

**Plan of Operations for Cable-Only Operations
Cimarex Energy Co.'s
Delilah 3-D Seismic Survey
Lance Rosier and Pine Island-Little Pine Island Bayou
Corridor Units
Big Thicket National Preserve
Hardin County, Texas**

INTRODUCTION

Cimarex Energy Co. (Cimarex) proposes to conduct cable-only operations associated with a three-dimensional (3-D) seismic survey within the Lance Rosier (LRU) and Pine Island-Little Pine Island Bayou Corridor (LPIBCU) Units of the Big Thicket National Preserve (Preserve). A total of 4.78 square miles (3,059 acres) of Preserve lands overlap the Delilah 3-D, of which 4.76 is permitted for the right to operate, or 99.6%. The purpose of the survey is to provide a high-resolution image of subsurface geological features that will allow Cimarex to effectively evaluate hydrocarbon reserves underlying the project area. The maps included in Appendix A depict the following information:

1. Areas where operations will be conducted including receiver line corridors and locations of source points adjacent to the Preserve boundaries
2. Areas where Cimarex has the right to conduct operations within the Preserve boundaries based upon documentation provided to the NPS, and areas where additional surface use is being requested to provide for access (including denoting existing roads, any pipeline right-of-way expected to be utilized, and any other access routes)
3. Special Management Areas from the Preserve's Oil and Gas Management Plan

CONTACTS

Geophysical Contractor

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Person(S) Accountable For Operations

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Surface Owner

The surface owner of the units of the Big Thicket National Preserve encompassed by the project is the United States. The National Park Service administers the lands and waters within the Preserve.

Lessor (Mineral Owner)

As per NPS regulations at 36 CFR 9.36(a)(2), Cimarex has provided the NPS with documentation demonstrating that it has a right to conduct 3-D geophysical operations within areas of the Preserve. Cimarex has secured the rights to explore for oil and gas underlying 3,047.83 acres or approximately 99.6 percent of the LRU and LPIBCU of the Preserve within the project area from mineral owners or lessees in the respective areas. Copies of all mineral leases and/or permits have been provided to NPS. The permitted areas map within Appendix A shows where Cimarex has the right to conduct operations within Preserve boundaries based upon documentation provided to the NPS, and where additional surface use is being requested to provide for access. No receiver points would be placed on the surface of the Preserve unless a lease, permit, or option exists. Cimarex has no intention of using data from tracts where no documentation of its right to conduct operations has been provided by NPS.

Surface permission is separate and independent of the subsurface because data are acquired in the form of a patch, which includes various offsets. The data recorded from any one source point are sorted into subsurface bins. Each bin is summed and geometrically corrected to place it in its proper subsurface position. Data that fall into subsurface bins or areas in which no mineral permit exists are deleted.

Lessee/Permittee

Cimarex Energy Co.
15 East 5th Street
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Tulsa, Oklahoma 74103-4346

AFFECTED ENVIRONMENT

The project area is within the Lower Coastal Plain geographic area of Southeast Texas. The land surface is gently rolling with a vast network of creeks, rivers, floodplains, and wetlands that support a diversity of vegetation and wildlife. Only minimal clearing of vegetation would be necessary, and with implementation of cutting restrictions, impacts to vegetation would be confined to the understory and midstory layers, and affect mainly herbaceous and shrub vegetation.

The abundant and diverse vegetation of the BTNP provides habitat for a variety of fish and wildlife, including threatened, endangered, and rare species. There are no known threatened, endangered, or rare species locations within the project area; therefore, no impacts are anticipated. There are also wetlands present within the Preserve. Only foot traffic would be conducted within wetland areas; therefore, impacts should be negligible.

There are no known cultural/historical sites located along receiver lines within the Preserve. William E. Moore, RPA, Brazos Valley Research Associates (BVRA) visited the Texas Archeological Research Laboratory (TARL) on the campus of The University of Texas at Austin to check for known sites within the project area. BVRA compared project maps to maps on file at TARL to check for previously recorded sites. Should cultural/historical sites be discovered during operations, they would immediately be reported to the National Park Service and Texas Historical Commission. Vehicle use would be confined to established roads and any off-road access would be via foot traffic only; therefore, no ground disturbance is anticipated. As a result, there would be no adverse impacts on previously undiscovered, buried, archeological resources.

