

6-20-11 DATE IN	SUSPENSE	ENGINEER DB	LOGGED IN	TYPE NSL	PTG-W APP NO 1117233206
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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



Primerio 18160
Diva #1

ADMINISTRATIVE APPLICATION CHECKLIST

30-025-40141

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

6403

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]

3886 14940

Lea/State

- [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.**

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Note: Statement must be completed by an individual with managerial and/or supervisory capacity.

Phelps White		President	6/20/11
_____ Print or Type Name	_____ Signature	_____ Title	_____ Date
		pwiv@zianet.com e-mail Address	

Primero Operating, Inc.

PO Box 1433, Roswell, New Mexico 88202-1433
575-622-1001

June 20, 2011

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

Attention: Division Director

Re: Unorthodox Well Location
Diva #1
2460' FNL and 660' FEL
Section 18, 14S, R33E
Lea County, NM

To Whom it may Concern

Pursuant to Division Rule 19.15.15.13, Primero Operating, Inc. is seeking administrative approval of an unorthodox oil well location in the Baum Upper Penn Pool for its Diva #1 well which is to be drilled at an unorthodox oil well location 2460' FNL and 660' FEL, Unit H Section 18, 14S, R33E, Lea County, NM. The SE/4NE4 of section 18 is to be dedicated to the well forming a standard 160-acre spacing and proration unit for oil wells. Oil wells are required to be drilled no closer than 330' to the outer boundary of the spacing unit.

The Diva #1 well is proposed to be drilled to a depth of 10,300' to test the Bough "C" formation which is anticipated to produce oil. There are wells which have produced from the Bough "B" north of the proposed location but they have subsequently depleted and are plugged. Our reason for the unorthodox location is to be farther away from potential pressure drainage.

The affected offset acreage is the SE/4 of section 18. The entire East half of Section 18 is a single State of New Mexico lease (lease no. VB-18850000), please be advised that the interest ownership between the proposed proration unit and the affected offset acreage is common throughout. Therefore, there are no affected parties and consequently, Primero is not required, and did not provide notice of this application to any other party.

There are no wells currently producing in section 18, one well produced in the section but was plugged in 1986.

Enclosed is a Form C-102 for the Diva #1 well.

In summary, approval of the application will provide Primero Operating, Inc. the opportunity to recover its just and equitable share of the oil and gas reserves within the Baum Upper Penn pool underlying the SE/4NE/4 of section 18, thereby preventing waste, and will not violate correlative rights.

If you have any questions please call me at 575 626 7660.

Sincerely

Phelps White
President

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
11885 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, New Mexico 87505

Form C-102
Revised July 16, 2010
Submit to Appropriate
District Office

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

API Number	Pool Code	Pool Name BAUM, UPPER PENN
Property Code	Property Name DIVA	Well Number 1
OGRID No. 18100	Operator Name PRIMERO OPERATING	Elevation 4258'

Surface Location

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
H	18	14-S	33-E		2460	NORTH	660	EAST	LEA

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

Dedicated Acres 160	Joint or Infill	Consolidation Code	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

	<p>OPERATOR CERTIFICATION</p> <p>I hereby certify that the information 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 mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.</p> <p>12 6-20-11 Signature Date Phelps WHITE Printed Name PWIV@zianet.com E-mail Address</p>
	<p>SURVEYOR CERTIFICATION</p> <p>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>APRIL 12, 2011 Date of Survey Signature & Seal of Professional Surveyor: Ronald L. Eidson 04/12/2011 Certificate Number Gary G. Eidson 12641 Ronald L. Eidson 3239</p>
	<p>STATE O&G VB 18850000</p>
	<p>LA WSC W.O.: 11 11.0511</p>

GEODETTIC COORDINATES
NAD 27 NME

SURFACE LOCATION
Y=766390.7 N
X=710150.9 E

LAT.=33.104972° N
LONG.=103.647065° W

Brooks, David K., EMNRD

From: pwiv@zianet.com
Sent: Monday, June 20, 2011 7:05 PM
To: Brooks, David K., EMNRD
Subject: Re: Diva #1; NSL Application
Attachments: DivaNONSTANDARD.pdf

Mr. Brooks,

Please find the attached PDF scans of the C-102 showing a 160 acre proration unit, a new Administrative Application Checklist and a new Letter regarding the Unorthodox location. I will drop originals in the mail tonight to your attention.

If you need anything else please let me know and I'll try and be more prompt in my response.

