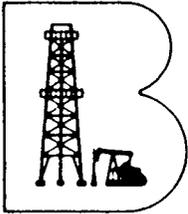


003



# Berry Petroleum Company

**Brundage Canyon Field**

1614 South 2000 West  
Rt. 3 Box 3020  
Roosevelt, UT 84066

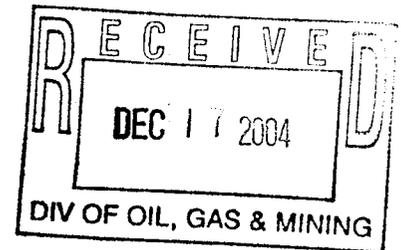
Ph. (435) 722-1325

Fax: (435) 722-1321

www.bry.com

December 16, 2004

State Of Utah  
Division of Oil, Gas & Mining  
1594 W. North Temple,  
Suite 1210 Box 145801  
Salt Lake City, Utah 84114-5801



Re: Application for Permit to Drill

Attached please find one (1) original copy of an *Application for Permit to Drill* on the following locations:

**UTE TRIBAL 15-5-55**

Thank you,

Debbie L. Wisener  
Production & Regulatory Technician

cc: Bureau of Indian Affairs  
Ute Indian Tribe  
Bureau of Land Management

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

FORM 3

001

AMENDED REPORT   
(highlight changes)

APPLICATION FOR PERMIT TO DRILL

5. MINERAL LEASE NO:  
14-20-H62-4778 (E&D)

8. SURFACE: UDA  
DWR

1A. TYPE OF WORK: DRILL  REENTER  DEEPEEN   
B. TYPE OF WELL: OIL  GAS  OTHER \_\_\_\_\_ SINGLE ZONE  MULTIPLE ZONE

7. IF INDIAN, ALLOTTEE OR TRIBE NAME:  
UTE

8. UNIT or CA AGREEMENT NAME:

2. NAME OF OPERATOR:  
BERRY PETROLEUM COMPANY

9. WELL NAME and NUMBER:  
UTE TRIBAL 15-5-55

3. ADDRESS OF OPERATOR:  
RT. 3 BOX 3020 CITY ROOSEVELT STATE UTAH ZIP 84066

PHONE NUMBER:  
(435)722-1325

10. FIELD AND POOL, OR WILDCAT:  
WILDCAT

4. LOCATION OF WELL (FOOTAGES)  
AT SURFACE: 639' FSL, 1919' FEL  
AT PROPOSED PRODUCING ZONE: SAME AS ABOVE

545342X 40.06997  
4435448Y -110.46828 NAD 27  
40.069828 LAT  
110.468078 LONG

11. QTR/QTR, SECTION, TOWNSHIP, RANGE, MERIDIAN:  
(SW/SE)  
SEC. 5, T.5S., R.5W.  
U.S.B.&M.

14. DISTANCE IN MILES AND DIRECTION FROM NEAREST TOWN OR POST OFFICE:  
34.4 MILES FROM MYTON, UTAH

12. COUNTY: DUCHESNE  
13. STATE: UTAH

15. DISTANCE TO NEAREST PROPERTY OR LEASE LINE (FEET)  
639'

16. NUMBER OF ACRES IN LEASE:  
640

17. NUMBER OF ACRES ASSIGNED TO THIS WELL:  
40

18. DISTANCE TO NEAREST WELL (DRILLING, COMPLETED, OR APPLIED FOR) ON THIS LEASE (FEET)  
N/A

19. PROPOSED DEPTH:  
6365'

20. BOND DESCRIPTION:  
RLB0005651

21. ELEVATIONS (SHOW WHETHER DF, RT, GR, ETC.):  
7076' GR

22. APPROXIMATE DATE WORK WILL START:  
REFER TO BPC SOP PLAN

23. ESTIMATED DURATION:  
REFER TO BPC SOP PLAN

PROPOSED CASING AND CEMENTING PROGRAM

SIZE OF HOLE	CASING SIZE, GRADE, AND WEIGHT PER FOOT	SETTING DEPTH	CEMENT TYPE, QUANTITY, YIELD, AND SLURRY WEIGHT
REFER TO BERRY PETROLEUM COMPANY SOP'S DRILLING PROGRAM/CASING DESIGN			

ATTACHMENTS

VERIFY THE FOLLOWING ARE ATTACHED IN ACCORDANCE WITH THE UTAH OIL AND GAS CONSERVATION GENERAL RULES:

- WELL PLAT OR MAP PREPARED BY LICENSED SURVEYOR OR ENGINEER
- COMPLETE DRILLING PLAN (BPC SOP ON FILE WITH STATE)
- EVIDENCE OF DIVISION OF WATER RIGHTS APPROVAL FOR USE OF WATER
- FORM 5, IF OPERATOR IS PERSON OR COMPANY OTHER THAN THE LEASE OWNER

NAME (PLEASE PRINT) DEBBIE L. WISENER TITLE PRODUCTION & REGULATORY TECHNICIAN  
SIGNATURE [Signature] DATE 12/08/04

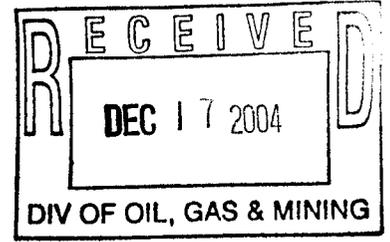
(This space for State use only)

API NUMBER ASSIGNED: 43-013-32312

(11/2001)

Federal Approval of this Action Is Necessary

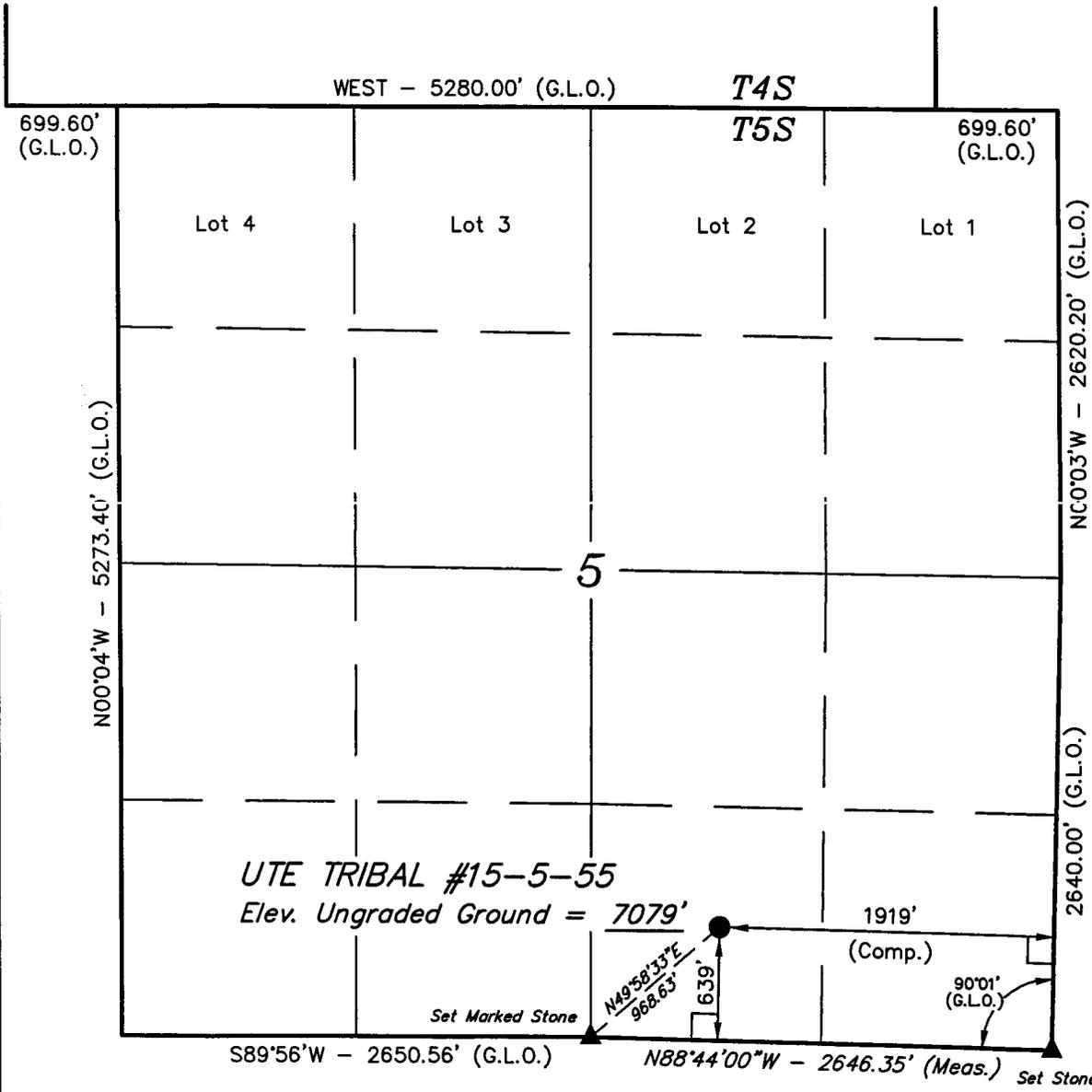
APPROVAL:  
Approved by the  
Utah Division of  
Oil, Gas and Mining  
Date: 12-27-04  
By: [Signature]



T5S, R5W, U.S.B.&M.

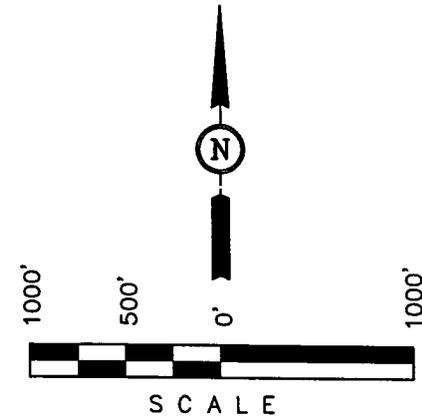
**BERRY PETROLEUM COMPANY**

Well location, UTE TRIBAL #15-5-55, located as shown in the SW 1/4 SE 1/4 of Section 5, T5S, R5W, U.S.B.&M. Duchesne County, Utah.



**BASIS OF ELEVATION**

BENCH MARK (M67) LOCATED IN THE SW 1/4 OF SECTION 9, T5S, R4W, U.S.B.&M. TAKEN FROM THE DUCHESNE SE QUADRANGLE, UTAH, DUCHESNE COUNTY, 7.5 MINUTE QUAD. (TOPOGRAPHIC MAP) PUBLISHED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, GEOLOGICAL SURVEY. SAID ELEVATION IS MARKED ON CAP AS BEING 6097 FEET.



**CERTIFICATE**

THIS IS TO CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Robert J. Gray*  
REGISTERED LAND SURVEYOR  
REGISTRATION NO. 161319  
STATE OF UTAH

**LEGEND:**

- └─┘ = 90° SYMBOL
- = PROPOSED WELL HEAD.
- ▲ = SECTION CORNERS LOCATED.

**BASIS OF BEARINGS**

BASIS OF BEARINGS IS A G.P.S. OBSERVATION.

(NAD 27)  
LATITUDE = 40°04'11.38" (40.069828)  
LONGITUDE = 110°28'05.08" (110.468078)

**UINTAH ENGINEERING & LAND SURVEYING**  
85 SOUTH 200 EAST - VERNAL, UTAH 84078  
(435) 789-1017

SCALE 1" = 1000'	DATE SURVEYED: 07-22-04	DATE DRAWN: 08-10-04
PARTY S.H. L.M. D.R.B.	REFERENCES G.L.O. PLAT	
WEATHER WARM	FILE BERRY PETROLEUM COMPANY	

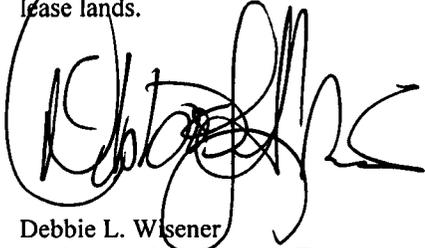
SELF-CERTIFICATION STATEMENT

The following self-certification statement is provided per federal requirements dated June 15, 1988.

Please be advised that Berry Petroleum Company is considered to be the operator of the following well.

Ute Tribal 15-5-55  
SW 1/4, SE 1/4, 639' FSL 1919' FEL, Section 5, T. 5 S., R. 5 W., U.S.B.&M.  
Lease BIA 14-20-H62-4778 (E&D)  
Duchesne, County, Utah

Berry Petroleum Company is responsible under the terms of the lease for the operations conducted upon the lease lands.



