K. Blanke x 1217
KB

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P. O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:
Operations Division
Central Evaluation Section

December 12, 2006

FILE

SUBJECT: MVN-2006-3363 CQ
General Permit NOD-13

AUS-TEX Exploration, Inc.
221 Rue DeJean
Lafayette, Louisiana 70508

Gentlemen:

Receipt is acknowledged of your application dated September 9, 2006, requesting authority to construct and maintain a board road, turning wing, and ring levee for drilling the Gueymard No. 10 Well, located in Iberville Parish, approximately 11.6 miles southeasterly of Plaquemine, Louisiana.

The proposed work is permitted under authority of General Permit NOD-13. This approval to perform work is valid for 5 years from the date of this letter. This authorization does not eliminate the need to obtain any other federal, state, or local approval, which may be required by law.

The following special conditions have been made a part of this authorization:

1. As compensatory mitigation, the permittee has agreed to contract with Bayou Paul Mitigation Area, L.L.C., for the restoration of **4.2 acres** of bottomland hardwood wetlands in accordance with the Mitigation Banking Instrument for the Bayou Paul Mitigation Bank signed by the District Commander on November 21, 2006. Once the contract has been executed, the responsibility to complete the compensatory mitigation requirements of this permit becomes that of Bayou Paul Mitigation Area, L.L.C. as per the agreement.

2. The permittee shall provide the Corps of Engineers, Regulatory Branch with written verification from Bayou Paul Mitigation Area, L.L.C. that the financial arrangements have been made. This verification shall be provided by August 1 following permit issuance or prior to commencement of the work authorized in this permit, whichever comes first.

3. The compensatory mitigation identified above has been determined to be a necessary part of this permit approval. Failure by the permittee to perform the compensatory mitigation, in accordance with the permit conditions, is considered grounds for permit suspension, permit revocation, and/or restoration of the work performed under this authorization.

Blanke x1217

FILE

4. The Chitimacha Tribe of Louisiana has stated that the project area is part of the aboriginal Chitimacha homelands. If, during the course of work at the site, prehistoric and/or historic aboriginal cultural materials are discovered, the permittee will contact the Chitimacha Tribe of Louisiana at Post Office Box 661, Charenton, Louisiana 70523, and the U.S. Army Corps of Engineers, New Orleans District (CEMVN) Regulatory Branch. CEMVN will initiate the required federal, state, and tribal coordination to determine the significance of the cultural materials and the need, if applicable, for additional cultural resource investigations.

This opinion has been made on the basis of information provided by your letter. If it is later established that you furnished erroneous data, you may be directed to alter or modify your plans, to remove structures you have installed, and/or to restore the work area to pre-project conditions at your own expense. If it is established that you knowingly furnished erroneous data, you could also be subject to legal action.

There has been a recent Supreme Court decision regarding the U.S. Army Corps of Engineers regulatory authority under the Clean Water Act. We are anticipating EPA/Army guidance regarding this decision in the near future. If, at that time, you conclude that the permit terms and conditions are inappropriate, you may request a reevaluation of our jurisdictional authority and/or permit terms and conditions.

The drawings submitted with your letter are enclosed hereto and made a part of the record. Should you have any further questions concerning this matter, please call Kenny Blanke at (504) 862-1217.

Sincerely,

MAYER
OD-SC

Ronald J. Ventola
Chief, Regulatory Branch

VENTOLA
OD-S

Enclosures
See page 3 for copies furnished:

FILE

U.S. Fish & Wildlife Service
646 Cajundome Blvd., Suite 400
Lafayette, Louisiana 70506

Area Supervisor
National Marine Fisheries Service
c/o LSU Center for Wetland Resources
Baton Rouge, Louisiana 70803-7535

