

FIML NATURAL RESOURCES, LLC

November 8, 2005

Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P. O. Box 145801
Salt Lake City, UT 84114-5801

Attn.: Ms. Diana Whitney

RE: Ute Tribal #11-18-54
NESW Sec 18 T-5-S R-4-W
Brundage Canyon Field
Duchesne County, Utah

Dear Ms. Whitney:

Enclosed is one copy of each application to drill concerning the above referenced proposed wells. This information will be delivered to the Bureau of Land Management on November 11, 2005.

FIML (FNR) Natural Resources, LLC is requesting the Utah Division of Oil, Gas and Mining to hold this application and all future information as confidential.

If any questions arise or need additional information is required, please contact the undersigned at 303-893-5090.

Sincerely,



Cassandra Parks
Operations Assistant

/cp
Enclosures:

410 17th Street, Suite 900 * Denver, CO 80202 * (303)893-5073 * Facsimile (303) 573-0386

RECEIVED

NOV 10 2005

DIV. OF OIL, GAS & MINING

CONFIDENTIAL

Form 3160-3
(April 2004)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

APPLICATION FOR PERMIT TO DRILL OR REENTER

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

5. Lease Serial No. 14-20-H62-5035		
6. If Indian, Allottee or Tribe Name Ute Indian Tribe		
7. If Unit or CA Agreement, Name and No.		
8. Lease Name and Well No. Ute Tribal 11-18-54		
9. API Well No. 43-013-32955		
1a. Type of work: <input checked="" type="checkbox"/> DRILL <input type="checkbox"/> REENTER	10. Field and Pool, or Exploratory Brundage Canyon	
1b. Type of Well: <input checked="" type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input type="checkbox"/> Other <input type="checkbox"/> Single Zone <input checked="" type="checkbox"/> Multiple Zone	11. Sec., T. R. M. or Blk. and Survey or Area Sec 18, T5S-R4W, U.S.B.&M.	
2. Name of Operator FIML Natural Resources, LLC		
3a. Address 410 17th Street, Suite 900, Denver, CO 80202	3b. Phone No. (include area code) 303-893-5073	
4. Location of Well (Report location clearly and in accordance with any State requirements.)* At surface NESW 1, 838' FSL 1,795' FWL 552903X 40.04433 At proposed prod. zone Same as above 4432651Y -110.37985		
14. Distance in miles and direction from nearest town or post office* 25.6 miles southwest of Myton, Utah	12. County or Parish Duchesne	13. State Utah
15. Distance from proposed* location to nearest property or lease line, ft. (Also to nearest drig. unit line, if any) 1,795'	16. No. of acres in lease 640	17. Spacing Unit dedicated to this well 40
18. Distance from proposed location* to nearest well, drilling, completed, applied for, on this lease, ft. 1,641'	19. Proposed Depth 6,486'	20. BLM/BIA Bond No. on file 8191-82-71
21. Elevations (Show whether DF, KDB, RT, GL, etc.) 6,658' GL (Ungraded)	22. Approximate date work will start* 01/21/2005	23. Estimated duration Seven days

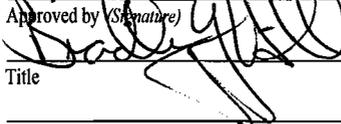
24. Attachments

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

- 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) Mark Bingham	Date 11/08/2005
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Title
Senior Vice President

Approved by (Signature) 	Name (Printed/Typed) BRADLEY G. HILL	Date 11-10-05
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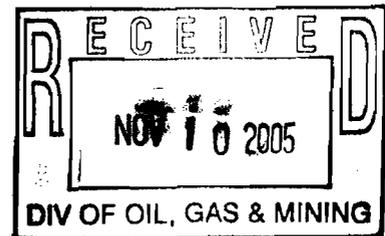
Title
ENVIRONMENTAL SCIENTIST III

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.

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)

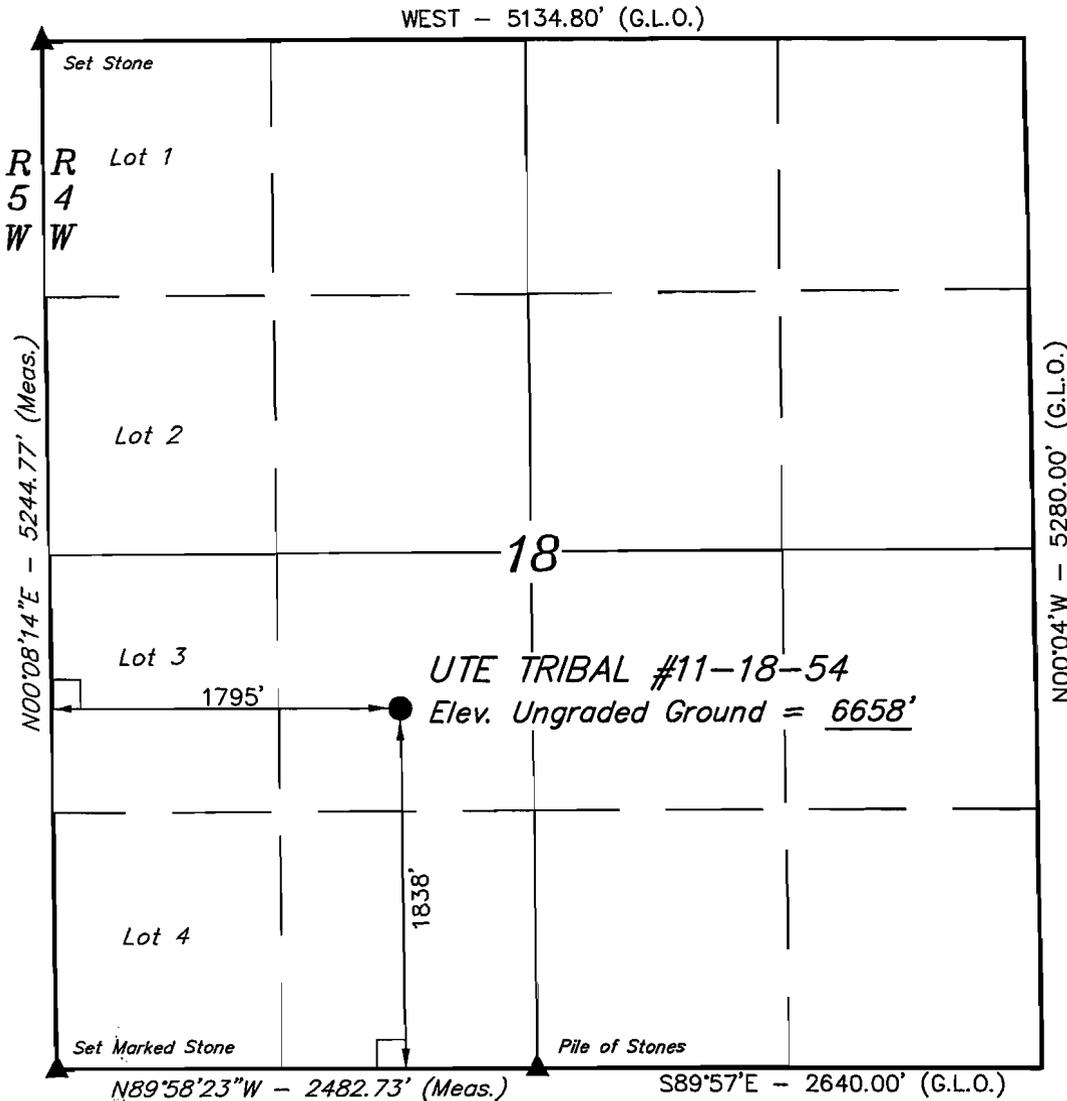
Federal Approval of this
Action is Necessary



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

UTE/FNR, LLC.

Well location, UTE TRIBAL #11-18-54, located as shown in the NE 1/4 SW 1/4 of Section 18, T5S, R4W, U.S.B.&M. Duchesne County, Utah.

