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January 26, 2009

ConocoPhillips
San Juan Business Unit
P.O. Box 4289
Farmington, NM 87499-4289

Bureau of Land Management
Attn: Mr. Wayne Townsend
Farmington Resource Area
1235 La Plata Highway
Farmington, NM 87401

New Mexico Oil Conservation Division
Energy Minerals & Natural Resources
Attn: Ms. Lori Wrotenbery
1220 S. Saint Francis Drive
Santa Fe, NM 87505-4000

RE: San Juan 28-5 Unit (#14-08-001-0949)
Commercial Determinations
Dakota Formation
Rio Arriba County, New Mexico

Gentlemen:

Pursuant to the provisions of Section 11(a) of the San Juan 28-5 Unit Agreement, #14-08-001-0949, approved, August 25, 1953, Burlington Resources Oil & Gas Company LP, as Operator, has determined that the well listed below is capable of producing unitized substances in paying quantities from the Dakota Formation. Burlington is seeking confirmation of the paying well determination enclosed.

Well Name	Dedication	Lease No.	Compl. Date	Determination
SJ 28-5 Unit #31B	NSP Sec. 12 & 13-28N-5W	SF-080516-B	11/12/07	Commercial

The SJ 28-5 Unit #31M, completed 11/19/07, will come into the next revision with the #31B

Upon receipt of response from the Bureau of Land Management and concurring response from the New Mexico Oil Conservation Division, the formal Participating Area Schedules will be prepared and submitted.

Copies of this letter are being sent to the working interest owners on the attached sheet. If you have any questions or need any additional information, please contact the undersigned at (505) 599-4030.

Sincerely,

Dawn Howell
Staff Land Technician

SJ 28-5 Unit, 4.3

BURLINGTON RESOURCES
COMMERCIALITY DETERMINATION
BLM DATA SHEET
SAN JUAN UNIT 28-5 31B

WELL INFORMATION

LEASE	SAN JUAN UNIT 28-5 31B
LOCATION	12028N005W
COUNTY, STATE	RIO ARriba, NEW MEXICO
FORMATION	DAKOTA
PROJECT TYPE	NEWDRILL
WELL TYPE	GAS WELL
OPERATOR	BURLINGTON RESOURCES O&G CO
SPUD DATE	2/21/2007
COMP DATE	11/12/2007
1ST DELIVERY	2/14/2008
COMM GWI %	100.00
COMM NRI %	85.00
BOARD RATE %	10.00

