AMS-08-201

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Form 3160-3
(April 2004)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Split Estate

APPLICATION FOR PERMIT TO DRILL OR REENTER

FORM APPROVED
OMB No 1004-0137
Expires March 31, 2007

5. Lease Serial No.
NM-90161

6. If Indian, Allotee or Tribe Name

1a. Type of work: [X] DRILL [ ] REENTER

7 If Unit or CA Agreement, Name and No.

1b. Type of Well: [X] Oil Well [ ] Gas Well [ ] Other [X] Single Zone [ ] Multiple Zone

8. Lease Name and Well No.
<37346>
WEST BLINEBRY DRINKARD UNIT 106

2. Name of Operator
APACHE CORPORATION (LANA WILLIAMS 918-491-4980) <873>

9 API Well No.
30-025-39407

3a. Address 6120 SOUTH YALE SUITE 1500
TULSA, OKLAHOMA 74136-4224

3b. Phone No. *(include area code)*
918-491-4980

10. Field and Pool, or Exploratory
EUNICE BLINB,TUBB,DRINK. N

4. Location of Well *(Report location clearly and in accordance with any State requirements.*)*
At surface 2310' FSL & 2310' FEL SEC. 8 T21S-R37E Unit J
At proposed prod. zone SAME

11. Sec., T. R. M. or Blk. and Survey or Area
SECTION 8 T21S-R37E

14. Distance in miles and direction from nearest town or post office*
Approximately 3.5 miles North of Eunice New Mexico

12. County or Parish
LEA CO.

13. State
NM

15. Distance from proposed* location to nearest property or lease line, ft. (Also to nearest drig. unit line, if any)	16. No. of acres in lease	17. Spacing Unit dedicated to this well
330'	958	40

18. Distance from proposed location* to nearest well, drilling, completed, applied for, on this lease, ft.	19. Proposed Depth	20. BLM/BIA Bond No. on file
250'	7000'	BLM-CO-1463 NATION WIDE

21. Elevations (Show whether DF, KDB, RT, GL, etc.)	22. Approximate date work will start*	23. Estimated duration
3529' GL	WHEN APPROVED	25 days

24. Attachments

The following, completed in accordance with the requirements of Onshore Oil and Gas Order No.1, shall be attached to this form:

1. Well plat certified by a registered surveyor.
2. A Drilling Plan.
3. A Surface Use Plan (if the location is on National Forest System Lands, the SUPO shall be filed with the appropriate Forest Service Office).
4. Bond to cover the operations unless covered by an existing bond on file (see Item 20 above).
5. Operator certification
6. Such other site specific information and/or plans as may be required by the authorized officer.

25. Signature	Name *(Printed/Typed)*	Date
Joe T. Janica	Joe T. Janica	03/04/09

Title
Permit Engineer

Approved by *(Signature)*	Name *(Printed/Typed)*	Date
/s/ Don Peterson		MAY 19 2009

Title	Office
FIELD MANAGER	CARLSBAD FIELD OFFICE

Application approval does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.
Conditions of approval, if any, are attached.

APPROVAL FOR TWO YEARS

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

(Instructions on page 2)

CAPITAN CONTROLLED WATER BASIN

SEE ATTACHED FOR
CONDITIONS OF APPROVAL

APPROVAL SUBJECT TO
GENERAL REQUIREMENTS
AND SPECIAL STIPULATIONS
ATTACHED

SURFACE DAMAGE RELEASE

STATE OF NEW MEXICO §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF LEA §

THAT, The Millard Deck Estate, c/o Bank of America, N. A., Trustee of the Millard Deck Testamentary Trust under the Last Will and Testament of Millard Deck, P. O. Box 270, Midland, Texas 79702, (hereinafter referred to as "OWNER."), is the current surface owner of the PRIVATELY OWNED lands herein described below which are located in the Eunice Area in Lea County, New Mexico. For and in consideration of the sum of [redacted] and no/100 ([redacted]) to be paid by Apache Corporation of 6120 Yale St. # Two Warren Place, Suite 1500,Tulsa Ok. 74136 (hereinafter referred to as "OPERATOR"), the receipt and sufficiency of which are hereby acknowledged, OWNER does hereby RELEASE and DISCHARGE OPERATOR, its employees, agents, contractors, successors and assigns, from any and all claims, demands and causes of action for detriment, injuries, damages and losses of whatsoever nature that have been caused or will be caused to the surface of the Subject Property from or in connection with the drilling and/or completion of the following well (hereinafter called "Subject Well").

West Blinebry Drinkard Unit # 106
2310' FSL & 2310' FEL
Section 8-T21S-R37S
Lea County New Mexico

In addition Operator agrees to pay the sum of $300.00 for building 330 feet (20 rods @ $25.00 per rod) of new access road to the above listed wells.

It is understood that the consideration for this release does not cover damages for the laying of flowlines or powerlines over the Subject Property.

This Release is intended to cover all disruption of ranch operations due to surface disruption, including but not limited to, all crops, timber and grass damaged or destroyed in connection with the above described activities.

OPERATOR shall conduct all operations in a good and workmen like manner and shall use all precautions to prevent any damages to said land over and above the damages contemplated herein. In the event that the well proves to be non-productive and has to be plugged and abandoned OPERATOR agrees to restore the surface as close as reasonably possible to its condition prior to commencement of drilling operations.

LESSEE agrees to account to any other party (including the surface tenant) who may be entitled to receive any portion of the aforementioned sum, and to indemnify and hold harmless OPERATOR, its successors and assigns from any claim by any other party for damages to the above described lands and improvements, crops or other things situated thereon. LESSEE agrees to keep all of the terms and conditions of this damage settlement confidential.

OWNER, FOR ITSELF, ITS SUCCESSORS, ASSIGNS, EMPLOYEES, AGENTS, PRINCIPLES, SERVANTS, HEIRS, EXECUTORS, PERSONAL REPRESENTATIVES AND ADMINISTRATORS, HEREBY RELEASES AND FOREVER DISCHARGES APACHE AND ALL WORKING INTEREST OWNERS AND THEIR RESPECTIVE PARENT CORPORATIONS, SUBSIDIARY CORPORATIONS, ASSOCIATED AND AFFILIATED CORPORATIONS AND/OR ENTITIES, AND ALL OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, PRINCIPALS, SERVANTS, SUCCESSORS, ASSIGNS, HEIRS, ATTORNEYS, EXECUTORS AND ADMINISTRATORS FROM EVERY CLAIM, DAMAGE, ATTORNEYS FEES, EXPENSES, COSTS, DEMANDS, RIGHTS, AND/OR CAUSE OF ACTION OF ANY KIND FOR SURFACE DAMAGES RELATING TO THE DRILLING AND COMPLETION OF THE SUBJECT WELLS ON THE SUBJECT PROPERTY.

This agreement shall be binding upon the parties hereto and their respective heirs, successors and assigns.

AGREED TO AND ACCEPTED this 13 day of April, 2009

APACHE CORPORATION

By: _____

HAROLD SWAIN
Central Region Drilling Department

BANK OF AMERICA, N. A. TRUSTEE OF THE MILLARD DECK TESTAMENTARY TRUST UNDER THE LAST WILL AND TESTAMENT OF MILLARD DECK, DATED AUGUST 28, 1975

By: Tim Wolters

Title: Vice President

State of New Mexico
Energy, Minerals and Natural Resources Department

DISTRICT I
1625 N. FRENCH DR., HOBBS, NM 88240

DISTRICT II
1 81 W. GRAND AVENUE, ARTESIA, NM 88210

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

DISTRICT IV
1220 S. ST. FRANCIS DR., SANTA FE, NM 87505

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OIL CONSERVATION DIVISION
1220 SOUTH ST. FRANCIS DR.
Santa Fe, New Mexico 87505

Form C-102
Revised October 12, 2005
Submit to Appropriate District Office
State Lease - 4 Copies
Fee Lease - 3 Copies

WELL LOCATION AND ACREAGE DEDICATION PLAT

☐ AMENDED REPORT

API Number	Pool Code	Pool Name
30-025-39401	22900	EUNICE BLINEBRY TUBB DRINKARD-NORTH

Property Code	Property Name	Well Number
37346	WEST BLINEBRY DRINKARD UNIT	106

OGRID No.	Operator Name	Elevation
873	APACHE CORPORATION	3529'

Surface Location

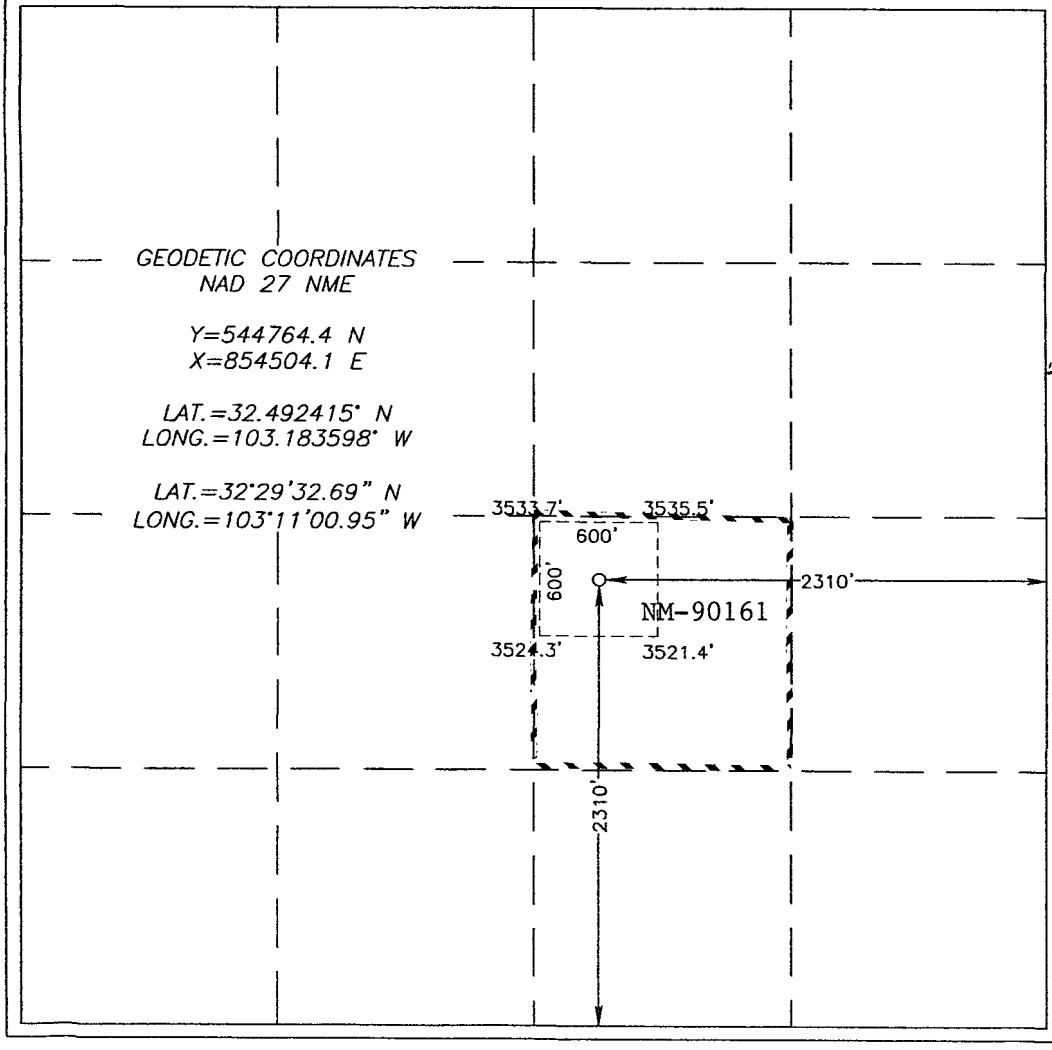
UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
J	8	21-S	37-E		2310	SOUTH	2310	EAST	LEA

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	Joint or Infill	Consolidation Code	Order No.
40			

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



OPERATOR CERTIFICATION

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.

Joe T. Janica
Signature

Date 03/04/09

Joe T. Janica
Printed Name

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.

