

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

FORM 3

AMENDED REPORT   
(highlight changes)

<b>APPLICATION FOR PERMIT TO DRILL</b>		5. MINERAL LEASE NO: <b>14-20-H62-5500 (EDA)</b>	6. SURFACE: <b>FEE</b>
1A. TYPE OF WORK: DRILL <input checked="" type="checkbox"/> REENTER <input type="checkbox"/> DEEPEN <input type="checkbox"/>		7. IF INDIAN, ALLOTTEE OR TRIBE NAME:	
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"/>		8. UNIT or CA AGREEMENT NAME:	
2. NAME OF OPERATOR: <b>BERRY PETROLEUM COMPANY</b>		9. WELL NAME and NUMBER: <b>LC TRIBAL 3-11D-56</b>	
3. ADDRESS OF OPERATOR: <b>RT. 2 BOX 7735</b> CITY <b>ROOSEVELT</b> STATE <b>UTAH</b> ZIP <b>84066</b>		PHONE NUMBER: <b>(435)722-1325</b>	10. FIELD AND POOL, OR WILDCAT: <del>LAKE CANYON</del> <b>Wildcat</b>
4. LOCATION OF WELL (FOOTAGES) AT SURFACE: <b>540410X 4435151Y 40.067542 -110.526137</b> <b>259' FNL, 2531' FEL</b> NAD 27 AT PROPOSED PRODUCING ZONE: <b>540154X 4435014Y 40.066317 -110.529149</b> 40.0676 LAT <b>706' FNL, 1878' FWL</b> BHL <b>110.525903</b> LONG		11. QTR/QTR, SECTION, TOWNSHIP, RANGE, MERIDIAN: <b>NWNE</b> <b>SEC. 11, T5S, R6W</b> <b>U.S.B.&amp;M.</b>	
14. DISTANCE IN MILES AND DIRECTION FROM NEAREST TOWN OR POST OFFICE: <b>13.1 MILES FROM DUCHESNE, UTAH</b>		12. COUNTY: <b>DUCHESNE</b>	13. STATE: <b>UTAH</b>
15. DISTANCE TO NEAREST PROPERTY OR LEASE LINE (FEET) <b>259'</b>	16. NUMBER OF ACRES IN LEASE: <b>160</b>	17. NUMBER OF ACRES ASSIGNED TO THIS WELL: <b>40</b>	
18. DISTANCE TO NEAREST WELL (DRILLING, COMPLETED, OR APPLIED FOR) ON THIS LEASE (FEET) <b>N/A</b>	19. PROPOSED DEPTH: <b>5903 MD 5810' TVD</b>	20. BOND DESCRIPTION: <b>RLB0005651</b>	
21. ELEVATIONS (SHOW WHETHER DF, RT, GR, ETC.): <b>7053' GR</b>	22. APPROXIMATE DATE WORK WILL START: <b>UPON APPROVAL OF APD</b>	23. ESTIMATED DURATION: <b>APPROXIMATELY 6 DAYS</b>	

24. **PROPOSED CASING AND CEMENTING PROGRAM**

SIZE OF HOLE	CASING SIZE, GRADE, AND WEIGHT PER FOOT	SETTING DEPTH	CEMENT TYPE, QUANTITY, YIELD, AND SLURRY WEIGHT		
<b>12 1/4</b>	<b>8 5/8 J-55 ST&amp;C or LT&amp;C 24#</b>	<b>300'</b>	<b>TYPE III + ADDITIVES</b>	<b>130 SX</b>	<b>1.17 CF/SK 15.8 PPG</b>
<b>7 7/8</b>	<b>5 1/2 J-55 LT&amp;C 15.5#</b>	<b>3000'</b>	<b>PREMIUM LITE II + ADDITIVES</b>	<b>219 SX</b>	<b>3.43 CF/SK 11.0 PPG</b>
		<b>TD</b>	<b>PREMIUM LITE II HIGH STRENGTH + ADD</b>	<b>265 SX</b>	<b>1.91 CF/SK 13.0 PPG</b>

NOTE: ACTUAL VOLUMES PUMPED WILL BE CALIPER HOLE VOLUME+20% EXCESS

25. **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
<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) SHELLEY E. CROZIER TITLE REGULATORY & PERMITTING ASSISTANT

SIGNATURE *Shelley E. Crozier* DATE 01/09/07

(This space for State use only)

API NUMBER ASSIGNED: 43-013-33488

Approved by the  
Utah Division of  
Oil, Gas and Mining

RECEIVED  
JAN 12 2007  
DIV. OF OIL, GAS & MINING

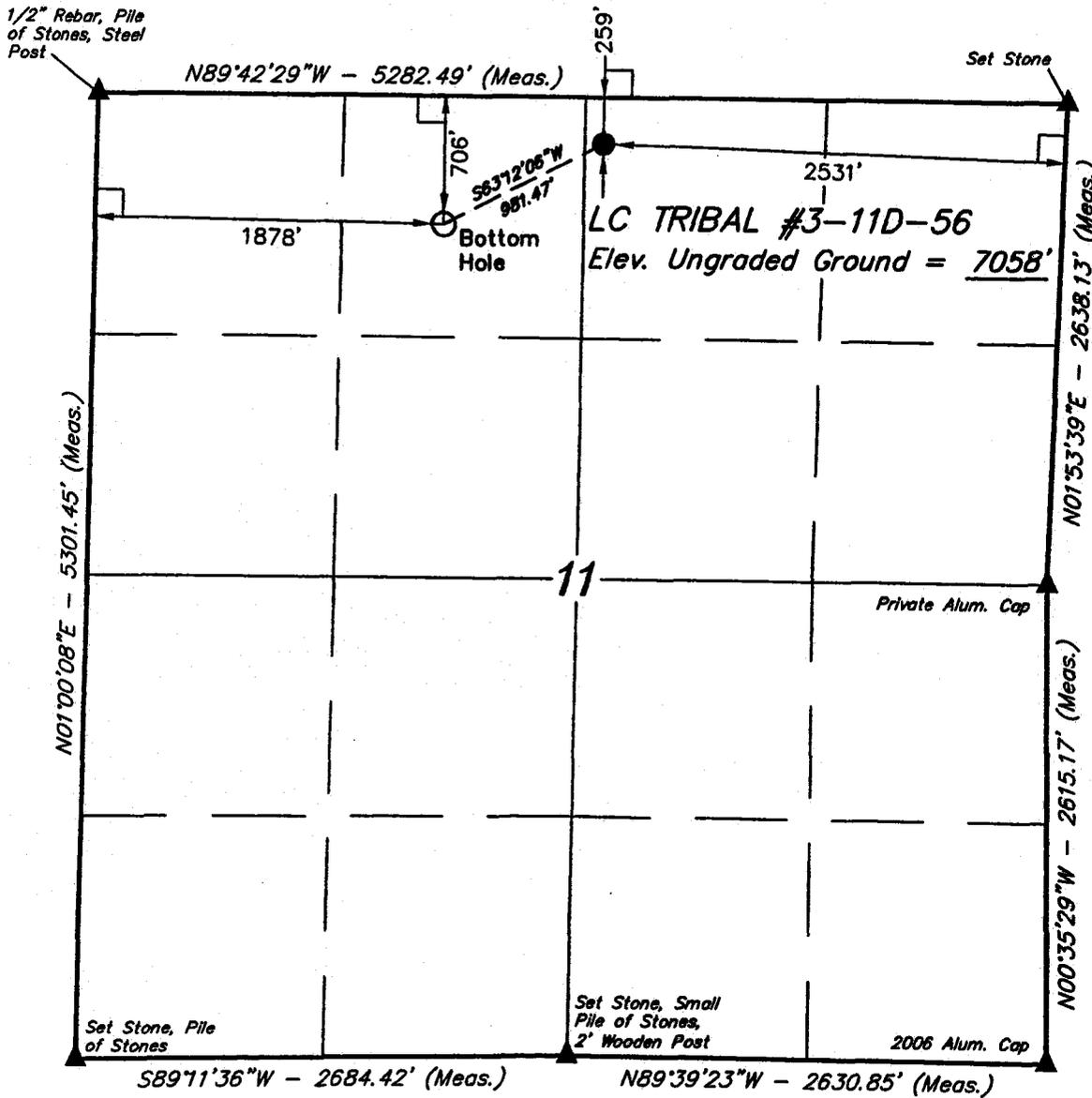
(11/2001)

Date: 02-05-07  
By: *[Signature]*

T5S, R6W, U.S.B.&M.

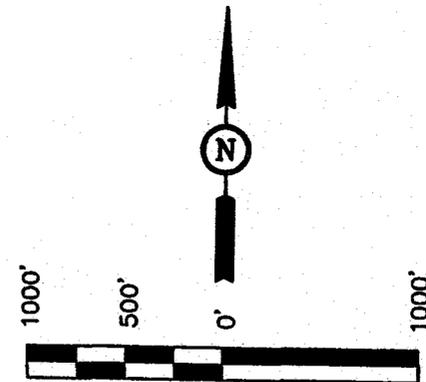
BERRY PETROLEUM COMPANY

Well location, LC TRIBAL #3-11D-56, located as shown in the NW 1/4 NE 1/4 of Section 11, T5S, R6W, U.S.B.&M., Duchesne County, Utah.



BASIS OF ELEVATION

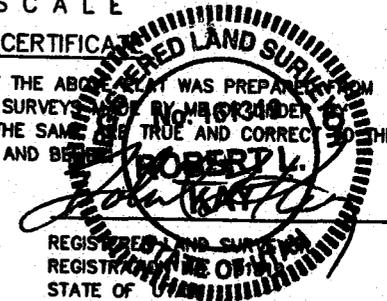
BENCH MARK (M67) LOCATED IN THE SW 1/4 OF SECTION 9, T5S, R4W, U.S.B.&M., TAKEN FROM THE DUCHESNE SE QUADRANGLE, UTAH, DUCHESNE COUNTY, 7.5 MINUTE QUAD. (TOPOGRAPHIC MAP) PUBLISHED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, GEOLOGICAL SURVEY. SAID ELEVATION IS MARKED ON CAP AS BEING 6097 FEET.



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.



REVISED: 12-07-06  
REVISED: 07-13-06

BASIS OF BEARINGS

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

LEGEND:

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

(NAD 83)  
LATITUDE = 40°04'03.21" (40.067558)  
LONGITUDE = 110°31'35.81" (110.526614)  
(NAD 27)  
LATITUDE = 40°04'03.36" (40.067600)  
LONGITUDE = 110°31'33.25" (110.525903)

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

SCALE 1" = 1000'	DATE SURVEYED: 06-16-06	DATE DRAWN: 06-21-06
PARTY S.H. S.P. P.M.	REFERENCES G.L.O. PLAT	
WEATHER HOT	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.

LC Tribal 3-11D-56

NW 1/4, NE 1/4, 259' FNL, 2531' FEL, Section 11, T. 5 S., R. 6 W., U.S.B.&M.

BHL: NE 1/4, NW 1/4, 706' FNL 1878' FWL

Lease - Indian

14-20-H62-5500

Duchesne, County, Utah

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



Shelley Crozier  
Permitting and Regulatory Assistant  
Berry Petroleum Company  
4000 South 4028 West  
Route 2, Box 7735  
Roosevelt, Utah 84066  
435-722-1325

BERRY PETROLEUM COMPANY

LC Tribal 3-11D-56

Surface location NW 1/4, NE 1/4, 259' FNL, 2531' FEL, Section 11, T. 5 S., R. 6 W., U.S.B.&M.

BHL: NE 1/4, NW 1/4, 706' FNL 1878' FWL

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**

FORMATION	DRILL DEPTH * @ BHL (TVD)	DRILL DEPTH * @ SHL (TVD)
Uinta	Surface	On Surface
Green River	1,194'	1,226'
Green River Upper Marker	1,731'	1,782'
Mahogany	2,340'	2,365'
Tgr3 Marker	3,396'	3,424'
Douglas Creek	4,167'	4,197'
*Black Shale	4,871'	4,898'
*Castle Peak	5,101'	5,130'
Uteland Butte Ls.	5,446'	5,473'
Wasatch	5,684'	5,711'
TD	5,785'	5,810'
Base of Moderately Saline Water (less than 10,000 ppm)	3,032'	2,961'

**\*PROSPECTIVE PAY**

**Berry is locating the well at the surface location and directionally drilling from this location to minimize surface disturbance and Berry will be able to utilize the existing road and pipelines in the area.**

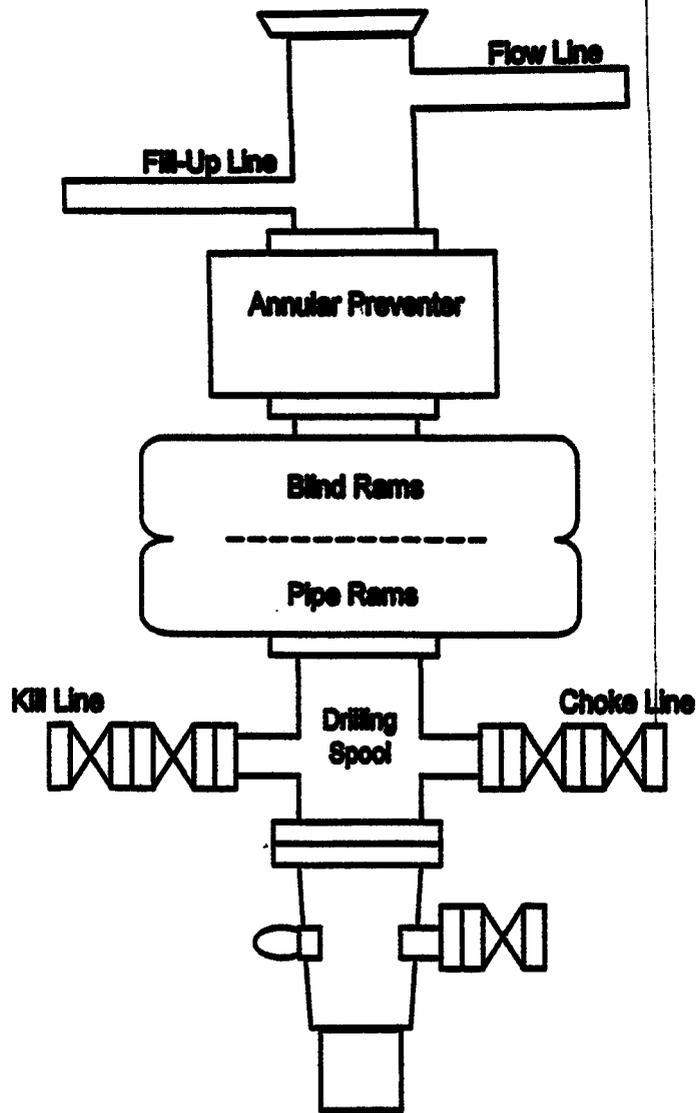
**Furthermore, Berry hereby certifies that it is the sole working interest owner with 460 feet of the entire directional well bore and the remainder of the section.**

3 **Pressure Control Equipment : (Schematic Attached)**

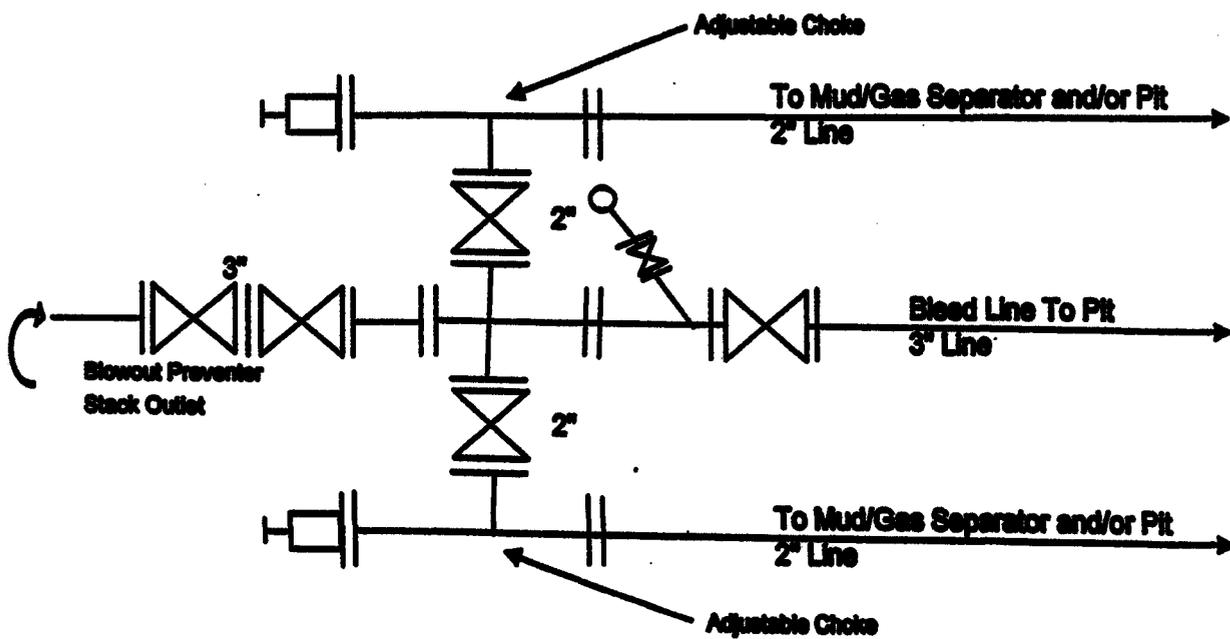
The BOP and related equipment shall meet the minimum requirements of Onshore Oil and Gas Order No. 2 for equipment and testing requirements, procedures, etc. A 2M system will be utilized. The attached diagram depicts the use of an annular in conjunction with double rams. However, an annular, double rams or both may be used depending on the drilling rig contracted. Chart recorders will be used for all pressure tests.

Test charts, with individual test results identified, shall be maintained on location while drilling and shall be made available to representative upon request.

# BOP Diagram



## 2,000 PSI Choke Manifold Equipment



The anticipated bottom hole pressure will be less than 3,000 psi.

<u>Depth Intervals</u>	<u>BOP Equipment</u>
0 – 300'	No Pressure Control
300 – 5196'	9" 2000# Ram Type BOP 9" 2000# Annular BOP

**4 Proposed Casing and Cementing Program**

The proposed Casing Program will be as follows:

<u>Purpose</u>	<u>Depth</u>	<u>Hole Size</u>	<u>Casing Size</u>	<u>Type</u>	<u>Connection</u>	<u>Weight</u>
Surface	300'	12 1/4"	8-5/8"	J-55	ST&C	24#
Production	5196'	7-7/8"	5-1/2"	J-55	LT&C	15.5#

<u>Surface</u>	<u>Fill</u>	<u>Type &amp; Amount</u>
0' – 300'	300'	Approximately 130 SX Premium Plus (Type III) + additives or a similar slurry with a minimum weight of 14.3 ppg and approximate yield of 1.43 ft <sup>3</sup> /sx, minimum 24 hr compressive strength = 500 psi (Cement will be circulated to surface and topped off, if necessary.)

<u>Production with lost circulation</u>	<u>Type &amp; Amount</u>
0'-3,000'	11.0 ppg Lead: +/- 219 sacks Premium Lite 11 Cement + 0.05 lbs/sack Static Free + 3 lbs/sack CSE + 3% bwoc Potassium Chloride + 0.25 lbs/sack Cello Flake + 2 Lbs/sack Kol Seal + 0.002 gps FP-6L + 10% bwoc Bentonite + 0.5% bwoc Sodium Metasilicate + 201.6% Fresh Water.
3,000'-TD	13.0 ppg Tail: +/- 265 sacks Premium Lite 11 High strength + 0.05 lbs/sack Static Free + 0.4% bwoc FL-63 + 0.25 lbs/sack Cello Flake + 2 lbs/sack Kol Seal + 0.002 gps FP-6L + 0.2% bwoc BA-59 + 92% Fresh Water

<u>Production without lost circulation</u>	<u>Type &amp; Amount</u>
0' - 3,000'	11.0 ppg Lead: +/- 219 sacks Premium Lite 11 Cement + 0.05 lbs/sack Static Free + 3 lbs/sack CSE + 3% bwoc Potassium Chloride + 0.25 lbs/sack Cello Flake + 2 Lbs/sack Kol Seal + 0.002 gps FP-6L + 10% bwoc Bentonite + 0.5% bwoc Sodium Metasilicate + 201.6% Fresh Water

Berry Petroleum Company  
 Drilling Program  
 LC Tribal 3-11D-56  
 Duchesne County, Utah  
 Page Three

3,000' - TD                      14.3 ppg                      Tail: +/- 400 sacks (50:50) Poz ( Fly Ash ) :  
 Class G Cement + 0.05 lbs/sack Static Free +  
 3% bwow Potassium Chloride + 0.5% bwoc EC-1 +  
 0.25lbs/sack Cello Flake + 0.002 gps FP-6L +  
 2% bwoc bentinite + 0.3% bwoc Sodium Metasilicate  
 + 56.3% Fresh Water.

For production casing, actual cement volumes will be determined from the caliper log plus a minimum of 25% excess.

**5 Drilling Fluids Program**

Interval	Weight	Viscosity	Fluid Loss	Remarks
0' - 300'	8.6	27	NC	Spud Mud or air
300'-5196'	8.6	27	NC	KCL Water

**6 Evaluation Program**

Logging Program:                      HRI-GR-SP with SDL-DSN-PE: surface casing to TD.  
 Preserve samples from all show intervals.

Sampling:                                      10' dry cut samples: Douglas Creek to TD. Preserve samples  
 From all show intervals.

Surveys:    As deemed necessary

Mud Logger:    As deemed necessary

Drill Stem Tests:    As deemed necessary

Cores:    As deemed necessary

**7 Abnormal Conditions**

No abnormal temperatures or pressures or other hazards are anticipated.

Berry Petroleum Company  
Drilling Program  
LC Tribal 3-11D-56  
Duchesne County, Utah  
Page Four

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

**Drilling Activity:**

Anticipated Commencement Date:	Upon approval of the APD.
Drilling Days:	Approximately 6 days.
Completion Days:	Approximately 7 days.

BERRY PETROLEUM COMPANY  
LC Tribal 3-11D-56  
Surface location NW 1/4, NE 1/4, 259' FNL, 2531' FEL, Section 11, T. 5 S., R. 6 W., U.S.B.&M.  
BHL: NE 1/4, NW 1/4, 706' FNL 1878' FWL  
Duchesne County, Utah

ONSHORE ORDER NO. 1

MULTI POINT SURFACE USE & OPERATIONS PLAN

**1 Existing Roads**

To reach the Berry Petroleum Company well, LC Tribal 3-11D-56, in Section 11-T5S-R6W:

Start in Duchesne, Utah. Proceed southwest on US Highway 191. Travel southwest 3.5 miles. Turn west, then travel approx. 9.2 miles turning left (east) up access road for the 16-3-56 and 14-2-56. Travel 0.3 miles past 14-2-56 along existing two track, turn east 440' into location. Approximately 0.8 miles of 2 track need to be upgraded.

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 1mile radius.

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

All permanent (on site for six months or longer) structures constructed or installed will be painted a flat, non-reflective, earth tone color to match one of the standard environmental colors, as determined by the five state Rocky Mountain Inter-Agency Committee. All facilities will be painted within six months of installation. Facilities required to comply with the Occupational Safety and Health Act (OSHA) will be excluded. The required paint color is desert brown (10YR 6/4) unless otherwise designated by the Authorized Officer.

A containment dike will be constructed completely around those production facilities which contain fluids (i.e., production tanks, produced water tanks). This dike will be constructed of compacted subsoil, be impervious, hold 100% of the capacity of the largest tank. The site specific APD will address additional capacity if such is needed due to environmental concerns. The use of topsoil for the construction of dikes will not be allowed. If a Spill Prevention, Control, and Countermeasure (SPCC) Plan is required by the Environmental Protection Agency, the containment dike may be expanded with the Authorized Agency Officer's approval to meet SPCC requirements.

A description of the proposed pipeline and a map illustrating the proposed route is attached.

All site security guidelines identified in Federal regulation 43 CFR 3126.7, will be adhered to. All off-lease storage, off-lease measurement, or commingling on-lease or off-lease production will have prior written approval from the Authorized Agency Officer.

Gas meter runs will be located approximately 100 feet from the wellhead. Where necessary, the gas line will be anchored down from the wellhead to the meter.

#### **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 Douglas E. & Yordis Nielsen source well located in Sec. 12, T5S, R6W, permit # 43-1628, 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.*

#### **6 Source of Construction Materials**

All construction materials for this location site and access road shall be borrow material accumulated during construction of the location site and access road.

Additional gravel or pit lining material will be obtained from a private source.

The use of materials under Authorized Agency jurisdiction will conform with 43 CFR 3610.2-3.

#### **7 Methods of Handling Waste Materials**

Drill cuttings will be contained and buried in the reserve pit.

Drilling fluids, including salts and chemicals, will be contained in the reserve pit. Upon termination of drilling and completion operations, the liquid contents of the reserve pit will be used at the next drill site or will be removed and disposed of at an approved waste disposal facility within 180 days after drilling is terminated. Upon well completion, weather permitting (summer months), any hydrocarbons in the pit shall be removed in accordance with 43 CFR 3162.7-1.

Unless otherwise specified, the reserve pit will be constructed on the location and will not be located within natural drainages, where a flood hazard exists or surface runoff will destroy or damage the pit walls. The reserve pit will be constructed so that it will not leak, break, or allow discharge of liquids.

If it is determined at the onsite that a pit liner is necessary, the reserve pit will be lined with a synthetic reinforced liner a minimum of 12 millimeters thick, with sufficient bedding used to cover any rocks. The liner will overlap the pit walls and be covered with dirt and/or rocks to hold it in place. Trash or scrap that could puncture the liner will not be disposed of in the pit.

Reserve pit leaks are considered an unacceptable and undesirable event and will be orally reported to the Authorized Agency Officer.

