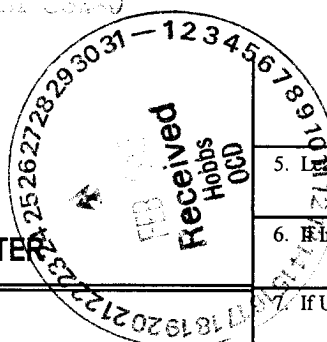


New Mexico Oil Conservation Division, District 1
 1025 N. Branch Drive
 Hobbs, NM 88240

Form 3160-3
 (August 1999)

UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT

APPLICATION FOR PERMIT TO DRILL OR REENTER



OMB No. 1004-0136
 Expires November 30, 2000

5. Lease Serial No. **NM-98205**

6. Indian, Allottee or Tribe Name
Not Applicable

7. If Unit or CA Agreement, Name and No.
Not Applicable

8. Lease Name and Well No. **<36378>**
Roosevelt Special BIO Federal #1

1a. Type of Work: DRILL REENTER

b. Type of Well: Oil Well Gas Well Other Single Zone

2. Name of Operator
Yates Petroleum Corporation

3A. Address **105 South Fourth Street**
Artesia, New Mexico 88210

3b. Phone No. (include area code) **<25575>**
(505) 748-1471

9. API Well No.
30-041-20210

10. Field and Pool, or Exploratory
Bough

4. Location of Well (Report location clearly and in accordance with any State requirements. *)
 At surface **660' FNL and 1980' FEL, Unit B (NWNE)**
 At proposed prod. Zone **same as above**

11. Sec., T., R., M., or Blk. and Survey or Area
Section 33, T8S-R36E

14. Distance in miles and direction from nearest town or post office*
7 miles northeast of Crossroads, New Mexico

12. County or Parish **Roosevelt**

13. State **NM**

15. Distance from proposed* location to nearest property or lease line, ft. (Also to nearest drig. unit line, if any)
660'

16. No. of Acres in lease
320

17. Spacing Unit dedicated to this well
NWNE

18. Distance from proposed location* to nearest well, drilling, completed, applied for, on this lease, ft.
2700'

19. Proposed Depth
9860'

20. BLM/BIA Bond No. on file
NMB000434

21. Elevations (Show whether DF, KDB, RT, GL, etc.)
4016 GL

22. Approximate date work will start*
ASAP

23. Estimated duration
30 Days

24. Attachments

The following, completed in accordance with the requirements of Onshore Oil and Gas Order No. 1, shall be attached to this form:

- Well plat certified by a registered surveyor.
- A Drilling Plan.
- A Surface Use Plan (if the location is on National Forest System Lands, the SUPO shall be filed with the appropriate Forest Service Office.
- Bond to cover the operations unless covered by an existing bond on file (see Item 20 above).
- Operator certification.
- Such other site specific information and/or plans as may be required by the authorized office.

25. Signature *Clifton May for Debbie Caffall* Name (Printed/Typed) **Debbie L. Caffall** Date **12/13/2006**

Title: **Regulatory Agent/Land Department**

Approved by (Signature) **/S/ DAVID R. GLASS** Name (Printed/Typed) _____ Date **FEB 22 2007**

Title **Asst Assistant Field Manager, Lands And Minerals** Office **ROSWELL FIELD OFFICE** **APPROVED FOR 1 YEAR**

Application approval 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.

Conditions of approval, if any, are attached.

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.

*Instructions on reverse) C-144 attached

APPROVAL SUBJECT TO
 GENERAL REQUIREMENTS AND
 SPECIAL STIPULATIONS ATTACHED

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

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

¹ API Number 30-041-20210		² Pool Code 62459	³ Pool Name Vada Upper Penn
⁴ Property Code	⁵ Property Name Roosevelt Special "BIO" Federal		⁶ Well Number 1
⁷ OGRID No. 025575	⁸ Operator Name Yates Petroleum Corporation		⁹ Elevation 4091

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
C	33	8 S	36 E		660	North	1980	East	Roosevelt

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 160 NE/4	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.

16				<p>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.</p> <p><i>Debbie S. Caffall</i> 3/13/2007 Signature Date</p> <p>Debbie L. Caffall, Regulatory Agent Printed Name</p>
				<p>¹⁸ SURVEYOR CERTIFICATION I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.</p> <p>Date of Survey Signature and Seal of Professional Surveyor</p> <p>REFER TO ORIGINAL PLAT</p> <p>Certificate Number</p>

YATES PETROLEUM CORPORATION
Roosevelt Special BIO Federal #1 (Re-entry)
Drilling Prognosis
Page 2

This well was originally drilled by R.R. Morrison as the Federal #2. It was spudded on 5/31/69 and Completed on 7/21/69. On 10/08/82 it was plugged and abandoned by Tom Brown, Inc.