OCTOBER 10, 2008
Date Surveyed REV: 10/21/08 AR

Signature & Seal of Professional Surveyor

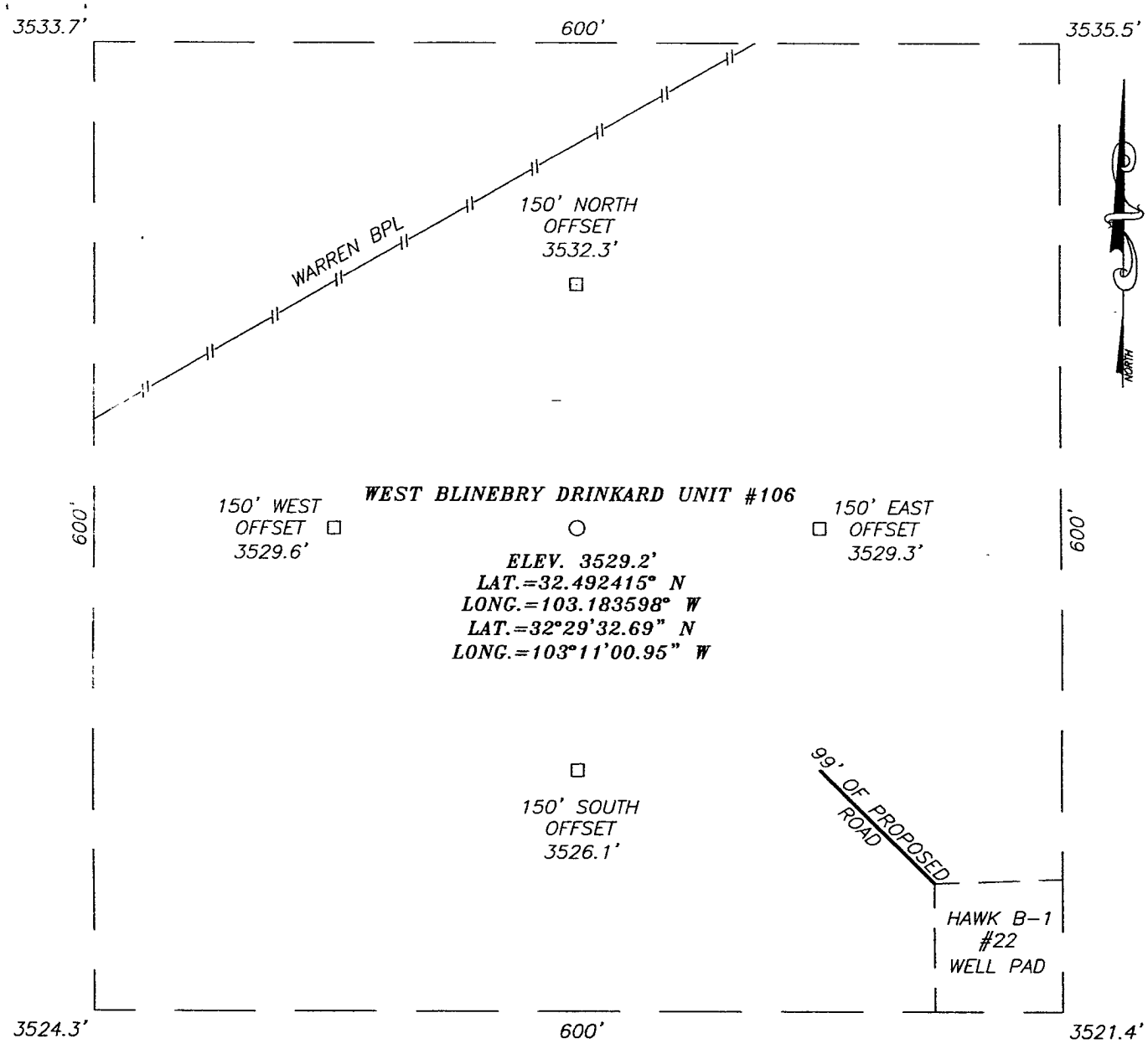
NEW MEXICO
3239
REGISTERED PROFESSIONAL SURVEYOR
Ronald J. Eidson 10/22/08

08.11.1565

Certificate No. GARY EIDSON 12641
RONALD J. EIDSON 3239

EXHIBIT "A"

SECTION 8, TOWNSHIP 21 SOUTH, RANGE 37 EAST, N.M.P.M.,
LEA COUNTY, NEW MEXICO



DIRECTIONS TO LOCATION

FROM THE INTERSECTION OF ROAD HILL AND TURNER ROAD, GO SOUTH ON TURNER ROAD APPROX. 0.15 MILES. TURN RIGHT AND GO WEST APPROX. 0.3 MILES. THIS LOCATION IS NORTH OF ROAD APPROX. 400 FEET.

100 0 100 200 Feet

Scale:1"=100'

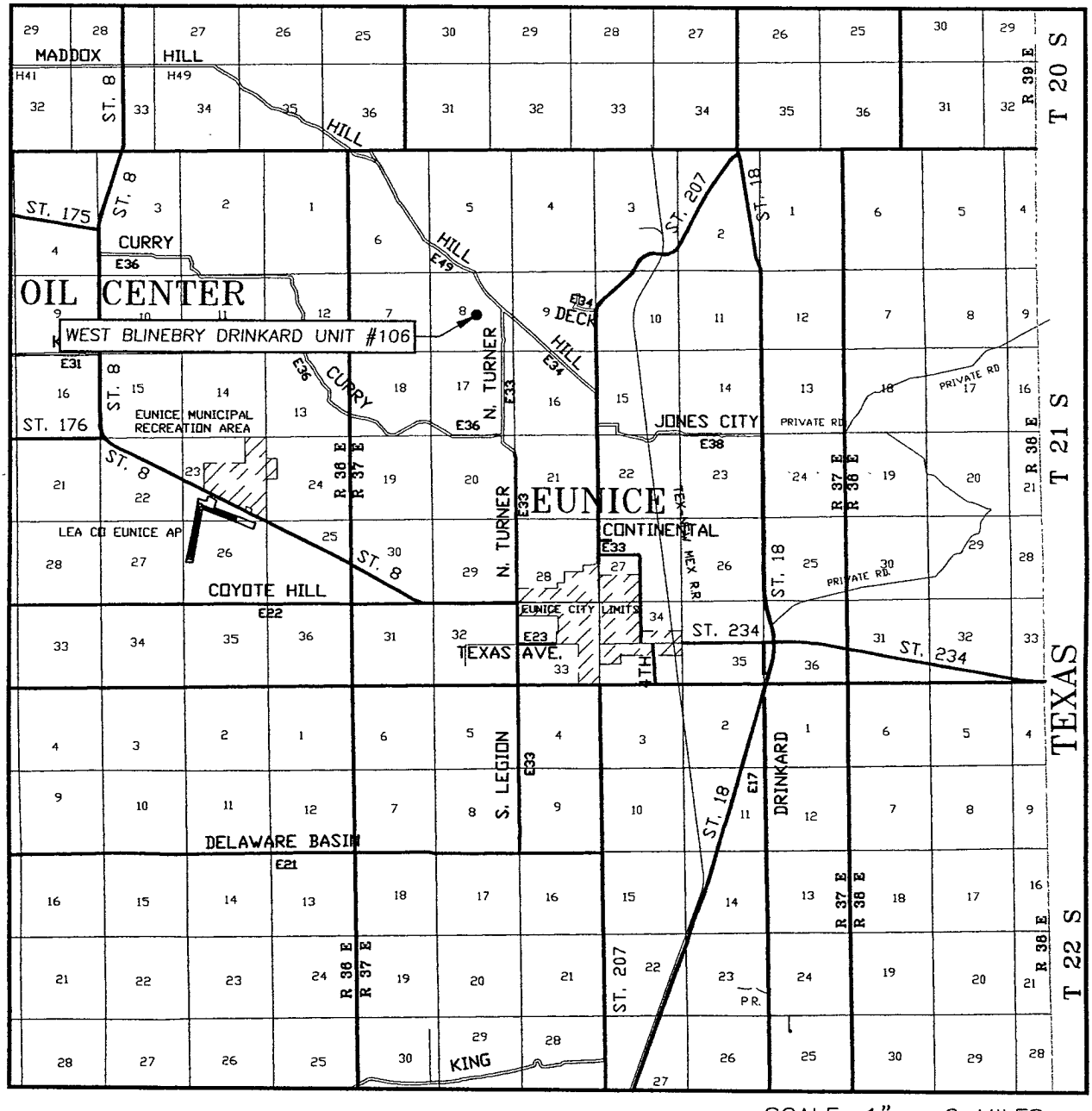
APACHE CORPORATION

WEST BLINEBRY DRINKARD UNIT #106 WELL
LOCATED 2310 FEET FROM THE SOUTH LINE
AND 2310 FEET FROM THE EAST LINE OF SECTION 8,
TOWNSHIP 21 SOUTH, RANGE 37 EAST, N.M.P.M.,
LEA COUNTY, NEW MEXICO.

Survey Date: 10/10/08	Sheet 1 of 1 Sheets	
W.O. Number: 08.11.1566	Dr By: AR	Rev 1:10/21/08
Date: 10/14/08	08111566	Scale:1"=100'

PROVIDING SURVEYING SERVICES
SINCE 1946
JOHN WEST SURVEYING COMPANY
412 N. DAL PASO
HOBBS, N.M. 88240
(505) 393-3117

VICINITY MAP



SCALE: 1" = 2 MILES

SEC. 8 TWP. 18-S RGE. 28-E

SURVEY N.M.P.M.

COUNTY LEA STATE NEW MEXICO

DESCRIPTION 2310' FSL & 2310' FEL

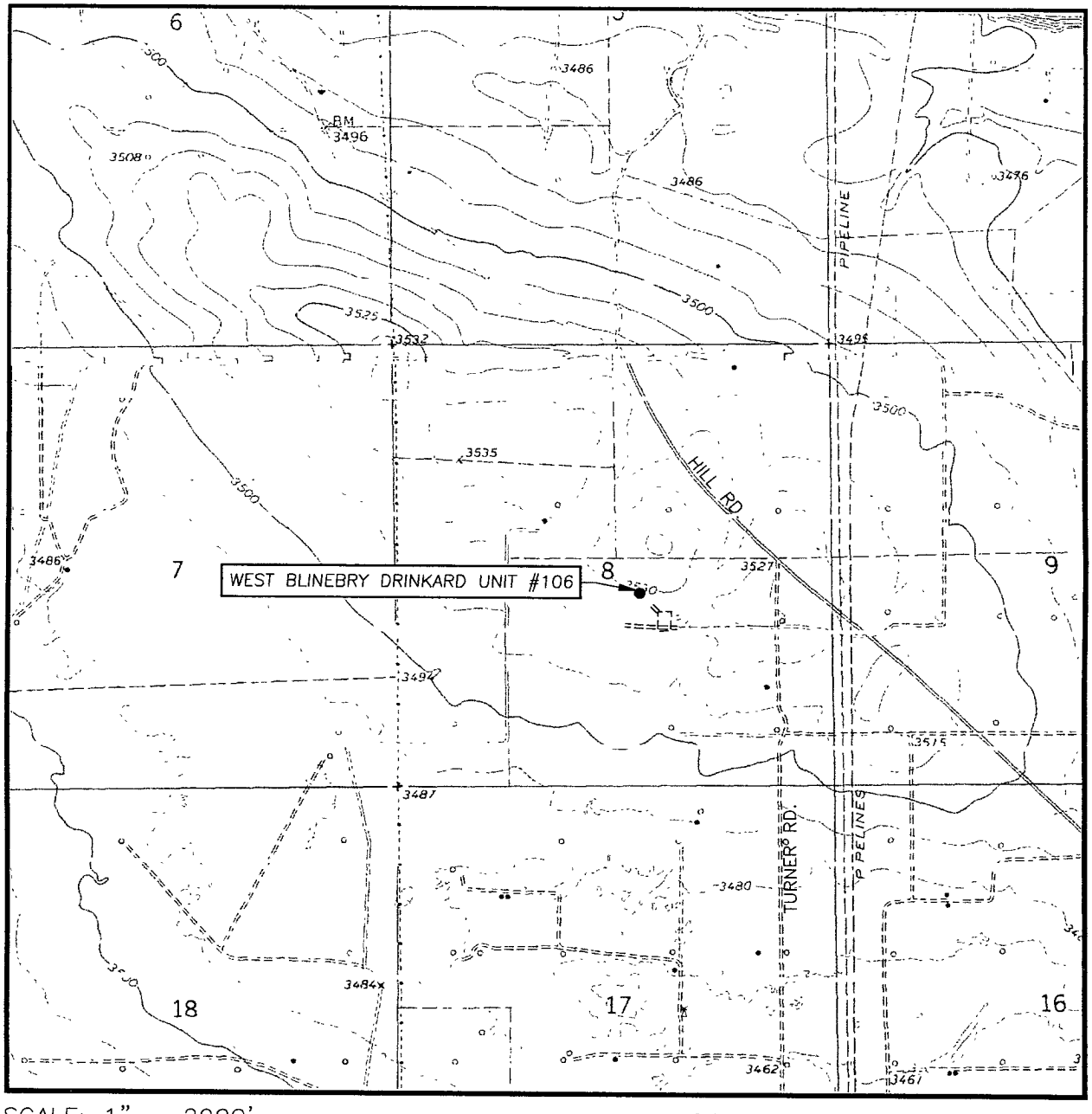
ELEVATION 3529'