The Oil and Gas Management Plan (OGMP) for the Preserve identifies Special Management Areas (SMAs) and operating stipulations. Some of these are located within the Delilah 3D project area (refer to Special Management Areas Map in Appendix A). Further, the NPS' Nonfederal Oil and Gas Rights Regulations at 36 CFR 9.41(a) stipulate that nonfederal oil and gas operations may not be conducted within 500 feet from perennial, intermittent, or ephemeral watercourses, or within 500 feet of any structure or facility (excluding roads) used for unit interpretation, public recreation or for administration of the unit, unless specifically authorized by an approved plan of operations. These are listed in the table below, along with the offsets proposed by Cimarex. Cimarex is requesting an exception to some of these distance offsets due to the fact that their proposed "cable-only" operations would have minimal, short-term impacts to preserve resources. In order to help assure data quality, Cimarex needs to place receiver line equipment within the offset distances designated under the 9B regulations or Preserve OGMP.

Table 1. Offset Distances Provided for by NPS Regulation/Policy Compared with Cimarex's Proposal

Reference	Distance Offset	Unit	Cimarex Proposal
36 CFR 9.41(a)	500' offset from watercourses	LPIBCU, LRU	Cimarex proposes to offset operations out of watercourses. No equipment will be placed in the watercourse itself. Cimarex requests

Reference	Distance Offset	Unit	Cimarex Proposal
			exception to the 500' offset distance due to the fact that operations are walk-only, and there would be negligible impacts to watercourses as a result of operations.
OGMP	Hunting Areas from the opening date of the State of Texas fall hunting season through completion of operations	LRU	Cimarex proposes to operate in hunting areas during the hunting season. Cimarex's crew commitments and mineral permits, leases, and options are such that the proposed project could not be accomplished by delaying operations until the end of hunting season. Cimarex requests exception to the hunting area timing restrictions since impacts to hunters and the hunting experience from project operations would be minimal and short-term.

Cimarex needs to operate within the Lance Rosier Unit during the hunting season in order to accomplish project objectives. Cimarex has leases and options that are dated and does not have the ability to postpone operations until after the end of hunting season. Cimarex would conduct operations in a manner that would avoid or minimize health and safety hazards to seismic survey field parties/work crews, park visitors and hunters; and would allow for the successful completion of the proposed project without measurably adversely affecting the hunting experience.

Cimarex would inform the public of operations in the Preserve by posting signs in visitor use areas. Measures would be incorporated into operations to insure

safety. For example, hunters would be informed about project timelines, helicopter use, and operational methodology, and Cimarex crew members would all be required to wear bright orange vests during operations to insure that they are highly visible to hunters/visitors in the area.

Project impacts to all preserve resources are expected to be minimal and temporary in nature.

DESCRIPTION OF OPERATIONS

Access

Crews would access the Preserve on foot. ATVs would only be utilized on approved roads and trails.

Equipment

Only seismic cables, geophones, and helicopter equipment bags will be placed in the Big Thicket along the established receiver line routes. The location of each geophone is indicated on the maps in Appendix A. The helicopter equipment bags will remain on the ground affixed to the seismic cables while operations are underway.

Vegetation Cutting/Surveying of Receivers

Surveying within the Preserve would be accomplished using Inertial Navigation Systems (INS). These devices use a system of gyros to fix positions based on gravity and the earth's magnetic field vector, thus negating the need for line-of-sight necessary for conventional surveying. From the use of the inertial system, no cutting of vegetation will be required. Only minimal cutting/trimming of vegetation will be required to facilitate the passage of crews on foot down the receiver lines. To denote point locations, surveyors will place pin flags at every receiver point.

Drilling

Drilling would not occur in the Preserve; however, it would occur within the remainder of the project area. One single hole would be drilled at each source point location, loaded with the appropriate charge, and plugged with bentonite. No source holes would be placed in the Preserve, and no off-road vehicle use would be permitted in the Units.

Recording/Troubleshooting

The 3-D seismic survey within NPS lands requires the deployment of motion sensing devices (receivers), which would be deployed at regular intervals of 220 feet along receiver lines, with spacing between receiver lines of 1,320 feet.

Recording operations are scheduled to begin shortly after surveying, and could occur within Preserve lands over a period of approximately 30 days. Recording equipment would consist of cables, geophones, and batteries. This equipment would be deployed and removed by helicopter and laid out and picked up by crews on foot. The minimum altitude of non-emergency helicopter operations conducted within the Preserve would be 100 feet.