Yates's plan is to re-enter the well with a pulling unit to drill out cement plugs in the 12 3/4" casing and open hole down to the 8 5/8" casing. The 8 5/8" casing will be re-joined to surface and cemented back to surface. Plugs in the 8 5/8" casing and open hole will be drilled out down to the 4 1/2" stub at 4296'. Production casing (4 1/2") will be run back to surface and cemented to approximately 3600'. The remainder of the cement plug in the 4 1/2" casing will be drilled out (bottom of plug @ 4541') and the cement and CIBP from 9370' to 9700' will be drilled out.

The well will be completed with a pulling unit in the Bough/3 Brothers and/or Basal Abo intervals.

MUD PROGRAM: The mud program will be 9.2 to 9.8 ppg brine water with viscosity of 35-40 cp.

CASING PROGRAM:

- 12 3/4" csg @ 407' (34#) J-55
- 8 5/8" csg @ 4000' (24 & 32#) J-55
- 4 1/2" csg @ 9860' (11.6#) J-55

CEMENTING PROGRAM:

- 12 3/4" csg @ 407' cemented w/375 sacks – Class C
- 8 5/8" csg @ 4000' cemented w/400 sacks – Class C
- 4 1/2" csg @ 9860' cemented w/450 sacks – Class C

BOPE PROGRAM: 3000 # BOPE will be nipped up and tested on the 8 5/8" casing.

No H2s is anticipated.

Well Name: Roosevelt Special BIO Fed. #2 Field:

Location: 660' FNL & 1980' FEL Sec. 33-8S-36E Roosevelt Co., NM

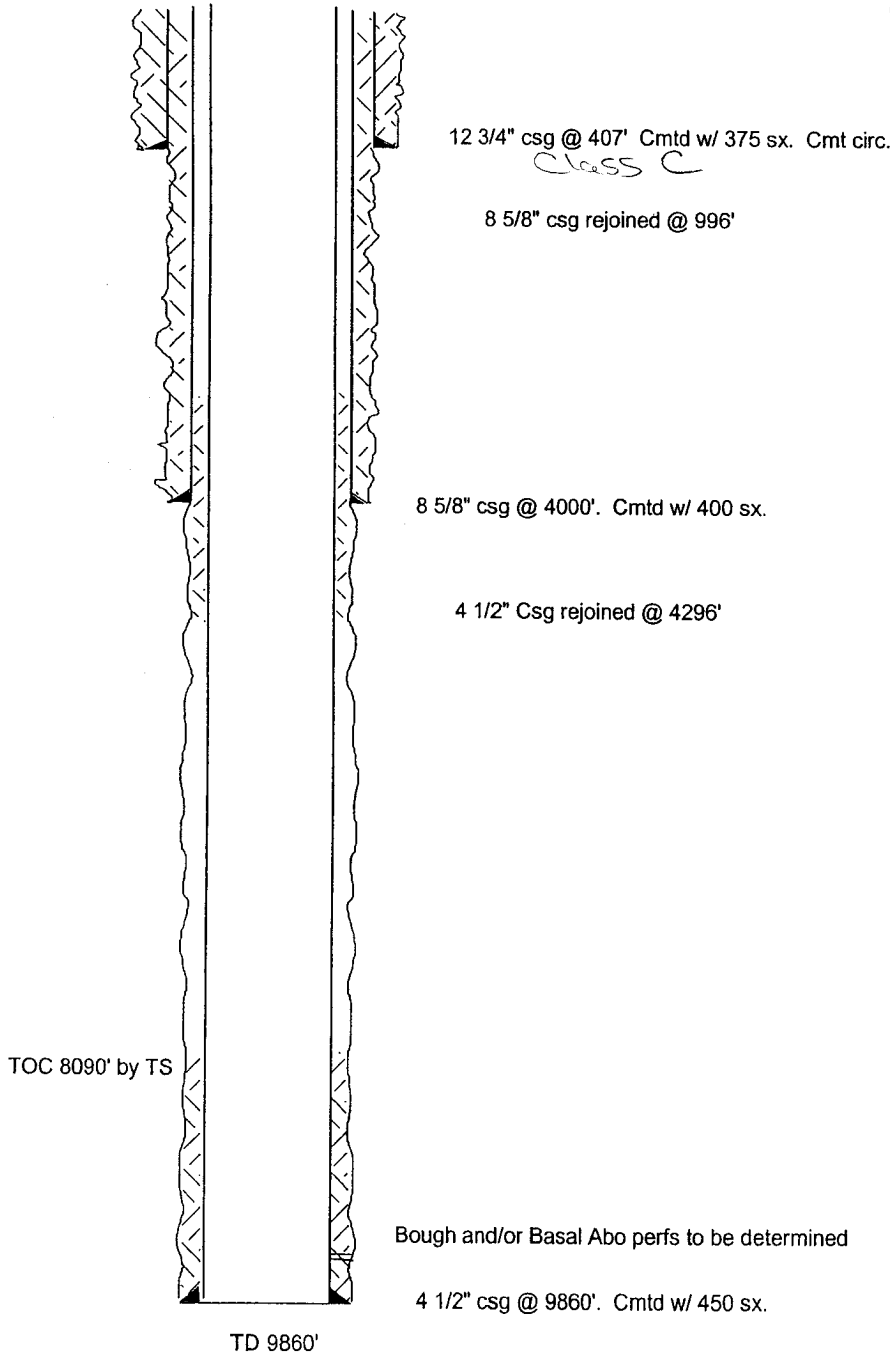
GL: 4016' Zero: _____ AGL: _____ KB: _____

Spud Date: _____ Completion Date: _____

Comments: This is a re-entry of R.R. Morrison's Federal #2 (later operated and plugged by Tom Brown, Inc.