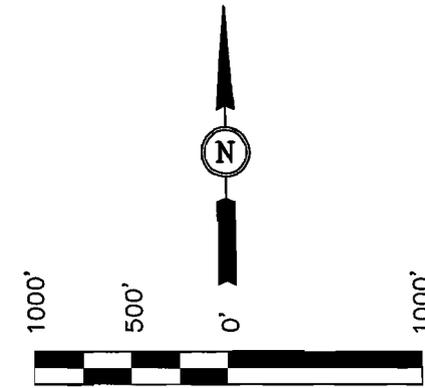


BASIS OF ELEVATION

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.

Robert L. Ray
 REGISTERED LAND SURVEYOR
 REGISTRATION NO. 161319
 STATE OF UTAH

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

LEGEND:

└─┘ = 90° SYMBOL

● = PROPOSED WELL HEAD.

▲ = SECTION CORNERS LOCATED.

(NAD 83)

LATITUDE = 40°02'39.66" (40.044350)

LONGITUDE = 110°22'50.51" (110.380697)

(NAD 27)

LATITUDE = 40°02'39.80" (40.044389)

LONGITUDE = 110°22'47.96" (110.379989)

SCALE 1" = 1000'	DATE SURVEYED: 10-07-05	DATE DRAWN: 10-11-05
PARTY B.H. J.T. D.R.B.	REFERENCES G.L.O. PLAT	
WEATHER WARM	FILE UTE/FNR, LLC.	

SELF CERTIFICATION STATEMENT

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

Please be advised that FIML Natural Resources, LLC is considered to be the operator of the following well.

Ute Tribal 11-18-54
NE/4 SW/4 1,838' FSL 1,795' FWL, Section 18 T-5S, R-4 W U.S.B. & M.
Lease BIA: 14-20-H62-5035
Duchesne County, Utah

FIML Natural Resources, LLC is responsible under the terms of this lease for the operations conducted upon lease lands.



Rick L. Parks
Operations Manager
FIML Natural Resources, LLC
410 17th Street
Suite 900
Denver, Colorado 80202
(303) 893-5081

FIML NATURAL RESOURCES, LLC

**Ute Tribal #11-18-54
NESW 1,838' FSL 1,795' FWL Sec 18, T-5S, R-4W, U.S.B. & M.
Duchesne County, Utah
BIA Lease Number 14-20-H62-5035**

DRILLING PROGRAM

1. Estimated Tops of Geological Markers:

Formation Depth

Uinta	surface
Green River	1,471' (top based on FIML Natural Resources, LLC Green River structure map dated September 26, 2005)
Mahogany Bench	2,856' (top based on FIML Natural Resources, LLC Mahogany Bench structure map dated September 26, 2005)
Garden Gulch	3,670' (top based on FIML Natural Resources, LLC Garden Gulch structure map dated September 26, 2005)
Douglas Creek	4,579' (top based on FIML Natural Resources, LLC Douglas Creek structure map dated September 26, 2005)
Castle Peak	5,512' top based on FIML Natural Resources, LLC Castle Peak structure map dated September 26, 2005)
Uteland Butte Ls.	5,930' (top based on FIML Natural Resources, LLC Uteland Butte structure map dated September 26, 2005)
Wasatch	6,136' (top based on FIML Natural Resources, LLC Wasatch structure map dated September 26, 2005)
Total Depth	6,486'

2. Estimated Depths of Anticipated Water, Oil, Gas, or Other Minerals:

Substance Formation Depth

Oil/Gas	Douglas Creek	4,579' (top based on FIML Natural Resources, LLC Douglas Creek structure map dated September 26, 2005)
Oil/Gas	Castle Peak	5,512' (top based on FIML Natural Resources, LLC Castle Peak structure map dated September 26, 2005)
Oil/Gas	Uteland Butte	5,930' (top based on FIML Natural Resources, LLC Uteland Butte structure map dated September 26, 2005)
Oil/Gas	Wasatch	6,136' (top based on FIML Natural Resources, LLC Wasatch structure map dated September 26, 2005)
Other Mineral Zones		N/A

3. **Pressure Control Equipment:**

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: Revised October 6, 2005).

4. **Proposed Casing and Cementing Program:**

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: Revised October 6, 2005).

5. **Drilling Fluids Program:**

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: Revised October 6, 2005).

6. **Evaluation Program:**

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: Revised October 6, 2005).

7. **Abnormal Conditions:**

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: Revised October 6, 2005).

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

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: Revised October 6, 2005).

9. **Other Information:**

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: Revised October 6, 2005).

FIML NATURAL RESOURCES, LLC

**Ute Tribal 11-18-54
NE SW 1,838' FSL 1,795' FWL, Sec 18, T-5S, R-4W, U.S.B. &M. Duchesne County, Utah
Lease Number 14-20-H62-5035**

Onshore Order No. 1

MULTI-POINT SURFACE USE & OPERATIONS PLAN

1. Existing Roads

- A. Start in Myton, Utah. Proceed west on US Highway 40, 8.8 miles to the Antelope Creek/Sowers Canyon Road at the Bridgeland turnoff. Turn south and proceed 10.1 miles on the Sowers Canyon Road. Turn southwest on the Brundage Canyon Road and proceed approximately 5.0 miles. Turn north and proceed approximately 1.0 miles to the Berry proposed Ute Tribal 4-19-54 location. Proceed approximately 0.5 miles on the proposed Ute Tribal 11-18-54 access road to the proposed location for the Ute Tribal 11-18-54 well.
- B. The proposed well site is located approximately 25.6 miles southwest of Myton, Utah – See attached Topographic Map “A”.
- C. Refer to attached Topographic Map “A”.
- D. Existing roads will be maintained and repaired as necessary. No off lease Right-of-Way will be required.

2. Planned Access Roads

See Topographic Map “B” for the location of the proposed access road.

3. Location of existing wells within a one mile radius of proposed well location

See Topographic Map “C” for the location of existing wells within a one-mile radius.

4. Location of Existing and /or Proposed Facilities

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: January 12, 2004).

5. Location and Type of Water Supply

- A. Water supply will be from East Duchesne Water District, Arcadia, Utah. Section 28, T-3S, R-3W, Duchesne County, Utah. The water right number is 43-10152.
- B. Water will be hauled by Ute Tribal Water Service.
- C. No water well will be drilled on the lease.

6. Source of Construction Materials

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: January 12, 2004).

7. Method of Handling Waste Materials

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: January 12, 2004).

8. Ancillary Facilities

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: January 12, 2004).

9. Well Site 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 top soil stockpile(s).

10. Plans for Restoration of the Surface

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: January 12, 2004).

11. Surface Ownership

Access Road: Ute Indian Tribe
Location: Ute Indian Tribe

12. Other Information

Please refer to FIML Natural Resources, LLC Standard Operating Procedure (SOP Version: January 12, 2004).

13. Operator's Representative and Certification

Name: Rick L. Parks
Address: 410 17th Street
Suite 900
Denver, Colorado 80202
Phone No. 303-893-5081
Cellular No. 303-229-7689

EPA's LIST OF NONEXEMPT EXPLORATION AND PRODUCTION WASTES

While the following wastes are nonexempt, they are not necessarily hazardous.

- Unused fracturing fluids or acids
- Gas plant cooling tower cleaning wastes
- Painting wastes
- Oil and gas service company wastes, such as empty drums, drum rinsate, vacuum truck rinsate, sandblast media, painting wastes, spent solvents, spilled chemicals, and waste acids
- Vacuum truck and drum rinsate from trucks and drums, transporting or containing nonexempt waste
- Refinery wastes
- Liquid and solid wastes generated by crude oil and tank bottom reclaimers
- Used equipment lubrication oils
- Waste compressor oil, filters, and blowdown
- Used hydraulic fluids
- Waste solvents
- Waste in transportation pipeline-related pits
- Caustic or acid cleaners
- Boiler cleaning wastes
- Boiler refractory bricks
- Incinerator ash
- Laboratory wastes
- Sanitary wastes
- Pesticide waste
- Radioactive tracer wastes
- Drums, insulation, and miscellaneous solids

UTE/FNR, LLC.
UTE TRIBAL #11-18-54
 LOCATED IN DUCHESNE COUNTY, UTAH
 SECTION 18, T5S, R4W, U.S.B.&M.

