ABOVE THIS LINE FOR DIVISION USE ONLY

## NEW MEXICO OIL CONSERVATION DIVISION

- Engineering Bureau -

1220 South St. Francis Drive, Santa Fe, NM 87505



#### 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] [OLS - Off-Lease Storage] [OLM-Off-Lease Measurement] [PC-Pool Commingling] [WFX-Waterflood Expansion] [PMX-Pressure Maintenance Expansion] [SWD-Salt Water Disposal] [IPI-Injection Pressure Increase] **IPPR-Positive Production Response** [EOR-Qualified Enhanced Oil Recovery Certification] [1] **TYPE OF APPLICATION** - Check Those Which Apply for [A] Location - Spacing Unit - Simultaneous Dedication [A]NSP SD Check One Only for [B] or [C] Commingling - Storage - Measurement [B]  $\square$  DHC  $\square$  CTB  $\square$  PLC  $\square$  PC  $\square$  OLS Injection - Disposal - Pressure Increase - Enhanced Oil Recovery [C] □ WFX □ PMX □ SWD □ IPI □ EOR □ PPR [D]Other: Specify [2] **NOTIFICATION REQUIRED TO:** - Check Those Which Apply, or  $\square$  Does Not Apply Working, Royalty or Overriding Royalty Interest Owners [A] [B]Offset Operators, Leaseholders or Surface Owner Application is One Which Requires Published Legal Notice [C]  $\mathbb{D}$ 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. Print or Type Name Signature Title Date

e-mail Address

M & G DRILLING COMPANY c/o Mike Pippin LLC

3104 N. Sullivan Avenue Farmington, NM 87401

505-327-4573 (phone) \*\*505-564-8656 (fax) Email: mpippin@ddbroadband.net

September 23, 2004

**CERTIFIED MAIL:** Mr. Michael E. Stogner New Mexico Oil Conservation Division 1220 S. Saint Francis Drive Santa Fe. New Mexico 87504

RECEIVED

SEP 24 2004

RE: Application for Administrative Approval of Unorthodox Location M & G Drilling Company's Schlosser 3 #101 Well 2400' FNL and 1305' FWL Unit E, Section 3, T27N, R11W

NM OGRID#: 141852

Oil Conservation Division 1220 S, St. Francis Drive Santa Fe, NM 87505

San Juan County, New Mexico

**Basin Fruitland Coal** 

Dear Mr. Stogner:

M & G Drilling Company hereby requests administrative approval for an unorthodox location for the above referenced well. Attached for your reference are the following exhibits:

- Copy of Federal APD (BLM Form 3160-3) 1.
- Well location plat (NMOCD Form C-102) 2.
- List of Offset Operators 3.
- Ownership map 4.
- Topographic map 5.
- Production map 6.
- 7. Directions to proposed well pad
- Copy of letter to offset operators and certified mail receipt 8.

The rules state that the well should not be closer than 660 feet to the South and North lines nor closer than 660 feet to the East and West lines of a Gas Proration Unit. In this case, the referenced well is a 320 acre lay-down proration unit. We encountered enormous topographic problems trying to stake this well. With the exception of the wellpad for Conoco's Schlosser Fed #2E DK (805' FNL & 1520' FWL Section 3 T27N R11W), a suitable standard location for this well could not be found in the northwest quarter of Section 3 due to the topography. We staked the well in the only relatively flat area available. Unfortunately, that relatively flat area is only 240' from the center of the section line. M & G Drilling Company has the offset lease directly to the south.

We do not believe that drilling a Fruitland Coal well on the same wellpad as the Schlosser Fed. #2E DK would be a good geological location. Coal thickness increases from only 25 feet of coal in the Schlosser #97 PC (623' FSL & 1347' FWL Section 34 T28N R11W) to 50 feet of coal in the Bolack 4 #2 (2225' FNL & 1660' FEL Section 4 T27N R11W). It is therefore our desire to be as far from the #97 as possible and near the Bolack 4 #2. See the attached log sections from these wells.

By certified mail, a copy of this application and request for administrative approval has been sent to all of the Basin Fruitland Coal working interest owners and offset operators listed on the attached list. M & G Drilling Company requests your Administrative Approval for the unorthodox location based on the above information. Should you need any additional information please feel free to contact me at (505) 327-4573.