OPERATOR APACHE CORPORATION CORPORATION

LEASE WEST BLINEBRY DRINKARD UNIT

PROVIDING SURVEYING SERVICES
SINCE 1946
JOHN WEST SURVEYING COMPANY
412 N. DAL PASO
HOBBS, N.M. 88240
(505) 393-3117

LOCATION VERIFICATION MAP



SCALE: 1" = 2000'

CONTOUR INTERVAL:
EUNICE, N.M. – 10'
HOBBS SW, N.M. – 5'

SEC. 8 TWP. 21-S RGE. 37-E

SURVEY N.M.P.M.

COUNTY LEA STATE NEW MEXICO

DESCRIPTION 2310' FSL & 2310' FEL

ELEVATION 3529'

OPERATOR APACHE CORPORATION

LEASE WEST BLINEBRY DRINKARD UNIT

U.S.G.S. TOPOGRAPHIC MAP
EUNICE, N.M.

PROVIDING SURVEYING SERVICES
SINCE 1946
JOHN WEST SURVEYING COMPANY
412 N. DAL PASO
HOBBS, N.M. 88240
(505) 393-3117

APPLICATION TO DRILL

APACHE CORPORATION
W. BLINEBRY DRINKARD UNIT #106
UNIT "J" SECTION 8
T21S-R37E LEA CO. NM

In response to questions asked under Section II of Bulliten NTL-6, the following information on the above will be provided.

1. LOCATION: 2310' FSL & 2310' FEL SECTION 8 T21S-R37E LEA CO. NM

2. ELEVATION ABOVE SEA LEVEL: 3529' GL

3. GEOLOGICAL NAME OF SURFACE FORMATION: Quaternery Aeolian Deposits.

4. DRILLING TOOLS AND ASSOCIATED EQUIPMENT: Conventional rotary drilling rig using drilling mud as a circulating medium for solids removal from hole.

5. PROPOSED DRILLING DEPTH: 7000'

6. ESTIMATED TOPS OF GEOLOGICAL FORMATIONS:

Rustler Anhyrite	1317'	Grayburg	3752'	Tubb	6233'
Yates	2718'	San Andres	4042'	Drinkard	6556'
Seven Rivers	2932'	Glorieta	5227'	Abo	6836'
Queen	3473'	Blinebry Mk.	5728'	TD	7000'

7. POSSIBLE MINERAL BEARING FORMATIONS:

Blinebry	Oil
Tubb	Oil
Drinkard	Oil

8. CASING PROGRAM:

HOLE SIZE	INTERVAL	OD OF CASING	WEIGHT	THREAD	COLLAR	GRADE	CONDITION
26"	0-40	20"	NA	NA	NA	Conductor	New
12¼'	0-1400'	8 5/8"	24#	8-R	ST&C	J-55	New
7 7/8"	0-7000'	5½"	17#	8-R	LT&C	J-55 &L-80	New

See COA

Casing Design Factors:

Burst 1.0 Collapse 1.125 Body Yield 1.5 Joint Strength: 8-R 1.8
Buttress 1.6

APPLICATION TO DRILL

APACHE CORPORATION
W. BLINEBRY DRINKARD UNIT #106
UNIT "J" SECTION 8
T21S-R37E LEA CO. NM

9. CASING SETTING DEPTHS AND CEMENTING:

20"	Conductor	Set 40' of 20" conductor pipe and cement to surface with Redi-mix. See COA
8 5/8"	Surface	Run and set 1400' of 8 5/8" 24# J-55 ST&C casing. Cement with 450 Sx. of Class "C" Premium Plus cement + 3% Salt, + 0.25# Cello Flakes/Sx., + 3#/Sx. LCM/Sx. + 0.005gps FP-6L, + 4% Bentonite, Yield 1.7, tail in with 200 Sx. of Class "C" cement + 2% CaCl., + 0.25# Flocele/Sx. + 0.005% gps FP-L6, Yield 1.3, circulate cement to surface.
5½"	Production	Run and set 7000' of 5½" casing as follows: Bottom 6000' 5½" 17# J-55 LT&C, top 1000' 5½" 17# L-80 LT&C. Cement with 900 Sx. of 35/65 Class "C" POZ, cement + 5% Salt, + 0.25# Flocele/Sx, + 0.005% FP-L6 gps FP-L6, + 0.5% FL-52A, + 0.5% BA-10A, + 3#/Sx Flocele/Sx, + 6% Bentonite, Yield 1.9, tail in with 350 Sx of 50/50 Class "C" POZ + 5% Salt, + 0.2% FL-25, + 0.25# FLocele/Sx., + 3# LCM/Sx. + 0.6% FL-25, + 0.0005% gps FP-L6, + 2% Bentonite, Yield 1.3 circulate cement to surfacer

10. PRESSURE CONTROL EQUIPMENT:

Exhibit "I" shows a 900 Series 3000 PSI working pressure B.O.P. consisting of an annular bag type preventor, middle blind rams, bottom pipe rams. This B.O.P. will be nippled up on the 8 5/8" casing. The B.O.P. will be tested by a third party at 2000 PSI, maxium surface pressure is not expected to exceed 2000 PSI, BHP is calculated to be approximately 3080 PSI. The B.O.P. will be worked at least once in each 24 hout period and the blind rams will be worked when the drill pipe is out of the hole on trips. Exhibit "I" also shows a 3000 PSI choke manifold with a 3" blowdown line. Full opening stabbing valve and kelly cock will be on derrick floor in case of need. No abnormal pressures of temperatures are expected in this well no nearby wells have encountered any problems.

APPLICATION TO DRILL

APACHE CORPORATION
W. BLINEBRY DRINKARD UNIT #106
UNIT "J" SECTION 8
T21S-R37E LEA CO. NM

11. PROPOSED MUD CIRCULATING SYSTEM:

DEPTH	MUD WT.	VISC.	FLUID LOSS	TYPE SYSTEM
40-1400	8.6-9.2	28-34	NC	Fresh water Spud Mud, add paper to control seepage, high viscosity sweeps to clean hole pH 9.0-9.5
1400-6500'	10.0-10.2	28-32	NC	Brine water add paper to control seepage and high viscosity sweeps to clean hole, pH 9.5-10.
6500-TD	10.0-10.2	36-42	8-10 cc or less	Same as above but add starch to water loss, add caustic soda to pH at 9.5-10

THIS WILL BE A CLOSED MUD SYSTEM

Sufficient mud materilas will be kept on location at all times in order to combat last circulation, or unexpected kicks. In order to run open hole logs and casing the above mud properties may have to be altered to meet these needs.

12. LOGGING, CORING, AND TESTING PROGRAM:

A. Open hole logs: Dual Laterolog, CNL, Litho Density, MSFL, Sonic, Gamma Ray, Caliper from TD back to the 8 5/8" casing shoe.

B. Case hole logs: CNL, Gamma Ray from 8 5/8" casing shoe back to surface.

C. No mud logger, cores, or DST"s are planned for this well.

13. POTENTIAL HAZARDS:

No abnormal pressures or temperatures are expected. There is no known presence of H^2S in this area. If H^2S is encountered the operator will comply with the provisions of Onshore Oil and Gas Order No. 6. No lost circulation is expected to occur. All personnel will be familiar with all aspects of safe operation of equipment being used to drill this well. Estimated BHP 3080 est PSI, and Estimated BHT 115°.

14. ANTICIPATED STARTING DATE AND DURATION OF OPERATION:

Road and location construction will begin after the BLM has approved the APD. Anticipated spud date will be as soon after BLM approval and as soon as a rig will be available. Move in operation and drilling is expected to take 25 days. If production casing is run then an additional 30 days will be needed to complete well and construct surface facilities and/or lay flowlines in order to place well on production.

15. OTHER FACETS OF OPERATIONS:

After running casing, cased hole Gamma Ray, Neutron Collar logs will be run from TD back to all possible productive zones. The Blin,Tubb,Drink formation will be perforated and stimulated in order to establish production. The well will be swab tested and potentialed as an oil well.

WEST BLINEBRY DRINKARD UNIT # 106

DRILLING PROGRAM

Surface Location

2310' FSL & 2310' FEL

SE ¼ of Section 8, Unit Letter J, Township 21 South, Range 37 East, N.M.P.M.

Lea County, New Mexico

The geological surface formation is recent Permian with quaternary alluvium and other surficial deposits.

Estimated Tops of Geological Markers:

FORMATION	DEPTH
Quaternary alluvials	Surface
Rustler	1317'
Yates	2718'
Seven Rivers	2932'
Queen	3473'
Grayburg	3752'
San Andres	4042'
Glorieta	5227'
Blinebry Marker	5728'
Tubb	6233'
Drinkard	6556'
Abo	6836'
TD	7000'

Estimated depths at which water, oil, gas, or other mineral-bearing formations are expected to be encountered:

SUBSTANCE	DEPTH
Oil	Blinebry@ 5728' Tubb@ 6233' Drinkard@ 6556'
Gas	None anticipated
Fresh Water	None anticipated

All fresh water and prospectively valuable minerals (as described by BLM) encountered during drilling will be recorded by depth and adequately protected. All oil and gas shows within zones of correlative rights will be tested to determine commercial potential.

Proposed Casing Program

HOLE SIZE	CASING SIZE OD / ID	GRADE	WEIGHT PER FOOT	DEPTH	SACKS CEMENT	ESTIMATED TOC - REMARKS
12 ¼"	8 5/8" 8.097"	J55 STC	24#	1,400'	650	TOC - Surface 8.9 ppg Water-based Mud; 89 ° F Est. Static Temp; 83 ° F Est. Circ. Temp.
7 7/8"	5 ½" 4.892"	L80 LTC	17#	0 – 1,000'	1,250	TOC – Surface Float Collar set @ 6,960'
	5 ½" 4.892"	J55 LTC	17#	1,000 – 7,000'		10.10 ppg Brine Mud; 126 ° F Est. Static Temp; 115 ° F Est. Circ. Temp.