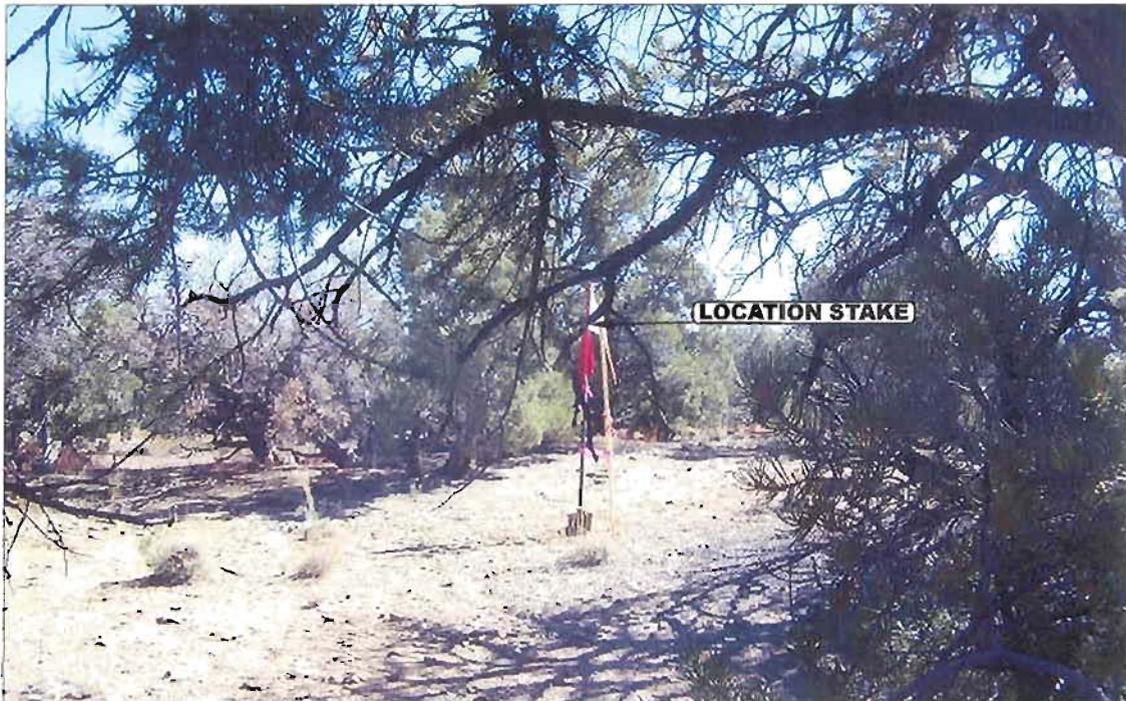


PHOTO: VIEW FROM CORNER #5 TO LOCATION STAKE

CAMERA ANGLE: SOUTHEASTERLY



PHOTO: VIEW FROM BEGINNING OF PROPOSED ACCESS

CAMERA ANGLE: NORTHEASTERLY



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

- Since 1964 -

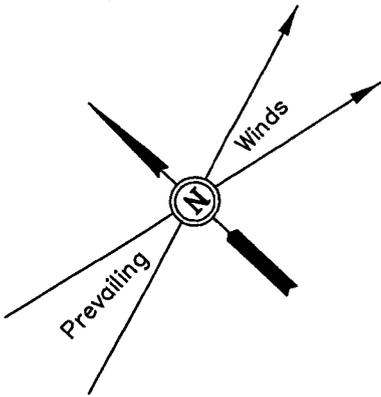
LOCATION PHOTOS	10	12	05	PHOTO
	MONTH	DAY	YEAR	
TAKEN BY: B.H.	DRAWN BY: C.P.		REVISED: 00-00-00	

UTE/FNR, LLC.

LOCATION LAYOUT FOR

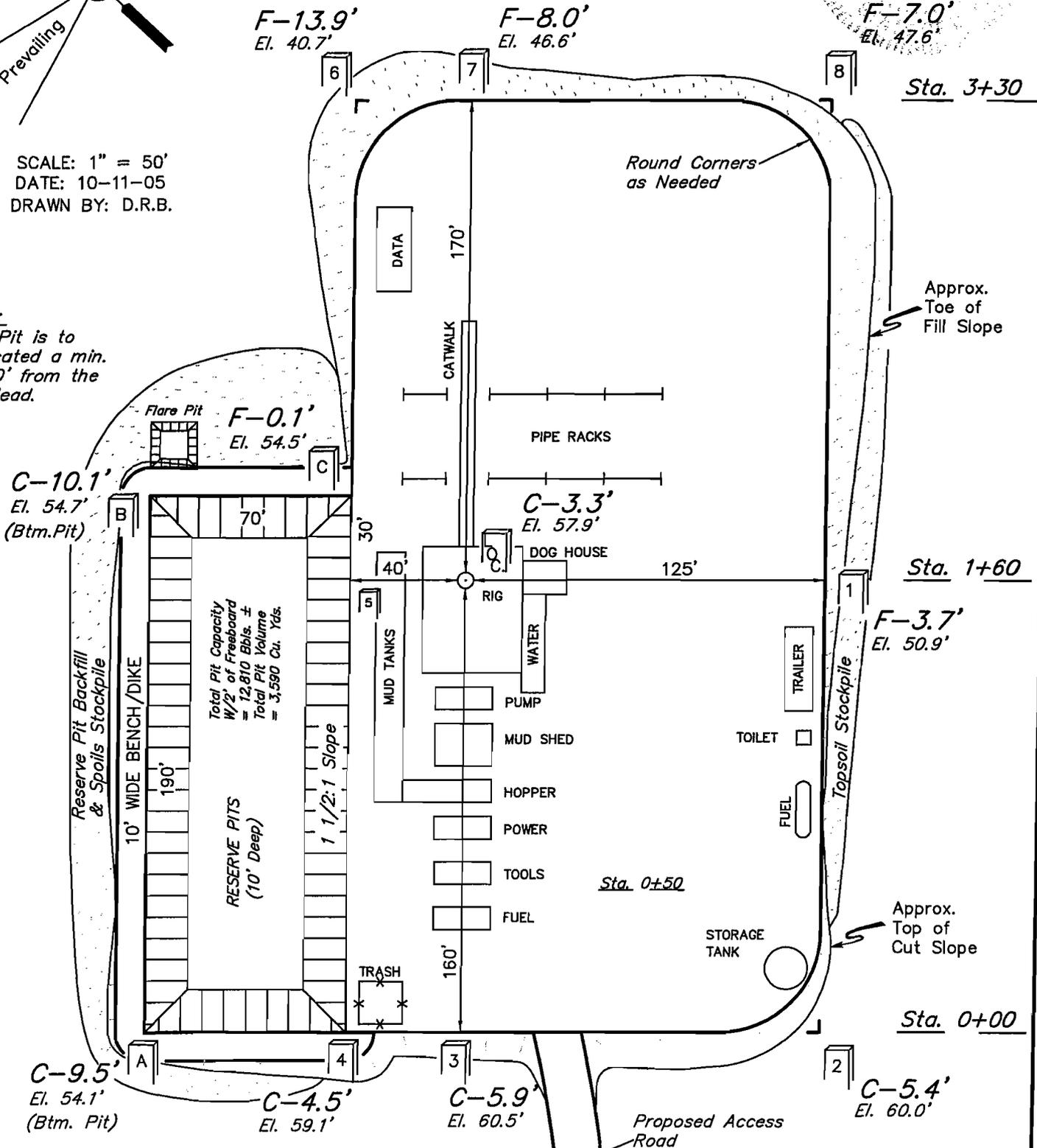
UTE TRIBAL #11-18-54
SECTION 18, T5S, R4W, U.S.B.&M.
1838' FSL 1795' FWL

D. B. Kay



SCALE: 1" = 50'
DATE: 10-11-05
DRAWN BY: D.R.B.