Thank you
Phelps White
575 626 7660

Brooks, David K., EMNRD writes:

> Dear Mr. White
>
> We received the referenced application on May 11. On June 9, we sent you an email advising that the appropriate spacing unit for this pool is 160 acres, and requesting that you furnish a corrected C-102.
>
> We have received no response to our June 9 communication. Accordingly, we are dismissing this application, without prejudice to your right to revive it by response to our previous inquiry.
>
> Sincerely
>
> David K. Brooks
> Legal Examinet

ABOVE THIS LINE FOR DIVISION USE ONLY

NEW MEXICO OIL CONSERVATION DIVISION
 - Engineering Bureau -
 1220 South St. Francis Drive, Santa Fe, NM 87505



PTGW
 BCD
 Primero

2011 MAY 11 A 11:43 Diva #1

ADMINISTRATIVE APPLICATION CHECKLIST 30-025-40141

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Phelps White		President	5/10/11
Print or Type Name	Signature	Title	Date
		<u>pwiv@zianet.com</u>	
		e-mail Address	

Primero Operating, Inc.

PO Box 1433, Roswell, New Mexico 88202-1433
575-622-1001

May 10, 2011

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

Attention: Division Director

Re: Unorthodox Well Location
Diva #1
2460' FNL and 660' FEL
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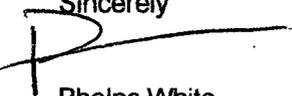
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Sincerely


Phelps White
President

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State of New Mexico
Energy, Minerals & Natural Resources Department
OIL CONSERVATION DIVISION
1220 South St. Francis Dr.
Santa Fe, New Mexico 87505

Form C-102
Revised July 16, 2010
Submit to Appropriate
District Office

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

API Number 30-035-40141	Pool Code 4940	Pool Name BAUM, Upper PENN
Property Code 38636	Property Name DIVA	
OGRID No. 18100	Operator Name PRIMERO OPERATING	
	Well Number 1	Elevation 4258'

Surface Location

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
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Dedicated Acres 40	Joint or Infill	Consolidation Code	Order No.
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<p>GEODETIC COORDINATES NAD 27 NME</p> <p>SURFACE LOCATION Y=766390.7 N X=710150.9 E</p> <p>LAT.=33.104972° N LONG.=103.647065° W</p> <p>STATE O&G VB 18850000</p>		<p>OPERATOR CERTIFICATION</p> <p>I hereby certify that the information 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 mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.</p> <p>P 5-10-11 Signature Date PHelps White Printed Name PWLV@zianet.com E-mail Address</p>
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PTG-W

DATE IN: 5.11.11	SUSPENSE	ENGINEER: DB	LOGGED IN: 5.11.11	TYPE: NSL	APP NO: 1113147839
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NEW MEXICO OIL CONSERVATION DIVISION
 - Engineering Bureau -
 1220 South St. Francis Drive, Santa Fe, NM 87505



Primerio Op., 18100
 DIVA #1
 30-025-

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Primero Operating, Inc.
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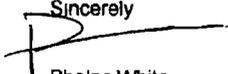
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President

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State of New Mexico
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Form C-102
Revised July 16, 2010
Submit to Appropriate
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AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

API Number	Pool Code	Pool Name BAUM, Upper PENN
Property Code	Property Name DIVA	Well Number 1
OGRID No. 18100	Operator Name PRIMERO OPERATING	Elevation 4258'

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Bottom Hole Location if Different From Surface

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Dedicated Acres 40	Joint or Infill	Consolidation Code	Order No.
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State of New Mexico
Energy Minerals and Natural Resources

Form C-101
June 16, 2008

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

Submit to appropriate District Office

AMENDED REPORT

APPLICATION FOR PERMIT TO DRILL, RE-ENTER, DEEPEN, PLUGBACK, OR ADD A ZONE

¹ Operator Name and Address Primero Operating, Inc., PO Box 1433, Roswell, NM 88202-1433		² OORID Number 18100
		³ APT Number 30 -
⁴ Property Code Divs	⁵ Property Name 1	⁶ Well No. 1
⁷ Proposed Pool 1 Baum, Upper Penn		⁸ Proposed Pool 2

⁷ Surface Location

U.L. or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
H	18	14S	38E		2460	N	660	E	Lea

⁸ Proposed Bottom Hole Location If Different From Surface

U.L. or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County

Additional Well Information

⁹ Work Type Code N	¹⁰ Well Type Code O	¹¹ Cable Rotary R	¹² Lease Type Code S	¹³ Ground Level Elevation 4258
¹⁴ Multiple N	¹⁵ Proposed Depth 10,300	¹⁶ Formation Bough B	¹⁷ Contractor United Drilling	¹⁸ Spud Date June 15, 2011

²¹ Proposed Casing and Cement Program

Hole Size	Casing Size	Casing weight/foot	Setting Depth	Sacks of Cement	Estimated TOC
17.5	13 3/8	48	400		Surface
12.25	8 5/8	32	4100	1900	Surface
7 7/8	5 1/2	17	10,300	1200	3000'

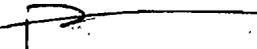
²² Describe the proposed program. If this application is to DEEPEN or PLUG BACK, give the data on the present productive zone and proposed new productive zone. Describe the blowout prevention program, if any. Use additional sheets if necessary.