The helicopter will deploy helicopter equipment bags (heli-bags) to the surveyed receiver line corridors over the Big Thicket property. The heli-bags are remotely 'unhooked' from the helicopter by the pilot once the heli-bag is set on the ground. Exact heli-bag deployment locations are determined by the recording crew in the field but always coincide with a receiver station location and within the receiver line corridor. On average, there will be 3-4 heli-bag deployment locations on each receiver line corridor within the Big Thicket. Afterwards the seismic recording crew will walk along the receiver line corridor and allowable access routes to each of the deployed heli-bags. The crew will then remove the seismic cables and geophones from the heli-bag and carry the geophones to each surveyed geophone location along the receiver corridor. After the geophones are placed in the ground they are then connected to the seismic cable. Geophones are planted in the ground via a planting pole held by the seismic worker and held in the ground by a 3" spike. The heli-bag remains on the receiver corridor while the equipment is laid out but is secured to a seismic cable to prevent it from becoming misplaced.

During recording operations, the charge in each source hole outside the Preserve would be remotely detonated, one at a time, and the resulting energy wave recorded

Removal of Receivers/Cleanup

Clean-up would be done in conjunction with each phase of operations. After recording is completed, the seismic crew reverses the process by picking up all equipment, flagging, trash and other refuse and placing it neatly into the heli-bag. Once the heli-bags are all packed up, the helicopter would retrieve the bags and remove them from the project area. Typically, a seismic worker would connect the heli-bag to the helicopter hook once it is safely lowered to the ground.

All equipment, trash, and other refuse brought in by the crews would be removed from the project area and stored and/or disposed of properly.

Field Parties/Work Schedule

The following table provides information on the field parties required and work schedules anticipated for the proposed operation.

Field Operation	Number of crews	Composition of each crew	Length of time for operation	Comments
Surveying	2 crews of 4 people (8 people total)	1 supervisor 1 equipment operator 2 assistants	Placement of survey flags would take an anticipated 10 days	Survey work would begin immediately following receipt of the permit
Line Cutting	1 crew of 3 people (3 people total)	1 supervisor 2 cutting people	Any necessary cutting, if any at all, would take an anticipated 10 days	For the purpose of clearing impassable areas and removing deadfall on an as need basis following the surveyors.
Data Recording Equipment Layout	2 crews of 5 people (10 people total)	1 supervisor 4 seismic crew workers	Layout and set up of the seismic cables and geophones would take an anticipated 6 days.	After layout, only the troubleshooter would enter the Preserve.
Data Recording Equipment on the Ground	N/A	N/A	28 days anticipated from time of deployment by helicopter to retrieval by helicopter	Once the equipment is laid out it would remain on the ground untouched until data recording is complete
Data Recording	1 trouble	1 person on	Over the	Monitor would

Field Operation	Number of crews	Composition of each crew	Length of time for operation	Comments
Equipment Troubleshooting	shooter	foot	course of 28 days this person would check equipment on an as need basis	be arranged to accompany troubleshooter.
Data Recording Equipment Pick Up and Clean Up	2 crews of 5 people (10 people total)	1 supervisor 4 seismic crew workers	Pickup of the equipment and clean up of the flags and any other debris would occur at the same time over the course of 6 days once data recording is completed.	Final inspection would occur at this time or very soon after as required by NPS.

Mitigation Measures Including Third Party Monitoring

Certain management and operational mitigation procedures will be implemented for the duration of the seismic survey to prevent and correct adverse impacts within the project area. Documentation of associated activities will provide the Preserve Superintendent with the necessary information needed to modify seismic activities, as necessary, to insure that Preserve objectives and site integrity are not compromised.

Cimarex will conduct all exploration in a manner as to prevent damage, erosion, pollution, or contamination to the lands, waters, facilities and vegetation of the area. Cimarex personnel agree to immediately report any sightings of cultural features or artifacts or of threatened and endangered species to the Preserve Superintendent or his representative.

Mitigation Measures

Several operational methods will be implemented to uphold commitments and insure that Cimarex conducts operations in the most environmentally friendly and least-invasive manner possible.

