

DATE IN 11-12-09	SUSPENSE	ENGINEER Brooks	LOGGED IN 11-12-09	TYPE NSL	8TCW APP NO. 0931654297
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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



XTO
MLK #13

ADMINISTRATIVE APPLICATION CHECKLIST

6/23

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.

Aaron Austin _____ 11-12-09
 Print or Type Name Signature Title Date

Aaron-Austin@xtoenergy.com
 e-mail Address



November 9, 2009

VIA FEDEX OVERNIGHT

Mr. David Catanach
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 MKL #13 – South Blanco, Pictured Cliff Formation
782' FNL and 466' FEL, Section 7, T26N, R7W
Rio Arriba County, New Mexico

Dear Mr. Catanach:

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. Topographic map
2. Well location map
3. Production map
4. South Blanco Pictured Cliff Ownership map
5. Copies of Mailed Notices to offset Pictured Cliff mineral/leasehold owners

The MKL #13 was drilled and completed in 1952 and is producing from the South Blanco Pictured Cliffs formation. The location has always been in a Non-Standard Location (NSL), but never discovered until recently. The South Blanco, Pictured Cliff formation is spaced on 160 acre NE/4 unit and is required to have a 660' setback from the outer boundary of the spacing unit. However, the current location is only 466' from the eastern boundary of the unit and therefore, NSL.

XTO requests that the New Mexico Oil Conservation Division administratively approve the unorthodox location to prevent waste and preserve XTO's current well location.

Should you need any additional information, please contact me at (817) 885-3064.