After first production, produced wastewater will be trucked to one of the following approved waste water disposal sites: R.N. Industries, Inc. Sec. 4, T2S, R2W, Bluebell; MC & MC Disposal Sec. 12, T6S, R19E, Vernal; LaPoint Recycle & Storage Sec. 12, T5S, R19E, LaPoint or Water Disposal Inc. Sec. 32, T1S, R1W, Roosevelt, used in the operations of the field or, unless prohibited by the Authorized Officer, confined to the approved pit or storage tank for a period not to exceed 90 days. The use of such pit is hereby approved as part of this Application for Permit to Drill.

Production fluids will be contained in leak-proof tanks. All production fluids will be disposed of at approved disposal sites. Produced water, oil, and other byproducts will not be applied to roads or well pads for control of dust or weeds. The indiscriminate dumping of produced fluids on roads, well sites, or other areas will not be allowed.

Any spills of oil, gas, salt water, or other noxious fluids will be immediately cleaned up and removed to an approved disposal site.

A chemical portable toilet will be furnished with the drilling rig.

Garbage, trash, and other waste materials will be collected in a portable, self-contained, fully enclosed trash cage during operations. Trash will not be burned on location.

All debris and other waste materials not contained in the trash cage will be cleaned up and removed from the location promptly after removal of the completion rig (weather permitting).

Any open pits will be fenced during the operations. The fencing will be maintained with best efforts until such time as the pits are backfilled.

No chemicals subject to reporting under SARA Title III (hazardous materials) in an amount equal to or greater than 10,000 pounds will be used, produced, stored, transported, or disposed of annually in association with the drilling, testing, or completing of wells. Furthermore, extremely hazardous substances, as defined in 40 CFR 355, in threshold planning quantities, will not be used, produced, stored, transported, or disposed of in association with the drilling, testing, or completing of wells within these areas.

## **8 Ancillary Facilities**

There are no ancillary facilities planned for at this time and none are foreseen in the future.

## **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

The dirt contractor will be provided with approved copies of the Surface Use Plan prior to construction activities.

Upon well completion, within a reasonable time, the location and surrounding area will be cleared of all unused tubing, materials, trash, and debris not required for production.

Abandoned well sites, roads, and other disturbed areas will be restored as near as practical to their original condition. Where applicable, these conditions may include the re-establishment of irrigation systems, the re-establishment of appropriate soil conditions, and the re-establishment of vegetation as specified.

All disturbed areas will be re-contoured to the approximate natural contours.

Any drainage rerouted during the construction activities shall be restored to its original line of flow or as near as possible.

Prior to backfilling the reserve pit, the fence surrounding the reserve pit will be removed. The pit liner will be folded, torn, and perforated after the pit dries and prior to backfilling the reserve pit.

Before any dirt work associated with reserve pit restoration takes place, the reserve pit shall be as dry as possible. All debris in it will be removed. Other waste and spoil materials will be disposed of immediately upon completion of operations. The reserve pit will be reclaimed within 180 days from the date of well completion, weather permitting. Once reclamation activities have begun, the activities will be completed within 30 days.

After the reserve pit has been reclaimed, no depressions in the soil covering the reserve pit will be allowed. The object is to keep seasonal rainfall and runoff from seeping into the soil used to cover the reserve pit. Diversion ditches and water bars will be used to divert runoff as needed.

Prior to the construction of the location, the top 12 inches of soil material (if present) will be stripped and stockpiled. Placement of the topsoil is noted on the location plat attached. Topsoil shall be stockpiled separately from subsoil materials. Topsoil salvaged from the reserve pit shall be stockpiled separately near the reserve pit.

When restoration activities have been completed, the location site and new access road cuts and shoulders shall be reseeded. Prior to reseeded, all disturbed areas, including the old access road, will be scarified and left with a rough surface.

The Authorized Agency Officer shall be contacted for the required seed mixture. Seed will be broadcast and the amount of seed mixture per acre will be doubled. The seeded area will then be "walked" with a dozer to assure coverage of the seeds. The seed mixture will reflect the recommendation from the Archeology study done.

At final abandonment, all casing shall be cut off at the base of the cellar or 3 feet below final restored ground level, whichever is deeper, and cap the casing with a metal plate a minimum of

0.25 inches thick. The cap will be welded in place and the well location and identity will be permanently inscribed on the cap. The cap also will be constructed with a weep hole.

**11 Surface Ownership**

12

**Janet Herbruck**  
**3098 Rue Dorleans**  
**Apt. 221**  
**San Diego, CA 92110-5922**  
**(619) 222-6417**

**13 Other information**

All lease and/or unit operations will be conducted in such a manner that full compliance is made with all applicable laws, regulations, Onshore Oil and Gas Orders, the approved Plan of Operations, and any applicable Notice to Lessees. The operator is fully responsible for the actions of his subcontractors. A copy of these conditions will be furnished to the field representative to ensure compliance.

The operator will control noxious weeds along access road use authorizations, pipeline route authorizations, well sites or other applicable facilities. A list of noxious weeds may be obtained from the Authorized Agency or the appropriate County Extension Office.

Drilling rigs and/or equipment used during drilling operations on this location will not be stacked or stored on administered lands after the conclusion of drilling operations or at any other time without authorization by the Authorized Agency Officer. If authorization is obtained, such storage is only a temporary measure.

Travel is restricted to only approved travel routes.

A class III archaeological survey will be conducted on all lands, unless landowner waives rights for archaeological survey. All personnel will refrain from collecting artifacts and from disturbing any significant cultural resources in the area. The operator is responsible for informing all persons in the area who are associated with this project that they may be subject to prosecution for knowingly disturbing historic or archaeological sites or for collecting artifacts. All vehicular traffic, personnel movement, construction, and restoration activities shall be confined to the areas examined, as referenced in the archaeological report, and to the existing roadways and/or evaluated access routes. If historic or archaeological materials are uncovered during construction, the Operator is to immediately stop work that might further disturb such materials and contact the Authorized Agency Officer.

Within five working days, the Authorized Agency Officer will inform the operator as to:

Whether the materials appear eligible for the National Historic Register of Historic Places;

The mitigation measures the operator will likely have to undertake before the site can be used (assuming in-situ preservation is not necessary); and,

The time frame for the Authorized Officer to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the Authorized Officer are correct and that the mitigation measures are appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the Authorized Agency Officer and/or the surface owner will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise the operator will be responsible for mitigation costs. The Authorized Agency Officer and/or the surface owner will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized Agency Officer that required mitigation has been completed, the Operator will then be allowed to resume construction.

All Surface Use Conditions of Approval associated with the Landowner Surface Use Agreement and Environmental Analysis Mitigation Stipulations will be adhered to.

All well site locations will have appropriate signs indicating the name of the operator, the lease serial number, the well name and number, the survey description of the well (either footages or the quarter/quarter section, the section, township, and range).

**13 Operator's Representative and Certification**

A) Representative  
NAME: Shelley Crozier  
ADDRESS: Berry Petroleum Company  
4000 South 4028 West  
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.

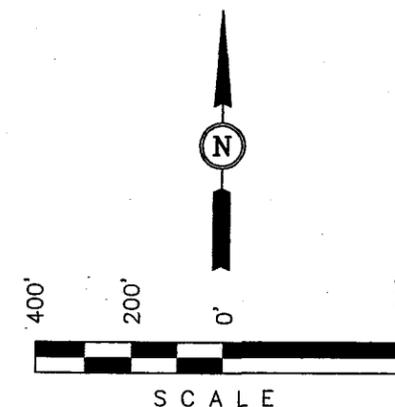
January 9, 2007  
DATE

Shelley Crozier  
Shelley Crozier  
Regulatory and Permitting Assistant  
Berry Petroleum Company

BERRY PETROLEUM COMPANY  
**LOCATION DAMAGE AREA  
 ON FEE LANDS**

(For LC TRIBAL #3-11D-56 & #2-11D-56)

LOCATED IN  
 SECTION 11, T5S, R6W, U.S.B.&M.,  
 DUCHESNE COUNTY, UTAH



**DAMAGE AREA DESCRIPTION**

BEGINNING AT A POINT IN THE NW 1/4 NE 1/4 OF SECTION 11, T5S, R6W, U.S.B.&M., WHICH BEARS S83°24'07"W 2402.47' FROM THE NORTHEAST CORNER OF SAID SECTION 11, THENCE S09°35'57"W 143.27'; THENCE S70°21'02"W 190.00'; THENCE N19°38'58"W 163.73' TO A POINT ON THE WEST LINE OF THE NW 1/4 NE 1/4 OF SAID SECTION 11, WHICH BEARS S82°57'03"W 2664.58' FROM THE NORTHEAST CORNER OF SAID SECTION 11, THENCE N00°32'37"E 230.43' ALONG THE 1/4 SECTION LINE, THENCE N70°21'02"E 180.46'; THENCE S19°38'58"E 255.00' TO THE POINT OF BEGINNING. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 1.970 ACRES MORE OR LESS.

**CERTIFICATE**

THIS IS TO CERTIFY THAT THE ABOVE DESCRIBED DAMAGE AREA WAS OBTAINED FROM FIELD NOTES OF ACTUAL SURVEY MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

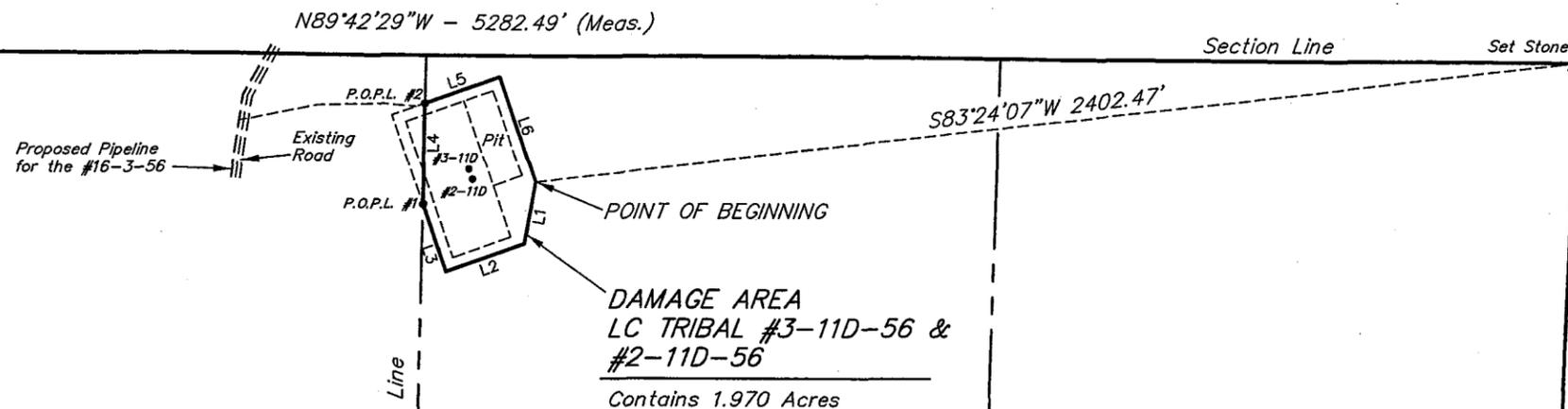


REVISED: 07-13-06

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

SCALE 1" = 400'	DATE 06-21-06
PARTY S.H. S.P. P.M.	REFERENCES G.L.O. PLAT
WEATHER HOT	FILE 4 7 7 8 6

NE Cor. Sec. 11,  
 1/2" Rebar, Pile  
 of Stones, Steel  
 Post



STATE OF  
 UTAH  
 DWL-5S-6W-11

JANET HERBRUCK

**NOTE:**

P.O.P.L. #1 BEARS S82°57'03"W 2664.58'  
 FROM THE NORTHEAST CORNER OF SECTION  
 11, T5S, R6W, U.S.B.&M.

P.O.P.L. #2 BEARS S87°54'24"W 2644.02'  
 FROM THE NORTHEAST CORNER OF SECTION  
 11, T5S, R6W, U.S.B.&M.

LINE	BEARING	LENGTH
L1	S09°35'57"W	143.27'
L2	S70°21'02"W	190.00'
L3	N19°38'58"W	163.73'
L4	N00°32'37"E	230.43'
L5	N70°21'02"E	180.46'
L6	S19°38'58"E	255.00'

JO ORA NOLAND & BOB RAY

1/4 Section Line Private Alum. Cap

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

▲ = SECTION CORNERS LOCATED.

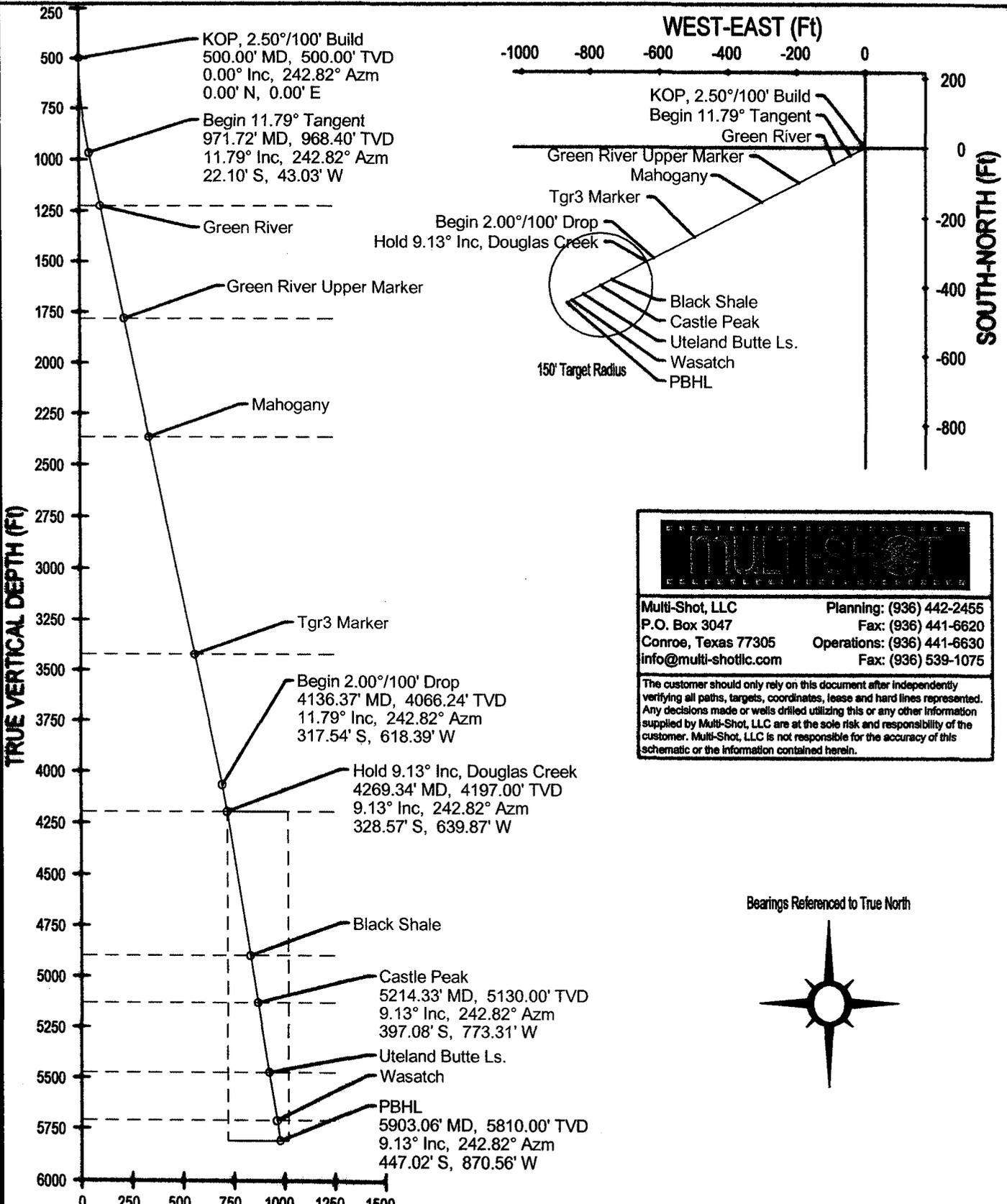
SW 1/4

SE 1/4

Company: Berry Petroleum  
 Lease/Well: LC Tribal 3-110-66  
 Location: Duchesne County  
 Rig Name: Unknown



State/Country: Utah  
 Declination:  
 Grid: Referenced to True North  
 Date/Time: 20-Sept-06 / 16:30

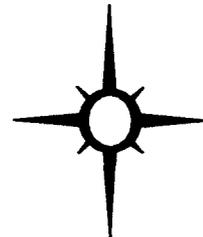


MULTI-SHOT

Multi-Shot, LLC	Planning: (936) 442-2455
P.O. Box 3047	Fax: (936) 441-6620
Conroe, Texas 77305	Operations: (936) 441-6630
info@multi-shotllc.com	Fax: (936) 539-1075

The customer should only rely on this document after independently verifying all paths, targets, coordinates, lease and hard lines represented. Any decisions made or wells drilled utilizing this or any other information supplied by Multi-Shot, LLC are at the sole risk and responsibility of the customer. Multi-Shot, LLC is not responsible for the accuracy of this schematic or the information contained herein.

Bearings Referenced to True North



Drawn By: CAS

**VERTICAL SECTION (Ft) @ 242.82° Azm**

Prop Rev: 0

P06387r0.dwg

Job Number: P06-387  
 Company: Berry Petroleum  
 Lease/Well: LC Tribal 3-11D-56  
 Location: Duchesne County  
 Rig Name: Unknown  
 RKB: 14'  
 G.L. or M.S.L.: 7054'

State/Country: Utah  
 Declination:  
 Grid: Referenced to True North  
 File name: F:\WELLPL~1\2006\P06380\SIP06387\06387.SVY  
 Date/Time: 20-Sep-06 / 16:27  
 Curve Name: Prop Rev 0



WINSERVE SURVEY CALCULATIONS  
 Minimum Curvature Method  
 Vertical Section Plane 242.82  
 Vertical Section Referenced to Wellhead  
 Rectangular Coordinates Referenced to Wellhead

Measured Depth FT	Incl Angle Deg	Drift Direction Deg	True Vertical Depth	N-S FT	E-W FT	Vertical Section FT	CLOSURE		Dogleg Severity Deg/100
							Distance FT	Direction Deg	
<b>KOP, 2.50°/100° Build</b>									
500.00	.00	242.82	500.00	.00	.00	.00	.00	.00	.00
600.00	2.50	242.82	599.97	-1.00	-1.94	2.18	2.18	242.82	2.50
700.00	5.00	242.82	699.75	-3.98	-7.76	8.72	8.72	242.82	2.50
800.00	7.50	242.82	799.14	-8.96	-17.44	19.61	19.61	242.82	2.50
900.00	10.00	242.82	897.97	-15.90	-30.97	34.82	34.82	242.82	2.50
<b>Begin 11.79° Tangent</b>									
971.72	11.79	242.82	968.40	-22.10	-43.03	48.37	48.37	242.82	2.50
<b>Green River</b>									
1234.88	11.79	242.82	1226.00	-46.66	-90.88	102.16	102.16	242.82	.00
<b>Green River Upper Marker</b>									
1802.87	11.79	242.82	1782.00	-99.69	-194.14	218.24	218.24	242.82	.00
<b>Mahogany</b>									
2398.44	11.79	242.82	2365.00	-155.29	-302.42	339.96	339.96	242.82	.00
<b>Tgr3 Marker</b>									
3480.27	11.79	242.82	3424.00	-256.29	-499.11	561.06	561.06	242.82	.00
<b>Begin 2.00°/100° Drop</b>									
4136.37	11.79	242.82	4066.24	-317.54	-618.39	695.15	695.15	242.82	.00
4236.37	9.79	242.82	4164.47	-326.09	-635.05	713.88	713.88	242.82	2.00

Measured Depth FT	Incl Angle Deg	Drift Direction Deg	True Vertical Depth	N-S FT	E-W FT	Vertical Section FT	CLOSURE Distance FT	Direction Deg	Dogleg Severity Deg/100
<b>Hold 9.13° Inc, Douglas Creek</b>									
4269.34	9.13	242.82	4197.00	-328.57	-639.87	719.30	719.30	242.82	2.00
<b>Black Shale</b>									
4979.35	9.13	242.82	4898.00	-380.05	-740.13	832.00	832.00	242.82	.00
<b>Castle Peak</b>									
5214.33	9.13	242.82	5130.00	-397.08	-773.31	869.30	869.30	242.82	.00
<b>Uteland Butte Ls.</b>									
5561.73	9.13	242.82	5473.00	-422.27	-822.36	924.44	924.44	242.82	.00
<b>Wasatch</b>									
5802.79	9.13	242.82	5711.00	-439.75	-856.40	962.71	962.71	242.82	.00
<b>PBHL</b>									
5903.06	9.13	242.82	5810.00	-447.02	-870.56	978.62	978.62	242.82	.00

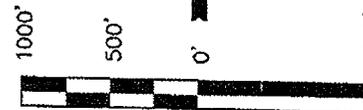
T5S, R6W, U.S.B.&M.

BERRY PETROLEUM COMPANY

Well location, LC TRIBAL #3-11D-56, located as shown in the NW 1/4 NE 1/4 of Section 11, T5S, R6W, 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.



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.

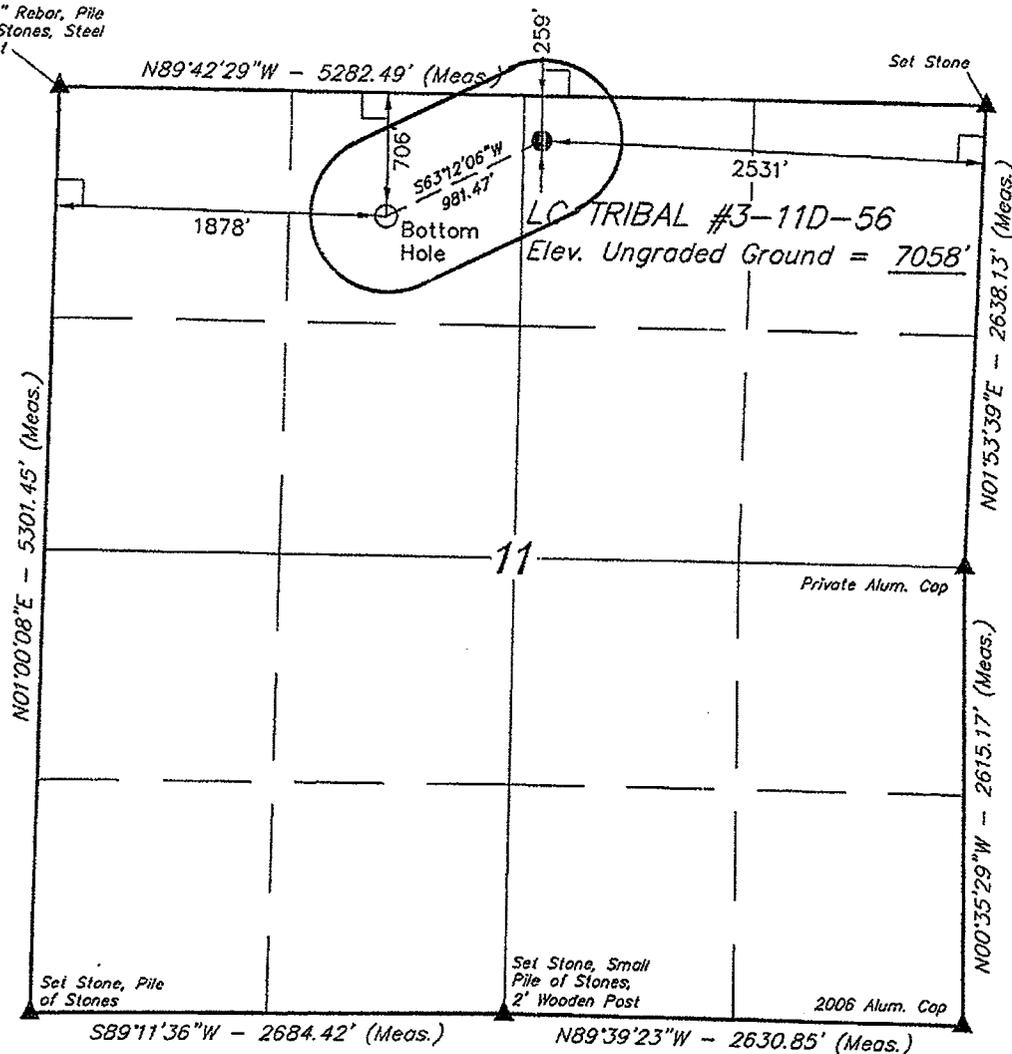
*John D. [Signature]*  
REGISTERED LAND SURVEYOR  
REGISTRATION NO. 161319  
STATE OF UTAH

REVISED: 12-07-06  
REVISED: 07-13-06

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

SCALE 1" = 1000'	DATE SURVEYED: 06-16-06	DATE DRAWN: 06-21-06
PARTY S.H. S.P. P.M.	REFERENCES G.L.O. PLAT	
WEATHER HOT	FILE BERRY PETROLEUM COMPANY	

1/2" Rebar, Pile of Stones, Steel Post



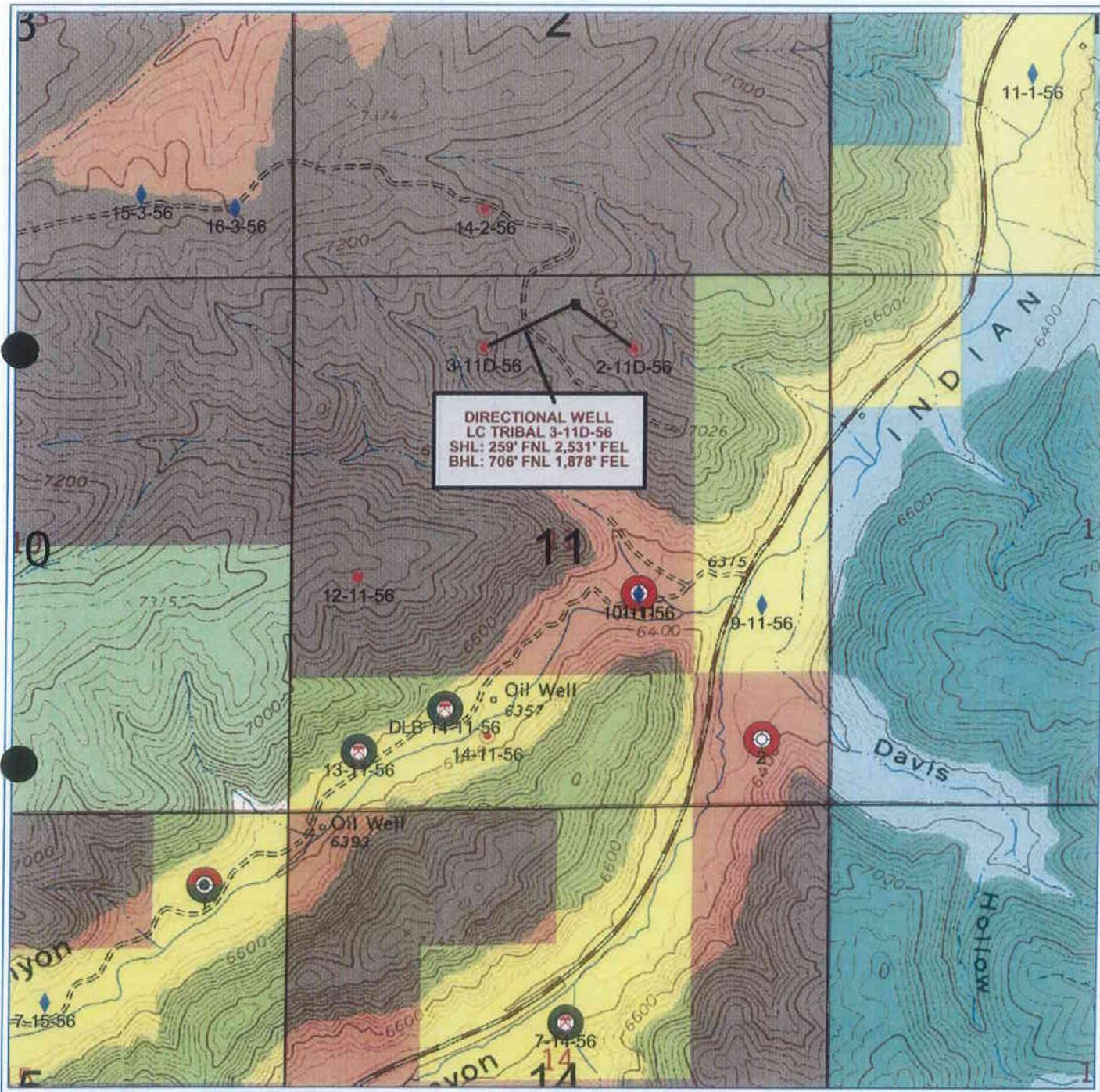
BASIS OF BEARINGS

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

(NAD 83)  
LATITUDE = 40°04'03.21" (40.067558)  
LONGITUDE = 110°31'35.81" (110.526614)  
(NAD 27)  
LATITUDE = 40°04'03.36" (40.067600)  
LONGITUDE = 110°31'33.25" (110.525903)

LEGEND:

- L = 90° SYMBOL
- = PROPOSED WELL HEAD.
- ▲ = SECTION CORNERS LOCATED.



