

ABOVE THIS LINE FOR DIVISION USE ONLY

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



Burlington Resource
UTE COM# 23

ADMINISTRATIVE APPLICATION CHECKLIST

3993-A

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 ~~EE~~ 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.

Patsy Clugston

Patsy Clugston
 Signature

Sr. Regulatory Specialist

10/27/08

Print or Type Name

Title

Date

clugspl@conocophillips.com
 e-mail Address

RECEIVED
 2008 OCT 29 PM 2 34

Burlington Resources Oil & Gas, LP

3401 E. 30th Street
Farmington, NM 87401

Sent UPS Overnight

October 27, 2008

NMOCD Attn: Richard Ezeanyim
1220 S. St. Francis Drive
Santa Fe, NM 87503

Re: Amendment to NSL-3893 dated 11/3/1997

Dear Mr. Ezeanyim:

Burlington Resources is applying for administrative approval of a non-standard gas well location for Barker Dome Ismay and WC Barker Dome Hermosa formations. Ute Com #23 is a Barker Dome-Desert Creek well that we plan on recompleting into the Barker Dome Ismay, WC Barker Dome Hermosa zones. The Barker Dome Ismay is considered non-standard since it is less than 790' from the section line as per R-46-A and the WC Barker Dome Hermosa zone is considered NSL because it is less than 660' as per statewide spacing for wildcats under Rule 104. Both zones are located in the curved portion of the directional drilled wellbore just above TD and the footages of the zones to be completed show to be outside the footages allowable for a standard location.

On August 7, 1997 Burlington requested approval for the Desert Creek Pool from the NMOCD for non-standard bottom-hole location approval (NSL) for the Ute Com 23 in the Barker Dome-Desert Creek pool. NSL approval was granted on November 3, 1997 as per Order NSL-3893 (see copy attached).

The reason the well was completed as a non-standard well was due to the well being recompleated by sidetracking off the vertical portion of said wellbore. Drilling a high angle/horizontal wellbore was to further develop the Barker Dome-Desert Creek Pool whereby the subsurface location was within a producing area that was considered to unorthodox. There was a geological/technical interpretation submitted with the original application that indicated a high angle/horizontal wellbore drilled to an intended bottomhole location 2594 feet from the North line and 1298 feet from the east line (Unit H) of said Section 19 within the Desert Creek formation would serve to avoid possible wellbore damage that exists in the original vertical wellbore and to intersect the naturally occurring fractures within the Desert Creek formation.

The Barker Dome Ismay and the Barker Dome Hermosa has standard spacing units of 160 acres, encompassing the NE/4 of Section 19. Attached to help you make your decision are the following:

Original NOI for the sidetrack of the Ute Com 23 into the Barker Dome Desert Creek
C102 (plats) for the Barker Dome Ismay and WC Barker Dome Hermosa
Off-set operator plat
Copy of original NSL - 3893 approval on Barker Dome Desert Creek

All of the surrounding sections thereto Section 8, 9, 10, 15, 17, 20, 21 & 22 of Township 32N, Range 14 West, San Juan County New Mexico are including in a single Ute Mountain Ute tribe lease (Lease I-22-IND-2772) in which Burlington is the operator, therefore, there are no affected offset operators other than themselves. If there is anything else that will be needed please call me at 505-326-9518. Thank you for considering this application.

Sincerely,



Patsy Clugston
Sr. Regulatory Specialist

submitted in lieu of Form 3160-5
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RCVD JUN 9 '08
OIL CONS. DIV.

Sundry Notices and Reports on Wells

DIST. 3

1. **Type of Well**
 GAS

2. **Name of Operator**
BURLINGTON
 RESOURCES OIL & GAS COMPANY LP

3. **Address & Phone No. of Operator**
 PO Box 4289, Farmington, NM 87499 (505) 326-9700

4. **Location of Well, Footage, Sec., T, R, M**
 Sec., T--N, R--W, NMPM
 Unit G (SWNE) 1820' FNL & 1580' FEL, Sec. 19, T32N, R14W NMPM

5. **Lease Number**
 I-22-IND-2772
 6. **If Indian, All. or Tribe Name**
 7. **Unit Agreement Name**

8. **Well Name & Number**
 Ute Com 23
 9. **API Well No.**

30-045-29548
 29265
 10. **Field and Pool**
 Barker Dome
~~WC Hermosa~~ ~~Camp~~/Barker Dome
 Desert Creek/Barker Dome Ismay
 11. **County and State**
 San Juan, NM

12. CHECK APPROPRIATE BOX TO INDICATE NATURE OF NOTICE, REPORT, OTHER DATA

Type of Submission	Type of Action		
<input checked="" type="checkbox"/> Notice of Intent	<input type="checkbox"/> Abandonment	<input type="checkbox"/> Change of Plans	<input checked="" type="checkbox"/> Other Recomplete Lower Ismay, Upper Ismay, WC Hermosa
<input type="checkbox"/> Subsequent Report	<input type="checkbox"/> Recompletion	<input type="checkbox"/> New Construction	
<input type="checkbox"/> Final Abandonment	<input type="checkbox"/> Plugging	<input type="checkbox"/> Non-Routine Fracturing	
	<input type="checkbox"/> Casing Repair	<input type="checkbox"/> Water Shut off	
	<input type="checkbox"/> Altering Casing	<input type="checkbox"/> Conversion to Injection	

13. Describe Proposed or Completed Operations

Burlington Resources requests to recomplete the subject well in the following formations:

WC Hermosa
 Lower Ismay
 Upper Ismay

Please see attached procedure, wellbore diagram and plat.

RECEIVED

MAY 15 2008

Bureau of Land Management
 Durango, Colorado

14. I hereby certify that the foregoing is true and correct.

Signed Tracey N. Monroe Tracey N. Monroe Title Regulatory Technician Date 5/13/08

(This space for Federal or State Office use)

APPROVED BY _____ Title _____ Date _____

CONDITION OF APPROVAL, if any:

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

**SEE ATTACHED
 CONDITIONS OF APPROVAL**

PIT, CLOSED LOOP SYSTEM, BELOW GRADE TANK, PROPOSED ALTERNATIVE METHOD OR CLOSURE PLAN TO BE DESIGNED, CONSTRUCTED & OPERATED PURSUANT TO NMOCD RULE 19.15.17 EFFECTIVE 06/16/08