Casing Program	
Size/Wt/Grade/Conn	Depth Set
12 3/4" 34# <i>J-SS</i>	407'
8 5/8" 24 & 32#	4000'
4 1/2" 11.6#	9860'

PROPOSED CONFIGURATION



SKETCH NOT TO SCALE

DATE: 12/11/06 FED2A

Well Name: Roosevelt Special BIO Fed. #2 Field:

Location: 660' FNL & 1980' FEL Sec. 33-8S-36E Roosevelt Co., NM

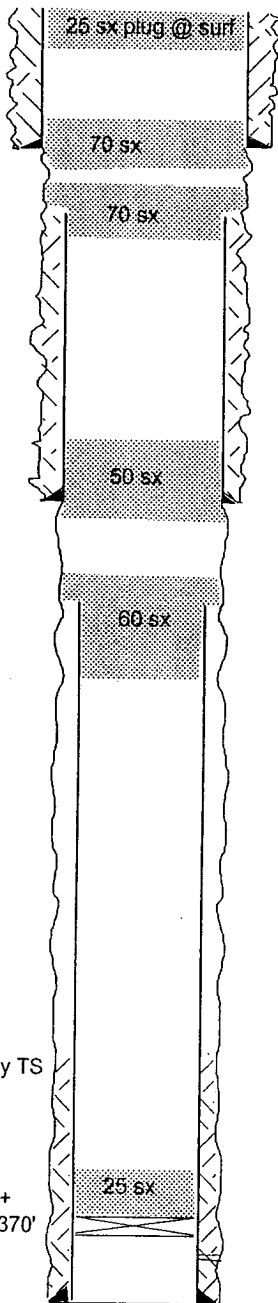
GL: 4016' Zero: _____ AGL: _____ KB: _____

Spud Date: _____ Completion Date: _____

Comments: This is a re-entry of R.R. Morrison's Federal #2 (later operated and plugged by Tom Brown, Inc.

Casing Program	
Size/Wt/Grade/Conn	Depth Set
12 3/4" 34#	407'
8 5/8" 24 & 32#	4000'
4 1/2" 11.6#	9860'

CURRENT CONFIGURATION



70 sx cement plug 457'-345'
12 3/4" csg @ 407' Cmtd w/ 375 sx. Cmt circ.

8 5/8" csg cut & pulled from 996'
70 sx cement plug 1050'-890'

50 sx cement plug 3860'-4050'
8 5/8" csg @ 4000'. Cmtd w/ 400 sx.
Spotted 50 sx plug @ 4050' but did not tag.

Csg cut @ 4296'
60 sx cement plug 4541'-4240'

Penn perms 9757-69'
4 1/2" csg @ 9860'. Cmtd w/ 450 sx.

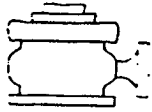
TOC 8090' by TS

CIBP @ 9700'+
25 sx cmt to 9370'

TD 9860'