**DIRECTIONAL WELL**  
 LC TRIBAL 3-11D-56  
 SHL: 259' FNL 2,531' FEL  
 BHL: 706' FNL 1,878' FEL

Berry Petroleum Company

Lake Canyon Project

LC TRIBAL 03-11D-56

Directional Drilling Plat

Sec. 11 T5S R6W - Duchesne Co, Utah



POSTED WELL DATA

● Well Label

ATTRIBUTE MAP

Any Raster Log IS PRESENT  
 Any Digital Log IS PRESENT

WELL SYMBOLS

2001 FS Locations  
 Drilled 2006  
 APD - Released to Stake and Survey  
 Geologic Prognosis Prepared  
 Gas Well  
 Dry Hole  
 Abandoned Oil Well

January 8, 2007



Proposal No: 179966404A

**Berry Petroleum Co**  
LC Tribal 3-11D-56

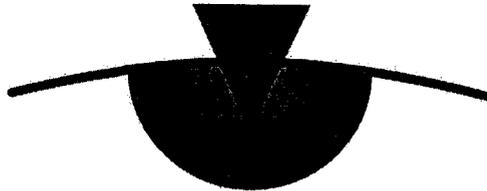
S11-T5S-R6W  
Duchesne County, Utah  
August 23, 2006

*Water Loss  
of circulation*

### Cement Recommendation

**Prepared for:**  
Tim McDonald  
Berry Petroleum Co.

**Prepared by:**  
SEAN REECE  
Field Engineer  
Brighton, Colorado  
Bus Phone: 303-638-6127



# POWERVISION®

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**Service Point:**  
Vernal  
Bus Phone: (435) 781-2294  
Fax: (435) 789-4530

**Service Representatives:**  
Darrin Bailey  
Senior Sales Rep  
Vernal, Utah  
Bus Phone: (435) 781-2294  
Mobile: (435) 828-4104

Operator Name: Berry Petroleum Co  
Well Name: LC Tribal 3-11D-56  
Job Description: Cement 5-1/2 inch Production Casing  
Date: August 23, 2006



Proposal No: 179966404A

**JOB AT A GLANCE**

Depth (TVD)	5,810 ft
Depth (MD)	5,810 ft
Hole Size	7.875 in
Casing Size/Weight :	5 1/2 in, 15.5 lbs/ft
Pump Via	5 1/2" O.D. (4.950" .I.D) 15.5
Total Mix Water Required	7,150 gals
<b>Pre-Flush</b>	
Fresh Water	10 bbls
Density	8.3 ppg
<b>Spacer</b>	
KCl Water	10 bbls
Density	8.4 ppg
<b>Spacer</b>	
Fresh Water	20 bbls
Density	8.3 ppg
<b>Lead Slurry</b>	
Premium Lite II	219 sacks
Density	11.0 ppg
Yield	3.43 cf/sack
<b>Tail Slurry</b>	
Premium Lite II HS+ additives	265 sacks
Density	13.0 ppg
Yield	1.91 cf/sack
<b>Displacement</b>	
Fresh Water	137 bbls
Density	8.3 ppg

Operator Name: Berry Petroleum Co  
 Well Name: LC Tribal 3-11D-56  
 Job Description: Cement 5-1/2 inch Production Casing  
 Date: August 23, 2006



Proposal No: 179966404A

**WELL DATA**

**ANNULAR GEOMETRY**

ANNULAR I.D. (in)	DEPTH(ft)	
	MEASURED	TRUE VERTICAL
8.097 CASING	342	342
7.875 HOLE	5,810	5,810

**SUSPENDED PIPES**

DIAMETER (in)		WEIGHT (lbs/ft)	DEPTH(ft)	
O.D.	I.D.		MEASURED	TRUE VERTICAL
5.500	4.950	15.5	5,810	5,810

Float Collar set @ 5,770 ft  
 Mud Density 8.40 ppg  
 Mud Type Water Based  
 Est. Static Temp. 141 ° F  
 Est. Circ. Temp. 112 ° F

**VOLUME CALCULATIONS**

342 ft x 0.1926 cf/ft with 0 % excess = 65.9 cf  
 3,158 ft x 0.1733 cf/ft with 25 % excess = 683.9 cf  
 2,310 ft x 0.1733 cf/ft with 25 % excess = 500.3 cf  
 40 ft x 0.1336 cf/ft with 0 % excess = 5.3 cf (inside pipe)  
**TOTAL SLURRY VOLUME = 1255.4 cf**  
 = 224 bbls

Confirm well data with customer representative prior to pumping.

Operator Name: Berry Petroleum C  
 Well Name: LC Tribal 3-11D-56  
 Job Description: Cement 5-1/2 inch Production Casing  
 Date: August 23, 2006



Proposal No: 179966404A

**FLUID SPECIFICATIONS**

Pre-Flush 10.0 bbls Fresh Water @ 8.34 ppg  
 Spacer 10.0 bbls KCl Water @ 8.4 ppg  
 Spacer 20.0 bbls Fresh Water @ 8.34 ppg

<u>FLUID</u>	<u>VOLUME CU-FT</u>	<u>VOLUME FACTOR</u>	<u>AMOUNT AND TYPE OF CEMENT</u>
Lead Slurry	750	/ 3.4	= 219 sacks Premium Lite II Cement + 0.05 lbs/sack Static Free + 3 lbs/sack CSE + 3% bwow Potassium Chloride + 0.25 lbs/sack Cello Flake + 2 lbs/sack Kol Seal + 0.002 gps FP-6L + 10% bwoc Bentonite + 0.5% bwoc Sodium Metasilicate + 201.6% Fresh Water
Tail Slurry	506	/ 1.9	= 265 sacks Premium Lite II High Strength + 0.05 lbs/sack Static Free + 0.4% bwoc R-3 + 0.4% bwoc FL-63 + 0.25 lbs/sack Cello Flake + 2 lbs/sack Kol Seal + 0.002 gps FP-6L + 0.2% bwoc BA-59 + 92% Fresh Water
Displacement			137.3 bbls Fresh Water @ 8.34 ppg

**CEMENT PROPERTIES**

	<b>SLURRY NO. 1</b>	<b>SLURRY NO. 2</b>
Slurry Weight (ppg)	11.00	13.00
Slurry Yield (cf/sack)	3.43	1.91
Amount of Mix Water (gps)	21.03	9.60
Amount of Mix Fluid (gps)	21.03	9.60
Estimated Pumping Time - 70 BC (HH:MM)	4:30	4:41
<b>COMPRESSIVE STRENGTH</b>		
24 hrs @ 144 ° F (psi)		1700
72 hrs @ 144 ° F (psi)		2000

**RHEOLOGIES**

<u>FLUID</u>	<u>TEMP</u>	<u>600</u>	<u>300</u>	<u>200</u>	<u>100</u>	<u>6</u>	<u>3</u>
Tail Slurry	@ 80 ° F	179	145	112	88	9	7

Slurry and the chemical loadings subject to change pending pre-job testing.



## CONDITIONS

**BJ Services' performance of services and sale of materials is expressly conditioned upon the applicability of the Terms and Conditions contained in the current BJ Services Price Book. The Terms and Conditions include, among other things, an indemnity in favor of BJ Services from Customer for damage to the well bore, reservoir damage, loss of the hole, blowouts and loss of control of the well, even if caused by the negligence or other fault of BJ Services. The Terms and Conditions also limit the warranties provided by the BJ Services and the remedies to which Customer may be entitled in the event of a breach of warranty by BJ Services. For these reasons, we strongly recommend that you carefully review a copy of the Terms and Conditions. If you do not have a copy of the BJ Services Price Book, you can view the Terms and Conditions on BJ Services Web Site, [www.bjservices.com](http://www.bjservices.com). By requesting that BJ Services perform the services described herein, Customer acknowledges that such Terms and Conditions are applicable to the services. Further, by requesting the services, Customer warrants that its representative on the well location or other service site will be fully authorized to acknowledge such Terms and Conditions by executing a Field Receipt or other document presented by BJ Services containing such Terms and Conditions.**

**In the event that Customer and BJ Services have executed a Master Services Agreement covering the work to be performed, such Master Services Agreement shall govern in place of the Terms and Conditions. If you are interested in entering into Master Services Agreement with BJ Services, please contact us through the "Go BJ" button on the BJ Services Web Site.**

**Operator Name:** Berry Petroleum C  
**Well Name:** LC Tribal 3-11D-56  
**Date:** August 23, 2006



**Proposal No:** 179966404A

## PRODUCT DESCRIPTIONS

### **BA-59**

A free flowing powder which provides improved bonding and minimizes gas migration. Provides expansion properties and zero free water to cement slurries.

### **Bentonite**

Commonly called gel, it is a clay material used as a cement extender and to control excessive free water.

### **CSE**

Compressive Strength Enhancer - Fumed Silica. An additive which contributes to low density, high compressive strength development of cement slurries at all temperature ranges. This material also controls free water

### **Cello Flake**

Graded (3/8 to 3/4 inch) cellophane flakes used as a lost circulation material.

### **FL-63**

A non-retarding, non-viscosifying fluid loss additive particularly suited for use with coil tubing and/or close tolerance liner cementing. FL-63 is effective from low to high temperatures. Concentrations of 0.2% to 1.0% BWOC are typical.

### **FP-6L**

A clear liquid that decreases foaming in slurries during mixing.

### **Kol Seal**

A granular, lightweight material (specific gravity of 1.3) used to control lost circulation in zones of natural and induced fractures, cavities and high permeability.

### **Potassium Chloride**

A granular salt used to reduce clay swelling caused by water-base stimulation fluids.

### **Premium Lite II Cement**

Premium Lite II is a high-yield, cost effective lightweight cement blend that provides exceptional compressive strength and reduced permeability when mixed at low slurry weights.

### **Premium Lite II High Strength**

Premium Lite II High Strength is a high-yield, cost effective lightweight cement blend that provides exceptional compressive strength and reduced permeability when mixed at low slurry weights.

### **R-3**

A low temperature retarder used in a wide range of slurry formulations to extend the slurry thickening time.

### **Sodium Metasilicate**

An accelerator used to decrease the thickening time of cement slurries.

### **Static Free**

An anti-static additive used to prevent air entrainment due to agglomerated particles. Can be used in Cementing and Fracturing operations to aid in the flow of dry materials.



Proposal No: 179966406A

Berry Petroleum Co  
LC Tribal 3-11D-56

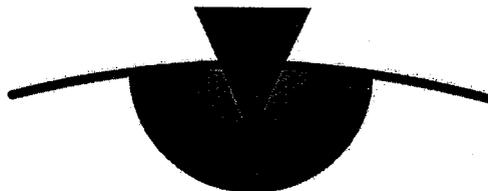
*Without Loss of  
Circulation*

S11-T5S-R6W  
Duchesne County, Utah  
August 23, 2006

### Cement Recommendation

**Prepared for:**  
Tim McDonald  
Berry Petroleum Co.

**Prepared by:**  
SEAN REECE  
Field Engineer  
Brighton, Colorado  
Bus Phone: 303-638-6127



# POWERVISION®

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**Service Representatives:**  
Darrin Bailey  
Senior Sales Rep  
Vernal, Utah  
Bus Phone: (435) 781-2294  
Mobile: (435) 828-4104

Operator Name: Berry Petroleum  
Well Name: LC Tribal 3-11D-56  
Job Description: Cement 5-1/2 inch Production Casing  
Date: August 23, 2006



Proposal No: 179966406A

### JOB AT A GLANCE

Depth (TVD)	5,810 ft
Depth (MD)	5,810 ft
Hole Size	7.875 in
Casing Size/Weight :	5 1/2in, 15.5 lbs/ft
Pump Via	5 1/2" O.D. (4.950" .I.D) 15.5
Total Mix Water Required	6,874 gals
<b>Pre-Flush</b>	
Fresh Water	10 bbls
Density	8.3 ppg
<b>Spacer</b>	
KCl Water	10 bbls
Density	8.4 ppg
<b>Spacer</b>	
Fresh Water	20 bbls
Density	8.3 ppg
<b>Lead Slurry</b>	
PL2+SF+3#CSE+3%KCL+0.25	219 sacks
Density	11.0 ppg
Yield	3.43 cf/sack
<b>Tail Slurry</b>	
50:50:2+3%KCL+0.5%EC-	400 sacks
Density	14.3 ppg
Yield	1.27 cf/sack
<b>Displacement</b>	
Fresh Water	137 bbls
Density	8.3 ppg

Operator Name: Berry Petroleum Co  
 Well Name: LC Tribal 3-11D-98  
 Job Description: Cement 5-1/2 inch Production Casing  
 Date: August 23, 2006



Proposal No: 179966406A

**WELL DATA**

**ANNULAR GEOMETRY**

ANNULAR I.D. (in)	DEPTH(ft)	
	MEASURED	TRUE VERTICAL
8.097 CASING	342	342
7.875 HOLE	5,810	5,810

**SUSPENDED PIPES**

DIAMETER (in)		WEIGHT (lbs/ft)	DEPTH(ft)	
O.D.	I.D.		MEASURED	TRUE VERTICAL
5.500	4.950	15.5	5,810	5,810

Float Collar set @ 5,770 ft  
 Mud Density 8.40 ppg  
 Mud Type Water Based  
 Est. Static Temp. 141 ° F  
 Est. Circ. Temp. 112 ° F

**VOLUME CALCULATIONS**

342 ft x 0.1926 cf/ft with 0 % excess = 65.9 cf  
 3,158 ft x 0.1733 cf/ft with 25 % excess = 683.9 cf  
 2,310 ft x 0.1733 cf/ft with 25 % excess = 500.3 cf  
 40 ft x 0.1336 cf/ft with 0 % excess = 5.3 cf (inside pipe)  
**TOTAL SLURRY VOLUME = 1255.4 cf**  
 = 224 bbls

Confirm well data with customer representative prior to pumping.

Operator Name: Berry Petroleum  
 Well Name: LC Tribal 3-11D-56  
 Job Description: Cement 5-1/2 inch Production Casing  
 Date: August 23, 2006



Proposal No: 179966406A

**FLUID SPECIFICATIONS**

Pre-Flush 10.0 bbls Fresh Water @ 8.34 ppg  
 Spacer 10.0 bbls KCl Water @ 8.4 ppg  
 Spacer 20.0 bbls Fresh Water @ 8.34 ppg

<u>FLUID</u>	<u>VOLUME CU-FT</u>	<u>VOLUME FACTOR</u>	<u>AMOUNT AND TYPE OF CEMENT</u>
Lead Slurry	750	/ 3.4	= 219 sacks Premium Lite II Cement + 0.05 lbs/sack Static Free + 3 lbs/sack CSE + 3% bwow Potassium Chloride + 0.25 lbs/sack Cello Flake + 2 lbs/sack Kol Seal + 0.002 gps FP-6L + 10% bwoc Bentonite + 0.5% bwoc Sodium Metasilicate + 201.6% Fresh Water
Tail Slurry	506	/ 1.2	= 400 sacks (50:50) Poz (Fly Ash):Class G Cement + 0.05 lbs/sack Static Free + 3% bwow Potassium Chloride + 0.5% bwoc EC-1 + 0.25 lbs/sack Cello Flake + 0.002 gps FP-6L + 2% bwoc Bentonite + 0.3% bwoc Sodium Metasilicate + 56.3% Fresh Water
Displacement			137.3 bbls Fresh Water @ 8.34 ppg

**CEMENT PROPERTIES**

	<b>SLURRY NO. 1</b>	<b>SLURRY NO. 2</b>
Slurry Weight (ppg)	11.00	14.30
Slurry Yield (cf/sack)	3.43	1.27
Amount of Mix Water (gps)	21.03	5.67
Amount of Mix Fluid (gps)	21.03	5.67
Estimated Pumping Time - 70 BC (HH:MM)	4:30	3:30
<b>COMPRESSIVE STRENGTH</b>		
24 hrs @ 144 ° F (psi)		2300
72 hrs @ 144 ° F (psi)		2550

Compressive strengths and thickening times are estimates only. Final laboratory testing will determine retarder loadings, if necessary.

Slurry volumes are based off of 25% excess with gauge hole.



## CONDITIONS

**BJ Services' performance of services and sale of materials is expressly conditioned upon the applicability of the Terms and Conditions contained in the current BJ Services Price Book. The Terms and Conditions include, among other things, an indemnity in favor of BJ Services from Customer for damage to the well bore, reservoir damage, loss of the hole, blowouts and loss of control of the well, even if caused by the negligence or other fault of BJ Services. The Terms and Conditions also limit the warranties provided by the BJ Services and the remedies to which Customer may be entitled in the event of a breach of warranty by BJ Services. For these reasons, we strongly recommend that you carefully review a copy of the Terms and Conditions. If you do not have a copy of the BJ Services Price Book, you can view the Terms and Conditions on BJ Services Web Site, [www.bjservices.com](http://www.bjservices.com). By requesting that BJ Services perform the services described herein, Customer acknowledges that such Terms and Conditions are applicable to the services. Further, by requesting the services, Customer warrants that its representative on the well location or other service site will be fully authorized to acknowledge such Terms and Conditions by executing a Field Receipt or other document presented by BJ Services containing such Terms and Conditions.**

**In the event that Customer and BJ Services have executed a Master Services Agreement covering the work to be performed, such Master Services Agreement shall govern in place of the Terms and Conditions. If you are interested in entering into Master Services Agreement with BJ Services, please contact us through the "Go BJ" button on the BJ Services Web Site.**

Operator Name: Berry Petroleum  
Well Name: LC Tribal 3-11D-56  
Date: August 23, 2006



Proposal No: 179966406A

## PRODUCT DESCRIPTIONS

### **Bentonite**

Commonly called gel, it is a clay material used as a cement extender and to control excessive free water.

### **CSE**

Compressive Strength Enhancer - Fumed Silica. An additive which contributes to low density, high compressive strength development of cement slurries at all temperature ranges. This material also controls free water

### **Cello Flake**

Graded (3/8 to 3/4 inch) cellophane flakes used as a lost circulation material.

### **Class G Cement**

Intended for use as a basic cement from surface to 8000 ft as manufactured, or can be used with accelerators and retarders to cover a wide range of well depths and temperatures.

### **EC-1**

A proprietary product that provides expansive properties and improves bonding at low to moderate temperatures.

### **FP-6L**

A clear liquid that decreases foaming in slurries during mixing.

### **Kol Seal**

A granular, lightweight material (specific gravity of 1.3) used to control lost circulation in zones of natural and induced fractures, cavities and high permeability.

### **Potassium Chloride**

A granular salt used to reduce clay swelling caused by water-base stimulation fluids.

### **Potassium Chloride**

A granular salt used to reduce clay swelling caused by water-base cementing fluids.

### **Poz (Fly Ash)**

A synthetic pozzolan, (primarily Silicon Dioxide). When blended with cement, Pozzolan can be used to create lightweight cement slurries used as either a filler slurry or a sulfate resistant completion cement.

### **Premium Lite II Cement**

Premium Lite II is a high-yield, cost effective lightweight cement blend that provides exceptional compressive strength and reduced permeability when mixed at low slurry weights.

### **Sodium Metasilicate**

An accelerator used to decrease the thickening time of cement slurries.

### **Sodium Metasilicate**

An extender used to produce an economical, low density cement slurry.

Operator Name: Berry Petroleum  
Well Name: LC Tribal 3-11D-56  
Date: August 23, 2006



Proposal No: 179966406A

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**PRODUCT DESCRIPTIONS (Continued)**

**Static Free**

An anti-static additive used to prevent air entrainment due to agglomerated particles. Can be used in Cementing and Fracturing operations to aid in the flow of dry materials.

# SURFACE DAMAGE AND RIGHT-OF-WAY SETTLEMENT AGREEMENT

## KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, Janet Herbruck, 3098 Rue Dorleans Apt. 221 San Diego, CA. 92110-5922 (hereinafter referred to as GRANTOR, whether one or more), is the owner of the surface of the following described property located in Duchesne County, Utah, to-wit:

**TOWNSHIP 5 SOUTH, RANGE 6 WEST USM**

Section 11: NW/NE ¼, SW/NE ¼.

Ent 389712 Bk A487 Pg 810  
Date: 16-OCT-2006 2:01PM  
\$19.00 Check  
Filed By: CC  
CAROLYNE MADSEN, Recorder  
DUCHEсне COUNTY CORPORATION  
For: BERRY PETROLEUM COMPANY

See Exhibit "A" Attached

and Berry Petroleum Company, whose address is 5201 Truxton Avenue, Suite 300, Bakersfield, CA, 93309 (hereinafter referred to as GRANTEE), owns leases covering oil, gas and mineral rights in, under and upon said property; and

WHEREAS, Grantee desires to improve and maintain an access road and a pipeline or pipelines and appurtenances thereto on a portion of said property.

NOW THEREFORE, for an in consideration of the sum of ten dollars (\$10.00) and other valuable considerations, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby grant, sell and convey unto Grantee, its successors and assigns, the easement and right to use that portion of the herein above described property as may be necessary to construct, use, maintain a well site for the drilling, completion and operation of an oil & gas well (including but not limited to pumping facilities and tank battery) and to construct, entrench, maintain, operate, replace, remove, protect, or abandon a pipeline or pipelines for water or gas with appurtenances thereto, including, but not limited to, valves, metering equipment, and cathodic equipment; to construct, maintain, relocate, or abandon a road (said well site, pipelines, appurtenance, valves, metering equipment, cathodic equipment and road being sometimes collectively call the "facilities") over, under, and through the hereinafter described land as described in the attached Exhibit "A".

Grantor acknowledges the receipt and sufficiency of the above described consideration as payment for all damages to Grantor's trees, timber, growing crops, and other vegetation being cultivated on said land by the undersigned or their respective lessees, tenants or assigns caused by the construction, maintenance, protection, repair, replacement or removal of the facilities as described in the attached exhibits and agrees that the payment and acceptance of the consideration set forth above is in full and complete payment, settlement, compromise and satisfaction of any and all of the above-mentioned losses, liabilities, claims, damages, demands and causes of action for any and all injuries and damage to the surface of the land hereinbelow described and to any appurtenances or improvements thereon, and for any and all claims including but not limited to loss of potential rental income, damages to and/or loss of livestock and wildlife, arising directly or indirectly in connection with the operations thereon by Grantee, its employees, agents, contractors, or subcontractors in connection with the above-mentioned operations of Grantee.

Grantee shall have the free right of ingress and egress to, over, upon, through and across said right-of-way and easement for any and all purposes that may be necessary or incidental to the maintenance of the right-of-way and easement, with the right to use existing roads which enter Grantor's property for the purpose of constructing, inspecting, repairing and maintaining the facilities and the removal or replacement of same at will, either in whole or in part, and the replacement of said pipeline or pipelines with either like or different size pipe. During temporary periods, Grantee may use such portions of the property along and adjacent to said right-of-way as may be necessary in connection with construction, maintenance, repair, removal or replacement of the facilities and if such use cause any damages to Grantor's lands outside of the above described right-of-way, Grantee shall pay Grantor for such damages.