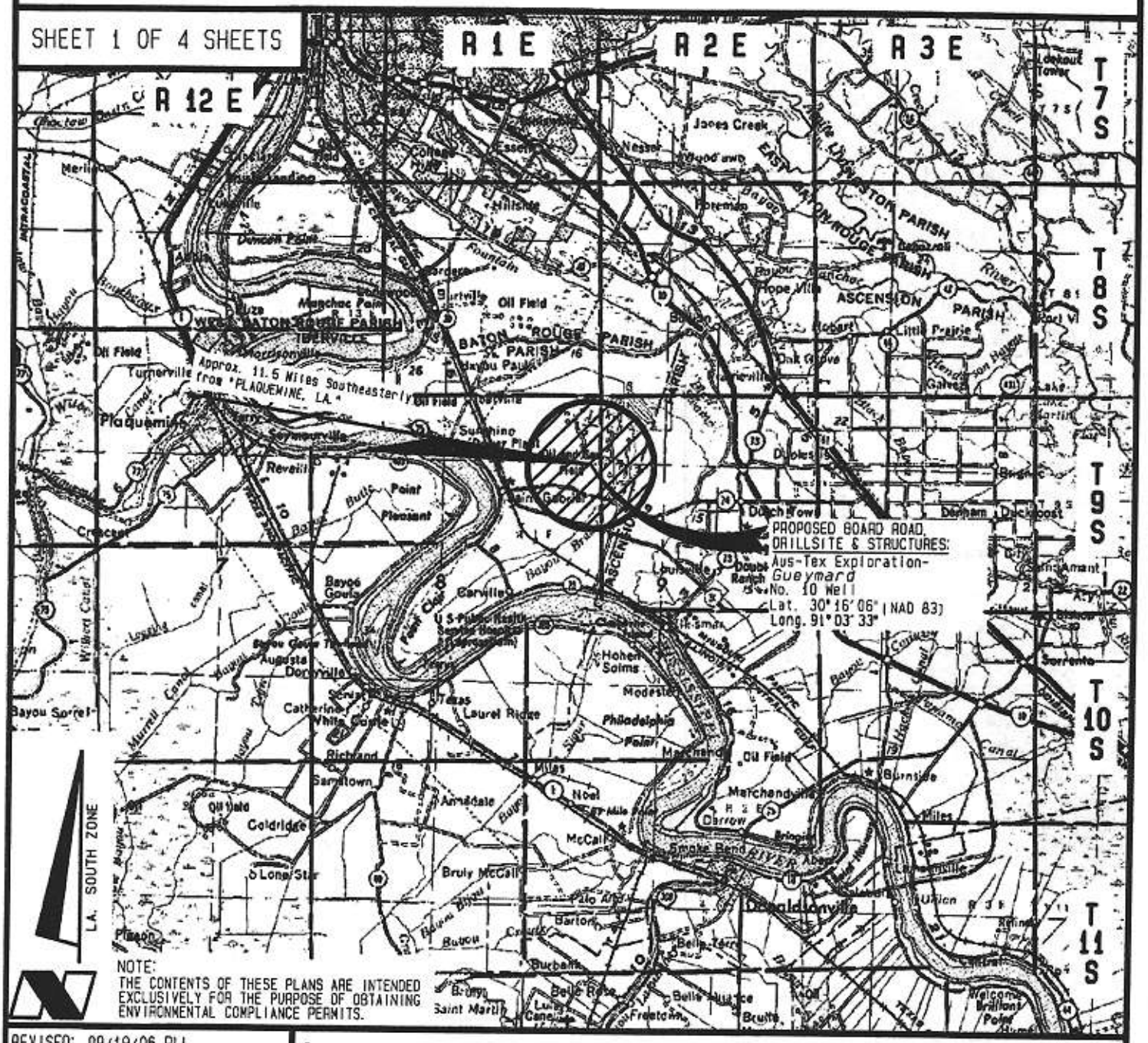
U.S. Environmental Protection Agency
Federal Activities Branch (6E-FT)
1445 Ross Avenue
Dallas, Texas 75202-2733

Louisiana Department of Environmental Quality
Office of Water Resources
P.O. Box 82215
Baton Rouge, Louisiana 70884-2215

State Historic Preservation Office
Post Office Box 44247
Baton Rouge, Louisiana 70804-4247

Louisiana Department of Wildlife and Fisheries
Ecological Studies Section
Post Office Box 98000
Baton Rouge, Louisiana 70898-9000

Louisiana Department of Natural Resources
Coastal Management Division
Post Office Box 44487
Baton Rouge, Louisiana 70804-4487



REVISED: 09/19/06 RLL
09/29/06 JWF
11/06/06 JWF

Topography obtained from U.S. Geological Survey Map "BATON ROUGE, LA." 1954 Edition, Revised 1972.

