

ABOVE THIS LINE FOR DIVISION USE ONLY

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



5678

## 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  
☐ 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.

Print or Type Name

Signature

Title

Date

e-mail Address



RECEIVED  
2007 JUL 20 AM 10:52

July 19, 2007

**FEDERAL EXPRESS**

Mr. Mark Fesmire  
New Mexico Oil Conservation Division  
1220 S St Francis Dr  
Santa Fe NM 87504

Re: Application for Administrative Approval of Unorthodox Location  
XTO Energy Inc.'s Kutz Federal No. 12F  
1,220' FSL and 2,525' FWL, Section 21, T28N, R10W  
San Juan County, New Mexico  
Dakota & Chacra formations

Dear Mr. Fesmire:

XTO Energy Inc. (XTO) hereby requests administrative approval for an unorthodox location for the above referenced well. Attached for your reference are the following exhibits:

1. Well location plat (NMOCD Form C-102)
2. Topographic Map
3. Aerial Photograph
4. Dakota & Chacra formation Ownership Map
5. Dakota & Chacra formation Production Map

At the proposed location of 1,220' FSL and 2,525' FWL, the above captioned well is at a non-standard location to the east by 545' for both the Dakota and Chacra formations. The well was placed at this location due to topographic issues and to obtain the greatest distance from the Kutz Federal No. 12 well (existing Dakota formation producing well located in the same quarter location). In addition, drilling this well as a directional well, in order to make the location standard, would not be economical for this area according to XTO's economics. The Dakota formation is spaced on a 320-acre W/2 stand-up unit and the Chacra formation is spaced on a 160-acre SW/4 unit.

In addition to XTO, the offsetting Dakota and Chacra operating rights to the east of the proposed location are owned by ConocoPhillips Company, who has been notified via Federal Express. In addition, all Dakota and Chacra operating rights owners in the W/2 of the section have been notified via either Federal Express or Express Mail.

*Mr. Mark Fesmire  
New Mexico Oil Conservation Division  
Kutz Federal No. 12F  
July 19, 2007  
Page Two*

XTO Energy Inc. requests your administrative approval for the unorthodox location based on the above information. Should you need any additional information, please contact me at (817) 885-3091.

Yours truly,

  
Ryan O'Kelley  
Associate Landman

Enclosures

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

DISTRICT II  
1301 W. Grand Ave., Artesia, N.M. 88210

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

DISTRICT IV  
1220 South 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

<sup>1</sup> API Number		<sup>2</sup> Pool Code	<sup>3</sup> Pool Name
<sup>4</sup> Property Code	<sup>5</sup> Property Name KUTZ FEDERAL		<sup>6</sup> Well Number 12F
<sup>7</sup> OGRID No.	<sup>8</sup> Operator Name XTO ENERGY INC.		<sup>9</sup> Elevation 6047

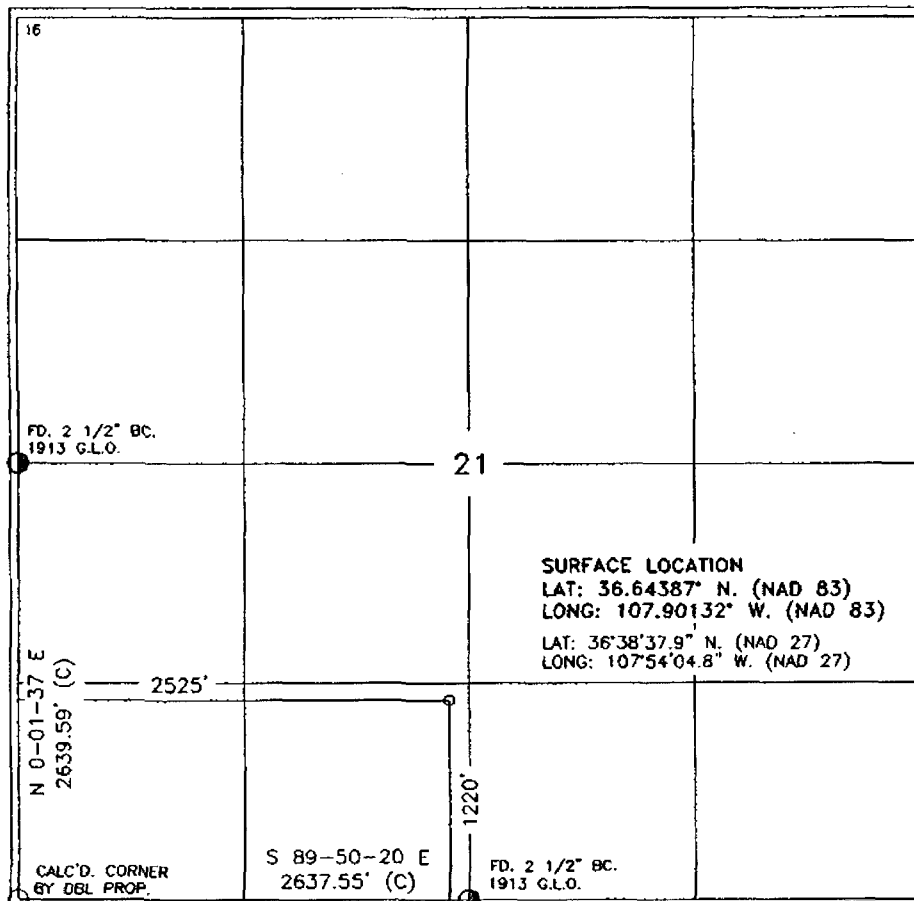
#### <sup>10</sup> Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
N	21	28-N	10-W		1220	SOUTH	2525	WEST	SAN JUAN