SKETCH NOT TO SCALE

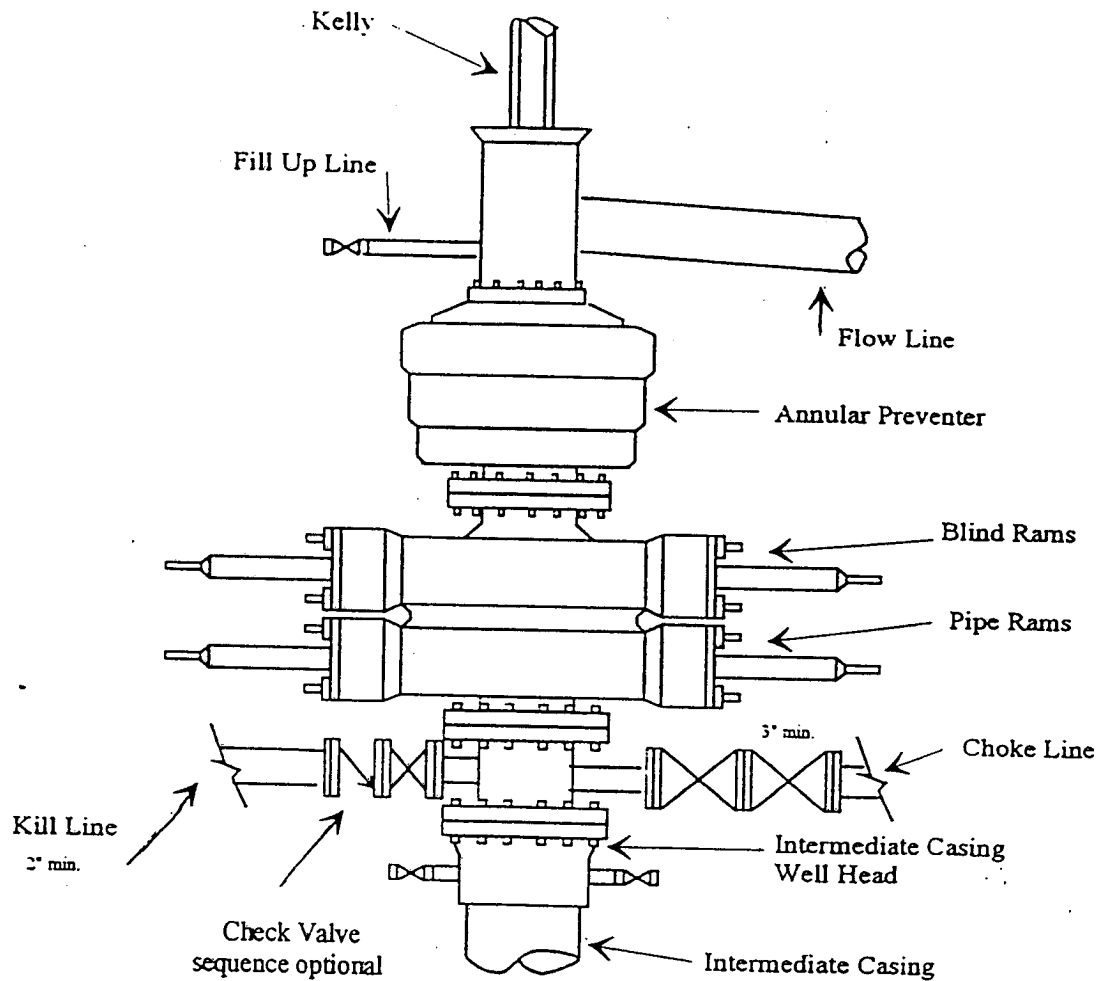
DATE: 12/8/06 FED2



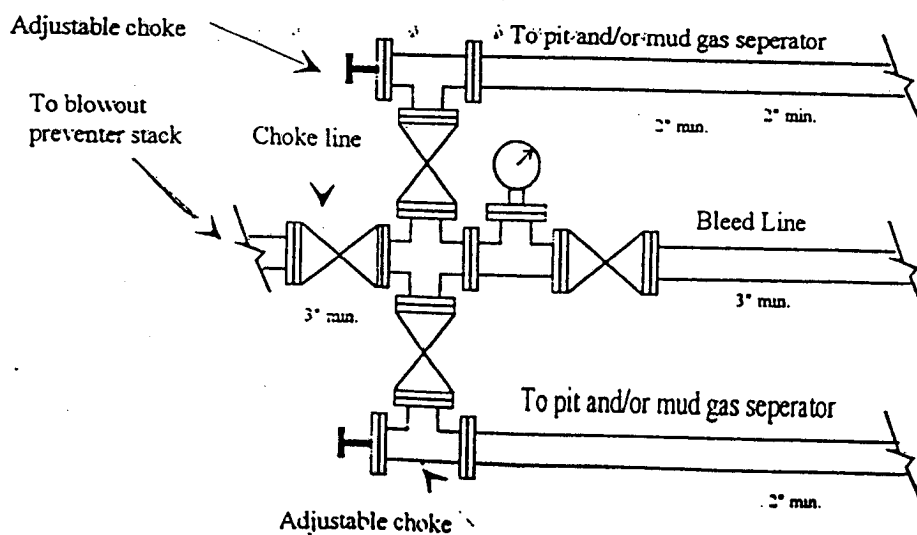
Yates Petroleum Corporation

BOP-3

Typical 3,000 psi Pressure System Schematic Annular with Double Ram Preventer Stack



Typical 3,000 psi choke manifold assembly with at least these minimum features



District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

Form C-144
March 12, 2004

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

For drilling and production facilities, submit to appropriate NMOCD District Office.
For downstream facilities, submit to Santa Fe office

105 South Fourth Street, Artesia, NM 88210

Pit or Below-Grade Tank Registration or Closure

Is pit or below-grade tank covered by a "general plan"? Yes CheckBox1

Type of action: Registration of a pit or below-grade tank Closure of a pit or below-grade tank

Operator: Yates Petroleum Corporation Telephone: 505-748-4376 e-mail address: debbiec@ypcnm.com

Address: 104 South 4th Street, Artesia, New Mexico 88210

Facility or well name: Roosevelt Special BIO Federal #1 (Re-entry) API #: _____ U/L or Qtr/Qtr_B Sec 33 T 8S R36E

County: Roosevelt Latitude: _____ Longitude: _____ NAD: 1927 1983 Surface Owner: Federal State Private Indian