VICINITY MAP

Scale: 1: 250,000

Drawn By: MKC
Proj. Mgr.: JWF

Application By:

AUS-TEX EXPLORATION

September 1, 2006

PROPOSED BOARD ROAD, DRILLSITE & STRUCTURES

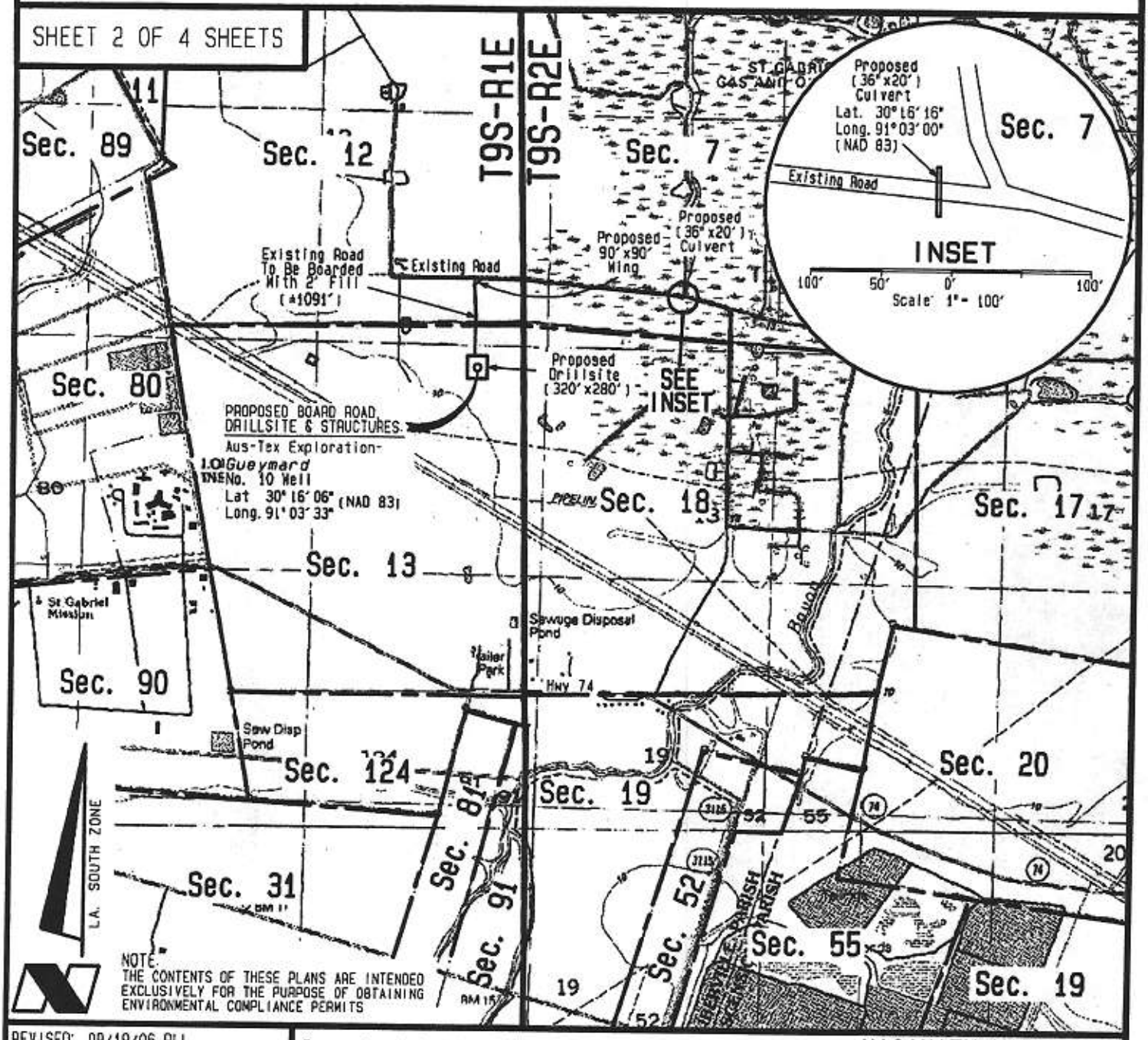
For Drilling *Gueymard* No. 10 Well

Section 13, T9S-R1E

Iberville Parish, Louisiana

i:/infocad/pcx/usgs/la/drg/south/250k 2
2069547 i:/infocad/west/IMAGE7 61B

PREPARED BY: C.H. Fenstermaker & Associates, Inc., Lafayette & New Orleans, Louisiana, & Houston, Texas



REVISED: 09/19/06 ALL
09/29/06 JWF
11/06/06 JWF

Topography obtained from U.S. Geological Survey Quadrangle 'ST. GABRIEL, LA.' & 'CARVILLE, LA' both are 1992 Editions.

VICINITY MAP
2000' 1000' 0' 2000'
Scale: 1" = 2000'

Application By:

