

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

FORM 3
AMENDED REPORT

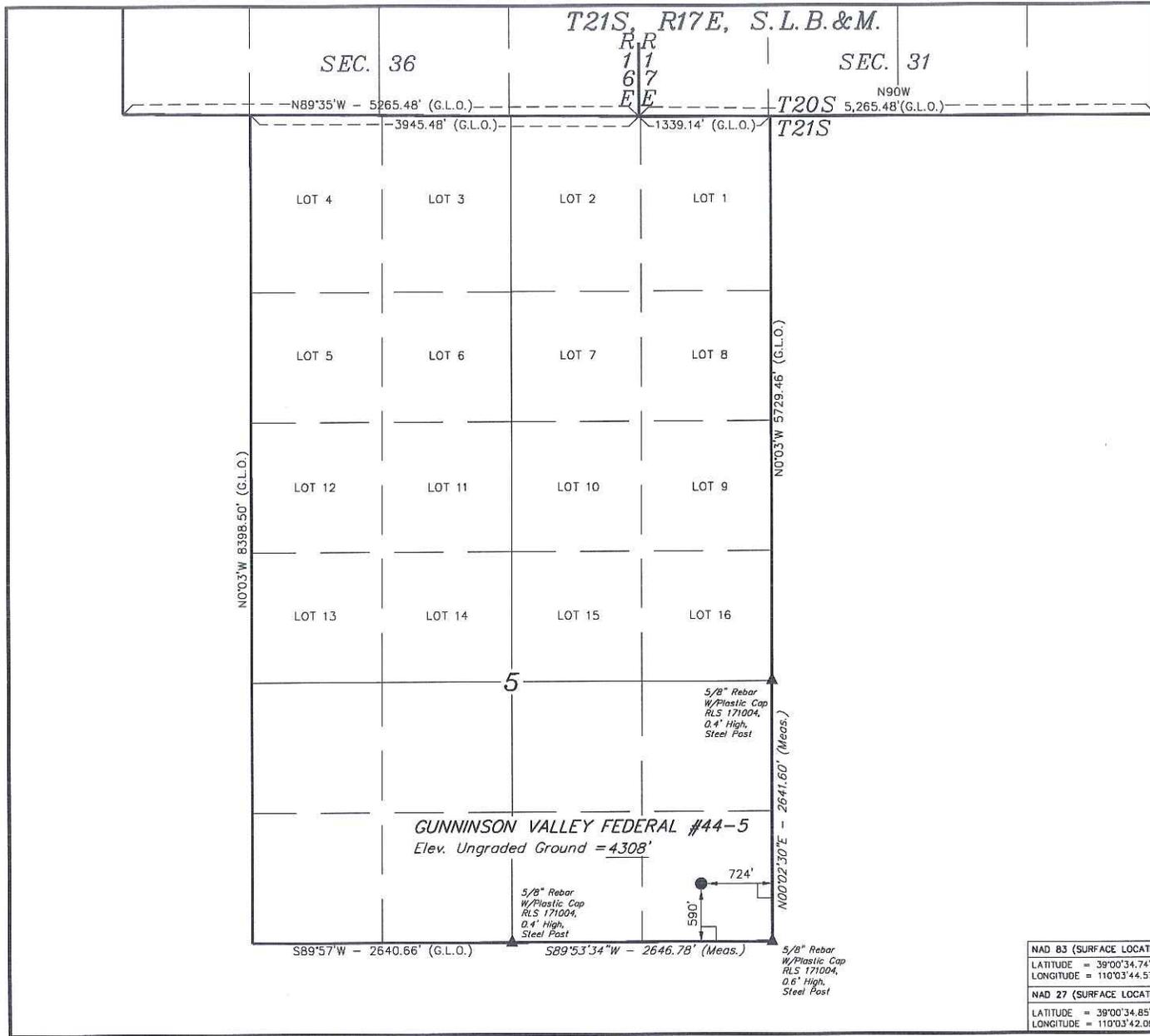
APPLICATION FOR PERMIT TO DRILL						1. WELL NAME and NUMBER Gunnison Valley Federal 44-5
2. TYPE OF WORK DRILL NEW WELL <input checked="" type="checkbox"/> REENTER P&A WELL <input type="checkbox"/> DEEPEN WELL <input type="checkbox"/>						3. FIELD OR WILDCAT WILDCAT
4. TYPE OF WELL Gas Well Coalbed Methane Well: NO						5. UNIT or COMMUNITIZATION AGREEMENT NAME
6. NAME OF OPERATOR FIDELITY E&P COMPANY						7. OPERATOR PHONE 303 893-3133
8. ADDRESS OF OPERATOR 2585 Heartland Drive, Sheridan, WY, 82801						9. OPERATOR E-MAIL marv.rygh@fidelityepco.com
10. MINERAL LEASE NUMBER (FEDERAL, INDIAN, OR STATE) UTU79808			11. MINERAL OWNERSHIP FEDERAL <input checked="" type="checkbox"/> INDIAN <input type="checkbox"/> STATE <input type="checkbox"/> FEE <input type="checkbox"/>			12. SURFACE OWNERSHIP FEDERAL <input checked="" type="checkbox"/> INDIAN <input type="checkbox"/> STATE <input type="checkbox"/> FEE <input type="checkbox"/>
13. NAME OF SURFACE OWNER (if box 12 = 'fee')						14. SURFACE OWNER PHONE (if box 12 = 'fee')
15. ADDRESS OF SURFACE OWNER (if box 12 = 'fee')						16. SURFACE OWNER E-MAIL (if box 12 = 'fee')
17. INDIAN ALLOTTEE OR TRIBE NAME (if box 12 = 'INDIAN')			18. INTEND TO COMMINGLE PRODUCTION FROM MULTIPLE FORMATIONS YES <input type="checkbox"/> (Submit Commingling Application) NO <input checked="" type="checkbox"/>			19. SLANT VERTICAL <input checked="" type="checkbox"/> DIRECTIONAL <input type="checkbox"/> HORIZONTAL <input type="checkbox"/>
20. LOCATION OF WELL	FOOTAGES	QTR-QTR	SECTION	TOWNSHIP	RANGE	MERIDIAN
LOCATION AT SURFACE	590 FSL 724 FEL	SESE	5	21.0 S	17.0 E	S
Top of Uppermost Producing Zone	590 FSL 724 FEL	SESE	5	21.0 S	17.0 E	S
At Total Depth	590 FSL 724 FEL	SESE	5	21.0 S	17.0 E	S
21. COUNTY GRAND			22. DISTANCE TO NEAREST LEASE LINE (Feet) 590		23. NUMBER OF ACRES IN DRILLING UNIT 40	
			25. DISTANCE TO NEAREST WELL IN SAME POOL (Applied For Drilling or Completed) 0		26. PROPOSED DEPTH MD: 11150 TVD: 11300	
27. ELEVATION - GROUND LEVEL 4307			28. BOND NUMBER CO1395		29. SOURCE OF DRILLING WATER / WATER RIGHTS APPROVAL NUMBER IF APPLICABLE Municipal	