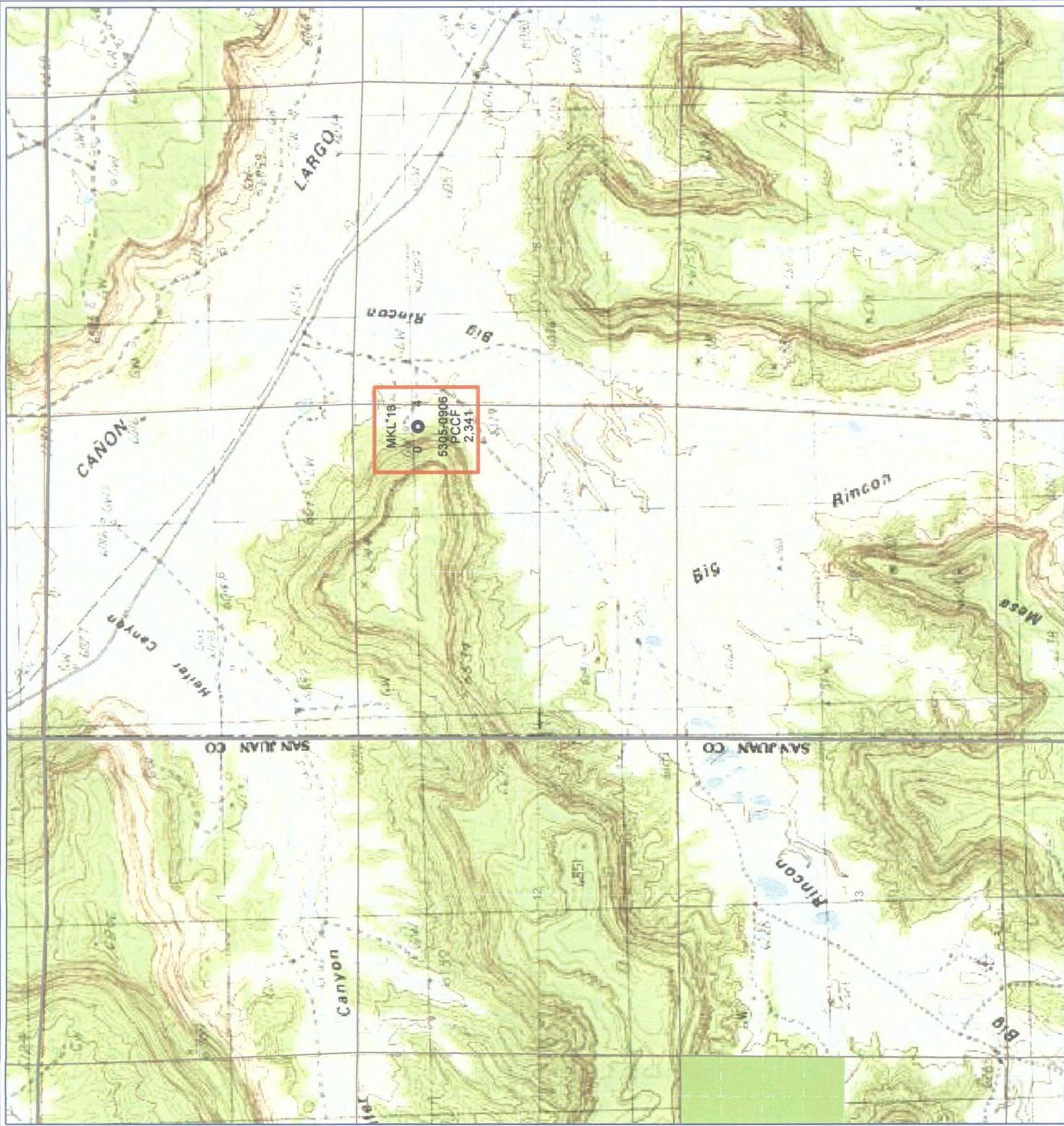
Yours truly,

Aaron Austin
Landman

Aaron Austin@XTOenergy.com

cc: Lillian Montgomery, Ferguson Peters, Lewis W. Peters Estate, Barbara Sullivan, Carolyn Smith, Jack Bass, J. Walter Hicks Estate, Merida Chambers, Delphine Sloan, Pamela Peters

Enclosures



XTO ENERGY

San Juan Basin, New Mexico

MKL 13 - Topographic Map



POSTED WELL DATA

Well Label
 P/Cum - LAST OIL RATE BELD ● P/Cum - LAST GAS RATE MCFD

FROM DATE TO DATE
 P/Cum - SANJUAN
 P/Cum - CUMULAS IMCF

By John Fitzgerald

November 9, 2009

DISTRICT I
1625 N. French Dr., Hobbs, N.M. 88240

DISTRICT II
1301 W. Grand Ave., Artesia, N.M. 88210

DISTRICT III
1000 Rio Brazos Rd., Aztec, N.M. 87410

DISTRICT IV
1220 South 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
State Lease - 4 Copies
Fee Lease - 3 Copies

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT *re-surveyed*

¹ API Number 30-039-06615	² Pool Code 72439	³ Pool Name S BLANCO PICTURED CLIFF
⁴ Property Code 303840	⁵ Property Name MKL	
⁷ GRID No. 5380	⁶ Operator Name XTO ENERGY INC.	⁸ Well Number 13
		⁹ Elevation 6130'