AUS-TEX EXPLORATION

September 1, 2006

i:/infocad/pcx/usgs/al/drg/south/ 328 & 369
2069547 i:/infocad/east/9S1E 201

PROPOSED BOARD ROAD, DRILLSITE, & STRUCTURES

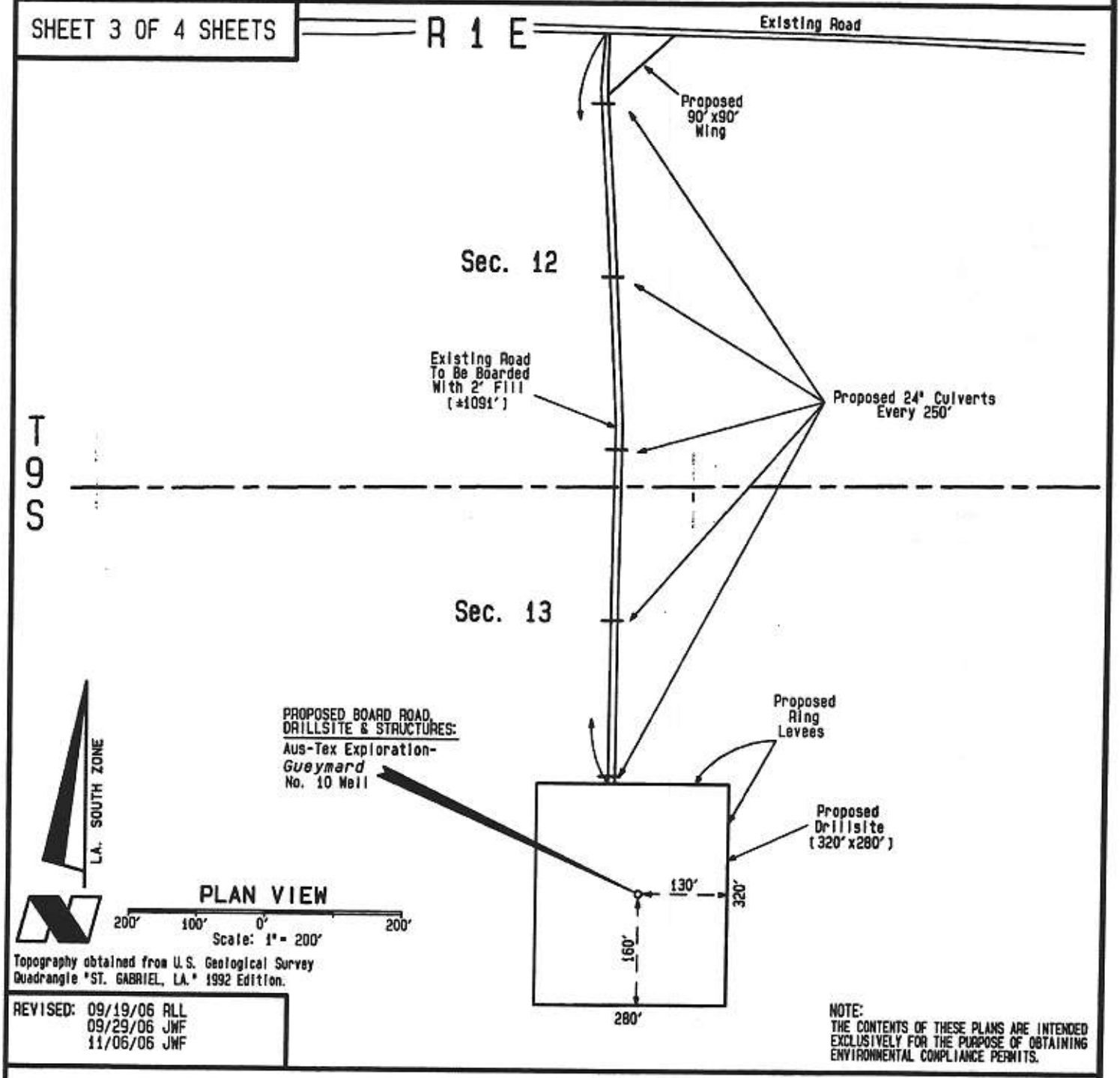
For Drilling *Gueymard* No. 10 Well

Section 13, T9S-R1E

Iberville Parish, Louisiana

PREPARED BY: C. H. Fenstermaker & Associates, Inc., Lafayette & New Orleans, Louisiana, & Houston, Texas

SHEET 3 OF 4 SHEETS



Topography obtained from U.S. Geological Survey Quadrangle "ST. GABRIEL, LA." 1992 Edition.

REVISED: 09/19/06 RLL