Proposed Cement Program:

CASING	LEAD SLURRY	TAIL SLURRY	DISPLACEMENT
8 5/8"	450 sacks Premium Class C Cmt + 3% bwoc Sodium Chloride + 0.25 lbs/sack Cello Flake + 3 lbs/sack LCM-1 + 0.005 gps FP-6L + 4% bwoc Bentonite Gel 796 Vol Cu Ft., 1.7 Vol. Factor Slurry Weight 13.5 ppg Slurry yield 1.77 cf/sack Amount of Water mix 9.02 gps Estimated Pumping Time – 70 BC (HH:MM) 4:18	200 sacks Class C Cement + 2% bwoc Calcium Chloride + 0.25 lbs/sack Cello Flake + 0.005 gps FP-L6+56.3% Fresh Water, 270 Vol. Cu Ft 1.3 Vol. Factor Slurry Weight (ppg) 14.8 Slurry Yield (cf/sack) 1.35 Amount of Mix Water (gps)6.35 Estimated Pumping Time – 70 BC (HH:MM)-2:33	80.3 bbls Fresh Water @ 8.33 ppg

8 5/8" Casing: Volume Calculations:

1,400 ft	x	0.4127 cf/ft	with	75% excess	=	1,010.7 cf
42 ft	x	0.3576 cf/ft	with	0% excess	=	15.7 cf (inside pipe)
		TOTAL SLURRY VOLUME			=	954.2 cf
					=	182.6 bbls

Spacer 20.0 bbls Water @ 8.33 ppg

CASING	LEAD SLURRY	TAIL SLURRY	DISPLACEMENT
5 ½"	900 sacks (35:65) Poz (Fly Ash): Class C Cement + 5% bwow Sodium Chloride + 0.25 lbs/sack Cello Flake + 0.005 gps FP-L6 + 0.5% bwoc FL-52A + 0.5% bwoc BA-10A + 3 lb/sack LCM-1 + 6% bwoc Bentonite 1,710 Vol. Cu Ft 1.9 Vol. Factor Slurry Weight (ppg) 12.8 Slurry Yield (cf/sack) 1.9 Amount of Mix Water (gps) 9.82; Estimated Pumping Time – 70 BC (HH:MM)-4:00;	350 sacks (50:50) Poz (Fly Ash):Class C Cement + 5% bwow Sodium Chloride +0.2% bwoc FL-25 + 0.25 lb/sack Cello Flake + 3 lb/sack LCM-1 + 0.6% bwoc FL-25 + 0.005 gps FP-L6 + 2% bwoc Bentonite 455 Vol. Cu Ft 1.3 Vol. Factor Slurry Weight (ppg) 14.2 Slurry Yield (cf/sack) 1.30 Amount of Mix Water (gps) 5.55; Estimated Pumping Time – 70 BC (HH:MM)-4:12;	161.7 bbls 2% Kcl Water @ 8.43 ppg

5 ½" Casing: Volume Calculations:

1400 ft	x	0.1926 cf/ft	with	0% excess	=	269.5 cf
3800 ft	x	0.1733 cf/ft	with	100% excess	=	1,381.9 cf
1800 ft	x	0.1733 cf/ft	with	50% excess	=	467.6cf
40 ft	x	0.1305 cf/ft	with	0% excess	=	5.2 cf(inside pipe)
		TOTAL SLURRY VOLUME			=	2,124.2 cf
					=	78.3 bbls

All slurries will be tested prior to loading to confirm thickening times and a lab report furnished to Apache. Fluid loss will be tested and reported on slurries with fluid loss additives. Lab test report will be furnished prior to pumping cement.

Proposed Pressure Control Equipment

Will install on the 8 5/8" surface casing a 9" x 3000 psi WP Double Ram BOP with Annular, and will test using a 3rd party tester before drilling out of surface casing. **As maximum anticipated surface pressures do not exceed 2,000 psi, we will test the BOPE as a 2,000 psi system.** Bottom hole pressure calculations are included below. See Exhibit I, 3,000 psi BOPE attached.

Bottom Hole Pressure Calculations

The maximum anticipated bottom hole pressure is calculated y multiplying the depth of the well by 0.44. The maximum anticipated surface pressure is calculated assuming one half of the hole is evacuated of the drilling fluid required to control the maximum anticipated bottom hole pressure.

For the West Blinebry Drinkard Unit # 106 the maximum anticipated bottom hole pressure is 7,000' x 0.44 psi/ft. = 3,080 psi.

The maximum anticipated surface pressure assuming a hole where one half of the mud required to contain the bottom hole pressure has been evacuated is 3,080 psi – (3,080 psi/2) – 1,540 psi.

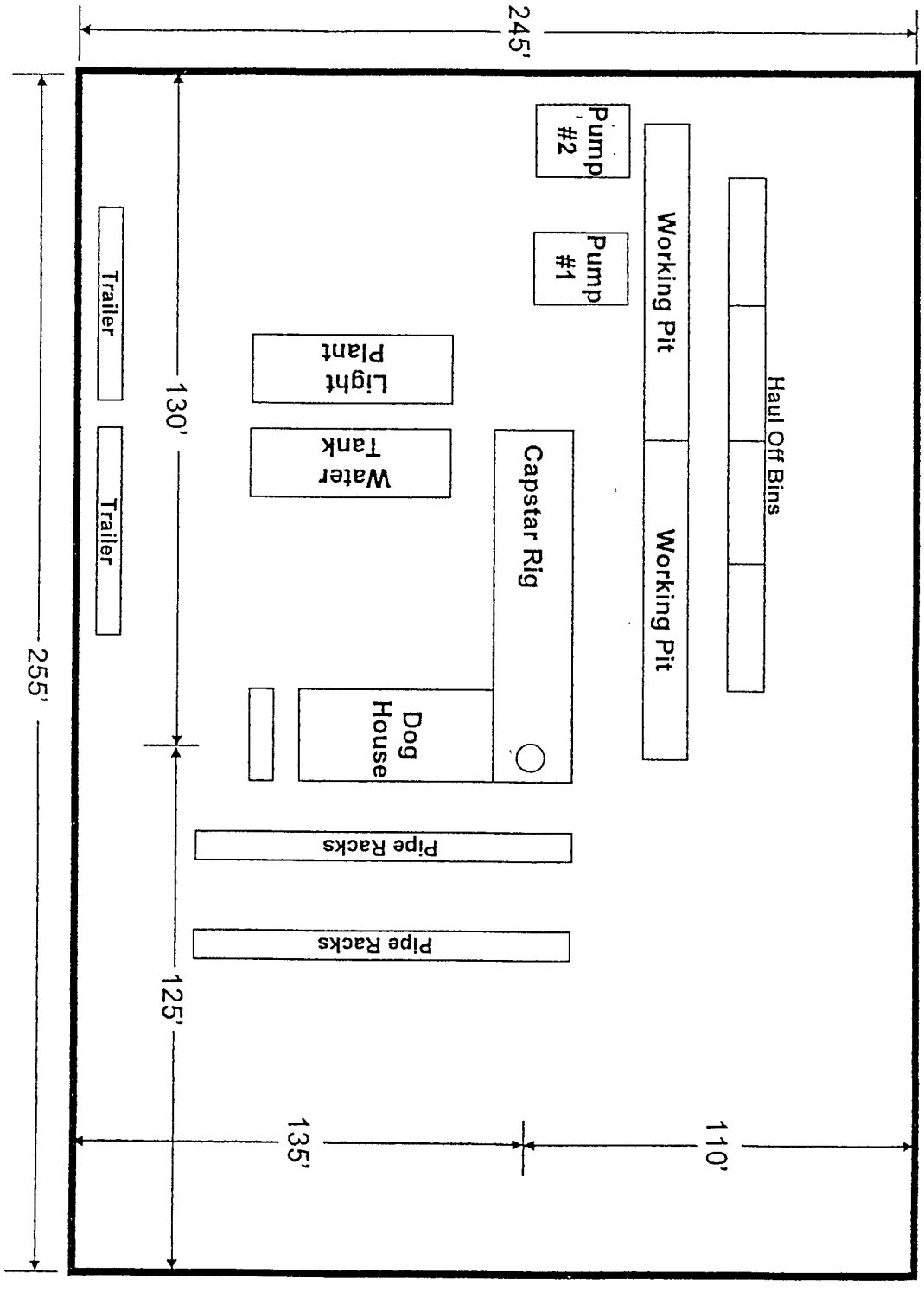


EXHIBIT "G"
RIG LAY OUT PLAT

APACHE CORPORATION
W BLINEBRY DRINKARD UNIT #106
UNIT "J" SECTION 8
T21S-R37E LEA CO. NM

EXHIBIT I

3000psi -
BOPE

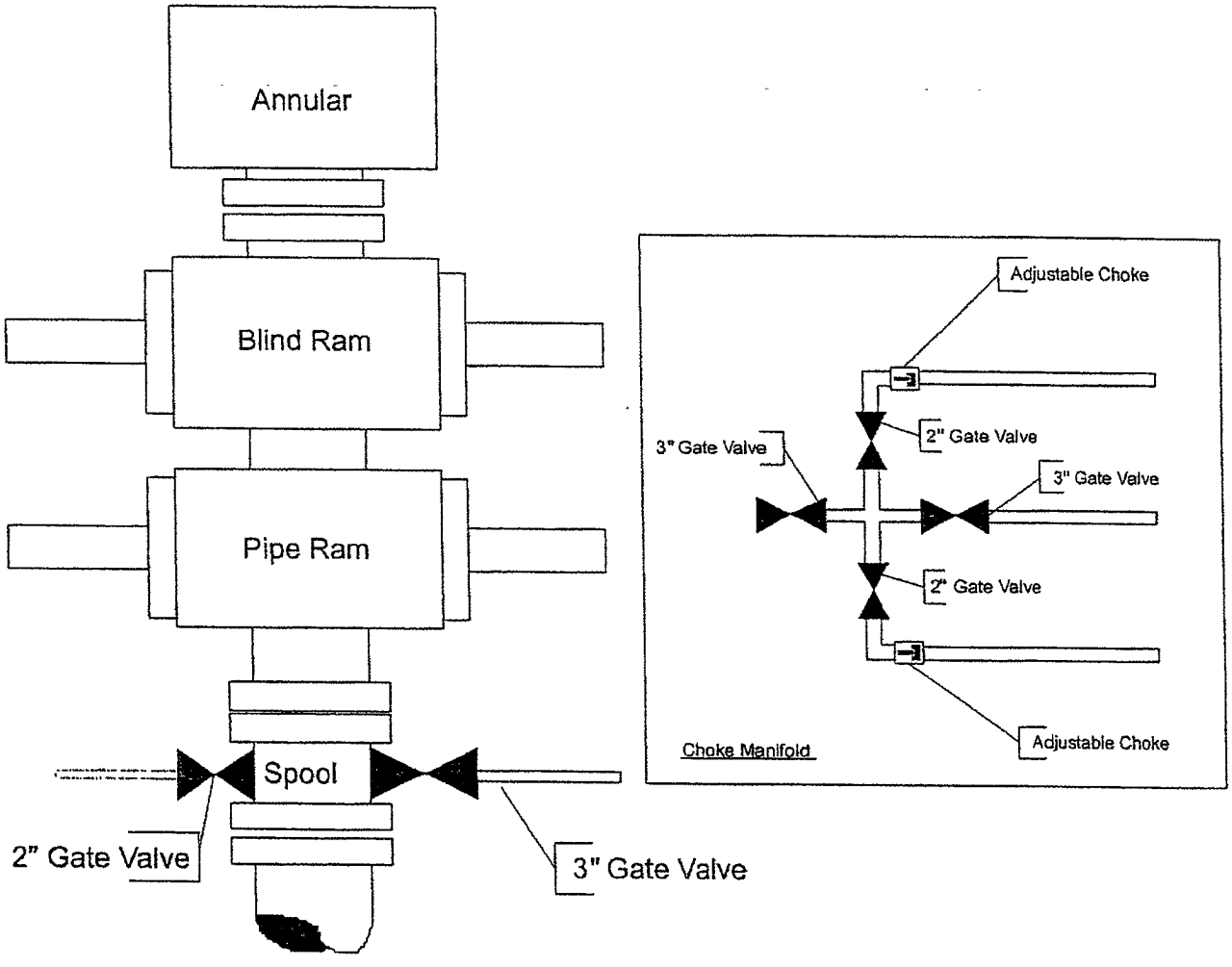
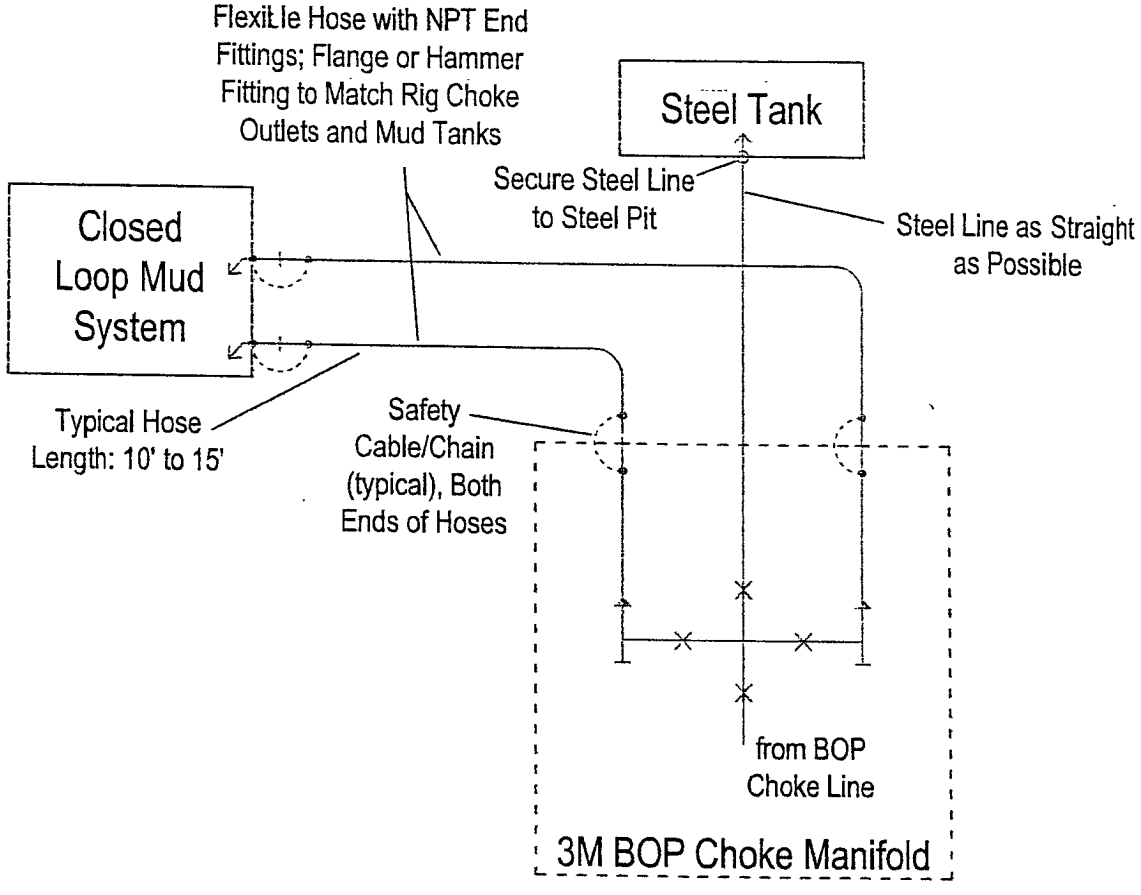