Best Regards

Mike Pippin Petroleum Engineer

Agent - M & G Drilling Company

**Enclosures** 

cc: Steve Hayden

# **UNITED STATES**

Form 3160-3 (August 1999)	DEPARTMENT BUREAU OF LA						r 30, 2000
AP	PLICATION FOR PER	MIT TO DRILL	OR REEN	TER	N	VI-078673  Jian, Allottee or Tribe N	
1a. Type of Work	⊠ DRILL	REENTER				it or CA, Agreement, N	
1b. Type of Well:	Oil Well Gas Well	Other Sir	ngle Zone	Multiple Zone		se Name and Well No.	
Name of Operato     M&G Drilling	or Company Inc.	. NI	M OGRID # 14	11852		Well No.	
	o Mike Pippin LLC van, Farmington, NM 87		. Phone Number (05) 327-45	573	Ba	ld and Pool, or Explora ASIN Fruitland C C., T., R., M., or Blk. an	oal
Location of Well     At surface:     At proposed prod. Z	(Footage, Sec, T. R., M, or Survey Unit E, 2400' FNL, 1 Jone: Same				Se	ec 3, T-27-N, R	-11- <b>W</b>
14. Distance in mile	s and direction from nearest town Bloomfield, NM	or post office*			_	unty or Parish.	13. State New Mexico
15. Distance from p location to nearest propety or lease line	1305'		16. No of Ac 256			acing Unit dedicated to	this well
(Also to nearest drig 18. Distance from p location to nearest v	proposed*		19. Propose 2100'	d Depth	20. BLM/BIA Bond No. on file		
21. Elevation (Show 6168'	v whether DF, KDB, RT, GL, etc.)		Jai	nate date work will start*	23.	Estimated duration 30 days	
Well plat of     A Drilling I     A Surface	, completed in accordance with the certified by a registered surveyor. Plan  Use Plan (if the location is on Natiaal) be filed with the appropriate For	requirements of Onstonal Forest System La		Order No. 1, shall be attact 4. Bond to cover the ope Item 20 above). 5. Operator certification. 6. Such other site special authorized officer	rations uni	ess covered by an exis	•
Size of Hole	Grade, Size of Casing	Weigh	t per Foot	Setting Depth		Quantity of Cer	nent
12-1/4" 6-1/4"	8-5/8" LS 4-1/2" K-55	23		200' 2100'		140 Sxs, 165 ft	3 - 100% Excess 3 - 45% Excess
	ection was on 7/1/04 by Brid	æ Barlan		NFORMATION	Lo	Latitude: 36 Deg,	
25. Signature	Milita upp	'n		Name(Printed/Typed)  Mike Pippin		Date Ser	otember 11, 2004
Approved by (Signa				Name(Printed/Typed)		Date	
Title				Office			
conduct operations Conditions of appro	at does not warrant or certify the ap is thereon. aval, if any, are attached. tion 1001 and Title 43 U.S.C. Secti	_					

United States any false, ficticious, or fraudulent statements or representations as to any matter within its jurisdiction. \*(Instructions on reverse)

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

State of New Mexico Energy, Minerals & Natural Resources Department

Form C-102 Revised August 15, 2000

DISTRICT II 811 South First, Artesia, N.M. 88210

OIL CONSERVATION DIVISION

Submit to Appropriate District Office State Lease - 4 Copies Fee Lease - 3 Copies

DISTRICT IV

DISTRICT III

2040 South Pacheco, Santa Fe, NM 87505

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

2040 South Pacheco Santa Fe. NM 87505

☐ AMENDED REPORT

#### WELL LOCATION AND ACREAGE DEDICATION PLAT Pool Code <sup>1</sup>API Number BASIN FRUITLAND 1629 <sup>4</sup>Property Code <sup>6</sup>Property Name 101 SCHLOSSER 3 OGRID No. <sup>8</sup>Operator Name \* Elevation 6168 M & G DRILLING COMPANY INC. 41852 Surface Location UL or lot no. Township Feet from the North/South line Feet from the Section Range Lot Idn East/West line County 27-N 11-W SAN JUAN 2400 NORTH 1305 E WEST <sup>11</sup> Bottom Hole Location If Different From Surface North/South line UL or lot no. Section Township Lot Idn Feet from the Feet from the Range Bast/West line County Dedicated Acres " Consolidation Code <sup>19</sup> Joint or Infill 16 Order No. 320 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 FD. 2 1/2" BC. 1913 GLO CALC'D COR. S 89-52-44 W BY SNGL. PROP. METHOD OPERATOR CERTIFICATION 5289.6' (C) I hereby certify that the information contained herein is true and complete to the best of my knowledge and LOT 4 LOT 3 LOT 2 LOT 1 00-00-07 2656.0' (M) LAT. = 36'36'18" N. (NAD 83) LONG. =107'59'45" W. (NAD 83) 1305 FD. 2 1/2" BC. 1913 GLO SURVEYOR CERTIFICATION I hereby certify that the well location shown on this plat rs plotted from field notes of actual surveys n MAY 13 Certificate