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

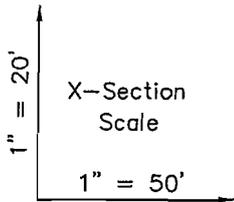


Elev. Ungraded Ground at Location Stake = 6657.9'
Elev. Graded Ground at Location Stake = 6654.6'

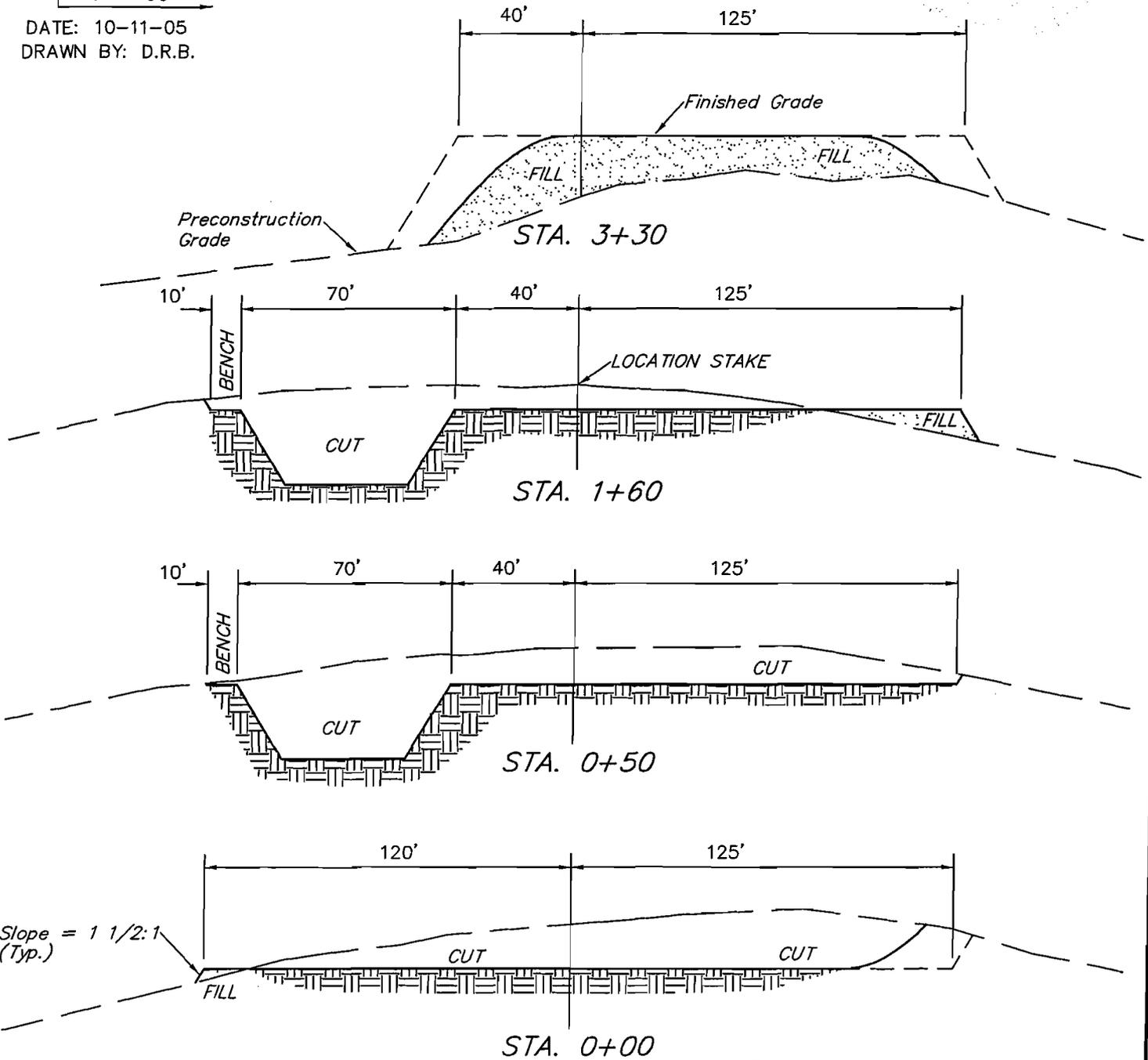
UTE/FNR, LLC.

TYPICAL CROSS SECTIONS FOR

UTE TRIBAL #11-18-54
SECTION 18, T5S, R4W, U.S.B.&M.
1838' FSL 1795' FWL



DATE: 10-11-05
DRAWN BY: D.R.B.

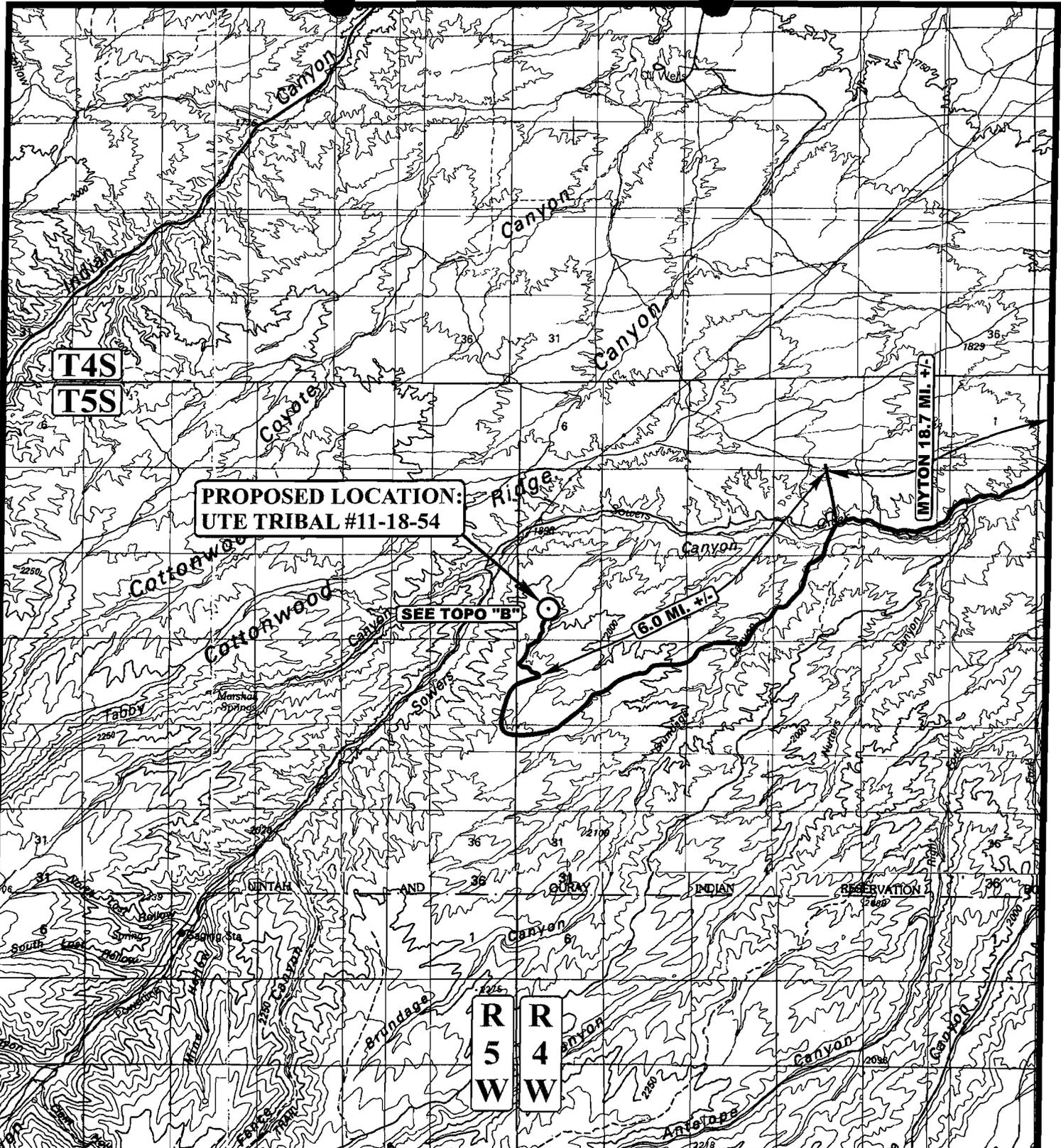


APPROXIMATE YARDAGES

CUT	
(12") Topsoil Stripping	= 3,060 Cu. Yds.
Remaining Location	= 7,670 Cu. Yds.
TOTAL CUT	= 10,730 CU.YDS.
FILL	= 5,870 CU.YDS.