Ute Com #23

Unit G, Section 19, Township 32N, Range 14W

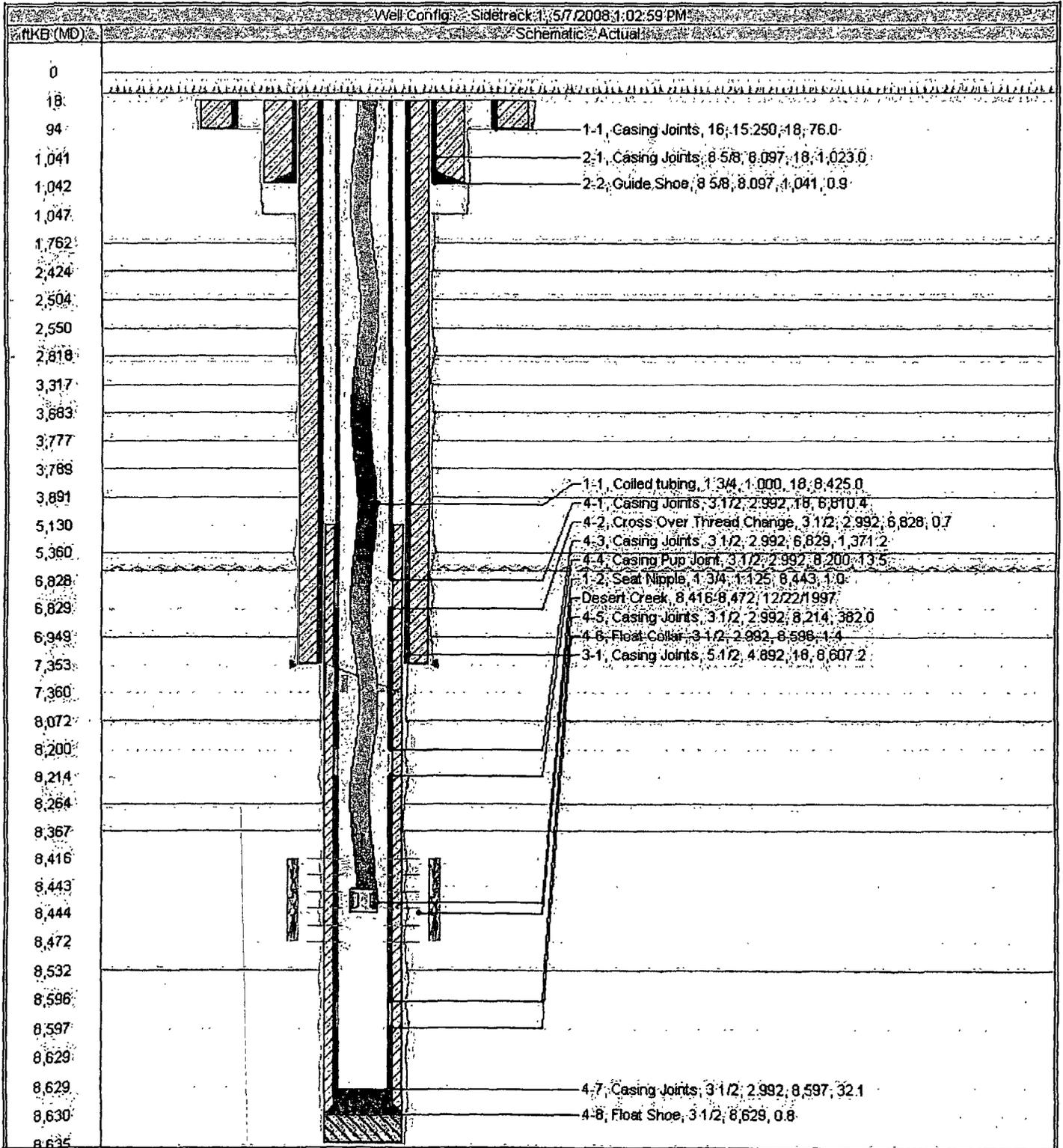
Lower Ismay, Upper Ismay and Hermosa Recomplete

5/7/2008

Procedure:

1. MIRU service rig TOOH with coil tubing.
2. Run GR/CCL/CBL log.
3. Re-acidize Desert Creek Formation with 14,000 gals of foamed 15% HCL.
4. Cleanup Desert Creek formation.
5. Flow test Desert Creek. Run in hole with Wireline set RBP.
6. Run in hole with perf gun and perforate the Lower Ismay.
7. Acidize Lower Ismay with 14,000 gals of foamed 15% HCL.
8. Cleanup Lower Ismay formation.
9. Flow test Lower Ismay. Run in hole with Wireline set RBP.
10. Run in hole with perf gun and perforate Upper Ismay.
11. Acidize Upper Ismay with 14,000 gals of foamed 15% HCL.
12. Cleanup Upper Ismay formation.
13. Flow test Upper Ismay. Run in hole with Wireline set RBP.
14. Run in hole with perf gun and perforate Hermosa.
15. Acidize Hermosa with 14,000 gals of foamed 15% HCL.
16. Cleanup Hermosa formation.
17. Flow test Hermosa. Run in hole with Wireline set RBP.
18. Shut-in well for a minimum of 7 days.
19. TIH and retrieve bridge plugs.
20. Run 2" flush joint production tubing.
21. Flow all zones to clean out, and recover any remaining load fluid, flow test.
22. Rig Down.

Ute Com #23 Current Wellbore



DD, Arado, NM 98311-0719
101
Mts Dream Rd., Arado, NM 87418
Arado IV
PO Box 2088, Santa Fe, NM 87504-2088

OIL CONSERVATION DIVISION
PO Box 2088
Santa Fe, NM 87504-2088

AMENDED REE

WELL LOCATION AND ACREAGE DEDICATION PLAT

API Number 30-045-29265	Pool Code 71560/96354/	Pool Name Barker Creek Paradox/Barker/Dome Ismay/1932N14G	WC Hermosa
Property Code 17211	Property Name Ute Com.	Well Number 23	
OCARD No. 14538	Operator Name	Elevation 6259'	