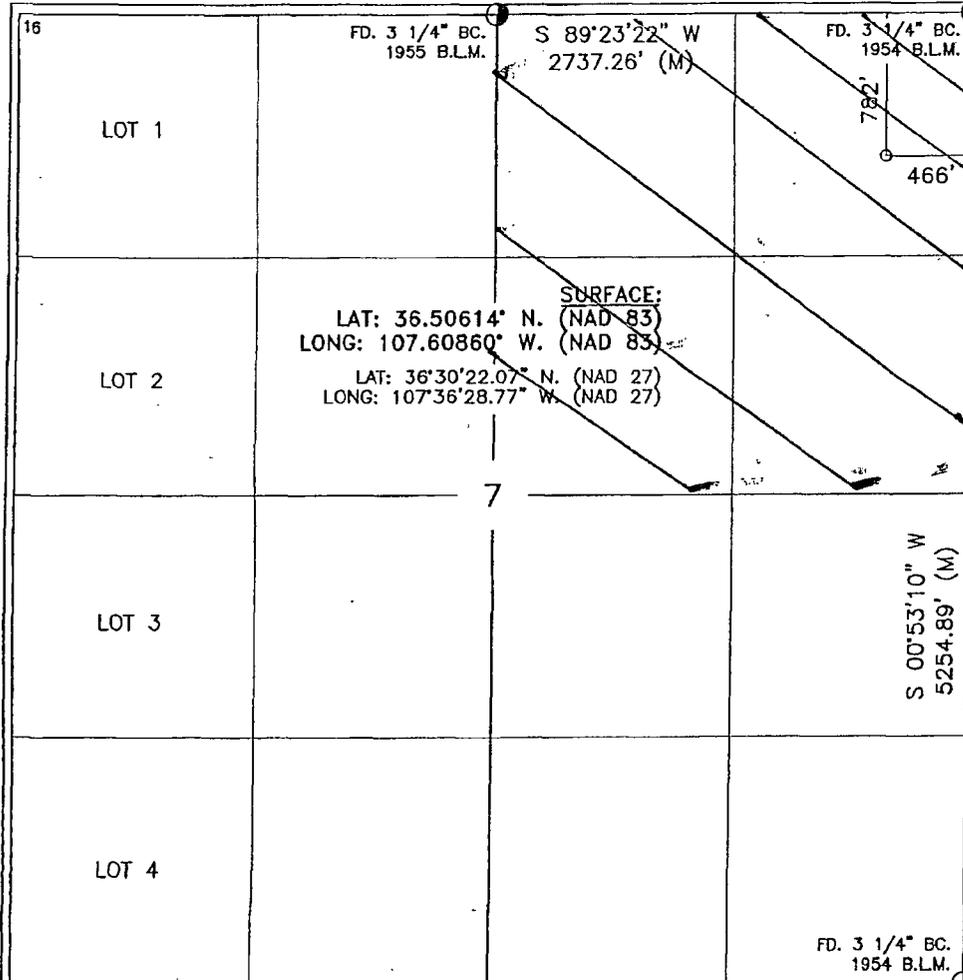
¹⁰ Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
A	7	26-N	7-W		782	NORTH	466	EAST	RIO ARRIBA

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 NE/4 160			¹³ Joint or Infill		¹⁴ Consolidation Code		¹⁵ Order No.		