Debbie L. Wisener  
Production & Regulatory Technician  
Berry Petroleum Company  
1614 South 2000 West  
Route 3, Box 3020  
Roosevelt, Utah 84066  
435-722-1325

BERRY PETROLEUM COMPANY  
Ute Tribal 15-5-55  
Surface location SW 1/4, SE 1/4, 639' FSL 1919' FEL, Section 5, T. 5 S., R. 5 W., U.S.B.&M.  
Duchesne County, Utah

ONSHORE ORDER NO. 1

DRI.LING PROGRAM

**1,2 Estimated Tops of Geological Markers and Formations Expected to Contain Water, Oil and Gas and Other Minerals**

<u>Formation</u>	<u>Depth</u>
Uinta	surface
Green River	1696'
Mahogany	2874'
TGR3 Marker	3849'
*Douglas Creek	4684'
*Castle Peak	5561'
Uteland Butte Ls.	6004'
Wasatch	6263'
TD	6365'

\*PROSPECTIVE PAY

**3 Pressure Control Equipment**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

**4 Proposed Casing and Cementing Program**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

**5 Drilling Fluids Program**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

**6 Evaluation Program**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

Berry Petroleum Company  
Drilling Program  
Ute Tribal 15-5-55  
Duchesne County, Utah  
Page Two

**7 Abnormal Conditions**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

**8 Anticipated Starting Dates and Notification of Operations**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

**9 Other information**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

BERRY PETROLEUM COMPANY  
Ute Tribal 15-5-55  
Surface location SW 1/4, SE 1/4, 639' FSL 1919' FEL, Section 5, T. 5 S., R. 5 W., U.S.B.&M.  
Duchesne County, Utah

ONSHORE ORDER NO. 1

MULTI POINT SURFACE USE & OPERATIONS PLAN

**1 Existing Roads**

To reach the Berry Petroleum Company well, Ute Tribal 15-5-55 location, in Section 5-T5S-R5W:

Start in Myton, Utah. Proceed west on US Highway 40, 8.6 miles to the Antelope Creek/Sowers Canyon Road at the Bridgeland turnoff. Turn south and proceed southwest 22.7 miles to the Cottonwood Canyon Road (Sec. 7 Compressor Site). Turn north and proceed northeast and then northwest 5.2 miles. Turn south and proceed 4.0 miles. Turn north and proceed northwest 0.2 miles to the Ute Tribal 15-5-55 access road. Turn south and proceed southwest and then northwest 0.6 miles to the Ute Tribal 15-5-55 location.

The existing oilfield service road may need some surface material to prevent or repair holes in the road due to heavy truck traffic during the drilling and completion operation. If repairs are made the operator will secure material from private sources.

Please see the attached map for additional details.

**2 Planned Access Road**

See Topographic Map "B" for the location of the proposed access road. Four (4) 24" and Three (3) 36" culverts will be installed in all drainages on access road into location.

**3 Location of Existing Wells**

See Topographic Map "C" for the location of existing wells within a 1 mile radius.

**4 Location of Tank Batteries, Production Facilities and Production Gathering and Service Lines**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

**5 Location and Type of Water Supply**

Water for the drilling and completion will be pumped or trucked from the Berry source wells located in Sec. 23, T5S, R5W or Sec. 24, T5S, R5W, permit # 43-11041, or from Duchesne City Culinary Water Dock located in Sec. 1, T4S, R5W or from East Duchesne Water, Arcadia Feedlot, Sec. 28, T3S, R3W or from Petroglyph Operating Company 08-04 Waterplant, Sec. 8, T5S, R3W or from Kenneth V. & Barbara U. Richens source well located in Sec. 34, T3S, R2W, permit # 43-1723 or Brundage Canyon Field produced water or Leo Foy source well located in Sec. 34, T5S, R5W, permit # 43-11324. A water use agreement is also in place with the Ute Tribe.

**6 Source of Construction Materials**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

**7 Methods of Handling Waste Materials**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

**8 Ancillary Facilities**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

**9 Wellsite Layout**

The attached Location Layout diagram describes drill pad cross-sections, cuts and fills, and locations of the mud tanks, reserve pit, pipe racks, trailer parking, spoil dirt stockpile(s) and surface material stockpile(s)

**10 Plans for Restoration of the Surface**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

**11 Surface Ownership**

Ute Indian Tribe

**12 Other information**

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

**13 Operator's Representative and Certification**

A) Representative  
NAME: Debbie L. Wisener  
ADDRESS: Berry Petroleum Company  
1614 South 2000 West  
Route 3, Box 3020  
Roosevelt, Utah 84066  
PHONE: 435-722-1325

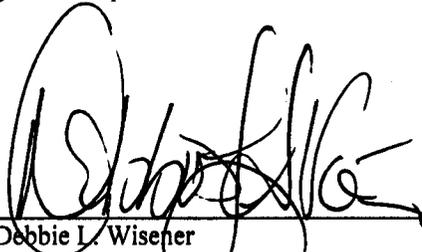
All lease and/or unit operations will be conducted in such a manner that full compliance is made with all applicable laws, regulations and onshore oil and gas orders. The operator is fully responsible for the actions of its subcontractors. A copy of these conditions will be furnished to the field representative to ensure compliance.

The drilling permit will be valid for a period of one year from the date of approval. After permit termination, a new application will be filed for approval for any future operations.

B) Certification:

I hereby certify that I, or persons under my direct supervision, have inspected the proposed drillsite and access route; that I am familiar with the conditions which presently exist; that the statements made in this plan are, to the best of my knowledge and belief, true and correct; and that the work associated with the operations proposed herein will be performed by Berry Petroleum Company and its contractors and subcontractors in conformity with this plan and the terms and conditions under which it is approved. This statement is subject to the provisions of 18 U.S.C. 1001 for the filing of a false statement.

Dec. 8, 04  
DATE

  
Debbie L. Wisener  
Production & Regulatory Technician  
Berry Petroleum Company

## APPLICATION FOR GRANT OF CORRIDOR RIGHT-OF-WAY

BERRY PETROLEUM COMPANY, having a resident or principal place of business at Route 3 Box 3020, Roosevelt, Utah, 84066, hereby files an application with the Bureau of Indian Affairs, pursuant to the terms and provisions of the Act of February 5, 1948 (62 Stat. 17; 25 U.S.C. 323), and to the regulations of the Department of the Interior contained in Title 25, Code of Federal Regulations, Part 169, for the grant of a Right-of-Way for the following purposes and reasons:

To construct a Corridor Right-of-Way for the UTE TRIBAL #15-5-55

Across the following described Indian Lands NW 1/4 SE 1/4, NE 1/4 SW 1/4 & S 1/2 SW 1/4 OF SECTION 4, THE NW 1/4 NW 1/4 OF SECTION 9, THE NE 1/4 NE 1/4 OF SECTION 8 & THE S 1/2 SE 1/4 OF SECTION 5, T5S, R5W,

U.S.B.&M.

Drill Site = 1.993 Ac.

Corridor R-O-W = 5.452 Ac.  
(Access Road & Pipeline)

Total Acreage = 7.445 Acres

### **3" SDR-11 POLY PIPELINE**

Said Right-of-Way to be approximately 7,916.39' feet in length, 30 feet in width, and 5.452 Acres, and more particularly described and shown on the map of definite location to be attached and made a part hereof.

The applicant understands and hereby expressly agrees to the following stipulations:

- (a) To construct and maintain the Right-of-Way in a workmanlike manner.
- (b) To pay promptly all damages and compensation, in addition to the deposit made pursuant to 169.4 determined by the Secretary to be due the landowners and authorized users and occupants of the land on account of the survey, granting, construction and maintenance of the Right-of-Way.
- (c) To indemnify the landowners and authorized users and occupants against any liability for loss of life, personal injury and property damage arising from the construction, maintenance, occupancy or use of the lands by the applicant, his employees, contractors and their employees or subcontractors and their employees.
- (d) To restore the lands as nearly as may be possible to their original condition upon the completion of the construction to the extent compatible with the purpose for which the Right-of-Way was granted.
- (e) To clear and keep clear the lands within the Right-of-Way to the extent compatible with the purpose of the Right-of-Way; and to dispose of all vegetative and other material cut, uprooted, or otherwise accumulated during the construction and maintenance of the project.

- (f) To take soil and resource conservation and protection measures, including weed control, on the land covered by the Right-of-Way.
- (g) To do everything reasonable within its power to prevent and suppress fires on or near the lands to be occupied under the Right-of-Way.
- (h) To build and repair such roads, fences, and trails as may be destroyed or injured by construction work and to build and maintain necessary and suitable crossings for all roads and trails that intersect the works constructed, maintained, or operated under the Right-of-Way.
- (I) That upon revocation or termination of the Right-of-Way, the applicant shall, so far as is reasonably possible, restore the land to its original condition.
- (j) To at all times keep the Secretary informed of its address, and in case of corporations of the address of its principal officers.
- (k) That the applicant will not interfere with the use of the lands by or under the authority of the landowners for any purpose not inconsistent with the primary purpose for which the Right-of-Way is granted.

IN WITNESS THEREOF, BERRY PETROLEUM COMPANY. has caused this instrument to be executed this 9 day of SEPT., 2004.

Chase Henline  
WITNESS

BERRY PETROLEUM COMPANY  
APPLICANT

Kevin Gardner  
WITNESS

Ed Courtright  
Ed Courtright/Production Foreman  
Route 3 Box 3020  
Roosevelt, Utah 84066  
Phone:(435)722-1325

SUPPORTING DOCUMENTS:

- ( ) Written consent of the landowners.
- ( ) Evidence of good faith and financial responsibility.
- (x) \$0 as per the terms of the Exploration and Development Agreement (14-20-H62-4778).
- ( ) State certified copy of corporate charter or articles of corporation.
- ( ) Certified copy of resolution or bylaws of the corporation authorizing the filing of the stipulation
- ( ) State certification that the applicant is authorized to do business in the State where the land is located.
- ( ) Certified copy of the articles of partnership or association.
- (x) Map of definite location.
- ( ) Other:

BERRY PETROLEUM COMPANY  
UTE TRIBAL #15-5-55  
DAMAGE AREA & CORRIDOR RIGHT-OF-WAY  
SECTIONS 4, 5, 8, & 9, T5S, R5W, U.S.B.&M.

TOTAL CORRIDOR RIGHT-OF-WAY ON UTE TRIBAL LANDS

TOTAL LENGTH OF RIGHT-OF-WAY IS 7916.39' OR 1.499 MILES. WIDTH OF RIGHT-OF-WAY IS 30' (15' PERPENDICULAR ON EACH SIDE OF THE CENTERLINE). CONTAINS 5.452 ACRES MORE OR LESS.

ENGINEER'S AFFIDAVIT

STATE OF UTAH        }  
COUNTY OF Uintah } SS

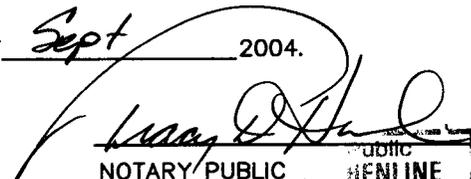
ROBERT L. KAY, BEING FIRST DULY SWORN DEPOSES AND STATES THAT HE IS THE REGISTERED LAND SURVEYOR, FOR BERRY PETROLEUM COMPANY, THAT THESE SURVEYS WERE MADE BY HIM (OR UNDER HIS SUPERVISION): THAT HE HAS EXAMINED THE FIELD NOTES OF THE SURVEYS OF THE DAMAGE AREA AND CORRIDOR RIGHT-OF-WAY AS DESCRIBED AND SHOWN ON THIS MAP, THAT THIS MAP WAS PREPARED UNDER HIS DIRECTION FROM SAID FIELD NOTES; AND THAT SAID RIGHT-OF-WAY, 1.499 MILES IN LENGTH BEGINNING AND ENDING AS SHOWN ON THIS MAP IS ACCURATELY REPRESENTED.

  
REGISTERED LAND SURVEYOR  
REGISTRATION NO. 161319  
STATE OF UTAH

ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 4 DAY OF Sept 2004.

MY COMMISSION EXPIRES Aug 17, 2006

  
NOTARY PUBLIC  
VERNAL, UTAH  
Public  
HENLINE  
5000 South  
High 84078  
Commission Expires  
17, 2006  
of Utah

APPLICANT'S CERTIFICATE

I, ED COURTRIGHT, DO HEREBY CERTIFY THAT I AM THE AGENT FOR BERRY PETROLEUM COMPANY, HEREINAFTER DESIGNATED THE APPLICANT; THAT ROBERT L. KAY WHO SUBSCRIBED TO THE FOREGOING AFFIDAVIT, IS EMPLOYED BY THE APPLICANT AS A LAND SURVEYOR AND THAT HE WAS DIRECTED BY THE APPLICANT TO SURVEY THE LOCATION OF THIS DAMAGE AREA AND CORRIDOR RIGHT-OF-WAY, 1.499 MILES IN LENGTH BEGINNING AT STA. 0+00 AND ENDING AT STA. 79+16.39, THAT SAID DAMAGE AREA AND CORRIDOR RIGHT-OF-WAY ARE ACCURATELY REPRESENTED ON THIS MAP; THAT SUCH SURVEY AS REPRESENTED ON THIS MAP HAS BEEN ADOPTED BY THE APPLICANT AS THE DEFINITE LOCATION OF THE RIGHT-OF-WAY THEREBY SHOWN; AND THAT THE MAP HAS BEEN PREPARED TO BE FILED WITH THE SECRETARY OF THE INTERIOR OR HIS DULY AUTHORIZED REPRESENTATIVE AS PART OF THE APPLICATION FOR SAID RIGHT-OF-WAY TO BE GRANTED THE APPLICANT, ITS SUCCESSORS AND ASSIGNS, WITH THE RIGHT TO CONSTRUCT, MAINTAIN, AND REPAIR IMPROVEMENTS, THEREON AND THEREOVER, FOR SUCH PURPOSES, AND WITH THE FURTHER RIGHT IN THE APPLICANT, ITS SUCCESSORS AND ASSIGNS TO TRANSFER THIS RIGHT-OF-WAY BY ASSIGNMENT, GRANT, OR OTHERWISE.

