

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

September 12, 2005

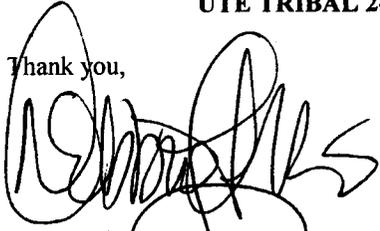
State Of Utah
Division of Oil, Gas & Mining
1594 W. North Temple,
Suite 1210 Box 145801
Salt Lake City, Utah 84114-5801

Re: Application for Permit to Drill

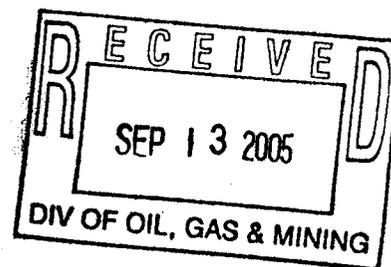
Attached please find one (1) original copy of an *Application for Permit to Drill* on the following locations:

UTE TRIBAL 9-22-54
UTE TRIBAL 5-26-54
UTE TRIBAL 13-25-54
UTE TRIBAL 6-28D-54
UTE TRIBAL 2-30D-54
UTE TRIBAL 10-30D-54
MOON TRIBAL 4-32-54
UTE TRIBAL 6-32D-54
UTE TRIBAL 10-32D-54
UTE TRIBAL 2-33D-54

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

AMENDED REPORT
(highlight changes)

APPLICATION FOR PERMIT TO DRILL

1A. TYPE OF WORK: DRILL <input checked="" type="checkbox"/> REENTER <input type="checkbox"/> DEEPEN <input type="checkbox"/>		5. MINERAL LEASE NO: 14-20-H62-4947	6. SURFACE: INDIAN
B. TYPE OF WELL: OIL <input checked="" type="checkbox"/> GAS <input type="checkbox"/> OTHER _____ SINGLE ZONE <input checked="" type="checkbox"/> MULTIPLE ZONE <input type="checkbox"/>		7. IF INDIAN, ALLOTTEE OR TRIBE NAME: UTE	
2. NAME OF OPERATOR: BERRY PETROLEUM COMPANY		8. UNIT or CA AGREEMENT NAME:	
3. ADDRESS OF OPERATOR: RT. 2 BOX 7735 CITY ROOSEVELT STATE UTAH ZIP 84066		PHONE NUMBER: (435)722-1325	9. WELL NAME and NUMBER: UTE TRIBAL 10-32-54
4. LOCATION OF WELL (FOOTAGES) AT SURFACE: 1865' FSL, 2108' FEL AT PROPOSED PRODUCING ZONE: SAME AS ABOVE		10. FIELD AND POOL, OR WILDCAT: BRUNDAGE CANYON	
14. DISTANCE IN MILES AND DIRECTION FROM NEAREST TOWN OR POST OFFICE: 23.9 MILES FROM MYTON, UTAH		11. QTR/QTR, SECTION, TOWNSHIP, RANGE, MERIDIAN: (NW/SE) SEC. 32, T.5S., R.4W. U.S.B.&M.	
15. DISTANCE TO NEAREST PROPERTY OR LEASE LINE (FEET) 1865'	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) 900'	19. PROPOSED DEPTH: 6025'	20. BOND DESCRIPTION: RLB0005651	
21. ELEVATIONS (SHOW WHETHER DF, RT, GR, ETC.): 7044' 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

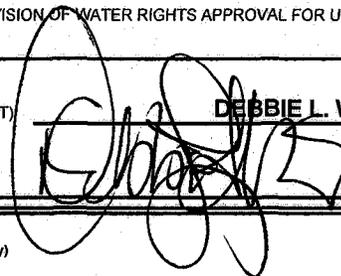
SIZE OF HOLE	CASING SIZE, GRADE, AND WEIGHT PER FOOT	SETTING DEPTH	CEMENT TYPE, QUANTITY, YIELD, AND SLURRY WEIGHT
REFER TO BERRY PETROLEUM COMPANY SOP'S DRILLING PROGRAM/CASING DESIGN			

ATTACHMENTS

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

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

NAME (PLEASE PRINT) **DEBBIE L. WISENER** TITLE **PRODUCTION & REGULATORY TECHNICIAN**

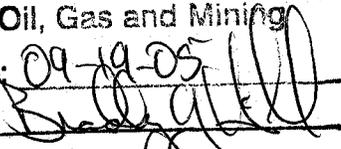
SIGNATURE  DATE **09/09/05**

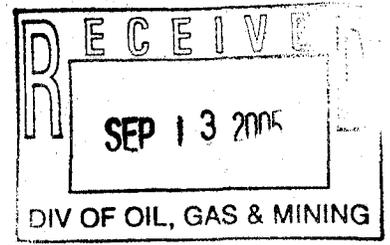
(This space for State use only)

API NUMBER ASSIGNED: **43-013-32895**

(11/2001)

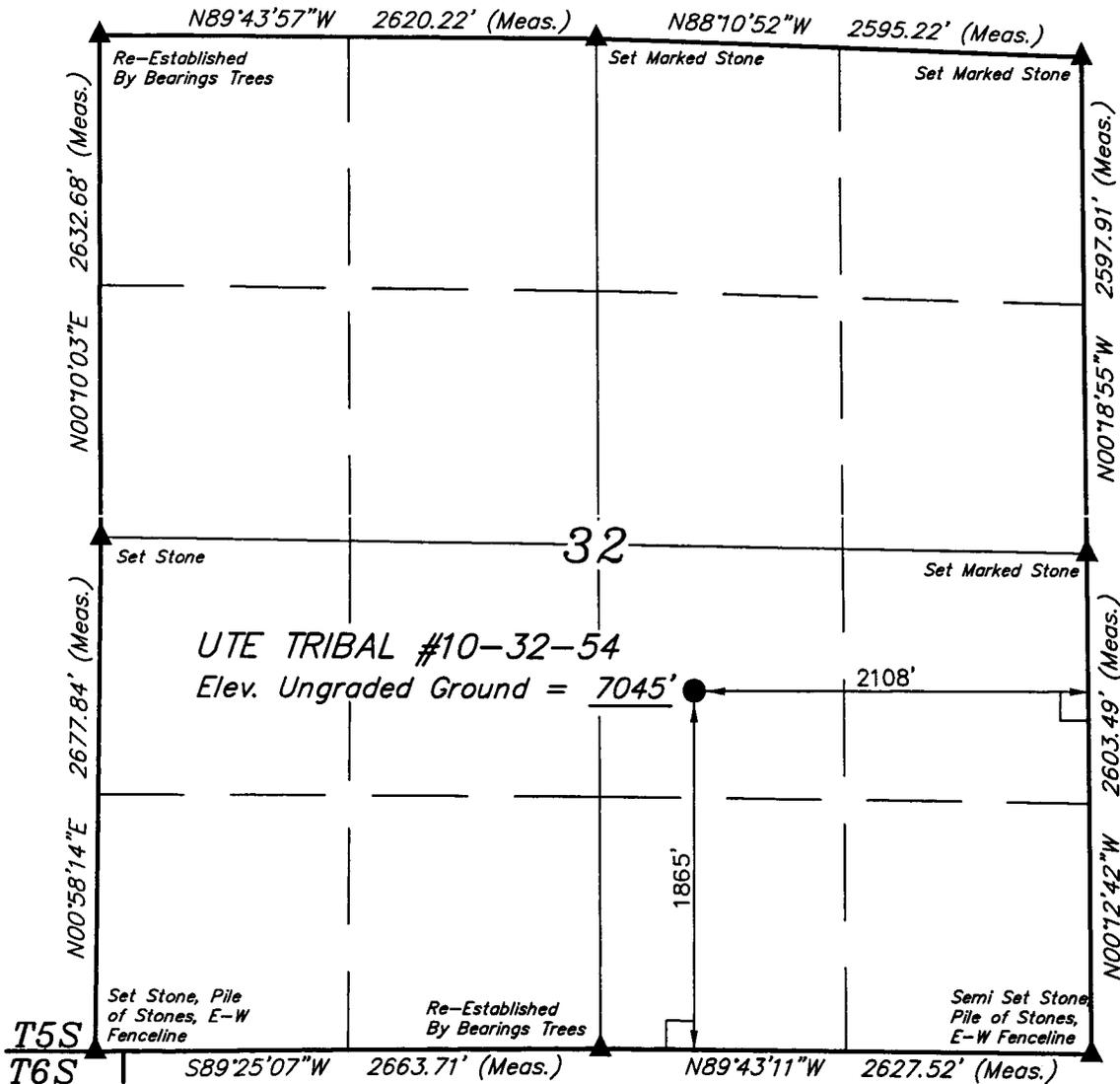
APPROVAL:
Approved by the
Utah Division of
Oil, Gas and Mining
(See Instructions on Reverse Side)

Date: **09-19-05**
By: 



Federal Approval of this Action is Necessary

T5S, R4W, U.S.B.&M.



BERRY PETROLEUM COMPANY

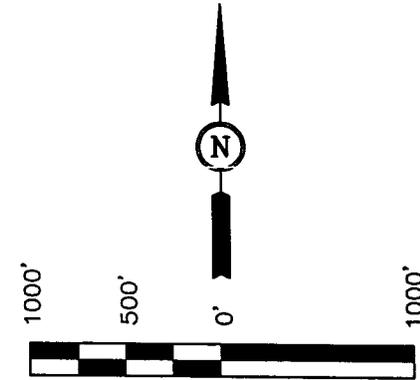
Well location, UTE TRIBAL #10-32-54, located as shown in the NW 1/4 SE 1/4 of Section 32, T5S, R4W, U.S.B.&M. Duchesne County, Utah.

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.

BASIS OF BEARINGS

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



SCALE

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.

John H. ...

REGISTERED LAND SURVEYOR
REGISTRATION NO. 18131D
STATE OF UTAH

LEGEND:

└─┘ = 90° SYMBOL

● = PROPOSED WELL HEAD.