We propose to drill a 17.5" hole to 400' and run 13 3/8" casing. The 13 3/8" casing will be cemented with enough cement to circulate to surface. After WOC a 12.25" hole will be drilled to 4100' and 8 5/8" casing will be run. The 8 5/8" casing will be cemented with adequate volumes of cement to circulate to surface. After WOC we plan to drill a 7 7/8" hole to TD the well will be logged and if determined dry it will be plugged per NMOCD requirements. If the well is to be tested we will run 5 1/2" casing and cement per NMOCD Rules.

Drilling will be done using a closed loop system

See BOP Program attached

²³ I hereby certify that the information given above is true and complete to the best of my knowledge and belief

Signature: 

Printed name: **Phelps White**

Title: **President**

E-mail Address: **pwiv@zianet.com**

Date: **4/27/11**

Phone: **575 626 7660**

OIL CONSERVATION DIVISION

Approved by:

Title:

Approval Date:

Expiration Date:

Conditions of Approval Attached

BOP DIAGRAM 3000# SYSTEM

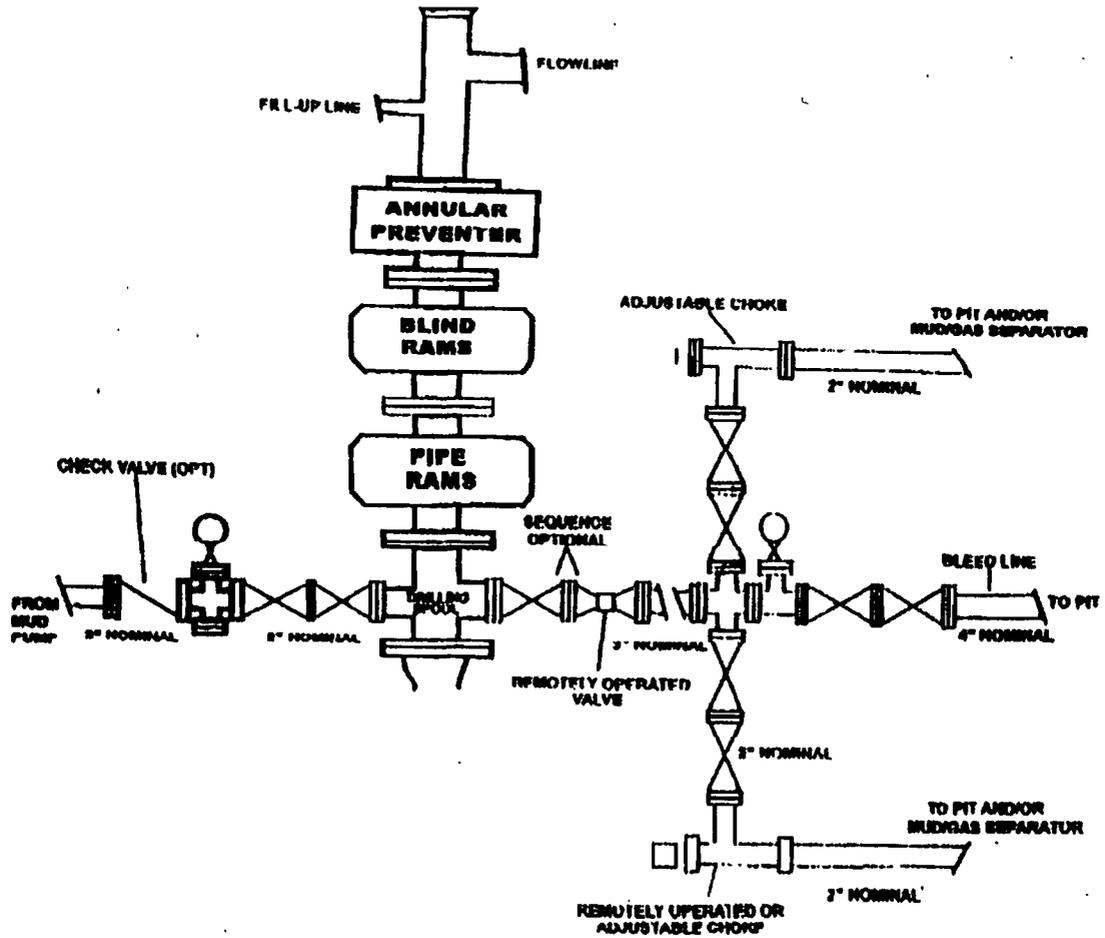


EXHIBIT "E"
PRIMERO OPERATING, INC.
Thunderhead Federal, Well No. 1
BOP Specifications

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

Form C-144 CLEZ
July 21, 2008

For closed-loop systems that only use above ground steel tanks or haul-off bins and propose to implement waste removal for closure, submit to the appropriate NMOCD District Office.

Closed-Loop System Permit or Closure Plan Application

(that only use above ground steel tanks or haul-off bins and propose to implement waste removal for closure)

Type of action: Permit Closure

Instructions: Please submit one application (Form C-144 CLEZ) per individual closed-loop system request. For any application request other than for a closed-loop system that only use above ground steel tanks or haul-off bins and propose to implement waste removal for closure, please submit a Form C-144.

Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.

1. Operator: **Primero Operating, Inc.** OGRID #: **18100**
Address: **PO Box 1433, Roswell, NM 88202-1433**
Facility or well name: **Diva #1**
API Number: _____ OCD Permit Number: _____
U/L or Qtr/Qtr **H** Section **18** Township **14S** Range **33E** County: **Lea**
Center of Proposed Design: Latitude **N33.104972** Longitude **W103.647065** NAD: 1927 1983
Surface Owner: Federal State Private Tribal Trust or Indian Allotment

2. **Closed-loop System:** Subsection H of 19.15.17.11 NMAC
Operation: Drilling a new well Workover or Drilling (Applies to activities which require prior approval of a permit or notice of intent) P&A
 Above Ground Steel Tanks or Haul-off Bins

3. **Signs:** Subsection C of 19.15.17.11 NMAC
 12" x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers
 Signed in compliance with 19.15.3.103 NMAC

4. **Closed-loop Systems Permit Application Attachment Checklist:** Subsection B of 19.15.17.9 NMAC
Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.
 Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
 Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
 Closure Plan (Please complete Box 5) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC
 Previously Approved Design (attach copy of design) API Number: _____
 Previously Approved Operating and Maintenance Plan API Number: _____

5. **Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:** (19.15.17.13.D NMAC)
Instructions: Please identify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if more than two facilities are required.
Disposal Facility Name: **Gandy Marley Landfarm** Disposal Facility Permit Number: **NMI-19**
Disposal Facility Name: _____ Disposal Facility Permit Number: _____
Will any of the proposed closed-loop system operations and associated activities occur on or in areas that will not be used for future service and operations?
 Yes (If yes, please provide the information below) No
Required for impacted areas which will not be used for future service and operations:
 Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC
 Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19.15.17.13 NMAC
 Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

6. **Operator Application Certification:**
I hereby certify that the information submitted with this application is true, accurate and complete to the best of my knowledge and belief.
Name (Print): **Phelps White** Title: **President**
Signature: _____ Date: **3/13/2011**
e-mail address: **pwiv@zianet.com** Telephone: **575 822 1001**

7. **OCD Approval:** Permit Application (including closure plan) Closure Plan (only)

OCD Representative Signature: _____ **Approval Date:** _____

Title: _____ **OCD Permit Number:** _____

8. **Closure Report (required within 60 days of closure completion):** Subsection K of 19.15.17.13 NMAC
Instructions: Operators are required to obtain an approved closure plan prior to implementing any closure activities and submitting the closure report. The closure report is required to be submitted to the division within 60 days of the completion of the closure activities. Please do not complete this section of the form until an approved closure plan has been obtained and the closure activities have been completed.

Closure Completion Date: _____

9. **Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:**
Instructions: Please identify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized.

Disposal Facility Name: _____ Disposal Facility Permit Number: _____
 Disposal Facility Name: _____ Disposal Facility Permit Number: _____

Were the closed-loop system operations and associated activities performed on or in areas that *will not* be used for future service and operations?
 Yes (If yes, please demonstrate compliance to the items below) No

Required for impacted areas which will not be used for future service and operations.

Site Reclamation (Photo Documentation)
 Soil Backfilling and Cover Installation
 Re-vegetation Application Rates and Seeding Technique

10. **Operator Closure Certification:**
 I hereby certify that the information and attachments submitted with this closure report is true, accurate and complete to the best of my knowledge and belief. I also certify that the closure complies with all applicable closure requirements and conditions specified in the approved closure plan.

Name (Print): _____ **Title:** _____

Signature: _____ **Date:** _____

e-mail address: _____ **Telephone:** _____

Primero Operating, Inc. - DIVA #1

Section 18, T14S-R33E: 2460' FNL & 660' FEL Lea County, NM

DESIGN: Closed Loop System with roll-off steel bins (pits)

CLS/Carlsbad will supply (2) bins () volume, rails and transportation relating to the Close Loop system. Specifications of Close Loop System attached.

Contacts: Tommy Wilson 575-748-6367 Cell Office # 575-885-3996

Closed Loop Specialties: Supervisor: Curtis: 575-706-4605 - Carlsbad Cell
Monitoring 24 hour service

Equipment:

2-Centrifuges (brand): Swaco

2-Rig Shakers (brand): Mongoose

Air pumps on location for immediate remediation process

Layout of Close Loop System with bins, centrifuges and shakers attached.

Cuttings and associated liquids will be hauled to a State regulated third party disposal site:
Gandy Marley Landfarm, Disposal Facility Permit # NMI-19

2- CLS Bins with track system

1 500 bbl tank for fresh water

OPERATIONS:

Closed Loop equipment will be inspected daily by each tour and any necessary maintenance performed.