1. *Training Program:* Training of field personnel will be conducted prior to the initiation of seismic activities. Training will include environmental stipulations and operational commitments as well as environmental awareness training. Training will be repeated periodically throughout the program to account for turnover in personnel.
2. Daily "tailgate" safety and environmental meetings will be conducted by Cimarex to review safety and environmental concerns and operating procedures. These will provide an additional forum for the environmental monitors and/or the Preserve Superintendent to address concerns. Subjects to be covered daily include:
 1. Safety of personnel.
 2. Areas where operations are to be conducted.
 3. Review of mitigation measures approved in the plan of operations.
 4. Areas in the proximity of the operations that have been designated as "off limits" areas and are to be avoided.
 5. Problems crews anticipate may be encountered; resolve these problems in a manner that complies with the approved Plan of Operations.
 6. Determine any need to vary from the approved Plan of Operations. No variance will be made without the advance written approval of the NPS.
 7. Re-emphasize limitations set forth in the approved Plan of Operations.
 8. Oral reports from crew members confirming that all activities and operations completed the prior day complied with the approved Plan of Operations. Both compliance and non-compliance will be reported to the NPS in daily field reports.
3. Any NPS concern regarding compliance with the approved Plan of Operations will be directed to Greg Brannon (Geophysical Explorer) and/or Mark Wagaman (Cimarex).
4. The cutting of woody vegetation (dead or alive) is limited by size to three (3) inches in diameter, measured one (1) foot above ground. All cuts must be flush with the ground, and the height of the remaining stump will be no greater than one (1) inch from the ground surface. No limb larger than

three (3) inches in diameter, measured at the branch collar or branch bark ridges, will be cut. The remaining limb will not extend more than one (1) inch beyond the main trunk. Any trees found dead on the ground can be cut and removed from the seismic line, regardless of size; however, dead trees that are still standing will be cut in accordance with the size stipulations. Cutting of vegetation is limited to the minimum necessary to accommodate necessary travel to and down receiver lines. Use of motorized cutting equipment is permitted.

5. Any size of the Yaupon holly (*Ilex vomitoria*) or the exotic Chinese tallow (*Sapium sebiferum*) tree may be cut only if leaves are showing or identified by an individual trained in tree identification.
6. Vegetation will be selectively cut along receiver lines. Vegetation will be cut in a manner that facilitates access for crews, while minimizing the amount of vegetation cut.
7. No cypress knees will be cut.
8. Helicopters will be used to lower equipment, via cable, along receiver lines in order to minimize surface impacts in the area. The minimum altitude for non-emergency helicopter operations is 100 feet. The helipad will be located outside of the Preserve boundary. Helicopter operations will be conducted in accordance with 14 CFR Ch. 1, 91.119. Paragraph (d). Helicopters of this section permits the flight of helicopters at less than 500 feet “if the operation is conducted without hazard to persons or property on the surface.” Furthermore, AC 91-36C-Visual Flight Rules (VFR) Flight near Noise Sensitive Areas addresses lands administered by the National Park Service, U.S. Fish and Wildlife Service, or the U.S. Forest Service. This FAA advisory circular prohibits many activities involving airborne equipment or personnel deliveries “without authorization.” Finally, 36 CFR – Parks, Forests, and Public Property, Part 2, sec. 2.17 (3) permits the delivery or retrieval of a person or object by helicopter “pursuant to the terms and conditions of a permit.”
9. All access paths for foot traffic will be chosen in a manner that will minimize path length and avoid areas designated as “off limits” or “offset areas.”
10. At any time that operations result in ground disturbance exceeding 2” below surface in areas of high probability for discovery of archeological resources, operations would be re-routed or would cease until a qualified archeologist is onsite to monitor the ground-disturbing activities. As defined by the NPS, areas of high probability for discovery of archeological resources include: (1) elevated ridge tops; (2) flat benches overlooking the lower upland flats; (3) all sand mounds (pimple mounds), especially those of three or more feet of relief within areas of seasonal inundation; (4) all high ground adjacent to

major drainage flood zones (typically 40 or more feet above mean sea level); and (5) slopes and ridges in close proximity (100 meters [300 feet]) to permanent water sources. The operator shall immediately bring to the attention of the Superintendent any cultural or scientific resource encountered that might be altered or destroyed by the operation and shall leave such discovery intact until told to proceed by the Superintendent. The Superintendent will evaluate the discoveries, and will determine within ten (10) working days what action will be taken with respect to such discoveries.” (see 36 CFR 9.47 and 36 CFR 800.13(b)(3)). Due to off-road access being confined to foot traffic only for the approved operations in the Preserve, ground disturbance is not anticipated.