* NOTE:
FILL QUANTITY INCLUDES
5% FOR COMPACTION

EXCESS MATERIAL	= 4,860 Cu. Yds.
Topsoil & Pit Backfill (1/2 Pit Vol.)	= 4,860 Cu. Yds.
EXCESS UNBALANCE (After Rehabilitation)	= 0 Cu. Yds.



LEGEND:

⊙ PROPOSED LOCATION



UTE/FNR, LLC.

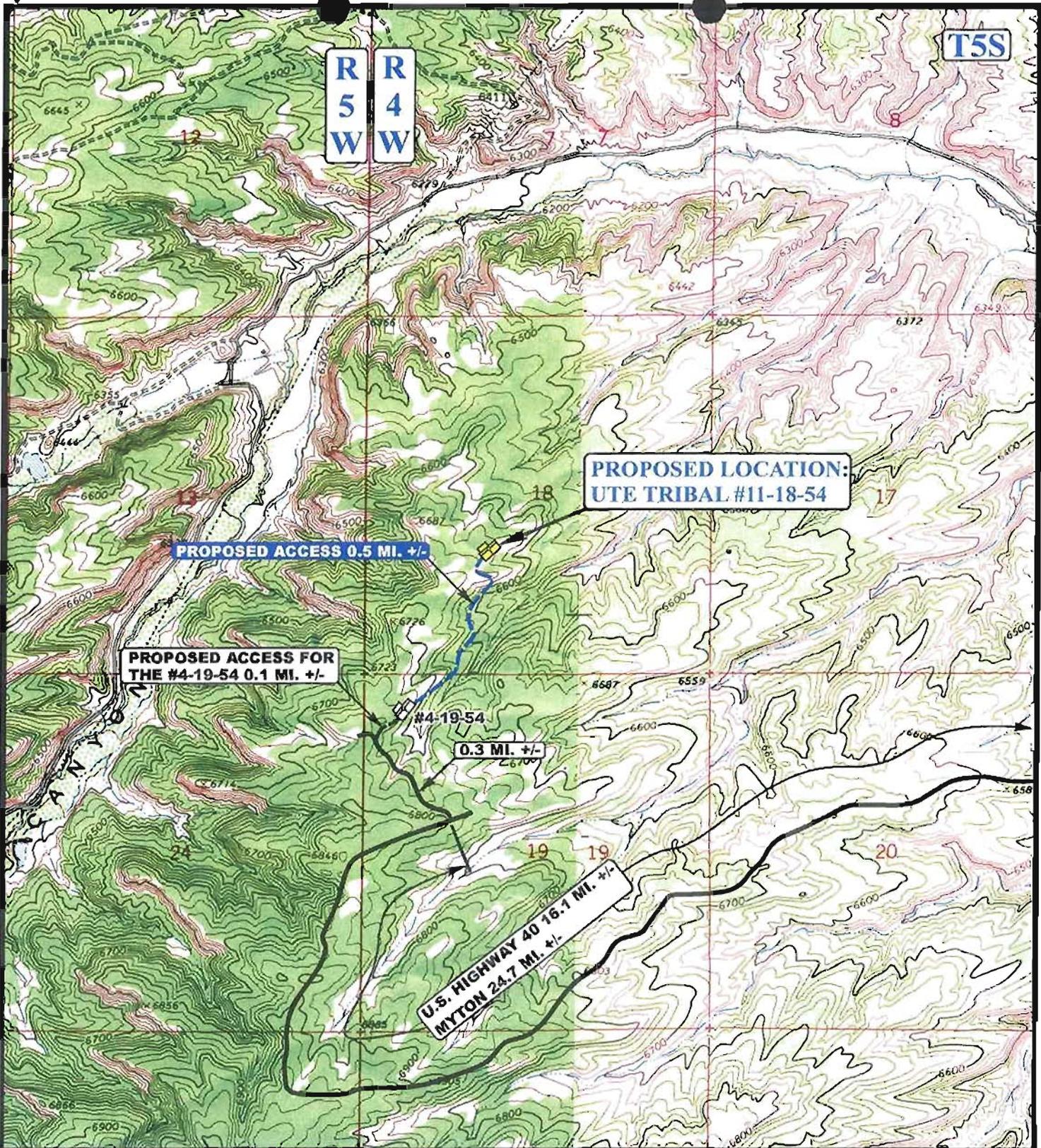
**UTE TRIBAL #11-18-54
SECTION 18, T5S, R4W, U.S.B.&M.
1838' FSL 1795' FWL**



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

TOPOGRAPHIC MAP
10 12 05
MONTH DAY YEAR
SCALE: 1" = 2000' DRAWN BY: C.P. REVISED: 00-00-00





LEGEND:

-  EXISTING ROAD
-  PROPOSED ACCESS ROAD



UTE/FNR, LLC.

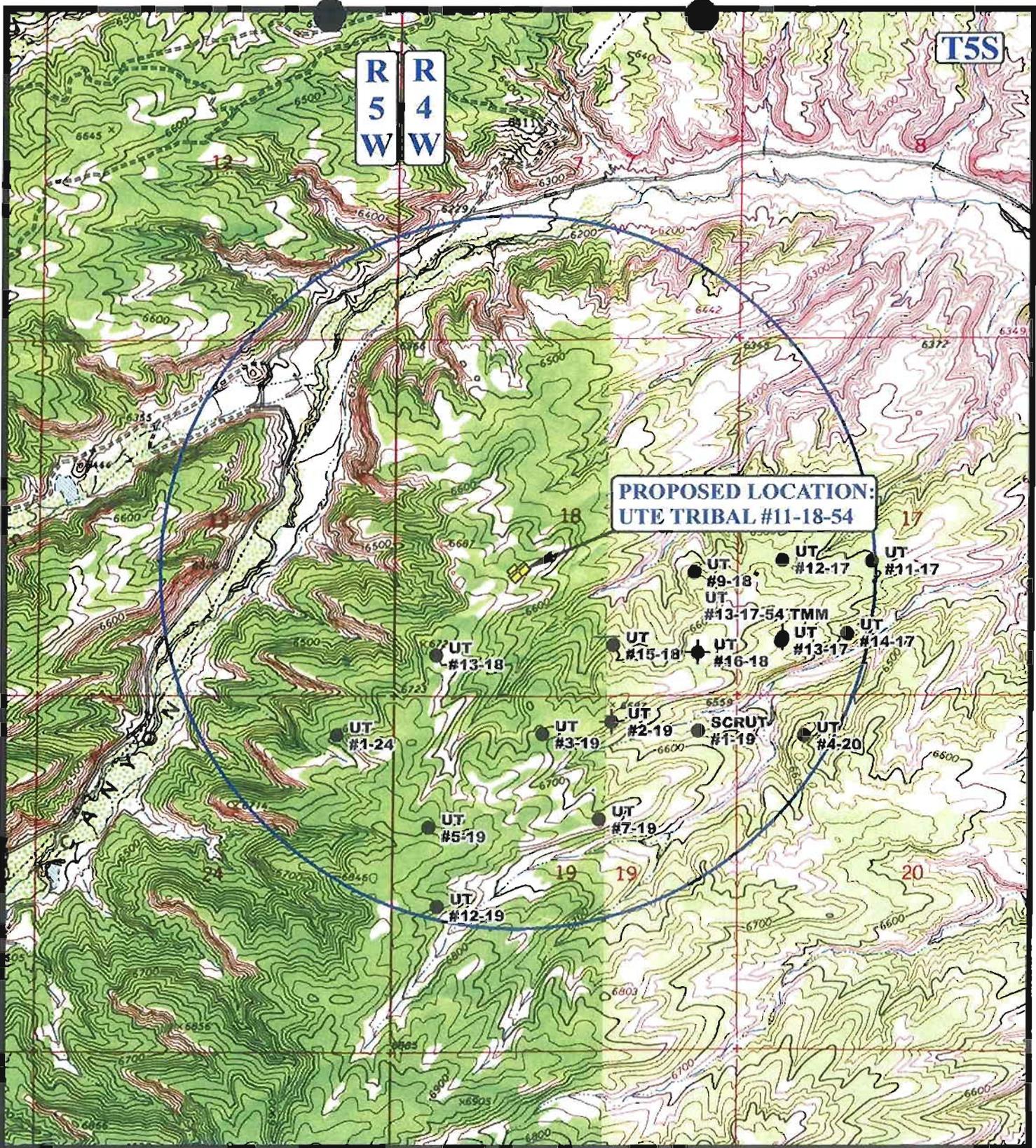
**UTE TRIBAL #11-18-54
SECTION 18, T5S, R4W, U.S.B.&M.
1838' FSL 1795' FWL**