PRODUCTION TAXES

TAXES FOR: RIO ARriba, NEW MEXICO
 2003 - 2004 Commerciality

GAS % OF REVENUE

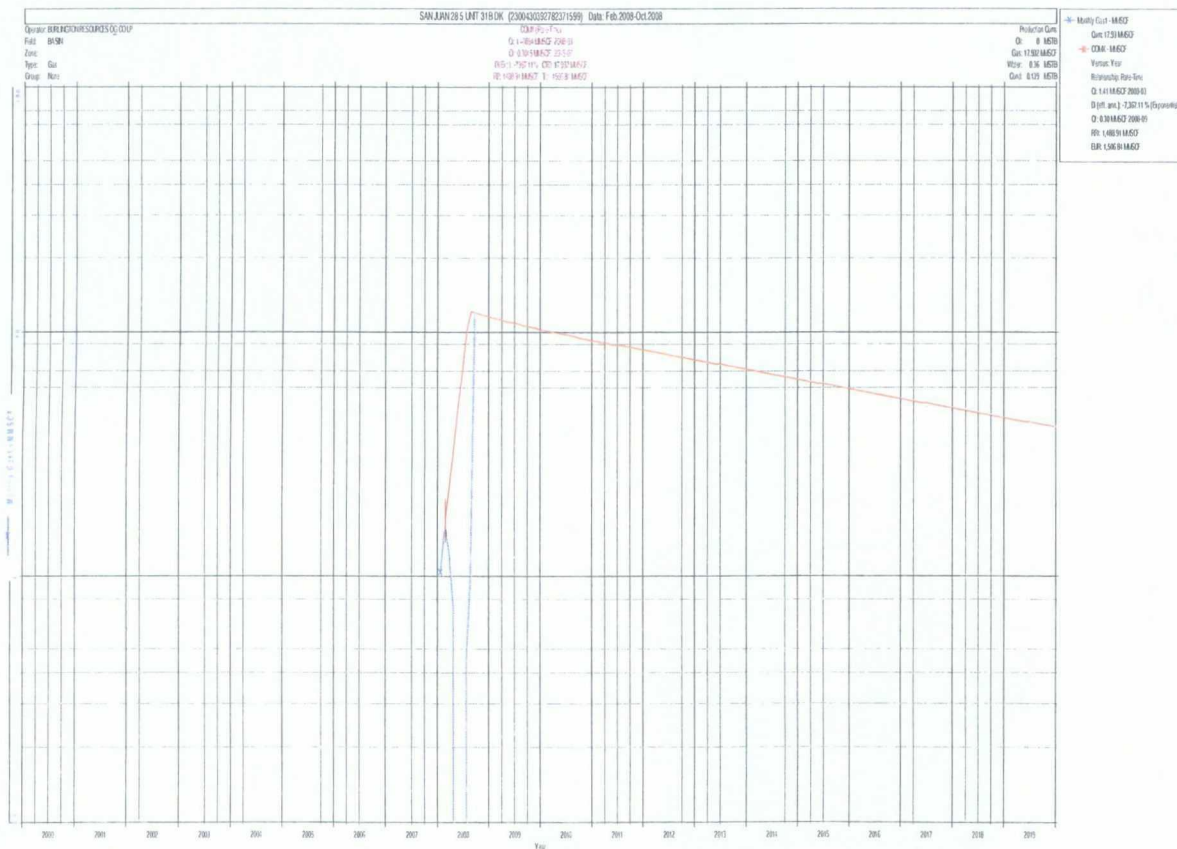
SEVERANCE:	
Severance, School, Conservation	7.93
AD VALOREM:	
Production, Equipment	1.40
TOTAL %:	9.33

AVERAGE HEAT CONTENT

1,000 MMBtu / Mcf

WELL COST AND ECONOMICS

1,034.49	M\$	AVERAGE WELL COST
1,505.81	MMCF	ULT. GROSS GAS RESERVES
51.39	MCFD	INITIAL GAS RATE
44.96	%	RATE OF RETURN
1.80	\$/	P/I, DISC. @ 10.00 %
1,863.77	M\$	NET PRESENT VALUE, DISC. @ 10.00 %
2.49	YRS	PAYOUT