  
APPLICANT

PRODUCTION SUPERVISOR  
TITLE

**CORRIDOR RIGHT-OF-WAY DESCRIPTION**

A 30' WIDE RIGHT-OF-WAY 1/2 ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

BEGINNING AT A POINT IN THE NW 1/4 SE 1/4 OF SECTION 4, T5S, R5W, U.S.B.&M. WHICH BEARS N51°10'46"W 2685.05' FROM THE SOUTHEAST CORNER OF SAID SECTION 4, THENCE N82°07'21"W 246.64'; THENCE S76°27'00"W 75.43'; THENCE S59°20'18"W 81.51'; THENCE S76°31'43"W 119.91'; THENCE S40°25'19"W 185.99'; THENCE S51°00'11"W 162.66'; THENCE S37°21'46"W 79.19'; THENCE S44°09'51"W 142.36'; THENCE S05°11'13"E 133.17'; THENCE S22°40'38"W 82.59'; THENCE S42°41'20"W 245.84'; THENCE S51°21'06"W 100.76'; THENCE S48°48'56"W 115.08'; THENCE S32°06'50"W 88.99'; THENCE S05°25'32"W 78.64'; THENCE S45°33'40"W 122.03'; THENCE N87°14'18"W 236.63'; THENCE S75°21'23"W 128.38'; THENCE S31°33'47"W 135.18'; THENCE S88°41'30"W 140.99'; THENCE S30°22'07"W 140.37'; THENCE S51°59'00"W 89.58'; THENCE S32°29'59"W 94.72'; THENCE S49°19'36"W 116.34'; THENCE S61°06'51"W 72.23' TO A POINT ON THE SOUTH LINE OF THE SW 1/4 SW 1/4 OF SAID SECTION 4, WHICH BEARS N89°18'44"E 820.73' FROM THE SOUTHWEST CORNER OF SAID SECTION 4, THENCE S76°11'59"W 111.59'; THENCE S52°04'03"W 93.61'; THENCE S01°51'05"E 135.26'; THENCE S27°07'51"W 242.53'; THENCE S33°57'17"W 18.61'; THENCE N75°02'58"W 12.24'; THENCE N24°44'36"W 159.39'; THENCE N00°45'47"W 174.52'; THENCE N04°45'47"E 54.29'; THENCE N20°38'48"W 74.06' TO A POINT ON THE NORTH LINE OF THE NW 1/4 NW 1/4 OF SECTION 9, T5S, R5W, U.S.B.&M. WHICH BEARS N89°18'44"E 419.41' FROM THE NORTHWEST CORNER OF SAID SECTION 9; THENCE N20°38'48"W 28.80'; THENCE N52°06'57"W 134.29'; THENCE N42°38'42"W 112.14'; THENCE N38°35'57"W 225.57'; THENCE N87°34'06"W 34.06'; THENCE S31°19'33"W 92.66' TO A POINT ON THE WEST LINE OF THE SW 1/4 SW 1/4 OF SECTION 4, WHICH BEARS N01°17'00"E 307.14' FROM THE SOUTHWEST CORNER OF SAID SECTION 4, THENCE S31°19'33"W 41.14'; THENCE S30°13'36"W 243.85'; THENCE S22°54'07"W 62.59' TO A POINT ON THE SOUTH LINE OF THE SE 1/4 SE 1/4 OF SECTION 5, T5S, R5W, U.S.B.&M. WHICH BEARS N88°44'00"W 161.66' FROM THE SOUTHEAST CORNER OF SAID SECTION 5, THENCE S22°54'07"W 14.73'; THENCE S10°08'03"W 71.17'; THENCE S07°03'21"W 54.21'; THENCE S65°02'10"W 142.38'; THENCE S65°34'51"W 197.16'; THENCE S84°34'22"W 91.20'; THENCE N44°35'57"W 123.35'; THENCE N66°45'56"W 168.88'; THENCE N26°14'19"W 166.73' TO A POINT ON THE NORTH LINE OF THE NE 1/4 NE 1/4 OF SECTION 8, T5S, R5W, U.S.B.&M. WHICH BEARS N88°44'00"W 901.66' FROM THE NORTHEAST CORNER OF SAID SECTION 8, THENCE N26°14'19"W 14.29'; THENCE N11°41'15"E 181.76'; THENCE N23°01'30"E 144.37'; THENCE N06°21'58"W 99.84'; THENCE N49°20'49"W 160.06'; THENCE N08°29'04"W 72.47'; THENCE N26°36'17"W 101.39'; THENCE N40°25'22"W 137.00'; THENCE N84°17'44"W 222.05'; THENCE N86°44'42"W 82.57'; THENCE N62°21'05"W 102.98'; THENCE S78°11'02"W 64.04'; THENCE S52°27'06"W 125.47'; THENCE S40°56'29"W 111.88' TO A POINT IN THE SW 1/4 SE 1/4 OF SECTION 5, WHICH BEARS N54°37'54"E 1132.78' FROM THE SOUTH 1/4 CORNER OF SAID SECTION 5. THE SIDE LINES OF SAID DESCRIBED RIGHT-OF-WAY BEING SHORTENED OR ELONGATED TO MEET THE GRANTOR'S PROPERTY LINES. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 5.452 ACRES MORE OR LESS.

Sec. 5

1/4 Section Line

1/16 Section Line

NOTE: P.O.S.L. 49+18.83 BEARS N01°17'00"E 307.14' FROM THE SOUTHEAST CORNER OF SECTION 5, T5S, R5W, U.S.B.&M.

P.O.S.L. 52+66.41 N88°44'00"W 161.66' FROM THE SOUTHEAST CORNER OF SECTION 5, T5S, R5W, U.S.B.&M.

P.O.S.L. 62+96.22 N88°44'00"W 901.66' FROM THE SOUTHEAST CORNER OF SECTION 5, T5S, R5W, U.S.B.&M.

DAMAGE AREA  
UTE TRIBAL #15-5-55

Contains 1.993 Acres

SE 1/4

END OF PROPOSED  
CORRIDOR RIGHT-OF-WAY  
STA. 79+16.39  
(At Edge of Damage Area)

Set Marked Stone

NOTE:  
ENDING STA. 79+16.39 BEARS N54°37'54"E 1132.78' FROM THE SOUTH 1/4 CORNER OF SECTION 5, T5S, R5W, U.S.B.&M.

**DAMAGE AREA DESCRIPTION**

BEGINNING AT A POINT IN THE SW 1/4 SE 1/4 OF SECTION 5, T5S, R5W, U.S.B.&M. WHICH BEARS N54°37'54"E 1132.78' FROM THE SOUTH 1/4 CORNER OF SAID SECTION 5, THENCE S08°37'36"W 194.67'; THENCE N81°22'24"W 230.00'; THENCE N51°07'01"W 138.92'; THENCE N08°37'36"E 190.00'; THENCE S81°22'24"E 350.00'; THENCE S08°37'36"W 65.33' TO THE POINT OF BEGINNING. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 1.993 ACRES MORE OR LESS.

Sec. 8

▲ = SECTION CORNER LOCATED.  
BASIS OF BEARINGS  
BASIS OF BEARINGS IS A G.P.S. OBSERVATION.

**RIGHT-OF-WAY LENGTHS**

PROPERTY OWNER	FEET	ACRES	RODS
UTE TRIBAL	7916.39'	5.452	479.78

LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N82°07'21"W	246.64'	L38	N42°38'42"W	112.14'
L2	S76°27'00"W	75.43'	L39	N38°35'57"W	225.57'
L3	S59°20'18"W	81.51'	L40	N67°34'06"W	34.06'
L4	S76°31'43"W	119.91'	L41	S31°19'33"W	92.66'
L5	S40°25'19"W	185.99'	L42	S31°19'33"W	41.14'
L6	S51°00'11"W	162.66'	L43	S30°13'36"W	243.85'
L7	S37°21'46"W	79.19'	L44	S22°54'07"W	62.59'
L8	S44°09'51"W	142.36'	L45	S22°54'07"W	14.73'
L9	S05°11'13"E	133.17'	L46	S10°08'03"W	71.17'
L10	S22°40'38"W	82.59'	L47	S07°03'21"W	54.21'
L11	S42°41'20"W	245.84'	L48	S65°02'10"W	142.38'
L12	S51°21'06"W	100.76'	L49	S65°34'51"W	197.16'
L13	S48°48'56"W	115.08'	L50	S84°34'22"W	91.20'
L14	S32°06'50"W	88.99'	L51	N44°35'57"W	123.35'
L15	S05°25'32"W	78.64'	L52	N66°45'56"W	168.88'
L16	S45°33'40"W	122.03'	L53	N26°14'19"W	166.73'
L17	N87°14'18"W	236.63'	L54	N26°14'19"W	14.29'
L18	S75°21'23"W	128.38'	L55	N11°41'15"E	181.76'
L19	S31°33'47"W	135.18'	L56	N23°01'30"E	144.37'
L20	S88°41'30"W	140.99'	L57	N06°21'58"W	99.84'
L21	S30°22'07"W	140.37'	L58	N49°20'49"W	160.06'
L22	S51°59'00"W	89.58'	L59	N08°29'04"W	72.47'
L23	S32°29'59"W	94.72'	L60	N26°36'17"W	101.39'
L24	S49°19'36"W	116.34'	L61	N40°25'22"W	137.00'
L25	S81°06'51"W	72.23'	L62	N84°17'44"W	222.05'
L26	S76°11'59"W	111.59'	L63	N86°44'42"W	82.57'
L27	S52°04'03"W	93.61'	L64	N62°21'05"W	102.98'
L28	S01°51'05"E	135.26'	L65	S78°11'02"W	64.04'
L29	S27°07'51"W	242.53'	L66	S52°27'06"W	125.47'
L30	S33°57'17"W	18.61'	L67	S40°56'29"W	111.88'
L31	N75°02'58"W	12.24'	L68	S08°37'36"W	194.67'
L32	N24°44'36"W	159.39'	L69	N81°22'24"W	230.00'
L33	N00°45'47"W	174.52'	L70	N51°07'01"W	138.92'
L34	N04°45'47"E	54.29'	L71	N08°37'36"E	190.00'
L35	N20°38'48"W	74.06'	L72	S81°22'24"E	350.00'
L36	N20°38'48"W	28.80'	L73	S08°37'36"W	65.33'
L37	N52°06'57"W	134.29'			

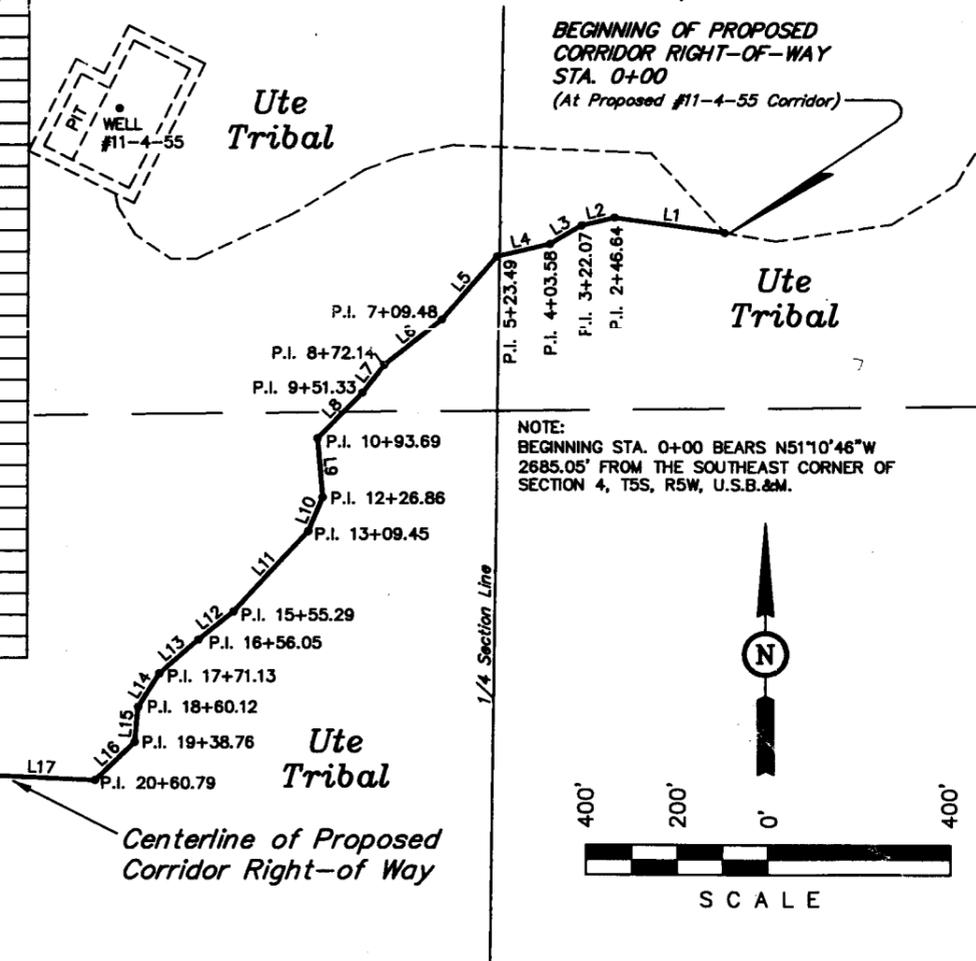
**BERRY PETROLEUM COMPANY**

**LOCATION DAMAGE AREA &  
CORRIDOR RIGHT-OF-WAY  
ON UTE TRIBAL LANDS**

Sec. 4

(For UTE TRIBAL #15-5-55)

LOCATED IN  
SECTIONS 4, 5, 8, & 9, T5S, R5W, U.S.B.&M.  
DUCESNE COUNTY, UTAH



BEGINNING OF PROPOSED  
CORRIDOR RIGHT-OF-WAY  
STA. 0+00  
(At Proposed #11-4-55 Corridor)

NOTE:  
BEGINNING STA. 0+00 BEARS N51°10'46"W 2685.05' FROM THE SOUTHEAST CORNER OF SECTION 4, T5S, R5W, U.S.B.&M.

NOTE:  
P.O.S.L. 32+15.21 BEARS N89°18'44"E 820.73' FROM THE NORTHWEST CORNER OF SECTION 9, T5S, R5W, U.S.B.&M.

S89°18'44"W - 5221.47' (Meas.)