18 Surface Location

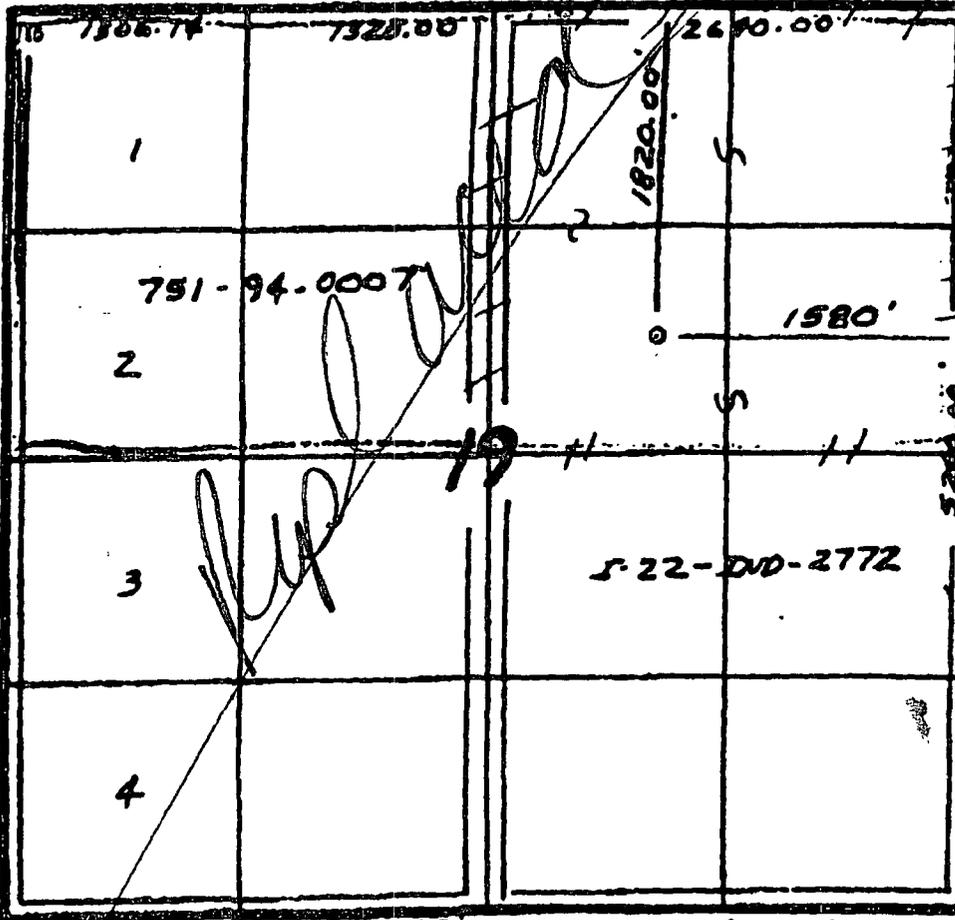
UL or lot no.	Section	Township	Range	Lot No.	Feet from the	North/South Line	Feet from the	East/West line	County
G	19	32N	14W		1820	North	1580	East	S.J.

19 Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lot No.	Feet from the	North/South Line	Feet from the	East/West line	County

Consolidated Acres 320/160/160	Jobs or Leases	Consolidation Code	Order No.
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NO ALLOWABLE WELL 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.

Tracey N. Monroe
 Signature
 Tracey N. Monroe
 Title
 Regulatory Technician
 Date
 May 13, 2008

18 SURVEYOR CERTIFICATION

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

11-4-94
 Date of Survey
 Signature and Title

 Neal C. Edwards
 Registered Professional Surveyor
 No. 8957
 State of New Mexico

1312.74 1320.00 2640.00

To: Oil, Acreage, NM 00211-0710

100

1000 Brown Rd., Acreage, NM 07410

Order 17

PO Box 2088, Santa Fe, NM 87504-2088

OIL CONSERVATION DIVISION
PO Box 2088
Santa Fe, NM 87504-2088

AMENDED REI

WELL LOCATION AND ACREAGE DEDICATION PLAT

API Number 30-045-29265	Pool Code 71560/96354/ 47582	Well Name Barker Dome Desert Creek	Pool Name <i>Barker Dome Hermosillo</i> /BarkerDome Ismay/
Property Code 17211	Property Name Ute Com.		Well Number 23
OCRSB No. 14538	Operator Name BURLINGTON RESOURCES OIL & GAS COMPANY LP		Stratigraphic 6259'

10 Surface Location

UL or lot no.	Section	Township	Range	Lot No.	Feet from the	North/South line	Feet from the	East/West line	County
6	19	32N	14W		1820	North	1580	East	S.J.

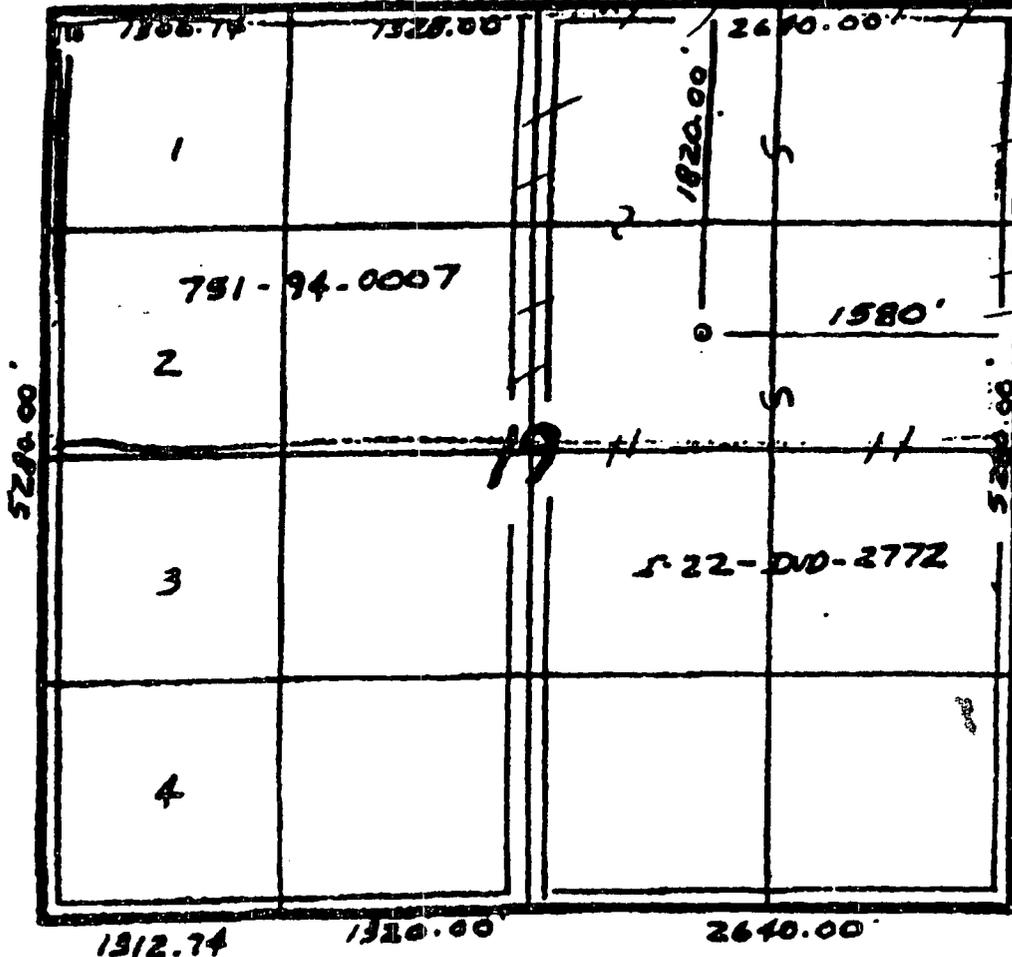
11 Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lot No.	Feet from the	North/South line	Feet from the	East/West line	County

12 Deducted Acres 13 John or Infill 14 Consolidation Code 15 Order No.

3207160/160

NO ALLOWABLE WELL 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.