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

TOPOGRAPHIC MAP 10 12 05
MONTH DAY YEAR
SCALE: 1" = 2000' DRAWN BY: C.P. REVISED: 00-00-00





**PROPOSED LOCATION:
UTE TRIBAL #11-18-54**

LEGEND:

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

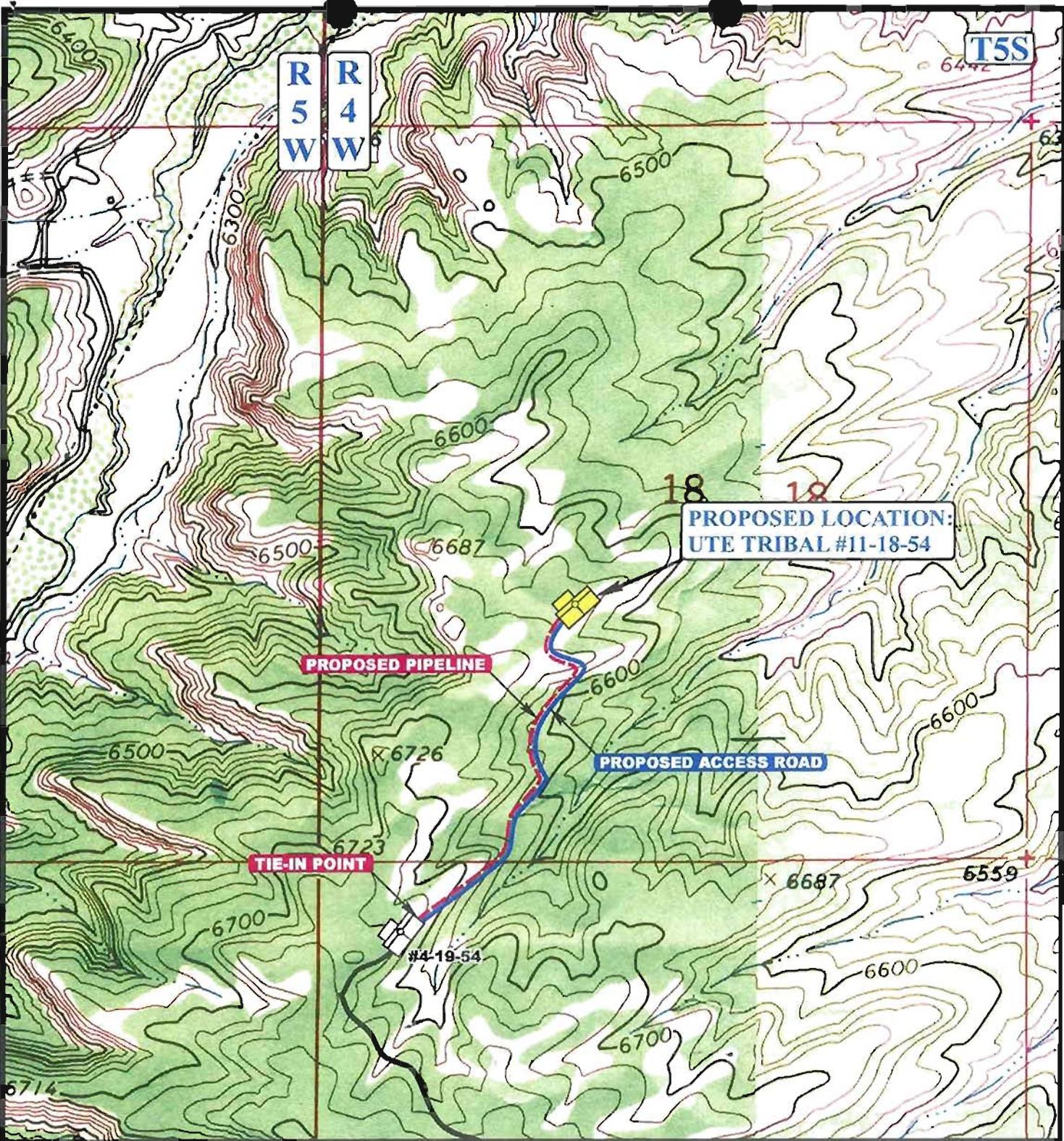
UTE/FNR, LLC.

**UTE TRIBAL #11-18-54
SECTION 18, T5S, R4W, U.S.B.&M.
1838' FSL 1795' FWL**



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

TOPOGRAPHIC MAP **10 12 05**
 MONTH DAY YEAR
 SCALE: 1" = 2000' DRAWN BY: C.P. REVISED: 10-28-05 **C TOPO**



APPROXIMATE TOTAL PIPELINE DISTANCE = 2,842' +/-

LEGEND:

-  PROPOSED ACCESS ROAD
-  EXISTING PIPELINE
-  PROPOSED PIPELINE



UTE/FNR, LLC.

UTE TRIBAL #11-18-54
SECTION 18, T5S, R4W, U.S.B.&M.
1838' FSL 1795' FWL



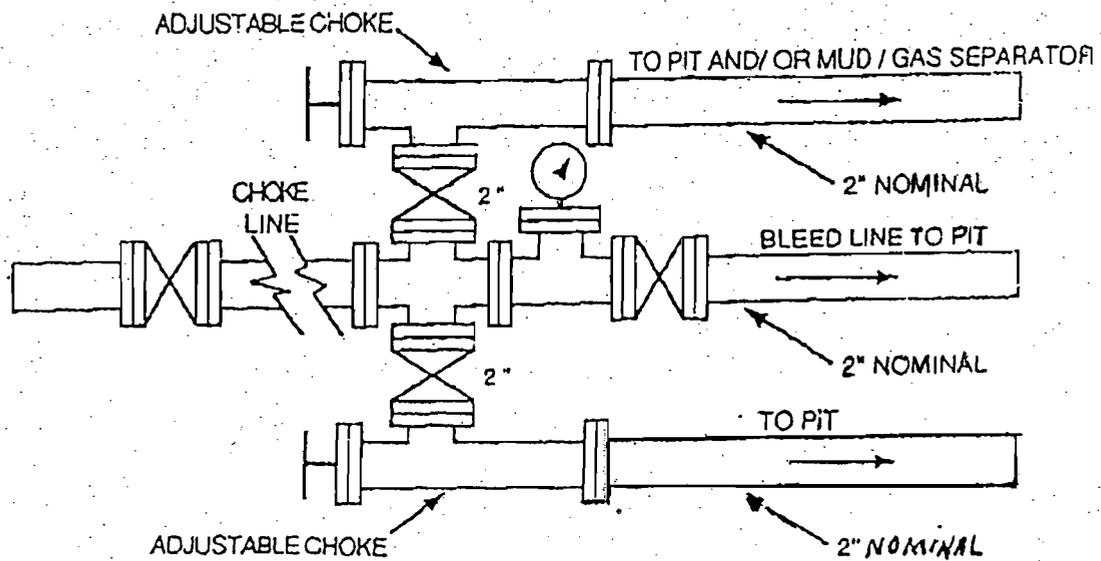
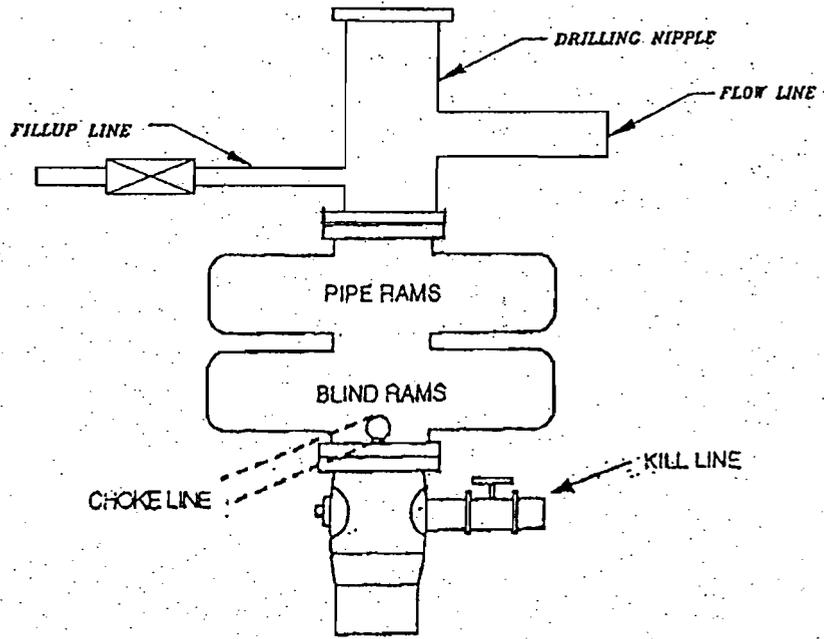
Utah Engineering & Land Surveying
85 South 200 East Vernal, Utah 84078
(435) 789-1017 * FAX (435) 789-1813