SE Cor. Sec 4  
Set Stone

Sec. 9

**UINTAH ENGINEERING & LAND SURVEYING**  
85 SOUTH - 200 EAST • (435) 789-1017  
VERNAL, UTAH - 84078

SCA400E 1" = 400'	DATE 08-12-04
PARTY S.H. L.M. D.R.B.	REFERENCES G.L.O. PLAT
WEATHER WARM	FILE 4 3 5 2 5

CERTIFICATE  
No. 161319  
THIS IS TO CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
REGISTERED LAND SURVEYOR  
REGISTRATION NO. 161319  
STATE OF UTAH

RECEIVED SEP 03 2004

**Berry Petroleum Company,  
Ute Tribal #15-5-55 well:  
A Cultural Resource Inventory for a well pad,  
its access and pipeline,  
Uintah-Ouray Ute Reservation,  
Duchesne County, Utah**

By  
James A. Truesdale

James A. Truesdale  
Principle Investigator

Prepared For  
Berry Petroleum Co.  
1614 South 2000 West  
Roosevelt, Utah  
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Prepared By  
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Utah Project # U-04-AY-760(1)

August 29, 2004

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## Introduction

An Independent Archaeologist (AIA) was contacted by a representative of Berry Petroleum Co., to conduct a cultural resources investigation of the proposed Ute Tribal #15-5-55 well, its access and pipeline. The location of the proposed well is in the SW/SE 1/4 of Section 5, T5S, R5W, Duchesne County, Utah (Figure 1).

The proposed Ute Tribal #15-5-55 well Alternate #1 centerstake footage is 639' FSL 1917' FEL. The Universal Transverse Mercator (UTM) centroid coordinate for the proposed Ute Tribal #15-5-55 well centerstake is Zone 12, North American Datum (NAD) 83, 5/45/293.17 mE 44/35/641.66 mN  $\pm 5$ m.

The proposed access and pipeline parallel each other and are approximately 7,000 feet/3124 m) in length (Figure 1). From the C/NS/NW/SE 1/4 of Section 4 of T5S R5W, the proposed access and pipeline follows a existing two track road (4000 feet/1219.5 m) southeast through the SW 1/4 of Section 4, the extreme NE 1/4 of Section 8, and into the SE 1/4 of Section 5 of T5S R5W. The access then leaves the road, turns west and trends 3000 feet (914.6 m) to the proposed well pad.

The proposed Ute Tribal #15-5-55 well, its access and pipeline is administered by the Bureau of Indian Affairs, Phoenix Area Office, Uintah-Ouray Agency, Ft. Duchesne and the Uintah-Ouray Ute Tribe. A total of 42.12 acres (10 block, 32.12 linear) was surveyed. Fieldwork was authorized through an access permit issued by the Energy and Minerals Resource Division of the Uintah-Ouray Ute tribe. The field work was conducted on August 13, 2004 by AIA archaeologist James Truesdale, and accompanied by Kermit Wopsok (technician, Energy and Minerals Resource Division, Uintah-Ouray Ute tribe). All the field notes and maps are located in the AIA office in Laramie, Wyoming.

## File Search

A GIS file search was conducted at the Utah Division of State History (UDSH), Antiquities Section, Records Division on August 8, 2004. In addition, AIA's USGS quadrangle Duchesne SE and Duchesne SW base maps were updated from UDSH Records division Duchesne SE and Duchesne SW base maps in November of 2002 and again on February 2, 2004. No previous projects and/or cultural resources (sites, isolates) have been recorded in or adjacent to the project area.

## Environment

Physiographically, the project is located in the Uinta Basin, approximately 25 miles southwest of Myton, Utah. The Uinta Basin is structurally the lowest part of the Colorado Plateau



geographical province (Thornbury 1965:425). The Uinta Basin is a large, relatively flat, bowl shaped, east-west asymmetrical syncline near the base of the Uinta Mountains (Stokes 1986:231). The topography is characteristic of sloping surfaces which incline northward and are mainly dip slopes on the harder layers of Green River and Uinta Formations. The terrain is characterized as having steep ridges and/or buttes of Uintah Formation sandstones and clays dissected by seasonal drainages and washes with wide flat alluvial plains. The basin contains a thick section of more than 9000 feet (2743.9 m) of early Tertiary rocks (Childs 1950). These rocks are mainly Paleocene and Eocene in age and consist of sandstone, clay and shale lacustrine, fluvial, and deltaic continental deposits, most famous of which are the lacustrine Green River Beds.

The project area is on Cottonwood Ridge which is a large southwest-northeast ridge system, drained by Coyote Canyon and Cottonwood Canyon. Cottonwood Ridge is between the Indian Canyon and Sowers Canyon drainages. The Cottonwood Ridge landscape can be characterized by a sequence of several southwest to northeast trending upland hills and ridges that drain into Cottonwood Canyon. The Cottonwood Canyon drainage eventually reaches the Duchesne River 10 miles to the northeast. Portions of the desert hardpan and bedrock in the project area are covered with shallow aeolian sand which may reach a depth of 50 centimeters in areas.

Vegetation in the project area is characteristic of a Pinon/Juniper community, with a low sagebrush community understory. Species observed in the project area include; Pinyon pine (Pinus Edulis), juniper (Juniperus Osteosperma), curl-leaf mountain mahogany (Cercocarpus ledifolius), shadscale (Atriplex confertifolia), sand sage, (Artemisia filifolia), saltbush (Atriplex nuttallii), rabbitbrush (Chrysothamnus viscidiflorus), winterfat (Eurotia lanata), greasewood (Sarcobatus baileyi), Indian ricegrass (Oryzopsis hymenoides), desert needlegrass (Stipa speciosa), wild buckwheat, (Eriogonum ovalifolium), silky lupine (Lupinus sericeus), desert globemallow (Bromus tectorum), sky rocket (Gilia aggregata), peppergrass (Lepidium perfoliatum), Russian thistle (Salsola kali), and prickly pear cactus (Opuntia spp.).

Ute Tribal #15-5-55

The immediate proposed Berry Petroleum Co. Ute Tribal #15-5-55 well is situated on the northern slope of a high upland flat mesa (Figure 2). The small flat mesa is part of a much larger, broad, low, gently sloping, southwest to northeast trending ridge that runs along the northern side of Coyote Canyon (Figure 1). Vegetation is dominated by an extremely dense forest of Pinyon pine and juniper, with an understory of mountain mahogany, sagebrush, rabbitbrush, saltbush, bunchgrasses (wheatgrass, Indian ricegrass), buckwheat, larkspur, barrel and prickly pear cactus.



Figure 2. View to north through a thick Pinyon/juniper forest at the proposed Ute Tribal #15-5-55 well centerstake.



Figure 3. Overhead view of the shallow (<5 cm) colluvial sediments that are located on and surround the proposed Ute Tribal #15-5-55 well centerstake.

Sediments on the well pad consist of shallow (<5 cm), poorly sorted, loosely compacted, white, tan to light brown, sandy clay loam mixed with small to medium sized flat angular pieces of sandstone, clay and shale (Figure 3). The proposed well location is located at an elevation of 7101.2 feet (2165 m) AMSL.

From the existing Ute Tribal #11-4-55 well access and pipeline, the proposed access and pipeline parallel each other and follow a two-track road 4,000 feet (1219.5 m), then turns and continues an additional 3000 feet (914.6 m) west to the proposed well pad. The access leaves the existing Ute Tribal #11-4-55 access and pipeline and follow along the southern side of a large west-east trending ridge that is located north of Coyote Canyon. The access and pipeline then turn west and winds across a small drainage flat and over a sequence of low benches and ridges to the proposed well pad.

Sediments along the existing, 16 to 20 feet (5-6 m) wide, two track road has been disturbed through road construction and its cyclic maintenance. Sediments along the proposed access consist of shallow (5 to 25 cm), poorly sorted, loosely compacted, white, tan to light brown, sandy clay loam, mixed with tiny to small sized angular pieces of sandstone, clay and shale. Vegetation along the access and pipeline is dominated, in the broad open flats by low sagebrush, rabbitbrush, saltbush, bunchgrasses and prickly pear cactus. Tall greasewood can be found along the drainage bottoms. However, as the access reaches the upland ridges the vegetation is dominated by thick stands of Pinyon pine and juniper trees.

Modern trash (plastic soda pop, oil bottles and jugs, green, brown and clear bottle glass, foam insulation, hub caps, misc. wire, modern sanitary food cans) can be found along the proposed access and pipeline corridors.

#### Field Methods

A total of 10 acres was surveyed around the centerstake of the proposed well location to allow for relocation of the pad if necessary. The survey was accomplished by walking transects spaced no more than 15 meters apart. The linear surveys are accomplished by walking a zig-zag transect 50 feet (15.2 m) wide on either side of the access and pipeline centerline stakes. The proposed access and pipeline parallel each other. Each of these linear corridors surveyed is 7,000 feet (2134.14 m) long and 100 feet (30.4 m) wide, 16.06 acres. Thus, 32.12 linear acres was surveyed.

Geologic landforms (rockshelters, alcoves, ridge tops and saddles) and areas of subsurface exposure (ant hills, blowouts, rodent holes and burrow, eroding slopes and cutbanks) were examined with special care in order to locate cultural resources (sites, isolates) and possibly help assess a sites sedimentary integrity

and potential for the presence and/or absence of buried intact cultural deposits. The entire surface area of all ridge tops and saddles were covered. All exposures of sandstone cliff faces, alcoves or rockshelter, and talus slopes were surveyed.

When cultural materials are discovered, a more thorough survey of the immediate vicinity is conducted in order to locate any associated artifacts and to determine the horizontal extent (surface area) of the site. If no other artifacts are located during the search then the initial artifact was recorded as an isolated find. At times, isolated formal tools (typical end scrapers, projectile points) were drawn and measured. The isolate was then described and its location plotted on a U.S.G.S. topographic map and UTM coordinates are recorded.

When sites are found a Intermountain Antiquities Computer System (IMACS) form was used to record the site. At all sites, selected topographic features, site boundaries, stone tools and cultural features (hearths, foundations, trash dumps and trails) are mapped. Sites were mapped with a Brunton compass and Trimble Geophysical 3 Global Positioning System (GPS), and pacing off distances from a mapping station (datum). All debitage is inventoried using standard recording techniques (Truesdale 1995 et al 1995:7) according to material type, basic flake type, and so on. Selected (mostly complete) stone tools and projectile points are drawn and measured. All features (rockart panel(s), hearths, foundations, trash dumps and trails), measured and described, while selected features are either drawn or photographed.

Site location data is recorded by a Trimble Geophysical 3 and/or GARMIN GPSIII or E-Trex Legend Global Positioning Systems (GPS). Universal Transverse Mercator (UTM) grid data is recorded in an obvious way (ie. UTM Zone 12; NAD 83; centroid coordinate: 06/15/927 mE 44/17/443 mN), along with its Estimated Position Error (EPE) and Dilution of Precision (DOP). Site elevations are taken along with each UTM coordinate. Using the GPS data, the site location was then placed on a USGS 7.5' quadrangle map.

### Results

A total of 42.12 acres (10 block, 32.12 linear) were surveyed for cultural resources within and around the proposed Berry Petroleum Co. Ute Tribal #15-5-55 and along its access and pipeline. One isolate (U-04-AY-760(i)-1) was recorded during the survey. The isolate consists of two chipped stone tool fragments. The isolate is considered to be non-significant. No additional cultural resources (sites, isolates) were recorded during the survey.

Modern trash (plastic soda pop, oil and antifreeze bottles and jugs, green, brown and clear bottle glass, foam insulation,

sanitary food cans) can be found on the Cottonwood Ridge area and throughout this northern portion of the Brundage Canyon/ Sowers Canyon Oil and Gas Field and along its service roads.

Isolate: U-04-AY-760(i)-1

Location: C/W/SE/SW/SE 1/4 of Section 5, T5S R5W (Figure 1)

UTM Coordinate: Zone 12, NAD 83, 5/45/338.67mE 44/35/589.17mN  $\pm$ 5m

Setting: The isolate is located on the top of a high flat upland bench/mesa. Vegetation consists of dense Pinyon and juniper forest with a understory of mountain mahogany, sagebrush, rabbitbrush, saltbush, bunchgrasses, barrel and prickly pear cactus. Sediments consist of shallow (5 to 25 cm), poorly sorted, loosely compacted, white, tan to light brown, sandy clay loam, mixed with tiny to small sized angular pieces of sandstone, clay and shale. The elevation is 7153.68 feet (2181 m) AMSL.

Description: Isolate U-04-AY-760(i)-1 consists of two chipped stone tool fragments (Figure 4;A and B). The first tool is a retouched tertiary flake made from a pinkish gray chert (Figure 4A). The retouched flake measures 4.32 cm in length, 2.814 cm in width, .738 cm in thickness, and exhibits a typical graver and single straight working edge. The second tool is a biface fragment made from a light gray chert (Figure 4B). The biface is a base fragment that measures 2.593 cm in length, 2.419 cm in width, 5.43 cm in thickness and exhibits a hing fracture across the blade.



Figure 4. Overhead view of isolate U-04-AY-760(i)-1 retouched flake (A) and biface (B).

No additional artifacts (chipped and ground stone tools, chipped stone debitage) and/or features (firepits, rock cairns) associated with the isolate. Eroding slopes and cut banks surrounding the isolate indicates that sediments are shallow (<5 cm) colluvium. Therefore, the possibility of buried and intact cultural materials on or surrounding the isolate is low. The isolate is considered to be non-significant.

### Recommendations

A total of 42.12 acres (10 block, 32.12 linear) were surveyed for cultural resources within and around the proposed Berry Petroleum Co. Ute Tribal #15-5-55 and along its access and pipeline. One isolate (U-04-AY-760(i)-1) was recorded during the survey. The isolate consists of two chipped stone tool fragments. The isolate is considered to be non-significant. No additional cultural resources (sites, isolates) were recorded during the survey.