11. It may be necessary to adjust receiver lines during the survey. Cimarex will coordinate all line adjustments with the NPS and environmental monitors. NPS must approve the location of all adjustments or offsets before any line or point is moved.
12. Harassing, injuring, or destroying wildlife is prohibited (including all snakes). It is illegal to damage or destroy nests or dens of wildlife, and appropriate measures will be employed to avoid these areas.
13. An incidental take of a federally listed species will be immediately reported to the NPS and USFWS, all other protected species will be reported to the NPS. [Endangered Species Act, 16 USC §§ 1531 – 1544, 50 CFR Parts 402, 450]
14. Fishing during seismic activities is prohibited. Taking turtles, frogs, snakes, or other wildlife is prohibited.
15. The Preserve Superintendent may stop any work or activity, which threatens to harm a threatened or endangered species, which is causing significant harm to the Preserve resources, which threatens historic or cultural resources, or which endangers public safety.
16. Cimarex will provide a sign for display at the Preserve Visitor Center to inform the public of proposed operations. Appropriate measures will be employed to reduce potential conflicts between seismic operations and the general public. Cimarex will provide additional information to any interested member of the public, and will educate the Preserve’s interpretive staff on the project.
17. All cans, bottles, paper, and other trash generated by the seismic crews will be removed from the Preserve daily.

18. All equipment and debris incidental to the survey (e.g., flagging, wire, poles, etc.) will be removed following cessation of activities on each receiver line. Equipment and debris from the survey of source point locations, access routes and wetland/upland boundaries within the LRU performed prior to Cimarex modifying its proposal to utilize cable-only methodology would also be removed from the Preserve.
19. Possession of firearms is prohibited.
20. Cimarex will be responsible for equipment/supplies stored within Preserve boundaries.
21. Seismic operations will not be conducted during times of extreme weather (i.e. hurricanes, tropical storms). In the event of a hurricane, procedures from Cimarex's Hurricane Evacuation Plan will be followed.
22. All work activities will be conducted during daylight hours.
23. All NPS regulations will be adhered to by all seismic personnel at all times, unless otherwise authorized by the NPS. Seismic personnel will comply with all applicable ordinances, laws, decrees, statutes, rules, and regulations of all State and federal entities.
24. Hunters and visitors will be notified, via signage and distribution of information, of the likelihood of helicopter operations being conducted at altitudes of 100 feet and above throughout the project area for the duration of operations.
25. All crew members will wear bright orange vests in order to make them visible to visitors and hunters.
26. Cimarex will advise the Preserve Superintendent at least 72 hours in advance of initial seismic activities and will coordinate all activities during the seismic survey on the Preserve with the Preserve Superintendent or his representative.
27. Cimarex will protect all survey monuments, witness corners, reference monuments and bearing trees against destruction, obliteration, or damage from operations. Cimarex shall be responsible for the reestablishment, restoration, or referencing of any monuments, corners, or bearing trees which are destroyed, obliterated, or damaged by such operations. [36 CFR § 9.41(b)]

28. Cimarex prepared and submitted to the NPS, an Emergency Response Plan (**Appendix B**) to ensure safe operating procedures in the event of a reportable quantity spill; damage to wells, pipelines, or other structures; fire; explosion; medical evacuation; or other emergencies such as strong winds, heavy rainfall, swift currents, and flooding. [36 CFR 9.36(a)(10)(vi), 40 CFR § 112]
29. The Preserve Superintendent and environmental monitors will be provided with detailed maps showing locations of all seismic survey lines immediately after surveying the line locations and prior to trimming vegetation and laying out cables and seismic receivers.
30. The NPS may modify or add conditions to these stipulations as deemed necessary by the Preserve Superintendent to protect Preserve resources or enhance safety. The NPS may also modify or add conditions to existing stipulations if deemed necessary by the Preserve Superintendent, in consultation with Cimarex, to accomplish seismic activities. No variance from this Plan of Operations will be made without NPS approval.

Third-Party Monitoring

General

Third-party environmental monitors for seismic activities will be hired at the expense of Cimarex to ensure compliance with the approved Plan of Operations. Only a neutral third party not associated with the operations should be considered for the third party monitoring.