#### M & G DRILLING COMPANY

c/o Mike Pippin 3104 N. Sullivan Avenue Farmington, NM 87401 505-327-4573 (phone) \*\*505-564-8656 (fax) Email: mpippin@ddbroadband.net

## OFFSET OPERATORS AND OWNERS NOTIFICATION LIST SCHLOSSER 3 #101 FRTC

#### **OFFSET OPERATORS:**

XTO ENERGY INC. 2700 Farmington Avenue Building K, Suite 1 Farmington, NM 87401

Burlington Resources Oil & Gas Attention: Linda Dean P.O. Box 4289 Farmington, NM 87499-4289

#### **WORKING INTEREST OWNERS:**

M & G Drilling Company c/o Mike Pippin LLC 3104 N. Sullivan Farmington, NM 87401

### **OWNERSHIP MAP**

#### **SCHLOSSER 3 #101 FRTC**

2400' FNL & 1305' FWL (E) Sec. 3 T27N R11W San Juan County, NM Spacing: North Half

Operator: M & G Drilling Company

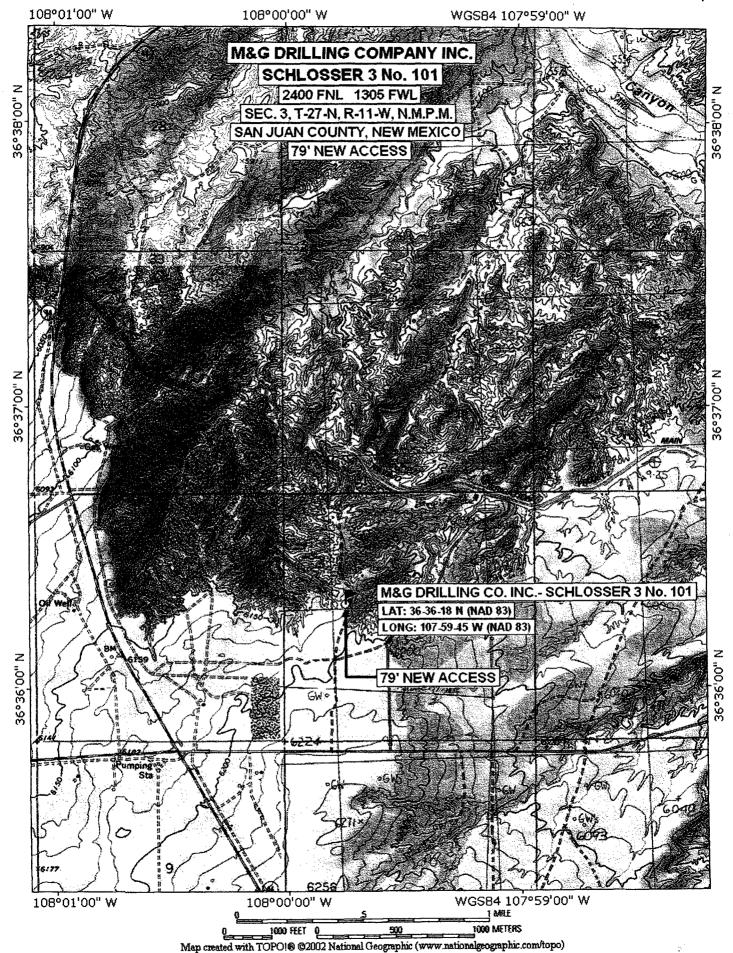
М 8 33	3	M&G 3	4 M&G	<b>3</b> XTO	5	T28N
XTO 4	хто	M 8		XT 2 BF	2	T27N