Modern trash (plastic soda pop, oil and antifreeze bottles, green, brown and clear bottle glass; foam insulation and sanitary food cans) can be found throughout the Cottonwood ridge area and this northern portion of the Brundage Canyon/Sowers Canyon Oil and Gas Field and along its service roads.

The isolate is located over 300 feet (91.4 m) southeast of the proposed well pad. The isolate will not be impacted by subsequent construction of the proposed Ute Tribal #15-5-55 well, its access and pipeline.

Sediments on the proposed well pad and along its access and pipeline are shallow (<5 to 40 cm). Therefore the possibility of buried and intact cultural materials located on the proposed well pad or along its, access and pipeline is low. Thus, no additional archaeological work is necessary and clearance is recommended for the construction of the proposed Ute Tribal #15-5-55 well pad, its access and flowline.

#### REFERENCES CITED

Childs, O.E.

1950 Geologic history of the Uinta Basin, Utah Geological and Mineralogical Survey. Guidebook to the Geology of Utah, NO. 5:49-59.

Stokes, William Lee

1986 Geology of Utah. Contributions by Utah Museum of Natural History, and the Utah Geological and Mineral Survey Department of Natural Resources. Utah Museum of Natural History, Occasional Papers, Number 6.

Thornbury, William D.

1965 Regional Geomorphology of the United States. John Wiley & Sons, Inc.

Truesdale, James A., Kathleen E Hiatt, and Clifford Duncan

1995a Cultural Resource Inventory of the Proposed Ouray Gravel Pit Location, Uintah-Ouray Ute Reservation, Uintah County, Utah. Report prepared for U & W Construction, Ft. Duchesne, Utah by AIA, Laramie, Wyoming

# BERRY PETROLEUM COMPANY

## UTE TRIBAL #15-5-55

LOCATED IN DUCHESNE COUNTY, UTAH

SECTION 5, T5S, R5W, U.S.B.&M.

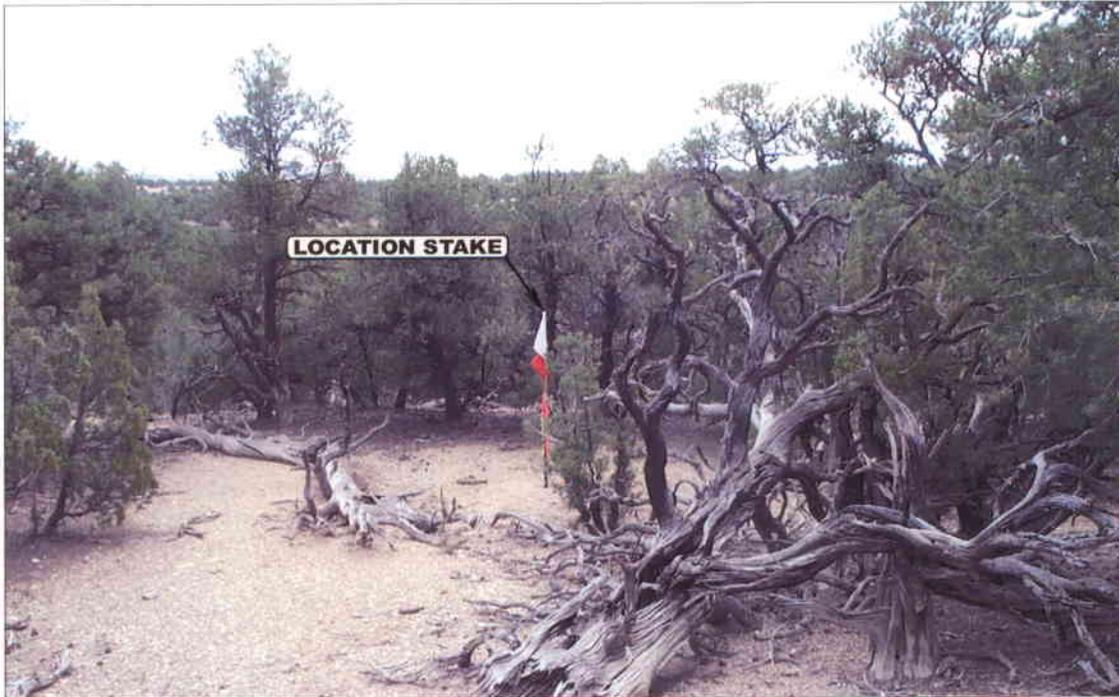


PHOTO: VIEW OF LOCATION STAKE

CAMERA ANGLE: NORTHERLY



PHOTO: VIEW FROM BEGINNING OF PROPOSED ACCESS

CAMERA ANGLE: WESTERLY



- Since 1964 -

**UELS** Uintah Engineering & Land Surveying  
85 South 200 East Vernal, Utah 84078  
435-789-1017 uels@uelsinc.com

LOCATION PHOTOS

07 27 04  
MONTH DAY YEAR

PHOTO

TAKEN BY: S.H.

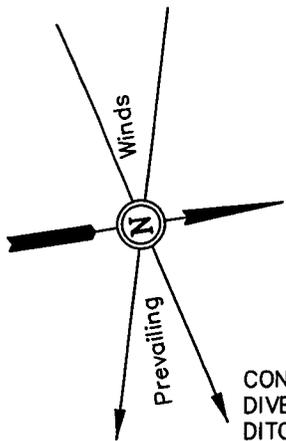
DRAWN BY: P.M.

REVISED: 00-00-00

# BERRY PETROLEUM COMPANY

## LOCATION LAYOUT FOR

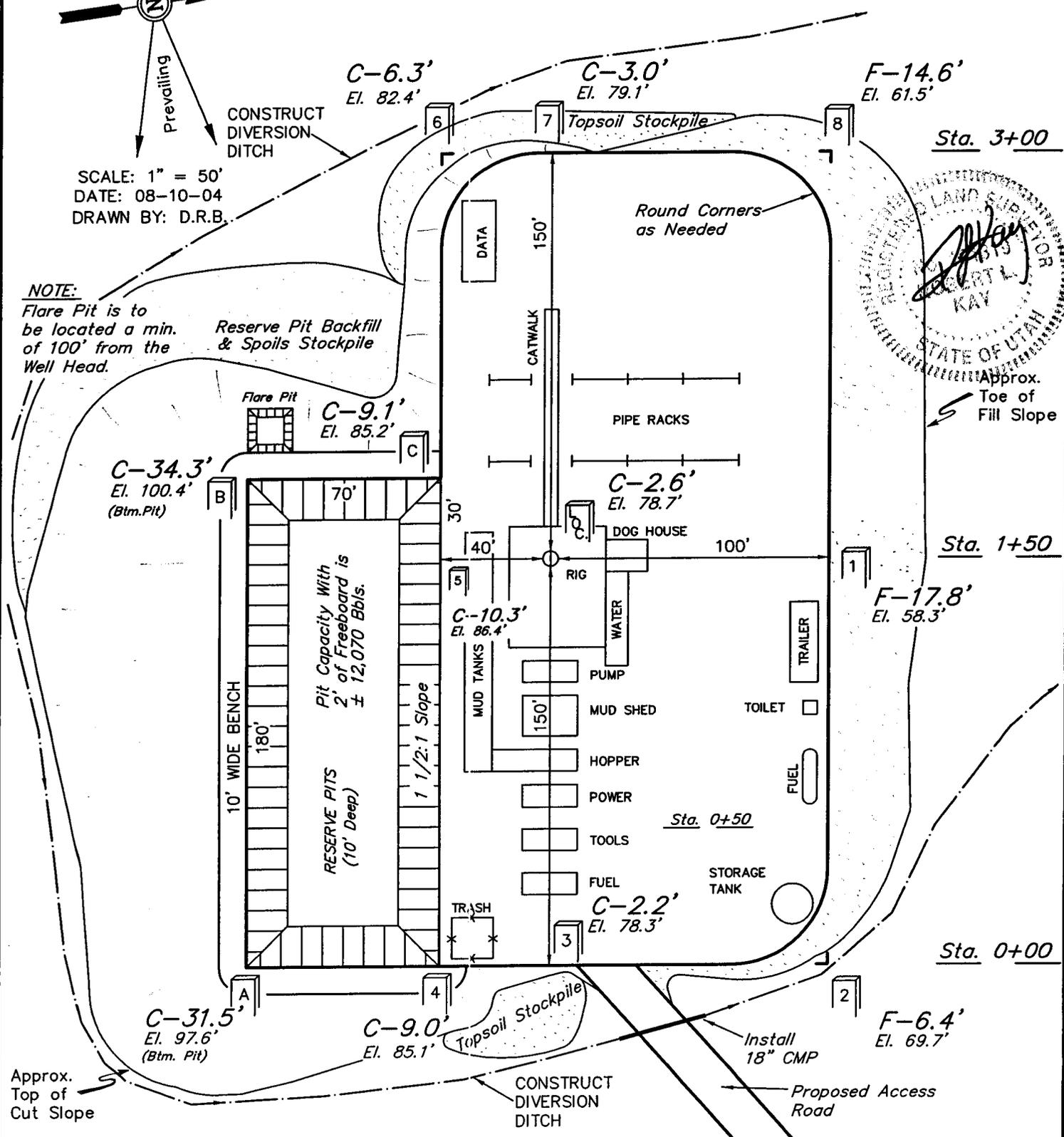
UTE TRIBAL #15-5-55  
SECTION 5, T5S, R5W, U.S.B.&M.  
639' FSL 1919' FEL



SCALE: 1" = 50'  
DATE: 08-10-04  
DRAWN BY: D.R.B.

**NOTE:**

Flare Pit is to be located a min. of 100' from the Well Head.  
Reserve Pit Backfill & Spoils Stockpile



Elev. Ungraded Ground at Location Stake = 7078.7'  
Elev. Graded Ground at Location Stake = 7076.1'

UNTAH ENGINEERING & LAND SURVEYING  
85 So. 200 East \* Vernal, Utah 84078 \* (435) 789-1017

**BERRY PETROLEUM COMPANY**

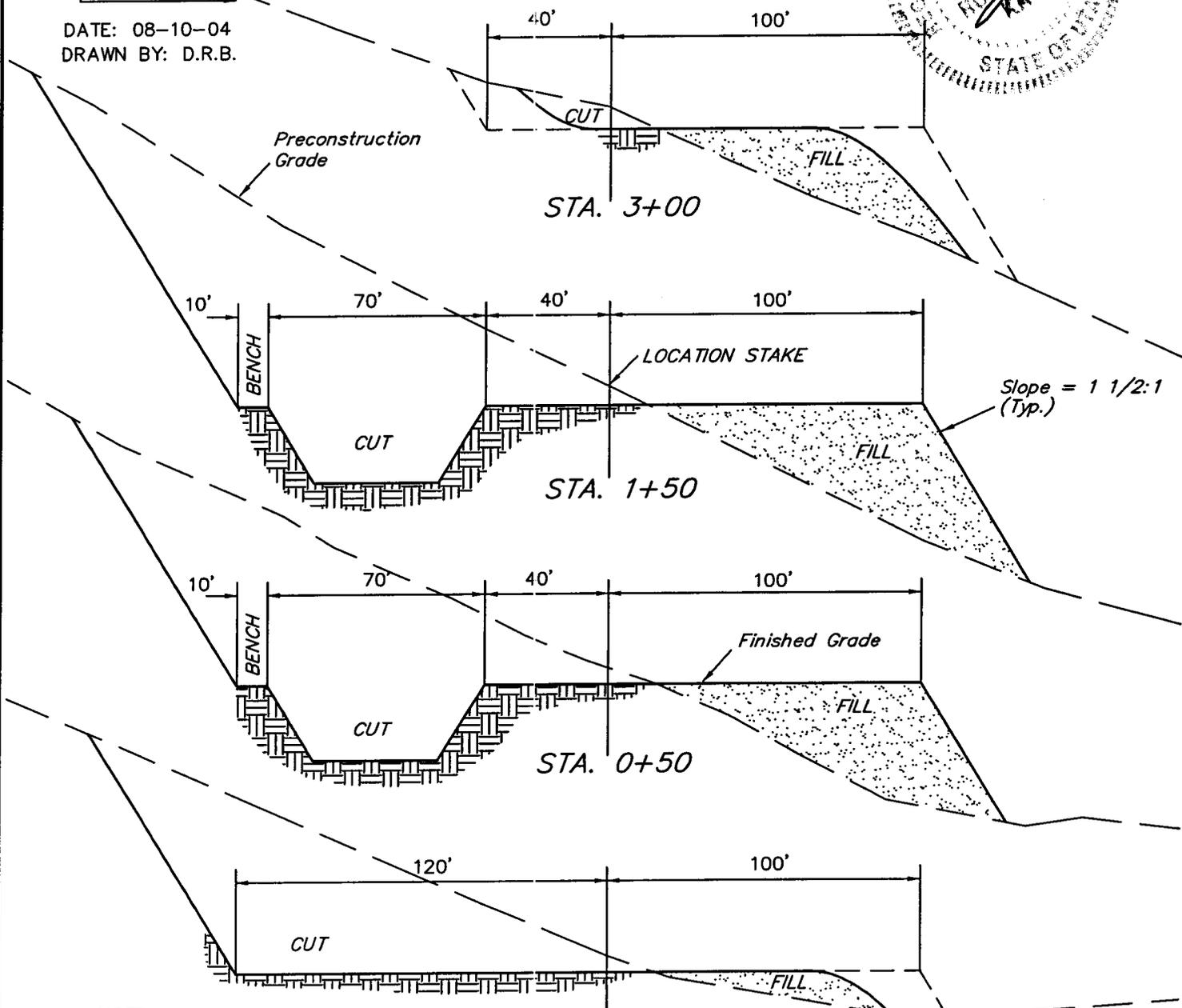
**TYPICAL CROSS SECTIONS FOR**

UTE TRIBAL #15-5-55  
SECTION 5, T5S, R5W, U.S.B.&M.  
639' FSL 1919' FEL



1" = 20'  
X-Section Scale  
1" = 50'

DATE: 08-10-04  
DRAWN BY: D.R.B.