09/29/06 JWF
11/06/06 JWF

NOTE:
THE CONTENTS OF THESE PLANS ARE INTENDED EXCLUSIVELY FOR THE PURPOSE OF OBTAINING ENVIRONMENTAL COMPLIANCE PERMITS.

Application By:

AUS-TEX EXPLORATION

September 1, 2006

PROPOSED BOARD ROAD, DRILLSITE, & STRUCTURES

For Drilling *Gueymard* No. 10 Well

Section 13, T9S-R1E

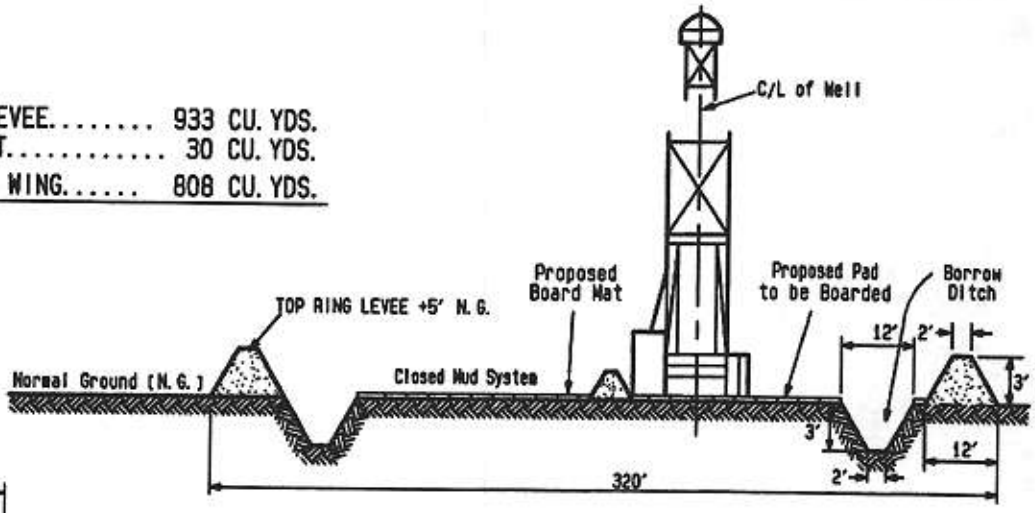
Iberville Parish, Louisiana

2069547 I:/Infocad/east/9S1E 202

PREPARED BY: C.H. Fenstermaker & Associates, Inc., Lafayette & New Orleans, Louisiana & Houston, Texas