#### <sup>11</sup> 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
<sup>12</sup> Dedicated Acres			<sup>13</sup> Joint or Infill		<sup>14</sup> Consolidation Code		<sup>15</sup> 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



#### 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.

Signature \_\_\_\_\_ Date \_\_\_\_\_

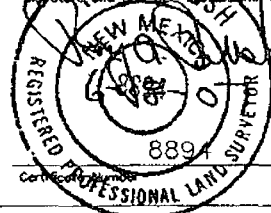
Printed Name \_\_\_\_\_

#### 18 SURVEYOR CERTIFICATION

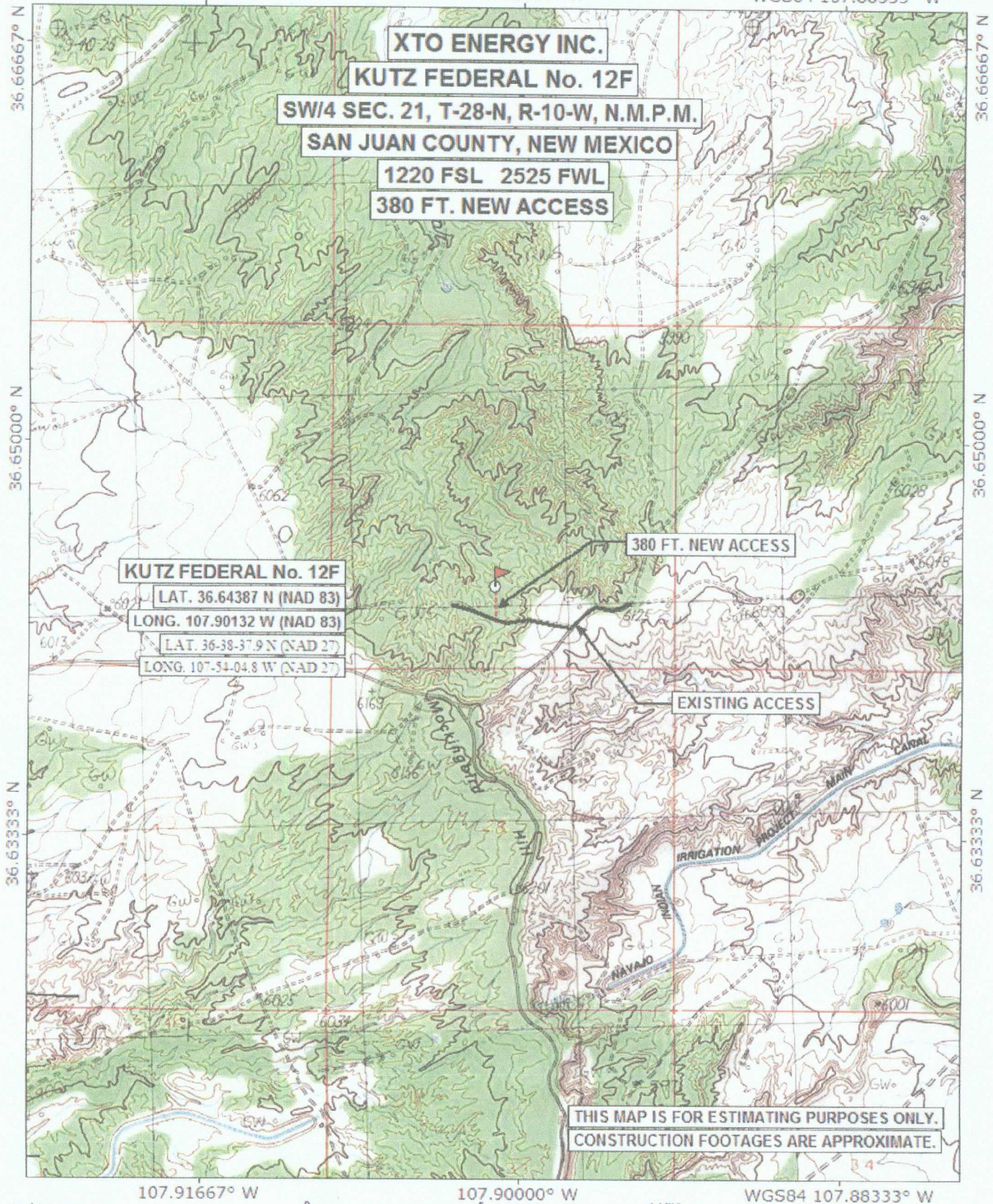
I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

DECEMBER 27, 2006

Date of Survey \_\_\_\_\_  
Signature of Registered Professional Land Surveyor: \_\_\_\_\_