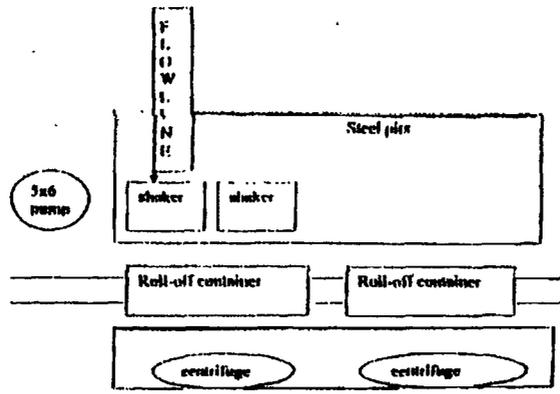
Any leak in system will be repaired and or/contained immediately

OCD will be notified within 48 hours of the spill.

Remediation process started immediately

CLOSURE:

During drilling operations all liquids, drilling fluids and cuttings will be hauled off by CLS (Closed Loop Specialties) to disposal facility, Gandy Marley Landfarm, Permit # NMI-19



This will be maintained by 24 hour remote control personnel that stay on location.

TOMMY WILSON



CLOSED LOOP
SPECIALTY

1988: 575.740.1000

Cell 575.740.6517

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
11885 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, New Mexico 87505

Form C-102
Revised July 16, 2010
Submit to Appropriate
District Office

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

API Number	Pool Code	Pool Name BAUM, Upper PENN
Property Code	Property Name DIVA	Well Number 1
OGRID No. 18100	Operator Name PRIMERO OPERATING	Elevation 4258'

Surface Location

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
H	18	14-S	33-E		2460	NORTH	660	EAST	LEA

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

Dedicated Acres 40	Joint or Infill	Consolidation Code	Order No.
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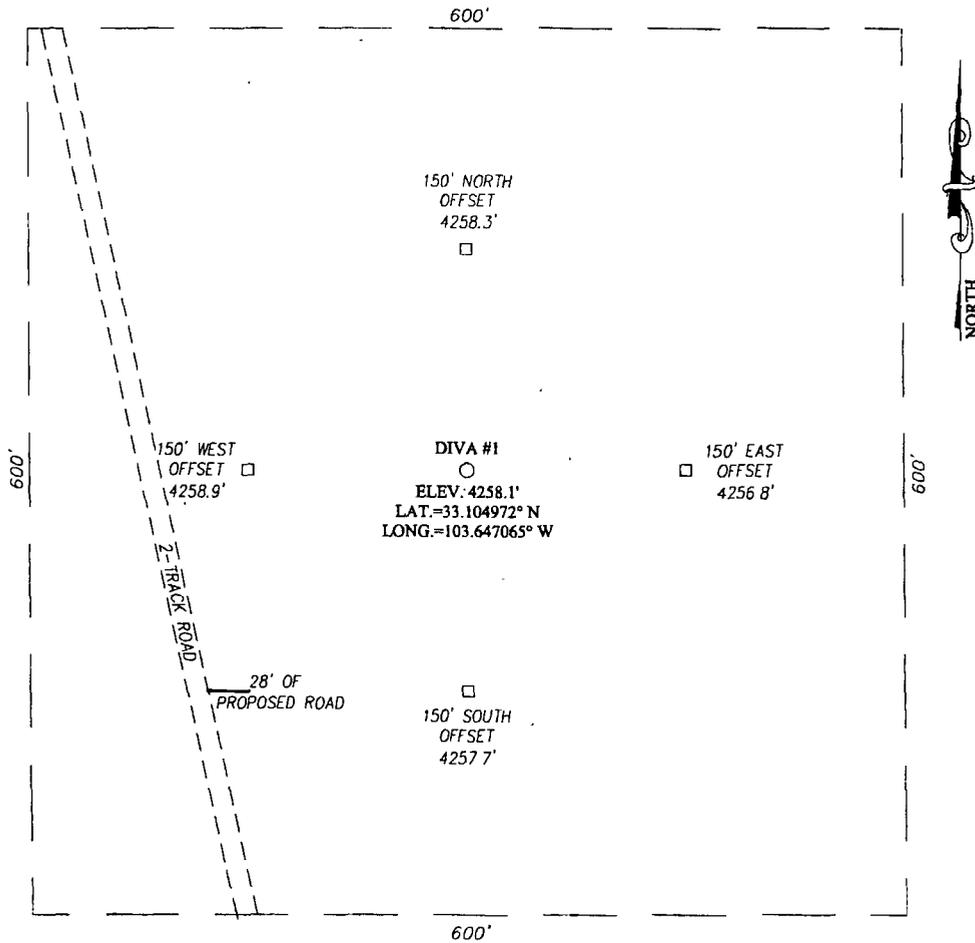
NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION

	<p>OPERATOR CERTIFICATION</p> <p>I hereby certify that the information 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 mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division</p> <p>P 5-10-11 Signature Date PHILPS White Printed Name PWIV@zianet.com E-mail Address</p>

