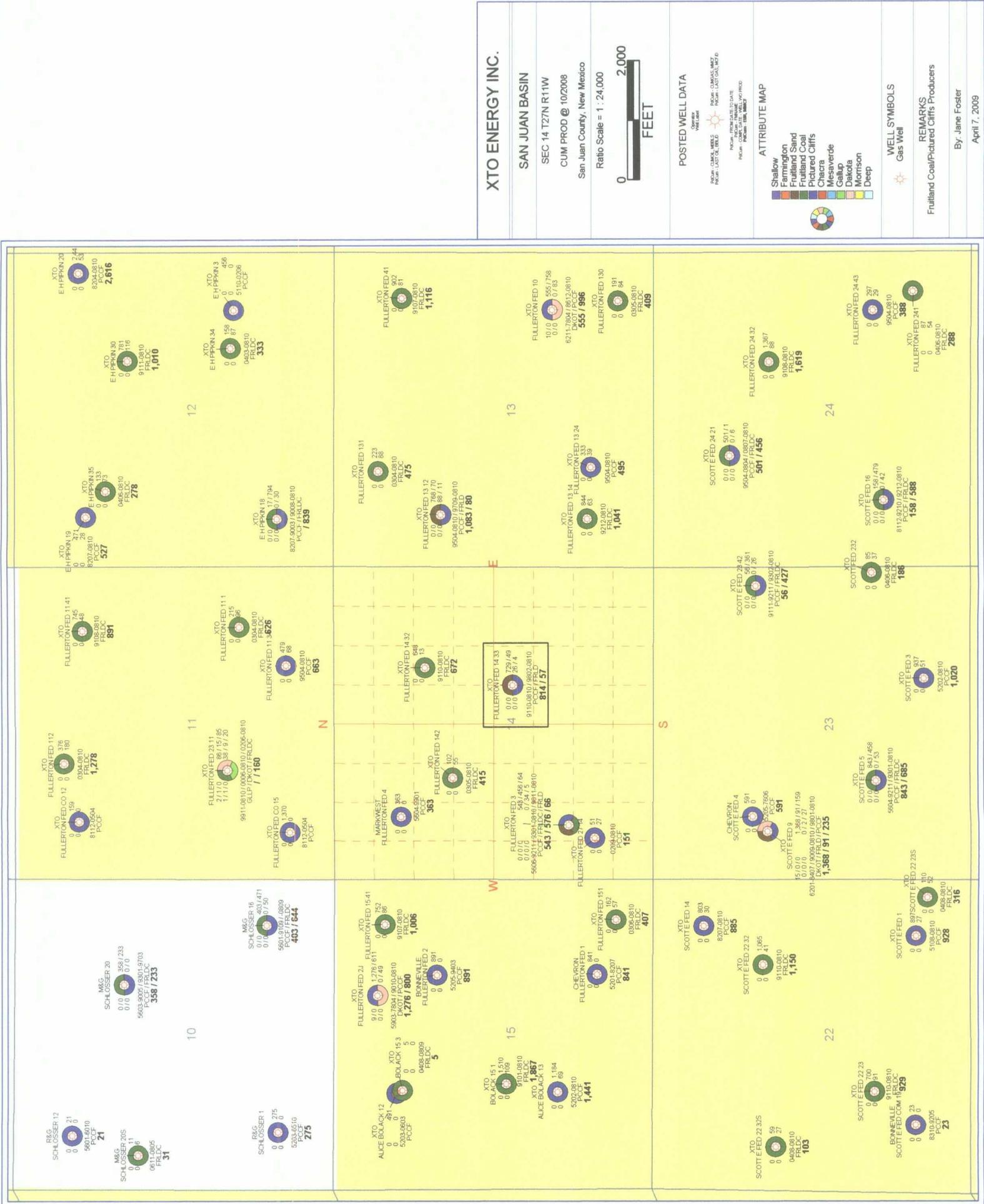
STATE: New Mexico COUNTY: San Juan

PROSPECT: Fullerton Federal 14 No. 33 DATE: April 16, 2009

SECTION: 14 TOWNSHIP: 27 North RANGE: 11 West

SCALE: 1'=2000'





XTO ENERGY INC.

SAN JUAN BASIN

SEC 14 T27N R11W

CUM PROD @ 10/2008

San Juan County, New Mexico

Ratio Scale = 1 : 24,000



POSTED WELL DATA



ATTRIBUTE MAP

- Shallow
- Farmington
- Fruitland Sand
- Fruitland Coal
- Pictured Cliffs
- Chetca
- Mapesverde
- Carlsbad
- Dakota
- Morrison
- Deep

WELL SYMBOLS



Fruitland Coal/Pictured Cliffs Producers

By: Jane Foster

April 7, 2009

Brooks, David K., EMNRD

From: Brooks, David K., EMNRD
Sent: Monday, May 11, 2009 11:04 AM
To: 'ryan_okelley@xtoenergy.com'
Subject: Fullerton 14 Fed #33; NSL request

Dear Mr. O'Kelley

I am somewhat confused by the different locations indicated in your NSL request letter.

The attached C-102 shows the location to be 2420 FSL and 1995 FEL, which is the current location of the well by this name shown in OCD files. The caption of your letter says 2420 FSL and 1995 FWL. The second textual paragraph of your letter begins "At the current location of 2420 FSL and 660 FWL".

What is the location for which you are asking for approval in the Fruitland Coal?

Sincerely

David K. Brooks
505-476-3450

Brooks, David K., EMNRD

From: Ryan_O'Kelley@xtoenergy.com
Sent: Thursday, May 14, 2009 8:08 AM
To: Brooks, David K., EMNRD
Subject: Re: Fullerton 14 Fed #33; NSL request

Mr. Brooks,

XTO is asking for approval for the Fruitland Coal at the current well location shown on the C-102, 2,420' FSL and 1,995' FEL. I apologize for the typo.

Should you have any questions, or need additional information, please feel free to give me a call. Thanks for your help and again, sorry for any confusion.

Ryan O'Kelley
Landman
XTO Energy Inc.
810 Houston St.
Fort Worth, TX 76102
Office: (817) 885-3091
Fax: (817) 885-1854

"Brooks, David K., EMNRD" <david.brooks@state.nm.us>

05/11/2009 12:04 PM

To <ryan_okelley@xtoenergy.com>

cc

Subject Fullerton 14 Fed #33; NSL request

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