BURLINGTON RESOURCES
COMMERCIALITY DETERMINATION
BLM DATA SHEET
SAN JUAN UNIT 28-5 31B

CASH FLOW SUMMARY

Date	Gas1 Rate	Gas1 Volume	Net Gas Volume	Net Cond Volume	Net Oth Volume	Gas1 Price	Gas Price	Cond Price	Oth Price	Net Revenue	Prod Taxes	Total Oprosts	Total Oper Inc	Total Capital	Total BT Cash
	mcf/d	MMSCF	MMSCF	MSTB	MSTB	\$/MMBTU	\$/mcf	\$/Bbl	\$/Bbl	M\$	M\$	M\$	M\$	M\$	M\$
2008 03	51.4	1.6	1.11	0.00	0.11	4.86	4.86	35.51	22.66	7.5	0.79	1.32	5.40	1,034.49	-1,029.09
2008 04	41.5	1.2	0.86	0.00	0.09	4.86	4.86	35.51	22.66	5.9	0.62	1.32	3.93	0.00	3.93
2008 05	23.9	0.7	0.51	0.00	0.05	4.86	4.86	35.51	22.66	3.5	0.37	1.32	1.80	0.00	1.80
2008 06	0.0	0.0	0.00	0.00	0.00	4.86	4.86	35.51	22.66	0.0	0.00	1.32	-1.32	0.00	-1.32
2008 07	0.0	0.0	0.00	0.00	0.00	4.86	4.86	35.51	22.66	0.0	0.00	1.32	-1.32	0.00	-1.32
2008 08	14.5	0.4	0.31	0.00	0.03	4.86	4.86	35.51	22.66	2.1	0.22	1.32	0.57	0.00	0.57
2008 09	32.2	1.0	0.67	0.00	0.07	4.86	4.86	35.51	22.66	4.6	0.48	1.32	2.76	0.00	2.76
2008 10	384.2	11.9	8.27	0.00	0.83	4.86	4.86	35.51	22.66	56.1	5.90	1.32	48.89	0.00	48.89
2008 11	394.3	11.8	8.21	0.00	0.82	4.86	4.86	35.51	22.66	55.7	5.86	1.32	48.56	0.00	48.56
2008 12	377.4	11.7	8.12	0.00	0.81	4.86	4.86	35.51	22.66	55.1	5.80	1.32	48.01	0.00	48.01
2009 01	373.3	11.6	8.03	0.00	0.80	4.86	4.86	35.51	22.66	54.5	5.73	1.32	47.47	0.00	47.47
2009 02	408.8	11.4	7.95	0.00	0.80	4.86	4.86	35.51	22.66	53.9	5.67	1.32	46.95	0.00	46.95
2009 03	365.4	11.3	7.86	0.00	0.79	4.86	4.86	35.51	22.66	53.4	5.61	1.32	46.44	0.00	46.44
2009 04	373.6	11.2	7.78	0.00	0.78	4.86	4.86	35.51	22.66	52.8	5.55	1.32	45.94	0.00	45.94
2009 05	357.9	11.1	7.70	0.00	0.77	4.86	4.86	35.51	22.66	52.3	5.50	1.32	45.46	0.00	45.46
2009 06	366.1	11.0	7.62	0.00	0.76	4.86	4.86	35.51	22.66	51.7	5.44	1.32	44.99	0.00	44.99
2009 07	350.7	10.9	7.55	0.00	0.76	4.86	4.86	35.51	22.66	51.2	5.39	1.32	44.53	0.00	44.53
2009 08	347.3	10.8	7.47	0.00	0.75	4.86	4.86	35.51	22.66	50.7	5.34	1.32	44.08	0.00	44.08
2009 09	355.4	10.7	7.40	0.00	0.74	4.86	4.86	35.51	22.66	50.2	5.28	1.32	43.64	0.00	43.64
2009 10	340.7	10.6	7.33	0.00	0.73	4.86	4.86	35.51	22.66	49.8	5.23	1.32	43.21	0.00	43.21
Sub.	---	150.9	104.77	0.00	10.49	---	---	---	---	711.2	74.79	26.40	609.98	1,034.49	-424.51
Rem.	---	1,354.5	940.32	0.00	94.11	---	---	---	---	6,382.7	671.21	627.00	5,084.47	0.00	5,084.47
Total	---	1,505.5	1,045.09	0.00	104.60	---	---	---	---	7,093.8	746.00	653.40	5,694.45	1,034.49	4,659.96

**SAN JUAN 28-5 UNIT
DAKOTA FORMATION
WORKING INTEREST OWNERS
A728816**

BP America Production Company
Burlington Resources Oil & Gas Co, LP
Charles W. Gay
Dugan Production Corp
J&M Raymond LTD
JABCO LLP
Kathleen Quinn
Langdon Harrison Rev. Trust
Lorrayn Gay Hacker
MAR Oil & Gas Corporation
NAVATEX Energy LP
Providence Minerals LLC
Rio Aribagas LTD
Ruth Zimmerman Trust
T.H. McElvain Oil and Gas Company
TAMACAM LLC
Thomas P Tinnin
Tinmil A NM LLC