▲ = SECTION CORNERS LOCATED.

(NAD 83)

LATITUDE = 40°00'03.99" (40.001108)

LONGITUDE = 110°21'27.31" (110.357586)

(NAD 27)

LATITUDE = 40°00'04.13" (40.001147)

LONGITUDE = 110°21'24.76" (110.356878)

UINTAH ENGINEERING & LAND SURVEYING

85 SOUTH 200 EAST - VERNAL, UTAH 84078

(435) 789-1017

SCALE 1" = 1000'	DATE SURVEYED: 06-22-05	DATE DRAWN: 06-23-05
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 10-32-54
NW 1/4, SE 1/4, 1865' FSL 2108' FEL, Section 32, T. 5 S., R. 4 W., U.S.B.&M.
Lease BIA 14-20-H62-4947
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
3846 South HWY 40
Route 2, Box 7735
Roosevelt, Utah 84066
435-722-1325

BERRY PETROLEUM COMPANY
Ute Tribal 10-32-54
Surface location NW 1/4, SE 1/4, 1865' FSL 2108' FEL, Section 32, T. 5 S., R. 4 W., U.S.B.&M.
Duchesne County, Utah

ONSHORE ORDER NO. 1

DRILLING 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	1,389'
Mahogany	2,612'
Tgr3 Marker	3,624'
*Douglas Creek	4,386'
*Castle Peak	5,298'
Uteland Butte Ls.	5,722'
Wasatch	5,926'
TD	6,025'
Base of Moderately Saline Water (less than 10000ppm)	1,331'

*PROSPECTIVE PAY

3 Pressure Control Equipment

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: MARCH 7, 2005).

4 Proposed Casing and Cementing Program

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: MARCH 7, 2005).

5 Drilling Fluids Program

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: MARCH 7, 2005).

6 Evaluation Program

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: MARCH 7, 2005).

Berry Petroleum Company
Drilling Program
Ute Tribal 10-32-54
Duchesne County, Utah
Page Two

7 Abnormal Conditions

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: MARCH 7, 2005).

8 Anticipated Starting Dates and Notification of Operations

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: MARCH 7, 2005).

9 Other information

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: MARCH 7, 2005).

BERRY PETROLEUM COMPANY
Ute Tribal 10-32-54
Surface location NW 1/4, SE 1/4, 1865' FSL 2108' FEL, Section 32, T. 5 S., R. 4 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 10-32-54 location, in Section 32-T5S-R4W:

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 8.6 miles to the Nutters Canyon Road. Turn south on the Nutters Canyon Road and proceed south 0.4 miles. Turn west on the Nutters Ridge Road and proceed southwest 6.25 miles. Turn east and proceed 300'+/- to the Ute Tribal 10-32-54 access road. Turn onto access road and proceed 35'+/- to the Ute Tribal 10-32-54 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.

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: MARCH 7, 2005).

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 Myton (Moon) Pit, SE/NE Sec. 27, T3S, R2W 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: MARCH 7, 2005).

7 Methods of Handling Waste Materials

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: MARCH 7, 2005).

8 Ancillary Facilities

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: MARCH 7, 2005).

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: MARCH 7, 2005). If an Archaeological Study is preformed, all seed mixture will match Archaeological recommendation.

11 Surface Ownership

Ute Indian Tribe

12 Other information

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: MARCH 7, 2005).

13 Operator's Representative and Certification

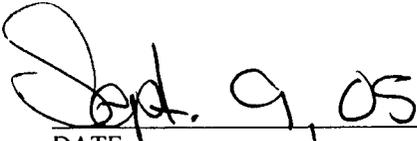
A) Representative
NAME: Debbie L. Wisener
ADDRESS: Berry Petroleum Company
3846 South HWY 40
Route 2, Box 7735
Roosevelt, Utah 84066
PHONE: 435-722-1325

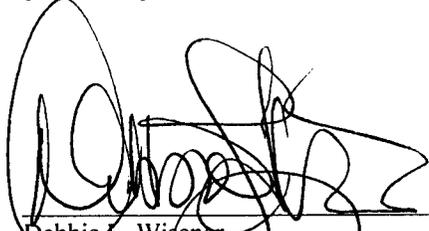
All lease and/or unit operations will be conducted in such a manner that full compliance is made with all applicable laws, regulations and onshore oil and gas orders. The operator is fully responsible for the actions of its subcontractors. A copy of these conditions will be furnished to the field representative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


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 #10-32-54

Across the following described Indian Lands NW 1/4 SE 1/4 OF SECTION 32, T5S, R4W, U.S.B.&M.

Drill Site = 1.993 Ac.

Corridor R-O-W = 0.007 Ac.
(Access Road & Pipeline)

Total Acreage = 2.000 Acres

4" to 6" SDR-11 POLY PIPELINE

Said Right-of-Way to be approximately 9.53' feet in length, 30 feet in width, and 0.007 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 6 day of July, 2005.



 WITNESS

BERRY PETROLEUM COMPANY
 APPLICANT



 WITNESS



 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-H62-4659)
- () 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 #10-32-54
DAMAGE AREA & CORRIDOR RIGHT-OF-WAY
SECTION 32, T5S, R4W, U.S.B.&M.

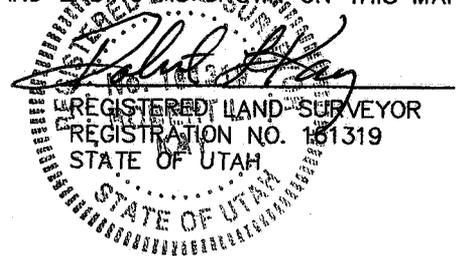
TOTAL CORRIDOR RIGHT-OF-WAY ON UTE TRIBAL LANDS

TOTAL LENGTH OF RIGHT-OF-WAY IS 9.53' OR 0.002 MILES. WIDTH OF
RIGHT-OF-WAY IS 30' (15' PERPENDICULAR ON EACH SIDE OF THE CENTERLINE).
CONTAINS 0.007 ACRES MORE OR LESS.

ENGINEER'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF Uintah)

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, 0.002 MILES IN LENGTH BEGINNING AND ENDING AS SHOWN ON THIS MAP IS ACCURATELY REPRESENTED.



ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 5 DAY OF July 2005.

MY COMMISSION EXPIRES Aug 17, 2006.

[Signature]

NOTARY PUBLIC
VERNAL, 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, 0.002 MILES IN LENGTH BEGINNING AT STA. 0+00 AND ENDING AT STA. 0+09.53, 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.

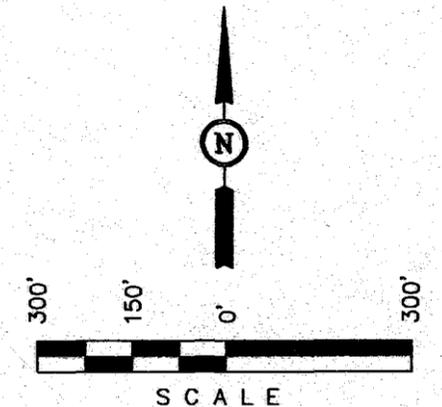
[Signature]

APPLICANT

PRODUCTION SUPERVISOR
TITLE

BERRY PETROLEUM COMPANY
LOCATION DAMAGE AREA & CORRIDOR RIGHT-OF-WAY ON UTE TRIBAL LANDS

(For UTE TRIBAL #10-32-54)
 LOCATED IN
 SECTION 32, T5S, R4W, U.S.B.&M.
 DUCHESNE COUNTY, UTAH



DAMAGE AREA DESCRIPTION

BEGINNING AT A POINT IN THE NW 1/4 SE 1/4 OF SECTION 32, T5S, R4W, U.S.B.&M. WHICH BEARS N19°05'38"E 1795.43' FROM THE SOUTH 1/4 CORNER OF SAID SECTION 32, THENCE S81°13'04"W 183.29'; THENCE N08°46'56"W 230.00'; THENCE N21°28'27"E 138.92'; THENCE N81°13'04"E 190.00'; THENCE S08°46'56"E 350.00'; THENCE S81°13'04"W 76.71' TO THE POINT OF BEGINNING. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 1.993 ACRES MORE OR LESS.

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.

[Signature]
 REGISTERED LAND SURVEYOR
 REGISTRATION NO. 161319
 STATE OF UTAH

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

SCALE 1" = 300'	DATE 06-24-05
PARTY S.H. L.M. D.R.B.	REFERENCES G.L.O. PLAT
WEATHER WARM	FILE 4 3 9 9 3

RIGHT-OF-WAY LENGTHS			
PROPERTY OWNER	FEET	ACRES	RODS
UTE TRIBAL	9.53'	0.007	0.58

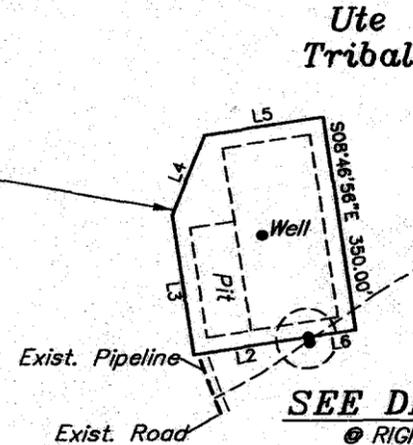
Sec. 32

1/4 Section Line

Set Marked Stone

1/4 Section Line

DAMAGE AREA
 UTE TRIBAL #10-32-54
 Contains 1.993 Acres



SEE DETAIL
 © RIGHT

Corridor for #8-32

Centerline of Proposed
 Corridor Right-of-Way

END OF PROPOSED
 CORRIDOR RIGHT-OF-WAY
 STA. 0+09.53
 (At Edge of Damage Area)

BEGINNING OF PROPOSED
 CORRIDOR RIGHT-OF-WAY
 STA. 0+00
 (At Existing Road)

DETAIL
 NO SCALE

SE 1/4

1/16 Section Line

NOTE:

BEGINNING STA. 0+00 BEARS N19°15'44"E 1787.49' FROM THE SOUTH 1/4 CORNER OF SECTION 32, T5S, R4W, U.S.B.&M.