Grantor reserves the right to the use and enjoyment of said property except for the purposes herein granted, but such use shall not hinder, conflict or interfere with Grantee's surface or subsurface rights hereunder or disturb its facilities. No road, reservoir, excavation, obstruction or structure shall be constructed, created or maintained on, over, along or within the lands covered by this right-of-way without Grantee's prior written consent.

If Grantee desires to remove any trees adjacent to said right-of-way at a later date which may be hazardous to the maintenance and use of the facilities on the right-of-way, Grantee shall first obtain approval from Grantor in writing, Grantor's approval not to be unreasonably withheld, and after receipt of such approval, may proceed to cut and remove such trees subject to payment of additional timber damages, if any are determined.

The undersigned Grantor hereby covenants and warrants that he is the surface owner of the above-described land, and has the right to enter into this Agreement.

Ent 389712 Bk A0407 Pg 0011

Page 1 of 3

**FOR THE SAME CONSIDERATION RECITED ABOVE**, Grantor and Grantee do hereby release, discharge and acquit the other from any and all liability, and shall indemnify the other against any and all claims and demands for damages, attorneys fees, injury or loss, existing now or done hereafter, to the surface of said lands or to any third parties arising out of or being the result of their or, their agents, contractors, licensees, permittees, successors and assigns own activities on or use of the subject property. However, such parties' potential liability under this paragraph to the other shall be limited to the acts and/or omission of it, or its predecessors, agents, contractors, licensees, permittees, successors, and assigns, and shall not include any acts and/or omissions of the other party, its agents, contractors, licensees, permittees, successors or assigns. Grantee shall reasonably maintain the subject property in order to prevent unnecessary deterioration of the surface and to keep the property in an uncluttered condition.

**TO HAVE AND TO HOLD** the above described rights and easements, together with all rights necessary to operate and maintain the facilities over the right-of-way hereby granted unto the said Grantee, its successors and assigns, until such time as the right-of-way and easement is abandoned under the terms stipulated herein. The Grantee may assign the rights and easements herein granted, either in whole or in part, subject to the terms of this grant, and such rights and easements shall be covenants running with the land and be binding up Grantor, Grantor's heirs, legal representatives and successors in title. Upon abandonment, at the request of the Grantor, Grantee shall execute and deliver to Grantor a document in recordable form evidencing said abandonment. Also, upon abandonment, at the request of the Grantor, Grantee shall restore the surface used under the terms of this Agreement to as near its original condition as is possible.

The making, execution and delivery of this document by Grantor has been induced by no representations, statements, warranties, or other agreements other than those herein expressed. This agreement embodies the entire understanding of the parties, and this instrument may be amended or modified only by subsequent written agreement of the parties.

Grantee shall maintain all roads used pursuant to this Agreement and shall install culverts where necessary to insure adequate drainage from all roads. Grantee shall also install cattle guards where the roads go thru fences, if any.

This agreement shall inure to the benefit of the parties hereto, their heirs, successors, and assigns and shall be a burden running with the land.

**IN WITNESS WHEREOF**, the parties have executed this Surface Damage and Right-of-Way Settlement Agreement effective as of the 1<sup>st</sup> day of August, 2006.

**GRANTOR**

  
Janet Herbruck

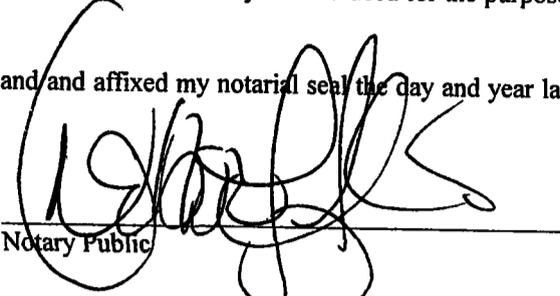
**BERRY PETROLEUM COMPANY**

By:   
Its: \_\_\_\_\_

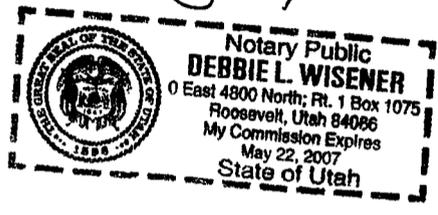
STATE OF UTAH )  
 )  
COUNTY OF DUCHESNE )

BEFORE ME, the undersigned, a Notary Public, in and for said County and State on this 1st day of August, 2006, personally appeared Janet Herbruck to me known to be the identical person(s) described in and who executed the within and foregoing instrument of writing and acknowledged to me that he duly executed the same as his free and voluntary act and deed for the purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

  
\_\_\_\_\_  
Notary Public

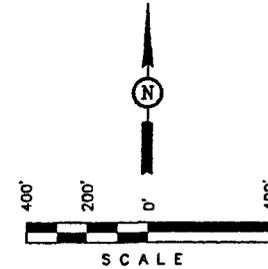
My Commission Expires May 22, 2007



BERRY PETROLEUM COMPANY  
**LOCATION DAMAGE AREA  
 ON FEE LANDS**

(For LC TRIBAL #3-11D-56 &  
 #2-11D-56)

LOCATED IN  
 SECTION 11, T5S, R6W, U.S.B.&M.,  
 DUCHESNE COUNTY, UTAH



**DAMAGE AREA DESCRIPTION**

BEGINNING AT A POINT IN THE NW 1/4 NE 1/4 OF SECTION 11, T5S, R6W, U.S.B.&M., WHICH BEARS S83°24'07"W 2402.47' FROM THE NORTHEAST CORNER OF SAID SECTION 11, THENCE S09°35'57"W 143.27'; THENCE S70°21'02"W 190.00'; THENCE N19°38'58"W 163.73' TO A POINT ON THE WEST LINE OF THE NW 1/4 NE 1/4 OF SAID SECTION 11, WHICH BEARS S82°57'03"W 2664.58' FROM THE NORTHEAST CORNER OF SAID SECTION 11, THENCE N00°32'37"E 230.43' ALONG THE 1/4 SECTION LINE, THENCE N70°21'02"E 180.46'; THENCE S19°38'58"E 255.00' TO THE POINT OF BEGINNING. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 1.970 ACRES MORE OR LESS.

**CERTIFICATE**

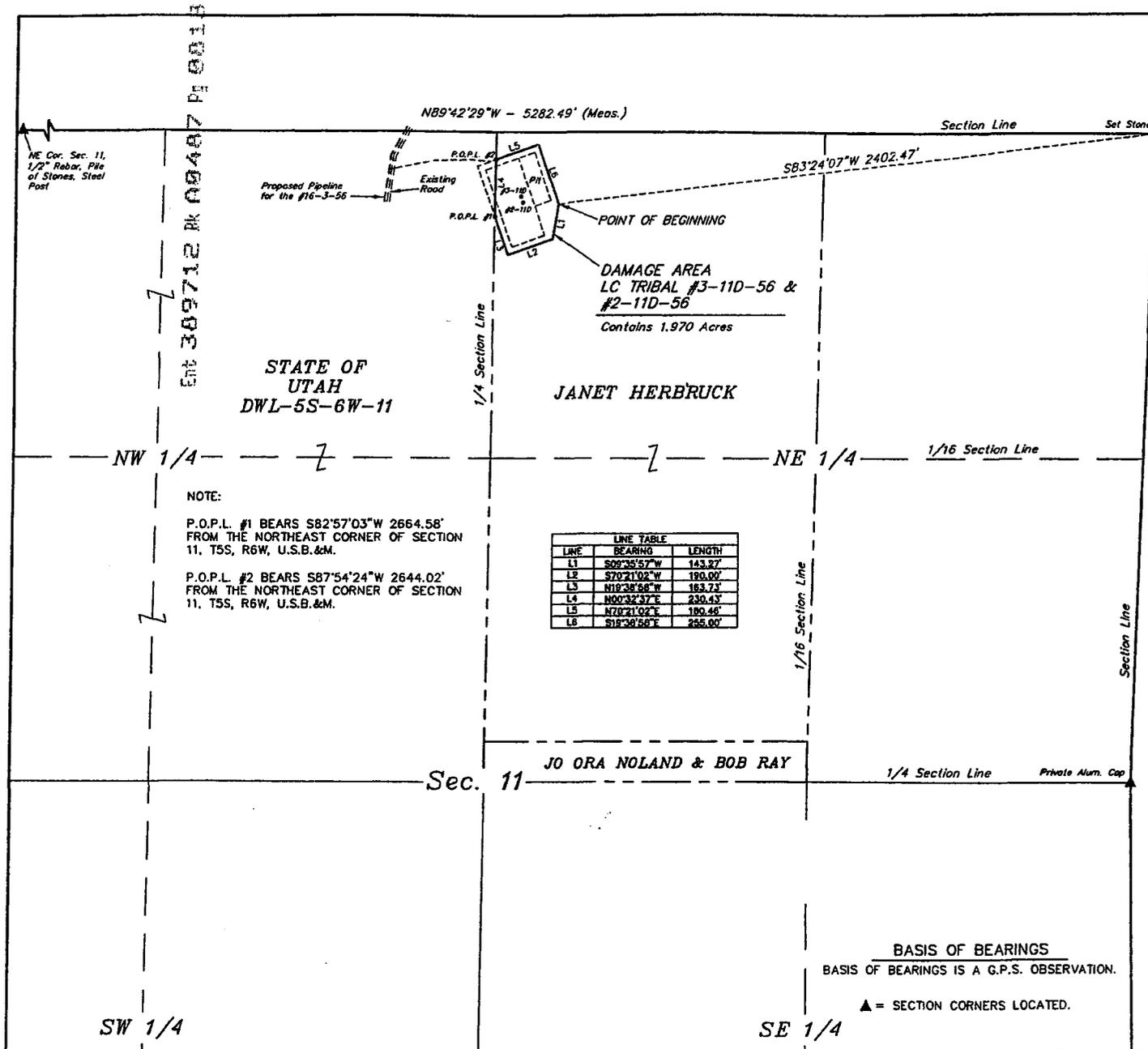
THIS IS TO CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*[Signature]*  
 REGISTERED LAND SURVEYOR  
 REGISTRATION NO. 16130  
 STATE OF UTAH

REVISED: 07-13-06

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

SCALE 1" = 400'	DATE 06-21-06
PARTY S.H. S.P. P.M.	REFERENCES G.L.O. PLAT
WEATHER HOT	FILE 4 7 7 8 6



NE Cor. Sec. 11,  
 1/2" Rebar, Pile  
 of Stones, Steel  
 Post

Ent 309712 Rk 09487 P1 001 B



# BERRY PETROLEUM COMPANY

## LC TRIBAL #3-11D-56 & #2-11D-56

LOCATED IN DUCHESNE COUNTY, UTAH

SECTION 11, T5S, R6W, U.S.B.&M.

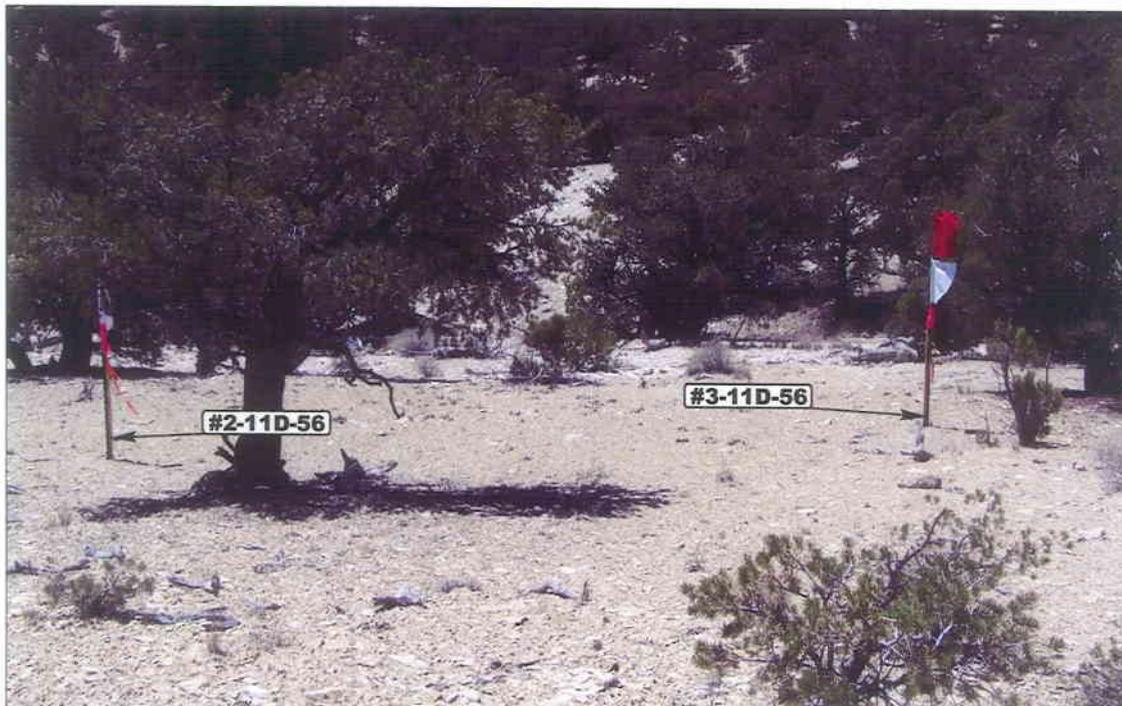


PHOTO: VIEW FROM CORNER #5 TO LOCATION STAKE

CAMERA ANGLE: SOUTHWESTERLY



PHOTO: VIEW FROM BEGINNING OF PROPOSED ACCESS

CAMERA ANGLE: EASTERLY



- Since 1964 -

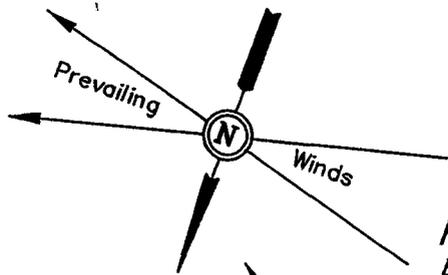
**U**  
**E**  
**L**  
**S** Uintah Engineering & Land Surveying  
85 South 200 East Vernal, Utah 84078  
435-789-1017 uels@uelsinc.com

TOPOGRAPHIC	06	16	06	PHOTO
MAP	MONTH	DAY	YEAR	
TAKEN BY: S.H.	DRAWN BY: C.P.		REVISED: 07-14-06	

# BERRY PETROLEUM COMPANY

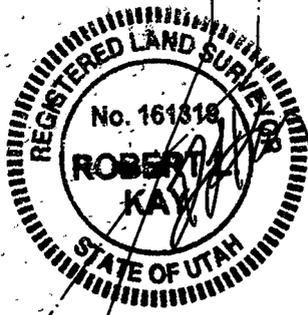
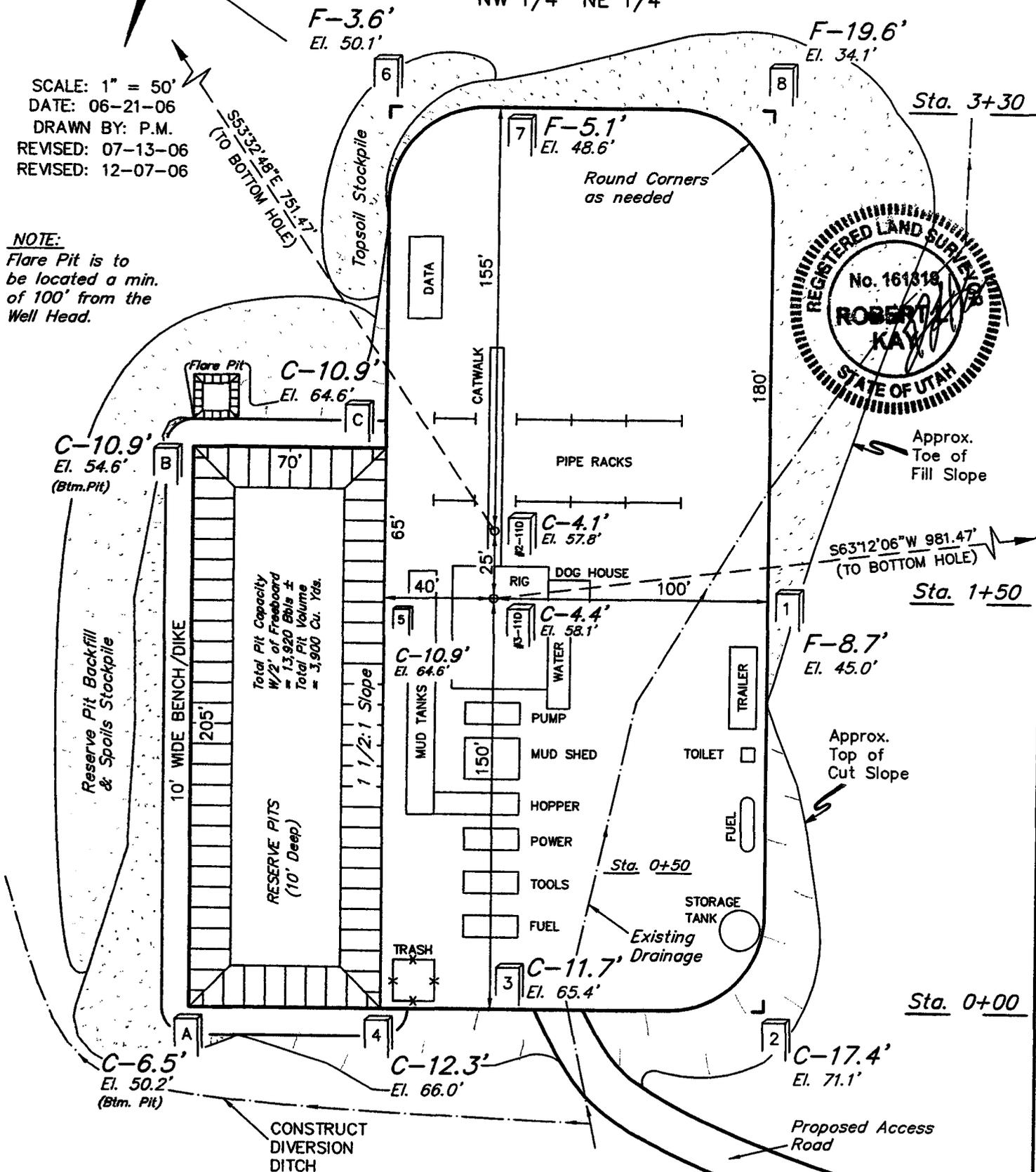
## LOCATION LAYOUT FOR

LC TRIBAL #3-11D-56 & #2-11D-56  
SECTION 11, T5S, R6W, U.S.B.&M.  
NW 1/4 NE 1/4



SCALE: 1" = 50'  
DATE: 06-21-06  
DRAWN BY: P.M.  
REVISED: 07-13-06  
REVISED: 12-07-06

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



Elev. Ungraded Ground at #3-11D Loc. Stake = 7058.1'  
Elev. Graded Ground at #3-11D Loc. Stake = 7053.7'

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

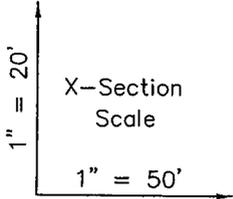
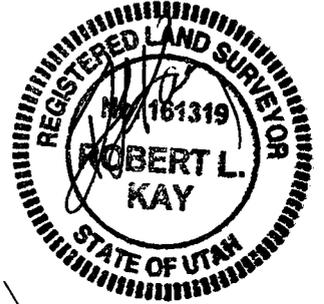
# BERRY PETROLEUM COMPANY

## TYPICAL CROSS SECTIONS FOR

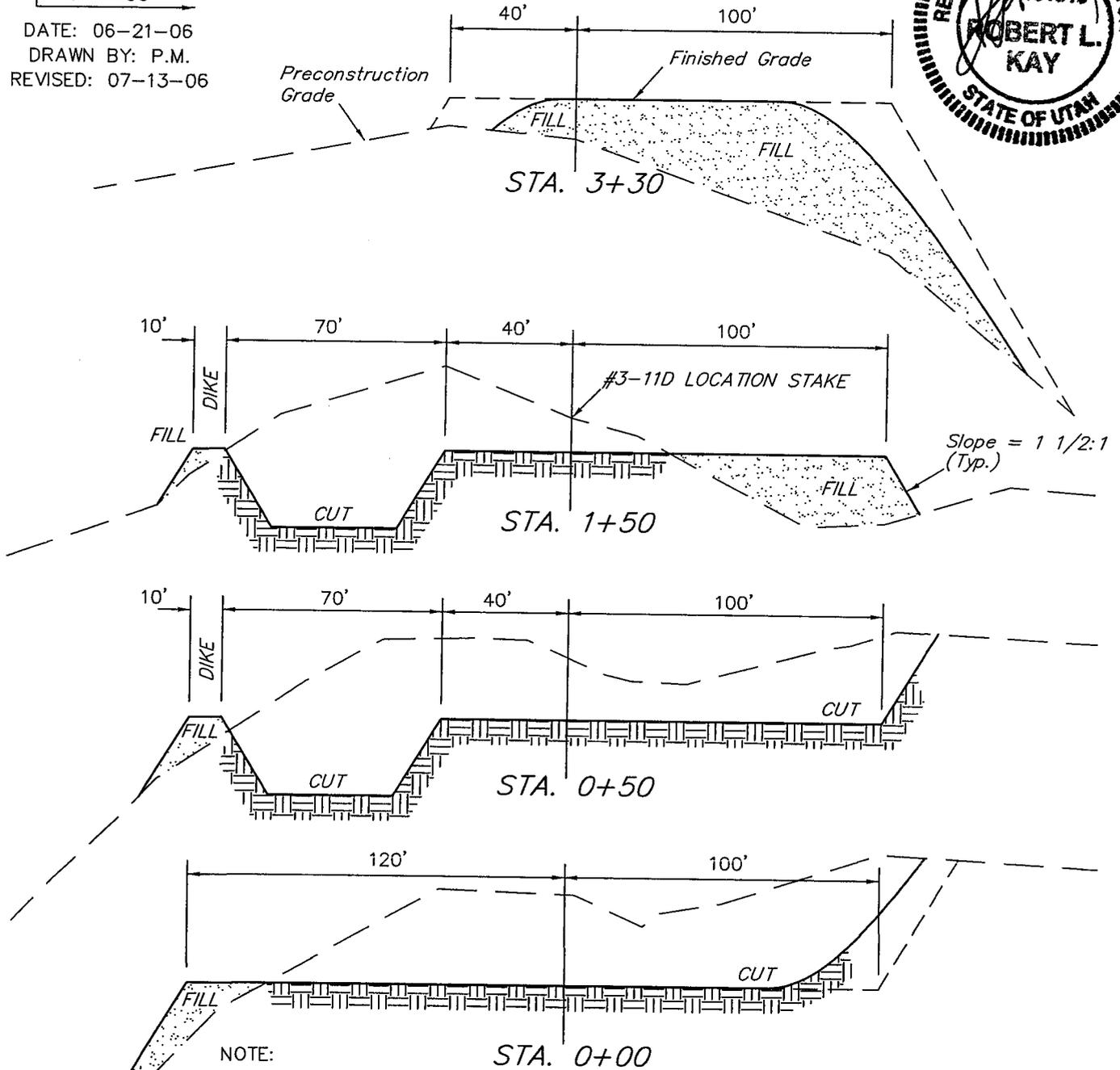
LC TRIBAL #3-11D-56 & #2-11D-56

SECTION 11, T5S, R6W, U.S.B.&M.

NW 1/4 NE 1/4



DATE: 06-21-06  
DRAWN BY: P.M.  
REVISED: 07-13-06



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

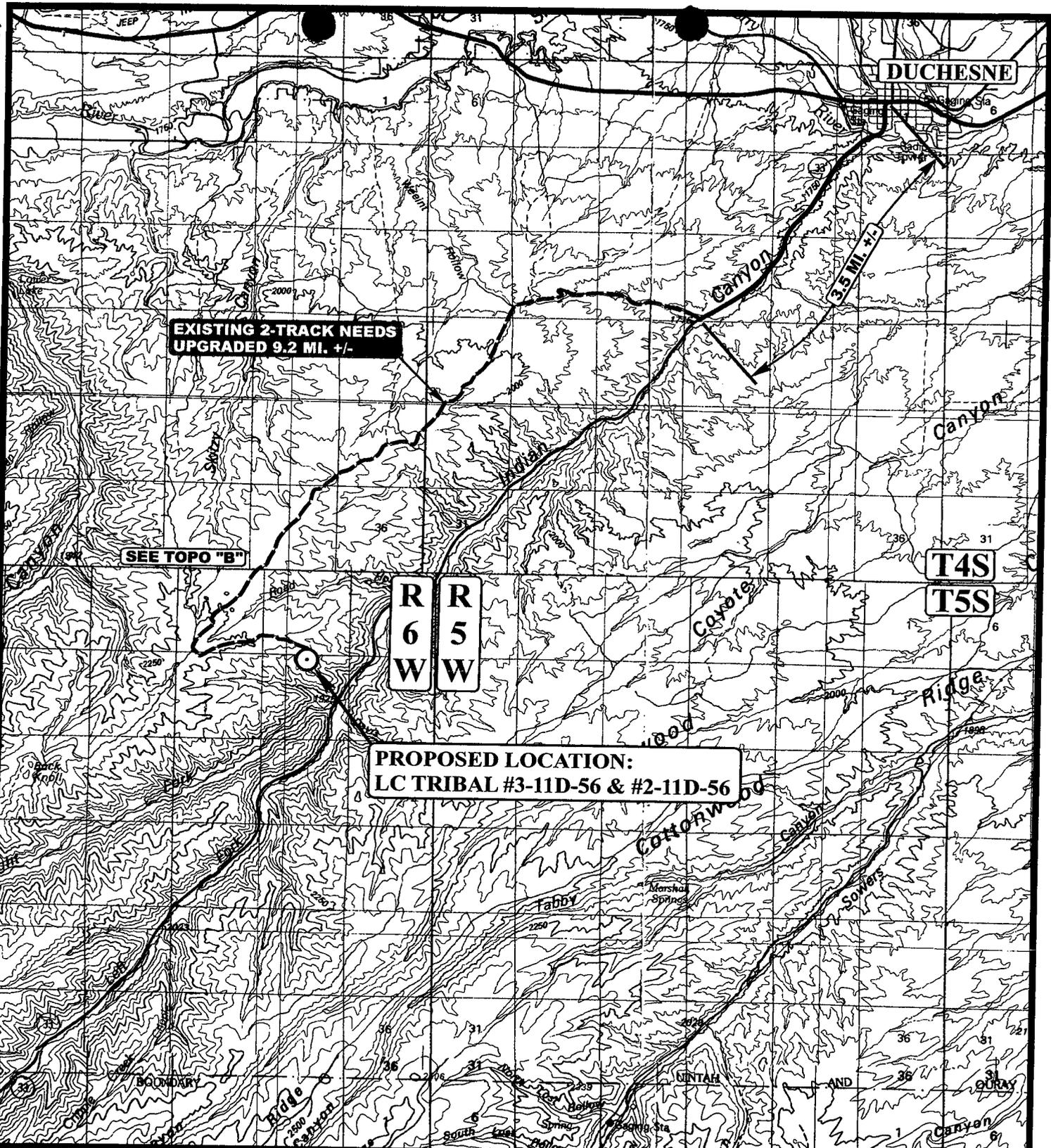
\* NOTE:  
FILL QUANTITY INCLUDES 5% FOR COMPACTION

### APPROXIMATE YARDAGES

<b>CUT</b>	
(12") Topsoil Stripping	= 3,360 Cu. Yds.
Remaining Location	= 12,950 Cu. Yds.
<b>TOTAL CUT</b>	<b>= 16,310 CU.YDS.</b>
<b>FILL</b>	<b>= 11,000 CU.YDS.</b>

EXCESS MATERIAL	= 5,310 Cu. Yds.
Topsoil & Pit Backfill (1/2 Pit Vol.)	= 5,310 Cu. Yds.
EXCESS UNBALANCE (After Interim Rehabilitation)	= 0 Cu. Yds.