**R11W** 

XTO Energy Inc. 2700 Farmington Ave. Building K, Suite 1 Farmington, NM 87401

M & G Drilling Company c/o Mike Pippin LLC 3104 N. Sullivan Farmington, NM 87401

Burlington Resources P.O. Box 4289 Farmington, NM 87499



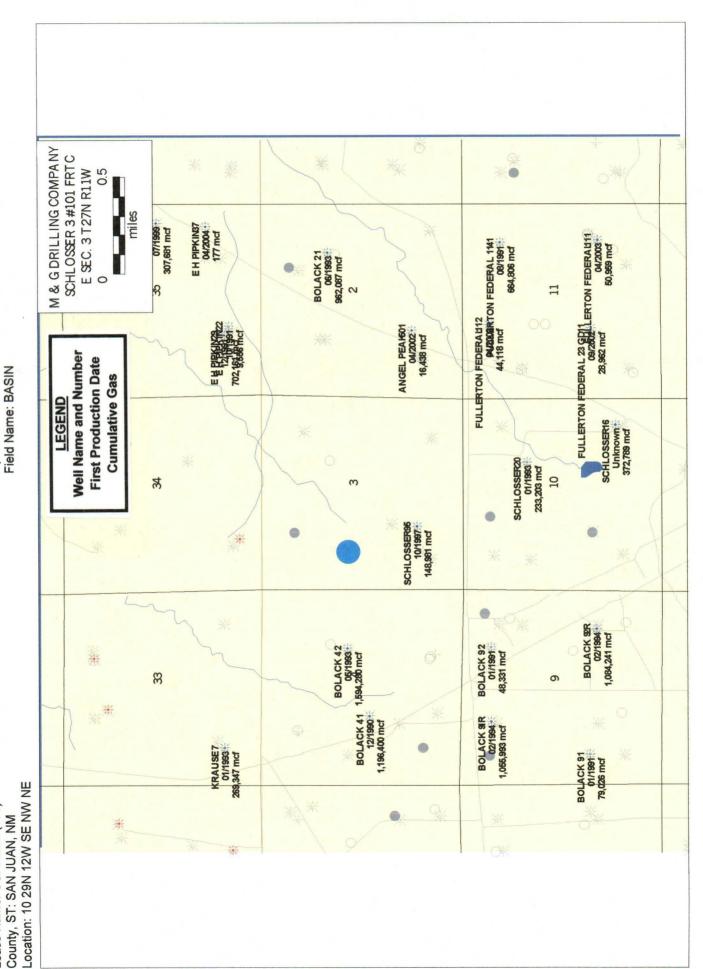
Project: C:\Program Files\IHS Energy\PowerTools v6.0\Projects\ALL M&G.MDB

Date: 9/21/2004 Time: 2:54 PM

Lease Name: CORNELL (100)

PowerTools Map

Operator: BURLINGTON RESOURCES O&G CO LP Field Name: BASIN



M & G DRILLING COMPANY
c/o Mike Pippin LLC
3104 N. Sullivan Avenue
Farmington, NM 87401
505-327-4573 (phone) \*\*505-564-8656 (fax)
Email: mpippin@ddbroadband.net

#### **DIRECTIONS TO SCHLOSSER 3 #101 FRTC**

The location is approximately 8.8 miles south of Bloomfield, NM. From the intersection of Hwy 550 & Hwy 64 in Bloomfield:

Take Hwy 550 south 7.8 miles to the NAPI sign. Turn left & go east for 0.5 mile. Turn left & go north for 0.5 mile to the new location.

#### M & G DRILLING COMPANY

c/o Mike Pippin LLC 3104 N. Sullivan Avenue Farmington, NM 87401 505-327-4573 (phone) \*\*505-564-8656 (fax) Email: mpippin@ddbroadband.net

September 23, 2004

CERTIFIED MAIL: Burlington Resources Oil & Gas P.O. Box 4289 Farmington, NM 87499-4289

Attention: Linda Dean

RE: Application for Administrative Approval of Unorthodox Location M & G Drilling Company's Schlosser 3 #101 Well 2400' FNL and 1305' FWL Unit E, Section 3, T27N, R11W San Juan County, New Mexico Basin Fruitland Coal

Dear Sir or Madam:

Enclosed please find a copy of the above captioned application that has been sent to the NMOCD for administrative approval. Should you not agree with the request, please notify the NMOCD within 20 days of the date of this application. Any questions you may have concerning the operations, please feel free to contact me at (505) 327-4573.