ENDING STA. 0+09.53 BEARS N19°05'38"E 1795.43' FROM THE SOUTH 1/4 CORNER OF SECTION 32, T5S, R4W, U.S.B.&M.

CORRIDOR RIGHT-OF-WAY DESCRIPTION

A 30' WIDE RIGHT-OF-WAY 15' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

BEGINNING AT A POINT IN THE NW 1/4 SE 1/4 OF SECTION 32, T5S, R4W, U.S.B.&M. WHICH BEARS N19°15'44"E 1787.49' FROM THE SOUTH 1/4 CORNER OF SAID SECTION 32, THENCE N14°23'02"W 9.53' TO A POINT IN THE NW 1/4 SE 1/4 OF SAID SECTION 32, WHICH BEARS N19°05'38"E 1795.43' FROM THE SOUTH 1/4 CORNER OF SAID SECTION 32. 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 0.007 ACRES MORE OR LESS.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N14°23'02"W	9.53'
L2	S81°13'04"W	183.29'
L3	N08°46'56"W	230.00'
L4	N21°28'27"E	138.92'
L5	N81°13'04"E	190.00'
L6	S81°13'04"W	76.71'

BASIS OF BEARINGS

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

▲ = SECTION CORNERS LOCATED.

Semi Set Stone,
 Pile of Stones,
 E-W Fenceline

Re-Established
 By Bearings Trees

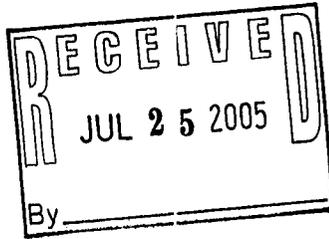
T5S
 T6S

Section Line

N89°43'11"W 2627.52' (Meas.)

Section Line

N0012°42'W 2603.49' (Meas.)



Berry Petroleum Company,
Ute Tribal #10-32-54 well:
A Cultural Resource Inventory for a well pad,
its access and pipeline,
Uintah-Ouray Ute Reservation,
Duchesne County, Utah

By
Cody C. Newton
and
James A. Truesdale

James A. Truesdale
Principle Investigator

Prepared For
Berry Petroleum Co.
1614 South 2000 West
Roosevelt, Utah
84066

Prepared By
AN INDEPENDENT ARCHAEOLOGIST
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Laramie, Wyoming
82073

Utah Project # U-05-AY-622(i)

July 14, 2005

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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 #10-32-54 well, its access and pipeline. The location of the project area is in the NW/SE 1/4 of Section 32, T5S, R4W, Duchesne County, Utah (Figure 1).

The proposed Ute Tribal #10-32-54 well's centerstake footage is 1881' FSL, 2108' FEL. The Universal Transverse Mercator (UTM) centroid coordinate for the proposed Ute Tribal #10-32-54 well centerstake is Zone 12, North American Datum (NAD) 83, 05/54/835.76 mE 44/28/078.83 mN \pm 5m.

The proposed access and pipeline is an existing oil and gas field service road and pipeline that runs southwest to northeast through the proposed Ute Tribal #10-32-54 well pad.

The land surface is administered by the United States, Bureau of Indian Affairs, Phoenix Area Office, Uintah-Ouray Agency, and the Uintah-Ouray Ute tribe, Fort Duchesne, Utah. A total of 10.00 acres (10 block, 0 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 fieldwork was conducted on June 30, 2005 by AIA archaeologists James Truesdale and Cody Newton. No technicians from the Energy and Minerals Resource Division of the Uintah-Ouray Ute tribe were available to accompany AIA during the fieldwork. 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 June 23, 2005. In addition, AIA's USGS quadrangle Duchesne SE base map was updated from UDSH Records division Duchesne SE base map in November of 2003 and again on February 2, 2004. The UDSH SHPO GIS file search reported six previous projects (U-02-AY-614, U-03-MM-890, U-03-MM-1061, U-03-MM-1064, U-03-MM-1066 and U-03-AY-1067) had been conducted in the general area and one site (42DC1638) had been recorded. Site 42DC1638 was recorded during project U-03-MM-890 by Metcalf Archaeological Consultants in 2003. The site is a historic animal trap that is located over 4500 feet (1372 m) from the proposed Ute Tribal #10-32-54 well and will not be impacted by its construction. Of the remaining projects, one was conducted by AIA in 2002 and Metcalf Archaeological Consultants conducted four in 2003 and no cultural materials were recorded. No other projects and/or cultural materials (sites, isolates) have

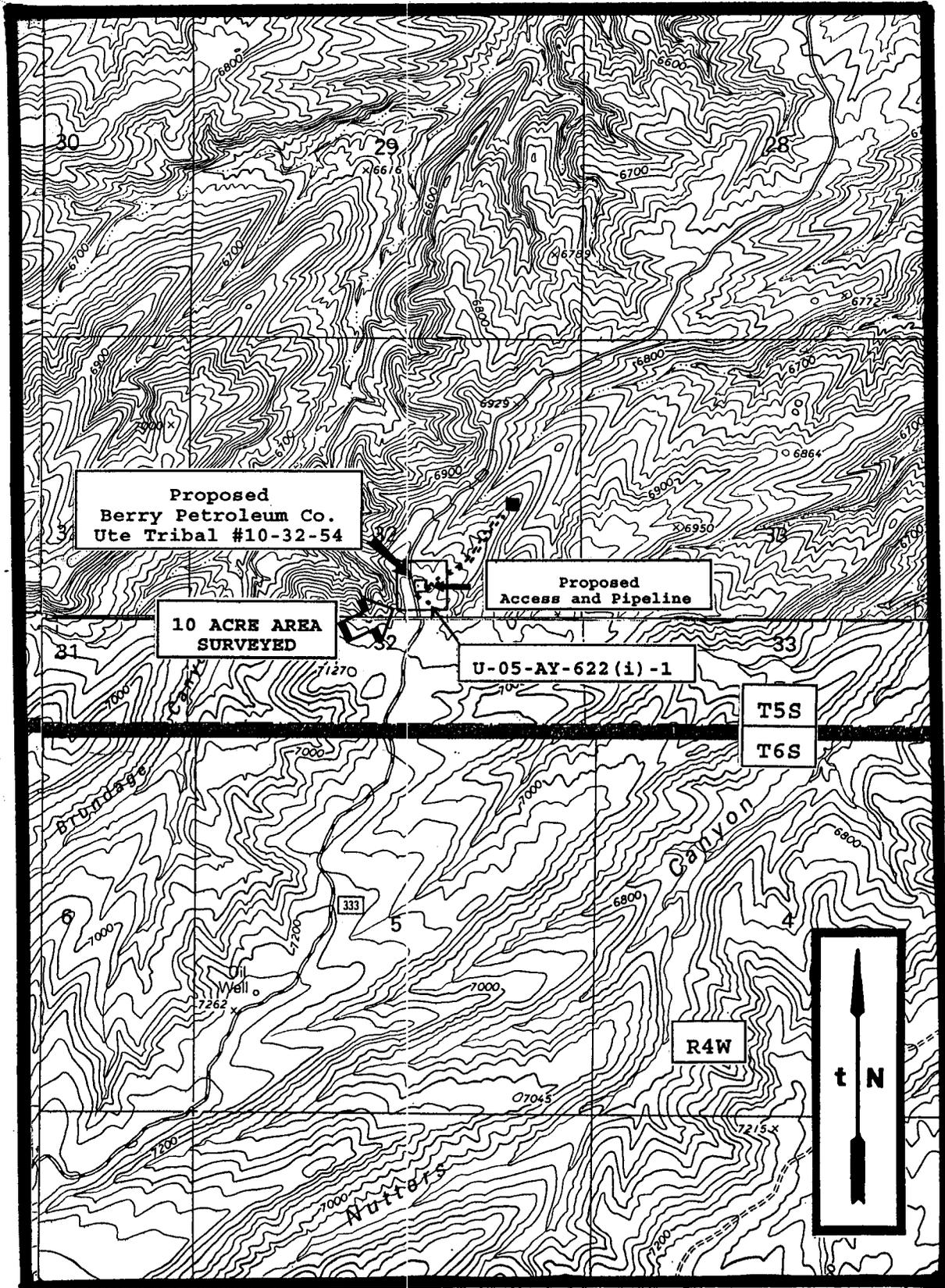


Figure 1. Location of the Berry Petroleum Co.'s proposed Ute Tribal #10-32-54 well, its access, pipeline and isolate U-05-AY-622(i)-1 on 7.5'/1964 (photoinspected 1978) USGS quadrangle map Duchesne SE, Duchesne County, Utah.

been previously recorded in the immediate 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 that 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 located along a large broad southwest to northeast trending ridge whose slopes are located between the Nutters Canyon and Brundage Canyon. The large broad ridge is part of a much larger Nutters Ridge system that is located between the Nutters Canyon to the east and Brundage Canyon to the northwest. Portions of the desert hardpan and bedrock in the project area are covered with aeolian sand that may reach a depth of over 50 to 100 centimeters in areas. Nutters Canyon drainage trends northeast approximately 5 miles to Sowers Canyon which trends northeast 3 miles to Antelope Creek and then 10 miles north to the Duchesne River.

Vegetation in the project area is characteristic of a Pinon/Juniper community. 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, (Artemesia 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), Tansy leaved evening primrose (Oenothera tanacetifolia), Rydberg's Penstemon (Penstemon rydbergi), Stemless Hymenoxys (Hymenoxys acaulis), Sego Lily (Calochortus nuttallii), peppergrass (Lepidium perfoliatum), Russian thistle (Salsola kali), Simpson's Hedgehog cactus (Pediocactus simpsonii) and prickly pear cactus (Opuntia spp.).