GEODETIC COORDINATES
NAD 27 NME
SURFACE LOCATION
Y=766390.7 N
X=710150.9 E
LAT.=33 104972" N
LONG =103 647065" W

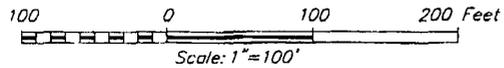
STATE OF NM
VB 18850000

SECTION 18, TOWNSHIP 14 SOUTH, RANGE 33 EAST, N.M.P.M.
LEA COUNTY NEW MEXICO



DIRECTIONS TO LOCATION

FROM THE INTERSECTION OF ST. HWY. #457 AND CO. RD. #T108 (TULK RD.), GO WEST ON CO. RD T108 APPROX 1.9 MILES TURN LEFT AND GO SOUTH-SOUTHWEST APPROX. 1.2 MILES TURN LEFT AND GO SOUTHEAST APPROX. 0.3 MILES. THIS LOCATION IS APPROX 200 FEET EAST



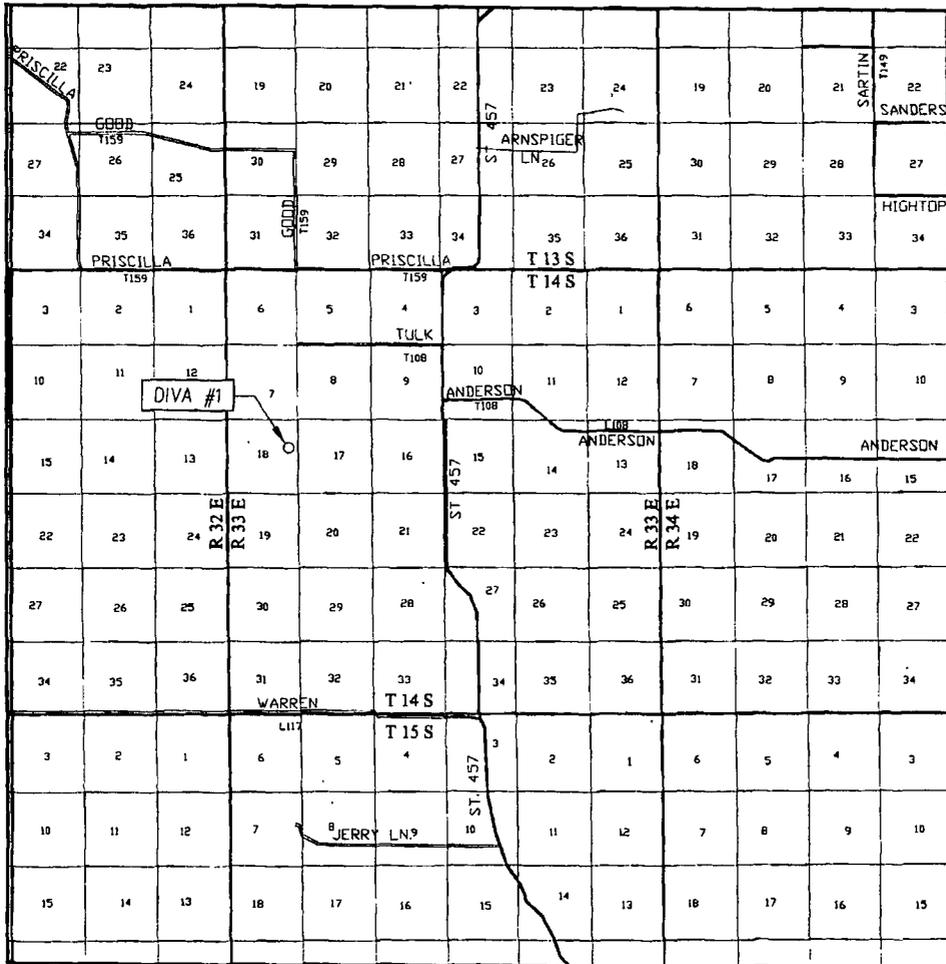
PRIMERO OPERATING

DIVA #1 WELL
LOCATED 2460 FEET FROM THE NORTH LINE
AND 660 FEET FROM THE EAST LINE OF SECTION 18,
TOWNSHIP 14 SOUTH, RANGE 33 EAST, N.M.P.M.,
LEA COUNTY, NEW MEXICO

Survey Date. 4/12/11	Sheet 1 of 1 Sheets
W.O. Number 11.11.0511	Dr. By: LA Rev 1:
Date: 4/18/11	Rel W.O.: 11110511 Scale: 1"=100'