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



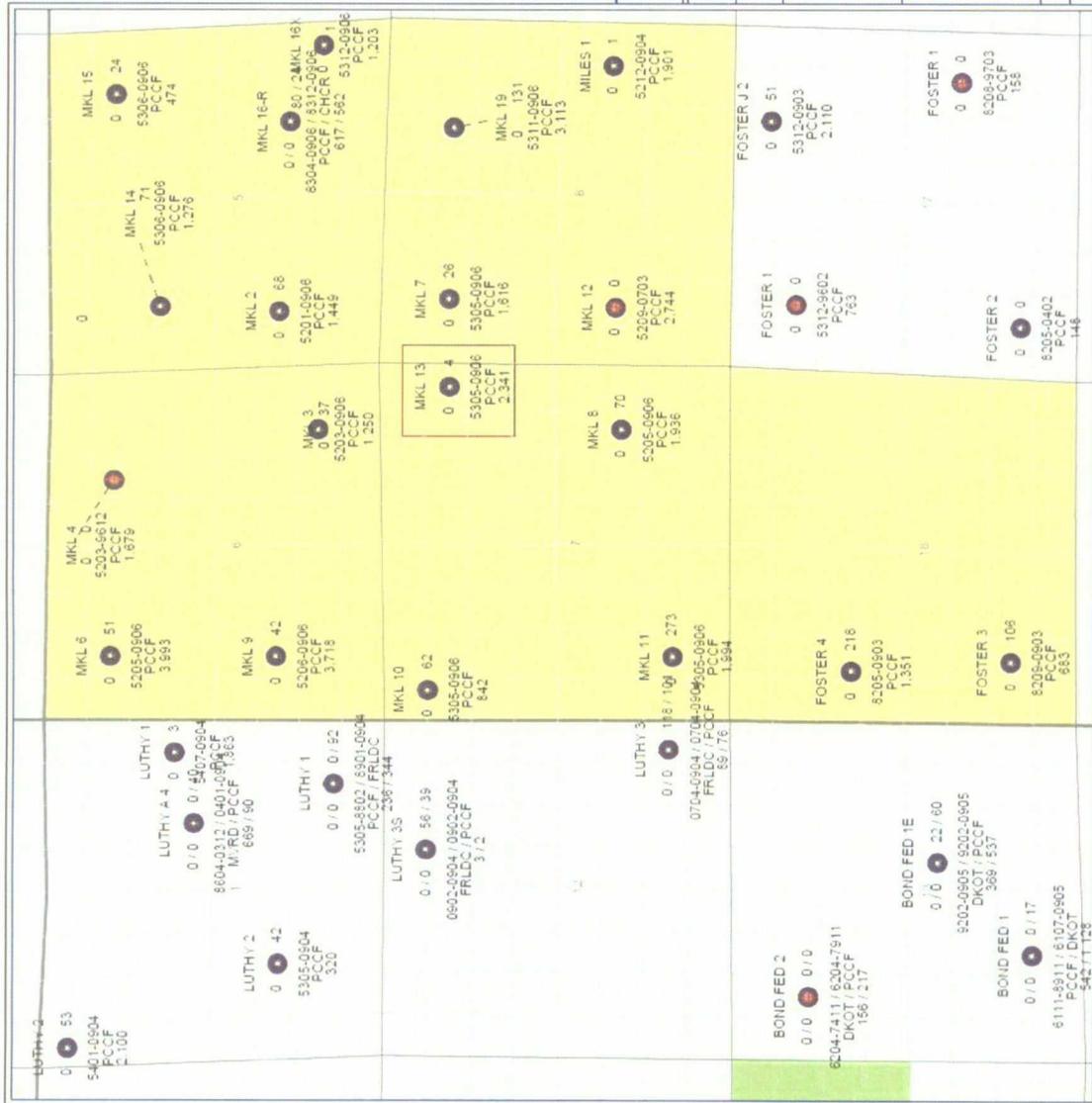
17 OPERATOR CERTIFICATION
I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to 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.

Kyla Vaughan 7/29/09
Signature Date
Kyla Vaughan
Printed Name

18 SURVEYOR CERTIFICATION
I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my knowledge & belief.

JULY 1, 2009
Date of Survey
Signature and Seal of Professional Surveyor:
Roy A. Rush
NEW MEXICO REGISTERED PROFESSIONAL LAND SURVEYOR
8894
13 09
Certificate Number

JK



XTOENERGY

San Juan Basin, New Mexico

MKL 13 - Production Map



POSTED WELL DATA

Well Label
 PCCF - LAST OILRATE BLD ● PCCF - LAST GASRATE MCFD
 PCCF - FROM DATE TO DATE
 PCCF - FROM DATE TO DATE
 PCCF - CUMULATIVE MCFD