Ute Tribal #10-32-54

The immediate proposed Berry Petroleum Co. Ute Tribal #4-33-54 well is situated on the top of a large southwest to northeast trending ridge adjacent to and immediately east of Nutters Ridge Road (Figure 2). This ridge is part of a much larger broad southwest to northeast trending Nutters Ridge system that is located between the Nutters Canyon to the east and Brundage Canyon to the northwest. The vegetation on the well location is dominated by a Pinyon/juniper forest with an understory of mountain mahogany, big sagebrush, budsage, buckwheat, yucca, prickly pear cactus and bunchgrasses (wheatgrass, Indian rice grass). A low sagebrush community consisting of sagebrush, saltbush, rabbitbrush, bunchgrasses and prickly pear cactus can be found in the open areas along the broad open flats on top of the ridge. Sediments are colluvial in nature. The colluvium consists of shallow (<10 cm), poorly sorted, loosely compacted, tan to light brown sandy clay loam mixed with small to medium sized flat angular pieces of white, gray to light brown sandstone (Figure 3). The elevation is 7050.52 feet (2149 m) AMSL.

The proposed access and pipeline is an existing oil and gas



Figure 2. View to east at the proposed Ute Tribal #10-32-54 well centerstake and well pad area.



Figure 3. Oblique view of colluvial sediments on and surrounding the Ute Tribal #10-32-54 well centerstake and well pad area.

field service road that runs southwest to northeast through the proposed well pad area. Sediments along the access and pipeline consist of shallow (<10 cm), poorly sorted, loosely compacted, tan to light brown, sandy clay loam colluvium mixed with tiny to small sized flat angular pieces of Uinta formation sandstones, clay and shales. Exposures of sandstone, clay and shale bedrock can be found eroding from the ridge's southeastern talus slope. Vegetation along the access and pipeline is dominated by Pinyon and juniper trees with an understory of mountain mahogany, low sage, yucca and prickly pear cactus.

The surrounding landscape exhibits exposures of relatively thick ledges of sandstone with thinner layers of clay and shale. The surrounding vegetation is dominated by a Pinyon/juniper community with a understory of mountain mahogany, low sagebrush, yucca, bunchgrasses along the hill and ridge slopes, and low sagebrush community in the ridge top flats and open parks.

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 proposed access and pipeline is an existing oil and gas field service road that runs through the proposed well pad area. Thus, 0 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 site's sedimentary integrity and potential for the presence and/or absence of buried intact cultural deposits. The entire surface area of ridge tops was 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 an 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 pacing off distances from a mapping station (datum). All debitage is inventoried using standard recording techniques (Truesdale 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 (rock art panel(s), hearths, foundations, trash dumps and trails) are measured and described, while selected features are either drawn or photographed.

Site location data is recorded by a GARMIN Global Positioning System (GPS III Plus) and/or an E-Trex GPS. Site elevation and Universal Transverse Mercator (UTM) grid data, its Estimated Position Error (EPE) and Dilution of Precision (DOP) were recorded. Using the GPS data, the site location was then placed on a USGS 7.5' quadrangle map.

Results

A total of 10 acres (10 block, 0 linear) were surveyed for cultural resources within and around the proposed Berry Petroleum Co. Ute Tribal #10-32-54 and along its access and pipeline. One isolate (U-05-AY-622(i)-1) was recorded. No additional cultural resources (sites, isolates) were recorded during the survey.

Modern trash (plastic soda pop, oil and antifreeze bottles, clear, green, and brown bottle glass, foam insulation, sanitary food cans and aluminum cans) can be found throughout the Brundage Canyon, Nutters Canyon, Sowers Canyon and Antelope Canyon oil and gas fields, especially along the service roads.

Isolate

Isolate: U-05-AY-622(i)-1

Location: SW/NE/SW/NW/SE 1/4 of Section 32, T5S, R4W (Figure 1)

UTM Coordinate: Zone 12, NAD 83, 05/54/875.16mE 44/27/992.83mN ±5m

Setting: Isolate U-05-AY-622(i)-1 is located on the flat eastern side of a large southwest to northeast trending ridge (Figure 1). Sediments on and surrounding the isolate are shallow (<10 cm) and consist of poorly sorted, loosely compacted, sandy clay loam mixed with small to medium sized angular pieces of sandstone, clay and shale. Vegetation consists of Pinyon/juniper trees with an understory of mountain mahogany, big sagebrush, budsage, yucca, bunchgrasses and prickly pear cactus. The elevation is 7066.93 feet (2154 m) AMSL.

Description: Isolate U-05-AY-622(i)-1 is a collectors pile containing fourteen (n=14) pieces of chipped stone debitage and one (n=1) chipped stone tool fragment (Figure 4). The debitage is represented by three (n=3) primary, two (n=2) secondary, seven (n=7) tertiary flakes and two (n=2) pieces of shatter. The chipped stone tool is a portion of a biface. All are made of a light tan to dark brown banded chert.

No additional prehistoric artifacts were recorded in association with the isolate. Sediments consist of shallow colluvium. Observation of eroding slopes and cutbanks indicate that the possibility of buried and intact cultural materials associated with the isolate is low. The isolate is considered to be non-significant.

Recommendations

A total of 10 acres (10 block, 0 linear) were surveyed for cultural resources within and around the proposed Berry Petroleum Co. Ute Tribal #10-32-54 and along its access and pipeline. One

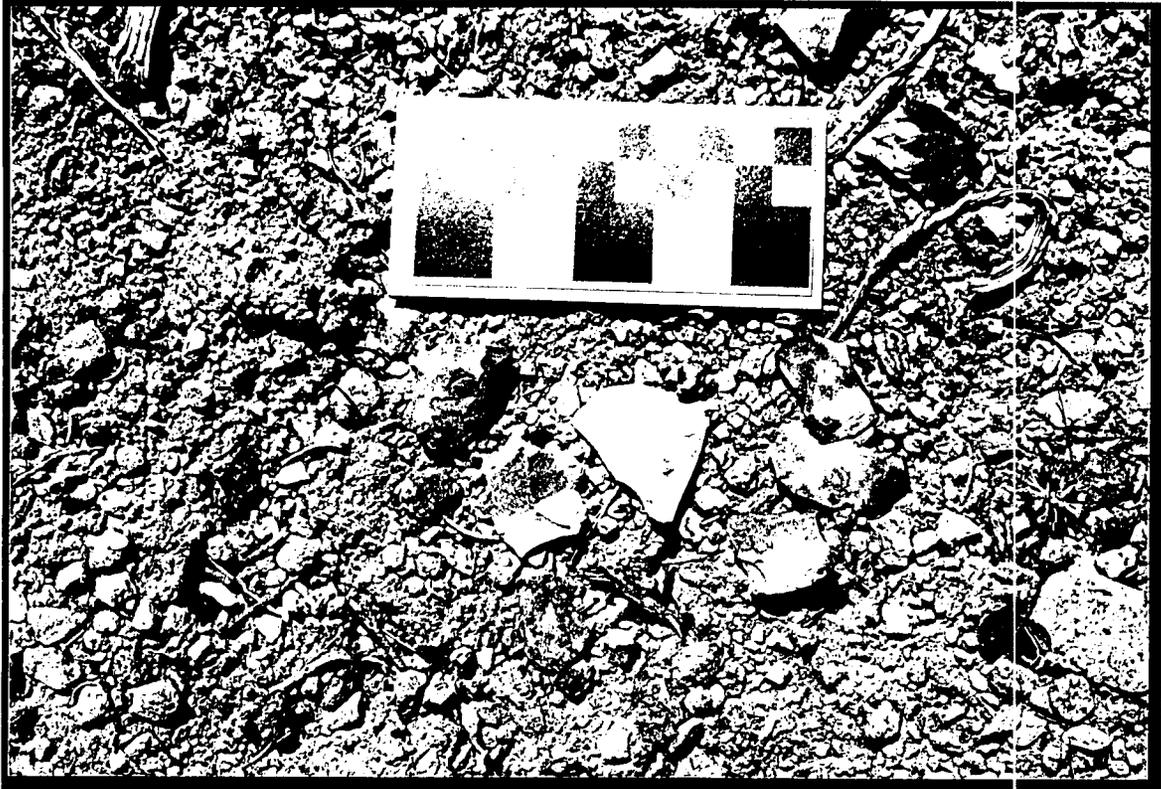


Figure 4. Isolate U-05-AY-622(i)-1 showing some of the chipped stone debitage and the biface fragment.

isolate (U-05-AY-622(i)-1) was recorded. No additional cultural resources (sites, isolates) were recorded during the survey.

The isolate is situated to the south of the Ute Tribal #10-32-54 well. The isolate is non-significant. The isolate is located over 350 feet (107 m) south of the Ute Tribal #10-32-54 well's centerstake. The isolate will not be impacted by the subsequent construction of the Ute Tribal #10-32-54 well, its access and pipeline.

Sediments on the proposed well pad and along its access and pipeline are shallow (<10 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 #10-32-54 well pad, its access and pipeline.

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

1995 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 #10-32-54

LOCATED IN DUCHESNE COUNTY, UTAH

SECTION 32, T5S, R4W, U.S.B.&M.