TOPOGRAPHIC 10 12 05
MAP MONTH DAY YEAR

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

D
TOPO

2M SYSTEM
BLOWOUT PREVENTER FOR HIGH PRESSURE WELLS
900 SERIES MINIMUM
2000# psi W.P.
BOP 6" X 3000 PSI or 10" X 3000 PSI



**WORKSHEET
APPLICATION FOR PERMIT TO DRILL**

APD RECEIVED: 11/10/2005

API NO. ASSIGNED: 43-013-32955

WELL NAME: UTE TRIBAL 11-18-54
 OPERATOR: FIML NATURAL RESOURCES (N2530)
 CONTACT: MARK BINGHAM

PHONE NUMBER: 303-893-5073

PROPOSED LOCATION:

NESW 18 050S 040W
 SURFACE: 1838 FSL 1795 FWL
 BOTTOM: 1838 FSL 1795 FWL
 DUCHESNE
 BRUNDAGE CANYON (72)

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

LEASE TYPE: 2 - Indian
 LEASE NUMBER: 14-20-H62-5035
 SURFACE OWNER: 2 - Indian
 PROPOSED FORMATION: WSTC
 COALBED METHANE WELL? NO

LATITUDE: 40.04433
 LONGITUDE: -110.3799

RECEIVED AND/OR REVIEWED:

- Plat
- Bond: Fed[] Ind[2] Sta[] Fee[]
(No. 8191-82-71)
- Potash (Y/N)
- Oil Shale 190-5 (B) or 190-3 or 190-13
- Water Permit
(No. 43-10152)
- 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:

Sup, Separate PL

STIPULATIONS:

1- Spacing Strip
2- FEDERAL APPROVAL

T5S R5W

T5S R4W

BRUNDAGE CANYON FIELD

COTTONWOOD
RIDGE #8

UTE TRIBAL
5-8-54
UTE TRIBAL
5-8-54

COTTONWOOD
RIDGE #4

UTE TRIBAL
7-16-54
UTE TRIBAL
7-16-54

UTE TRIBAL
0-18-54

BRUNDAGE CANYON UNIT

UTE TRIBAL
0-27

UTE TRIBAL
7-16

UTE TRIBAL
0-18-54
UTE TRIBAL
0-18-54

UTE TRIBAL
15-18

UTE TRIBAL
16-11

UTE TRIBAL
03-07-54

UTE TRIBAL
04-17

COTTONWOOD
RIDGE #5-#8

UTE TRIBAL
1-21-55

COTTONWOOD
RIDGE #6

UTE TRIBAL
1-19

UTE TRIBAL
2-19

COTTONWOOD
RIDGE UTE TRIBAL 0-29

UTE TRIBAL
#10
UTE TRIBAL
3-20-54

UTE TRIBAL
8-09-54

OPERATOR: FIML NATURAL RES (N2530)

SEC: 18 T. 5S R. 4W

FIELD: BRUNDAGE CANYON (72)

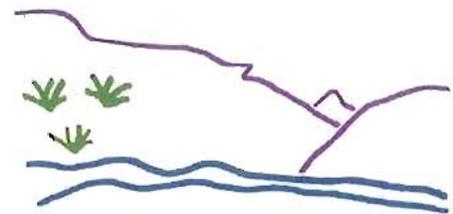
COUNTY: DUCHESNE

SPACING: R640-3-2 / 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: DJANA WHITNEY
DATE: 10-NOVEMBER-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

November 10, 2005

FIML Natural Resources, LLC
410 17th Street, Suite 900
Denver, CO 80202

Re: Ute Tribal 11-18-54 Well, 1838' FSL, 1795' FWL, NE SW, Sec. 18,
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 43-013-32955.

Sincerely,

Gil Hunt
Associate Director

pab
Enclosures

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

Operator: FIML Natural Resources, LLC

Well Name & Number Ute Tribal 11-18-54

API Number: 43-013-32955

Lease: 14-20-H62-5035

Location: NE SW Sec. 18 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.

5. LEASE DESIGNATION AND SERIAL NUMBER:
14-20-H62-5035

SUNDRY NOTICES AND REPORTS ON WELLS

6. IF INDIAN, ALLOTTEE OR TRIBE NAME:
Ute

Do not use this form for proposals to drill new wells, significantly deepen existing wells below current bottom-hole depth, reenter plugged wells, or to drill horizontal laterals. Use APPLICATION FOR PERMIT TO DRILL form for such proposals.

7. UNIT or CA AGREEMENT NAME:

1. TYPE OF WELL OIL WELL GAS WELL OTHER _____

8. WELL NAME and NUMBER:
Ute Tribal 11-18-54

2. NAME OF OPERATOR:
FIML Natural Resources, LLC

9. API NUMBER:
4301332955

3. ADDRESS OF OPERATOR:
410 17th Street Ste 900 CITY **Denver** STATE **CO** ZIP **80202**

PHONE NUMBER:
(303) 893-5090

10. FIELD AND POOL, OR WILDCAT:
Brundage Canyon

4. LOCATION OF WELL
FOOTAGES AT SURFACE: **1,838' FSL 1,795' FWL**

COUNTY: **Duchesne**

QTR/QTR, SECTION, TOWNSHIP, RANGE, MERIDIAN: **NESW 18 5S 4W**

STATE: **UTAH**

11. CHECK APPROPRIATE BOXES TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION	TYPE OF ACTION		
<input checked="" type="checkbox"/> NOTICE OF INTENT (Submit in Duplicate) Approximate date work will start: 12/15/2006	<input type="checkbox"/> ACIDIZE	<input type="checkbox"/> DEEPEN	<input type="checkbox"/> REPERFORATE CURRENT FORMATION
	<input type="checkbox"/> ALTER CASING	<input type="checkbox"/> FRACTURE TREAT	<input type="checkbox"/> SIDETRACK TO REPAIR WELL
<input type="checkbox"/> SUBSEQUENT REPORT (Submit Original Form Only) Date of work completion: _____	<input type="checkbox"/> CASING REPAIR	<input type="checkbox"/> NEW CONSTRUCTION	<input type="checkbox"/> TEMPORARILY ABANDON
	<input type="checkbox"/> CHANGE TO PREVIOUS PLANS	<input type="checkbox"/> OPERATOR CHANGE	<input type="checkbox"/> TUBING REPAIR
	<input type="checkbox"/> CHANGE TUBING	<input type="checkbox"/> PLUG AND ABANDON	<input type="checkbox"/> VENT OR FLARE
	<input type="checkbox"/> CHANGE WELL NAME	<input type="checkbox"/> PLUG BACK	<input type="checkbox"/> WATER DISPOSAL
	<input type="checkbox"/> CHANGE WELL STATUS	<input type="checkbox"/> PRODUCTION (START/RESUME)	<input type="checkbox"/> WATER SHUT-OFF
	<input type="checkbox"/> COMMINGLE PRODUCING FORMATIONS	<input type="checkbox"/> RECLAMATION OF WELL SITE	<input checked="" type="checkbox"/> OTHER: Request for drilling permit extension
	<input type="checkbox"/> CONVERT WELL TYPE	<input type="checkbox"/> RECOMPLETE - DIFFERENT FORMATION	

12. DESCRIBE PROPOSED OR COMPLETED OPERATIONS. Clearly show all pertinent details including dates, depths, volumes, etc.

FIML Natural Resources, LLC is requesting an extension to the drilling permit issued for the referenced well, due to the delay in the approval of the BLM permit. The Application for Permit to Drill Request for Permit Extension Validation form is attached.