By: John Fitzgerald
 November 9, 2009

SHEET 128



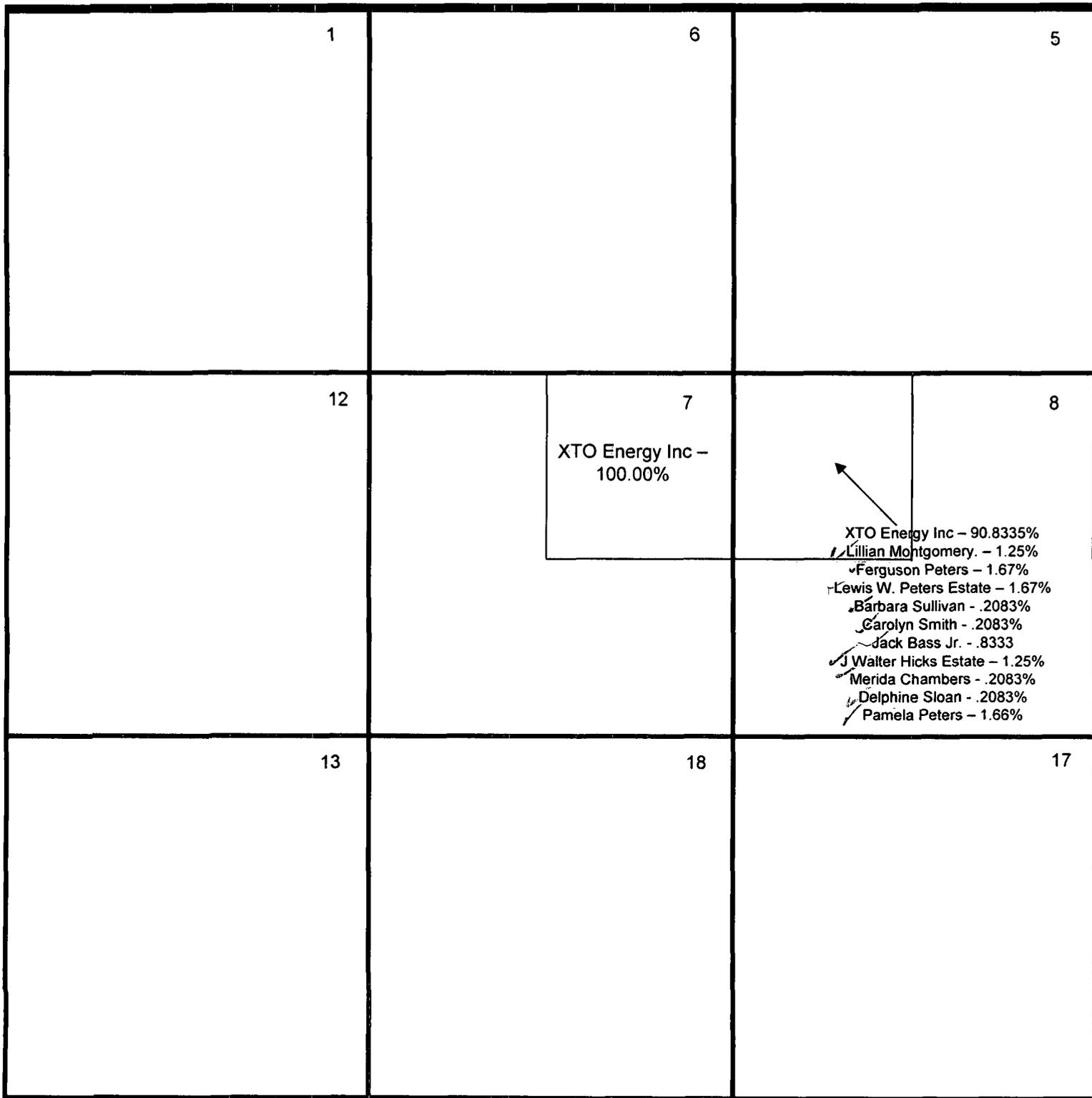
SECTION PLAT OF 9 SQUARE MILES

STATE: New Mexico COUNTY: Rio Arriba

PROSPECT: MKL #13 DATE: November 9, 2009

SECTION: 7 TOWNSHIP: 26 North RANGE: 07 West

SCALE: 1'=2000'





November 9, 2009

VIA US MAIL

FERGUSON E PETERS
956 RIOMAR DR
VERO BEACH, FL 32963-0000

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s MKL #13 – South Blanco, Pictured Cliff Formation
782' FNL and 466' FEL, Section 7, T26N, R7W
Rio Arriba County, New Mexico

Dear Mr. Peters,

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the MKL #13 well for the South Blanco Pictured Cliff formation. The application has also been sent to the New Mexico Oil Conservation Commission for administrative approval.