PHOTO: VIEW FROM CORNER #5 TO LOCATION STAKE

CAMERA ANGLE: EASTERLY

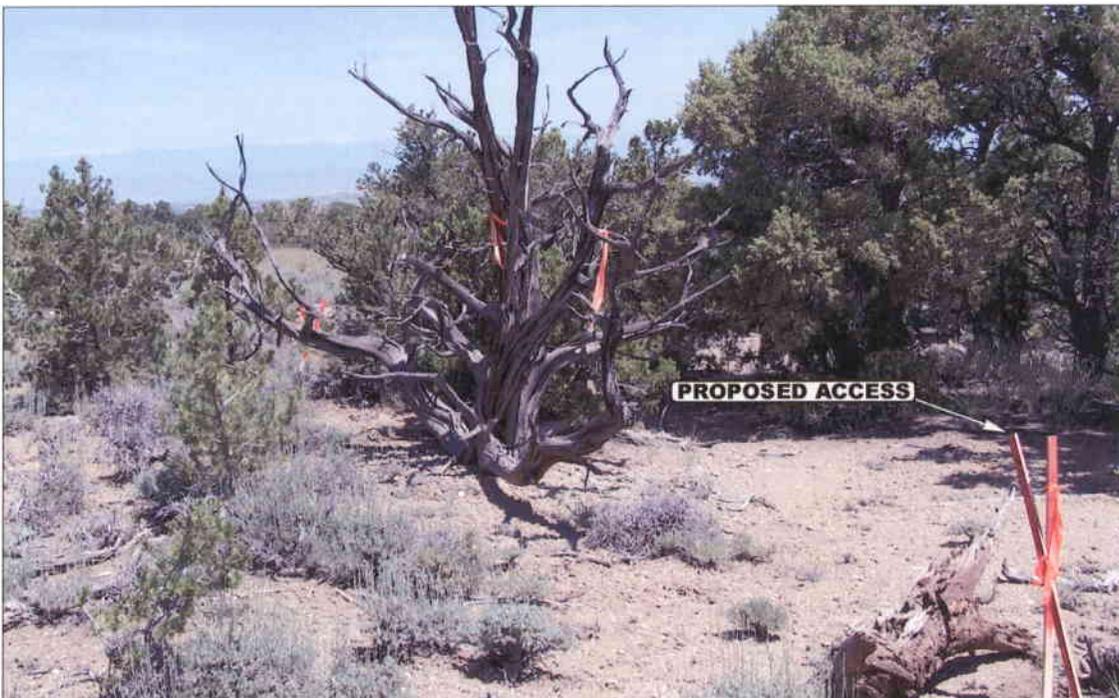


PHOTO: VIEW FROM BEGINNING OF PROPOSED ACCESS

CAMERA ANGLE: NORTHERLY



- Since 1964 -

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

LOCATION PHOTOS

06 28 05
MONTH DAY YEAR

PHOTO

TAKEN BY: S.H.

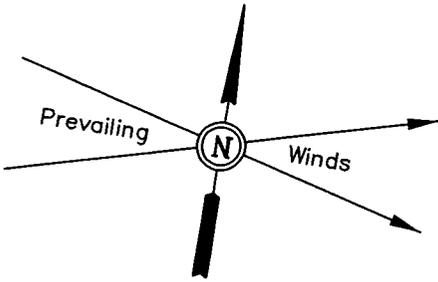
DRAWN BY: C.H.

REVISED: 00-00-00

BERRY PETROLEUM COMPANY

LOCATION LAYOUT FOR

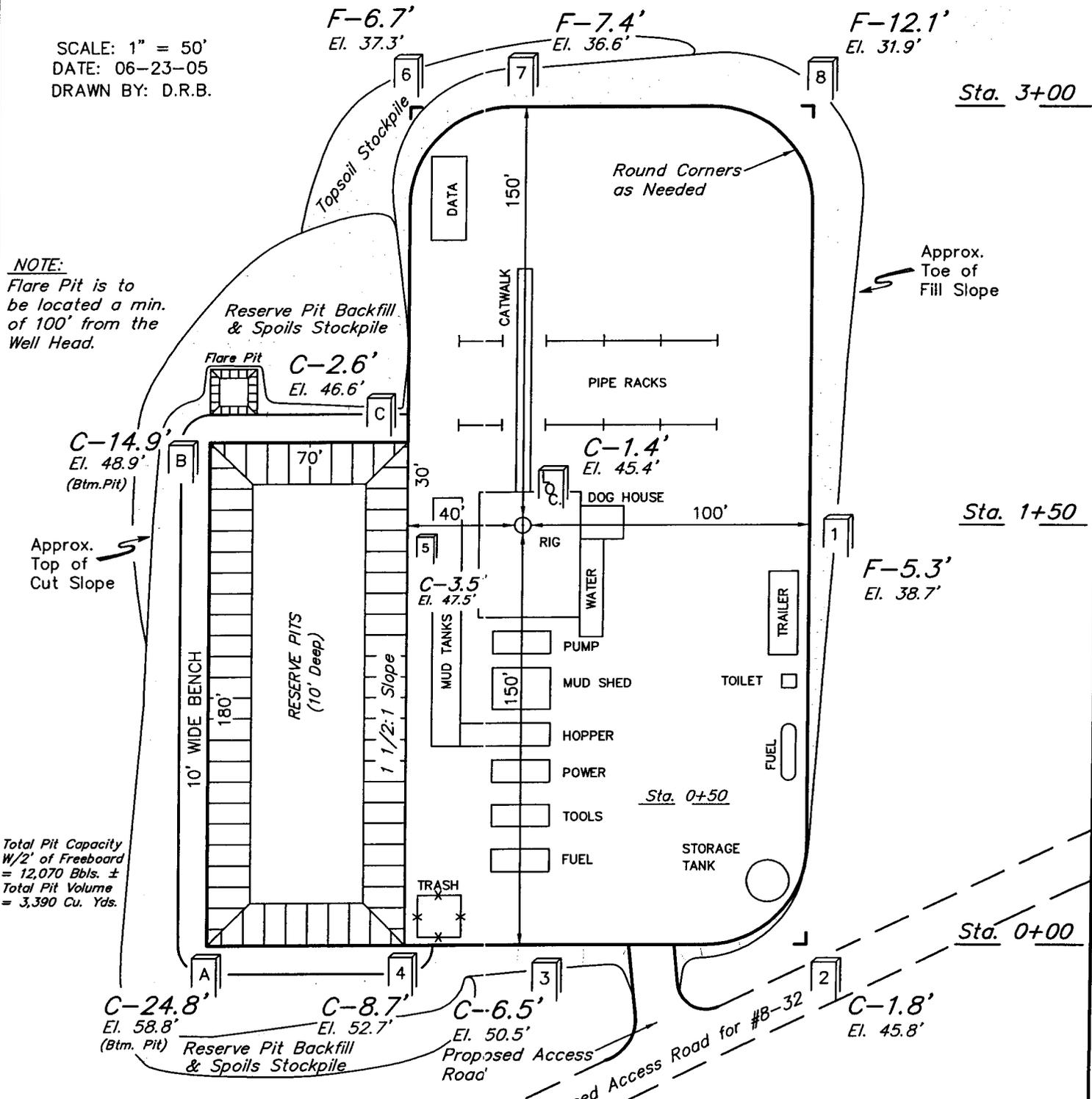
UTE TRIBAL #10-32-54
SECTION 32, T5S, R4W, U.S.B.&M.
1865' FSL 2108' FEL



SCALE: 1" = 50'
DATE: 06-23-05
DRAWN BY: D.R.B.

NOTE:

Flare Pit is to be located a min. of 100' from the Well Head.



Total Pit Capacity
W/2' of Freeboard
= 12,070 Bbbls. ±
Total Pit Volume
= 3,390 Cu. Yds.

Elev. Ungraded Ground at Location Stake = 7045.4'
Elev. Graded Ground at Location Stake = 7044.0'