Best Regards,

Mike Pippin Petroleum Engineer

Agent – M & G Drilling Company

**Enclosures** 

#### M & G DRILLING COMPANY

c/o Mike Pippin LLC 3104 N. Sullivan Avenue Farmington, NM 87401 505-327-4573 (phone) \*\*505-564-8656 (fax) Email: mpippin@ddbroadband.net

September 23, 2004

CERTIFIED MAIL: XTO Energy Inc. 2700 Farmington Avenue Building K, Suite 1 Farmington, NM 87401

RE: Application for Administrative Approval of Unorthodox Location M & G Drilling Company's Schlosser 3 #101 Well 2400' FNL and 1305' FWL Unit E, Section 3, T27N, R11W San Juan County, New Mexico Basin Fruitland Coal

Dear Sir or Madam;

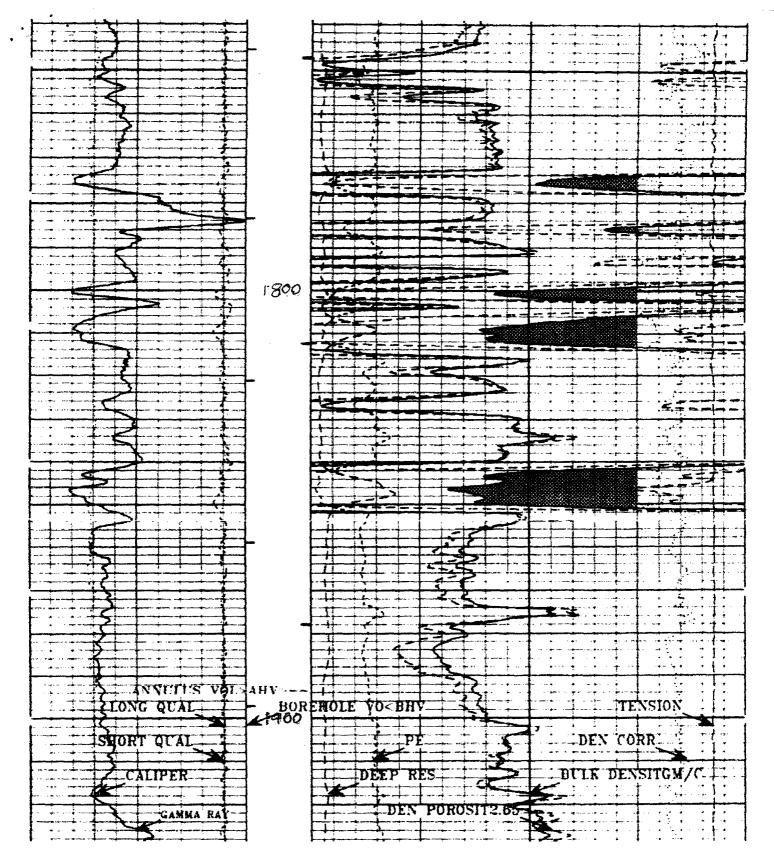
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Best Regards,

Mike Pippin Petroleum Engineer

Agent - M & G Drilling Company

**Enclosures** 

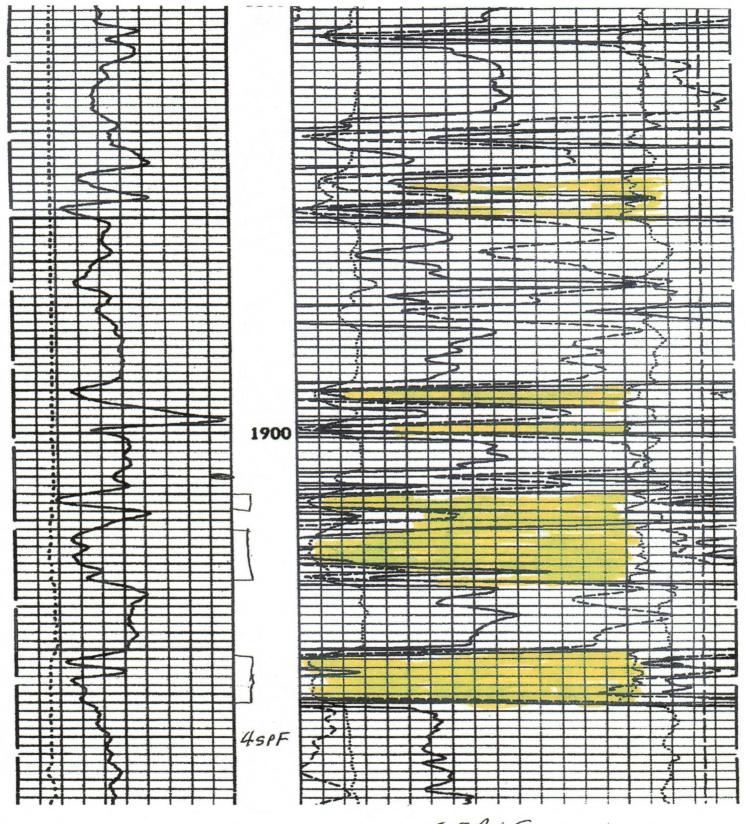


SCHLOSSER #97PC N 34 28 11

BASE OF COAL ~1852'