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



**LEGEND:**

○ PROPOSED LOCATION



**BERRY PETROLEUM COMPANY**

LC TRIBAL #3-11D-56 & #2-11D-56  
 SECTION 11, T5S, R6W, U.S.B.&M.  
 NW 1/4 NE 1/4



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

TOPOGRAPHIC  
 MAP

06	16	06
MONTH	DAY	YEAR

SCALE: 1:100,000 | DRAWN BY: C.P. | REVISED: 07-14-06



R  
6  
W

EXISTING 2-TRACK NEEDS  
UPGRADED 9.2 MI. +/-

T4S  
T5S

DUCHESSNE 12.7 MI. +/-

EXISTING 2-TRACK NEEDS  
UPGRADED 0.5 MI. +/-

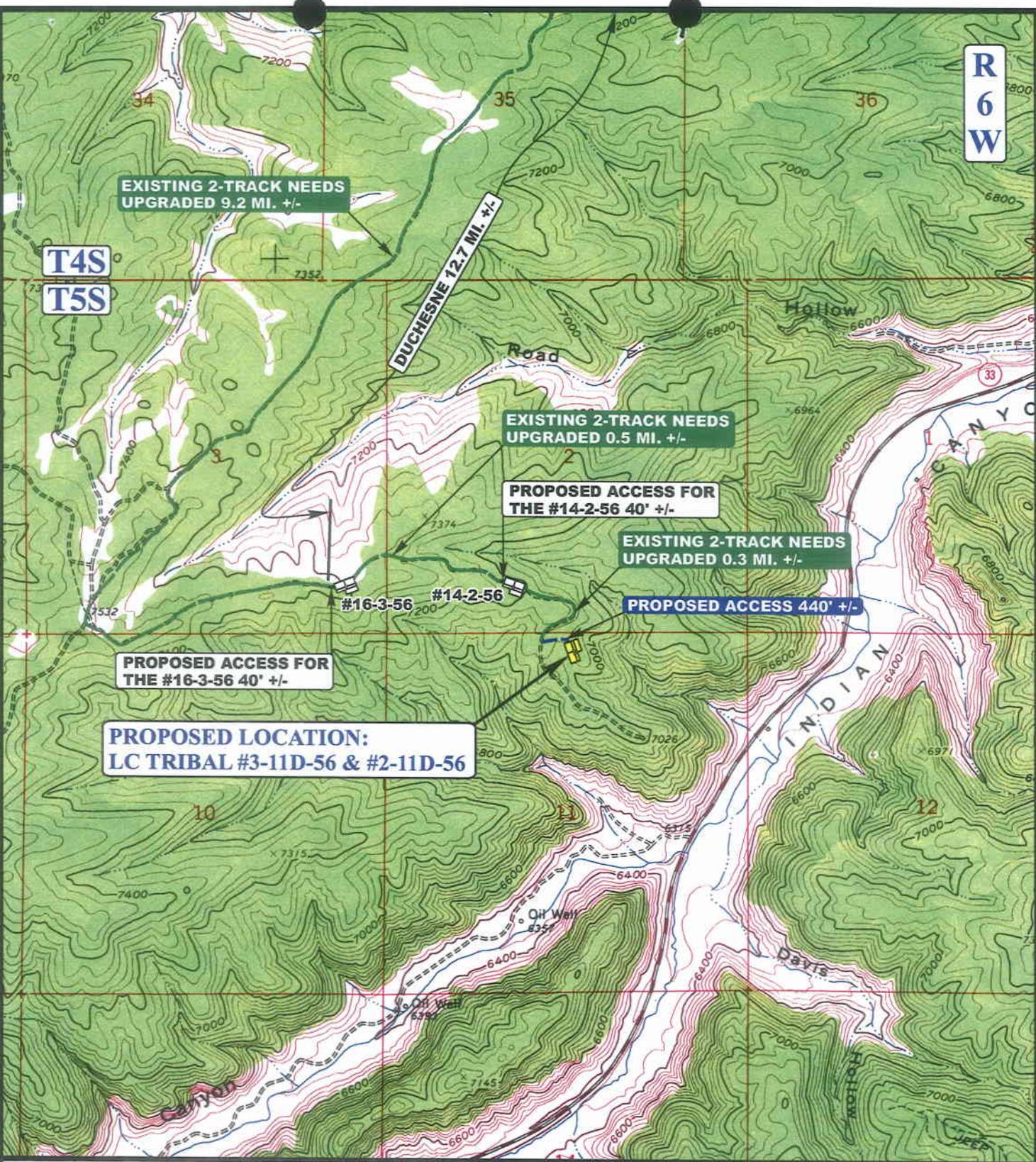
PROPOSED ACCESS FOR  
THE #14-2-56 40' +/-

EXISTING 2-TRACK NEEDS  
UPGRADED 0.3 MI. +/-

PROPOSED ACCESS 440' +/-

PROPOSED ACCESS FOR  
THE #16-3-56 40' +/-

PROPOSED LOCATION:  
LC TRIBAL #3-11D-56 & #2-11D-56



**LEGEND:**

- PROPOSED ACCESS ROAD
- EXISTING 2-TRACK NEEDS UPGRADED

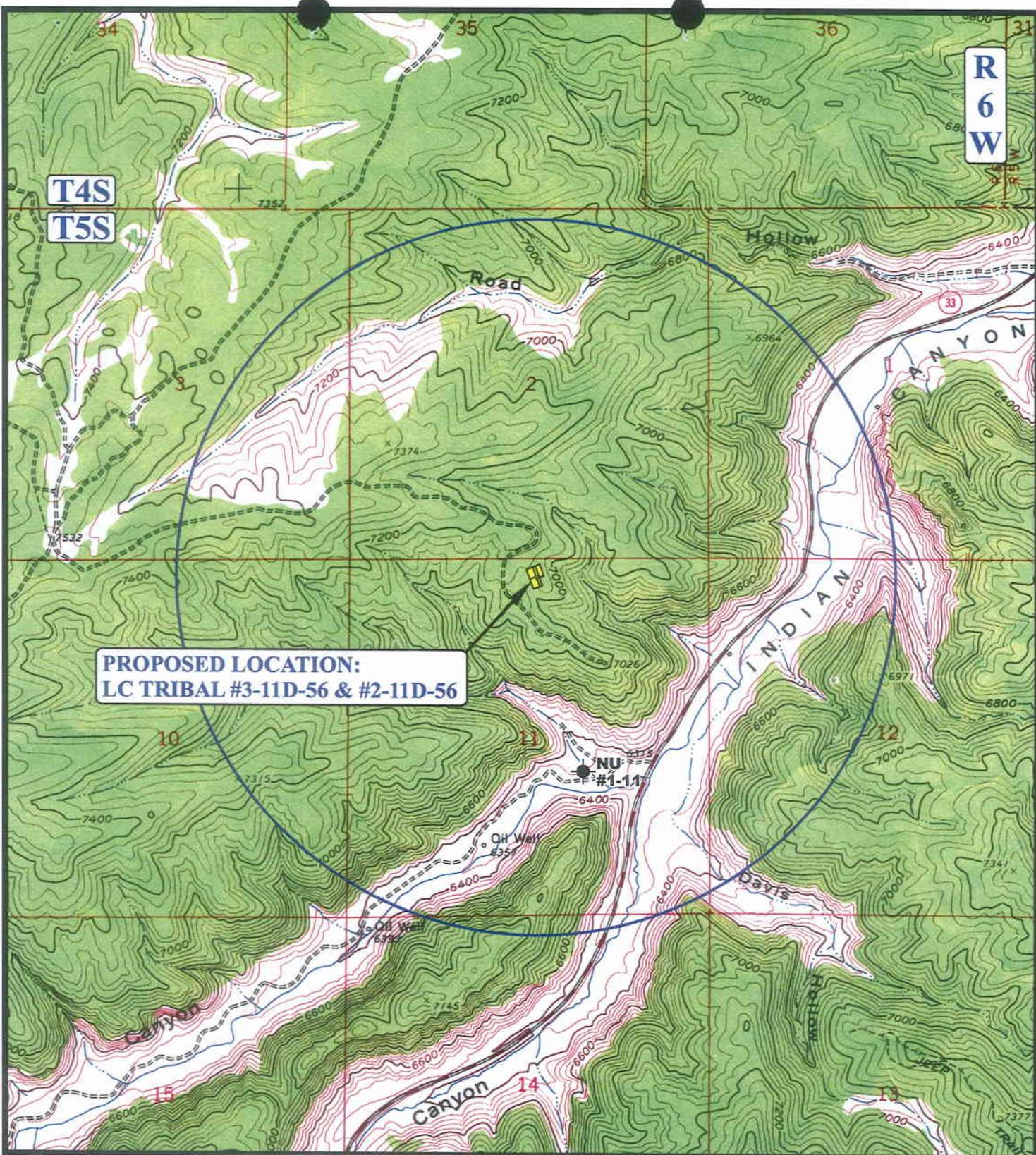
**BERRY PETROLEUM COMPANY**

LC TRIBAL #3-11D-56 & #2-11D-56  
SECTION 11, T5S, R6W, U.S.B.&M.  
NW 1/4 NE 1/4

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



**TOPOGRAPHIC MAP** 06 16 06  
MONTH DAY YEAR  
SCALE: 1" = 2000' DRAWN BY: C.P. REVISED: 07-14-06 **B**  
TOPO



**PROPOSED LOCATION:  
LC TRIBAL #3-11D-56 & #2-11D-56**

**LEGEND:**

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

**BERRY PETROLEUM COMPANY**

**LC TRIBAL #3-11D-56 & #2-11D-56  
SECTION 11, T5S, R6W, U.S.B.&M.  
NW 1/4 NE 1/4**



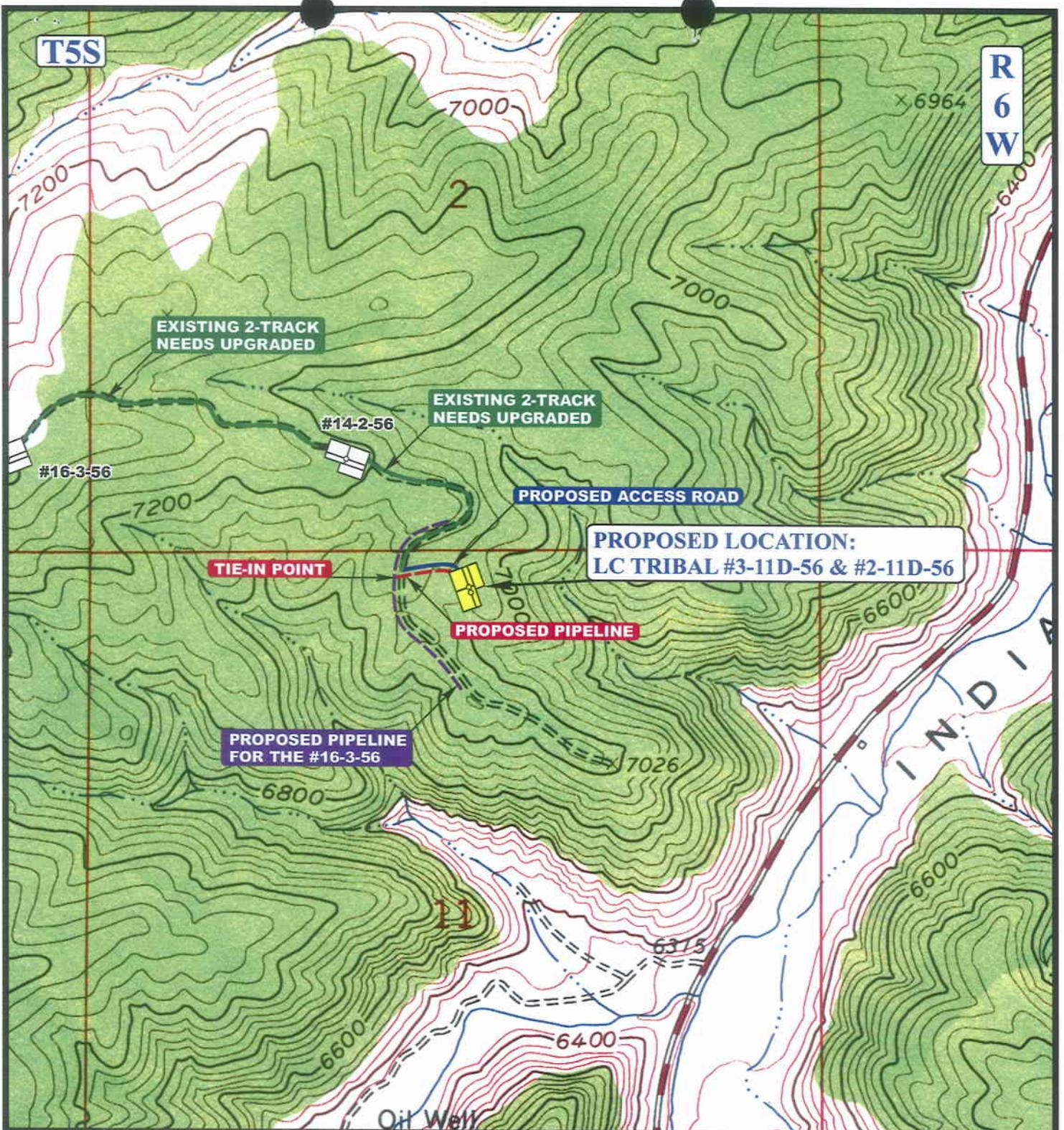
**Uintah Engineering & Land Surveying**  
85 South 200 East Vernal, Utah 84078  
(435) 789-1017 \* FAX (435) 789-1813

**TOPOGRAPHIC  
MAP**

**06 16 06**  
MONTH DAY YEAR

SCALE: 1" = 2000' DRAWN BY: C.P. REVISED: 07-14-06





**APPROXIMATE TOTAL PIPELINE DISTANCE = 426' +/-**

**LEGEND:**

- PROPOSED ACCESS ROAD
- EXISTING 2-TRACK NEEDS UPGRADED
- - - - - PROPOSED PIPELINE
- - - - - PROPOSED PIPELINE (SERVICING OTHER WELLS)

**BERRY PETROLEUM COMPANY**

LC TRIBAL #3-11D-56 & #2-11D-56  
 SECTION 11, T5S, R6W, U.S.B.&M.  
 NW 1/4 NE 1/4

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



**TOPOGRAPHIC MAP** 06 16 06  
 MONTH DAY YEAR  
 SCALE: 1" = 1000' DRAWN BY: C.P. REVISED: 07-14-06 **D TOPO**

**WORKSHEET  
APPLICATION FOR PERMIT TO DRILL**

APD RECEIVED: 01/12/2007

API NO. ASSIGNED: 43-013-33488

WELL NAME: LC TRIBAL 3-11D-56  
 OPERATOR: BERRY PETROLEUM COMPANY ( N2480 )  
 CONTACT: SHELLY CROZIER

PHONE NUMBER: 435-722-1325

PROPOSED LOCATION:

*NEW*  
~~STATE~~

NWNE 11 050S 060W  
 SURFACE: 0259 FNL 2531 FEL  
 BOTTOM: 0706 FNL 1878 FWL  
 COUNTY: DUCHESNE  
 LATITUDE: 40.06754 LONGITUDE: -110.5261  
 UTM SURF EASTINGS: 540410 NORTHINGS: 4435151  
 FIELD NAME: WILDCAT ( 1 )

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

LEASE TYPE: 2 - Indian  
 LEASE NUMBER: 14-20-H62-5500  
 SURFACE OWNER: 4 - Fee

PROPOSED FORMATION: GRRV  
 COALBED METHANE WELL? NO

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: 02/03/2007 )
- 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:

*PRESHE 01-30-07*

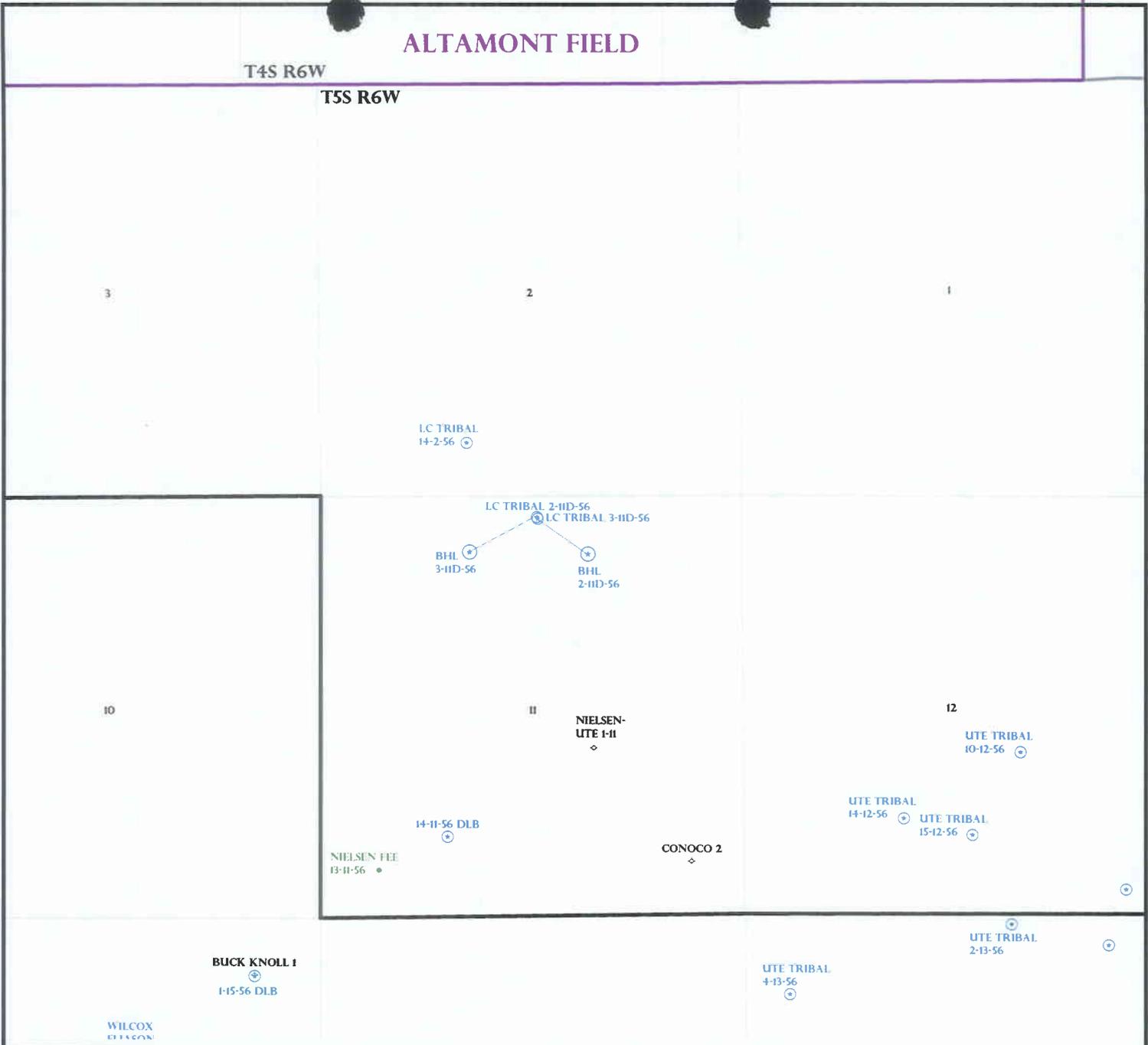
STIPULATIONS:

- 1- Leasing Approval*
- 2- Spacing Slip*
- 3- STATEMENT OF BASIS*

# ALTAMONT FIELD

T4S R6W

T5S R6W



OPERATOR: BERRY PETRO CO (N2480)

SEC: 11 T.5S R. 6W

FIELD: WILDCAT (001)

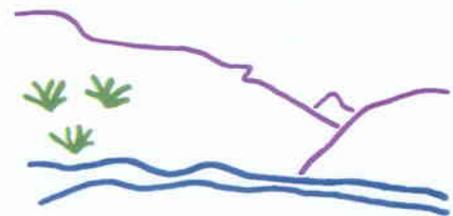
COUNTY: DUCHESNE

SPACING: R649-3-11 / DIRECTIONAL DRILLING

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 MASON  
DATE: 19-JANUARY-2007

# Application for Permit to Drill

## Statement of Basis

Utah Division of Oil, Gas and Mining

1/31/2007

Page 1

<b>APD No</b>	<b>API WellNo</b>	<b>Status</b>	<b>Well Type</b>	<b>Surf Ownr</b>	<b>CBM</b>
203	43-013-33488-00-00		OW	P	No
<b>Operator</b>	BERRY PETROLEUM COMPANY		<b>Surface Owner-APD</b>		
<b>Well Name</b>	LC TRIBAL 3-11D-56		<b>Unit</b>		
<b>Field</b>	UNDESIGNATED		<b>Type of Work</b>		
<b>Location</b>	NWNE 11 5S 6W U 0 FL 0 FL GPS Coord (UTM) 540410E 4435151N				

### Geologic Statement of Basis

The mineral rights for the proposed well are owned by the Ute Tribe. The BLM will be the agency responsible for evaluating and approving the drilling, casing and cement programs.

Brad Hill  
APD Evaluator

1/31/2007  
Date / Time

### Surface Statement of Basis

The location is proposed in the Skitzzy area between the Right Fork of Indian Canyon and Lake Canyon. The area is approximately 13 miles southwest of Duchesne, Ut. Access from the Indian Canyon State Highway 91 is following the Skitzzy road about 2 miles then along a two-track road to be up-graded about 9.2 miles, then along another low standard road to the east about 0.8 miles. Approximately 440 feet of new road will be required. The non-highway access is across Ute Tribal, Utah Division of Wildlife Resources and private lands. General topography in the area is broken pinion-juniper ridges with frequent draws and interspersed bench lands. Slopes are not excessively steep on top of the benches or ridges, but side slopes are frequently overly steep. All drainages are ephemeral and no seeps, springs or surface water are known to exist in the area.

The location is on fee lands with Indian minerals. Two directional wells are planned from this location. It is on a moderately steep southwest facing sidehill. Two ravines intersect the location and will be filled. Potential ephemeral flows will be diverted around the location. Maximum fill on the lower side is 20 feet. Steep draws draining toward Indian Canyon are to the north and south. The selected site appears to be the best location in the area for drilling and operating a well.

Berry Petroleum currently plans to drill the location with a closed loop mud circulation system. If plans change the site is acceptable for construction of a lined reserve pit.

Surface owner is Janet Herbruck, San Diego, CA 619.222.6417. She was contacted and stated she would not be able to attend the presite.

Floyd Bartlett  
Onsite Evaluator

1/30/2007  
Date / Time

### Conditions of Approval / Application for Permit to Drill

Category	Condition
Pits	A synthetic liner with a minimum thickness of 16 mils with a felt subliner shall be properly installed and maintained in the reserve pit unless a closed loop mud circulation system is used.
Surface	Drainages adjacent to the proposed pad shall be diverted around the location.

# ON-SITE PREDRILL EVALUATION

## Utah Division of Oil, Gas and Mining

**Operator** BERRY PETROLEUM COMPANY  
**Well Name** LC TRIBAL 3-11D-56  
**API Number** 43-013-33488-0      **APD No** 203      **Field/Unit** UNDESIGNATED  
**Location:** 1/4,1/4 NWNE      **Sec** 11      **Tw** 5S      **Rng** 6W      0 FL 0 FL  
**GPS Coord (UTM)** 540432      4435153      **Surface Owner**

### Participants

Floyd Bartlett (DOGM), Jeff Crozier (Berry Petroleum), Ben Williams, (UDWR), Sherry Fountain (BLM Permit Team)

### Regional/Local Setting & Topography

The location is proposed in the Skitzzy area between the Right Fork of Indian Canyon and Lake Canyon. The area is approximately 13 miles southwest of Duchesne, Ut. Access from the Indian Canyon State Highway 91 is following the Skitzzy road about 2 miles then along a two-track road to be up-graded about 9.2 miles, then along another low standard road to the east about 0.8 miles. Approximately 440 feet of new road will be required. The non-highway access is across Ute Tribal, Utah Division of Wildlife Resources and private lands.