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

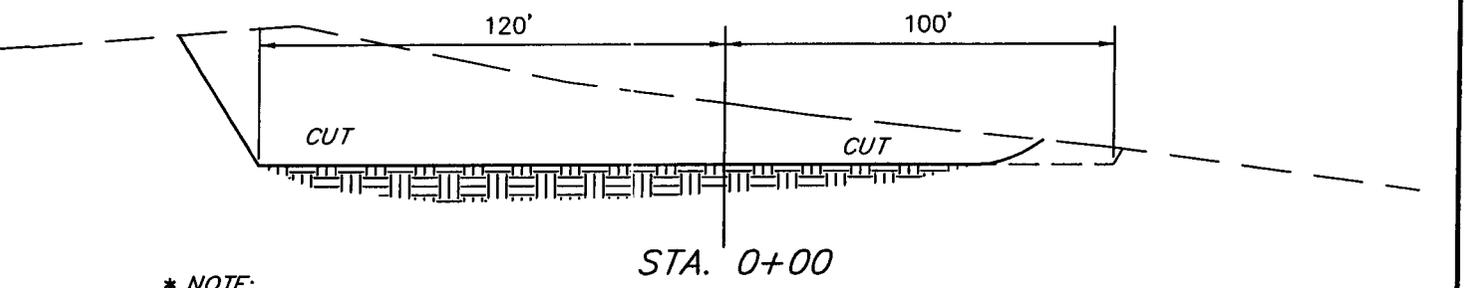
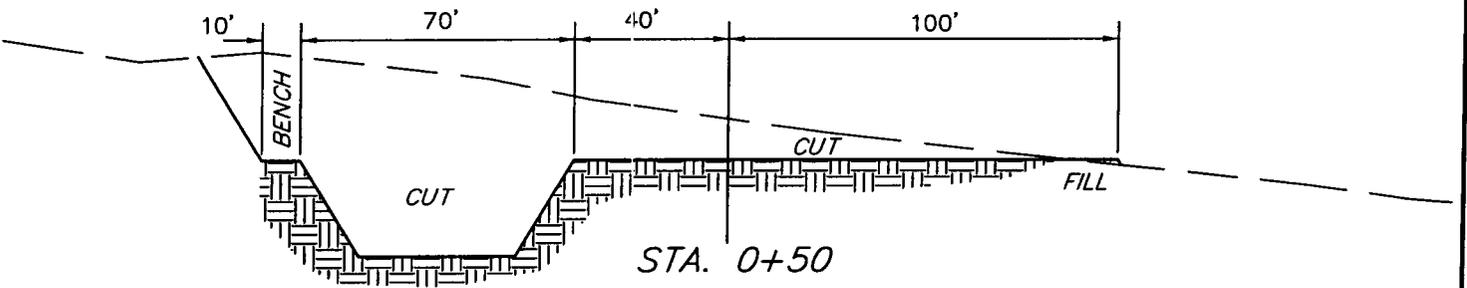
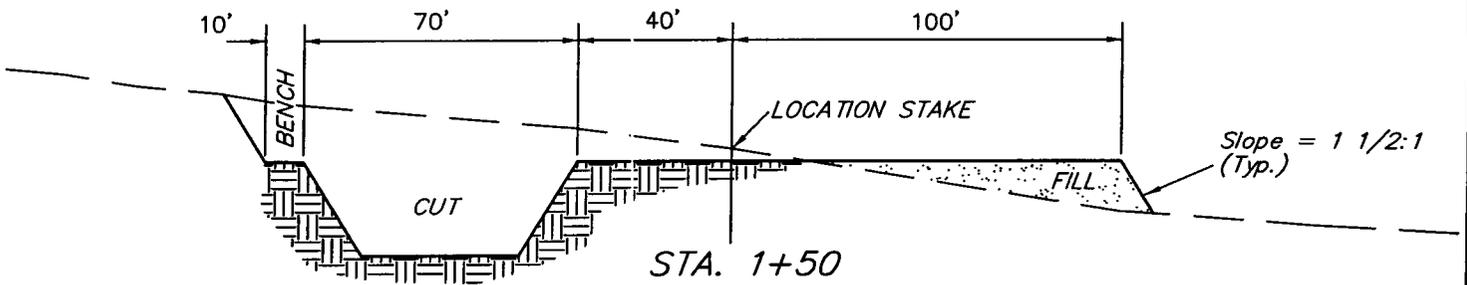
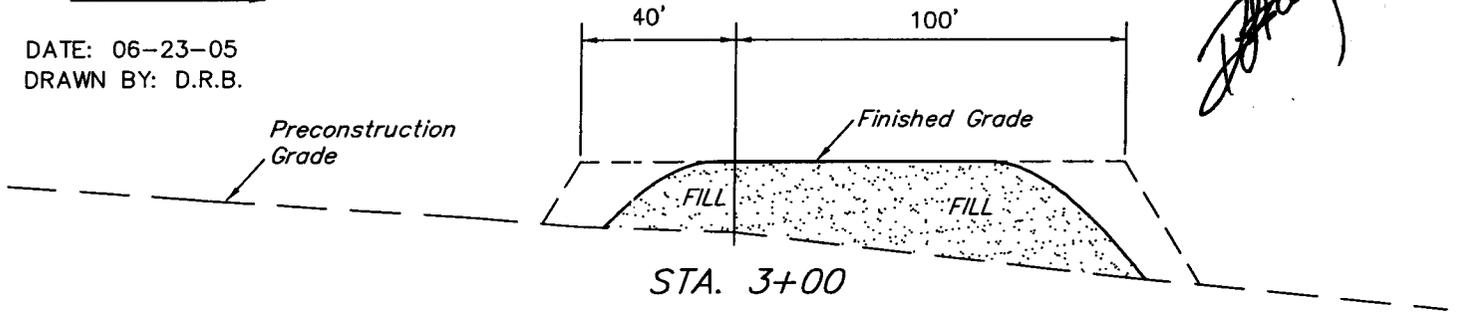
BERRY PETROLEUM COMPANY

TYPICAL CROSS SECTIONS FOR

UTE TRIBAL #10-32-54
SECTION 32, T5S, R4W, U.S.B.&M.
1865' FSL 2108' FEL

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

DATE: 06-23-05
DRAWN BY: D.R.B.



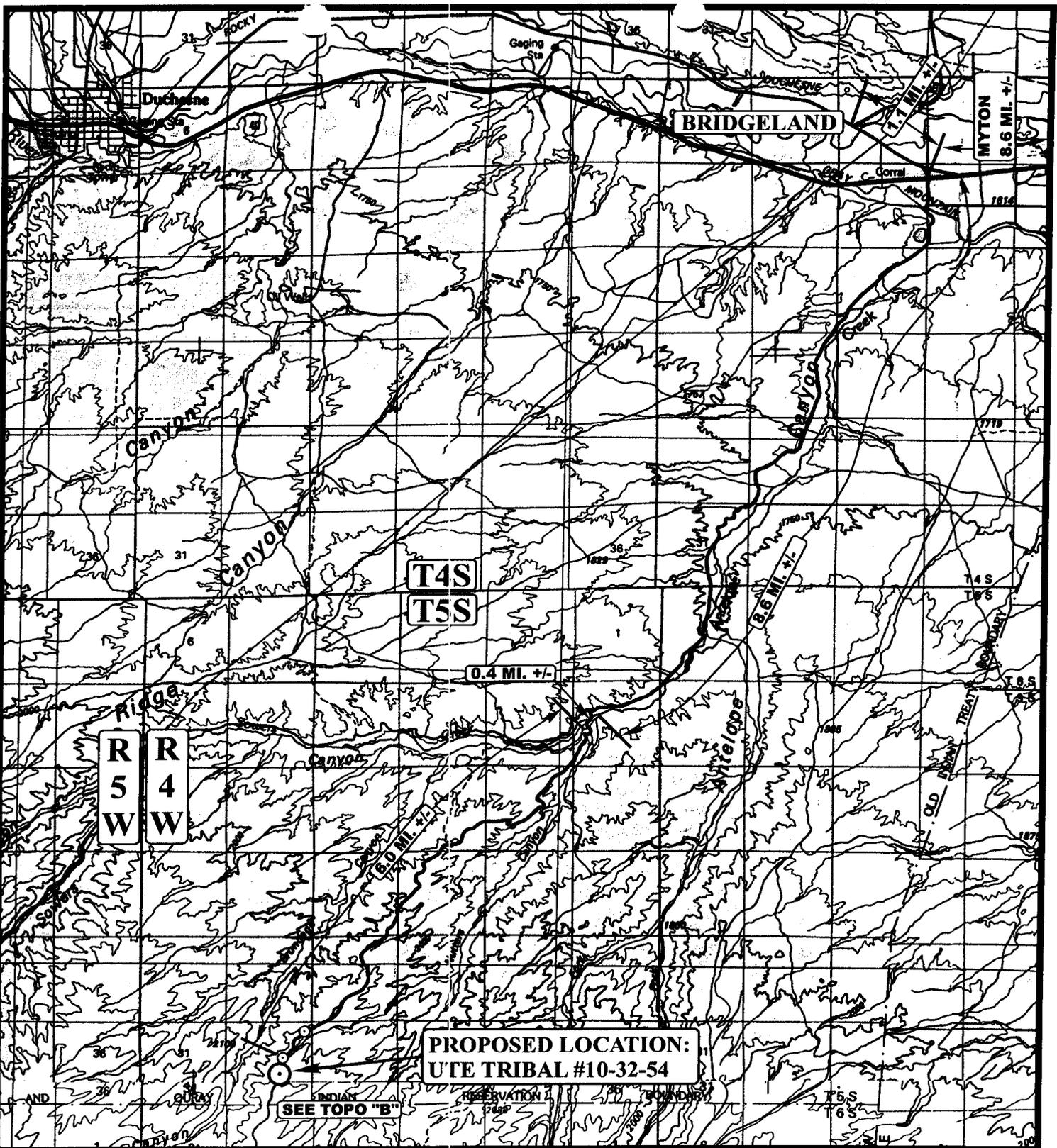
* NOTE:
FILL QUANTITY INCLUDES
5% FOR COMPACTION

APPROXIMATE YARDAGES

CUT	
(12") Topsoil Stripping	= 2,670 Cu. Yds.
Remaining Location	= 9,500 Cu. Yds.
TOTAL CUT	= 12,170 CU.YDS.
FILL	= 5,760 CU.YDS.

EXCESS MATERIAL	= 6,410 Cu. Yds.
Topsoil & Pit Backfill (1/2 Pit Vol.)	= 4,370 Cu. Yds.
EXCESS UNBALANCE (After Rehabilitation)	= 2,040 Cu. Yds.

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85 So. 200 East * Vernal, Utah 84078 * (435) 789-1017



**PROPOSED LOCATION:
UTE TRIBAL #10-32-54**

SEE TOPO "B"

LEGEND:

⊙ PROPOSED LOCATION



BERRY PETROLEUM COMPANY

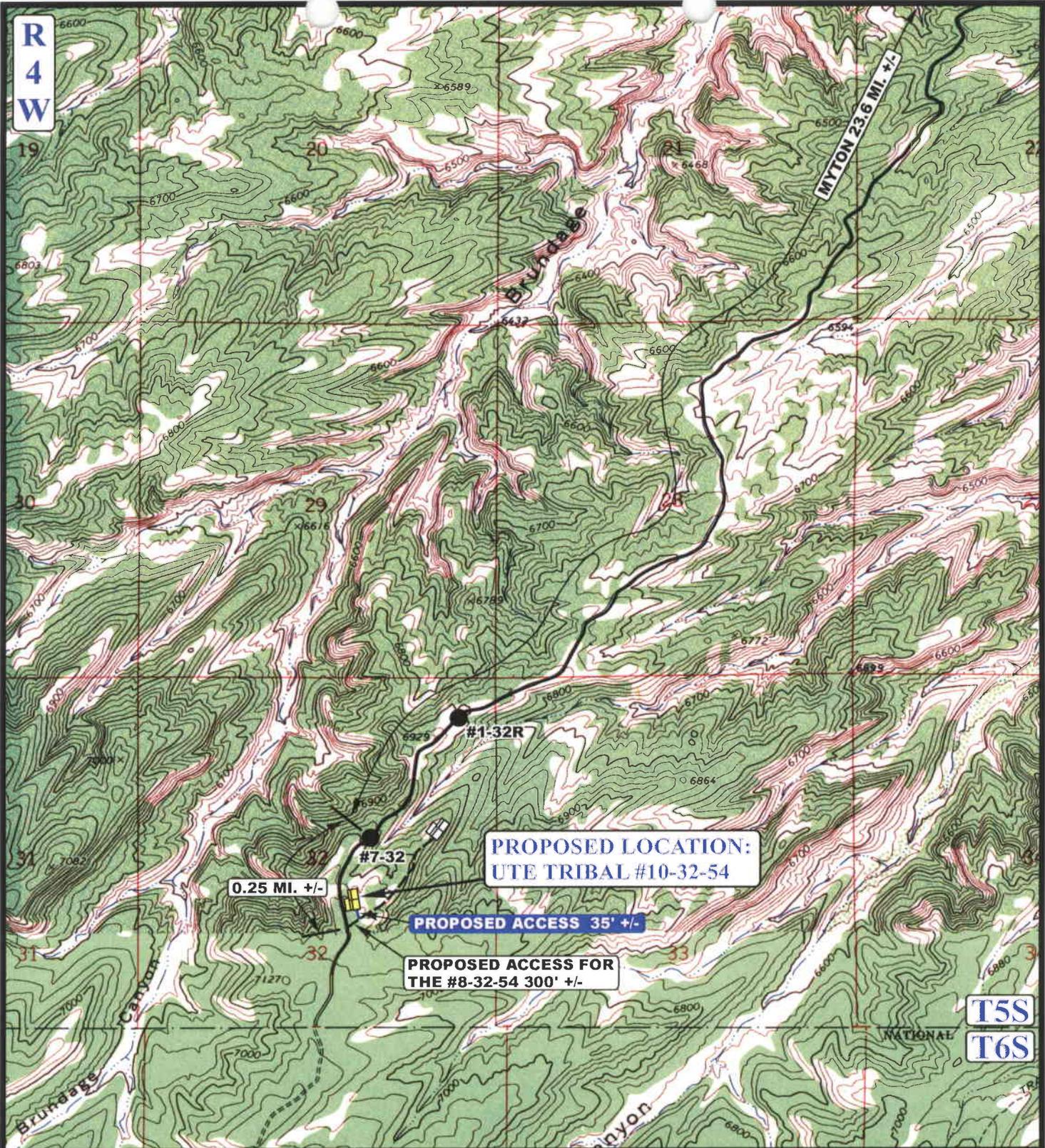
**UTE TRIBAL #10-32-54
SECTION 32, T5S, R4W, U.S.B.&M.
1865' FSL 2108' FEL**



Uintah Engineering & Land Surveying
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TOPOGRAPHIC MAP
06 28 05
MONTH DAY YEAR
SCALE: 1:100,000 DRAWN BY: C.H. REVISED: 00-00-00





LEGEND:

- EXISTING ROAD
- PROPOSED ACCESS ROAD

BERRY PETROLEUM COMPANY

UTE TRIBAL #10-32-54
 SECTION 32, T5S, R4W, U.S.B.&M.
 1865' FSL 2108' FEL



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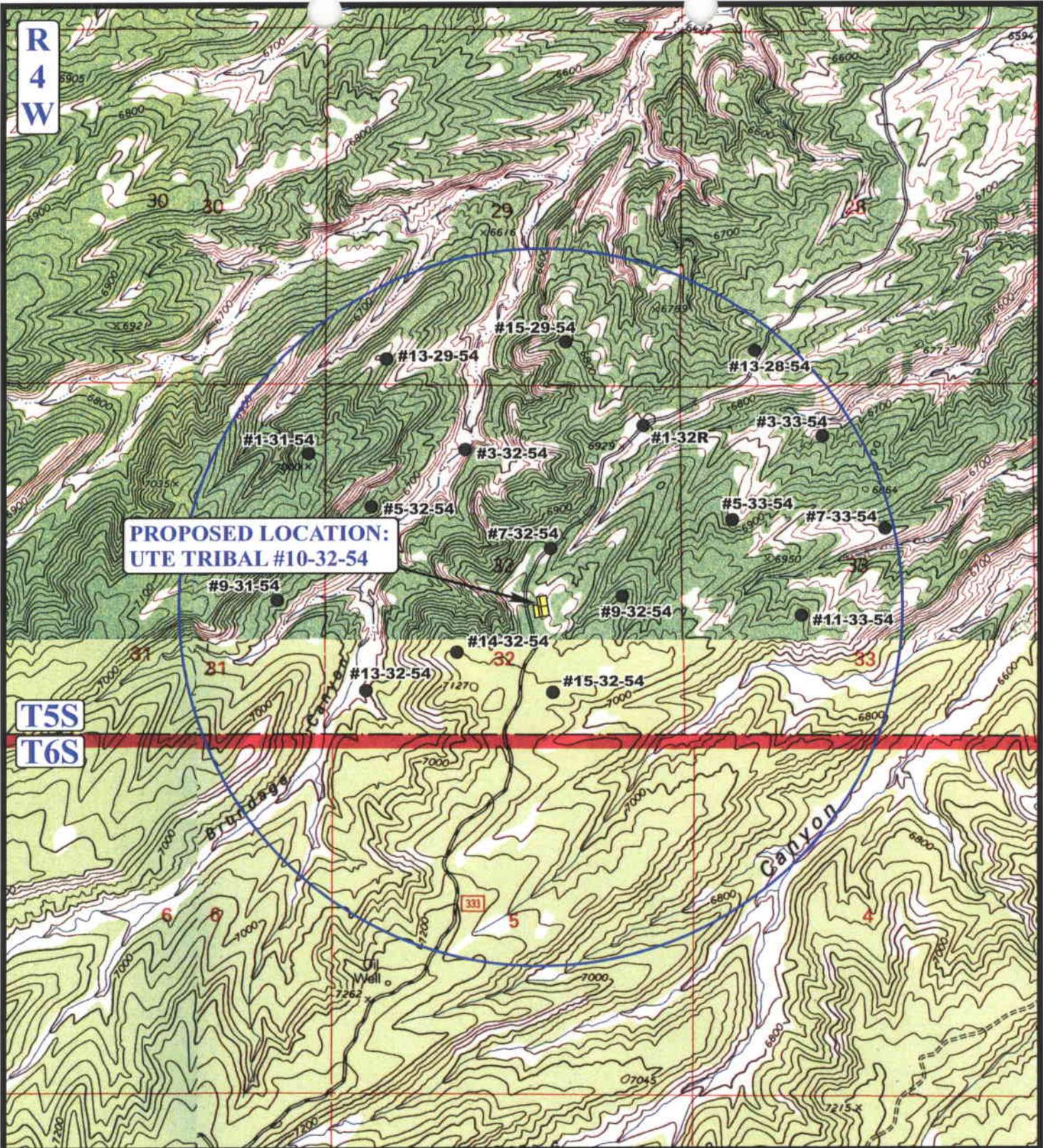


**TOPOGRAPHIC
 MAP**

06	28	05
MONTH	DAY	YEAR

SCALE: 1" = 2000' DRAWN BY: C.H. REVISED: 00-00-00





R
4
W

**PROPOSED LOCATION:
UTE TRIBAL #10-32-54**

T5S
T6S

LEGEND:

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

BERRY PETROLEUM COMPANY

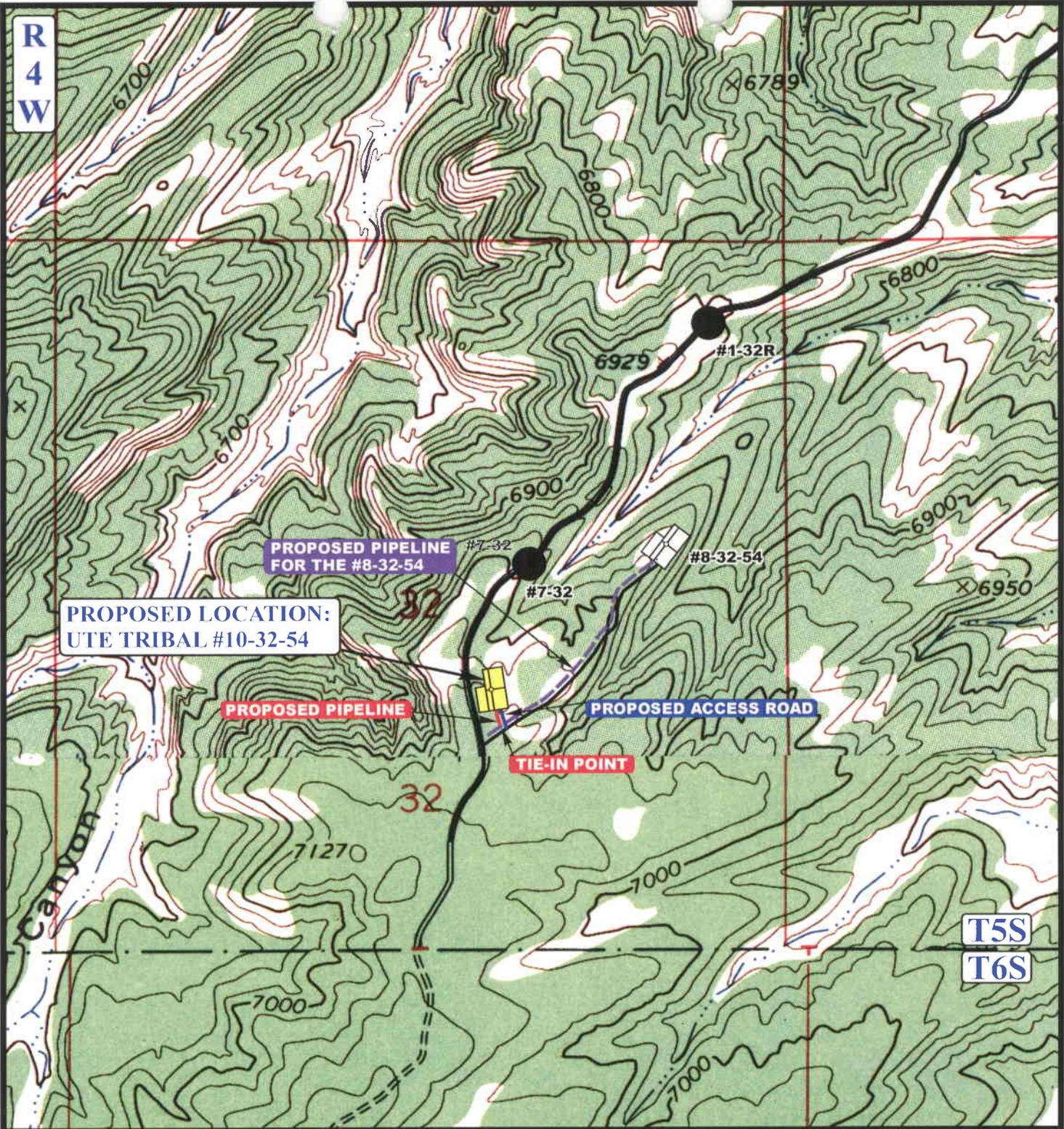
**UTE TRIBAL #10-32-54
SECTION 32, T5S, R4W, U.S.B.&M.
1865' FSL 2108' FEL**