TOP OF PC ~1855'

TOTAL COAL ~ 25'



G 4 27 11 COALS

TOTAL COAL = 50'

155K#Q BOLACK 4#2 FRTC

270MCF/D 1594MMCF

		COMPLETE THIS SECTION ON DELI	
Complete items 1, 2, and 3. Also citem 4 if Restricted Delivery is desir		A. Signature	☐ Agent
Print your name and address on the so that we can return the card to y		B. Received by ( Printed Name)	C. Date of Delivery
Attach this card to the back of the or on the front if space permits.		b. Heceived by (Timed Name)	o. bate or belivery
. Article Addressed to:		<ul> <li>D. Is delivery address different from iten</li> <li>If YES, enter delivery address below</li> </ul>	F7
MR.MICHAEL STOG	NER	11 120, once delivery address belov	,
UM OIL CONSERVATION	N DIV.		
1220 S. St. Francis	OR		
SANTA FE NM 875	504	Service Type     Certified Mail    Express Mail	I
	•	·	ipt for Merchandise
		4. Restricted Delivery? (Extra Fee)	☐ Yes
2. Article Number	7004 116	0 0005 1590 2090	
(Transfer from service label)			100505 00 11 15 10
PS Form 3811, February 2004	Domestic Retu	uri neceipt	102595-02-M-1540
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03 Twp: 27N Rng : 11W Section Type : NORMAL

40.65	40.71	40.77	40.83
Federal owned	Federal owned	Federal owned	Federal owned
	A		A
E 40.00	F 52	40.00	H 40.00
Federal owned	Federal owned	Federal owned	Federal owned
		O	
L 40.00	K 40.00	ਹ 40.00	1 40.00
Federal owned	Federal owned	Federal owned	Federal owned
	A		
M 40.00	N 40.00	40.00	P 40.00
Federal owned	Federal owned	     Federal owned	     Federal owned
A	A		æ

OG6C101 CMD : C101-APPLICATION FOR PERMIT TO DRILL ONGARD 10/05/04 10:04:55 OGOMES - TPGM

OGRID Idn 141852 API Well No: 30 45 29486 APD Status (A/C/P):

Opr Name, Addr: M & G DRLG CO INC PO BOX 2406 Aprvl/Cncl Date : 09-08-1997

FARMINGTON, NM 87499

Prop Idn: 16599 SCHLOSSER

Well No: 96

U/L Sec Township Range Lot Idn North/South East/West

OCD U/L Surface Locn : വ വ API County: 11W 45 FTG 1850 F N FTG 1735 F E

Work typ(N/E/D/P/A) : N Well typ(O/G/M/I/S/W/C): G C. Lease typ(F/S/P/N/J/U/I): F Ground Level Elevation : 6062 Cable/Rotary (C/R) : R

State Lease No: Multiple Comp (S/M/C) z

Prpsd Depth 2050 Prpsd Frmtn : BASIN FT COAL (ABL 3-19-99)

E6927: Well is cancelled

HELP PF02 PF08 PF03 EXIT PF09 PRINT PF04 GoTo PF10 C102

PF07 PF01

PF05 PF11 HISTORY PF12 PF06 CONFIRM

Form 3160-3

SUBMIT	IN	TRIPLIC	ATE*
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FORM APPROVED