General topography in the area is broken pinion-juniper ridges with frequent draws and interspersed bench lands. Slopes are not excessively steep on top of the benches or ridges, but side slopes are frequently overly steep. All drainages are ephemeral and no seeps, springs or surface water are known to exist in the area.

The location is on fee lands with Indian minerals. Two directional wells are planned from this location. It is on a moderately steep southwest facing sidehill. Two ravines intersect the location and will be filled. Potential ephemeral flows will be diverted around the location. Maximum fill on the lower side is 20 feet. Steep draws draining toward Indian Canyon are to the north and south.

### Surface Use Plan

#### **Current Surface Use**

Wildlife Habitat  
Recreational

#### **New Road**

<b>Miles</b>	<b>Well Pad</b>		<b>Src Const Material</b>	<b>Surface Formation</b>
0.08	<b>Width</b> 220	<b>Length</b> 305	Onsite	UNTA

#### **Ancillary Facilities**

### Waste Management Plan Adequate? Y

### Environmental Parameters

**Affected Floodplains and/or Wetland** N

#### **Flora / Fauna**

Open pinion juniper. Curl leaf Mtn. Mahogany. Slender wheatgrass.  
Deer, elk, coyote, lions and small mammals and birds

#### **Soil Type and Characteristics**

Covered with snow but appears to be a shallow gravely shaley loam.

**Erosion Issues** Y

**Sedimentation Issues** Y

**Site Stability Issues** N

**Drainage Diversion Required** Y

Constructed around the northeast side of the location.

**Berm Required?** N

**Erosion Sedimentation Control Required?** N

**Paleo Survey Run?** N

**Paleo Potential Observed?** N

**Cultural Survey Run?** N

**Cultural Resources?**

**Reserve Pit**

**Site-Specific Factors**

**Site Ranking**

<b>Distance to Groundwater (feet)</b>	>200	0
<b>Distance to Surface Water (feet)</b>	>1000	0
<b>Dist. Nearest Municipal Well (ft)</b>	>5280	0
<b>Distance to Other Wells (feet)</b>	<300	20
<b>Native Soil Type</b>	Mod permeability	10
<b>Fluid Type</b>	Fresh Water	5
<b>Drill Cuttings</b>	Normal Rock	0
<b>Annual Precipitation (inches)</b>	10 to 20	5
<b>Affected Populations</b>	<10	0
<b>Presence Nearby Utility Conduits</b>	Not Present	0

**Final Score** 40    **1 Sensitivity Level**

**Characteristics / Requirements**

Currently Berry plans to drill the well with a closed loop mud circulation system.

If plans change the reserve pit will be in an area of cut in the southeast side of the location. The pit will be lined with a 16 mil liner with sub-felt.

**Closed Loop Mud Required?** N

**Liner Required?** Y

**Liner Thickness** 16

**Pit Underlayment Required?** Y

**Other Observations / Comments**

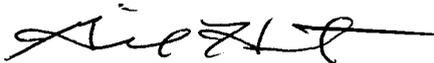
Ben Williams represented the UDWR. Portions of the access roads will cross UDWR lands. The Skitzky area is critical winter habitat for elk and high value for deer. Numerous elk are wintering in the area and were seen during the travel to the location. UDWR is currently working with Berry Petroleum and Barrett Resources for actions which would reduce the impact on these wintering herds. Several wells are also proposed by both companies on surrounding UDWR properties.

Surface owner is Janet Herbruck, San Diego, CA 619.222.6417. She was contacted and would not be able to attend presite.

Floyd Bartlett  
Evaluator

1/30/2007  
Date / Time

**STATE ACTIONS**  
**Resource Development Coordinating Committee**  
**Public Lands Policy Coordination Office**  
**5110 State Office Building**  
**SLC, UT 84114**  
**Phone No. 537-9230**

<b>1. State Agency</b> Oil, Gas and Mining 1594 West North Temple, Suite 1210 Salt Lake City, UT 84114-5801	<b>2. Approximate date project will start:</b>  Upon Approval or February 1, 2007
<b>3. Title of proposed action:</b> Application for Permit to Drill	
<b>4. Description of Project:</b>  Berry Petroleum Company proposes to drill the LC Tribal 3-11D-56 well (wildcat) on an Indian lease 14-20-H62-5500, Duchesne County, Utah. This action is being presented to the RDCC for consideration of resource issues affecting state interests. The Division of Oil, Gas and Mining is the primary administrative agency in this action and must issue approval before operations commence.	
<b>5. Location and detailed map of land affected (site location map required, electronic GIS map preferred)</b> (include UTM coordinates where possible) (indicate county) 259' FNL 2531' FEL, NW/4 NE/4, Section 11, Township 5 South, Range 6 West, Duchesne County, Utah	
<b>6. Possible significant impacts likely to occur:</b> Surface impacts include up to five acres of surface disturbance during the drilling and completion phase (estimated for five weeks duration). If oil and gas in commercial quantities is discovered, the location will be reclaimed back to a net disturbance of between one and two acres – not including road, pipeline, or utility infrastructure. If no oil or gas is discovered, the location will be completely reclaimed.	
<b>7. Identify local government affected</b> a. Has the government been contacted? No. b. When? c. What was the response? d. If no response, how is the local government(s) likely to be impacted?	
<b>8. For acquisitions of land or interests in land by DWR or State Parks please identify state representative and state senator for the project area. Name and phone number of state representative, state senator near project site, if applicable:</b> a. Has the representative and senator been contacted? N/A	
<b>9. Areawide clearinghouse(s) receiving state action:</b> (to be sent out by agency in block 1) Uintah Basin Association of Governments	
<b>10. For further information, contact:</b>   Diana Whitney Phone: (801) 538-5312	<b>11. Signature and title of authorized officer</b>   Gil Hunt, Associate Director Date: January 19, 2007

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

FORM 3

AMENDED REPORT   
(highlight changes)

<b>APPLICATION FOR PERMIT TO DRILL</b>		5. MINERAL LEASE NO: <b>14-20-H62-5500 (EDA)</b>	6. SURFACE: <b>FEE</b>
1A. TYPE OF WORK: DRILL <input checked="" type="checkbox"/> REENTER <input type="checkbox"/> DEEPEN <input type="checkbox"/>		7. IF INDIAN, ALLOTTEE OR TRIBE NAME:	
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"/>		8. UNIT or CA AGREEMENT NAME:	
2. NAME OF OPERATOR: <b>BERRY PETROLEUM COMPANY</b>		9. WELL NAME and NUMBER: <b>LC TRIBAL 3-11D-56</b>	
3. ADDRESS OF OPERATOR: <b>RT. 2 BOX 7735</b> CITY <b>ROOSEVELT</b> STATE <b>UTAH</b> ZIP <b>84066</b>		PHONE NUMBER: <b>(435)722-1325</b>	10. FIELD AND POOL, OR WILDCAT: <del>LAKE CANYON</del> <b>Wildcat</b>
4. LOCATION OF WELL (FOOTAGES) AT SURFACE: <b>540410X 4435151Y 40.067542 -110.526137</b> <b>259' FNL, 2531' FEL</b> <b>NAD 27</b>		11. QTR/QTR, SECTION, TOWNSHIP, RANGE, MERIDIAN: <b>NWNE</b> <b>SEC. 11, T5S, R6W</b> <b>U.S.B.&amp;M.</b>	
AT PROPOSED PRODUCING ZONE: <b>540154X 4435014Y 40.066317 -110.529149</b> <b>706' FNL, 1878' FWL</b> <b>BHL</b> <b>40.0676</b> <b>110.525903</b> <b>LAT</b> <b>LONG</b>			
14. DISTANCE IN MILES AND DIRECTION FROM NEAREST TOWN OR POST OFFICE: <b>13.1 MILES FROM DUCHESNE, UTAH</b>		12. COUNTY: <b>DUCHESNE</b>	13. STATE: <b>UTAH</b>
15. DISTANCE TO NEAREST PROPERTY OR LEASE LINE (FEET) <b>259'</b>	16. NUMBER OF ACRES IN LEASE: <b>160</b>	17. NUMBER OF ACRES ASSIGNED TO THIS WELL: <b>40</b>	
18. DISTANCE TO NEAREST WELL (DRILLING, COMPLETED, OR APPLIED FOR) ON THIS LEASE (FEET) <b>N/A</b>	19. PROPOSED DEPTH: <b>5810'</b>	20. BOND DESCRIPTION: <b>RLB0005651</b>	
21. ELEVATIONS (SHOW WHETHER DF, RT, GR, ETC.): <b>7053' GR</b>	22. APPROXIMATE DATE WORK WILL START: <b>UPON APPROVAL OF APD</b>	23. ESTIMATED DURATION: <b>APPROXIMATELY 6 DAYS</b>	

**PROPOSED CASING AND CEMENTING PROGRAM**

SIZE OF HOLE	CASING SIZE, GRADE, AND WEIGHT PER FOOT	SETTING DEPTH	CEMENT TYPE, QUANTITY, YIELD, AND SLURRY WEIGHT		
<b>12 1/4</b>	<b>8 5/8 J-55 ST&amp;C or LT&amp;C 24#</b>	<b>300'</b>	<b>TYPE III + ADDITIVES</b>	<b>130 SX</b>	<b>1.17 CF/SK 15.8 PPG</b>
<b>7 7/8</b>	<b>5 1/2 J-55 LT&amp;C 15.5#</b>	<b>3000'</b>	<b>PREMIUM LITE II + ADDITIVES</b>	<b>219 SX</b>	<b>3.43 CF/SK 11.0 PPG</b>
		<b>TD</b>	<b>PREMIUM LITE II HIGH STRENGTH + ADD</b>	<b>265 SX</b>	<b>1.91 CF/SK 13.0 PPG</b>
<b>NOTE: ACTUAL VOLUMES PUMPED WILL BE CALIPER HOLE VOLUME+20% EXCESS</b>					

**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                                   |
| <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) SHELLEY E. CROZIER TITLE REGULATORY & PERMITTING ASSISTANT

SIGNATURE *Shelley E. Crozier* DATE 01/09/07

(This space for State use only)

API NUMBER ASSIGNED: 43-013-33488

APPROVAL:

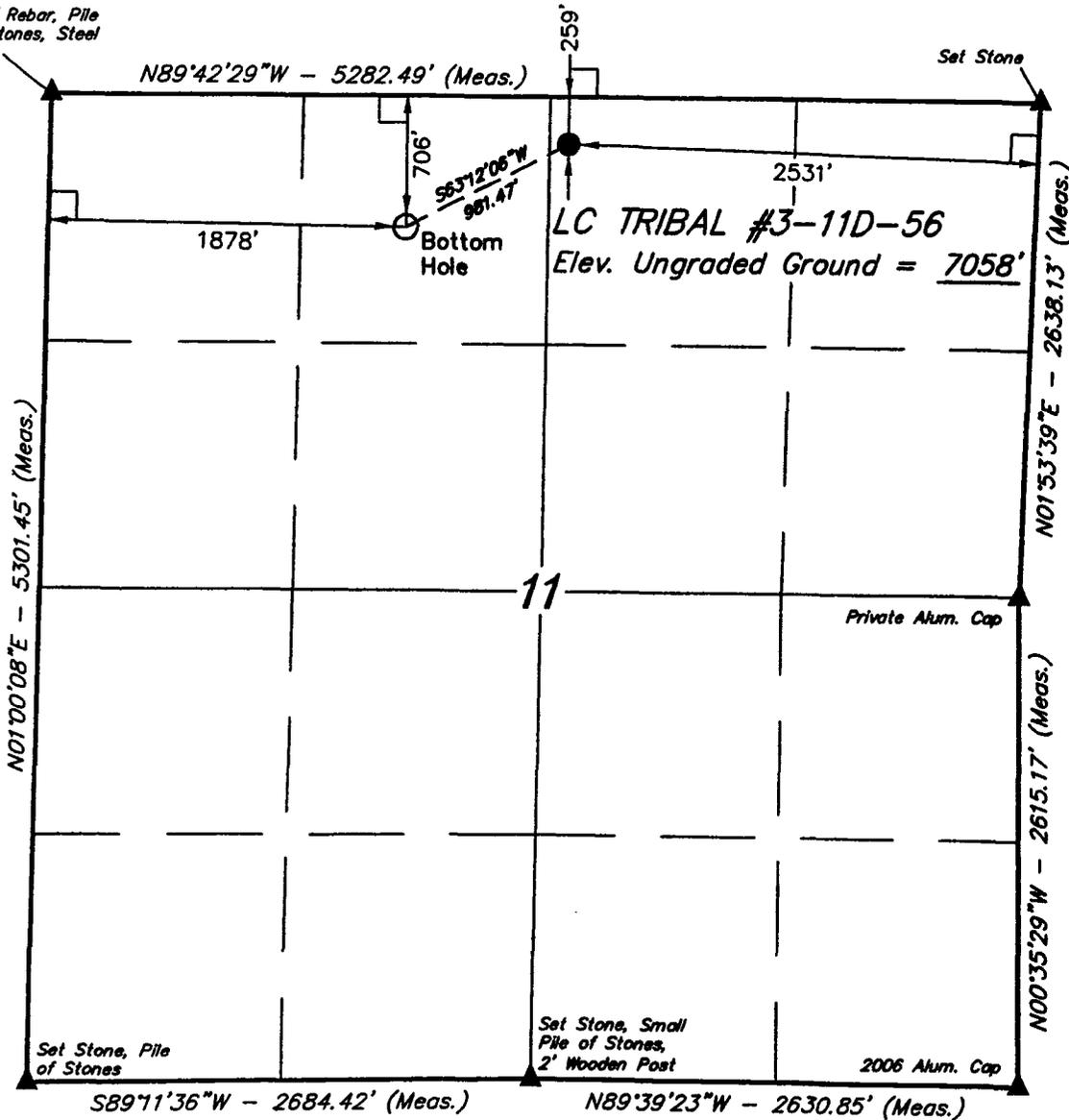
(11/2001)

(See Instructions on Reverse Side)

**RECEIVED**  
**JAN 12 2007**  
**DIV. OF OIL, GAS & MINING**

# T5S, R6W, U.S.B.&M.

1/2" Rebar, Pile of Stones, Steel Post



**LC TRIBAL #3-11D-56**  
Elev. Ungraded Ground = 7058'

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

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

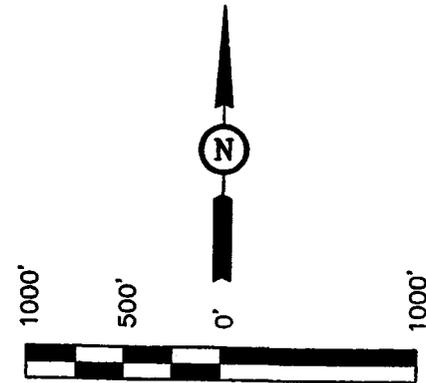
(NAD 83)  
 LATITUDE = 40°04'03.21" (40.067558)  
 LONGITUDE = 110°31'35.81" (110.526614)  
 (NAD 27)  
 LATITUDE = 40°04'03.36" (40.067600)  
 LONGITUDE = 110°31'33.25" (110.525903)

## BERRY PETROLEUM COMPANY

Well location, LC TRIBAL #3-11D-56, located as shown in the NW 1/4 NE 1/4 of Section 11, T5S, R6W, U.S.B.&M., Duchesne County, Utah.

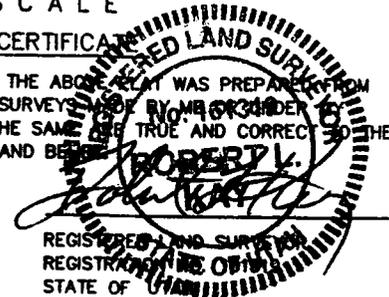
### BASIS OF ELEVATION

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.



SCALE  
CERTIFICATE

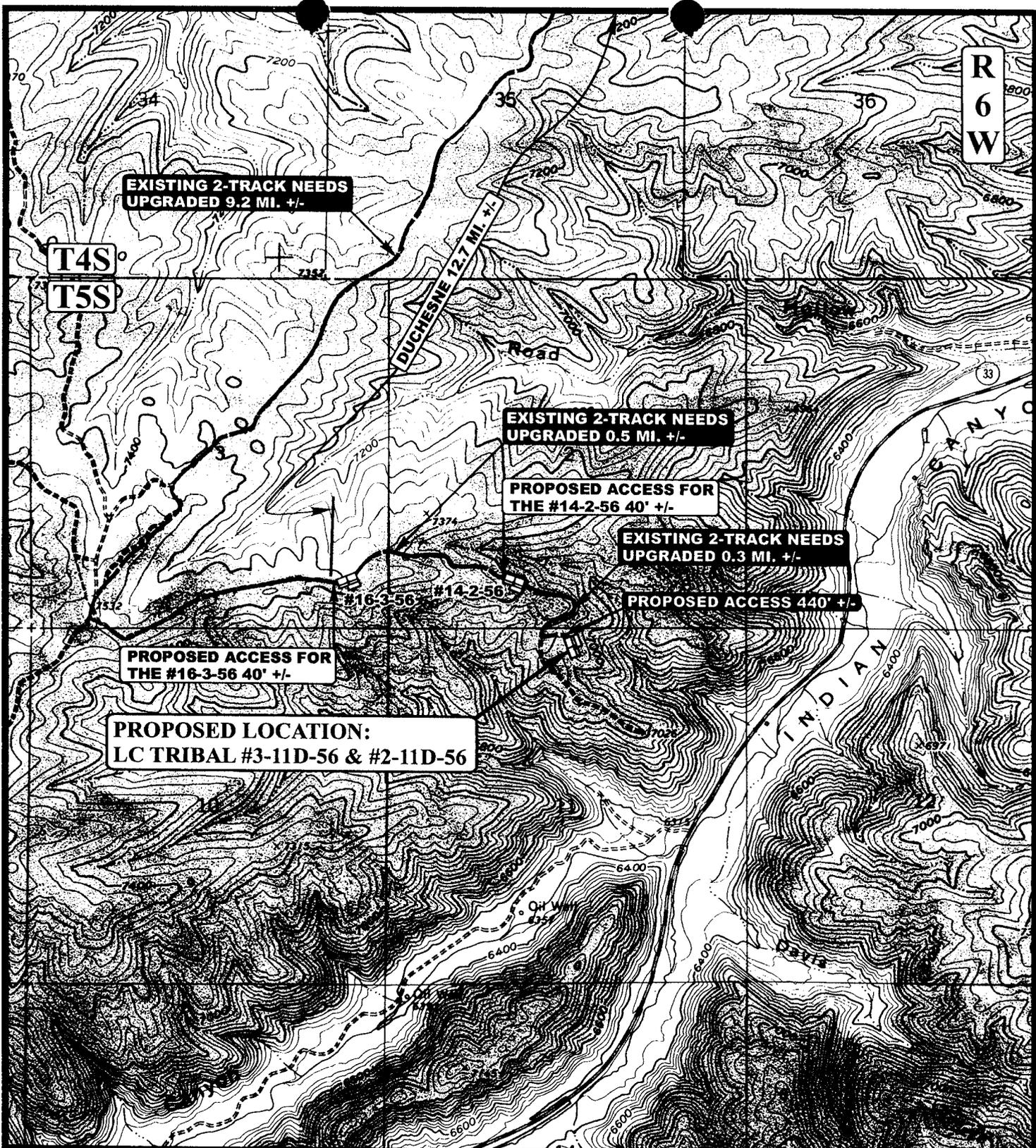
THIS IS TO CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



REVISED: 12-07-06  
REVISED: 07-13-06

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

SCALE 1" = 1000'	DATE SURVEYED: 06-16-06	DATE DRAWN: 06-21-06
PARTY S.H. S.P. P.M.	REFERENCES G.L.O. PLAT	
WEATHER HOT	FILE BERRY PETROLEUM COMPANY	



**EXISTING 2-TRACK NEEDS  
UPGRADED 9.2 MI. +/-**

**DUCHESSNE 12.7 MI +/-**

**EXISTING 2-TRACK NEEDS  
UPGRADED 0.5 MI. +/-**

**PROPOSED ACCESS FOR  
THE #14-2-56 40' +/-**

**EXISTING 2-TRACK NEEDS  
UPGRADED 0.3 MI. +/-**

**PROPOSED ACCESS 440' +/-**

**PROPOSED ACCESS FOR  
THE #16-3-56 40' +/-**

**PROPOSED LOCATION:  
LC TRIBAL #3-11D-56 & #2-11D-56**

**LEGEND:**

- PROPOSED ACCESS ROAD
- EXISTING 2-TRACK NEEDS UPGRADED

**BERRY PETROLEUM COMPANY**

**LC TRIBAL #3-11D-56 & #2-11D-56  
SECTION 11, T5S, R6W, U.S.B.&M.  
NW 1/4 NE 1/4**



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



**TOPOGRAPHIC** 06 16 06  
**MAP** MONTH DAY YEAR

SCALE: 1" = 2000' DRAWN BY: C.P. REVISED: 07-14-06



**From:** Robert Clark  
**To:** Mason, Diana  
**Date:** 1/29/2007 12:20 PM  
**Subject:** RDCC short turn-around responses

**CC:** Anderson, Tad; Heying, Cheryl; McNeill, Dave

The following comments are in response to RDCC short turn around items **RDCC #7511 through 7517 and RDCC #7527 through 7534**.

FYI: All comments are similar with the exception of the requesting entity, the well designation, and the county.

**RDCC #7511, Comments begin:** The Berry Petroleum Company proposal to drill the LC Tribal 2-11D-56 wildcat well, in Duchesne County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

The proposed project is also subject to Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover or windbreaks. A copy of the rules may be found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) . **Comments end.**

**RDCC #7512, comments begin:** The Berry Petroleum Company proposal to drill the LC Tribal 2-11D-56 wildcat well, in Duchesne County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

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**RDCC #7513, comments begin:** The Royalite Petroleum Corporation proposal to drill the Royalite State 16-1 wildcat well, in Piute County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

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**RDCC #7514, comments begin:** The Delta Petroleum Corporation proposal to drill the Salt Valley State 23-43 wildcat well, in Grand County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

The proposed project is also subject to Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover or windbreaks. A copy of the rules may be found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) . **Comments end.**

**RDCC #7515, comments begin:** The Delta Petroleum Corporation proposal to drill the Salt Valley State 24-14 wildcat well, in Grand County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

The proposed project is also subject to Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover or windbreaks. A copy of the rules may be found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) . **Comments end.**

**RDCC #7516, comments begin:** The EOG Resources, Inc. proposal to drill the Big Wash 61-16-GR wildcat well, in Duchesne County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

The proposed project is also subject to Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover or windbreaks. A copy of the rules may be found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) . **Comments end.**

**RDCC #7517, comments begin:** The EOG Resources, Inc. proposal to drill the Big Wash 30-02-GR wildcat well, in Duchesne County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

The proposed project is also subject to Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover or windbreaks. A copy of the rules may be found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) . **Comments end.**

**RDCC #7527, comments begin:** The Questar Exploration & Production Company proposal to drill the SCS 5C-32-14-19 wildcat well, in Uintah County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

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vegetative or synthetic cover or windbreaks. A copy of the rules may be found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) . **Comments end.**

**RDCC #7528, comments begin:** The Delta Petroleum Corporation proposal to drill the Greentown State 36-33S wildcat well, in Grand County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

The proposed project is also subject to Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover or windbreaks. A copy of the rules may be found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) . **Comments end.**

**RDCC #7529, comments begin:** The Delta Petroleum Corporation proposal to drill the Greentown State 36-24S wildcat well, in Grand County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

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**RDCC #7530, comments begin:** The Delta Petroleum Corporation proposal to drill the Greentown State 36-31S wildcat well, in Grand County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

The proposed project is also subject to Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover or windbreaks. A copy of the rules may be found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) . **Comments end.**

**RDCC #7531, comments begin:** The Delta Petroleum Corporation proposal to drill the Greentown State 36-42S wildcat well, in Grand County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

The proposed project is also subject to Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover or windbreaks. A copy of the rules may be found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) . **Comments end.**

**RDCC #7532, comments begin:** The Delta Petroleum Corporation proposal to drill the Greentown State 36-22S wildcat well, in Grand County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any

compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

The proposed project is also subject to Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover or windbreaks. A copy of the rules may be found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) . **Comments end.**

**RDCC #7533, comments begin:** The Delta Petroleum Corporation proposal to drill the Greentown State 36-44S wildcat well, in Grand County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

The proposed project is also subject to Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover or windbreaks. A copy of the rules may be found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) . **Comments end.**

**RDCC #7534, comments begin:** The Delta Petroleum Corporation proposal to drill the Greentown State 36-13S wildcat well, in Grand County, may require a permit, known as an Approval Order, from the Executive Secretary of the Air Quality Board. If any compressor or pump stations are constructed at the site, a permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review according to the Utah Air Quality Rule R307-401. Permit: Notice of Intent and Approval Order. A copy of the rules is found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) .

The proposed project is also subject to Utah Air Quality Rule R307-205-5, Fugitive Dust, due to the fugitive dust that is generated during the excavating phases of the project. These rules apply to construction activities that disturb an area greater than 1/4 acre in size. A permit, known as an Approval Order, is not required from the Executive Secretary of the Air Quality Board, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover or windbreaks. A copy of the rules may be found at [www.rules.utah.gov/publicat/code/r307/r307.htm](http://www.rules.utah.gov/publicat/code/r307/r307.htm) . **Comments end.**

Robert Clark  
Division of Air Quality  
801-536-4435

MEMORANDUM

DATE: January 31, 2007  
TO: Resource Development Coordinating Committee  
FROM: Utah Geological Survey, Ground Water and Paleontology Program  
SUBJECT: UGS comments on RDCC items 7511,7512, 7516, 7517, 7528, 7529, 7530, 7531, 7532, 7533, and 7534.