Cimarex's contract with the third party monitor shall include a provision requiring the third party monitor to report directly to the NPS, and not to the operator or its subcontractors, and identify the frequency of reports (daily, weekly, monthly). If a violation of the terms of the monitoring contract occurs, the NPS may require immediate corrective actions from replacement of the monitor up to suspension of the plan of operations approval.

Roles and Responsibilities of the Monitors

Environmental monitors will be on duty at all times during seismic activities. There will be one monitor present with each field party/work crew. Each monitor would be qualified to insure compliance with the plan of operations and document any impacts resulting from operations. All meetings with field personnel will be attended by the third-party monitor and will also be open to NPS employees or designated agents.

Pictures will be taken on an as-needed basis to demonstrate compliance and to record any noncompliance with the proposed Plan of Operations. Pictures, when taken, will be forwarded to the Preserve Superintendent or his representative with the daily compliance report. Any noncompliance with the Plan will be reported promptly to the Preserve Superintendent or his representative.

If third-party monitors observe operations or practices that are believed to constitute a significant threat to Preserve resources, the monitors will immediately contact the Preserve Superintendent or his representative and report the threat to the NPS and Cimarex. A significant threat to Preserve resources may include, but not be limited to oil or contaminating substances spills; fire hazards; release of a hazardous substance; improper handling, transport, or storage of explosives; cutting, removing, or destroying vegetation outside designated receiver lines; and injury or damage to natural and cultural resources.

Roles and Responsibilities of Cimarex

Cimarex, or other persons designated by Cimarex and approved by NPS, will personally check or monitor operations in the field to document compliance with the approved Plan of Operations. Cimarex is responsible for maintaining proper conduct on the Preserve in accordance with the Plan of Operations. Cimarex is the authority over all personnel in the field. This responsibility and authority, in cooperation with the third-party environmental monitors, should be the most efficient way to manage and monitor compliance.

Each crew (surveying and recording) will have a Cimarex designated member (Project Manager) assigned as the primary person responsible for ensuring compliance with the requirements of the Plan of Operations, as well as any additional directions provided by Cimarex or NPS.

Cimarex will take immediate action to remedy any noncompliance.

All meetings with field personnel will be open to NPS employees or designated agents. In addition, access to field operations on the Preserve will be open to all NPS employees or designated agents at all times.

Roles and Responsibilities of NPS

The NPS will approve the monitor(s) and specify certain terms of Cimarex's contract with the third-party monitor.

The NPS may issue a suspension order, if necessary, to protect Preserve resources.

The NPS may suspend the operations if the monitor demonstrates to the NPS that the operations pose an immediate threat of significant injury to federally owned or controlled lands or waters.

The NPS may also suspend operations of the project if the quality of the monitoring performed by Cimarex with respect to compliance with the approved Plan of Operations is unsatisfactory to the NPS. The NPS may revoke Cimarex's approved plan of operations if circumstances warrant.

Reclamation

Reclamation is not expected to be necessary; however, if post-project assessments indicate that it is, the consulting biologist(s) and NPS will determine appropriate methods to accomplish objectives.

Topographic grades are not expected to be affected, as the geophysical operation will be walk-only, and ATV usage will be limited to routes designated by the Preserve Superintendent. Topography will be restored to grade if impacts do occur.

Performance Bond

Cimarex will submit a performance bond in an amount acceptable to the NPS. If Cimarex damages park resources, the NPS is not limited to the bond amount when seeking compensation. The NPS may also be able to avail itself of the special recovery provisions of 16 U.S.C. 19jj.

AFFIDAVIT OF COMPLIANCE

I, Mark Wagaman, am employed by Cimarex Energy Co. in the capacity of Geophysical Analyst. The statements contained herein are true and correct to the best of my knowledge.

"The approved Plan of Operations contained in this document regarding the Big Thicket National Preserve is in compliance with all applicable federal, state, and local laws and regulations."

SIGNED THIS 23rd day of December, 2008

Cimarex Energy Co.

Mark Wagaman

By: Mark Wagaman

Title: Seismic Acquisition Geophysicist

STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me on this the 23rd day of December, 2008, by Mark Wagaman, of Cimarex Energy Co., its Geophysical Analyst.

Tam H. Nguyen

Notary Public, State of Texas