NOTE:  
Topsoil should not be Stripped Below Finished Grade on Substructure Area.

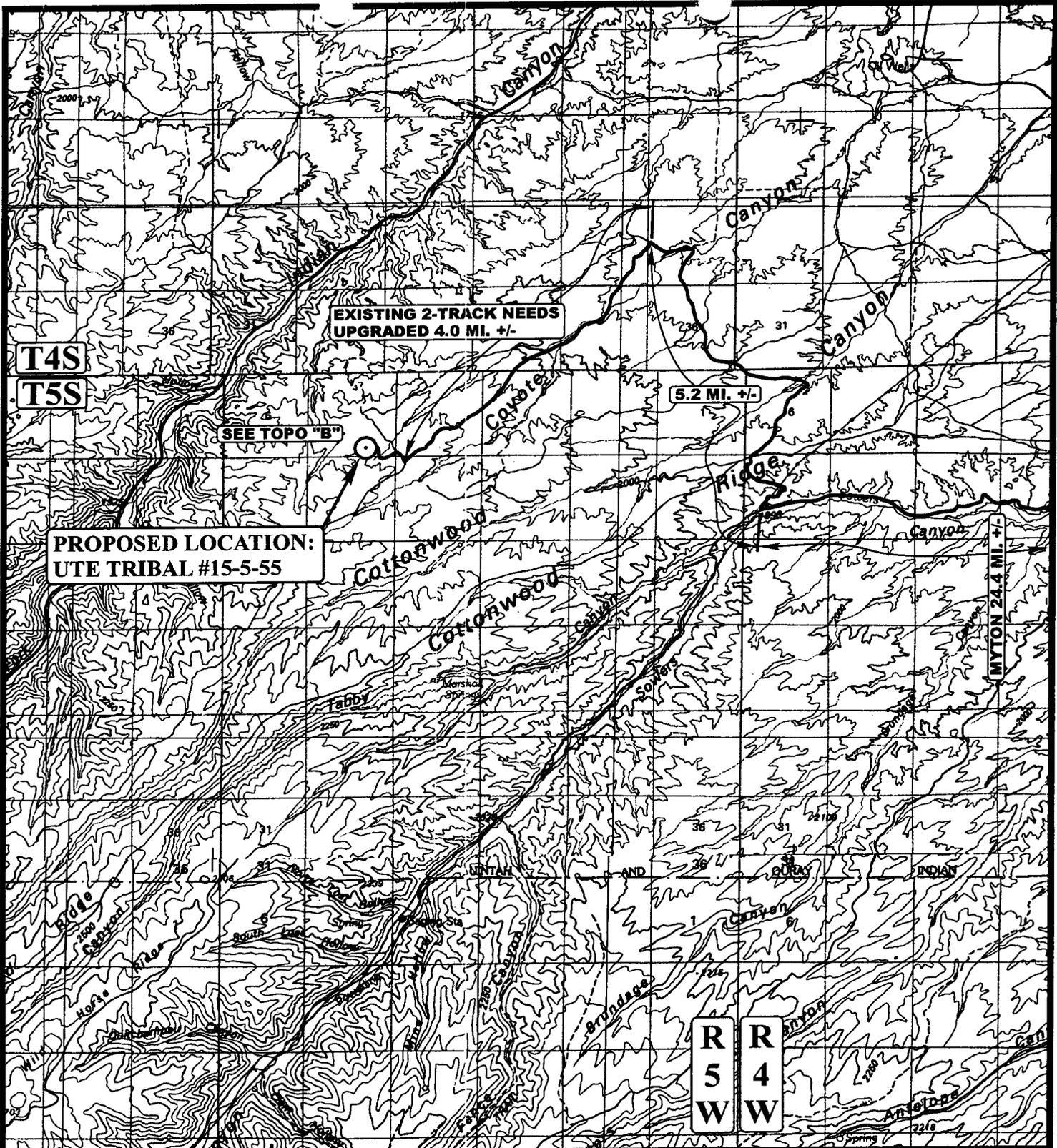
\* NOTE:  
FILL QUANTITY INCLUDES 5% FOR COMPACTION

**APPROXIMATE YARDAGES**

CUT	
(12") Topsoil Stripping	= 3,540 Cu. Yds.
Remaining Location	= 22,800 Cu. Yds.
<b>TOTAL CUT</b>	<b>= 26,340 CU.YDS.</b>
<b>FILL</b>	<b>= 12,170 CU.YDS.</b>

EXCESS MATERIAL	= 14,170 Cu. Yds.
Topsoil & Pit Backfill (1/2 Pit Vol.)	= 5,240 Cu. Yds.
EXCESS UNBALANCE (After Rehabilitation)	= 8,930 Cu. Yds.

**UINTAH ENGINEERING & LAND SURVEYING**  
85 So. 200 East \* Vernal, Utah 84078 \* (435) 789-1017



**LEGEND:**

○ PROPOSED LOCATION

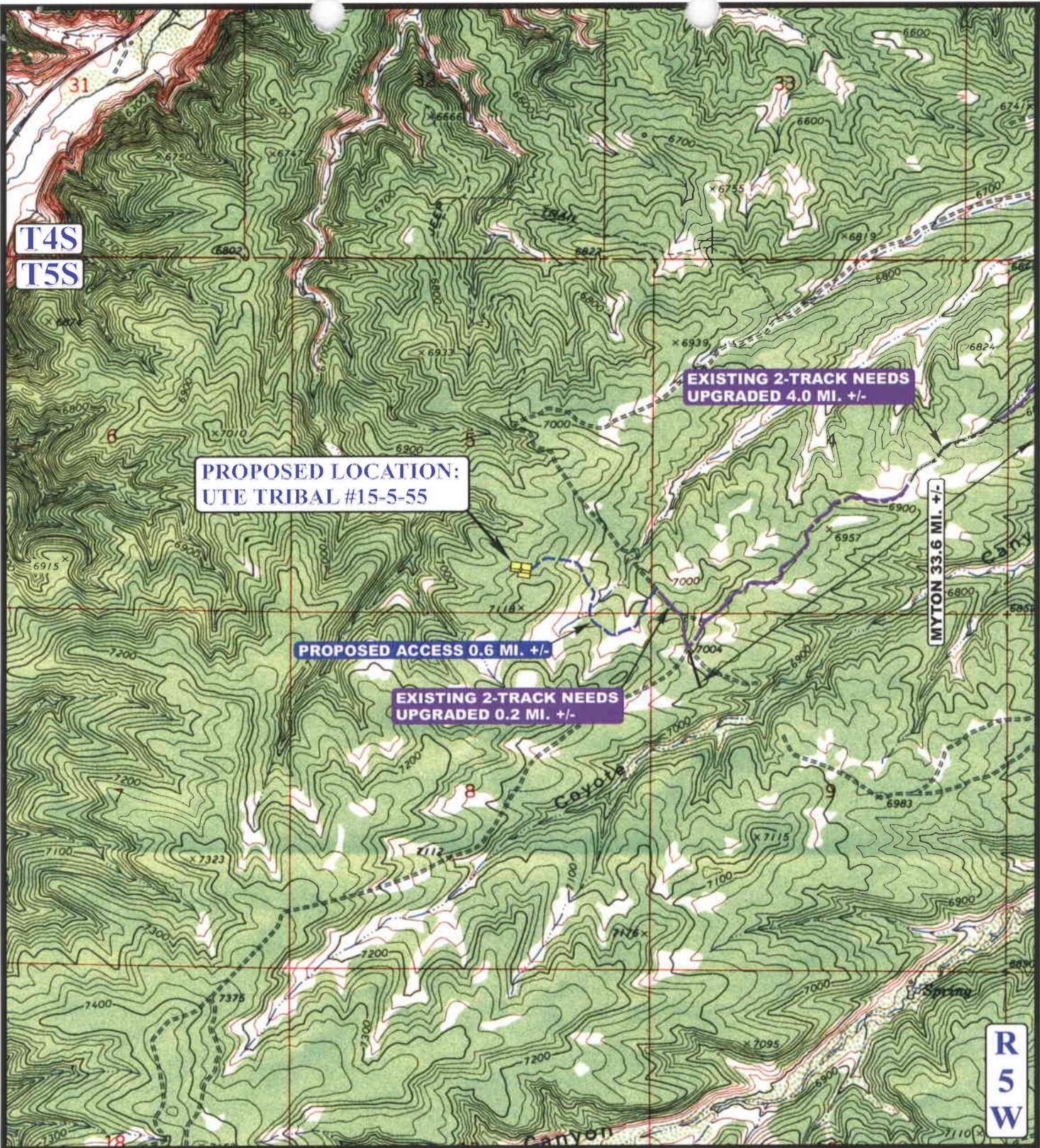


**BERRY PETROLEUM COMPANY**

UTE TRIBAL #15-5-55  
SECTION 5, T5S, R5W, U.S.B.&M.  
639' FSL 1919' FEL

**U&L S**  
**Uintah Engineering & Land Surveying**  
 85 South 200 East Vernal, Utah 84078  
 (435) 789-1017 \* FAX (435) 789-1813

**TOPOGRAPHIC** 07 27 04  
**MAP** MONTH DAY YEAR  
 SCALE: 1:100,000 DRAWN BY: P.M. REVISED: 00-00-00 **TOPO**



**LEGEND:**

- EXISTING ROAD
- PROPOSED ACCESS ROAD
- EXISTING 2-TRACK NEEDS UPGRADED

**BERRY PETROLEUM COMPANY**

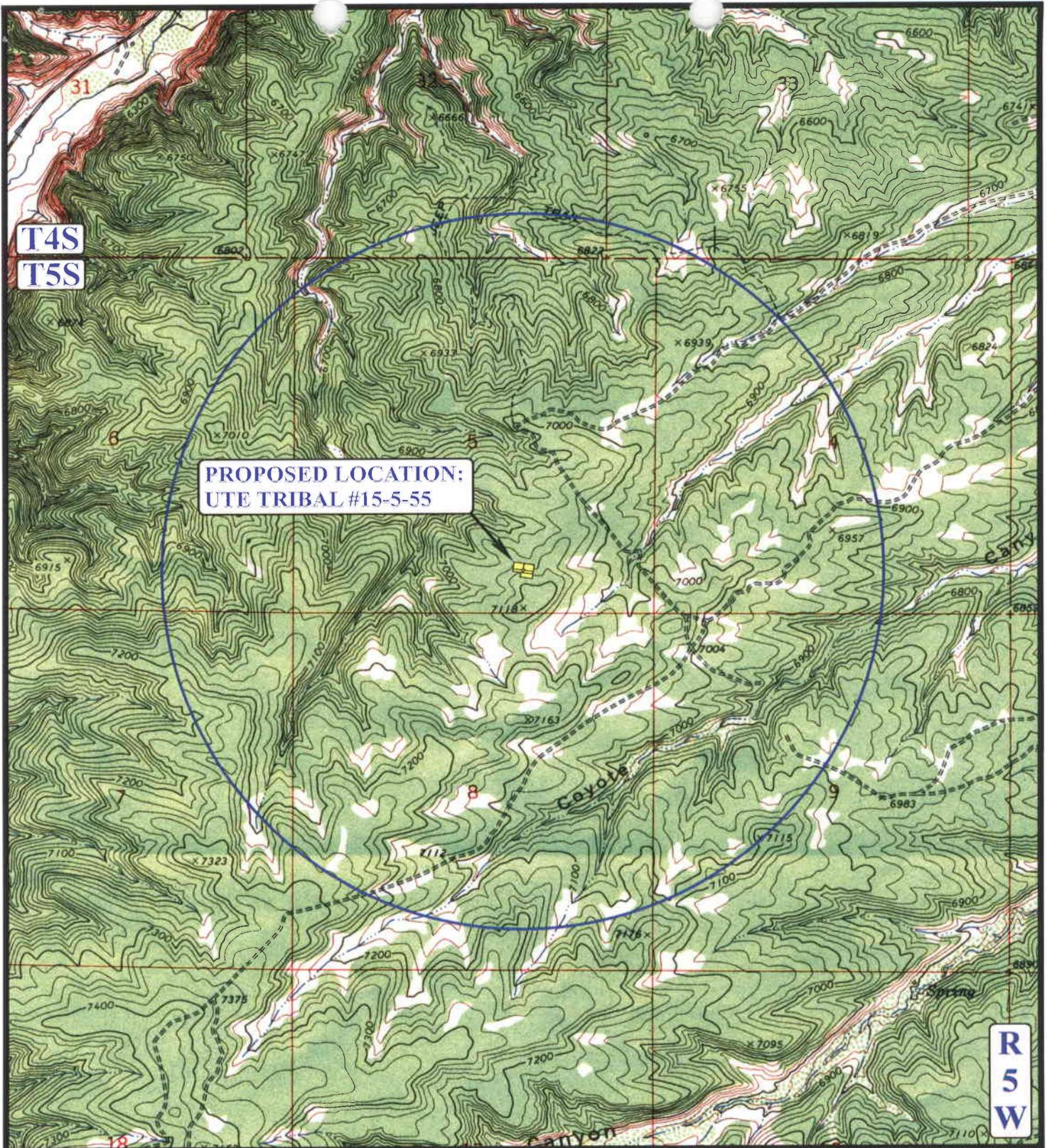
UTE TRIBAL #15-55  
 SECTION 5, T5S, R5W, U.S.B.&M.  
 639' FSL 1919' FEL