7511 Division of Oil, Gas and Mining Short Turn Around Drilling Permit  
Sec. 11, T5S, R6W, Duchesne County  
Application for Permit to Drill - proposal to drill a wildcat well the LC Tribal 2-11D-56 on an Indian lease 14/20-H62-5500

Although there are no paleontological localities recorded in our files for this project area, the Eocene Uinta Formation that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist therefore recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit.

7512 Division of Oil, Gas and Mining Short Turn Around Drilling Permit  
Sec. 11, T5S, R6W, Duchesne County  
Application for Permit to Drill - proposal to drill a wildcat well the LC Tribal 3-11D-56 on an Indian lease 14/20-H62-5500

Although there are no paleontological localities recorded in our files for this project area, the Eocene Uinta Formation that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist therefore recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit.

7516 Division of Oil, Gas and Mining Short Turn Around Drilling Permit  
Sec. 16, T10S, R16E, Duchesne County  
Application for Permit to Drill - proposal to drill a wildcat well the Big Wash 61-16GR on a State lease ML47000

Although there are no paleontological localities recorded in our files for this project area, the Eocene Uinta Formation that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist therefore recommends

that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit.

7517 Division of Oil, Gas and Mining Short Turn Around Drilling Permit  
Sec. 2, T10S, R16E, Duchesne County  
Application for Permit to Drill - proposal to drill a wildcat well the Big Wash 30-02-GR on a State lease ML47052

Although there are no paleontological localities recorded in our files for this project area, the Eocene Uinta Formation that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist therefore recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit.

7528 Division of Oil, Gas and Mining Short Turn Around Drilling Permit  
Sec. 36, T21S, R16E, Grand County  
Application for Permit to Drill - proposal to drill a wildcat well the Greentown State 36-33S on a State lease ML-49170

Although there are no paleontological localities recorded in our files for this project area, the Jurassic Morrison Formation (and possibly Cedar Mountain Formation) that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist therefore recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit.

7529 Division of Oil, Gas and Mining Short Turn Around Drilling Permit  
Sec. 36, T21S, R16E, Grand County  
Application for Permit to Drill - proposal to drill a wildcat well the Greentown State 36-24S on a State lease ML-49170

Although there are no paleontological localities recorded in our files for this project area, the Jurassic Morrison Formation (and possibly Cedar Mountain Formation) that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist therefore recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit.

7530 Division of Oil, Gas and Mining Short Turn Around Drilling Permit  
Sec. 36, T21S, R16E, Grand County  
Application for Permit to Drill - proposal to drill a wildcat well the Greentown State 36-31S on a State lease ML-49170

Although there are no paleontological localities recorded in our files for this project area,

the Jurassic Morrison Formation (and possibly Cedar Mountain Formation) that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist therefore recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit.

7531 Division of Oil, Gas and Mining Short Turn Around Drilling Permit  
Sec. 36, T21S, R16E, Grand County  
Application for Permit to Drill - proposal to drill a wildcat well the Greentown State 36-42S on a State lease ML-49170

Although there are no paleontological localities recorded in our files for this project area, the Jurassic Morrison Formation (and possibly Cedar Mountain Formation) that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist therefore recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit.

7532 Division of Oil, Gas and Mining Short Turn Around Drilling Permit  
Sec. 36, T21S, R16E, Grand County  
Application for Permit to Drill - proposal to drill a wildcat well the Greentown State 36-22S on a State lease ML-49170

Although there are no paleontological localities recorded in our files for this project area, the Jurassic Morrison Formation (and possibly Cedar Mountain Formation) that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist therefore recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit.

7533 Division of Oil, Gas and Mining Short Turn Around Drilling Permit  
Sec. 36, T21S, R16E, Grand County  
Application for Permit to Drill - proposal to drill a wildcat well the Greentown State 36-44S on a State lease ML-49170

Although there are no paleontological localities recorded in our files for this project area, the Jurassic Morrison Formation (and possibly Cedar Mountain Formation) that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist therefore recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit.

7534 Division of Oil, Gas and Mining Short Turn Around Drilling Permit  
Sec. 36, T21S, R16E, Grand County  
Application for Permit to Drill - proposal to drill a wildcat well the Greentown

State 36-13S on a State lease ML-49170

Although there are no paleontological localities recorded in our files for this project area, the Jurassic Morrison Formation (and possibly Cedar Mountain Formation) that is exposed here has the potential for yielding significant vertebrate fossil localities. The office of the State Paleontologist therefore recommends that a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit.



**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*

February 5, 2007

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

Re: LC Tribal 3-11D-56 Well, Surface Location 259' FNL, 2531' FEL, NW NE,  
Sec. 11, T. 5 South, R. 6 West, Bottom Location 706' FNL, 1878' FWL,  
NE NW, Sec. 11, T. 5 South, R. 6 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 43-013-33488.

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** LC Tribal 3-11D-56  
**API Number:** 43-013-33488  
**Lease:** 14-20-H62-5500

**Surface Location:** NW NE      **Sec.** 11      **T.** 5 South      **R.** 6 West  
**Bottom Location:** NE NW      **Sec.** 11      **T.** 5 South      **R.** 6 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 with 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 Dustin Doucet at (801) 538-5281

#### 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. In accordance with Utah Admin. R.649-3-11, Directional Drilling, the operator shall submit a complete angular deviation and directional survey report to the Division within 30 days following completion of the well.

6. Compliance with the Conditions of Approval/Application for Permit to Drill outlined in the Statement of Basis. (Copy Attached)

7. Operator shall comply with applicable recommendations resulting from Resource Development Coordinating Committee review. Statements attached.

Page 2

43-013-33488

February 5, 2007

8. 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.

43013.33488

70 1017

RECEIVED  
MAR 12 2007  
By \_\_\_\_\_

RIGHT-OF-WAY LEASE AND EASEMENT AGREEMENT  
FOR WELL SITES ACCESS ROAD AND PIPELINES  
DWR EASEMENT NUMBER DUC 0610 EAC7

MA 498 Pg 757  
REC-2007 8:46AM  
FEE: \$47.00 Check  
CAROLYN MASSEY, Recorder  
DUCHE SNE COUNTY CORPORATION  
For: BERRY PETROLEUM  
JAN 24 2007

RECEIVED  
JAN 24 2007  
By The Utah Division of

THIS RIGHT-OF-WAY AGREEMENT AND EASEMENT is between The Utah Division of Wildlife Resources who's address is 1594 West North Temple, Suite 2110, Salt Lake City, Utah 84114-6301 (GRANTOR), and Berry Petroleum Company who's address is 950 17<sup>th</sup> Street, Suite 2400, Denver Colorado, 80202 ("GRANTEE").

WHEREAS, the GRANTOR owns certain real property known as the Indian Canyon Wildlife Management Area (the "Property") located in Duchesne County, in Northeastern Utah; and

WHEREAS, GRANTEE is desirous of obtaining a right-of-way easement on the Property for the purpose of installing three (3) well sites, a natural gas transportation pipeline and associated access roads ("FACILITIES"), referred to herein as "the Project"; and,

WHEREAS, GRANTOR and GRANTEE are collectively referred to herein as "the Parties;" and

WHEREAS, the Parties desire to enter into this Right-of-Way Agreement and Easement ("the Agreement") in anticipation of GRANTOR granting to GRANTEE an easement and right-of-way ("Easement") for the Project over GRANTOR lands.

NOW THEREFORE, in exchange for mutual consideration, as described below, and other good and valuable consideration, the Parties agree as follows:

A. Easement Location and Description. Location and brief legal descriptions of the Right-of-Way Easement for the Project are listed on the following table.

EXH	SUBDIVISION	S. T. R.	FACILITY	DISTANCE
A-7	S 1/2	14, T4S, R6W	Pipeline/Road	2,999.63'/181.796rds/2.066 ac.
A-6	W 1/2	27, T4S, R6W	Pipeline/Road	Included with Sec. 3
A-6	W 1/2	34, T4S, R6W	Pipeline Road	Included with Sec 3
A-4	W 1/2	3, T5S, R6W	Pipeline/Road	15,224.37'/922.689rds/10.485 ac.
A-2	SE 1/2 SW1/4	3, T5S, R6W	Pipeline Road/Wells	563.47'/34.15rds/ 0.388 ac.
A-1	NW 1/4	10, T5S, R6W	Pipeline/Road	11,476.36'/695.54 rds/7.904 ac
A, A-5	E 1/2, SW 1/4	9, T5S, R6W	Pipeline/Road	Above Inc Sec 10 and pt of sec.3
A-3	N 1/2	11, T5S, R6W	Pipeline/Road/Well	1,114.68'/67.56rds/0.768 ac.

TOTAL FEET = 31,378.51    TOTAL RODS = 1901.735    TOTAL ACRES = 21.611

RECEIVED  
MAR 16 2007

DIV. OF OIL, GAS & MINING

1. **Descriptions of Facilities:** The Grantee shall have a 50 foot wide construction right-of-way which will be reduced to a 30-foot wide permanent right-of-way along and being 15 feet on either side of a center line 31,378.51, feet in length, in addition there are three well sites, The Facilities including Roads, Pipelines and Well Sites are located in Duchesne County, Utah, shown and more particularly described on the attached Exhibits A, A-1, A-2, A-3, A-4, A-5, A-6, A-7 ,

B. **Terms and Conditions.** The GRANTOR grants an Easement over and across the above described lands to the GRANTEE subject to the following terms and conditions and conditions contained within Exhibit C 'MULTI POINT SURFACE USE & OPERATIONS PLAN' attached:

1. **Project Description.** This Easement is for the purpose of laying a natural gas pipeline on the surface, along side an access road for the purpose of producing and developing natural gas wells from three locations and transporting natural gas from existing oil and gas wells from the construction of three well sites, as well as from the new well sites granted by this document.
2. **Ingress and Egress.** The Easement includes reasonable right of continued ingress and egress over and upon the Project for the purposes of construction, installation, operations and maintenance.
3. **Minimizing Surface Disturbance.** Excavation, construction, installation, and maintenance operations contemplated hereby are to be carried out in a manner to insure minimum disturbance to the Property within and adjacent to the Easement, further,
4. **Winter Activities.** Activities relating to the construction, installation, operation and maintenance of the Pipeline and Road and any associated facilities may not be conducted during the period of December 1<sup>st</sup> through April 15<sup>th</sup> of any year, without express written consent of the Appropriate Regional Manager, Grantee will suspend all construction operations during the general Rifle Deer Hunt from two hours before sunset until two hours after sunrise.
5. **Project Area Restoration.** Immediately following construction and installation of the Project all disturbed lands not required for continuous use will be graded and restored to original conditions. All existing fences, gates and other structures that may have been damaged, or may be damaged during the term of the Easement, will be restored to original or better condition than before the damage occurred.
6. **Noxious Weeds.** According to state law, GRANTOR is mandated to control noxious weeds and their spread. GRANTEE is required to wash all equipment and vehicles to reduce the possibility of off-site introductions of undesirable plant species prior to entering GRANTOR property. Further, GRANTEE will assume the cost of chemical, labor, and all other measures needed to prevent and control the spread of noxious weeds along the project route and on and around the drilling pad throughout the life of the Easement. In the event project activities result in noxious weed problems after this Easement is terminated, GRANTEE will continue to be responsible for the costs of controlling said noxious weeds until GRANTOR is satisfied with the results, and that GRANTOR has released GRANTEE from further noxious weed control obligations. Obtaining approved procedures and required permits to control the noxious weeds will be the responsibility of GRANTEE.

7. Re-vegetation. GRANTEE will re-establish a successful vegetation cover by seeding all disturbed areas, not required for continuous use or operations, with a seed mixture and density of distribution specified by GRANTOR. The seed mixture will consist of shrubs, forbs and grasses, similar in nature to the pre-existing vegetation surrounding the disturbed site. GRANTEE will not be excused from this obligation until GRANTOR has inspected the site and determined that the re-vegetation is successful.

8. Floods or Fire. GRANTOR assumes no responsibility or liability and is indemnified by GRANTEE for damages and losses to the Easement or any GRANTEE facilities as a result of a natural flood event or a wild range fire. However, GRANTEE shall bear full cost and responsibility for flood and erosion damage that is proximately caused by the Easement development. Further, GRANTEE shall bear full cost and responsibility for wild fires that are the result of the project.

9. Project Costs. All costs for the Project, including surveys, cultural and archeological surveys, threatened and endangered species surveys, which may be required prior to construction and any re-vegetation of disturbed sites and restoration of all structures, will be borne by GRANTEE.

10. Operation & Maintenance Responsibility. GRANTEE is responsible for operating and maintaining the Project.

11. Compliance with Existing Laws. GRANTEE agrees to comply with all associated U.S. Environmental Protection Agency (EPA) and Utah Division of Oil Gas and Mining (DOG M) rules, regulations, and any other laws, rules or policies governing the construction, operation, and maintenance of the Project.

12. Indemnification. GRANTEE agrees to protect, indemnify, save and hold harmless GRANTOR, its agents and employees, from and against all claims, demands, damages, and causes of action of every kind or character on account of bodily injuries, death, or damage to property arising because of, for, out of, or in any way connected with the performance of GRANTEE under this Agreement, except where such injury, death, or damage has resulted from the sole negligence of GRANTOR without negligence or willful act on the part of GRANTEE, its agents, successors, employees, or subcontractors. GRANTEE shall defend all suits brought upon such claims and pay all costs and expenses incidental thereto, but GRANTOR shall have the right, at its option, to participate in the defense incidental thereto without relieving GRANTEE of any obligation hereunder.

13. Easement Term. This Easement shall be for a term of 30 years beginning on the date when all signatures have been affixed. The Easement may be renewed or re-negotiated at any time 6-months prior to its expiration. Such application for renewal or re-negotiation shall be subject to GRANTOR's policy in force at that time.

14. Cancellation. The Easement may be canceled by GRANTOR for failure of GRANTEE to abide by any of the terms and conditions set forth herein, after GRANTEE has been given notice of such default, and if GRANTEE fails to correct the default within 30 days after receipt of the notice. The Easement may be canceled by GRANTEE upon 60 days notice to GRANTOR.

15. Removals and Recovery. Should the Pipeline be abandoned by Grantee or it's successors (abandonment shall be when the facilities have been unused for their primary purpose for a period of 5 Years) or is no longer in use by GRANTEE or its successors, GRANTEE or its successors will remove from the Property all surface equipment and facilities associated with the Pipeline

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and recover all impacted land and its vegetative cover in accordance with established laws, procedures, policies, guidelines and as set forth in the above terms and conditions B.4, B.5, & B.6 above. Said removal and restoration shall be completed within 9 months from the time GRANTEE has determined the Pipeline will no longer be used. Grantee shall make a diligent and good-faith effort to clean the Pipeline using standard industry practices and technologies available at the time the Pipeline is no longer used to transport natural gas in order to minimize, as much as reasonably practical, environmental contaminants left on or in the Pipeline. At such time as the Project is no longer operational and has been restored to its natural condition, this Easement as to the Project shall be deemed terminated without cost, loss, or reimbursement by the GRANTOR to GRANTEE for the Easement or any part/portion thereof.

16. Transfer of Easement Privileges and Terms. The privileges, rights, terms and conditions of this Agreement shall apply to any party, its heirs and assigns to the above described facilities from GRANTEE.

17. Bonding. Grantee's obligations under this Agreement shall be ensured under a Field Reclamation Bond ("Bond"), made payable to the Utah Division of Wildlife Resources for the amount of \$100,000 (One-Hundred Thousand Dollars), the required bond issued by RLI Insurance Company, 925 north Lindbergh Dr. Peoria, IL 01015 said bond identified as RLB 0009627 and attached hereto as Exhibit D. Bond liability shall remain in full force and effect until liability thereunder is released by GRANTOR.

The Bond value may be reviewed at any time and shall be reviewed at least every ten years during the term of this agreement to determine if adjustments are required for inflation or for the scope of Grantee's cumulative obligations ensured thereby. In the event it is determined that an adjustment is required GRANTOR shall provide written notification to GRANTEE, or its heir's or assigns. Should the use of the bonding funds be required for clean up or restoration, Grantee or its successors shall be responsible for any and all funds required for completion of restoration or repair in excess of the bonded amount. The acceptance of restoration and/or repair of GRANTOR Lands shall be at the sole discretion of the GRANTOR.

C. Right-of-Way Easement Fee.

The Fee for this Right-of-Way and Easement Agreement is \$34,231.23 Payment is due when GRANTEE returns this Agreement to GRANTOR appropriately signed and notarized. The payment was computed as follows:

Grantee Petroleum Company supplied an appraisal of lands in the area, prepared by William R. Lang, MAI, which meets Uniform Appraisal Standards for Federal Land Acquisitions. Based upon this appraisal, the market value of the subject easement is 1,945.00 (computed at \$100/acre for 21.611 acres less 10%). The value of the easement calculated according to GRANTOR's fee schedule is \$ 34,231.23 (computed at \$18/rod for 1901.735 rods).

The higher of the two values is \$34,231.23 of which 75% (\$25,673.42) will be credited to W-113-L as program income. No costs are to be incurred by the Utah Division of Wildlife Resources as a result of this amendment.

All payments are final. There shall be no pro rata reimbursement of any payments

hereunder should the Project outlined under this Agreement terminate before its term has lapsed.

IN WITNESS WHEREOF, Grantee Petroleum Company accepts the terms and conditions of this Agreement and Easement, on the 30 day of January 2007.

**GRANTEE:  
BERRY PETROLEUM COMPANY**

Eddy Courtright  
By:

**GRANTOR:  
UTAH DIVISION OF WILDLIFE RESOURCES**

[Signature]  
By:

[Signature] 2/13/07  
Financial Manager, Division of Wildlife Resources

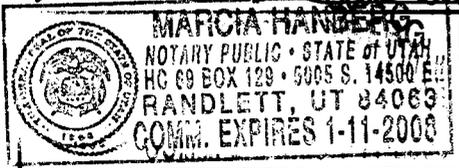
**ACKNOWLEDGEMENT**

STATE OF Utah )  
COUNTY OF Duchesne ) ss:

The foregoing instrument was acknowledged before me this 30 day of January 2007 by, Eddy Courtright who being known to me or proved to me that he is authorized by Berry Petroleum Company, a Delaware Corporation as a Corporate Officer, or it's Attorney in Fact as designated by the Board of Directors to sign the within document on behalf of Grantee Petroleum Company.

Witness my hand and official seal.

My commission expires January 11, 2008



[Signature]  
Notary Public  
Residing at: Randlett

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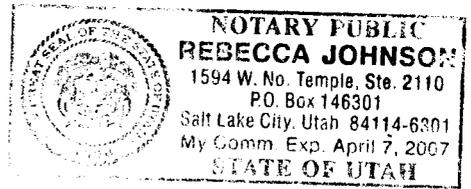
**ACKNOWLEDGEMENT**

STATE OF UTAH )  
 ) SS  
COUNTY OF SALT LAKE )

On this 26<sup>th</sup> day of February, 2007, personally appeared before me Alan Clark who being first duly sworn said that he is the GRANTOR Director of the Division of Wildlife Resources, for the State of Utah, that the foregoing instrument was executed pursuant to authority granted him by The Wildlife Resources Code of Utah (23-21-1), and he acknowledged to me that he executed the same.

Rebecca Johnson  
Notary Public in and for the State of Utah

My commission expires April 7, 2007







CORRIDOR RIGHT-OF-WAY  
DESCRIPTION ON STATE DWL LANDS

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

BEGINNING AT A POINT ON SOUTH LINE OF THE SW 1/4 SE 1/4 OF SECTION 9, T5S, R6W, U.S.B.&M., WHICH BEARS S89°12'09"W 2374.12' FROM THE SOUTHEAST CORNER OF SAID SECTION 9, THENCE N32°46'12"W 9.55'; THENCE N67°11'19"W 116.00'; THENCE N79°01'47"W 92.13'; THENCE S89°09'53"W 47.85'; THENCE S38°44'52"W 95.08' TO A POINT ON THE SOUTH LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 9, WHICH BEARS S89°12'09"W 2684.05' FROM THE SOUTHEAST CORNER OF SAID SECTION 9. ALSO, BEGINNING AT A POINT ON THE SOUTH LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 9, WHICH BEARS S89°12'09"W 2849.09' FROM THE SOUTHEAST CORNER OF SAID SECTION 9, THENCE N66°42'04"W 48.11'; THENCE N75°42'28"E 118.88'; THENCE N42°51'22"E 54.48'; THENCE N27°22'58"E 87.75'; THENCE N35°42'04"E 95.19'; THENCE N47°50'48"E 93.00'; THENCE N18°58'13"E 101.37'; THENCE N06°27'26"W 200.25'; THENCE N33°01'10"E 360.00'; THENCE N46°52'39"E 629.07'; THENCE N35°27'59"E 173.16'; THENCE N46°37'37"E 369.65'; THENCE N26°13'27"E 200.64'; THENCE N39°07'08"E 331.36'; THENCE N20°43'15"E 354.72'; THENCE N46°19'49"E 129.31'; THENCE N20°35'02"E 104.51'; THENCE N48°47'42"E 224.15'; THENCE N39°35'33"E 306.02'; THENCE N69°49'28"E 182.36'; THENCE N24°52'43"E 142.34'; THENCE N05°37'48"E 299.80'; THENCE N10°35'26"W 168.22'; THENCE N37°54'05"E 252.03'; THENCE N12°14'09"E 532.26'; THENCE N58°45'34"E 195.48' TO A POINT ON THE EAST LINE OF THE NE 1/4 NE 1/4 OF SAID SECTION 9, WHICH BEARS S00°30'57"W 743.71' FROM THE NORTHEAST CORNER OF SAID SECTION 9, THENCE N59°12'43"E 239.98'; THENCE N47°01'36"E 144.17'; THENCE N39°41'05"E 293.27'; THENCE N30°30'28"E 285.97'; THENCE N36°10'13"E 63.32' TO A POINT ON THE NORTH LINE OF THE NW 1/4 NW 1/4 OF SECTION 10, T5S, R6W, U.S.B.&M., WHICH BEARS N89°56'52"E 674.76' FROM THE NORTHWEST CORNER OF SAID SECTION 10, THENCE N36°10'13"E 181.14'; THENCE N18°10'06"E 134.79'; THENCE S38°43'59"E 235.48'; THENCE S53°20'03"E 151.10' TO A POINT ON THE SOUTH LINE OF THE SW 1/4 SW 1/4 OF SECTION 3, T5S, R6W, U.S.B.&M., WHICH BEARS N89°56'52"E 1092.23' FROM THE SOUTHWEST CORNER OF SAID SECTION 3, THENCE S53°20'03"E 77.27'; THENCE S49°53'24"E 187.26'; THENCE N84°44'19"E 118.32'; THENCE N64°44'08"E 257.83'; THENCE N68°12'05"E 125.25' TO A POINT ON THE NORTH LINE OF THE NE 1/4 NW 1/4 OF SAID SECTION 10, WHICH BEARS N89°56'52"E 1764.72' FROM THE NORTHWEST CORNER OF SAID SECTION 10, THENCE N68°12'05"E 64.76'; THENCE N59°22'41"E 312.30'; THENCE N54°20'44"E 150.85'; THENCE N62°49'27"E 421.18'; THENCE N78°29'52"E 555.41'; THENCE N78°56'29"E 775.04'; THENCE S83°03'47"E 316.26'; THENCE S81°31'53"E 187.59'; THENCE S86°57'47"E 32.75'; THENCE N84°23'48"E 50.35' TO A POINT IN THE SE 1/4 SE 1/4 OF SAID SECTION 3, WHICH BEARS N49°31'51"W 1012.30' FROM THE SOUTHEAST CORNER OF SAID SECTION 3. 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 7.904 ACRES MORE OR LESS.