EXHIBIT "H"
SKETCH OF BOP & CHOKE MANIFOLD

APACHE CORPORATION
W BLINEBRY DRINKARD UNIT #106
UNIT "J" SECTION 8
T21S-R37E LEA CO. NM

See COA
(H_2S)



Chaparral Energy CORPORATION
TWO WARREN PLACE, SUITE 1500
6120 SOUTH YALE
TULSA, OKLAHOMA 74136-4224

Typical Choke Manifold Schematic for Closed-Loop Mud System

PDD: SAM HAMPTON	SCALE: NTS	DATE: 2 MARCH 2009

FILE: M:\Tulsa\Depts\Land\Private\AUTOCAD\MARCH2009-CHOKE-MANIFOLD-HAMPTON.dwg

Hydrogen Sulfide Contingency Plan
For Drilling/Workover/Facility

If at this time the supervising person determines the release of H2S cannot be contained to the site location and the general public is in harms way he will take the necessary steps to protect the workers and the public.
EMERGENCY CALL LIST: (Start and continue until ONE of these people has been contacted)

	OFFICE	MOBILE	HOME
Harold Swain	432-527-3311	575-390-4368	
Danny Chaney	405-574-4249		
Sam Hampton	918-491-4954	918-978-0121	

EMERGENCY RESPONSE NUMBERS:

State Police	Eddy County		575 -748-9718
State Police	Lea County		575-392-5588
Sheriff	Eddy County		575-746-2701
Sheriff	Lea County		
Emergency Medical Service (Ambulance)	Eddy County		911 or 505-746-2701
	Lea County	Eunice	911 or 505-394-3258
Emergency Response	Eddy County SERC		575-476-9620
	Lea County		
Artesia Police Dept			575-746-5001
Artesia Fire Dept			575-746-5001
Carlsbad Police Dept			575-885-2111
Carlsbad Fire Dept			575-885-3125

EMERGENCY CALL LIST (CONT.)

Loco Hills Police Dept		575--677-2349
Jal Police Dept		575--395-2501
Jal Fire Dept		575--395-2221
Jal Ambulance		575--395-2221
Eunice Police Dept		575--394-0112
Eunice Fire Dept		575--394-3258
Eunice Ambulance		575--394-3258
Hobbs Police Dept		575--397-3365
Hobbs Fire Dept		575--397-9308
NMOCD	District 1 (Lea, Roosevelt, Curry)	575--393-6161
	District 2 (Eddy, Chavez)	575--748-1283
Lea County Information		575--393-8203
Callaway Safety	Eddy/Lea Counties	575--392-2973
BJ Services	Artesia	575--746-3140
	Hobbs	575--392-5556
Halliburton	Artesia	1-800-523-2482
	Hobbs	1-800-523-2482
Wild Well Control	Midland	432-550-6202
	Mobile	432-553-1166

Proposed Mud Program

DEPTH	MUD PROPERTIES	REMARKS
0 – 1,400'	Weight: 8.6 – 9.2 ppg Viscosity: 28 – 34 sec/qt pH: 9.0 – 9.5 Filtrate: NC	Spud with a Conventional Gel/Lime "Spud mud". Use gel and native solids to maintain a sufficient viscosity to keep the hole clean. Mix Paper one-two sacks every 100 feet drilled to minimize wall cake build up on water sands and to control seepage loss. Every 500' sweep the hole with 50 bbls of pre-mixed freshwater, gel and lime having a viscosity of 45-50 sec/qt.
1400' – 6500'	Weight: 10 10.0 – 10.2 ppg Viscosity: 28 – 32 sec/qt pH: 9.5 -10 Filtrate: NC	Drill out from under the surface casing with Brine Water. Paper should be added at 2 bags after every 100' drilled to control seepage losses. Use Lime to maintain pH at 9-10. Mix one gallon of Anco Drill N at flowline every 250 feet drilled to promote solids settling
6500' – TD	Weight: 10.0 – 10.2 ppg Viscosity: 36 – 42 sec/qt pH: 9.5 -10 Filtrate: 8-10 cm/30 min	From 6500' to Total Depth, it is recommended the system be restricted to the working pits. Adjust and maintain pH with Caustic Soda. Treat system with WT-22 @ 0.1 ppb. Mix Starch (yellow) to control API filtrate at 8-10 cc. Sweep hole with Anco Drill N every 100'.

Auxiliary Equipment:

9" x 3000 psi double BOP/blind & pipe ram
41/2" x 3000 psi Kelly valve
9" x 3000 psi mud cross – H_2S detector on production hole
Gate-type safety valve 3" choke line from BOP to manifold
2" adjustable chokes – 3" blowdown line

Logging Program

The following logs may be run:

CNL, Litho Density, GR, CAL, Dual Laterolog/MSFL, Sonic from TD-1400'
CNL, GR from TD-Surface

Mudlogging Program:

There are no plans to utilize a mud logging service on this well.

Potential Hazards

No abnormal pressures or temperatures are anticipated. In the event abnormal pressures are encountered, however, the proposed mud program will be modified to increase the mud-weight. The estimated maximum bottom hole pressure is 3,080 psi., estimated BHT is 115°F.
No H_2S is anticipated.

Anticipated Starting Date

When drilling rig becomes available.

WELL CONTROL EMERGENCY RESPONSE PLAN

I. GENERAL PHILOSOPHY

Our objective is to ensure that during an emergency, a predetermined procedure is followed so that prompt decisions can be made based on accurate information.

The best way to handle an emergency is with an experienced organization set up for the sole purpose of solving the problem. The **Well Control Emergency Response Team** was organized to handle dangerous and expensive well control problems. The team is structured such that each individual can contribute the most from his area of expertise. Key decision-makers are determined prior to an emergency to avoid confusion about who is in charge.

If the well is flowing uncontrolled at the surface or subsurface, the **Emergency Response Team** will be mobilized. The **Team** is customized for the people currently on the Apache staff. Staff changes may require a change in the plan.

II. EMERGENCY PROCEDURE ON DRILLING OR COMPLETION OPERATIONS

A. In event of an emergency the Drilling Foreman or Tool-pusher will immediately contact only one of the following starting with the first name listed.

	Office	Home	Mobile
Danny Chaney	(405) 222-5040		(405)574-2107
Ross Murphy	(918) 491-4834	(918) 749-9454	(918) 691-9493
Tom Voytovich	(918) 491-4901	(918) 299-8820	(918) 381-0882

Emergency Telephone Conference Room: (888) 896-4185 and input code: 344855

This one phone call will free the Drilling Foreman to devote his full time to securing the safety of personnel and equipment. This call will initiate the process to mobilize the Well Control Emergency Response Team. Apache maintains an Emergency Telephone Conference Room in the Houston office. This room is available for use by the Mid-Continent Region. The room has 50 separate telephone lines.

B. The Apache employee contacted by the Drilling Foreman will begin contacting the rest of the team. If Ross Murphy is out of contact, Tom Voytovich will be notified.

C. If a member of the Emergency Response Team is away from the job, he must be available for call back. Telephone numbers should be left with secretaries or a key decision-maker.

D. Apache's reporting procedure for spills or releases of oil or hazardous materials will be implemented when spills or releases have occurred or are probable.

HYDROGEN SULFIDE DRILLING OPERATIONS PLAN

I. Hydrogen Sulfide Training

All personnel, whether regularly assigned, contracted, or employed on an unscheduled basis, will receive training from a qualified instructor in the following areas prior to commencing drilling operations on this well:

1. The hazards and characteristics of hydrogen sulfide (H_2S).
2. The proper use and maintenance of personal protective equipment and life support systems.
3. The proper use of H_2S detectors, alarms, warning systems, briefing areas, evacuation procedures, and prevailing winds.
4. The proper techniques for first aid and rescue procedures.

In addition, supervisory personnel will be trained in the following areas:

1. The effects of H_2S on metal components. If high tensile tubulars are to be used, personnel will be trained in their special maintenance requirements.
2. Corrective action and shut-in procedures when drilling or reworking a well and blowout prevention and well control procedures.
3. The contents and requirements of the H_2S Drilling Operations Plan and the Public Protection Plan.

There will be an initial training session just prior to encountering a known or probable H_2S zone (within 3 days or 500 feet) and weekly H_2S and well control drills for all personnel in each crew. The initial training session shall include a review of the site specific H_2S Drilling Operations Plan and the Public Protection Plan. This plan shall be available at the well site. All personnel will be required to carry documentation that they have received the proper training.

II. H_2S Safety Equipment and Systems

1. Well Control Equipment that will be available and installed if H2S is encountered:
   - A. Flare line with electronic igniter or continuous pilot.
   - B. Choke manifold with a minimum of one remote choke.
   - C. Blind rams and pipe rams to accommodate all pipe sizes with properly sized closing unit.
   - D. Auxiliary equipment to include annular preventer, mud-gas separator, rotating head, and flare gun with flares.
2. Protective equipment for essential personnel:
   - A. Mark II Surviveair 30-minute units located in the dog house and at briefing areas.
3. H_2S detection and monitoring equipment:
   - A. Two portable H_2S monitors positioned on location for best coverage and response. These units have warning lights and audible sirens when H_2S levels of 20 ppm are reached.
   - B. One portable S02 monitor positioned near flare line.
4. Visual warning systems:
   - A. Wind direction indicators.
   - B. Caution/Danger signs shall be posted on roads providing direct access to location. Signs will be painted a high visibility yellow with black lettering of sufficient size to be readable at a reasonable distance from the immediate location. Bilingual signs will be used when appropriate.
5. Mud program:
   - A. The mud program has been designed to minimize the volume of H_2S circulated to the surface. Proper mud weight, safe drilling practices, and the use of H_2S scavengers will minimize hazards when penetrating H_2S-bearing zones.
   - B. A mud-gas separator and an H_2S gas buster will be utilized if H2S is encountered.
6. Metallurgy:
   - A. All drill strings, casings, tubing, wellhead, blowout preventers, drilling spool, kill lines, choke manifold and lines, and valves shall be suitable for H_2S service.
   - B. All elastomers used for packing and seals shall be H_2S trim.
7. Communication:
   - A. Radio communications in company vehicles including cellular telephone and 2-way radio.