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85 South 200 East Vernal, Utah 84078
(435) 789-1017 * FAX (435) 789-1813

TOPOGRAPHIC MAP 06 28 05
MONTH DAY YEAR
SCALE: 1" = 2000' DRAWN BY: C.H. REVISED: 00-00-00





APPROXIMATE TOTAL PIPELINE DISTANCE = 45' +/-

LEGEND:

- PROPOSED ACCESS ROAD
- EXISTING PIPELINE
- PROPOSED PIPELINE
- PROPOSED PIPELINE (SERVICING OTHER WELLS)

BERRY PETROLEUM COMPANY

UTE TRIBAL #10-32-54
SECTION 32, T5S, R4W, U.S.B.&M.
1865' FSL 2108' FEL



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

TOPOGRAPHIC
MAP

06 28 05
 MONTH DAY YEAR

SCALE: 1" = 1000' DRAWN BY: C.H. REVISED: 00-00-00



**WORKSHEET
APPLICATION FOR PERMIT TO DRILL**

APD RECEIVED: 09/13/2005

API NO. ASSIGNED: 43-013-32895

WELL NAME: UTE TRIBAL 10-32-54
 OPERATOR: BERRY PETROLEUM COMPANY (N2480)
 CONTACT: DEBBIE WISENER

PHONE NUMBER: 435-722-1325

PROPOSED LOCATION:

NWSE 32 050S 040W
 SURFACE: 1865 FSL 2108 FEL
 BOTTOM: 1865 FSL 2108 FEL
 DUCHESNE
 BRUNDAGE CANYON (72)

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

LEASE TYPE: 2 - Indian
 LEASE NUMBER: 14-20-H62-4947
 SURFACE OWNER: 2 - Indian
 PROPOSED FORMATION: GRRV
 COALBED METHANE WELL? NO

LATITUDE: 40.00125
 LONGITUDE: -110.3568

RECEIVED AND/OR REVIEWED:

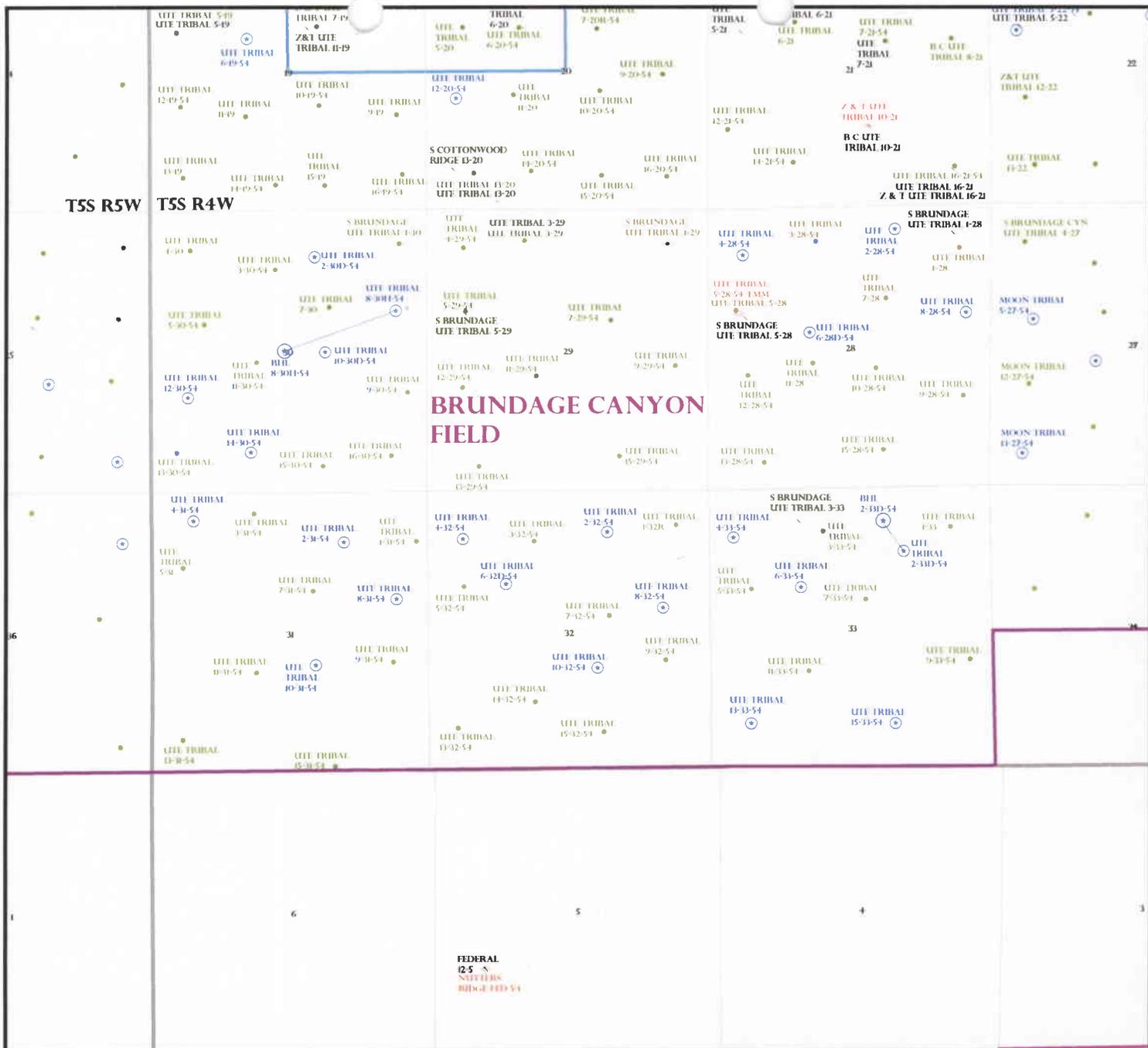
- Plat
- Bond: Fed[] Ind[2] Sta[] Fee[]
(No. RLB0005651)
- Potash (Y/N)
- Oil Shale 190-5 (B) or 190-3 or 190-13
- Water Permit
(No. 43-11041)
- RDCC Review (Y/N)
(Date: _____)
- Fee Surf Agreement (Y/N)
- Intent to Commingle (Y/N)

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- Specific Siting



OPERATOR: BERRY PETRO CO (N2480)

SEC: 32 T. 5S R. 4W

FIELD: BRUNDAGE CANYON (72)

COUNTY: DUCHESNE

SPACING: R649-3-2 / GENERAL SITING

- Field Status**
- ABANDONED
 - ACTIVE
 - COMBINED
 - INACTIVE
 - PROPOSED
 - STORAGE
 - TERMINATED

- Unit Status**
- EXPLORATORY
 - GAS STORAGE
 - NF PP OIL
 - NF SECONDARY
 - PENDING
 - PI OIL
 - PP GAS
 - PP GEOTHERML
 - PP OIL
 - SECONDARY
 - TERMINATED

- Wells Status**
- GAS INJECTION
 - GAS STORAGE
 - × LOCATION ABANDONED
 - NEW LOCATION
 - ⊕ PLUGGED & ABANDONED
 - ⊗ PRODUCING GAS
 - PRODUCING OIL
 - ⊙ SHUT-IN GAS
 - SHUT-IN OIL
 - ⊗ TEMP. ABANDONED
 - TEST WELL
 - △ WATER INJECTION
 - ⊕ WATER SUPPLY
 - ⊖ WATER DISPOSAL
 - ⊙ DRILLING



Utah Oil Gas and Mining



PREPARED BY: DIANA WHITNEY
DATE: 15-SEPTEMBER-2005



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

September 19, 2005

Berry Petroleum Company
Rt. 2, Box 7735
Roosevelt, UT 84066

Re: Ute Tribal 10-32-54 Well, 1865' FSL, 2108' FEL, NW SE, Sec. 32, T. 5 South,
R. 4 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 43-013-32895.

Sincerely,

Gil Hunt
Associate Director

pab
Enclosures

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

Operator: Berry Petroleum Company
Well Name & Number Ute Tribal 10-32-54
API Number: 43-013-32895
Lease: 14-20-H62-4947

Location: NW SE Sec. 32 T. 5 South R. 4 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.



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

October 30, 2006

Debbie Wisener
Berry Petroleum Company
RT. 2 Box 7735
Roosevelt, UT 84066

Re: APD Rescinded –Ute Tribal 10-32-54 Sec. 32 T. 5 R. 4W
Duchesne County, Utah API No. 43-013-32895

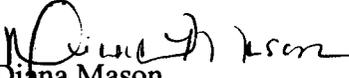
Dear Ms. Wisener:

The Application for Permit to Drill (APD) for the subject well was approved by the Division of Oil, Gas and Mining (Division) on September 19, 2005. No drilling activity at this location has been reported to the division. Therefore, approval to drill the well is hereby rescinded, effective October 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 Mason
Engineering Technician

cc: Well File
Bureau of Land Management, Vernal