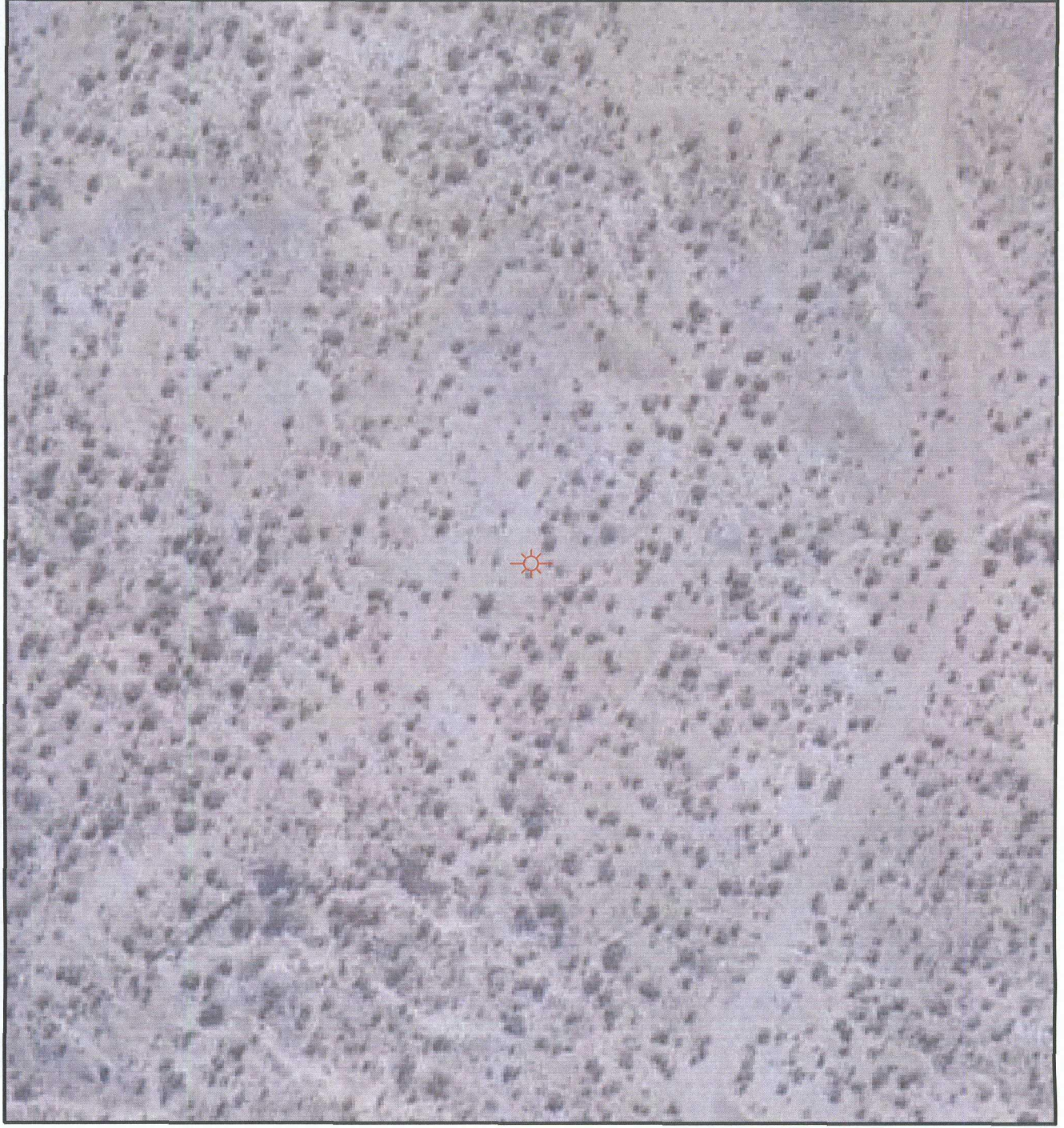








**XTO ENERGY INC.**  
KUTZ FEDERAL No. 12F  
SEC. 21, T-28-N, R-10-W, N.M.P.M.  
SAN JUAN COUNTY, NEW MEXICO



**Legend**



KUTZ FEDERAL No. 12F



**Daggett Enterprises, Inc.**  
Surveying and Oil Field Services  
P. O. Box 15068 Farmington, NM 87401  
Phone (505) 326-1772 Fax (505) 326-6019

PAGE 1 OF 1

CADFILE: CR785AM1

DRAWN BY: A.G.