Pit	Below-grade tank	
Type: Drilling <input checked="" type="checkbox"/> Production <input type="checkbox"/> Disposal <input type="checkbox"/> Workover <input type="checkbox"/> Emergency <input type="checkbox"/>	Volume: _____ bbl Type of fluid: _____	
Lined <input checked="" type="checkbox"/> Unlined <input type="checkbox"/>	Construction material: _____	
Liner type: Synthetic <input checked="" type="checkbox"/> Thickness <u>12</u> mil Clay <input type="checkbox"/> Volume <u>20,000</u> bbl	Double-walled, with leak detection? Yes <input type="checkbox"/> If not, explain why not. _____	
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water.)	Less than 50 feet	(20 points)
	50 feet or more, but less than 100 feet	(10 points)
	100 feet or more	(0 points)
Wellhead protection area: (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources.)	Yes	(20 points)
	No	(10 points) (0 points)
Distance to surface water: (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses.)	Less than 200 feet	(20 points)
	200 feet or more, but less than 1000 feet	(10 points)
	1000 feet or more	(0 points)
Ranking Score (Total Points)		0 points

If this is a pit closure: (1) attach a diagram of the facility showing the pit's relationship to other equipment and tanks. (2) Indicate disposal location: onsite offsite If offsite, name of facility _____. (3) Attach a general description of remedial action taken including remediation start date and end date. (4) Groundwater encountered: No Yes If yes, show depth below ground surface _____ ft. and attach sample results. (5) Attach soil sample results and a diagram of sample locations and excavations.

I hereby certify that the information above is true and complete to the best of my knowledge and belief. I further certify that the above-described pit or below-grade tank has been/will be constructed or closed according to NMOCD guidelines , a general permit , or an (attached) alternative OCD-approved plan .

Date: 12/14/2006

Printed Name/Title Debbie L. Caffall/Regulatory Agent

Signature Debbie L. Caffall

Your certification and NMOCD approval of this application/closure does not relieve the operator of liability should the contents of the pit or tank contaminate ground water or otherwise endanger public health or the environment. Nor does it relieve the operator of its responsibility for compliance with any other federal, state, or local laws and/or regulations.

Approval:

Date: 3/14/07

Printed Name/Title CHRIS WILLIAMS/DIST. SUPV

Signature Chris Williams

EXHIBIT A

OPERATOR: Yates Petroleum Corporation

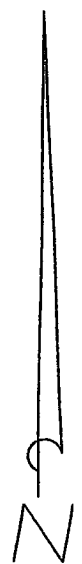
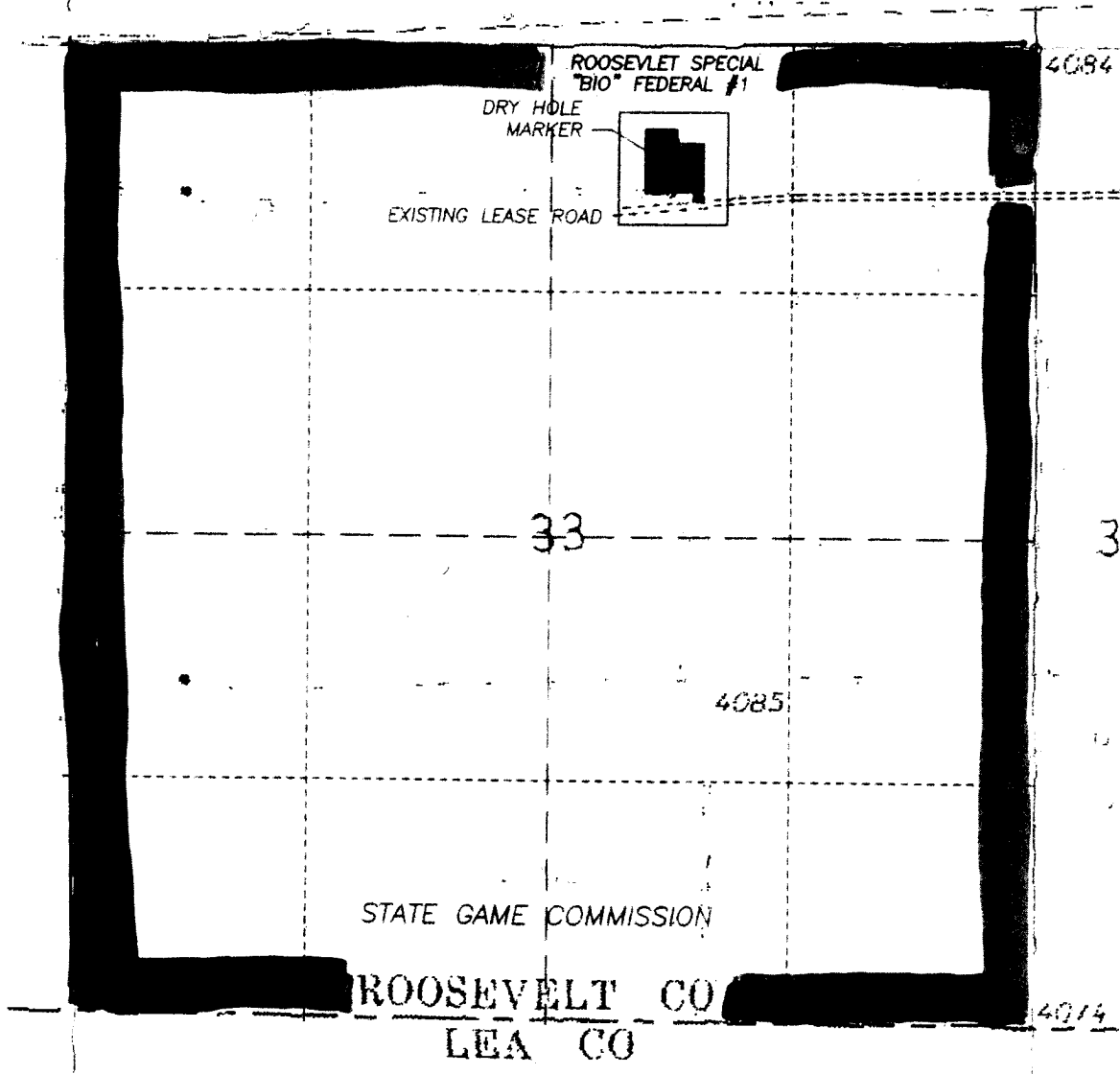
LEASE NO: NM-98205