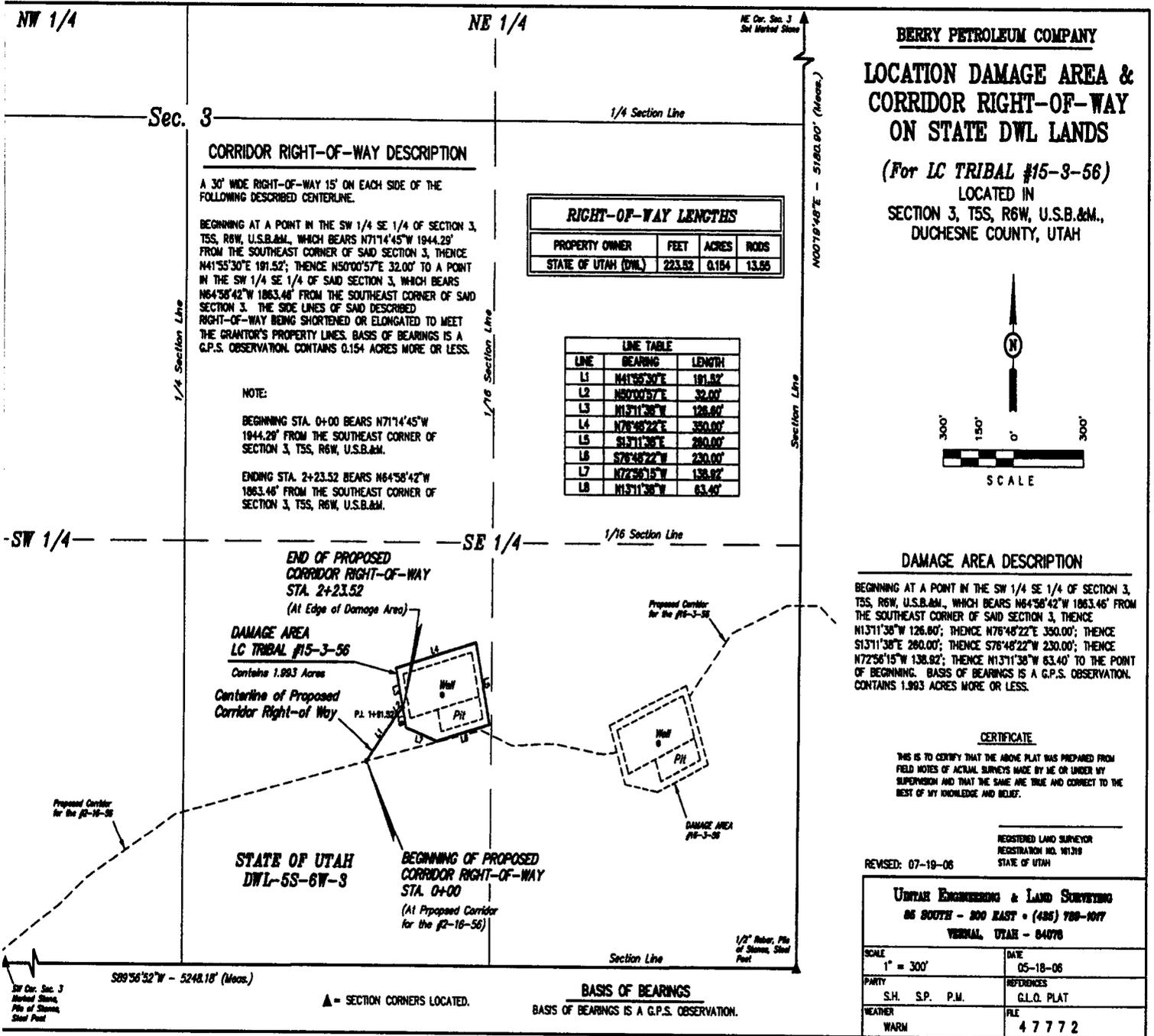
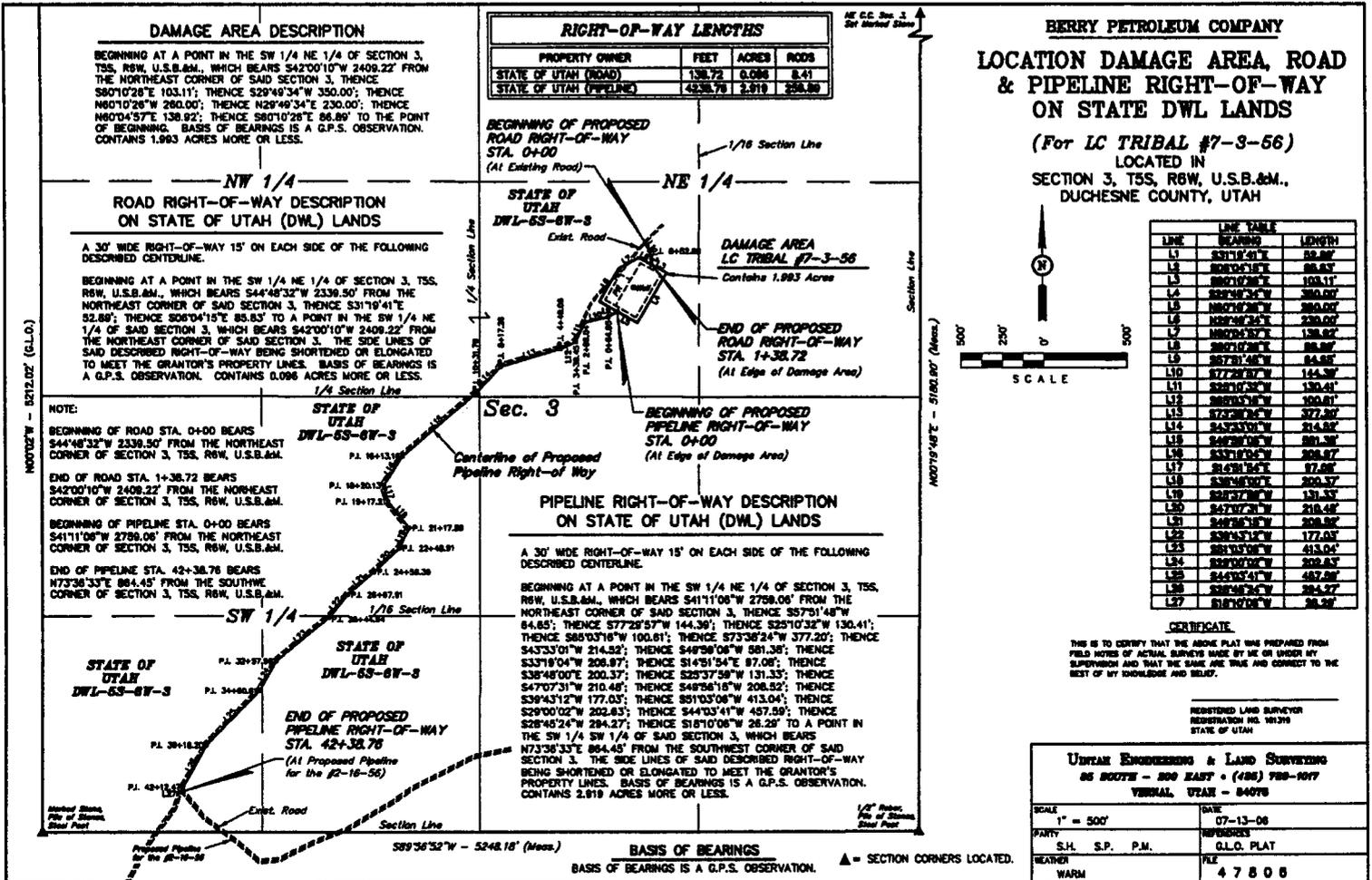
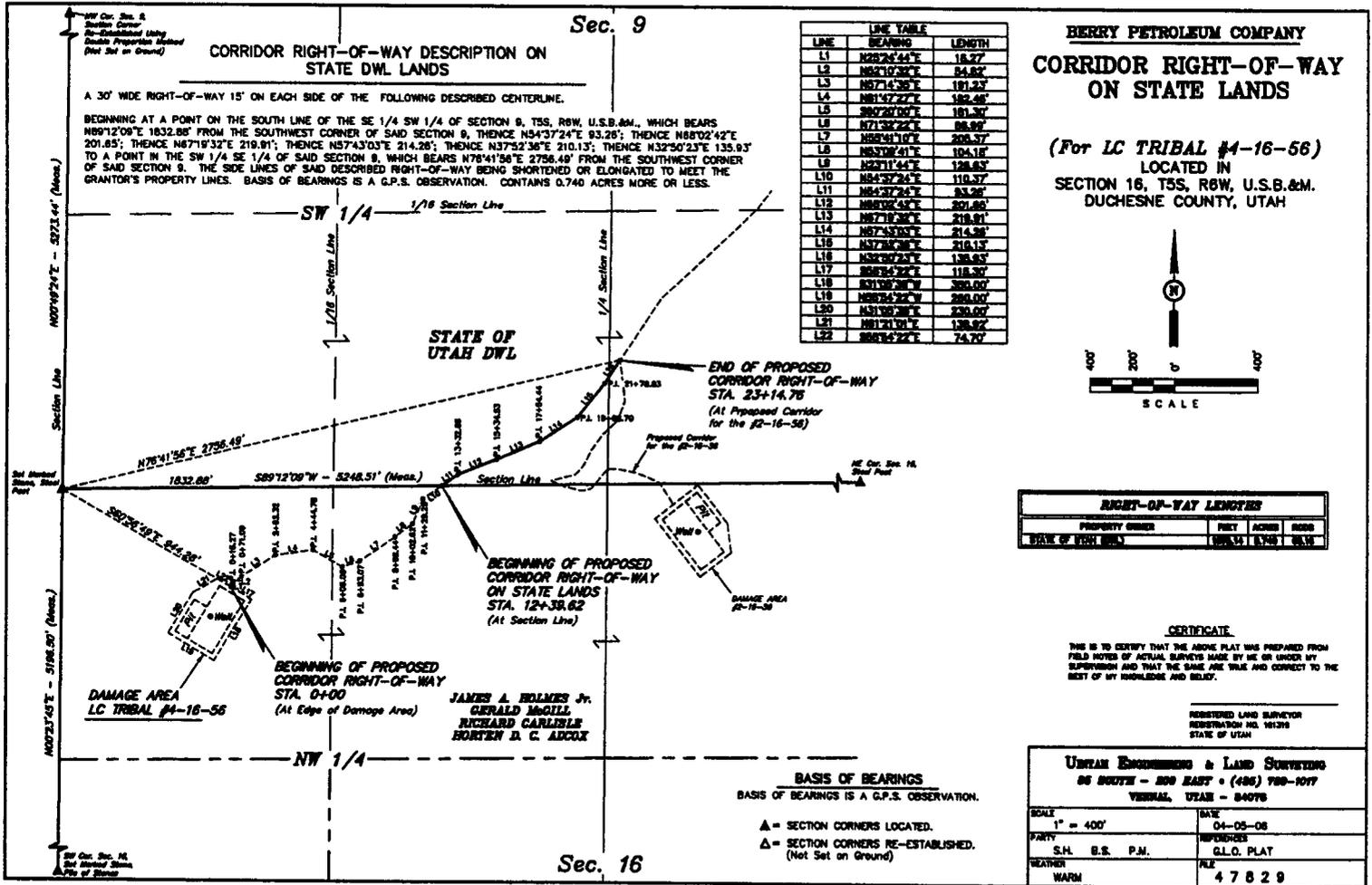




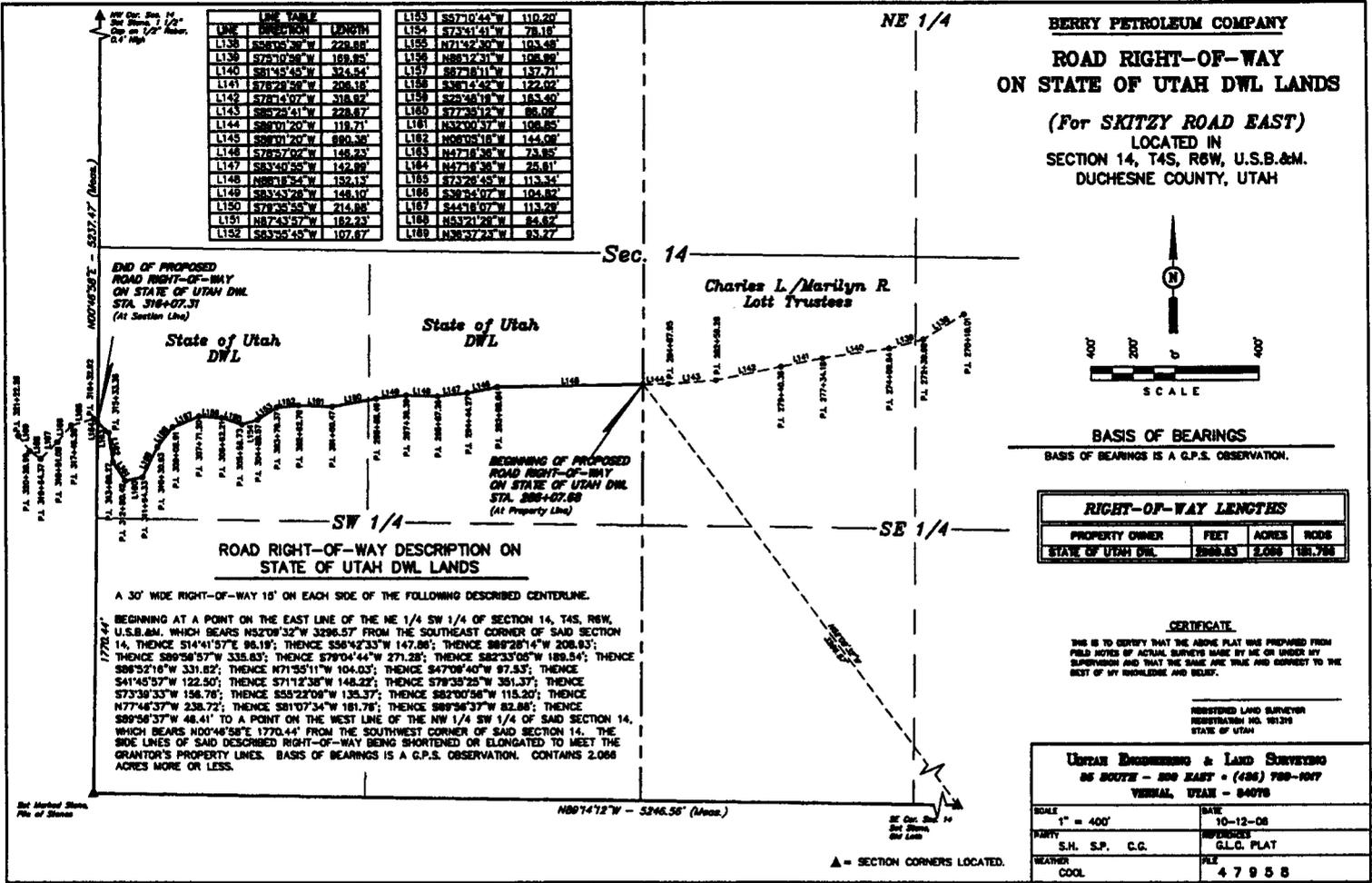
EXHIBIT A-4

70 1017  
Ent 393166 Bk A0498 Pg 0768









STATE OF UTAH  
DIVISION OF OIL, GAS, AND MINING

SUNDRY NOTICES AND REPORTS ON WELLS

Do not use this form for proposals to drill new wells, deepen existing wells, or to re-enter plugged and abandoned wells.  
Use APPLICATION FOR PERMIT TO DRILL OR DEEPEN form for such proposals.

5. Lease Designation and Serial Number: <b>14-20-H62-5500 (EDA)</b>
6. If Indian, Allottee or Tribe Name: <b>0</b>
7. Unit Agreement Name:
8. Well Name and Number: <b>LC TRIBAL 3-11D-56</b>
9. API Well Number: <b>43-013-33488</b>
10. Field and Pool, or Wildcat: <b>LAKE CANYON</b>

1. Type of Well: OIL  GAS  OTHER:

2. Name of Operator:

**BERRY PETROLEUM COMPANY**

3. Address and Telephone Number:

**4000 SOUTH 4028 WEST, RT. 2 BOX 7735 ROOSEVELT, UTAH 84066 (435) 722-1325**

4. Location of Well:

Footages: **259' FNL, 2531' FEL BHL: 706' FNL, 1878' FWL**  
QQ, Sec., T., R., M.: **NW/NE SEC. 11, T5S, R6W USB&M**

County: **DUCHESNE,**  
State: **UTAH**

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

NOTICE OF INTENT  
(Submit in Duplicate)

- |   |   |
|---|---|
| <input type="checkbox"/> Abandon                                    | <input type="checkbox"/> New Construction     |
| <input type="checkbox"/> Repair Casing                              | <input type="checkbox"/> Pull or Alter Casing |
| <input type="checkbox"/> Change of Plans                            | <input type="checkbox"/> Recomplete           |
| <input type="checkbox"/> Convert to Injection                       | <input type="checkbox"/> Reperforate          |
| <input type="checkbox"/> Fracture Treat or Acidize                  | <input type="checkbox"/> Vent or Flare        |
| <input type="checkbox"/> Multiple Completion                        | <input type="checkbox"/> Water Shut-Off       |
| <input checked="" type="checkbox"/> Other <b>ONE YEAR EXTENSION</b> |   |

Approximate date work will start \_\_\_\_\_

SUBSEQUENT REPORT  
(Submit Original Form Only)

- |  |   |
|--|---|
| <input type="checkbox"/> Abandon                   | <input type="checkbox"/> New Construction     |
| <input type="checkbox"/> Repair Casing             | <input type="checkbox"/> Pull or Alter Casing |
| <input type="checkbox"/> Change of Plans           | <input type="checkbox"/> Reperforate          |
| <input type="checkbox"/> Convert to Injection      | <input type="checkbox"/> Vent or Flare        |
| <input type="checkbox"/> Fracture Treat or Acidize | <input type="checkbox"/> Water Shut-Off       |
| <input type="checkbox"/> Other _____               |   |

Date of work completion \_\_\_\_\_

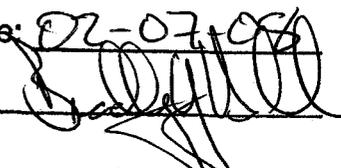
Report results of Multiple Completions and Recompletions to different reservoirs on WELL COMPLETION OR RECOMPLETION REPORT AND LOG form.

\* Must be accompanied by a cement verification report.

12. DESCRIBE PROPOSED OR COMPLETED OPERATIONS (Clearly state all pertinent details, and give pertinent dates. If well is directionally drilled, give subsurface locations and measured and true vertical depths for all markers and zones pertinent to this work.)

**BERRY PETROEUM COMPANY RESPECTFULLY REQUESTS THAT THE APPROVED APPLICATION TO DRILL FOR THE ABOVE SUBJECT WELL BE EXTENDED FOR A PERIOD OF ONE (1) YEAR.**

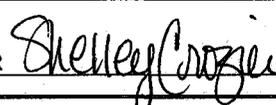
Approved by the  
Utah Division of **STATE BOND #RLB0005651**  
Oil, Gas and Mining

Date: 02-07-08  
By: 

COPY SENT TO OPERATOR

Date: 2-7-2008  
Initials: KS

13

Name & Signature: **SHELLEY E. CROZIER**  Title: **REGULATORY & PERMITTING SPECIALIST** Date: **02/01/08**

(This space for Federal or State office use)

RECEIVED  
FEB 04 2008

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

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

**API:** 43-013-33488  
**Well Name:** LC TRIBAL 3-11D-56  
**Location:** (NW/NE) 259' FNL, 2531' FEL, SEC. 11-T5S-R6W  
**Company Permit Issued to:** BERRY PETROLEUM COMPANY  
**Date Original Permit Issued:** 2/5/2007

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

Shelley E. Crozier  
Signature

2/1/2008

Date

Title: Regulatory & Permitting Specialist

Representing: Berry Petroleum Company

RECEIVED

FEB 04 2008

DIV. OF OIL, GAS & MINING

STATE OF UTAH  
DIVISION OF OIL, GAS, AND MINING

**SUNDRY NOTICES AND REPORTS ON WELLS**

Do not use this form for proposals to drill new wells, deepen existing wells, or to re-enter plugged and abandoned wells  
Use APPLICATION FOR PERMIT TO DRILL OR DEEPEN form for such proposals

5. Lease Designation and Serial Number:

14-20-H62-5500 (EDA)

6. If Indian, Allottee or Tribe Name:

0

7. Unit Agreement Name

8. Well Name and Number

LC TRIBAL 3-11D-56

9. API Well Number:

43-013-33488

10. Field and Pool, or Wildcat:

LAKE CANYON

1. Type of Well: OIL  GAS  OTHER

2. Name of Operator  
BERRY PETROLEUM COMPANY

3. Address and Telephone Number.  
4000 SOUTH 4028 WEST, RT. 2 BOX 7735 ROOSEVELT, UTAH 84066 (435) 722-1325

4. Location of Well  
Footages: 259' FNL, 2531' FEL BHL: 706' FNL, 1878' FWL  
QQ, Sec, T., R., M.: NW/NE SEC. 11, T5S, R6W USB&M

County: DUCHESNE,  
State: UTAH

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

NOTICE OF INTENT  
(Submit in Duplicate)

- Abandon
- Repair Casing
- Change of Plans
- Convert to Injection
- Fracture Treat or Acidize
- Multiple Completion
- Other ONE YEAR EXTENSION
- New Construction
- Pull or Alter Casing
- Recomplete
- Reperforate
- Vent or Flare
- Water Shut-Off

SUBSEQUENT REPORT  
(Submit Original Form Only)

- Abandon
- Repair Casing
- Change of Plans
- Convert to Injection
- Fracture Treat or Acidize
- Other \_\_\_\_\_
- New Construction
- Pull or Alter Casing
- Reperforate
- Vent or Flare
- Water Shut-Off

Date of work completion \_\_\_\_\_

Report results of Multiple Completions and Recompletions to different reservoirs on WELL COMPLETION OR RECOMPLETION REPORT AND LOG form.

\* Must be accompanied by a cement verification report

12. DESCRIBE PROPOSED OR COMPLETED OPERATIONS (Clearly state all pertinent details, and give pertinent dates. If well is directionally drilled, give subsurface locations and measured and true vertical depths for all markers and zones pertinent to this work.)

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STATE BOND #RLB0005651

Approved by the  
Utah Division of  
Oil, Gas and Mining

COPY SENT TO OPERATOR

Date: 2.5.2009

Initials: KS

Date: 01-29-09

By: [Signature]

13. Name & Signature: SHELLEY E. CROZIER [Signature] Title: REGULATORY & PERMITTING SPECIALIST Date: 01/20/09

(This space for Federal or State office use)

RECEIVED

JAN 20 2009



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

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

**API:** 43-013-33488  
**Well Name:** LC TRIBAL 3-11D-56  
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**Date Original Permit Issued:** 2/5/2007

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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

Shelley E. Crozier  
Signature

1/20/2009  
Date

**Title:** Regulatory & Permitting Specialist

**Representing:** Berry Petroleum Company

**RECEIVED**  
JAN 28 2009  
DIV. OF OIL, GAS & MINING

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

FORM 9

**SUNDRY NOTICES AND REPORTS ON WELLS**

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.

1. TYPE OF WELL OIL WELL <input checked="" type="checkbox"/> GAS WELL <input type="checkbox"/> OTHER _____		5. LEASE DESIGNATION AND SERIAL NUMBER: 14-20-H62-5500 (EDA)
2. NAME OF OPERATOR: BERRY PETROLEUM COMPANY		6. IF INDIAN, ALLOTTEE OR TRIBE NAME:
3. ADDRESS OF OPERATOR: 4000 S. 4028 W. CITY Roosevelt STATE UT ZIP 84066		7. UNIT or CA AGREEMENT NAME: N/A
4. LOCATION OF WELL FOOTAGES AT SURFACE: 259' FNL, 2531' FEL BHL: 706' FNL, 1878' FWL COUNTY: DUCHESNE QTR/QTR, SECTION, TOWNSHIP, RANGE, MERIDIAN: NWNE 11 T5S R6W STATE: UTAH		8. WELL NAME and NUMBER: LC TRIBAL 3-11D-56
PHONE NUMBER: (435) 722-1325		9. API NUMBER: 4301333488
10. FIELD AND POOL, OR WILDCAT: LAKE CANYON		

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: _____	<input type="checkbox"/> ACIDIZE	<input type="checkbox"/> DEEPEN	<input type="checkbox"/> REPERFORATE CURRENT FORMATION
<input type="checkbox"/> SUBSEQUENT REPORT (Submit Original Form Only) Date of work completion: _____	<input type="checkbox"/> ALTER CASING	<input type="checkbox"/> FRACTURE TREAT	<input type="checkbox"/> SIDETRACK TO REPAIR WELL
	<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: <u>1 YR. EXTENSION</u>
	<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.

BERRY PETROLEUM COMPANY RESPECTFULLY REQUESTS THAT THE APPROVED APPLICATION TO DRILL FOR THE ABOVE SUBJECT WELL BE EXTENDED FOR A PERIOD OF ONE (1) YEAR.

Approved by the  
Utah Division of  
Oil, Gas and Mining

STATE BOND #RLB0005651

**COPY SENT TO OPERATOR**

Date: 1.5.2010  
Initials: KS

Date: 12-31-09  
By: [Signature]

**RECEIVED**

DEC 29 2009

DIV. OF OIL, GAS & MINING

NAME (PLEASE PRINT) <u>SHELLEY E. CROZIER</u>	TITLE <u>REGULATORY &amp; PERMITTING SPECIALIST</u>
SIGNATURE <u>Shelley E. Crozier</u>	DATE <u>12/28/2009</u>

(This space for State use only)



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

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

**API:** 43-013-33488  
**Well Name:** LC TRIBAL 3-11D-56  
**Location:** (NW/NE) 259' FNL, 2531' FEL, SEC. 11-T5S-R6W  
**Company Permit Issued to:** BERRY PETROLEUM COMPANY  
**Date Original Permit Issued:** 2/5/2007

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

Shelley E. Crozier  
Signature

12/28/2009  
Date

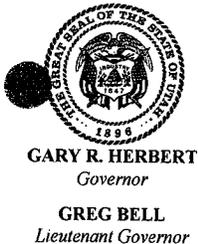
Title: Regulatory & Permitting Specialist

Representing: Berry Petroleum Company

**RECEIVED**

**DEC 29 2009**

**DIV. OF OIL, GAS & MINING**



# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
*Executive Director*

### Division of Oil, Gas and Mining

JOHN R. BAZA  
*Division Director*

January 10, 2011

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

Re: APD Rescinded – LC Tribal 3-11D-56, Sec. 11, T. 5S, R. 6W  
Duchesne County, Utah API No. 43-013-33488

Dear Ms. Fieldsted:

The Application for Permit to Drill (APD) for the subject well was approved by the Division of Oil, Gas and Mining (Division) on February 5, 2007. On February 7, 2008, January 29, 2009 and December 31, 2009 the Division granted a one-year APD extension. On January 7, 2011, 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 7, 2010.

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

(435) 781-4400 Fax: (435) 781-4410

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

**DEC 19 2011**



IN REPLY REFER TO:  
3160 (UTG011)

Kathy Fieldsted  
Berry Petroleum Company  
Route 2, Box 7735  
Roosevelt, UT 84066

43 013 33488

Re: Request to Return APD  
Well No. LC Tribal 3-11D-56  
NWNE, Sec. 11, T5S, R6W  
Duchesne County, Utah  
Lease No. 2OG0005500

Dear Ms. Fieldsted:

The Application for Permit to Drill (APD) for the above referenced well received in this office on January 12, 2007 is being returned unapproved per your request to this office in an email message to Natural Resource Specialist Brian Barnett received on December 12, 2011. 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 Cindy Severson at (435) 781-4455.

Sincerely,

Jerry Kenczka  
Assistant Field Manager  
Lands & Mineral Resources

Enclosures

cc: UDOGM  
BIA  
Ute Tribe

RECEIVED

JAN 10 2012

DIV. OF OIL, GAS & MINING