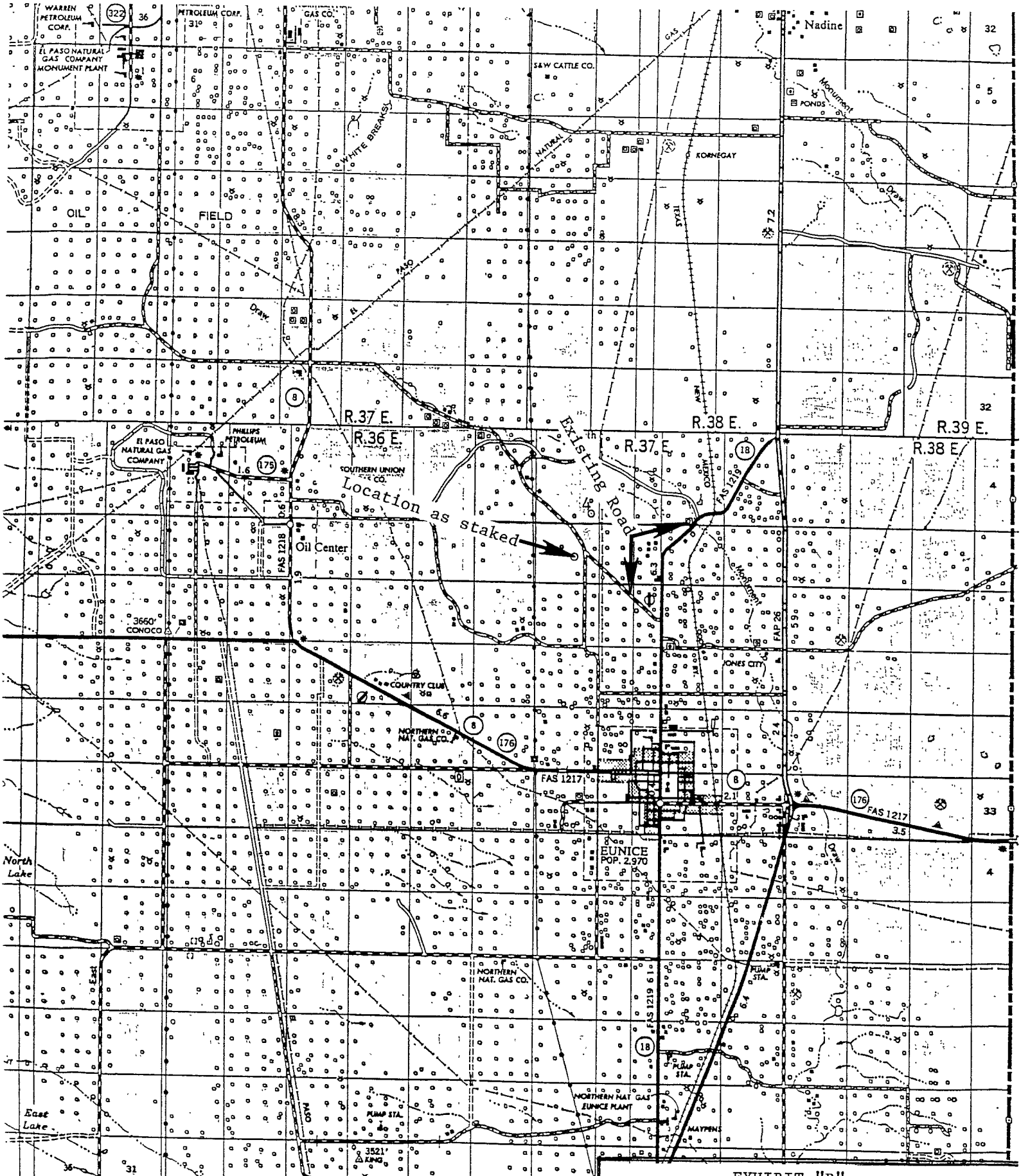


EXHIBIT "B"
LOCATION & ACCESS ROAD MAP

APACHE CORPORATION
W BLINEBRY DRINKARD UNIT #106
UNIT "J" SECTION 8
T21S-R37E LEA CO. NM

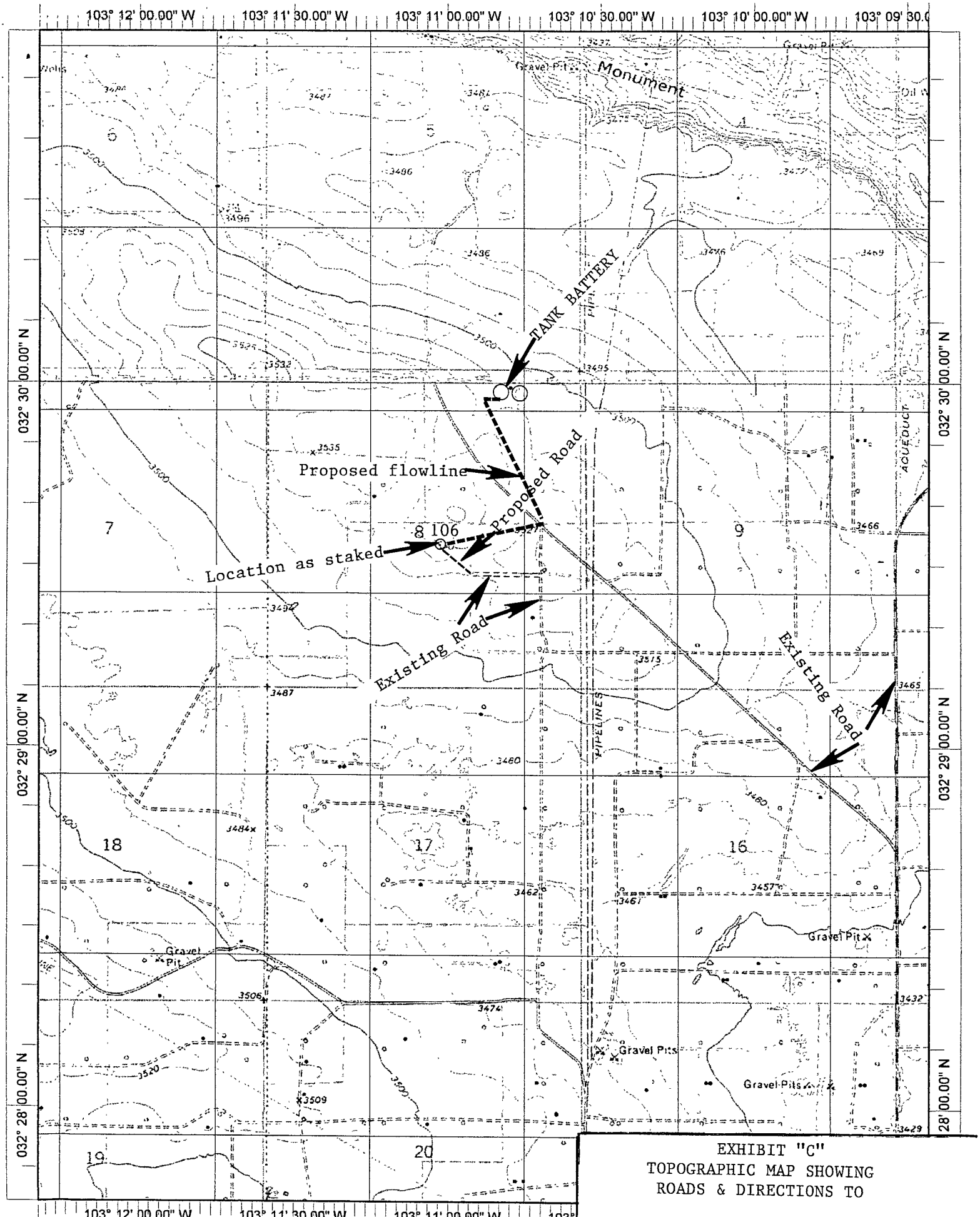


EXHIBIT "C"
TOPOGRAPHIC MAP SHOWING
ROADS & DIRECTIONS TO

APACHE CORPORATION
W BLINEBRY DRINKARD UNIT #106
UNIT "J" SECTION 8
T21S-R37E LEA CO. NM

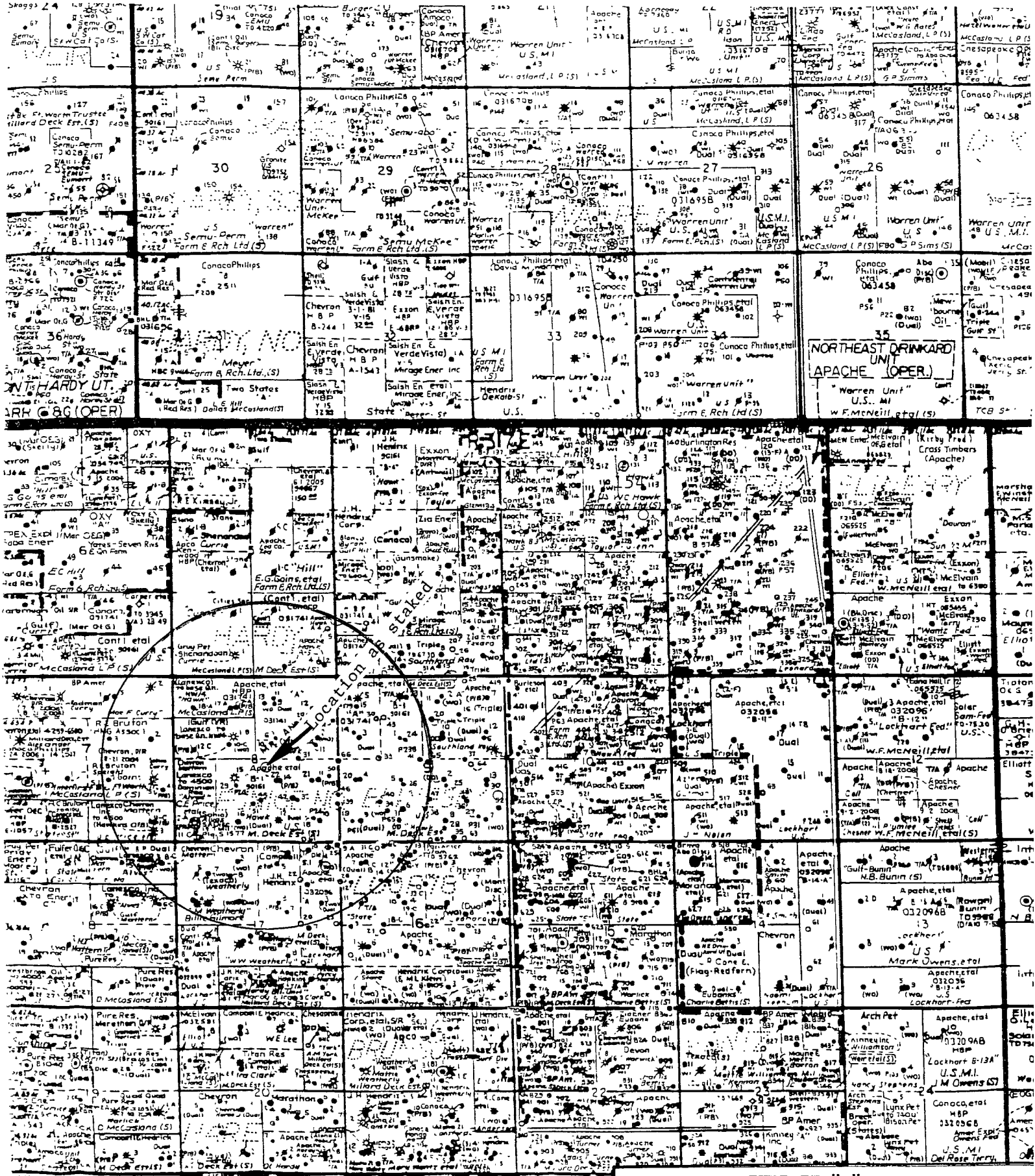


EXHIBIT "F"
ONE MILE RADIUS MAP

APACHE CORPORATION
W BLINEBRY DRINKARD UNIT #106
UNIT "J" SECTION 8
T21S-R37E LEA CO. NM

PECOS DISTRICT
CONDITIONS OF APPROVAL

OPERATOR'S NAME:	Apache Corporation
LEASE NO.:	NM-90161
WELL NAME & NO.:	West Blinebry Drinkard Unit #106
SURFACE HOLE FOOTAGE:	2310' FSL & 2310' FEL
BOTTOM HOLE FOOTAGE	' F L & ' F L
LOCATION:	Section 08, T. 21 S., R 37 E., NMPM
COUNTY:	Lea County, New Mexico

TABLE OF CONTENTS

Standard Conditions of Approval (COA) apply to this APD. If any deviations to these standards exist or special COAs are required, the section with the deviation or requirement will be checked below.