**Utah Engineering & Land Surveying**  
 85 South 200 East Vernal, Utah 84078  
 (435) 789-1017 \* FAX (435) 789-1813

**TOPOGRAPHIC MAP** 07 27 04  
 MONTH DAY YEAR  
 SCALE: 1" = 2000' DRAWN BY: P.M. REVISED: 00-00-00





**PROPOSED LOCATION:  
UTE TRIBAL #15-5-55**

**LEGEND:**

- ⊗ DISPOSAL WELLS
- PRODUCING WELLS
- SHUT IN WELLS
- ⊗ WATER WELLS
- ABANDONED WELLS
- TEMPORARILY ABANDONED

**BERRY PETROLEUM COMPANY**

**UTE TRIBAL #15-5-55  
SECTION 5, T5S, R5W, U.S.B.&M.  
639' FSL 1919' FEL**



**Utah Engineering & Land Surveying**  
85 South 200 East Vernal, Utah 84078  
(435) 789-1017 \* FAX (435) 789-1813

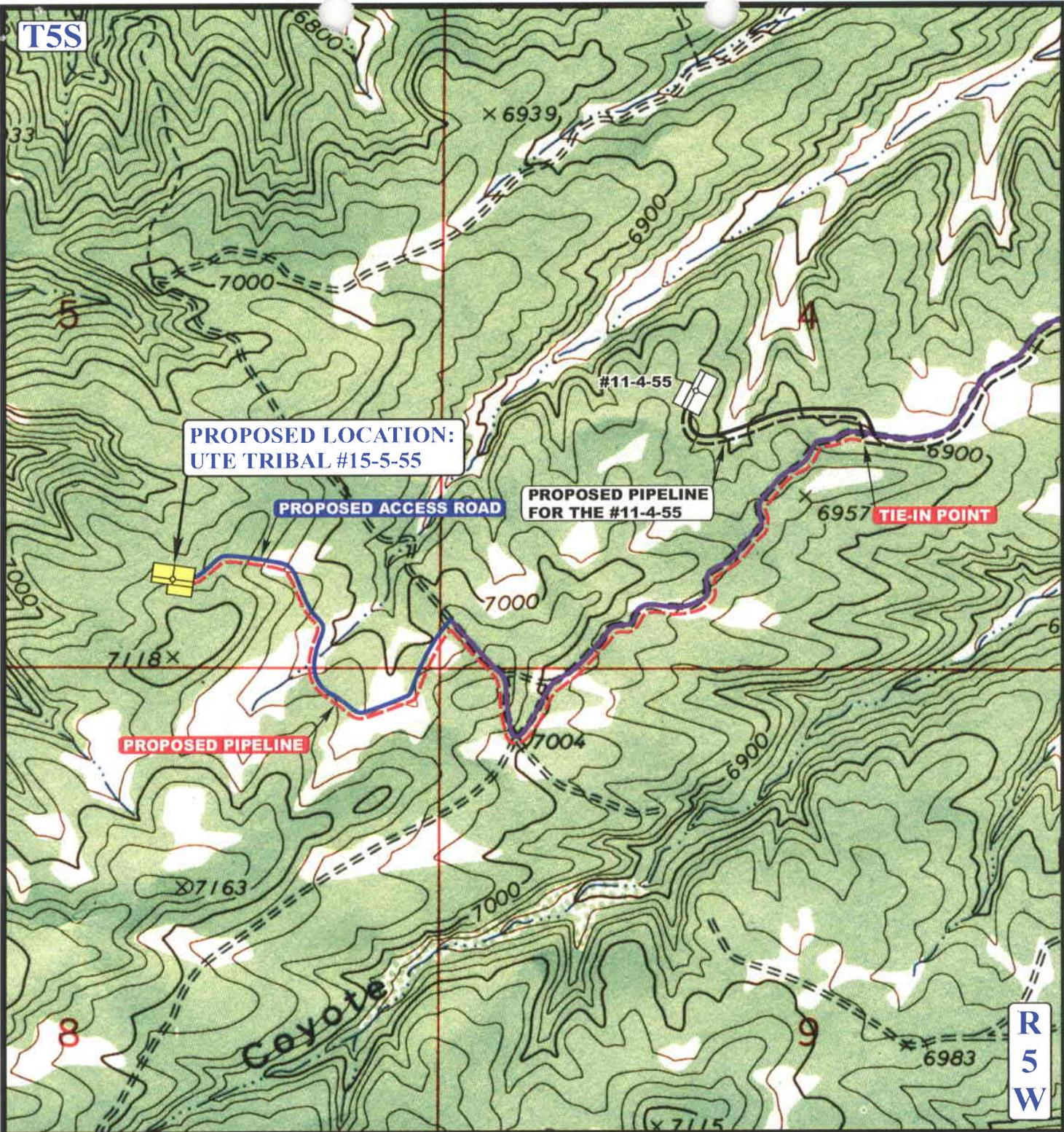


**TOPOGRAPHIC  
MAP**

**07 27 04**  
MONTH DAY YEAR

SCALE: 1" = 2000' DRAWN BY: P.M. REVISED: 00-00-00





**APPROXIMATE TOTAL PIPELINE DISTANCE = 7,956' +/-**

**LEGEND:**

- PROPOSED ACCESS ROAD
- - - - - EXISTING PIPELINE
- - - - - PROPOSED PIPELINE

**BERRY PETROLEUM COMPANY**

**UTE TRIBAL #15-5-55**  
**SECTION 5, T5S, R5W, U.S.B.&M.**  
**639' FSL 1919' FEL**



**Utah Engineering & Land Surveying**  
 85 South 200 East Vernal, Utah 84078  
 (435) 789-1017 \* FAX (435) 789-1813

**TOPOGRAPHIC MAP** **07 27 04**  
 MONTH DAY YEAR  
 SCALE: 1" = 1000' DRAWN BY: P.M. REVISED: 00-00-00



004

WORKSHEET  
APPLICATION FOR PERMIT TO DRILL

APD RECEIVED: 12/17/2004

API NO. ASSIGNED: 43-013-32317

WELL NAME: UTE TRIBAL 15-5-55  
OPERATOR: BERRY PETROLEUM COMPANY ( N2480 )  
CONTACT: DEBBIE WISENER

PHONE NUMBER: 435-722-1325

PROPOSED LOCATION:

SWSE 05 050S 050W  
SURFACE: 0639 FSL 1919 FEL  
BOTTOM: 0639 FSL 1919 FEL  
DUCHESNE  
WILDCAT ( 1 )

INSPECT LOCATN BY: / /		
Tech Review	Initials	Date
Engineering		
Geology		
Surface		

LEASE TYPE: 2 - Indian  
LEASE NUMBER: 14-20-H62-4778  
SURFACE OWNER: 2 - Indian  
PROPOSED FORMATION: GRRV  
COALBED METHANE WELL? NO

LATITUDE: 40.06997  
LONGITUDE: -110.4683

RECEIVED AND/OR REVIEWED:

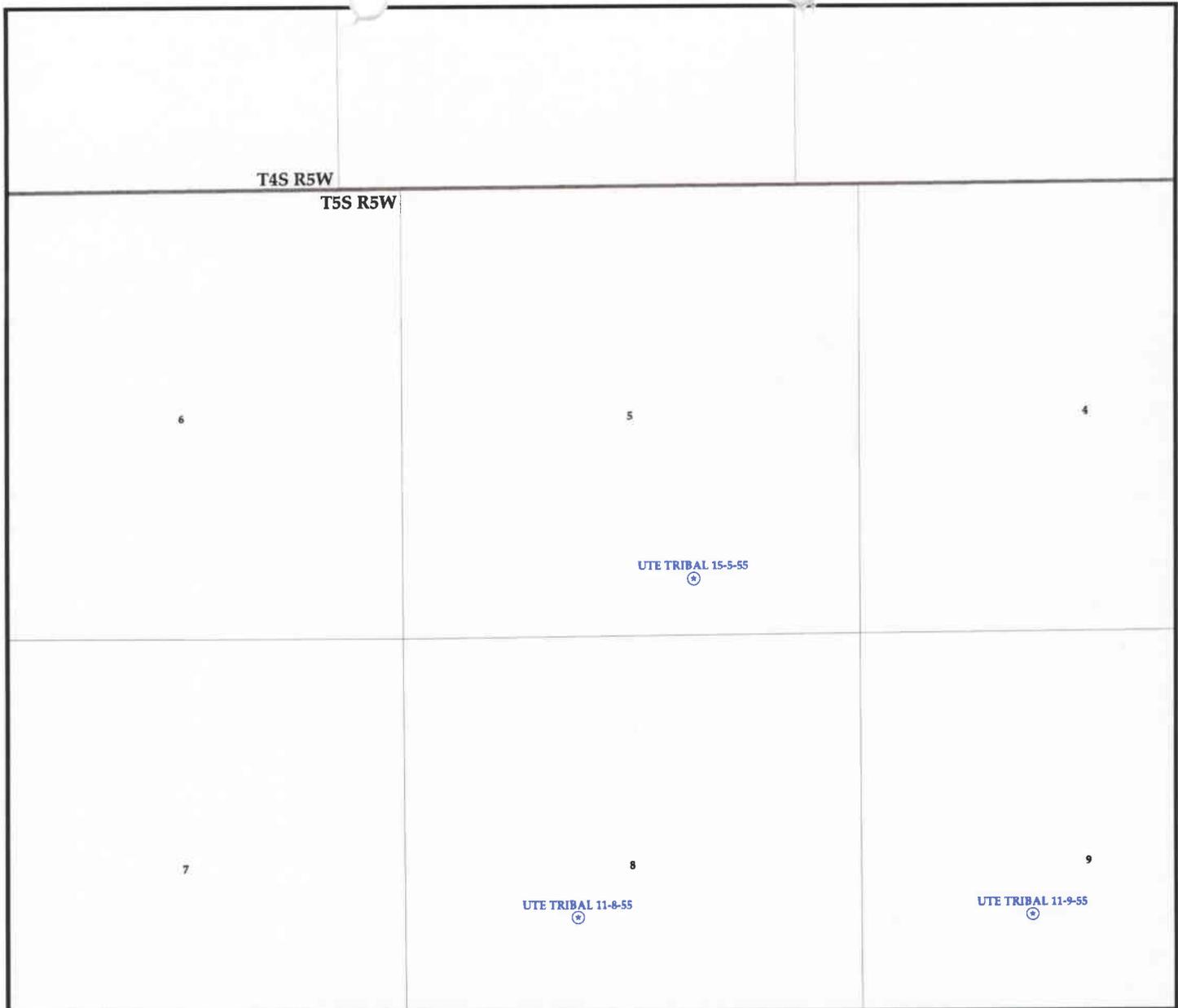
- Plat
- Bond: Fed[] Ind[2] Sta[] Fee[]  
(No. RLB0005651 )
- Potash (Y/N)
- Oil Shale 190-5 (B) or 190-3 or 190-13
- Water Permit  
(No. 43-11041 )
- RDCC Review (Y/N)  
(Date: )
- Fee Surf Agreement (Y/N)

LOCATION AND SITING:

- R649-2-3.
- Unit \_\_\_\_\_
- R649-3-2. General  
Siting: 460 From Qtr/Qtr & 920' Between Wells
- R649-3-3. Exception
- Drilling Unit
- Board Cause No: \_\_\_\_\_
- Eff Date: \_\_\_\_\_
- Siting: \_\_\_\_\_
- R649-3-11. Directional Drill

COMMENTS: See Separate file

STIPULATIONS: 1- Federal Approval  
2- Spacing Strip



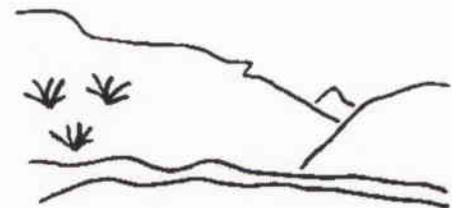
OPERATOR: BERRY PETRO CO (N2480)

SEC. 5 T.5S R.5W

FIELD: WILDCAT (001)

COUNTY: DUCHESNE

SPACING: R649-3-2 / GENERAL SITING



Utah Oil Gas and Mining

Wells	Units.shp	Fields.shp
♣ GAS INJECTION	□ EXPLORATORY	□ ABANDONED
⊛ GAS STORAGE	□ GAS STORAGE	□ ACTIVE
× LOCATION ABANDONED	□ NF PP OIL	□ COMBINED
⊕ NEW LOCATION	□ NF SECONDARY	□ INACTIVE
⊖ PLUGGED & ABANDONED	□ PENDING	□ PROPOSED
⊛ PRODUCING GAS	□ PI OIL	□ STORAGE
● PRODUCING OIL	□ PP GAS	□ TERMINATED
⊛ SHUT-IN GAS	□ PP GEOTHERML	
⊖ SHUT-IN OIL	□ PP OIL	
× TEMP. ABANDONED	□ SECONDARY	
○ TEST WELL	□ TERMINATED	
⊕ WATER INJECTION		
⊖ WATER SUPPLY		
♣ WATER DISPOSAL		



PREPARED BY: DIANA WHITNEY  
DATE: 23-DECEMBER-2004



State of Utah

Department of  
Natural Resources

ROBERT L. MORGAN  
*Executive Director*

Division of  
Oil, Gas & Mining

MARY ANN WRIGHT  
*Acting Division Director*

OLENE S. WALKER  
*Governor*

GAYLE F. McKEACHNIE  
*Lieutenant Governor*

December 27, 2004

Berry Petroleum Company  
Rt. 3, Box 3020  
Roosevelt, UT 84066

Re: Ute Tribal 15-5-5.5 Well, 639' FSL, 1919' FEL, SW SE, Sec. 5, T. 5 South,  
R. 5 West, Duchesne County, Utah

Gentlemen:

Pursuant to the provisions and requirements of Utah Code Ann. § 40-6-1 *et seq.*, Utah Administrative Code R649-3-1 *et seq.*, and the attached Conditions of Approval, approval to drill the referenced well is granted.