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 type="checkbox"/> AFFIDAVIT OF STATUS OF SURFACE OWNER AGREEMENT (IF FEE SURFACE)	<input type="checkbox"/> FORM 5. IF OPERATOR IS OTHER THAN THE LEASE OWNER
<input type="checkbox"/> DIRECTIONAL SURVEY PLAN (IF DIRECTIONALLY OR HORIZONTALLY DRILLED)	<input checked="" type="checkbox"/> TOPOGRAPHICAL MAP

NAME Stephanie Masters	TITLE Operations Tech	PHONE 307 675-4924
SIGNATURE	DATE 10/14/2009	EMAIL Stephanie.Masters@fidelityepco.com
API NUMBER ASSIGNED 43019500050000	APPROVAL  Permit Manager	



FIDELITY EXPLR. & PROD. CO

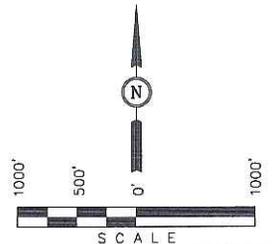
Well location, GUNNINGSON VALLEY FEDERAL #44-5, located as shown in the SE 1/4 SE 1/4 of Section 5, T21S, R17E, S.L.B.&M., Grand County, Utah.

BASIS OF ELEVATION

ABRES TRIANGULATION STATION LOCATED ON THE SE 1/4 OF SECTION 31, T21S, R17E S.L.B.&M., TAKEN FROM THE GREEN RIVER NE QUADRANGLE, UTAH, GRAND COUNTY, 7.5 MINUTE SERIES (TOPOGRAPHICAL MAP) PUBLISHED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, GEOLOGICAL SURVEY. SAID ELEVATION IS MARKED AS BEING 4518 FEET.

BASIS OF BEARINGS

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



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. 161315
STATE OF UTAH

LEGEND:

└─┘ = 90° SYMBOL

● = PROPOSED WELL HEAD.

▲ = SECTION CORNERS LOCATED.

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

NAD 83 (SURFACE LOCATION)	SCALE	DATE SURVEYED:	DATE DRAWN:
LATITUDE = 39°00'34.74" (39.009650)	1" = 1000'	09-23-08	09-29-08
LONGITUDE = 110°03'44.57" (110.062381)	PARTY	REFERENCES	
NAD 27 (SURFACE LOCATION)	C.D. T.A. S.P.	G.L.O. PLAT	
LATITUDE = 39°00'34.85" (39.009681)	WEATHER	FILE	
LONGITUDE = 110°03'42.09" (110.061692)	WARM	FIDELITY EXPLR. & PROD. CO	