Tracey N. Monroe
 Tracey N. Monroe
 Regulatory Technician
 May 13, 2008

18 SURVEYOR CERTIFICATION

I hereby certify that the well location shown on this plat was placed 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.

11-4-94
 Date of Survey
 Signature

MAY 20 2008

Burlington Resources Oil & Gas Company

3160

Tribal Lease: I-22-IND-2772

Well: Ute Mountain Ute #23

Location: 1820' FNL & 1580' FEL

Sec. 19, T. 32 N., R. 14 W.

San Juan County, New Mexico

Conditions of Approval:

1. Approval of this sundry is based upon the understanding that **Only** the Ismay and the Honaker Trail formations will be opened to the wellbore. Any other formations opened to the wellbore will be considered a violation of the Orders of the Authorized Officer.
2. Shut-in bottom hole pressures for **All** zones and after frac flowrates for **All** zones must be reported to this office on the Sundry Notice, Subsequent Report submitted after the completion of this well. A spinner survey would be adequate. A Completion Report should be submitted within 30 days of the recompletion of this well. Provide an as-is wellbore diagram at this time.

District I

1625 N. French Dr., Hobbs, NM 88240
Phone:(505) 393-6161 Fax:(505) 393-0720

District II

1301 W. Grand Ave., Artesia, NM 88210
Phone:(505) 748-1283 Fax:(505) 748-9720

District III

1000 Rio Brazos Rd., Aztec, NM 87410
Phone:(505) 334-6178 Fax:(505) 334-6170

District IV

1220 S. St Francis Dr., Santa Fe, NM 87505
Phone:(505) 476-3470 Fax:(505) 476-3462

State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

Form C-102
Permit 82971

WELL LOCATION AND ACREAGE DEDICATION PLAT

1. API Number 30-045-29265	2. Pool Code 97582	3. Pool Name WC BARKER DOME HERMOSA
4. Property Code 17211	5. Property Name UTE COM	6. Well No. 023
7. OGRID No. 14538	8. Operator Name BURLINGTON RESOURCES OIL & GAS COMPANY LP	9. Elevation 6259

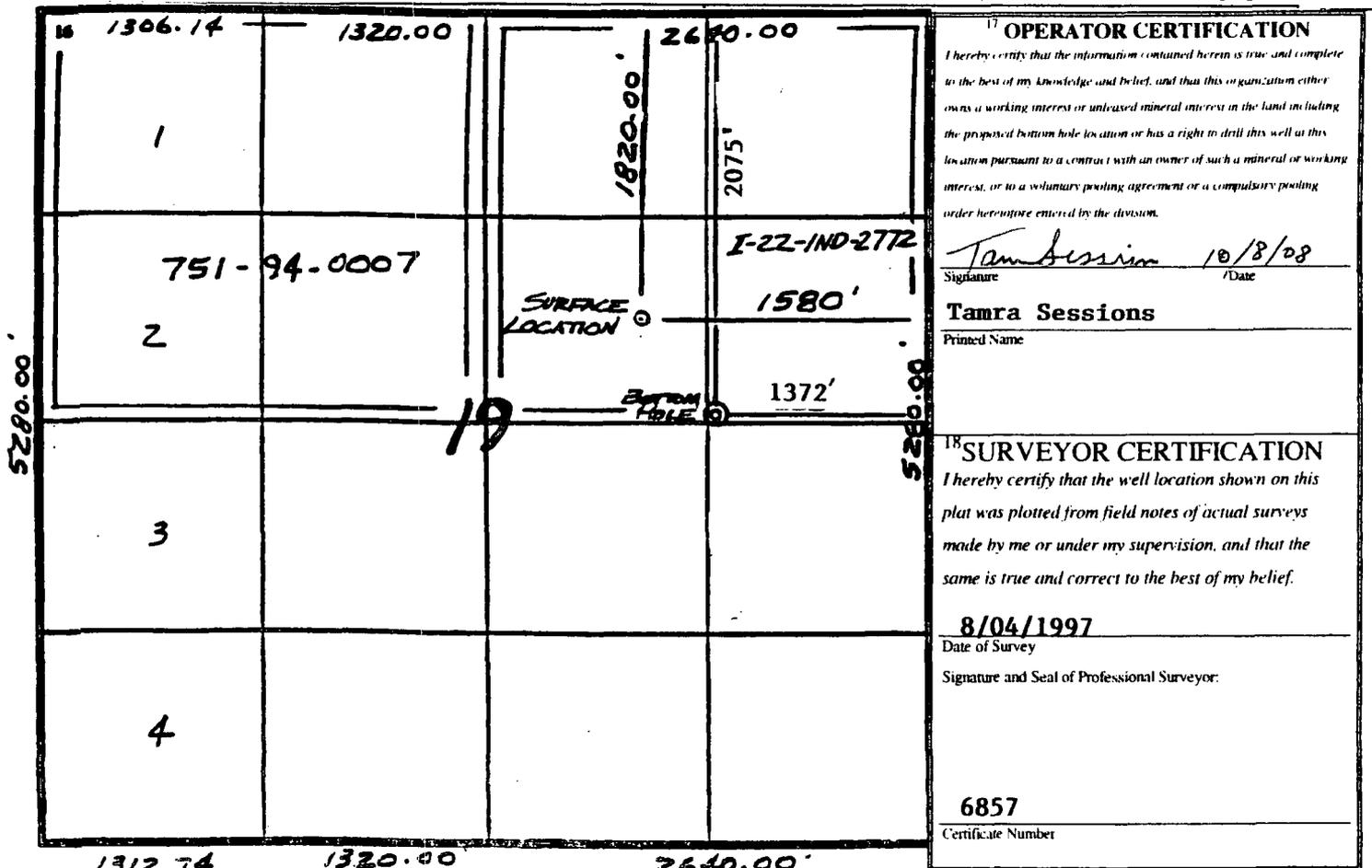
10. Surface Location

UL - Lot G	Section 19	Township 32N	Range 14W	Lot Idn	Feet From 1820	N/S Line N	Feet From 1580	E/W Line E	County SAN JUAN
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11. Bottom Hole Location If Different From Surface

UL - Lot G	Section 19	Township 32N	Range 14W	Lot Idn	Feet From 2075	N/S Line N	Feet From 1372	E/W Line E	County SAN JUAN
12. Dedicated Acres 160.00		13. Joint or Infill		14. Consolidation Code		15. 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.

Tamra Sessions 10/8/08
Signature /Date

Tamra Sessions
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.