PROVIDING SURVEYING SERVICES
SINCE 1946
JOHN WEST SURVEYING COMPANY
412 N DAL PASO
HOBBS, N.M. 88240
(575) 393-3117

VICINITY MAP



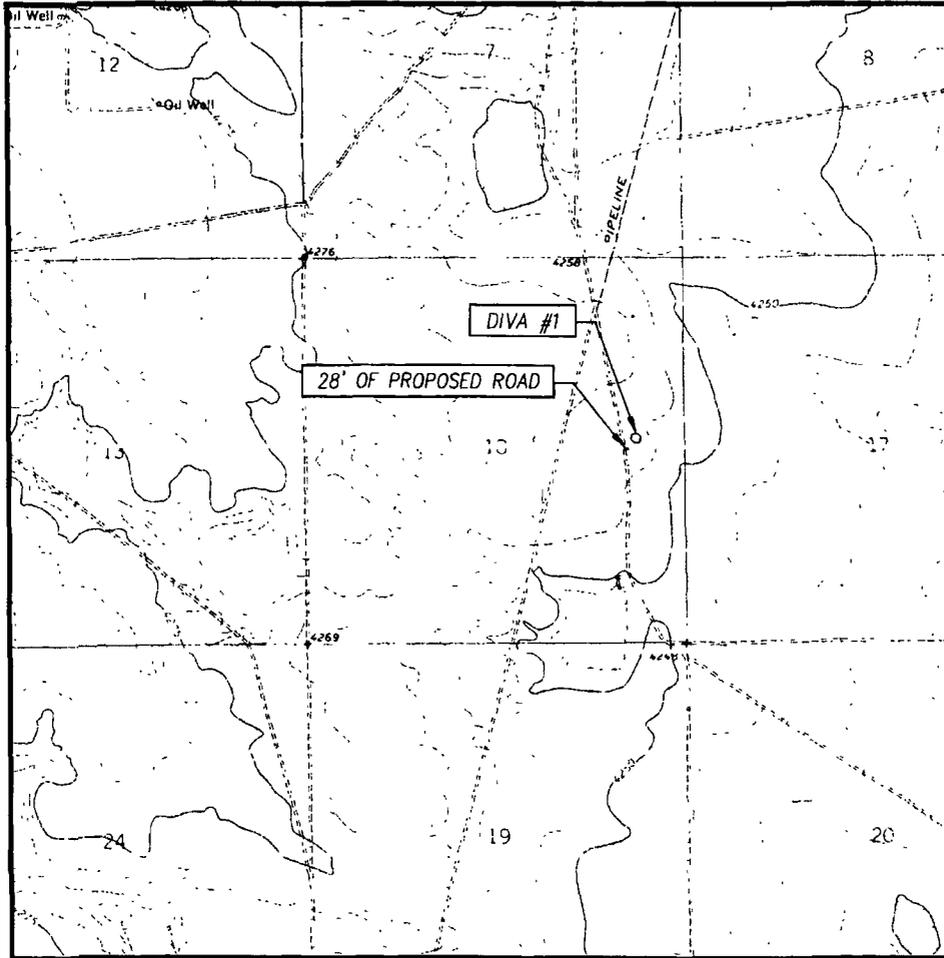
SCALE: 1" = 2 MILES

SEC. 18 TWP. 14-S RGE. 33-E
 SURVEY N.M.P.M.
 COUNTY LEA STATE NEW MEXICO
 DESCRIPTION 2460' FNL & 660' FEL
 ELEVATION 4258'
 OPERATOR PRIMERO OPERATING
 LEASE DIVA



PROVIDING SURVEYING SERVICES
 SINCE 1946
JOHN WEST SURVEYING COMPANY
 412 N DAL PASO
 HOBBS, N.M. 88240
 (575) 393-3117

LOCATION VERIFICATION MAP



SCALE: 1" = 2000'

CONTOUR INTERVAL:
DEAN RANCH, N.M. - 10'

SEC. 18 TWP. 14-S RGE. 33-E

SURVEY N.M.P.M.

COUNTY LEA STATE NEW MEXICO

DESCRIPTION 2460' FNL & 660' FEL

ELEVATION 4258'

OPERATOR PRIMERO OPERATING

LEASE DIVA

U.S.G.S. TOPOGRAPHIC MAP
DEAN RANCH, N.M.



PROVIDING SURVEYING SERVICES
 SINCE 1946
JOHN WEST SURVEYING COMPANY
 412 N. DAL PASO
 HOBBS, N.M. 88240
 (575) 393-3117

Brooks, David K., EMNRD

From: Brooks, David K., EMNRD
Sent: Thursday, June 09, 2011 3:46 PM
To: 'pwiv@zianet.com'
Cc: Kautz, Paul, EMNRD
Subject: Diva Well No. 1; NSL Application

Dear Mr. White

The referenced application is for a location in the Baum Upper Penn Pool. We have no problem with the proposed location. However, the application indicates that you propose to dedicate a 40-acre unit to this well.

The Special Rules for this pool call for 160-acre units, per Order R-3668-A, issued May 29, 1968. If you want to dedicate a 160-acre NE/4 of Section 18 unit to this well, please provide us with a revised C-102 showing a 160-acre unit. This can be furnished by email or FAX if more convenient. Our FAX number is 505-476-3462.

Please contact me if you have any questions or other concerns.