ROW#: CR785

DATE: 05/22/07





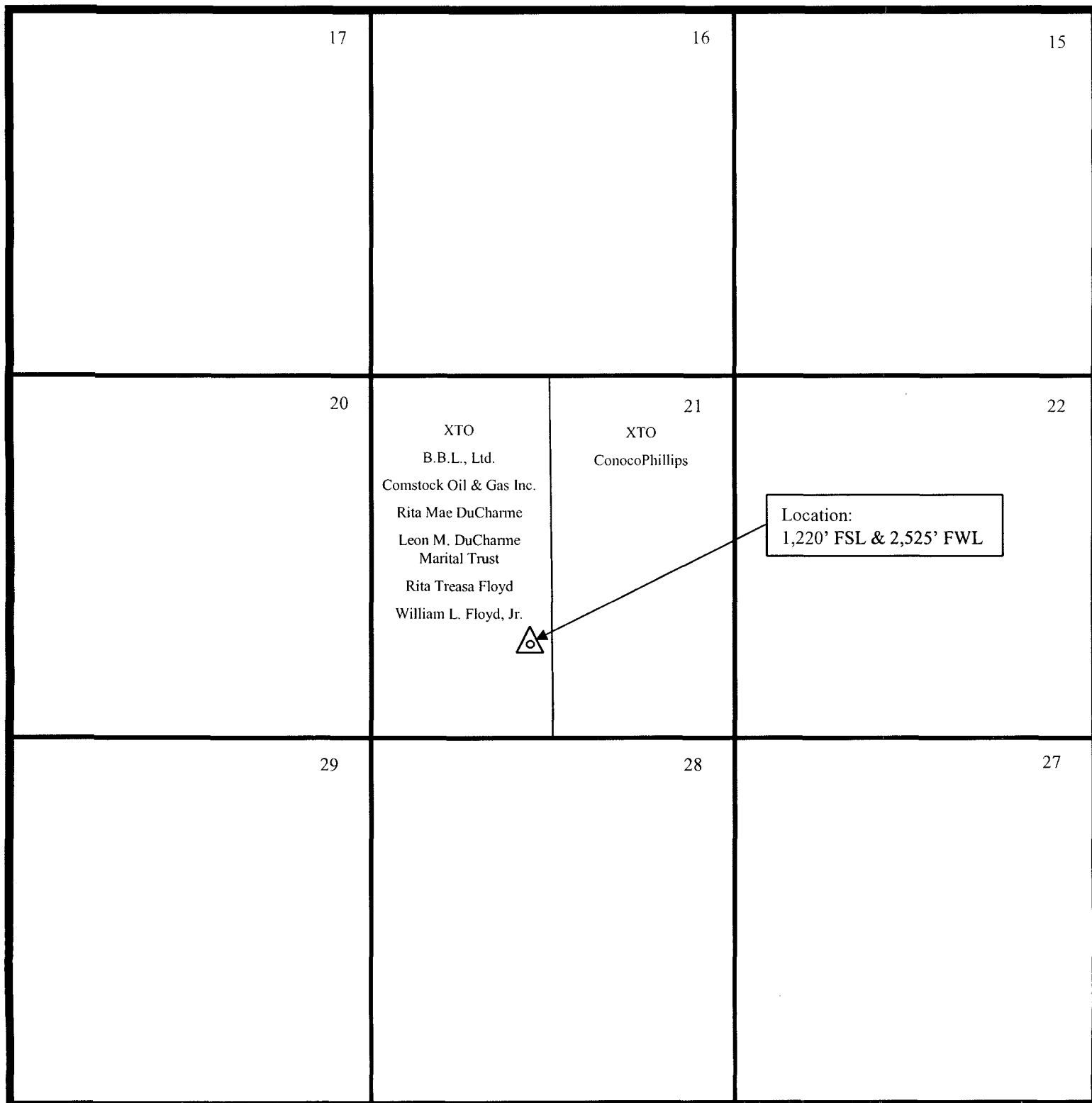
# SECTION PLAT OF 9 SQUARE MILES

STATE: New Mexico COUNTY: San Juan

PROSPECT: Kutz Federal No. 12F DATE: July 19, 2007

SECTION: 21 TOWNSHIP: 28 North RANGE: 10 West

SCALE: 1'=2000'



# XTO ENERGY INC.

SAN JUAN BASIN

SEC 21 T28N R10W

CUM PROD @ 1/2007

San Juan County, NM

Ratio Scale = 1 : 24,000

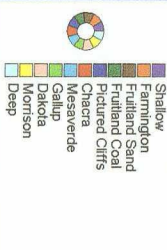


POSTED WELL DATA

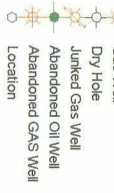
Operator  
Well Label

PdCum - CUMOL, MBLS  
 PdCum - OILRATE YTD, BBL/D  
 PdCum - FROM DATE TO DATE  
 PdCum - FINNAME

## ATTRIBUTE MAP



## WELL SYMBOLS



By: Jane Foster  
May 25, 2007





July 19, 2007

**FEDERAL EXPRESS**

ConocoPhillips Company  
Attn: Rob Helton, Jr.  
3401 East 30<sup>th</sup> St.  
Farmington, New Mexico 87499-4289

Re: Application for Administrative Approval of Unorthodox Location  
XTO Energy Inc.'s Kutz Federal No. 12F  
1,220' FSL and 2,525' FWL, Section 21, T28N, R10W  
San Juan County, New Mexico  
Dakota & Chacra formations

Dear Working Interest Owner:

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the Kutz Federal No. 12F Well that has been sent to the New Mexico Oil Conservation Commission for administrative approval. If you have no objection to the proposed non-standard location, please so indicate by signing and returning one copy of this letter to me at the address on shown at the bottom of this letter as soon as possible.