(July 1992)		ED STATES	೨೯. <b>₫₫</b>	erse side)	OMB NO. 1004-0136 Expires: February 28, 1995
		OF THE INTER	MOIN PE	1 Y L. 1 M	5. LEASE DESIGNATION AND SERIAL NO.
		LAND MANAGEMEN	(T		SF078673
APPLI	CATION FOR PE	RMIT TO DRILL	L OF DEEPI	EN1 9:54	6. IF INDIAN, ALLOTTED OR TRIBE NAME
. TYPE OF WORK		DEEDEN [			7. UNIT AGREEMENT NAME
DKII . TYPE OF WELL	LL 🖾	DEEPEN []	070 //	GICN, NM	TO THE STATE OF TH
	S OTHER	81 20	NGLE VV	ONE	8. FARM OR LEASE NAME, WELL NO.
NAME OF OPERATOR	14.1852				SCHLOSSER #96 1659
		O KM PRODUCTION	COMPANY	·	9. API WELL NO.
ADDRESS AND TELEPHONE NO.	EARLITHOTON N	u 07400 /505	1205 6000		30-045-24486
	FARMINGTON, N		325-6900 State requirements.	•)	10. FIELD AND POOL, OR WILDCAT
At surface	1705 551	- -	-		BASIN FRUITLAND COAL  11. SEC., T., R., M., OR BLK.
1850 FNL & At proposed prod. zone					UNIT LETTER G
SAME					SEC. 3, T27N, R11W
. DISTANCE IN MILES A	ND DIRECTION FROM NEAR	EST TOWN OR POST OFFIC	r.•		12. COUNTY OR PARISH 13. STATE
. DISTANCE PROM PROPO	arn•	1 16 W	). OF ACRES IN LEA	0 1 17 10	ISAN JUAN NM
LOCATION TO NEAREST PROPERTY OR LEASE L	•				OF ACRES ASSIGNED
(Also to nearest drig	. unit line, if any)	1735'	2560	20 20	1322 96 LET OR CABLE TOULS
TO NEAREST WELL, DE OR APPLIED FOR, ON THE	RILLING, COMPLETED.	1100'	2050	10. 101	ROTARY
	ther DF, RT, GR, etc.)		2030		22. APPROX. DATE WORK WILL START*
6062' GL n	rocestural review DUTS	iant to 43 CFR 3165.	3		ASAP
a	nd appeal pursuant to	43 CFH 3185.4. PROPOSED CASING ANI	D	BILLING OPE	COMPLIANCE WITH ATTACHED
SIZE OF HOLE	GRADE, SIZE OF CASING	WEIGHT PER FOOT	SETTING DEPT	BENERAL RE	QUIREMENTS CEMENT
12 1/4"	8 5/8"	24#/ft	120'		$(88 \text{ ft}^3)$
6 3/4"	5 1/2"	14#/ft	2050		x (310 ft <sup>3</sup> )
with 75 sx to 2050 ft additives. density log	(88 ft <sup>3</sup> ) of Cla with circulatin No abnormal te	ss B cement, ci g medium of cle mperatures or p Will run 2050	rculated to ear water, r pressures ar ft of 5 1/2	surface. natural muc re anticipa " 14#/ft c	used casing and cement Will drill 6 3/4" hole d, and water loss contro ated. Induction and J55 ST&C new casing.
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-	ral or State office use)			3	 । । । । । । । । । । । । । । । । ।
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Application approval does not conditions of APPROVAL	===	anema noma nellan oc ediminante n	are makes ultars in me	embler rene mineu (	would entitle the applicant to conduct operations the
		•			
/S/ 8	Duane W. Spencer	$T_{\bullet}$	<i></i>	1	SEP - 8 1997

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the Heirod States new folias florific and the states are to any agency of the Heirod States new folias florification.

District I PO Box 1980, Hobbs, NM 88241-1980 District II PO Drawer DD, Artesia, NM 88211-0719 District III 1000 Rio Brazos Rd., Aztec, NM 87410 District IV

PO Box 2088, Santa Fe, NM 87504-2088

State of New Mexico Energy, Minerals & Natural Resources Department

Form C-102 Revised February 21, 1994

Instructions on back

Submit to Appropriate District Office OIL CONSERVATION DIVISION PO Box 2088
Santa Fe, NM 87504-2088