I. GENERAL PROVISIONS

The approval of the Application For Permit To Drill (APD) is in compliance with all applicable laws and regulations: 43 Code of Federal Regulations 3160, the lease terms, Onshore Oil and Gas Orders, Notices To Lessees, New Mexico Oil Conservation Division (NMOCD) Rules, National Historical Preservation Act As Amended, and instructions and orders of the Authorized Officer. Any request for a variance shall be submitted to the Authorized Officer on Form 3160-5, Sundry Notices and Report on Wells.

II. PERMIT EXPIRATION

If the permit terminates prior to drilling and drilling cannot be commenced within 60 days after expiration, an operator is required to submit Form 3160-5, Sundry Notices and Reports on Wells, requesting surface reclamation requirements for any surface disturbance. However, if the operator will be able to initiate drilling within 60 days after the expiration of the permit, the operator must have set the conductor pipe in order to allow for an extension of 60 days beyond the expiration date of the APD. (Filing of a Sundry Notice is required for this 60 day extension.)

III. ARCHAEOLOGICAL, PALEONTOLOGY & HISTORICAL SITES

Any cultural and/or paleontological resource discovered by the operator or by any person working on the operator's behalf shall immediately report such findings to the Authorized Officer. The operator is fully accountable for the actions of their contractors and subcontractors. The operator shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery shall be made by the Authorized Officer to determine the appropriate actions that shall be required to prevent the loss of significant cultural or scientific values of the discovery. The operator shall be held responsible for the cost of the proper mitigation measures that the Authorized Officer assesses after consultation with the operator on the evaluation and decisions of the discovery. Any unauthorized collection or disturbance of cultural or paleontological resources may result in a shutdown order by the Authorized Officer.

IV. NOXIOUS WEEDS

The operator shall be held responsible if noxious weeds become established within the areas of operations. Weed control shall be required on the disturbed land where noxious weeds exist, which includes the roads, pads, associated pipeline corridor, and adjacent land affected by the establishment of weeds due to this action. The operator shall consult with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policies.

V. CONSTRUCTION

A. NOTIFICATION

The BLM shall administer compliance and monitor construction of the access road and well pad. Notify the Hobbs Field Station at (575) 393-3612 at least 3 working days prior to commencing construction of the access road and/or well pad.

When construction operations are being conducted on this well, the operator shall have the approved APD and Conditions of Approval (COA) on the well site and they shall be made available upon request by the Authorized Officer.

B. TOPSOIL

There is no measurable soil on this well pad to stockpile. No topsoil stockpile is required.

C. RESERVE PITS

The operator has applied for a closed-loop system. The operator shall properly dispose of drilling contents at an authorized disposal site.

D. FEDERAL MINERAL MATERIALS PIT

If the operator elects to surface the access road and/or well pad, mineral materials extracted during construction of the reserve pit may be used for surfacing the well pad and access road and other facilities on the lease.

Payment shall be made to the BLM prior to removal of any additional federal mineral materials from any site other than the reserve pit. Call the
Carlsbad Field Office at (575) 234-5972.

E. WELL PAD SURFACING

Surfacing of the well pad is not required.

If the operator elects to surface the well pad, the surfacing material may be required to be removed at the time of reclamation.

The well pad shall be constructed in a manner which creates the smallest possible surface disturbance, consistent with safety and operational needs.

F. ON LEASE ACCESS ROADS

Road Width
The access road shall have a driving surface that creates the smallest possible surface disturbance and does not exceed fourteen (14) feet in width. The maximum width of surface disturbance, when constructing the access road, shall not exceed thirty (30) feet.

Surfacing
Surfacing material is not required on the new access road driving surface. If the operator elects to surface the new access road or pad, the surfacing material may be required to be removed at the time of reclamation.

Where possible, no improvements should be made on the unsurfaced access road other than to remove vegetation as necessary, road irregularities, safety issues, or to fill low areas that may sustain standing water.

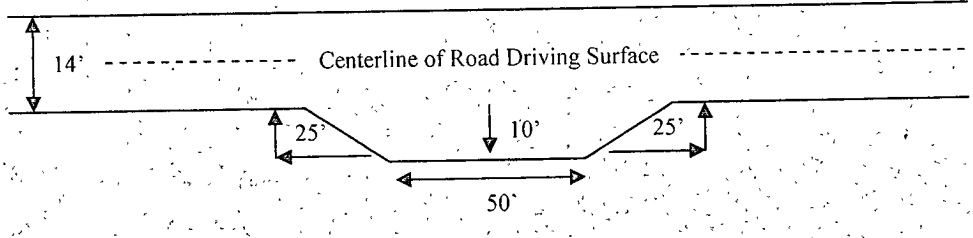
The Authorized Officer reserves the right to require surfacing of any portion of the access road at any time deemed necessary. Surfacing may be required in the event the road deteriorates, erodes, road traffic increases, or it is determined to be beneficial for future field development. The surfacing depth and type of material will be determined at the time of notification.

Crowning
Crowning shall be done on the access road driving surface. The road crown shall have a grade of approximately 2% (i.e., a 1" crown on a 14' wide road). The road shall conform to Figure 1; cross section and plans for typical road construction.

Ditching
Ditching shall be required on both sides of the road.

Turnouts
Vehicle turnouts shall be constructed on the road. Turnouts shall be intervisible with interval spacing distance less than 1000 feet. Turnouts shall be constructed on all blind curves. Turnouts shall conform to the following diagram:

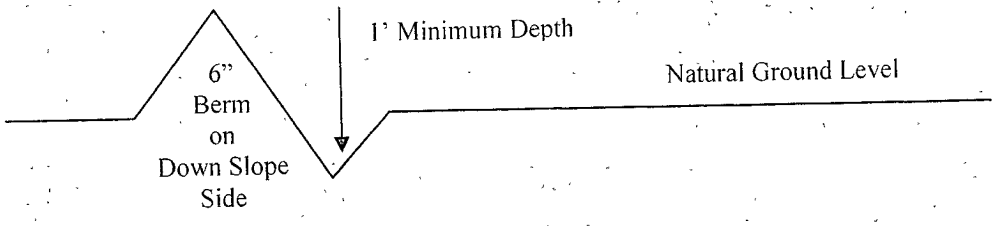
Standard Turnout – Plan View



Drainage
Drainage control systems shall be constructed on the entire length of road (e.g. ditches, sidehill outsloping and insloping, lead-off ditches, culvert installation, and low water crossings).

A typical lead-off ditch has a minimum depth of 1 foot below and a berm of 6 inches above natural ground level. The berm shall be on the down-slope side of the lead-off ditch.

Cross Section of a Typical Lead-off Ditch



All lead-off ditches shall be graded to drain water with a 1 percent minimum to 3 percent maximum ditch slope. The spacing interval are variable for lead-off ditches and shall be determined according to the formula for spacing intervals of lead-off ditches, but may be amended depending upon existing soil types and centerline road slope (in %);

Formula for Spacing Interval of Lead-off Ditches

Example - On a 4% road slope that is 400 feet long, the water flow shall drain water into a lead-off ditch. Spacing interval shall be determined by the following formula:

$$\text{400 foot road with 4\% road slope: } \frac{400'}{4\%} + 100' = 200' \text{ lead-off ditch interval}$$

Culvert Installations
Appropriately sized culvert(s) shall be installed at the deep waterway channel flow crossing.

Cattleguards
An appropriately sized cattleguard(s) sufficient to carry out the project shall be installed and maintained at fence crossing(s).

Any existing cattleguard(s) on the access road shall be repaired or replaced if they are damaged or have deteriorated beyond practical use. The operator shall be responsible for the condition of the existing cattleguard(s) that are in place and are utilized during lease operations.

A gate shall be constructed and fastened securely to H-braces.

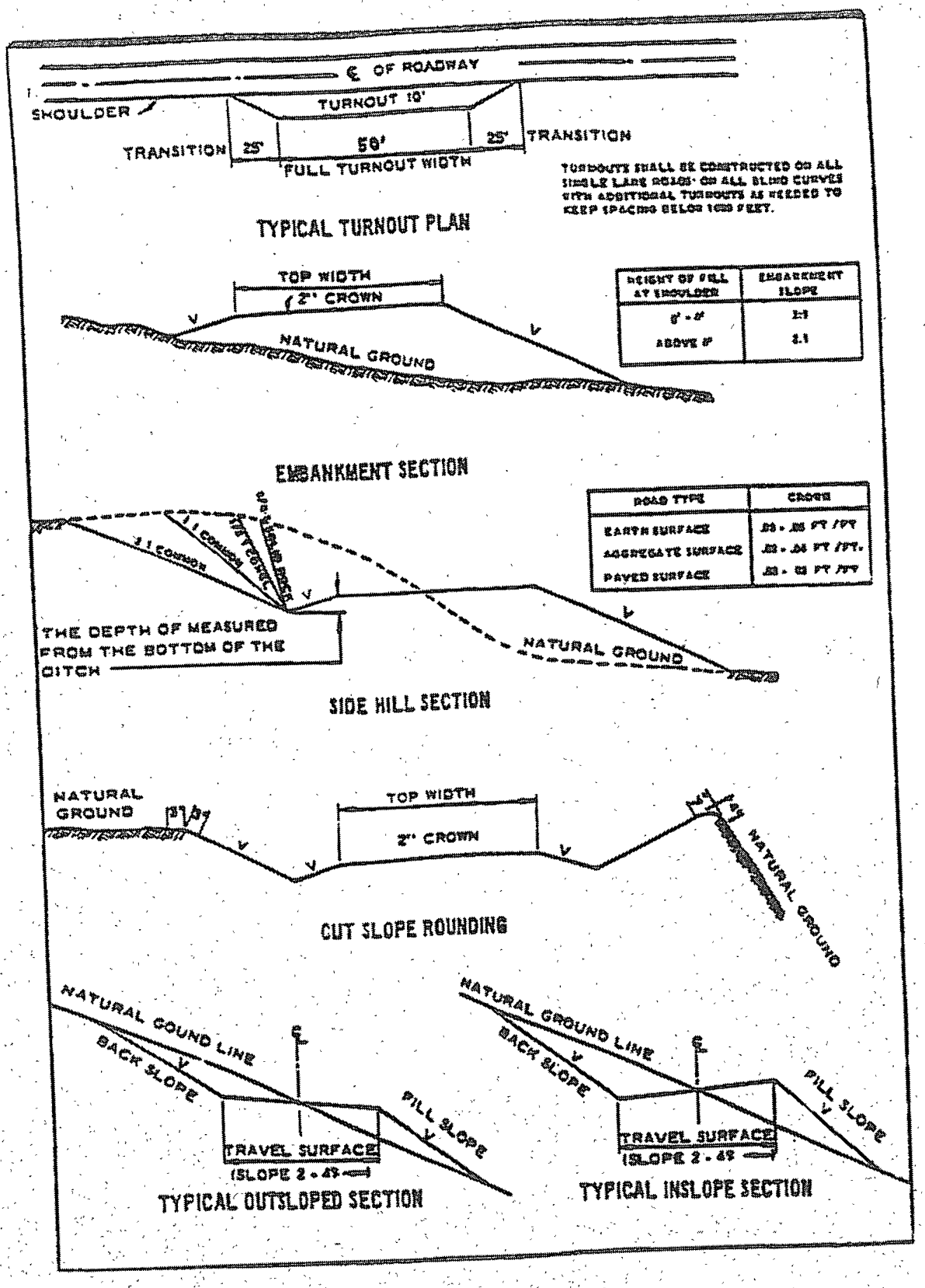
Fence Requirement
Where entry is required across a fence line, the fence shall be braced and tied off on both sides of the passageway prior to cutting.