Should you have any questions or need more information, please contact me at (817) 885-3091. Your prompt attention to this matter will be very much appreciated.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ryan O'Kelley', written over a horizontal line.

Ryan O'Kelley  
Associate Landman

Enclosures

cc: Mr. Mark Fesmire, NMOCD

\_\_\_\_\_ hereby waives notice of hearing and objection to  
the application by XTO Energy Inc. for the non-standard location for the Kutz Federal  
No. 12F Well, as depicted on the enclosed plat.

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Date: \_\_\_\_\_

[Ship](#) [Track/History](#) [Address Book](#) [Preferences](#) [Fast Ship](#) [Reports](#) [My Profile](#)[<< Log out](#) [Home](#)

## Your Shipment Details:

<b>Ship to:</b>	Rob Helton, Jr. Conoco Phillips Company 3401 East 30th St. Farmington, NM 874994289 US 817-885-3091	<b>Package type:</b>	FedEx Envelope
		<b>Pickup/Drop Off:</b>	give to scheduled courier at my loca
		<b>Weight:</b>	1 LBS
		<b>Dimensions:</b>	0 x 0 x 0 in
		<b>Declared value:</b>	0 USD
		<b>Shipper account number:</b>	104873456
		<b>Bill transportation to:</b>	104873456
<b>From:</b>	DC West XTO Energy 810 Houston St. Fort Worth, TX 76102 US 8178852921	<b>Courtesy rate quote:*</b>	6.82
		<b>Discounted variable %</b>	
		<b>Cod amount</b>	
		<b>Special services:</b>	
		<b>Shipment Purpose:</b>	
		<b>Shipment type:</b>	Express
<b>Tracking no:</b>	799178410316	<b>Commercial/Residential Status:</b>	Commercial
<b>Your reference:</b>	ro-Sec.21-28N-10W		
<b>Ship date:</b>	Jul 19 2007		
<b>Service type:</b>	FedEx Express Saver		

[Print](#)[Return](#)

## Please note

\*The courtesy rate shown here may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable [FedEx Service Guide](#) or the FedEx Rate Sheets for details on how shipping charges are calculated.

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdirected shipment, or other factors, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim.

Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the contents, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits. Consult the applicable FedEx Service Guide for details.





July 19, 2007

**FEDERAL EXPRESS**

Comstock Oil & Gas Inc.  
5300 Town & Country Blvd. #500  
Frisco, TX 75034

Re: Application for Administrative Approval of Unorthodox Location  
XTO Energy Inc.'s Kutz Federal No. 12F  
1,220' FSL and 2,525' FWL, Section 21, T28N, R10W  
San Juan County, New Mexico  
Dakota & Chacra formations

Dear Working Interest Owner:

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the Kutz Federal No. 12F Well that has been sent to the New Mexico Oil Conservation Commission for administrative approval. If you have no objection to the proposed non-standard location, please so indicate by signing and returning one copy of this letter to me at the address on shown at the bottom of this letter as soon as possible.

Should you have any questions or need more information, please contact me at (817) 885-3091. Your prompt attention to this matter will be very much appreciated.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ryan O'Kelley'.

Ryan O'Kelley  
Associate Landman

Enclosures

cc: Mr. Mark Fesmire, NMOCD

\_\_\_\_\_ hereby waives notice of hearing and objection to the application by XTO Energy Inc. for the non-standard location for the Kutz Federal No. 12F Well, as depicted on the enclosed plat.

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Date: \_\_\_\_\_

[Ship](#)[Track/History](#)[Address Book](#)[Preferences](#)[Fast Ship](#)[Reports](#)[My Profile](#)[Log out](#) [Home](#)

## Your Shipment Details:

<b>Ship to:</b>	Comstock Oil & Gas, Inc. 5300 Town & Country Blvd. #500 Frisco, TX 75034 US 817-885-3091	<b>Package type:</b>	FedEx Envelope
		<b>Pickup/Drop Off:</b>	give to scheduled courier at my loca
		<b>Weight:</b>	1 LBS
		<b>Dimensions:</b>	0 x 0 x 0 in
		<b>Declared value:</b>	0 USD
		<b>Shipper account number:</b>	104873456
		<b>Bill transportation to:</b>	104873456
<b>From:</b>	DC West XTO Energy 810 Houston St. Fort Worth, TX 76102 US 8178852921	<b>Courtesy rate quote:*</b>	6.65
		<b>Discounted variable %</b>	
		<b>Cod amount</b>	
		<b>Special services:</b>	
		<b>Shipment Purpose:</b>	
		<b>Shipment type:</b>	Express
<b>Tracking no:</b>	798222513940	<b>Commercial/Residential Status:</b>	Commercial
<b>Your reference:</b>	ro-Sec.21-28N-10W		
<b>Ship date:</b>	Jul 19 2007		
<b>Service type:</b>	FedEx Express Saver		

[Print](#)[Return](#)

## Please note

\*The courtesy rate shown here may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable [FedEx Service Guide](#) or the FedEx Rate Sheets for details on how shipping charges are calculated.

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdirected shipment, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim.

Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the contents, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits. Consult the applicable FedEx Service Guide for details.





July 19, 2007

**EXPRESS MAIL**

B.B.L., Ltd.  
P.O. Box 911  
Breckenridge, TX 76424-0911

Re: Application for Administrative Approval of Unorthodox Location  
XTO Energy Inc.'s Kutz Federal No. 12F  
1,220' FSL and 2,525' FWL, Section 21, T28N, R10W  
San Juan County, New Mexico  
Dakota & Chacra formations

Dear Working Interest Owner:

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the Kutz Federal No. 12F Well that has been sent to the New Mexico Oil Conservation Commission for administrative approval. If you have no objection to the proposed non-standard location, please so indicate by signing and returning one copy of this letter to me at the address on shown at the bottom of this letter as soon as possible.

Should you have any questions or need more information, please contact me at (817) 885-3091. Your prompt attention to this matter will be very much appreciated.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ryan O'Kelley'.

Ryan O'Kelley  
Associate Landman

Enclosures

cc: Mr. Mark Fesmire, NMOCD

\_\_\_\_\_ hereby waives notice of hearing and objection to  
the application by XTO Energy Inc. for the non-standard location for the Kutz Federal  
No. 12F Well, as depicted on the enclosed plat.

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Date: \_\_\_\_\_

E0 849596571 US


**Mailing Label**  
 Label 11-B, March 2004

UNITED STATES POSTAL SERVICE®

Post Office To Addressee

**ORIGIN (POSTAL SERVICE USE ONLY)**

PO ZIP Code	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day		Postage \$	
Date Accepted	Scheduled Date of Delivery		Return Receipt Fee \$	
Mo. Day Year	Month Day	Scheduled Time of Delivery	COD Fee \$	Insurance Fee \$
Time Accepted <input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> Noon <input type="checkbox"/> 3 PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Total Postage & Fees \$	
Flat Rate <input type="checkbox"/> or Weight lbs. ozs.	Int'l Alpha Country Code		Acceptance Emp. Initials	

**FROM: (PLEASE PRINT)** PHONE ( 817 ) 885-3091

 XTO Energy, Inc.  
 Ryan O'Keitley  
 810 Houston St.  
 Ft. Worth, Tx 76102

SEC. 21-284-100

**FOR PICKUP OR TRACKING**  
 Visit [www.usps.com](http://www.usps.com)  
 Call 1-800-222-1811
**DELIVERY (POSTAL SERVICE USE ONLY)**

Delivery Attempt	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

**CUSTOMER USE ONLY**

**PAYMENT BY ACCOUNT** Express Mail Corporate Acct. No. ☐ **WAVES OF SIGNATURE (Domestic Mail Only)** Additional merchandise insurance is void if customer requests waiver of signature.

I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I understand that delivery employee's signature constitutes valid proof of delivery.

**NO DELIVERY**
☐ Weekend ☐ Holiday ☐ Mailer's Signature
**TO: (PLEASE PRINT)** PHONE ( )
 B.B.L., Ltd.  
 P.O. Box 911  
 Breckenridge, Tx 76424-0911

ZIP + 4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES.)

FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.





July 19, 2007

**EXPRESS MAIL**

Rita Treasa Floyd  
C/o Comercia Bank, Trustee  
Attn: John W. Lowrie  
P.O. Box 4761 (Mail Code 6605)  
Houston, TX 77210-4167

Re: Application for Administrative Approval of Unorthodox Location  
XTO Energy Inc.'s Kutz Federal No. 12F  
1,220' FSL and 2,525' FWL, Section 21, T28N, R10W  
San Juan County, New Mexico  
Dakota & Chacra formations

Dear Working Interest Owner:

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the Kutz Federal No. 12F Well that has been sent to the New Mexico Oil Conservation Commission for administrative approval. If you have no objection to the proposed non-standard location, please so indicate by signing and returning one copy of this letter to me at the address on shown at the bottom of this letter as soon as possible.

Should you have any questions or need more information, please contact me at (817) 885-3091. Your prompt attention to this matter will be very much appreciated.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ryan O'Kelley', written over a horizontal line.

Ryan O'Kelley  
Associate Landman

Enclosures

cc: Mr. Mark Fesmire, NMOCD

\_\_\_\_\_ hereby waives notice of hearing and objection to  
the application by XTO Energy Inc. for the non-standard location for the Kutz Federal  
No. 12F Well, as depicted on the enclosed plat.

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Date: \_\_\_\_\_

E0 849596611 US



UNITED STATES POSTAL SERVICE®

Post Office To Addressee

Mailing Label  
Label 1-B, March 2004

PRESS HARD. YOU ARE MAKING 3 COPIES.