8/04/1997
Date of Survey

Signature and Seal of Professional Surveyor:

6857
Certificate Number

District I
 1625 N. French Dr., Hobbs, NM 88240
 Phone:(505) 393-6161 Fax:(505) 393-0720
 District II
 1301 W. Grand Ave., Artesia, NM 88210
 Phone:(505) 748-1283 Fax:(505) 748-9720
 District III
 1000 Rio Brazos Rd., Aztec, NM 87410
 Phone:(505) 334-6178 Fax:(505) 334-6170
 District IV
 1220 S. St Francis Dr., Santa Fe, NM 87505
 Phone:(505) 476-3470 Fax:(505) 476-3462

State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

Form C-102
 Permit 82971

WELL LOCATION AND ACREAGE DEDICATION PLAT

1. API Number 30-045-29265	2. Pool Code 96354	3. Pool Name BARKER DOME; ISMAY (G)
4. Property Code 17211	5. Property Name UTE COM	6. Well No. 023
7. OGRID No. 14538	8. Operator Name BURLINGTON RESOURCES OIL & GAS COMPANY LP	9. Elevation 6259

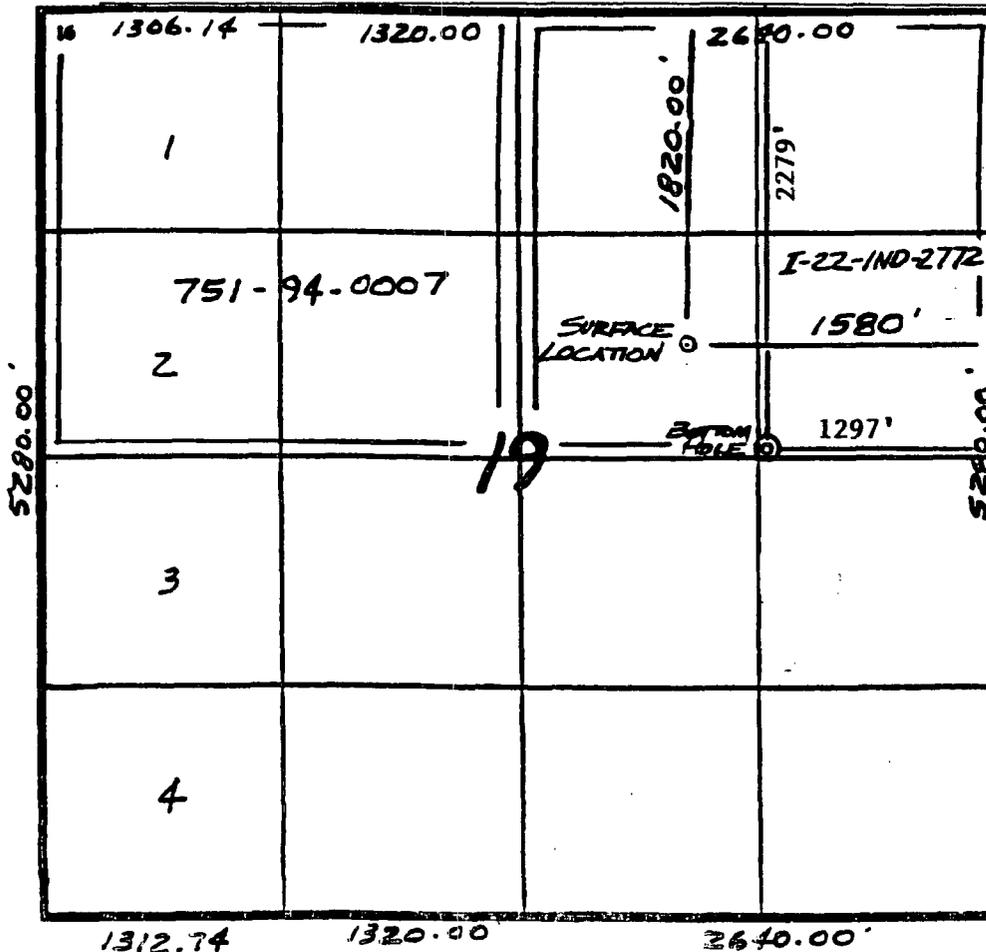
10. Surface Location

UL - Lot	Section	Township	Range	Lot Idn	Feet From	N/S Line	Feet From	E/W Line	County
G	19	32N	14W		1820	N	1580	E	SAN JUAN

11. Bottom Hole Location If Different From Surface

UL - Lot	Section	Township	Range	Lot Idn	Feet From	N/S Line	Feet From	E/W Line	County
G	19	32N	14W		2279	N	1297	E	SAN JUAN
12. Dedicated Acres 1600.00 acres		13. Joint or Infill		14. Consolidation Code		15. 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
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Signature: *Tamra Sessions* Date: 10/8/08
 Printed Name: **Tamra Sessions**

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.

Date of Survey: **8/04/1997**
 Signature and Seal of Professional Surveyor:

Certificate Number: **6857**

District I
 PO Box 1900, Hobbs, NM 88241-1900
 District II
 PO Drawer DD, Artesia, NM 88211-0719
 District III
 1000 Rio Hondo 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
 State Lease - 4 Copies
 Fee Lease - 3 Copies

OIL CONSERVATION DIVISION
 PO Box 2088
 Santa Fe, NM 87504-2088

"as drilled plat"

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

* API Number 30-045-29265		* Pool Code 96353	* Pool Name Barker Dome Desert Creek
* Property Code 17211	* Property Name Ute Com.		* Well Number 23
* OGRID No. 14538	* Operator Name Burlington Resources Oil & Gas Company		* Elevation 6259'

10 Surface Location

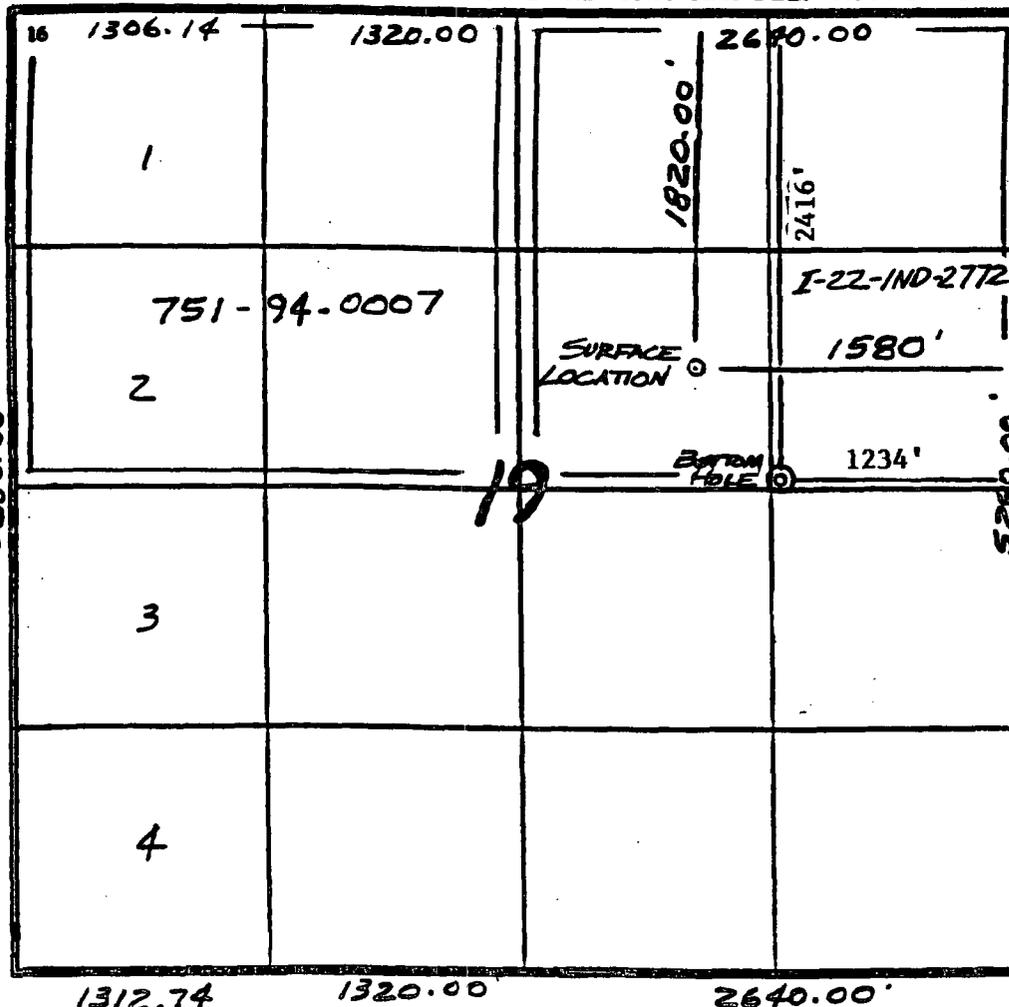
UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
G	19	32N	14W		1820	North	1580	East	S.J.