WELL NAME & NO.: Roosevelt Special "BIO" Federal #1

LOCATION: Section 33, T. 8 S., R. 36 E.

QUARTER/QUARTER & FOOTAGE: NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 660' FNL & 1980' FEL

COUNTY: Roosevelt County, New Mexico, N.M.P.M.





United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Roswell Field Office
2909 West Second Street
Roswell, New Mexico 88201

EXHIBIT B WELL DRILLING REQUIREMENTS

1 of 6 pages

OPERATORS NAME: Yates Petroleum Corporation LEASE NO.: NM-98205
WELL NAME & NO: Roosevelt Special "BIO" Federal #1
QUARTER/QUARTER & FOOTAGE: NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 660' FNL & 1980' FEL
LOCATION: Section 33, T. 8 S., R. 36 E.
COUNTY: Roosevelt County, New Mexico, NMPM

I. GENERAL PROVISIONS:

- A. The operator has the right of administrative review of these requirements pursuant to 43 CFR 3165.1(a).
- B. The operator shall hereafter be identified as the holder in these requirements. The Authorized Officer is the person who approves the Well Drilling Requirements.

II. WELL PAD CONSTRUCTION REQUIREMENTS:

- A. The BLM shall administer compliance and monitor construction of the access road and well pad. Notify Richard G. Hill at least 3 working days (72 Hours) prior to commencing construction of the access road and/or well pad. Roswell Field Office number (505) 627-0247.
- B. Prior to commencing construction of the access road, well pad, or other associated developments, the holder shall provide the dirt contractor with a copy of the approved APD signature page, a copy of the location map (EXHIBIT A), a copy of pages 1 & 2 from the Well Drilling Requirements (EXHIBIT B), and a copy of the Permanent Resource Road Requirements (EXHIBIT D).
- C. No useable topsoil exists on the well pad that will be re-entered. Therefore, no soil stockpile is required.
- D. No surfacing is required on the well pad. The Department of Game & Fish prefers that the holder utilize the well pad as is. However, if the Holder finds it absolutely necessary to surface portions of the well pad to provide a stable safe working area, the holder shall minimize the amount of surfacing material that will be used on the well pad.
- E. Reserve Pit Requirements:
 - 1. The reserve pit shall be constructed 175' X 150' on the North side of the well pad.
 - 2. The reserve pit shall be constructed to a minimum depth of four (4) feet below ground level. The reserve pit shall be constructed, so that the cuttings in the reserve pit can be buried a minimum depth of three (3) feet below ground level. See Exhibit E – Surface Reclamation/Restoration Requirements.

WELL DRILLING REQUIREMENTS

2 of 6 pages

3. A synthetic or fabricated liner 12 mil in thickness shall be used to line the reserve pit. The liner shall meet ASTM standards that are designed to be resistant to the reserve pit contents.
4. The reserve pit shall be fenced on three (3) sides during drilling operations. The fourth side shall be fenced immediately upon rig release.
5. The reserve pit shall be constructed so as not to leak, break, or allow discharge of drilling muds. Under no circumstances will the reserve pit be cut to drain drilling muds on the well location.
6. The reserve pit shall not be located in any natural drainage.
7. The reserve pit shall be equipped to deter entry by birds, bats, other wildlife, and livestock, if the reserve pit contains any oil and/or toxic fluids.
8. Drilling muds shall be properly disposed of before the reserve pit is reclaimed. Drilling muds can be allowed to evaporate in the reserve pit or be removed and transported to an authorized disposal site. The reserve pit shall be backfilled when dry.
9. Dumping of junk or trash into the reserve pit is not allowed. Junk or trash shall be removed from within the reserve pit before the reserve pit is reclaimed. **Junk or trash shall not be buried in the reserve pit.**

E. Federal Mineral Materials Pit Requirements:

1. Caliche, gravel, or other related materials from new or existing pits on Federal mineral estate shall not be taken without prior approval from the authorized officer. Contact Jerry Dutchover at (505) 627 -0236.
2. Payment for any Federal mineral materials that will be used to surface the access road and the well pad is required prior to removal of the mineral materials.
3. Mineral Materials extracted during construction of the reserve pit may be used for development of the pad and access road as needed, for the Roosevelt Special "BIO" Federal #1 oil well only. Removal of any additional material on location must be purchased from BLM prior to removal of any material.
 - a. An optional mineral material pit may be constructed within the archaeologically cleared area. The mineral material removed in the process can be used for pad and access road construction. However, a mineral material sales contract must be purchased from the BLM prior to removal of any material.