ORIGIN (POSTAL SERVICE USE ONLY)			
PO ZIP Code	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage \$	
Date Accepted	Scheduled Date of Delivery Month Day	Return Receipt Fee \$	
Mo. Day Year	Scheduled Time of Delivery <input type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee \$	Insurance Fee \$
Time Accepted <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Total Postage & Fees \$	
Flat Rate <input type="checkbox"/> or Weight lbs. ozs.	Int'l Alpha Country Code	Acceptance Emp. Initials	

FROM: PLEASE PRINT PHONE ( 817 ) 885-3091

XT0 Energy, Inc.  
Ryan O'Kelley  
810 Houston St.  
Ft. Worth, Tx. 76102

SEC. 01-28N-10W

FOR PICKUP OR TRACKING  
Visit [www.usps.com](http://www.usps.com)  
Call 1-800-222-1811

DELIVERY (POSTAL SERVICE USE ONLY)			
Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	

☐ NO DELIVERY ☐ Weekend ☐ Holiday ☐ Mailer Signature

TO: PLEASE PRINT PHONE ( )

Rita Treasa Floyd  
c/o Comercia Bank, Trustee  
Attn: John W. Lowrie  
P.O. Box 4761 (Mail Code 6605)  
Houston, Tx 77210-4167

ZIP + 4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES.)  
+ + + + +

FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.

☐ WAIVER OF SIGNATURE (Domestic Mail Only)  
Additional merchandise insurance is void if  
no signature is provided by sender.  
I wish delivery to be made without obtaining signature  
of addressee or addressee's agent (if delivery employee  
judges that article can be left in secure location) and I  
authorize that delivery employee's signature constitutes  
valid proof of delivery.



July 19, 2007

**FEDERAL EXPRESS**

Rita Mae DuCharme  
2617 South Wadsworth Circle  
Lakewood, CO 80277-3220

Re: Application for Administrative Approval of Unorthodox Location  
XTO Energy Inc.'s Kutz Federal No. 12F  
1,220' FSL and 2,525' FWL, Section 21, T28N, R10W  
San Juan County, New Mexico  
Dakota & Chacra formations

Dear Working Interest Owner:

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the Kutz Federal No. 12F Well that has been sent to the New Mexico Oil Conservation Commission for administrative approval. If you have no objection to the proposed non-standard location, please so indicate by signing and returning one copy of this letter to me at the address on shown at the bottom of this letter as soon as possible.

Should you have any questions or need more information, please contact me at (817) 885-3091. Your prompt attention to this matter will be very much appreciated.

Yours truly,

  
Ryan O'Kelley  
Associate Landman

Enclosures

cc: Mr. Mark Fesmire, NMOCD

\_\_\_\_\_ hereby waives notice of hearing and objection to the application by XTO Energy Inc. for the non-standard location for the Kutz Federal No. 12F Well, as depicted on the enclosed plat.

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Date: \_\_\_\_\_

[Ship](#) [Track/History](#) [Address Book](#) [Preferences](#) [Fast Ship](#) [Reports](#) [My Profile](#)[<< Log out](#) [Home](#)

## Your Shipment Details:

<b>Ship to:</b>	Rita Mae DuCharme 2617 South Wadsworth Circle Lakewood, CO 802773220 US 817-885-3091	<b>Package type:</b> <b>Pickup/Drop Off:</b> <b>Weight:</b> <b>Dimensions:</b> <b>Declared value:</b> <b>Shipper account number:</b> <b>Bill transportation to:</b> <b>Courtesy rate quote:*</b> <b>Discounted variable %</b> <b>Cod amount</b> <b>Special services:</b> <b>Shipment Purpose:</b> <b>Shipment type:</b> <b>Commercial/Residential Status:</b>	FedEx Envelope give to scheduled courier at my loca 1 LBS 0 x 0 x 0 in 0 USD 104873456 104873456 9.32  Residential delivery Express Residential
<b>From:</b>	DC West XTO Energy 810 Houston St. Fort Worth, TX 76102 US 8178852921		
<b>Tracking no:</b>	790295546020		
<b>Your reference:</b>	ro-Sec.21-28N-10W		
<b>Ship date:</b>	Jul 19 2007		
<b>Service type:</b>	FedEx Express Saver		

[Print](#)[Return](#)

## Please note

\*The courtesy rate shown here may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable [FedEx Service Guide](#) or the FedEx Rate Sheets for details on how shipping charges are calculated.

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdirected shipment, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the contents, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits. Consult the applicable FedEx Service Guide for details.





July 19, 2007

**FEDERAL EXPRESS**

William L. Floyd, Jr.  
16 East 77<sup>th</sup> Street, #5A  
New York, NY 10021-1723

Re: Application for Administrative Approval of Unorthodox Location  
XTO Energy Inc.'s Kutz Federal No. 12F  
1,220' FSL and 2,525' FWL, Section 21, T28N, R10W  
San Juan County, New Mexico  
Dakota & Chacra formations

Dear Working Interest Owner:

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the Kutz Federal No. 12F Well that has been sent to the New Mexico Oil Conservation Commission for administrative approval. If you have no objection to the proposed non-standard location, please so indicate by signing and returning one copy of this letter to me at the address on shown at the bottom of this letter as soon as possible.

Should you have any questions or need more information, please contact me at (817) 885-3091. Your prompt attention to this matter will be very much appreciated.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ryah O'Kelley', written over a horizontal line.

Ryah O'Kelley  
Associate Landman

Enclosures

cc: Mr. Mark Fesmire, NMOCD

\_\_\_\_\_ hereby waives notice of hearing and objection to  
the application by XTO Energy Inc. for the non-standard location for the Kutz Federal  
No. 12F Well, as depicted on the enclosed plat.