This approval shall expire one year from the above date unless substantial and continuous operation is underway, or a request for extension is made prior to the expiration date. The API identification number assigned to this well is 43-013-32317.

Sincerely,

(for) John R. Baza  
Associate Director

pab  
Enclosures

cc: Duchesne County Assessor  
Bureau of Land Management, Vernal District Office

**Operator:** Berry Petroleum Company  
**Well Name & Number** Ute Tribal 15-5-55  
**API Number:** 43-013-32317  
**Lease:** 14-20-H62-4778

**Location:** SW SE                      **Sec.** 5                      **T.** 5 South                      **R.** 5 West

### Conditions of Approval

1. General

Compliance with the requirements of Utah Admin. R. 649-1 *et seq.*, the Oil and Gas Conservation General Rules, and the applicable terms and provisions of the approved Application for permit to drill.

2. Notification Requirements

Notify the Division within 24 hours of spudding the well.

- Contact Carol Daniels at (801) 538-5284.

Notify the Division prior to commencing operations to plug and abandon the well.

- Contact Dan Jarvis at (801) 538-5338

3. Reporting Requirements

All required reports, forms and submittals will be promptly filed with the Division, including but not limited to the Entity Action Form (Form 6), Report of Water Encountered During Drilling (Form 7), Weekly Progress Reports for drilling and completion operations, and Sundry Notices and Reports on Wells requesting approval of change of plans or other operational actions.

4. State approval of this well does not supersede the required federal approval, which must be obtained prior to drilling.

5. This proposed well is located in an area for which drilling units (well spacing patterns) have not been established through an order of the Board of Oil, Gas and Mining (the "Board"). In order to avoid the possibility of waste or injury to correlative rights, the operator is requested, once the well has been drilled, completed, and has produced, to analyze geological and engineering data generated therefrom, as well as any similar data from surrounding areas if available. As soon as is practicable after completion of its analysis, and if the analysis suggests an area larger than the quarter-quarter section upon which the well is located is being drained, the operator is requested to seek an appropriate order from the Board establishing drilling and spacing units in conformance with such analysis by filing a Request for Agency Action with the Board.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

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

006

APPLICATION FOR PERMIT TO DRILL OR REENTER

RECEIVED  
DEC 16 2004

1a. TYPE OF WORK <input checked="" type="checkbox"/> DRILL <input type="checkbox"/> REENTER		5. Lease Serial No. 14-20-H62-4778 (E&D)	
1b. Type of Well: <input type="checkbox"/> Oil well <input checked="" type="checkbox"/> Gas well <input type="checkbox"/> Other		6. If Indian, Allottee or Tribe Name UTE	
2. Name of Operator BERRY PETROLEUM COMPANY		7. Unit or CA Agreement, Name and No.	
3a. Address 1614 SOUTH 2000 WEST RT. 3 BOX 3020, ROOSEVELT, UT. 84066		8. Lease Name and Well No. UTE TRIBAL 15-5-55	
3b. Phone No. (include area code) (435) 722-1325		9. API Well No. 43.013.32317	
4. Location of Well (Report location clearly and in accordance with any State requirements.) At surface (SW/SE) 639' FSL, 1919' FEL At proposed prod. zone SAME AS ABOVE		10. Field and Pool, or Exploratory WILDCAT	
14. Distance in miles and direction from nearest town or post office* 34.4 MILES FROM MYTON, UTAH		11. Sec., T. R. M. or BLK. and Survey or Area SEC. 5, T.5S., R.5W. U.S.B.&M.	
15. Distance from proposed* location to nearest property of lease line, ft. (Also to nearest drig. Unit line, if any) 639'		12. County or Parrish DUCHESNE	
16. No. of acres in lease 640		13. State UTAH	
17. Spacing Unit dedicated to this well 40		18. Distance from proposed* to nearest well, drilling, completed, applied for, on this lease, ft. N/A	
19. Proposed Depth 6365'		20. BLM/BIA Bond No. on file <del>UTB000035</del> RLB0005750	
21. Elevations (Show whether DF, KDB, RT, GR, etc.) 7076' GR		22. Approximate date work will start* REFER TO BPC SOP PLAN	
		23. Estimated duration REFER TO BPC SOP PLAN	

24. Attachments

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

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

25. Signature 	Name (Printed/Typed) DEBBIE L. WISENER	Date 12/08/04
Title PRODUCTION & REGULATORY TECHNICIAN		
Approved by (Signature) 	Name (Printed/Typed)	Date 05/04/2005
Title Assistant Field Manager Mineral Resources		

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. **CONDITIONS OF APPROVAL ATTACHED**

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)

NOTICE OF APPROVAL

CONDITIONS OF APPROVAL  
APPLICATION FOR PERMIT TO DRILL

RECEIVED  
MAY 06 2005

DIV. OF OIL, GAS & MINING

Operator/Company: Berry Petroleum Co.

Well Name/Number: Ute Tribal 15-5-55

API Number: 43-013-32317

Location: SWSE Section 5, Township 5 South, Range 5 West

Lease Number: 14-20-H62-4778

Agreement Name (If Applicable): N/A

For more specific details on notification requirements, please check the Conditions of Approval for Notice to Drill and Surface Use Program.

**CONDITIONS OF APPROVAL FOR NOTICE TO DRILL**

Approval of this application 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.

Be aware that fire restrictions may be in effect when location is being constructed and/or when well is being drilled. Contact the appropriate Surface Management Agency for information.

**Please submit an electronic copy of all logs run on this well in LAS format. This submission will supersede the requirement for submittal of paper logs to the BLM. The cement bond log must be submitted in raster format (TIF, PDF or other).**

In the event after-hours approvals are necessary, you must contact one of the following individuals:

Kirk Fleetwood (435) 828-7874  
Petroleum Engineer

Michael Lee (435) 828-7875  
Petroleum Engineer

DDG-M

BLM FAX Machine (435) 781-4410

### **CONDITIONS OF APPROVAL FOR SURFACE USE PROGRAM**

Berry Petroleum Company (Berry) will assure the Ute Tribe that any/all contractors and subcontractors have acquired a current Tribal Business License and have updated "Access Permits" prior to construction. All Berry personnel, contractors and subcontractors will have these permits in their vehicles at all times. Companies that have not complied with this COA will be in violation of the Ute Tribal Business License Ordinance, and will be subject to fines and penalties.

Berry employees, representatives, and/or authorized personnel (subcontractors) shall not carry firearms on their person or in their vehicles while working on the Uintah and Ouray Indian Reservation.

Berry employees and/or authorized personnel (subcontractors) in the field will have approved applicable APDs and/or ROW permits/authorizations on their person(s) during all phases of construction.

Berry will notify the Ute Tribe and Bureau of Indian Affairs (BIA) in writing of any requested modification of APDs or Rights-Of Way (ROW). Berry shall receive written notification of authorization or denial of the requested modification. Without authorization, Berry will be subject to fines and penalties.

The Ute Tribe Energy & Minerals Department shall be notified in writing 48 hours in advance of any construction activity. The Ute Tribal office is open Monday through Thursday. A Tribal Technician is to routinely monitor construction. Berry shall make arrangements with the Ute Energy & Minerals Department for all monitoring that will exceed regular working hours for Tribal Technicians. A qualified Archaeologist accompanied by a Tribal Technician will monitor any trenching construction involved in the pipeline construction. Berry is to inform the contractors to maintain construction of the pipelines within the approved right of ways.

A corridor ROW, 30 feet wide and 2663 feet long, shall be granted for the pipeline and for the new access road for the Ute Tribal 8-30-54 well.

A corridor ROW, 30 feet wide and 1718 feet long, shall be granted for the pipeline and for the new access road for the Ute Tribal 15-31-54 well.

A corridor ROW, 30 feet wide and 3982 feet long, shall be granted for the pipeline and for the new access road for the Ute Tribal 13-33-54 well.

A corridor ROW, 30 feet wide and 7917 feet long, shall be granted for the pipeline and for the new access road for the Ute Tribal 15-5-55 well. The corridor would follow existing and proposed roads for its entire length. Existing roads on UDWR lands with appropriate maintenance are adequate for the drilling project.

A corridor ROW, 30 feet wide and 266 feet long, shall be granted for the pipeline and for the new access road for the Ute Tribal 3-36-55 well. The corridor would follow existing and proposed roads for its entire length.

The constructed travel width of these new access roads shall be limited to 18 feet. Upon authorization by the Ute Tribe Energy & Minerals Department, the ROWs may be wider where sharp curves; deep cuts and fills occur; or, where intersections with other roads are required.

Culverts, low water crossings, and diversion ditches will be placed and constructed where needed.

Upon completion of the pertinent APD and ROWs construction, Berry will notify the Ute Tribe Energy & Minerals Department for a Tribal Technician to verify the Affidavit of Completion.

Production waters, oil, and other byproducts shall not be placed on access roads or the well pad.

All vehicular traffic, personnel movement, construction and restoration operations will be confined to the areas examined and approved and to the existing roadways and/or evaluated access routes.

Berry will implement "Safety and Emergency Plan" and ensure plan compliance.

Berry shall stop construction activities and notify personnel from the Ute Tribe Energy & Minerals Department and BIA if cultural remains including paleontology resources (vertebrate fossils) are exposed or identified during construction. The Ute Tribe Department of Cultural Rights and Protection and the BIA will provide mitigation measures prior to allowing construction.

Berry employees and/or authorized personnel (subcontractors) will not be allowed to collect artifacts and paleontology fossils. No significant cultural resources shall be disturbed.

Berry will control noxious weeds on the well sites and ROWs. Berry will be responsible for noxious weed control if weeds spread from the project area onto adjoining land.

Reserve pits will be lined with an impervious synthetic liner. A fence will be constructed around the reserve pit until it is backfilled. Prior to backfilling the reserve pit, all fluids will be pumped from the pit into trucks and hauled to approved disposal sites or shall be used to drill other wells. When the reserve pits are backfilled, the pit liner remnants, the surplus oil and mud, etc., will be buried a minimum of 3.0 feet below the surface of the soil.

A closed system will be used during production. This means that production fluids will be contained in leak-proof tanks. All production fluids will be disposed of at approved disposal sites.

Surface pipelines will be constructed to lay on the soil surface. The pipeline ROW will not be bladed or cleared of vegetation without authorization of the BIA. Surface pipelines shall be welded in place at well sites or on access roads and on other existing roads then pulled into place with suitable equipment. The pipeline portion of the ROW will not be bladed or cleared of vegetation without authorization of the BIA.

Buried pipelines shall be buried a minimum of 3 feet below the soil surface. After construction is completed the disturbed area shall be contoured to blend into the natural landscape and be reseeded between September 15 and November 1 of the year following construction with perennial vegetation seed mixture provided by the BIA or Ute Tribe.

Before each site is abandoned, Berry will be required to restore the well site and related ROWs to near their original state. The disturbed areas will be reseeded with desirable perennial vegetation.

Soil erosion will be mitigated, by reseeding all areas of disturbance.



**State of Utah**

**Department of  
Natural Resources**

MICHAEL R. STYLER  
*Executive Director*

**Division of  
Oil, Gas & Mining**

JOHN R. BAZA  
*Division Director*

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

January 30, 2006

Debbie Wisener  
Berry Petroleum Company  
RR3 Box 3020  
Roosevelt, Utah 84066

Re: APD Rescinded -Ute Tribal 15-5-55 Sec. 5, T. 5S R. 5W  
Duchesne County, Utah API No. 43-013-32317

Dear Ms. Wisener:

The Application for Permit to Drill (APD) for the subject well was approved by the Division of Oil, Gas and Mining (Division) on December 27, 2004. On January 30, 2006 you requested that the division rescind the state approved APD.

No drilling activity at this location has been reported to the division. Therefore, approval to drill the well is hereby rescinded, effective January 30, 2006.

A new APD must be filed with this office for approval prior to the commencement of any future work on the subject location.

If any previously unreported operations have been performed on this well location, it is imperative that you notify the Division immediately.

Sincerely,

  
Diana Whitney  
Engineering Technician

cc: Well File  
Bureau of Land Management, Vernal



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT

Vernal Field Office  
170 South 500 East  
Vernal, UT 84078  
(435) 781-4400 Fax: (435) 781-4410  
<http://www.w.blm.gov/utah/vernal>



IN REPLY REFER TO:  
3160  
UT08300

June 8, 2006

Debbie Wisener  
Berry Petroleum Company  
Route 3 Box 3020  
Roosevelt, Utah 84066

Re: Notification of Expiration  
Well No. Ute Tribal 15-5-55  
SWSE, Section 5, T5S, R5W  
Duchesne County, Utah  
E&D No. 14-20-H62-4778

43-013-32317

Dear Ms. Wisener:

The Application for Permit to Drill the above-referenced well was approved on May 4, 2005. Since that date no known activity has transpired at the approved location. Applications for Permit to Drill are effective for a period of one year. In view of the foregoing, this office is notifying you that the approval of the referenced application has expired. If you intend to drill at this location at a future date, a new Application for Permit to Drill must be submitted.

This office requires a letter confirming that no surface disturbance has been made for this drill site. Any surface disturbance associated with the approved location of this well is to be rehabilitated. A schedule for this rehabilitation must be submitted to this office. Your cooperation in this matter is appreciated.

Sincerely,

Leslie Wilcken  
Land Law Examiner

cc: UDOGM  
BIA  
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