The operator shall notify the private surface landowner or the grazing allotment holder prior to crossing any fence(s).

Public Access

Public access on this road shall not be restricted by the operator without specific written approval granted by the Authorized Officer.

Figure 1 – Cross Sections and Plans For Typical Road Sections



VI. DRILLING

A. DRILLING OPERATIONS REQUIREMENTS

The BLM is to be notified a minimum of 4 hours in advance for a representative to witness:

a. Spudding well
b. Setting and/or Cementing of all casing strings
c. BOPE tests

☒ **Lea County**
Call the Hobbs Field Station, 414 West Taylor, Hobbs NM 88240,
(575) 393-3612

1. A Hydrogen Sulfide (H2S) Drilling Plan should be activated 500 feet prior to drilling into the **Blinebry** formation. **As a result, the Hydrogen Sulfide area must meet Onshore Order 6 requirements, which includes equipment and personnel/public protection items. If Hydrogen Sulfide is encountered, please provide measured values and formations to the BLM.**

2. Unless the production casing has been run and cemented or the well has been properly plugged, the drilling rig shall not be removed from over the hole without prior approval.

B. CASING

Changes to the approved APD casing and cement program require submitting a sundry and receiving approval prior to work. Failure to obtain approval prior to work will result in an Incident of Non-Compliance being issued.

Centralizers required on surface casing per Onshore Order 2.III.B.1.f.

Wait on cement (WOC) time for a primary cement job will be a minimum 18 hours for a water basin, 24 hours in the potash area, or 500 pounds compressive strength, whichever is greater for all casing strings. Provide compressive strengths including hours to reach required 500 pounds compressive strength prior to cementing each casing string. See individual casing strings for details regarding lead cement slurry requirements.

No pea gravel permitted for remedial or fall back remedial without prior authorization from the BLM engineer.

Possible lost circulation in the Glorietta formation.
Possible water flows in the Blinebry.

1. The **8-5/8** inch surface casing shall be **set at approximately 1320 feet (a minimum of 25 feet into the Rustler Anhydrite and above the salt)** and cemented to the surface.

   a. If cement does not circulate to the surface, the appropriate BLM office shall be notified and a temperature survey utilizing an electronic type temperature survey with a surface log readout will be used or a cement bond log shall be run to verify the top of the cement.

   b. Wait on cement (WOC) time for a primary cement job is to include the lead cement slurry.

   c. Wait on cement (WOC) time for a remedial job will be a minimum of 4 hours after bringing cement to surface or 500 pounds compressive strength, whichever is greater.

   d. If cement falls back, a remedial cement job will be done prior to drilling out that string.

2. The minimum required fill of cement behind the **5-1/2** inch production casing is:

   ☒ Cement to surface. If cement does not circulate, contact the appropriate BLM office.

3. If hardband drill pipe is rotated inside casing, returns will be monitored for metal. If metal is found in samples, drill pipe will be pulled and rubber protectors which have a larger diameter than the tool joints of the drill pipe will be installed prior to continuing drilling operations.

C. PRESSURE CONTROL

1. All blowout preventer (BOP) and related equipment (BOPE) shall comply with well control requirements as described in Onshore Oil and Gas Order No. 2 and API RP 53 Sec. 17.

2. Minimum working pressure of the blowout preventer (BOP) and related equipment (BOPE) required for drilling below the surface casing shoe shall be **2000 (2M)** psi. **Operator is installing a 3M system and testing as a 2M based on bottom hole pressure gradient. 2M system approved.**

3. The appropriate BLM office shall be notified a minimum of 4 hours in advance for a representative to witness the tests.

   a. The tests shall be done by an independent service company.

b. The results of the test shall be reported to the appropriate BLM office.

c. All tests are required to be recorded on a calibrated test chart. A copy of the BOP/BOPE test chart and a copy of independent service company test will be submitted to the appropriate BLM office.

d. The BOP/BOPE test shall include a low pressure test from 250 to 300 psi. The test will be held for a minimum of 10 minutes if test is done with a test plug and 30 minutes without a test plug.

D. DRILL STEM TEST

If drill stem tests are performed, Onshore Order 2.III.D shall be followed.

RGH 040709

VII. PRODUCTION (POST DRILLING)

A. WELL STRUCTURES & FACILITIES

Placement of Production Facilities
Production facilities should be placed on the well pad to allow for maximum interim recontouring and revegetation of the well location.

Containment Structures
The containment structure shall be constructed to hold the capacity of the entire contents of the largest tank, plus 24 hour production, unless more stringent protective requirements are deemed necessary by the Authorized Officer.

Painting Requirement
All above-ground structures including meter housing that are not subject to safety requirements shall be painted a flat non-reflective paint color
Shale Green, Munsell Soil Color Chart # 5Y 4/2

B. PIPELINES

STANDARD STIPULATIONS FOR SURFACE INSTALLED PIPELINES

A copy of the sundry notice and attachments, including stipulations, survey plat and/or map, will be on location during construction. BLM personnel may request to you a copy of your permit during construction to ensure compliance with all stipulations.

Holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer:

1. The holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant.

2. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976 as amended, 15 USC 2601 et seq. (1982) with regards to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act, section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.

3. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the

Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq.) on the Right-of-Way (unless the release or threatened release is wholly unrelated to activity of the Right-of-Way holder's activity on the Right-of-Way), or resulting from the activity of the Right-of-Way holder on the Right-of-Way. This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.

4. The holder shall be liable for damage or injury to the United States to the extent provided by 43 CFR Sec. 2883.1-4. The holder shall be held to a standard of strict liability for damage or injury to the United States resulting from pipe rupture, fire, or spills caused or substantially aggravated by any of the following within the right-of-way or permit area:

a. Activities of the holder including, but not limited to construction, operation, maintenance, and termination of the facility.

b. Activities of other parties including, but not limited to:

(1) Land clearing.
(2) Earth-disturbing and earth-moving work.
(3) Blasting.
(4) Vandalism and sabotage.

c. Acts of God.

The maximum limitation for such strict liability damages shall not exceed one million dollars ($1,000,000) for any one event, and any liability in excess of such amount shall be determined by the ordinary rules of negligence of the jurisdiction in which the damage or injury occurred.

This section shall not impose strict liability for damage or injury resulting primarily from an act of war or from the negligent acts or omissions of the United States.

5. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any oil, salt water, or other pollutant should be discharged from the pipeline system, impacting Federal lands, the control and total removal, disposal, and cleaning up of such oil, salt water, or other pollutant, wherever found, shall be the responsibility of the holder, regardless of fault. Upon failure of the holder to control, dispose of, or clean up such discharge on or affecting Federal lands, or to repair all damages resulting therefrom, on the Federal lands, the Authorized Officer may take such measures as he deems necessary to control and clean up the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve the holder of any responsibility as provided herein.

6. All construction and maintenance activity will be confined to the authorized right-of-way width of **25** feet.

7. No blading or clearing of any vegetation will be allowed unless approved in writing by the Authorized Officer.

8. The holder shall install the pipeline on the surface in such a manner that will minimize suspension of the pipeline across low areas in the terrain. In hummocky of duney areas, the pipeline will be "snaked" around hummocks and dunes rather then suspended across these features.

9. The pipeline shall be buried with a minimum of **24** inches under all roads, "two-tracks," and trails. Burial of the pipe will continue for 20 feet on each side of each crossing. The condition of the road, upon completion of construction, shall be returned to at least its former state with no bumps or dips remaining in the road surface.

10. The holder shall minimize disturbance to existing fences and other improvements on public lands. The holder is required to promptly repair improvements to at least their former state. Functional use of these improvements will be maintained at all times. The holder will contact the owner of any improvements prior to disturbing them. When necessary to pass through a fence line, the fence shall be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer.

11. In those areas where erosion control structures are required to stabilize soil conditions, the holder will install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound resource management practices.

12. Excluding the pipe, all above-ground structures not subject to safety requirement shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be a color which simulates "Standard Environmental Colors" – **Shale Green**, Munsell Soil Color No. 5Y 4/2; designated by the Rocky Mountain Five State Interagency Committee.

13. The pipeline will be identified by signs at the point of origin and completion of the right-of-way and at all road crossings. At a minimum, signs will state the holder's name, BLM serial number, and the product being transported. Signs will be maintained in a legible condition for the life of the pipeline.

14. The holder shall not use the pipeline route as a road for purposes other than routine maintenance as determined necessary by the Authorized Officer in consultation with the holder. The holder will take whatever steps are necessary to ensure that the pipeline route is not used as a roadway.

15. Any cultural and/or paleontological resource (historic or prehistoric site or object)

discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.

(March 1989)

VIII. INTERIM RECLAMATION & RESERVE PIT CLOSURE

A. INTERIM RECLAMATION

If the well is a producer, interim reclamation shall be conducted on the well site in accordance with the orders of the Authorized Officer. The operator shall submit a Sundry Notices and Reports on Wells (Notice of Intent), Form 3160-5, prior to conducting interim reclamation.

During the life of the development, all disturbed areas not needed for active support of production operations should undergo interim reclamation in order to minimize the environmental impacts of development on other resources and uses.

Operators should work with BLM surface management specialists to devise the best strategies to reduce the size of the location. Any reductions should allow for remedial well operations, as well as safe and efficient removal of oil and gas.

During reclamation, the removal of caliche is important to increasing the success of revegetating the site. Removed caliche may be used for road repairs, fire walls or for building other roads and locations. In order to operate the well or complete workover operations, it may be necessary to drive, park and operate on restored interim vegetation within the previously disturbed area. Disturbing revegetated areas for production or workover operations will be allowed. If there is significant disturbance and loss of vegetation, the area will need to be revegetated. Communicate with the appropriate BLM office for any exceptions/exemptions if needed.

Seed Mixture 2, for Sandy Sites

The holder shall seed all disturbed areas with the seed mixture listed below. The seed mixture shall be planted in the amounts specified in pounds of pure live seed (PLS)* per acre. There shall be no primary or secondary noxious weeds in the seed mixture. Seed will be tested and the viability testing of seed will be done in accordance with State law (s) and within nine (9) months prior to purchase. Commercial seed will be either certified or registered seed. The seed container will be tagged in accordance with State law(s) and available for inspection by the authorized officer.

Seed will be planted using a drill equipped with a depth regulator to ensure proper depth of planting where drilling is possible. The see mixture will be evenly and uniformly planted over the disturbed area (smaller/heavier seeds have a tendency to drop the bottom of the drill and are planted first). The holder shall take appropriate measures to ensure this does not occur. Where drilling is not possible, seed will be broadcast and the area shall be raked or chained to cover the seed. When broadcasting the seed, the pounds per acre are to be doubled. The seeding will be repeated until a satisfactory stand is established as determined by the authorized officer. Evaluation of growth will not be made before completion of at least one full growing season after seeding.

Species to be planted in pounds of pure live seed* per acre:

Species	lb/acre
Sand dropseed (Sporobolus cryptandrus)	1.0
Sand love grass (Eragrostis trichodes)	1.0
Plains bristlegrass (Setaria macrostachya)	2.0

*Pounds of pure live seed:

Pounds of seed **x** percent purity **x** percent germination = pounds pure live seed

X. FINAL ABANDONMENT & REHABILITATION REQUIREMENTS

Upon abandonment of the well and/or when the access road is no longer in service the Authorized Officer shall issue instructions and/or orders for surface reclamation and restoration of all disturbed areas.

On private surface/federal mineral estate land the reclamation procedures on the road and well pad shall be accomplished in accordance with the private surface land owner agreement.