The MKL #13 well, previously spud by XTO Energy Inc's predecessor on August 27, 1952, was drilled at a Non-Standard Location (NSL) and an application for administrative approval was never filed with the New Mexico Oil Conservation Division (NMOCD). Under the current pool rules, wells must be 660' from the outer boundary of the 160 acre spacing unit. The MKL #13 is only 466' FEL of said spacing unit. Therefore, XTO's location is 194' too close to the eastern boundary.

XTO is requesting permission from the New Mexico Oil Conservation Commission and necessary offsetting owners for approval to continue producing from the existing well in an effort to conserve resources.

If there are any objections to the above described operations, it must file an objection with the New Mexico Oil Conservation Commission within 20 days, as required by the OCD rule 15.13.D (19.15.15.13D NMAC). If you have no objection to the proposed non-standard location, please so indicate by signing and returning one copy of this letter to me at the address shown at the bottom of this letter.

Should you have any questions, please contact me at (817) 885-3064.

Yours truly,

A handwritten signature in black ink, appearing to read 'Aaron Austin', written over a horizontal line.

Aaron Austin
Landman

Enclosures

cc: David K. Brooks, NMOCD

MKL #13 – NSL Notice

November 9, 2009

Page Two

_____ hereby waives notice of hearing and objection to the application by XTO Energy Inc. for the non-standard location for the MKL #13 well in the South Blanco Pictured Cliff formation.

By: _____

Date: _____



November 9, 2009

VIA US MAIL

BARBARA OMAN SULLIVAN
7 VALLEY FORGE
NASHVILLE, TN 37205-4725

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s MKL #13 – South Blanco, Pictured Cliff Formation
782' FNL and 466' FEL, Section 7, T26N, R7W
Rio Arriba County, New Mexico

Dear Ms. Sullivan,

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the MKL #13 well for the South Blanco Pictured Cliff formation. The application has also been sent to the New Mexico Oil Conservation Commission for administrative approval.

The MKL #13 well, previously spud by XTO Energy Inc.'s predecessor on August 27, 1952, was drilled at a Non-Standard Location (NSL) and an application for administrative approval was never filed with the New Mexico Oil Conservation Division (NMOCD). Under the current pool rules, wells must be 660' from the outer boundary of the 160 acre spacing unit. The MKL #13 is only 466' FEL of said spacing unit. Therefore, XTO's location is 194' too close to the eastern boundary.

XTO is requesting permission from the New Mexico Oil Conservation Commission and necessary offsetting owners for approval to continue producing from the existing well in an effort to conserve resources.

If there are any objections to the above described operations, it must file an objection with the New Mexico Oil Conservation Commission within 20 days, as required by the OCD rule 15.13.D (19.15.15.13D NMAC). If you have no objection to the proposed non-standard location, please so indicate by signing and returning one copy of this letter to me at the address shown at the bottom of this letter.

Should you have any questions, please contact me at (817) 885-3064.

Yours truly,

A handwritten signature in black ink, appearing to read 'Aaron Austin'.

Aaron Austin
Landman

Enclosures

cc: David K. Brooks, NMOCD

_____ hereby waives notice of hearing and objection to the application by XTO Energy Inc. for the non-standard location for the MKL #13 well in the South Blanco Pictured Cliff formation.

By: _____

Date: _____



November 9, 2009

VIA US MAIL

CAROLYN OMAN SMITH
308 SAINT JAMES PARK
NASHVILLE, TN 37215-5409

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s MKL #13 – South Blanco, Pictured Cliff Formation
782' FNL and 466' FEL, Section 7, T26N, R7W
Rio Arriba County, New Mexico

Dear Ms. Smith,

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the MKL #13 well for the South Blanco Pictured Cliff formation. The application has also been sent to the New Mexico Oil Conservation Commission for administrative approval.