Sincerely

David K. Brooks
Legal Examiner

DATE IN	SUSPENSE	ENGINEER	LOGGED IN	TYPE	APP NO.
---------	----------	----------	-----------	------	---------

ABOVE THIS LINE FOR DIVISION USE ONLY

NEW MEXICO OIL CONSERVATION DIVISION
 - Engineering Bureau -
 1220 South St. Francis Drive, Santa Fe, NM 87505



RECEIVED OCD
 2011 JUN 22 A 11:50

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

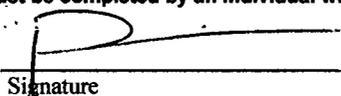
Application Acronyms:

- [NSL-Non-Standard Location] [NSP-Non-Standard Proration Unit] [SD-Simultaneous Dedication]**
- [DHC-Downhole Commingling] [CTB-Lease Commingling] [PLC-Pool/Lease Commingling]**
- [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
 XX 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.

Phelps White  President 6/20/11

Print or Type Name Signature Title Date

pwiv@zianet.com
 e-mail Address

Primero Operating, Inc.

PO Box 1433, Roswell, New Mexico 88202-1433
575-622-1001

June 20, 2011

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

Attention: Division Director

Re: Unorthodox Well Location
Diva #1
2460' FNL and 660' FEL
Section 18, 14S, R33E
Lea County, NM

To Whom it may Concern

Pursuant to Division Rule 19.15.15.13, Primero Operating, Inc. is seeking administrative approval of an unorthodox oil well location in the Baum Upper Penn Pool for its Diva #1 well which is to be drilled at an unorthodox oil well location 2460' FNL and 660' FEL, Unit H Section 18, 14S, R33E, Lea County, NM. The SE/4NE4 of section 18 is to be dedicated to the well forming a standard 160-acre spacing and proration unit for oil wells. Oil wells are required to be drilled no closer than 330' to the outer boundary of the spacing unit.

The Diva #1 well is proposed to be drilled to a depth of 10,300' to test the Bough "C" formation which is anticipated to produce oil. There are wells which have produced from the Bough "B" north of the proposed location but they have subsequently depleted and are plugged. Our reason for the unorthodox location is to be farther away from potential pressure drainage.

The affected offset acreage is the SE/4 of section 18. The entire East half of Section 18 is a single State of New Mexico lease (lease no. VB-18850000); please be advised that the interest ownership between the proposed proration unit and the affected offset acreage is common throughout. Therefore, there are no affected parties and consequently, Primero is not required, and did not provide notice of this application to any other party.

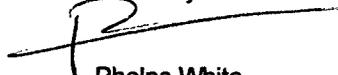
There are no wells currently producing in section 18, one well produced in the section but was plugged in 1986.

Enclosed is a Form C-102 for the Diva #1 well.

In summary, approval of the application will provide Primero Operating, Inc. the opportunity to recover its just and equitable share of the oil and gas reserves within the Baum Upper Penn pool underlying the SE/4NE/4 of section 18, thereby preventing waste, and will not violate correlative rights.

If you have any questions please call me at 575 626 7660.

Sincerely



Phelps White
President

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
11885 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, New Mexico 87505

Form C-102
Revised July 16, 2010
Submit to Appropriate
District Office

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

API Number	Pool Code	Pool Name BAUM, UPPER PGNW
Property Code	Property Name DIVA	Well Number 1
OGRID No. 18100	Operator Name PRIMERO OPERATING	Elevation 4258'

Surface Location

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
H	18	14-S	33-E		2460	NORTH	660	EAST	LEA

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

Dedicated Acres 160	Joint or Infill	Consolidation Code	Order No.
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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

	<p>OPERATOR CERTIFICATION</p> <p>I hereby certify that the information 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 mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.</p> <p>R 6-20-11 Signature Date</p> <p>Phelps WHITE Printed Name</p> <p>PWIV@zianet.com E-mail Address</p>
	<p>SURVEYOR CERTIFICATION</p> <p>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>APRIL 12, 2011</p> <p>Date of Survey</p> <p>Signature & Seal of Professional Surveyor:</p> <p>Certificate Number 3239 Gary G. Eidson 12641 Ronald J. Eidson 3239</p> <p>LA WSC W.O.: 11.11.0511</p>

GEODETTIC COORDINATES
NAD 27 NME

SURFACE LOCATION

Y=766390.7 N
X=710150.9 E

LAT.=33.104972° N
LONG.=103.647065° W

STATE O&G
VB18850000

Brooks, David K., EMNRD

From: Brooks, David K., EMNRD
Sent: Monday, June 20, 2011 4:02 PM
To: 'pwiv@zianet.com'
Subject: Diva #1; NSL Application
Attachments: Diva Well No. 1; NSL Application

Dear Mr. White

We received the referenced application on May 11. On June 9, we sent you an email advising that the appropriate spacing unit for this pool is 160 acres, and requesting that you furnish a corrected C-102.

We have received no response to our June 9 communication. Accordingly, we are dismissing this application, without prejudice to your right to revive it by response to our previous inquiry.

Sincerely

David K. Brooks
Legal Examinet