11 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
H	19	32N	14W		2416	North	1234	East	S.J.

12 Dedicated Acres N=320	13 Joint or Infill	14 Constitution Code	15 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



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Tamra Sessions 10/8/08
 Signature Date

Tamra Sessions
 Printed Name

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8/04/1997
 Date of Survey

Signature and Seal of Professional Surveyor:

6857
 Certificate Number

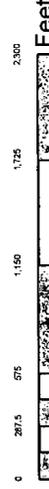
Legend

ISMAY

Ismay Setback (790')

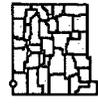
Wildcat Barker Dome Hermosa Setback (660')

Proposed Well



1:12,181 - 1" equals 1,015'

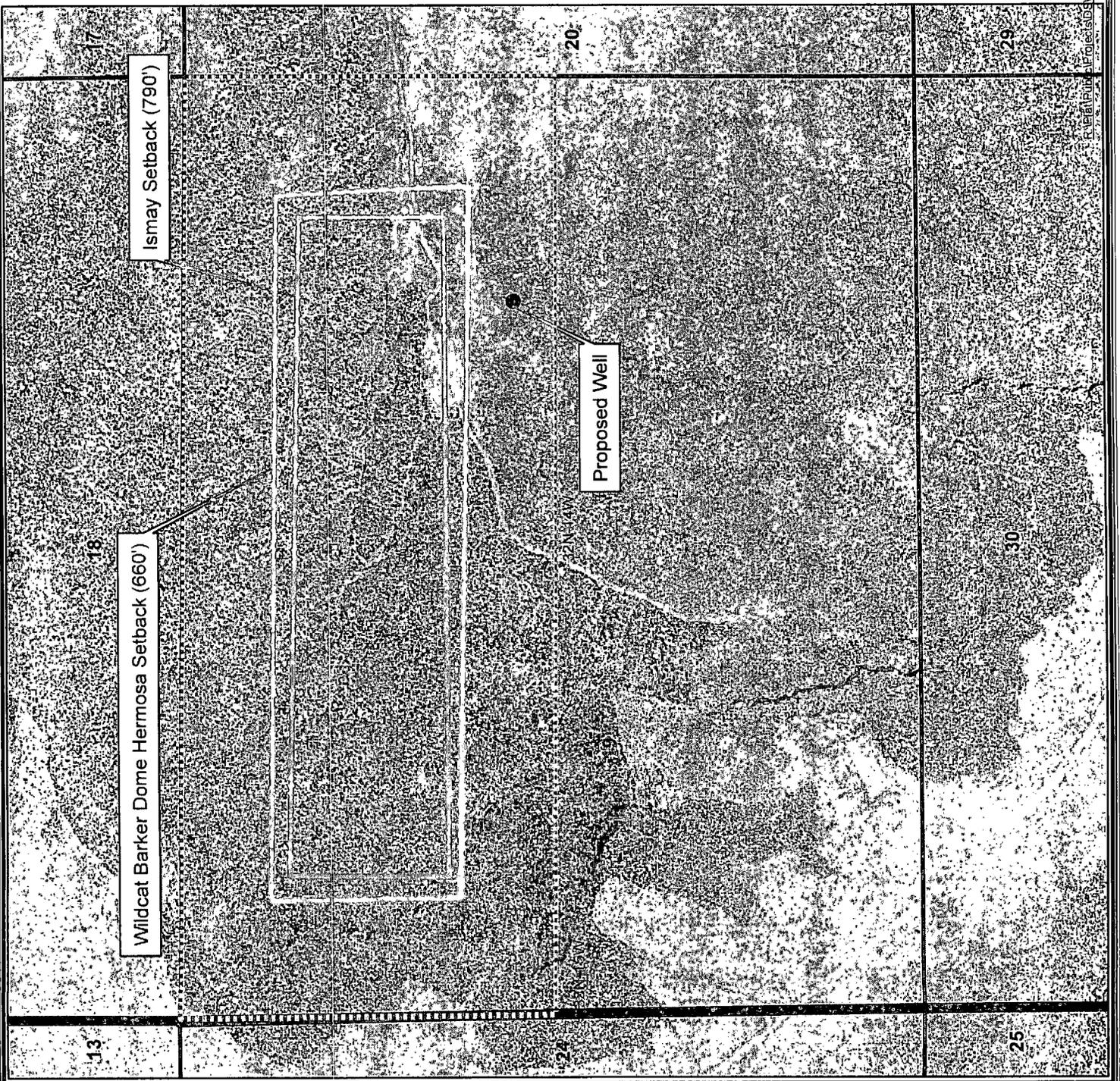
GCS North American 1927

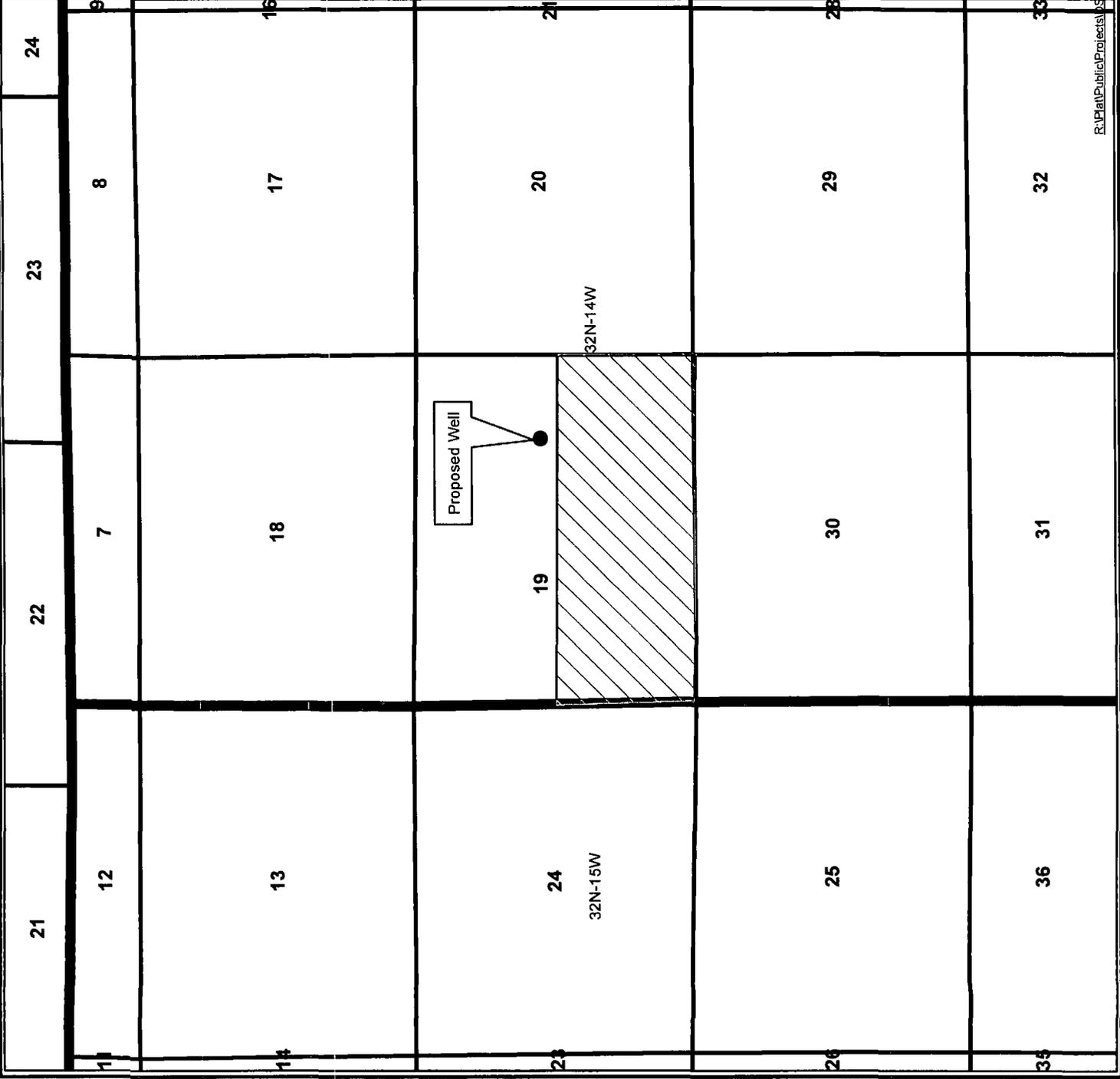