**Approved by the
Utah Division of
Oil, Gas and Mining**

COPY SENT TO OPERATOR
DATE: **10/25/06**
BY: **RDA**

Date: **10-24-06**
By: *[Signature]*

NAME (PLEASE PRINT) **Cassandra Parks**

TITLE **Operations Assistant**

SIGNATURE *[Signature]*

DATE **10/23/2006**

(This space for State use only)

**RECEIVED
OCT 24 2006**

**Application for Permit to Drill
Request for Permit Extension
Validation**

(this form should accompany the Sundry Notice requesting permit extension)

API: 43-013-32955
Well Name: Ute Tribal #11-18-54
Location: NESW 1,838' FSL 1,795' FWL Sec 18 T5S R4W
Company Permit Issued to: FIML Natural Resources, LLC
Date Original Permit Issued: 11/10/2005

The undersigned as owner with legal rights to drill on the property as permitted above, hereby verifies that the information as submitted in the previously approved application to drill, remains valid and does not require revision.

Following is a checklist of some items related to the application, which should be verified.

If located on private land, has the ownership changed, if so, has the surface agreement been updated? Yes No

Have any wells been drilled in the vicinity of the proposed well which would affect the spacing or siting requirements for this location? Yes No

Has there been any unit or other agreements put in place that could affect the permitting or operation of this proposed well? Yes No

Have there been any changes to the access route including ownership, or right-of-way, which could affect the proposed location? Yes No

Has the approved source of water for drilling changed? Yes No

Have there been any physical changes to the surface location or access route which will require a change in plans from what was discussed at the onsite evaluation? Yes No

Is bonding still in place, which covers this proposed well? Yes No



Signature

10/23/2006

Date

Title: Operations Assistant

Representing: FIML Natural Resources, LLC

RECEIVED
OCT 24 2006
DIV. OF OIL, GAS & MINING

FIML NATURAL RESOURCES, LLC

October 19, 2007

Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P. O. Box 145801
Salt Lake City, UT 84114-5801

Attn.: Ms. Diana Mason

RE: Source of Drilling Water

Dear Ms. Mason:

FIML Natural Resources, LLC water for drilling operations will now be hauled by Betts Trucking. It will come from Duchesne City, Utah. The water right number is 43-3651.

If any questions arise or need additional information is required, please contact the undersigned at 303-893-5090.

Sincerely,



Cassandra Parks
Operations Technician

/cp

RECEIVED
OCT 23 2007
DIV. OF OIL, GAS & MINING

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

CONFIDENTIAL

FORM 9

SUNDRY NOTICES AND REPORTS ON WELLS		5. LEASE DESIGNATION AND SERIAL NUMBER: 14-20-H62-5035
Do not use this form for proposals to drill new wells, significantly deepen existing wells below current bottom-hole depth, reenter plugged wells, or to drill horizontal laterals. Use APPLICATION FOR PERMIT TO DRILL form for such proposals.		6. IF INDIAN, ALLOTTEE OR TRIBE NAME: Ute
		7. UNIT or CA AGREEMENT NAME:
1. TYPE OF WELL OIL WELL <input checked="" type="checkbox"/> GAS WELL <input type="checkbox"/> OTHER _____	8. WELL NAME and NUMBER: Ute Tribal 11-18-54	
2. NAME OF OPERATOR: FIML Natural Resources, LLC		9. API NUMBER: 4301332955
3. ADDRESS OF OPERATOR: 410 17th Street Ste 900 CITY Denver STATE CO ZIP 80202	PHONE NUMBER: (303) 893-5090	10. FIELD AND POOL, OR WILDCAT: Brundage Canyon
4. LOCATION OF WELL FOOTAGES AT SURFACE: 1,838' FSL 1,795' FWL		COUNTY: Duchesne
QTR/QTR, SECTION, TOWNSHIP, RANGE, MERIDIAN: NESW 18 5S 4W		STATE: UTAH

11. CHECK APPROPRIATE BOXES TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION	TYPE OF ACTION		
<input checked="" type="checkbox"/> NOTICE OF INTENT (Submit in Duplicate) Approximate date work will start: <u>1/1/2007</u>	<input type="checkbox"/> ACIDIZE	<input type="checkbox"/> DEEPEN	<input type="checkbox"/> REPERFORATE CURRENT FORMATION
	<input type="checkbox"/> ALTER CASING	<input type="checkbox"/> FRACTURE TREAT	<input type="checkbox"/> SIDETRACK TO REPAIR WELL
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	<input type="checkbox"/> COMMINGLE PRODUCING FORMATIONS	<input type="checkbox"/> RECLAMATION OF WELL SITE	<input checked="" type="checkbox"/> OTHER: <u>Request for drilling permit extension</u>
	<input type="checkbox"/> CONVERT WELL TYPE	<input type="checkbox"/> RECOMPLETE - DIFFERENT FORMATION	

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**Approved by the
Utah Division of
Oil, Gas and Mining**

Date: 10-23-07
By: [Signature]

NAME (PLEASE PRINT) <u>Cassandra Parks</u>	TITLE <u>Operations Assistant</u>
SIGNATURE <u>[Signature]</u>	DATE <u>10/19/2007</u>

(This space for State use only)

COPY SENT TO OPERATOR
Date: 10-24-07
Initials: RM

RECEIVED

OCT 23 2007

**Application for Permit to Drill
Request for Permit Extension
Validation**

(this form should accompany the Sundry Notice requesting permit extension)

API: 43-013-32955
Well Name: Ute Tribal #11-18-54
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Signature

10/19/2007

Date

Title: Operations Technician

Representing: FIML Natural Resources, LLC

RECEIVED
OCT 23 2007
DIV. OF OIL, GAS & MINING



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

November 24, 2008

Cassandra Parks
FIML Natural Resources LLC
410 17TH St, Suite 900
Denver, CO 80202

Re: APD Rescinded – Ute Tribal 11-18-54, Sec.18, T. 5S, R. 4W
Duchesne County, Utah API No. 43-013-32955

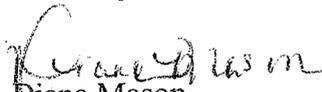
Dear Ms. Parks:

The Application for Permit to Drill (APD) for the subject well was approved by the Division of Oil, Gas and Mining (Division) on November 10, 2005. On October 24, 2006 and October 23, 2007 the Division granted a one-year APD extension. On November 17, 2008, 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 November 17, 2008. 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
Environmental Scientist

cc: Well File
Bureau of Land Management, Vernal





United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Green River District
Vernal Field Office
170 South 500 East
Vernal, UT 84078

<http://www.blm.gov/ut/st/en/fo/vernal.html>

April 1, 2013

IN REPLY REFER TO:
3160 (UTG011)

Krista Mecham
Berry Petroleum Company
4000 South 4028 West
Roosevelt, UT 84066

43 013 32955

Re: Request to Return APD
Well No. Ute Tribal 11-18-54
NESW, Sec. 18, T5S, R4W
Duchesne County, Utah
Lease No. 14-20-H62-5035

Dear Ms. Mecham:

The Application for Permit to Drill (APD) for the above referenced well received in this office on November 10, 2005, is being returned unapproved per your request to this office in an email message to Land Law Examiner Robin R. Hansen received on March 6, 2013. This was a FIML APD that was acquired by Berry. If you intend to drill at this location at a future date, a new APD must be submitted.

If you have any questions regarding APD processing, please contact Robin R. Hansen at (435) 781-3428.

Sincerely,

/s/ Jerry Kenczka

Jerry Kenczka
Assistant Field Manager
Lands & Mineral Resources

Enclosures

cc: UDOGM
BIA

bcc: Well File

RECEIVED

APR 16 2013

DIV. OF OIL, GAS & MINING