F. Well Pad Surfacing Requirement:

The well pad shall be surfaced with 6 inches of compacted caliche, gravel, or other approved surfacing material. The well pad shall be surfaced prior to drilling operations. See Permanent Resource Road Requirements - EXHIBIT D - requirement #4, for road surfacing.

G. Cave Requirements:

1. If, during any construction activities any sinkholes or cave openings are discovered, all construction activities shall immediately cease. Contact Larry Bray at (505) 627-0250.
2. The BLM Authorized Officer will, within 24 hours of notification in "A" above, conduct an on-the-ground field inspection for karst. At the field inspection the authorized field inspector will authorize or suggest mitigating measures to lessen the damage to the karst environment. A verbal order to proceed or stop the operation will be issued at that time.

WELL DRILLING REQUIREMENTS

3 of 6 pages

III. WELL SUBSURFACE REQUIREMENTS:

A. GENERAL DRILLING REQUIREMENTS:

1. The Bureau of Land Management (BLM) is to be notified at the Roswell Field Office, 2909 West Second St., Roswell, NM 88201, (505) 627-0272 for wells in Chaves and Roosevelt Counties, in sufficient time for a representative to witness:

A. Spudding B. Existing casing: 12 1/4 inch; 8 5/8 inch; 4 1/2 inch. C. BOP Tests

2. A Hydrogen Sulfide (H2S) Drilling Plan is not required for this wellbore.

3. Unless the production casing has been run and cemented or the well has been properly plugged, the drilling rig shall not be removed from over the hole without prior approval.

4. Submit a Sundry Notice (Form 3160-5, one original and five copies) for each casing string, describing the casing and cementing operations. Include pertinent information such as; spud date, hole size, casing (size, weight, grade and thread type), cement (type, quantity and top), water zones and problems or hazards encountered. The Sundry shall be submitted within 15 days of completion of each casing string. The reports may be combined into the same Sundry if they fall within the same 15 day time frame.

5. The API No. assigned to the well by NMOCD shall be included on the subsequent report of setting the first casing string.

B. CASING:

1. The 12 1/4 inch shall be set 407 Feet with cement circulated to the surface. Existing casing on all three strings. The intermediate and production strings has been cut at some points. Tie ins will couple the strings back together to eliminate the open hole sections.

2. The minimum required fill of cement behind the 8 5/8 inch Intermediate casing is to circulate the new placement through out the open hole .

3. The minimum required fill of cement behind the 4 1/2 inch Production casing is to circulate above the top of the Abo by at least 500 feet .

C. PRESSURE CONTROL:

1. All BOP systems and related equipment shall comply with well control requirements as described in Onshore Oil and Gas Order No.

2. The BOP and related equipment shall be installed and operational before drilling below the 8 5/8 inch casing shoe and shall be tested as described in Onshore Order No. 2. Any equipment failing to test satisfactorily shall be repaired or replaced.

2. Minimum working pressure of the blowout preventer and related equipment (BOPE) shall be 2 M psi.

3. The appropriate BLM office shall be notified in sufficient time for a representative to witness the test.

-The test shall be done by an independent service company

-The results of the test shall be reported to the appropriate BLM office.

-Testing fluid must be water or an appropriate clear liquid suitable for sub-freezing temperatures.

-Use of drilling mud for testing is not permitted since it can mask small leaks.

-Testing must be done in safe workman-like manner. Hard line connections shall be required.

-Both low pressure and high pressure testing of BOPE is required.

IV. ON LEASE - WELL REQUIREMENTS:

A. The holder shall post signs identifying the location permitted herein with the requirements contained in Onshore Oil and Gas Order #1 and 43 CFR 3162.6.

B. The following data is required on the well sign that shall be posted in a conspicuous place on the well pad. The sign shall be kept up with current identification and shall be legible for as long as the well is in existence:

Operator Name: Yates Petroleum Corporation
Well Name & No.: Roosevelt Special "BIO" Federal #1
Lease No.: NM-98205
Footage: 660' FNL & 1980' FEL
Location: Section 33, T. 8 S., R. 36 E.

C. UPON ABANDONMENT OF THE WELL, THE SAME INFORMATION SHALL BE INSCRIBED ON THE DRY HOLE MARKER WITH A BEADED WELD.

D. The approval of the APD does not in any way imply or grant approval of any on-lease, off-lease, or off-unit action(s). It is the responsibility of the holder to obtain other approval(s) such as rights-of-way from the Roswell Field Office or other agencies, including private surface landowner(s).

