



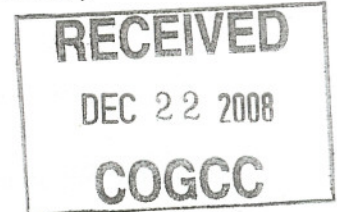
USDA Forest Service
San Juan National Forest
Dolores Ranger District
<http://www.fs.fed.us/r2/sanjuan>

Dolores Public Lands Office
29211 Highway 184
Dolores, CO 81323
Ph (970) 882-7296 Fax (970) 882-6841



USDI Bureau of Land Management
San Juan Center
Dolores Field Office
<http://www.co.blm.gov>

File Code: 3160 (CO 810)
Date:



Black Resources, Inc.
Attention: Bill Black
320 Mustang Trail
Granbury, TX 76049-5649

RE: Mary Aiken # 3 (COC 47648X)

API # 05-083-06388

Dear Mr. Black,

During the October and November 2008 drilling operations of the Mary Aiken #3 gas well (S3 T37N R14W) drilling fluids and hydrocarbons were spilled within the bermed pad. Larry Bryant, Black Resources, Inc. representative, agreed to remove the spills during the demobilization of the drilling rig. In addition, both Mr. Bryant and yourself received e mails from Tom Rice, Natural Resource Specialist with the Dolores Public Lands Office (DPLO), requiring Black Resources to take soil samples at the site within the pit area as well as within the defined bermed area and provide those to the Dolores Public Lands Office. The sampling that is required is within the State of Colorado Oil and Gas rules (900 Series, Exploration and Production Waste Management, Table 910-1). All of this was agreed to during an October 28th field visit with Mr. Bryant and confirmed via an email sent to you on October 29th.

The removal of hydrocarbon spills was completed by your dirt contractor, Casey McClelland, shortly after demobilization of the drilling rig. A field inspection of the clean up confirmed that surface spills were cleaned up and removed from the project area. However, we are not in the receipt of the results of the soil analysis.

Section III-Responsibilities of the Holder, parts D, I, J and M of your Special Use Permit (#DOL 426002) as well as CFR 3162.5-1 (b and c) require that you prevent any degradation to the well site and control any pollutants and/or hazards. This responsibility has not been met. Therefore, in order to ensure that Black Resources fulfills their agreement with the US Forest Service we require that the soil sampling results are submitted to Tom Rice, Natural Resource Specialist, at the address above within 10 days of receipt of this letter.

If the sampling has not been completed and current weather conditions prohibit access to the Mary Aiken #3 well site, sampling must be completed when access is possible. This must be coordinated with this office. If you choose to not follow the directive of this letter it can result in the forfeiture of your Special Use Permits for this project and subsequent projects on National



Forest System lands. Furthermore you may also be subject to an Incident of Non-Compliance punishable by an initial fine of \$250 and an additional civil penalty of up to \$500 per day (CFR 3163.1(a) (2) and 3163.2(a)).

This situation requires your immediate attention. Please contact me at 970 882 6843 if you have any questions.. Questions regarding the sampling procedures or permitting can be directed to Tom Rice at 970 882 6845.

Sincerely,

A handwritten signature in black ink that reads "Jamie Sellar-Baker". The signature is written in a cursive, flowing style.

Jamie Sellar-Baker

Associate Field Manager, Dolores Publics Lands Office

Cc: Karen Spray, COGCC
Ruth Richardson, San Juan Public Lands Center