State Lease - 4 Copies

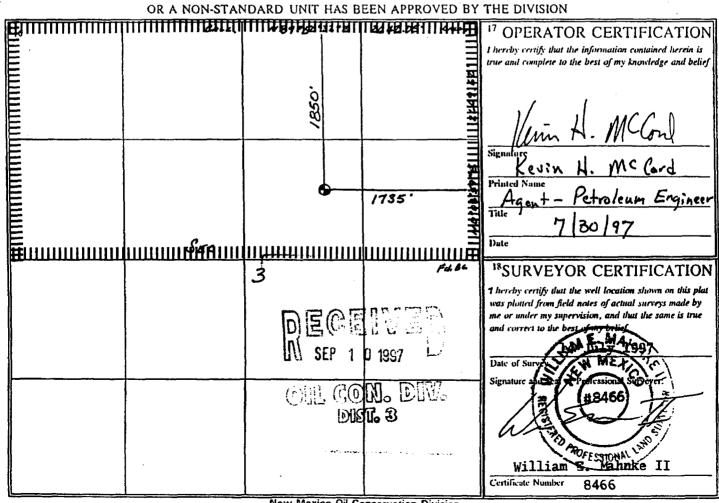
Fee Lease - 3 Copies

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

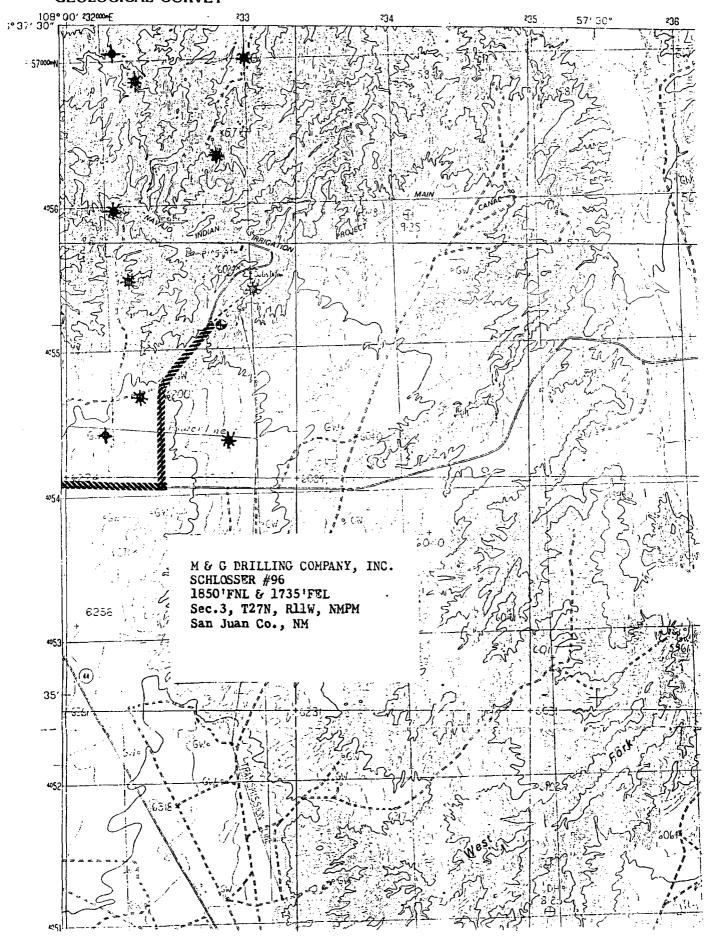
'7	All Numbe	r		<sup>1</sup> Pool Code	:	<sup>3</sup> Pool Name					
30-	045-2	29.486	1 2	71629	?	Basin Fruitland Coal					
<sup>4</sup> Property (	Code				Froperty SCHLOSS				Well Number 96		
'OGRID	IID No. Operator Name Elevation										
	<del>دا</del>				10 Surface	Location					
UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	Fast/West line	County		
G	3	27 N	11 W		1850	North	1735	East	San Juan		
			11 Bot	tom Hol	e Location I	f Different Fro	om Surface				
UL or lot no.	Section	Township	Range	lat Idn	Feet from the	North/South line	Feet from the	East/West line	County		
" Dedicated Act	res '' Joint	or Infill 12	Consolidatio	n Code 15 C	Order No.	1	1				

NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED



**New Mexico Oil Conservation Division** 

## GEOLOGICAL SURVEY







#### IN REPLY REFER TO:

NMSF-078673 (WC) 3162.3-4 (7100)

Mr. Kevin McCord M & G Drilling Co. %KM Production Co. PO Box 2406 Farmingtion, NM 87499

Dear Mr. McCord:

### United States Department of the Interior

#### **BUREAU OF LAND MANAGEMENT**

Farmington Field Office 1235 La Plata Highway, Suite A Farmington, New Mexico 87401

MAR | 9 | 1999

OIL COM. DIV.

Reference is made to your Applications for Permit to Drill (APD) for the following wells located in the San Juan County, New Mexico, Lease NMSF-078673:

1) No. 96 Schlosser, 1850' FNL & 1735' FEL sec. 3, T. 27 N., R. 11 W. 045-29486

2) No. 98 Schlosser, 1720' FNL & 1245' FEL sec. 34, T. 28 N., R. 11 W. - 045-24487

The above mentioned enclosed APDs are hereby rescinded due to not being drilled within the one year approval date and/or approved extensions.

You are also required to request surface rehabilitation instructions from this office if construction activities occurred on the referenced drill sites. If this office does not receive comment within 20 days, it will presume that no construction occurred and proceed accordingly. Later discovery that construction activities have in face occurred, will result in an assessment.

Sincerely,

/S/ Duane W. Spencer

Duane Spencer Team Leader; Petroleum Management Team

Enclosure cc: NMOCD