December 27, 1999

Oil Conservation Division State of New Mexico 2040 South Pacheco Santa Fe, New Mexico 87505

Attn: Mr. Michael E. Stogner Chief Hearing Officer/Engineer

RE: APPLICATION FOR ADMINISTRATIVE APPROVAL OF UNORTHODOX LOCATION SAN JUAN 30-5 UNIT #265 WELL E/2 SECTION 10-30N-5W RIO ARRIBA COUNTY, NEW MEXICO

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Dear Mr. Stogner:

Thank you for the prompt attention and reply to our application of December 17, 1999 related to the captioned. By your letter of December 23, 1999, our application has been denied based on the fact that Phillips had previously applied for and received approval to drill the #222 well at an orthodox location in 1990, however the APD was rescinded in 1992 by the BLM, due to the well not being drilled.

Upon receipt of your letter, I visited with our Drilling Supervisor and inquired as to the circumstances surrounding why the location for the #265 was moved from the previous orthodox location of the #222 well. He advised that although the previous location was approved, the circumstances have changed since that time. The U.S. Forest Service has noted to us that they would prefer that we not drill at that particular location. Further they will not grant us access to the previous location due to erosion concerns related to construction of a location and roads/pipeline routes.

Since receiving your letter, we have conferred with the Forest Service and obtained a letter from them evidencing their position. In light of this, we respectfully request that you please incorporate this information into the review process and reconsider the previous denial of this application. Phillips realizes that careful deliberation was given to our application the first time around and apologizes for not being more definitive in stating our reasons for requesting approval of the unorthodox location. Unfortunately, it appears that BLM/Forest Service intervention is becoming more of a norm rather than an exception. For your benefit, I am enclosing our previous application, accompanying information and the Forest Service letter.

We sincerely thank you for your patience and understanding in this matter and appreciate the efforts of the OCD to work with industry to arrive at a satisfactory means to address the Federal Governments' "philosophy" on future development.

Very Truly Yours,

S. Scott Prather Senior Landman San Juan Area



United States Department of the Interior

AM 10 37

BUREAU OF LAND MANAGEMENT Farmington Resource Area 1235 Laplata Highway Farmington, New Mexico 87401



SF-078997 (WC) 3162.3-1.0 (019)

JAN. 9 1992

Phillips Petroleum Company 5525 Highway 64 NBU 3004 Farmington, NM 87401

Gentlemen:

Enclosed is your Application for Permit to Drill (APD) well No. 222 San Juan 30-5 Unit, NE% Section 10, T. 30 N., R. 5 W., Rio Arriba County, New Mexico, lease SF-078997. The subject APD is rescinded and returned due to drilling not being commenced within one year of the approval date.

You are required to request surface rehabilitation instructions from this office if construction activities occurred on the referenced drill site. If this office does not receive comment within 30 days, we will presume that no construction occurred and proceed accordingly. Later discovery that construction activities have in fact occurred, may result in assessment of liquidated damages.

Sincerely,

[s] John L Keller

John L. Keller Chief, Branch of Mineral Resources

1 Enclosure

cc:

New Mexico Oil Conservation Division, 1000 Rio Brazos Rd., Aztec, NM 87410



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

State of New Mexico Energy, Minerals and Natural Resources Department

Form C-102 Revised 1-1-89

OIL CONSERVATION DIVISION

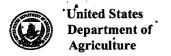
P.O. Box 2088 Santa Fe, New Mexico 87504-2088

DISTRICT I P.O. Box 1980, Hobbs, NM 88240 DISTRICT II P.O. Drawer DD, Arlesia, NM 88210

DISTRICT III
1000 Rio Brazos Rd., Aziec, NM 87410

WELL LOCATION AND ACREAGE DEDICATION PLAT

	741 0522 200 111201 00	HOW THE COLOR COOKS									
PHILLIPS PETROLE			N 30-5		Well No. 222						
l	T.30 N.	Range R.5 W	/. NM	PM RIO AR	RIBA COUNTY						
Actual Footage Location of Well: 1831 feet from the NOR	HUE ADO	816	feet fr	om the EAST	line						
Ground level Elev. Producing Format 6711 Fruitlar	nd	Basin Fruit]			Dedicated Acreage: 320 Acres						
1. Outline the acreage dedicated to the subject well by colored pencil or hachure marks on the plat below.											
 If more than one lease is dedicated to the well, outline each and identify the ownership thereof (both as to working interest and royalty). If more than one lease of different ownership is dedicated to the well, have the interest of all owners been consolidated by communitization, 											
unitization, force-pooling, etc.? X Yes No If answer is "yes" type of consolidation Unitization											
If answer is "no" list the owners and tract descriptions which have actually been consolidated. (Use reverse side of this form if neccessary.											
No allowable will be assigned to the well until all interests have been consolidated (by communitization, unitization, forced-pooling, or otherwise) or until a non-standard unit, eliminating such interest, has been approved by the Division.											
	N 89-	48 E	5264.82'	I hereby	OR CERTIFICATION certify that the information						
	X		03 E	contained herein best of my knowle	in true and complete to the edge and belief.						
		1831	8	Signature	d						
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DEC 07 1990	Tract 7	, i ‡	816'	Supv. Regulatory Affairs Company							
CON. DIV.	320 Ac1	res	Deta 3								
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35	/ 10			}	OR CERTIFICATION						
			1	on this plat was	that the well location shown s plotted from field notes of made by me or under my						
	1			supervison, and	that the same is true and best of my knowledge and						
	}		1	belief. Date Surveyed							
				MAY							
			<i>\</i>	Signature Seal Professional Surv							
				R. Howai	RP DAGGETTE						
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0 330 660 990 1320 1650 1980 23	10 2640 2000	1500 1000	500 0	4500	Land Surveyor						



Forest Service

Southwestern Region 3 Carson National Forest Jicarilla Ranger District 664 East Broadway Bloomfield, New Mexico 87413 505-632-2956 FAX 505-632-3173

File Code: 2820

Date: 12/28/99

Scott Prather Phillips Petroleum 5525 Highway 64, NBU 30040 Farmington, NM 87401

RE: Unorthodox location for well: San Juan 30-5 Unit #265

Dear Mr. Prather,

The Jicarilla Ranger District, Carson National Forest is requesting you apply for an unorthodox location as follows, as discussed by Richard Allred of your company and Camela Hooley of this office:

San Juan 30-5 Unit #265, T30N R5W Sec.10, 1840'FNL/2510'FEL

The mineral operator is required to comply with applicable regulations such as the Endangered Species Act and the Archeological Resources Protection Act under 36CFR228.112(c). The operator is also required under 36CFR228.108(c) to minimize or prevent damage to surface resources. The Carson National Forest Management Plan states that surface resource impacts will be minimized when administering mineral resources.

Prevention of unneccesary resource damage requires that the location be unorthodox. I understand that an orthodox location had been approved in the past (then called the #222), however, by locating the well at the unorthodox location above, the surface impacts will be greatly reduced. The access road would be reduced from approximately 4500' to about 900'. The well will also be located in the sagebrush drainage bottom instead of opening up a new bench that is used as a wildlife security and bedding area. Also please note that the previous approval for the #222 has expired.

Thank you for your cooperation in this matter.

Mark Catron **District Ranger**

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