The MKL #13 well, previously spud by XTO Energy Inc.'s predecessor on August 27, 1952, was drilled at a Non-Standard Location (NSL) and an application for administrative approval was never filed with the New Mexico Oil Conservation Division (NMOCD). Under the current pool rules, wells must be 660' from the outer boundary of the 160 acre spacing unit. The MKL #13 is only 466' FEL of said spacing unit. Therefore, XTO's location is 194' too close to the eastern boundary.

XTO is requesting permission from the New Mexico Oil Conservation Commission and necessary offsetting owners for approval to continue producing from the existing well in an effort to conserve resources.

If there are any objections to the above described operations, it must file an objection with the New Mexico Oil Conservation Commission within 20 days, as required by the OCD rule 15.13.D (19.15.15.13D NMAC). If you have no objection to the proposed non-standard location, please so indicate by signing and returning one copy of this letter to me at the address shown at the bottom of this letter.

Should you have any questions, please contact me at (817) 885-3064.

Yours truly,

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Aaron Austin
Landman

Enclosures

cc: David K. Brooks, NMOCD

MKL #13 – NSL Notice
November 9, 2009
Page Two

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By: _____
Date: _____



November 9, 2009

VIA US MAIL

DELPHINE OMAN SLOAN
31 FOXHALL CLOSE 6
NASHVILLE, TN 37215-1865

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s MKL #13 – South Blanco, Pictured Cliff Formation
782' FNL and 466' FEL, Section 7, T26N, R7W
Rio Arriba County, New Mexico

Dear Ms. Sloan,

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the MKL #13 well for the South Blanco Pictured Cliff formation. The application has also been sent to the New Mexico Oil Conservation Commission for administrative approval.

The MKL #13 well, previously spud by XTO Energy Inc's predecessor on August 27, 1952, was drilled at a Non-Standard Location (NSL) and an application for administrative approval was never filed with the New Mexico Oil Conservation Division (NMOCD). Under the current pool rules, wells must be 660' from the outer boundary of the 160 acre spacing unit. The MKL #13 is only 466' FEL of said spacing unit. Therefore, XTO's location is 194' too close to the eastern boundary.

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If there are any objections to the above described operations, it must file an objection with the New Mexico Oil Conservation Commission within 20 days, as required by the OCD rule 15.13.D (19.15.15.13D NMAC). If you have no objection to the proposed non-standard location, please so indicate by signing and returning one copy of this letter to me at the address shown at the bottom of this letter.

Should you have any questions, please contact me at (817) 885-3064.

Yours truly,

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Aaron Austin
Landman

Enclosures

cc: David K. Brooks, NMOCD

MKL #13 – NSL Notice

November 9, 2009

Page Two

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By: _____

Date: _____



November 9, 2009

VIA US MAIL

JACK M BASS JR
STE 170
P O BOX 150227
NASHVILLE, TN 37215-0000

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s MKL #13 – South Blanco, Pictured Cliff Formation
782' FNL and 466' FEL, Section 7, T26N, R7W
Rio Arriba County, New Mexico

Dear Mr. Bass,

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the MKL #13 well for the South Blanco Pictured Cliff formation. The application has also been sent to the New Mexico Oil Conservation Commission for administrative approval.

The MKL #13 well, previously spud by XTO Energy Inc's predecessor on August 27, 1952, was drilled at a Non-Standard Location (NSL) and an application for administrative approval was never filed with the New Mexico Oil Conservation Division (NMOCD). Under the current pool rules, wells must be 660' from the outer boundary of the 160 acre spacing unit. The MKL #13 is only 466' FEL of said spacing unit. Therefore, XTO's location is 194' too close to the eastern boundary.

XTO is requesting permission from the New Mexico Oil Conservation Commission and necessary offsetting owners for approval to continue producing from the existing well in an effort to conserve resources.

If there are any objections to the above described operations, it must file an objection with the New Mexico Oil Conservation Commission within 20 days, as required by the OCD rule 15.13.D (19.15.15.13D NMAC). If you have no objection to the proposed non-standard location, please so indicate by signing and returning one copy of this letter to me at the address shown at the bottom of this letter.

Should you have any questions, please contact me at (817) 885-3064.