E. All vehicles, including caterpillar track-type tractors, motor graders, off-highway trucks and any other type of motorized equipment that is used in the construction of the access road and well pad shall be confined to the area(s) herein approved. The drilling rig that is used to drill the well shall also be confined to the approved area(s).

F. Containment Structure Requirement:

1. A containment structure or earthen dike shall be constructed and maintained around all storage facilities/batteries. The containment structure or earthen dike shall surround the storage facilities/batteries.
2. The containment structure or earthen dike shall be constructed two (2) feet high around the facilities/batteries (the containment structure or earthen dike can be constructed higher than the two (2) feet high minimum).
3. The perimeter of the containment structure or earthen dike can be constructed substantial larger for greater holding capacity of the contents of the largest tank.
4. The containment structure or earthen dike shall be constructed so that in case of a spill the structure can contain the entire contents of the largest tank, plus 24 hour production, within the containment structure or earthen dike, unless more stringent protective requirements are deemed necessary by the Authorized Officer.

G. Painting Requirement:

All above-ground structures (e.g.: meter houses, tanks, above ground pipelines, and related appurtenance, etc.) not subject to safety requirements shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be a color which simulates "Supplemental Environmental Colors" designated by the Rocky Mountain Five-State Interagency Committee. The color selected for painting all the well facilities is "**Olive Drab 18-0622 TPX**" (Colors derived from "**PANTONE**" FOR **Architecture and Interiors Color Guide**).

H. Fence Requirement:

The holder shall minimize disturbance to existing fences and other improvements on public land. The holder is required to promptly repair impacted improvements to at least their former state. On private surface the holder shall contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates shall be allowed unless approved by the Authorized Officer.

I. Open-vent Exhaust Stack Requirements:

1. All open-vent exhaust stacks associated with heater-treater, separators and dehydrator units shall be modified to prevent birds and bats from entering them and to the extent practical to discourage perching and nesting.
2. New production equipment installed on federal leases after November 1st, 1993, shall have the open-vent exhaust stacks constructed to prevent the entry of birds and bats and to the extent practical, to discourage perching, and nesting.

V. Invasive and Noxious Weeds Requirement:

A. The holder shall be held responsible if noxious weeds become established within the area. Evaluation of the growth of noxious weeds shall be made upon discovery. Weed control will be required on the disturbed land where noxious weeds exist, which includes the roads, pads, associated pipelines, and adjacent land affected by the establishment of weeds due to this action. The holder is responsible for consultation with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policy.

B. The holder shall insure that the equipment and or vehicles that will be used to construct, maintain and administer the access roads, well pad and resulting well are not polluted with invasive and noxious weed seed. Transporting of invasive and noxious weed seed could occur if the equipment and vehicles were previously used in noxious weed infested areas. In order to prevent the spread of noxious weeds, the Authorized Officer shall require that the equipment and vehicles be cleaned with either high pressure water or air prior to construction, maintenance and administration of the access roads, well pad, and resulting well.

VI. SPECIAL REQUIREMENT(S):

A. Lesser Prairie Chicken Stipulation:

The Roswell Approved Resource Management Plan and Record Of Decision addresses the preservation of the Lesser prairie chicken wildlife habitat. In cooperation with NMDGF, the RFO shall also consider the preservation of the North Bluit Lesser Prairie Chicken Management Area.

1. There shall be no earthmoving construction activities, well exploratory and/or developmental drilling, well completion, and plugging and abandonment activities, **between the dates February 15th through June 30th** of each year. During that period, other activities, including the operation and maintenance of oil and gas facilities, will not be allowed between **3:00 A.M. and 9:00 A.M. and 5:00 P.M. to 8:00 P.M.** to prevent disturbances to lesser prairie-chicken lekking activities. To the extent practicable, activities occurring for a short period of time may be conducted so long as they do not commence until after **9:00 A.M.** Waiver requests from February 15th to February 29th and June 16 to June 30 will be considered. Any deviation from this stipulation must be approved in writing by the Roswell Field Office Manager or the appropriate Authorized Officer.

2. All motors or engines that produce high noise levels shall have mufflers installed that effectively reduce excessive noise levels within prairie chicken habitat. High noise levels produced by motors or engines shall be reduced and muffled so as not to exceed 75 db measured at 30 feet from the source of the noise.

3. Upon abandonment of the well, reclamation activities can be conducted **between the dates February 15th through June 30th**, so long as reclamation work shall not be conducted between the hours of **3:00 A.M. to 9:00 A.M. and 5:00 P.M. to 8:00 P.M.** to prevent disturbances to lesser prairie-chicken lekking activities. Any deviation from this requirement shall require prior approval by the Authorized Officer.

4. In an emergency situation, the Authorized Officer can allow a pit to be constructed for the purpose of collecting crude oil for removal. To prevent wildlife from entering the pit, netting of adequate size to deter access by wildlife shall cover the pit until it is no longer a threat to wildlife, and the pit is reclaimed.

B. Prior to commencing construction of the well pad the protruding pipeline and other miscellaneous equipment that is on well pad shall be removed and disposed of in an authorized disposal site.