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Date: \_\_\_\_\_

[Ship](#) [Track/History](#) [Address Book](#) [Preferences](#) [Fast Ship](#) [Reports](#) [My Profile](#)[Log out](#) [Home](#)

## Your Shipment Details:

<b>Ship to:</b>	William L. Floyd, Jr. 16 East 77th Street, #5A New York, NY 100211723 US 817-885-3091	<b>Package type:</b>	FedEx Envelope
		<b>Pickup/Drop Off:</b>	give to scheduled courier at my loca
		<b>Weight:</b>	1 LBS
		<b>Dimensions:</b>	0 x 0 x 0 in
		<b>Declared value:</b>	0 USD
		<b>Shipper account number:</b>	104873456
<b>From:</b>	DC West XTO Energy 810 Houston St. Fort Worth, TX 76102 US 8178852921	<b>Bill transportation to:</b>	104873456
		<b>Courtesy rate quote:*</b>	9.43
		<b>Discounted variable %</b>	
		<b>Cod amount</b>	
		<b>Special services:</b>	Residential delivery
		<b>Shipment Purpose:</b>	
<b>Tracking no:</b>	790295527286	<b>Shipment type:</b>	Express
<b>Your reference:</b>	ro-Sec. 21-28N-10W	<b>Commercial/Residential Status:</b>	Residential
<b>Ship date:</b>	Jul 19 2007		
<b>Service type:</b>	FedEx Express Saver		

[Print](#)[Return](#)

## Please note

\*The courtesy rate shown here may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable [FedEx Service Guide](#) or the FedEx Rate Sheets for details on how shipping charges are calculated.

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdirection, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim.

Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the contents, interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits. Consult the applicable FedEx Service Guide for details.



July 19, 2007

**FEDERAL EXPRESS**

Leon M. DuCharme Marital Trust  
2617 South Wadsworth Circle  
Lakewood, CO 80277-3220

Re: Application for Administrative Approval of Unorthodox Location  
XTO Energy Inc.'s Kutz Federal No. 12F  
1,220' FSL and 2,525' FWL, Section 21, T28N, R10W  
San Juan County, New Mexico  
Dakota & Chacra formations

Dear Working Interest Owner:

Enclosed is a copy of an Application for Administrative Approval of Unorthodox Location for the Kutz Federal No. 12F Well that has been sent to the New Mexico Oil Conservation Commission for administrative approval. If you have no objection to the proposed non-standard location, please so indicate by signing and returning one copy of this letter to me at the address on shown at the bottom of this letter as soon as possible.

Should you have any questions or need more information, please contact me at (817) 885-3091. Your prompt attention to this matter will be very much appreciated.

Yours truly,

  
Ryan O'Kelley  
Associate Landman

Enclosures

cc: Mr. Mark Fesmire, NMOCD

\_\_\_\_\_ hereby waives notice of hearing and objection to the application by XTO Energy Inc. for the non-standard location for the Kutz Federal No. 12F Well, as depicted on the enclosed plat.

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Date: \_\_\_\_\_

[Ship](#) [Track/History](#) [Address Book](#) [Preferences](#) [Fast Ship](#) [Reports](#) [My Profile](#)[<< Log out](#) [Home](#)

## Your Shipment Details:

<b>Ship to:</b>	Leon M. DuCharme Marital Trust 2617 South Wadsworth Circle Lakewood, CO 802773220 US 817-885-3091	<b>Package type:</b> FedEx Envelope <b>Pickup/Drop Off:</b> give to scheduled courier at my loca <b>Weight:</b> 1 LBS <b>Dimensions:</b> 0 x 0 x 0 in <b>Declared value:</b> 0 USD <b>Shipper account number:</b> 104873456 <b>Bill transportation to:</b> 104873456 <b>Courtesy rate quote:*</b> 6.82
<b>From:</b>	DC West XTO Energy 810 Houston St. Fort Worth, TX 76102 US 8178852921	<b>Discounted variable %</b> <b>Cod amount</b> <b>Special services:</b> <b>Shipment Purpose:</b> <b>Shipment type:</b> Express <b>Commercial/Residential Status:</b> Commercial
<b>Tracking no:</b>	792524648470	
<b>Your reference:</b>	ro-Sec.21-28N-10W	
<b>Ship date:</b>	Jul 19 2007	
<b>Service type:</b>	FedEx Express Saver	

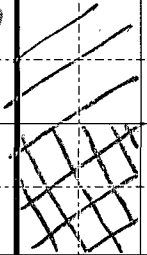
[Print](#)[Return](#)

## Please note

\*The courtesy rate shown here may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable [FedEx Service Guide](#) or the FedEx Rate Sheets for details on how shipping charges are calculated.

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdirection, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the contents, such as sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits. Consult the applicable FedEx Service Guide for details.



		6			5			4			3			2			1
		7			8			9			10			11			12
		18			17			16			15			14			13
		19			20			21			22			23			24
		30			29			28			27			26			25
		31			32			33			34			35			36

Township 28 N Range 10 W

Otero Chama  
Boon-Dikote