Yours truly,

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Aaron Austin
Landman

Enclosures

cc: David K. Brooks, NMOCD

MKL #13 – NSL Notice

November 9, 2009

Page Two

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By: _____

Date: _____



November 9, 2009

VIA US MAIL

J WALTER HICKS ESTATE
510 WINTERBERRY DRIVE
FALMOUTH, VA 22405-2061

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s MKL #13 – South Blanco, Pictured Cliff Formation
782' FNL and 466' FEL, Section 7, T26N, R7W
Rio Arriba County, New Mexico

To Whom It May Concern,

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Should you have any questions, please contact me at (817) 885-3064.

Yours truly,

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Aaron Austin
Landman

Enclosures

cc: David K. Brooks, NMOCD

MKL #13 – NSL Notice

November 9, 2009

Page Two

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By: _____

Date: _____



November 9, 2009

VIA US MAIL

LEWIS W PETERS ESTATE
PATRICIA PETERS, LEWIS PETERS,
& VIRGINIA KEARNEY CO-PER
REPS
7500 SW 154 TERR
MIAMI, FL 33157-0000

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s MKL #13 – South Blanco, Pictured Cliff Formation
782' FNL and 466' FEL, Section 7, T26N, R7W
Rio Arriba County, New Mexico

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MKL #13 – NSL Notice

November 9, 2009

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By: _____

Date: _____



November 9, 2009

VIA US MAIL

MRS LILLIAN C MONTGOMERY
4705 COLORADO AVE NW
WASHINGTON, DC 20011-0000

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s MKL #13 – South Blanco, Pictured Cliff Formation
782' FNL and 466' FEL, Section 7, T26N, R7W
Rio Arriba County, New Mexico

Dear Mrs. Montgomery,

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the MKL #13 well for the South Blanco Pictured Cliff formation. The application has also been sent to the New Mexico Oil Conservation Commission for administrative approval.

The MKL #13 well, previously spud by XTO Energy Inc's predecessor on August 27, 1952, was drilled at a Non-Standard Location (NSL) and an application for administrative approval was never filed with the New Mexico Oil Conservation Division (NMOCD). Under the current pool rules, wells must be 660' from the outer boundary of the 160 acre spacing unit. The MKL #13 is only 466' FEL of said spacing unit. Therefore, XTO's location is 194' too close to the eastern boundary.

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Yours truly,

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Aaron Austin
Landman

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MKL #13 – NSL Notice
November 9, 2009
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By: _____
Date: _____



November 9, 2009

VIA US MAIL

MERIDA OMAN CHAMBERS
206 LYNWOOD BLVD
NASHVILLE, TN 37205-2906

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s MKL #13 – South Blanco, Pictured Cliff Formation
782' FNL and 466' FEL, Section 7, T26N, R7W
Rio Arriba County, New Mexico

Dear Ms. Chambers,

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the MKL #13 well for the South Blanco Pictured Cliff formation. The application has also been sent to the New Mexico Oil Conservation Commission for administrative approval.

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Yours truly,

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Aaron Austin
Landman

Enclosures

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MKL #13 – NSL Notice

November 9, 2009

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By: _____

Date: _____



November 9, 2009

VIA US MAIL

PAMELA PETERS
9271 BRENO DRIVE
FORT MYERS, FL 33913-0000

Re: Application for Administrative Approval of Unorthodox Location
XTO Energy Inc.'s MKL #13 – South Blanco, Pictured Cliff Formation
782' FNL and 466' FEL, Section 7, T26N, R7W
Rio Arriba County, New Mexico

Dear Ms. Peters,

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Yours truly,

A handwritten signature in black ink, appearing to read 'Aaron Austin', written over a horizontal line.

Aaron Austin
Landman

Enclosures

cc: David K. Brooks, NMOCD

_____ hereby waives notice of hearing and objection to the application by XTO Energy Inc. for the non-standard location for the MKL #13 well in the South Blanco Pictured Cliff formation.

By: _____
Date: _____