



STATE OF COLORADO
 OIL AND GAS CONSERVATION COMMISSION
 Department of Natural Resources
 Room 721, State Centennial Building
 1313 Sherman Street
 Denver, Colorado 80203

NATURAL GAS CATEGORY DETERMINATION

Date Application Filed 12-12-79 Filing No. 79-823

Applicant/Operator Name and Address:

Cougar Petroleum Company
 633 - 17th Street - Suite 2050
 Denver, CO 80202

7

Well Name and Number: Smith #1 A.P.I. #05-075-8800

Reservoir: "J" Sand Wildcat Field)

Location: Sec. C SW NE 2 Twp. 10N Rge. 49W Mer. 6 p.m.

County: Logan

Category Determination Requested: Section 102 (2.5 mile test)

Category Determination: X Affirmative Negative*

The following information and reference materials are being submitted to FERC with this determination:

1. List of participants thus far including the applicant and all parties submitting comments on the application. _____
2. A statement on any matter being opposed. _____
3. A copy of the application and all materials required under Part 274, subpart B. A copy or description of materials as required by 274:104(a)(4), amended 8/1/79.

*In the case of a negative determination, only a copy of the determination and a copy of FERC Form 121 will be forwarded to FERC. If the applicant or any aggrieved party so requests within 15-days of a negative determination, all information referenced in 1 thru 3 will be forwarded with the determination to FERC in accordance with 274.104(b).

A jurisdictional agency determination is hereby made that the natural gas referred to above ~~does not~~ qualify as natural gas produced from a new natural gas well (2.5 mile test) in accordance with the applicable provisions of the NGPA.

Douglas V. Rogers, Director

Date: FEB 11 1980

The Jurisdictional Agency determination was based on information contained in or added to the Application. Review by the professional staff of the Colorado Commission indicates that this well is an (New) (~~Old~~) well. The well produces from the J Sand

reservoir(s); and is more than 2.5 miles from any well which produced gas in commercial quantities prior to April 20, 1977.

This conclusion was originated by examination of completion report, and a plat sheet showing that there are no wells within 2.5 miles of this well which are capable of production. This was checked against the official plats maintained by the Colorado Commission.

Which show this well is more than 2.5 miles from any marker well.

And meets the qualifications of a (102) well as defined in the N.G.P.A.

AFFIDAVIT OF NON-PRODUCTION, NONDEVELOPMENT
AND NONPAYMENT OF RENTAL

STATE OF Colorado
COUNTY OF Logan

RUSSELL K. SMITH a/k/a RUSSELL SMITH, being first duly sworn deposes and says:

That Martin Keith Smith, James Kevin Smith, Marvin Kurt Smith and Kathleen Marie Smith, are the mineral owners of the following described land situated in the county of Logan, State of Colorado, to-wit:

Township 10 North Range 49 West 6th P.M.
Section 2, Lots 1, 2, 3, 4, S/2NE/4, N/2SE/4
containing 321.64 acres, more or less

which land is described in an Oil and Gas Lease executed on the 21st day of August, 1979, by Russell K. Smith, also known as Russell Smith, as Lessor, and Cougar Petroleum Corporation as Lessee, recorded in Book 734 Page 720, in the office of the County Clerk of said county.

That since the date of said lease, a well was commenced in the SW/4NE/4 of Section 2, Township 10 North, Range 49 West, on October 5, 1979. This well, called the Russell K. Smith #1, was shut-in as a gas well on October 31, 1979, according to correspondence to Lessors from Lessee.

WHEREAS, by instruction of said correspondence dated October 26, 1982, from Cougar Petroleum Corporation, Lessor was to receive a shut-in royalty payment equal to the previous delay rental, by August 21, 1983, and

WHEREAS, such payment was never sent to Lessor and to date no payment of any nature whatsoever, be it on the basis of delay rental payment or shut-in royalty payment, has been received by Lessor since October 1982.

WHEREAS, Lessor has made diligent inquiry into such payment and has been unable to establish contact with Lessee or any of the assigns of Lessee, and

WHEREAS, the primary term of the above referenced oil and gas lease has now elapsed, that Lessors have not executed any extensions of said original lease and that the same has expired,

THEREFORE, Affiant further states that by reason of the non-compliance with the terms of said lease by Lessee and/or its assigns, said lease was forfeited, and affiant will not, by the acceptance of rentals, or in any other manner, recognize the same as a valid or existing lease.

Further, Affiant saith not.

X Russell K. Smith

Subscribed and sworn to before me this 19th day of September, 19 84. My commission expires 02/09/85.

Sharon Emelish

Provided well is
located not less than
600 from your lease line

TYPE

ROUTING SLIP

Date Permit Recd:

9/28/79

DVR	
FJP	
HHM	<input checked="" type="checkbox"/>
JAM	<input checked="" type="checkbox"/>
JJD <i>Plotter</i>	
RLS	
CGM	

PERMIT NO. 79-1036

BOND Blanket - Foltelk

1/18/78

Date of Check 9/27/79
Check # 11836 Amt. \$ 75.00 ✓
Name of Company Foltelk Drilling Co. & Cougar
Oil Co.
Maker of Check Same
Bank Check Issued On 1st Natl Banks of Nev.

Refund \$ _____ Requested By _____
Date Refund Request Sent to Accounting _____
Remarks _____