ConocoPhillips
 © Unpublished Work, ConocoPhillips

**Proposed
 Ute Com 23
 Aerial Map**

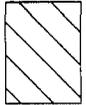
Author:	Date: 10/15/08
Compiled by:	Scale: <Scale>
Works Completed - 2008\Ute Com 23 - Aerial Map - 10-15-08.mxd	



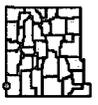


Legend
ISMAV

Offset W.I.
in S/2 of Sec 19, T32N, R14W
Ute Com 23
WI 100% ConocoPhillips,
no notification required



1:32,473
- 1" equals 2,706'
GCS North American 1927



ConocoPhillips
© Unpublished Work, ConocoPhillips

**Proposed
Ute Com 23
Offset Map**

Author:	Date: 10/15/08
Compiled by:	Scale: <Scale>
Files completed - 2008\Ute Com 23 - Offset Map - 10-15-08.mxd	

R:\PlatPublic\Projects\ISMAV

Legend

ISMAY



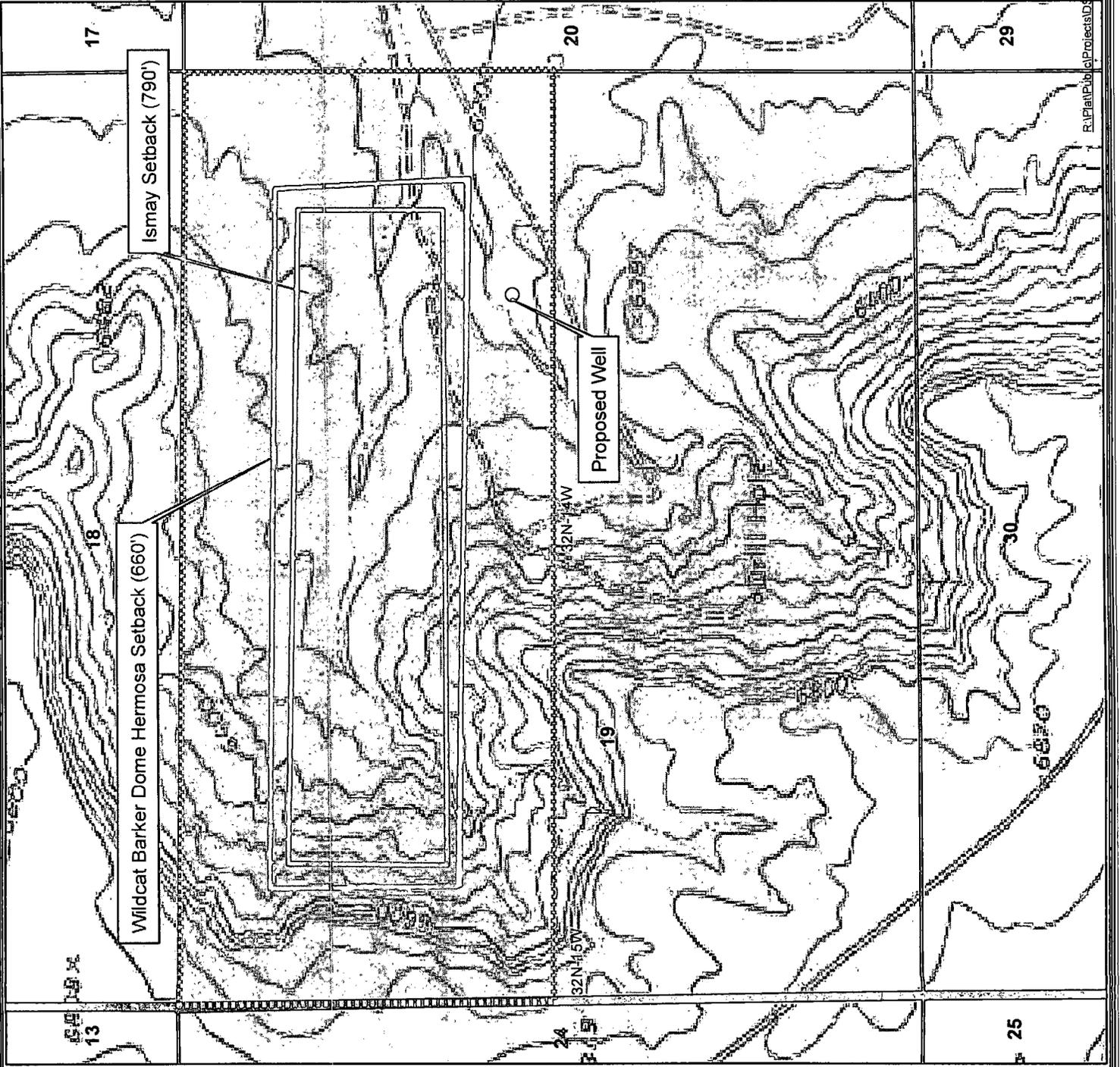
1:12,181
 - 1" equals 1,015'
 GCS North American 1927



