



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

Administrative Order DHC-3783

XTO Energy, Inc.
2700 Farmington Avenue
Suite K-1
Farmington, NM 87401

Attention: Lorri D. Bingham

Ute Indians A Well No. 39
API No. 30-045-33284
Unit H, Section 27, Township 32 North, Range 14 West, NMPM,
San Juan County, New Mexico
Undesignated Barker Dome-Ismay Gas (96354),
Undesignated Barker Dome-Desert Creek Gas (96353),
Undesignated Barker Dome Akah/Upper Barker Creek Gas (96352), and
Undesignated Barker Dome-Paradox Gas (71560) Pools

Dear Ms. Bingham:

Reference is made to your recent application for an exception to Rule 303.A. of the Division Rules and Regulations to permit the above-described well to commingle production from the subject pools in the wellbore.

It appearing that the subject well qualifies for approval for such exception pursuant to the provisions of Rule 303.C., and that reservoir damage or waste will not result from such downhole commingling, and correlative rights will not be violated thereby, you are hereby authorized to commingle the production as described above and any Division Order which authorized the dual completion or otherwise required separation of the zones is hereby placed in abeyance.

In accordance with Division 303C.(1)(f), the production attributed to any commingled pool within the well shall not exceed the allowable applicable to that pool.

Assignment of allowable to the well and allocation of production from the well shall be as follows.

| | | |
|--|---------|---------|
| Barker Dome-Ismay Gas Pool | Oil-10% | Gas-1% |
| Barker Dome-Desert Creek Gas Pool | Oil-0% | Gas-46% |
| Barker Dome-Akah/Upper Barker Creek Gas Pool | Oil-90% | Gas-25% |
| Barker Dome-Paradox Gas Pool | Oil-0% | Gas-28% |


These percentages shall be amended only with written permission of the Division.

REMARKS: The operator shall notify the Aztec District Office of the Division upon implementation of commingling operations.

Pursuant to Rule 303C(2), the commingling authority granted herein may be rescinded by the Division Director if conservation is not being best served by such commingling.

Approved at Santa Fe, New Mexico on August 29, 2006.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION


MARK E. FESMIRE, P.E.
Director

cc: Oil Conservation Division – Aztec
Bureau of Land Management – Farmington