ConocoPhillips
 © Unpublished Work, ConocoPhillips

**Proposed
 Ute Com 23
 Topo Map**

Author: _____
 Date: 10/15/08
 Compiled by: _____
 Scale: <Scale>
 File completed: 2008\Ute Com 23 - Topo Map - 10-15-08.mxd



R:\PlanPublic\Projects\DSV



NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

November 3, 1997

Burlington Resources Oil & Gas Company
P. O. Box 4289
Farmington, New Mexico 87499-4289
Attention: Peggy Bradfield

Administrative Order NSL-3893
(Non-Standard Subsurface Location/Producing Area)

Dear Ms. Bradfield:

Reference is made to your application dated September 12, 1997, as supplemented by your fax transmittal dated October 31, 1997, for a non-standard subsurface gas producing area/bottomhole gas well location, pursuant to Division General Rules 104.F^{1/2}, 111.C(2), and 111.A(7), in an existing standard 320-acre, more or less, gas spacing and proration unit comprising the S/2 of Section 19, Township 32 North, Range 14 West, NMPM, San Juan County, New Mexico within the Barker Dome-Desert Creek Pool, for the existing Ute Com Well No. 23 (API No. 30-045-29265), located at a standard surface gas well location 1820 feet from the North line and 1580 feet from the East line (Unit G) of said Section 19.

It is our understanding that said well is to be recompleted by side tracking off of the vertical portion of said wellbore and drilling a high angle/horizontal wellbore in order to further develop the Barker Dome-Desert Creek Pool whereby the subsurface location is to be within a producing area that is considered to be unorthodox.

The geologic/technical interpretation submitted with this application indicates that a high angle/horizontal wellbore drilled to an intended bottomhole location 2594 feet from the North line and 1298 feet from the East line (Unit H) of said Section 19 within the Desert Creek formation will serve to avoid possible wellbore damage that exists in the original vertical wellbore and to intersect the naturally occurring fractures within the Desert Creek formation.

All of said Section 16 and all of the surrounding sections thereto (Sections 8, 9, 10, 15, 17, 20, 21, and 22 of Township 32 North, Range 14 West, NMPM, San Juan County, New Mexico) are included in a single Ute Mountain Ute tribal lease (Lease No. I-22-IND 2772) in which Burlington is the operator; therefore, there are no affected off set operators other than themselves.

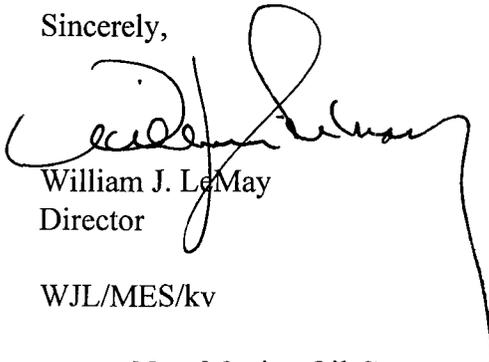
The applicable drilling window or "producing area" within the subject producing interval (Barker Dome-Desert Creek Pool) for said wellbore shall include that area within the subject 320-acre gas spacing and proration unit comprising the S/2 of said Section 19 that is:

- (a) no closer than 790 feet to the North, East, and West lines of said Section 19; and,
- (b) no closer than 46 feet from the south line of the subject unit boundary.

By the authority granted me under the provisions of Division General Rule 104.F(2) and Rule 5 of the "*Special Rules and Regulations for the Barker Dome-Desert Creek Pool*," as promulgated by Division Order No. R-46-A, dated February 13, 1995, as amended by Division Order Nos. R-46-B, dated November 6, 1996, and R-46-C, dated April 3, 1997, the above-described non-standard subsurface gas producing area/bottomhole gas well location is hereby approved.

The operator shall comply with all provisions of Division General Rule 111 applicable in this matter.

Sincerely,



William J. LeMay
Director

WJL/MES/kv

cc: New Mexico Oil Conservation Division - Aztec
U. S. Bureau of Land Management - Durango, Colorado
File: Case 11089

Brooks, David K., EMNRD

From: Brooks, David K., EMNRD
Sent: Tuesday, November 25, 2008 10:49 AM
To: 'Clugston, Patricia L'
Subject: Ute Com Well No. 23; NSL Application

Dear Ms. Clugston

It appears that the offsetting spacing units towards which this proposed location encroaches in both the Barker Dome Ismay and Barker Dome Hermosa formations will be the SE/4 of Section 19. Please confirm if Burlington owns 100% of the working interest in the SE/4, as well as the NE/4 of Section 19, or if working interest ownership is otherwise identical between these two leases.

Thanks
David K. Brooks
Legal Examiner

Brooks, David K., EMNRD

From: Clugston, Patricia L [Patsy.L.Clugston@conocophillips.com]
Sent: Tuesday, November 25, 2008 1:35 PM
To: Brooks, David K., EMNRD
Subject: RE: Ute Com Well No. 23; NSL Application

It may be tomorrow before I can get you the ownership on the NE/4 of Section 19 (our systems are all down), but for sure the S/2 of Section 19 is owned by ConocoPhillips of which Burlington is a wholly owned subsidiary of.

From: Brooks, David K., EMNRD [mailto:david.brooks@state.nm.us]
Sent: Tuesday, November 25, 2008 10:49 AM
To: Clugston, Patricia L
Subject: Ute Com Well No. 23; NSL Application

Dear Ms. Clugston

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Thanks
David K. Brooks
Legal Examiner

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