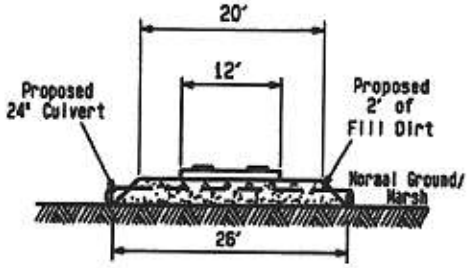
SHEET 4 OF 4 SHEETS

FILL REQUIRED FOR RING LEVEE..... 933 CU. YDS.
FILL REQUIRED FOR CULVERT..... 30 CU. YDS.
FILL REQUIRED FOR ROAD & WING..... 808 CU. YDS.



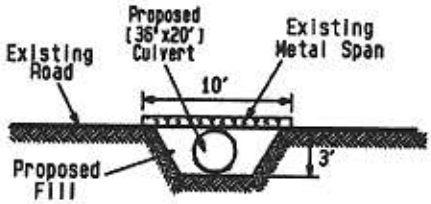
TYPICAL CROSS-SECTION OF DRILLSITE

No Scale



TYPICAL BOARD ROAD

NO SCALE



X-SECTION TYPICAL

No Scale

NOTES:

1. All fill required for road, wings and drillsite mat will be hauled in.
2. The drillsite and ring levees will be degraded within 90 days following abandonment. The material will be deposited to the extent practicable into the borrow areas from which the material was excavated and the area leveled and restored to as near preproject conditions as practicable.
3. In the event the well is productive, boards may be replaced with gravel or other suitable permitizing material and the area restored except for the minimum area required for production.
4. Closure procedures, including onsite land treatment and/or offsite disposal of mud pit contents and other drilling residues, shall be conducted in accordance with appropriate Federal and State Regulations.
5. Closed-Mud System will be used.

NOTE:
THE CONTENTS OF THESE PLANS ARE INTENDED EXCLUSIVELY FOR THE PURPOSE OF OBTAINING ENVIRONMENTAL COMPLIANCE PERMITS.

REVISED: 09/19/06 RLL
09/29/06 JWF
11/06/06 JWF

Application By:

AUS-TEX EXPLORATION

September 1, 2006

PROPOSED BOARD ROAD, DRILLSITE, & STRUCTURES

For Drilling *Gueymard* No. 10 Well

Section 13, T9S-R1E

Iberville Parish, Louisiana

2069547 I:/infocad/east/9S1E 202

PREPARED BY: C. H. Fenstermaker & Associates, Inc., Lafayette & New Orleans, Louisiana & Houston, Texas

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF

Operations Division
Regulatory Branch

DEPARTMENT OF THE ARMY GENERAL PERMIT

Authorization No.: (General Permit)NOD-13

Original Effective Date: March 22, 1981

Expiration Date: December 31, 2007

Under authorization granted by applicable section of Parts 320 through 330 of Title 33, Code of Federal Regulations, and delegated authority from the Commander, U. S. Army Corps of Engineers, District Engineer at New Orleans has determined that it is in the public interest to issue a general permit for dredging and deposits of dredged and/or fill material for construction of oilfield roads, drilling locations, pits, levees, and associated facilities in wetlands of the New Orleans District.

Specific legislation requiring Department of the Army permits for work of this nature are:

a. Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 USC 403), and

b. Section 404 of the Clean Water Act (33 USC 1344).

This general permit does not authorize work within the following areas:

a. In or within one mile of the boundaries of any national park or monument, wildlife refuge, management area, state park, and established buffer zone at a national park site without approval of the respective park, refuge, management area, or monument manager.

b. Within one-half mile of a bald eagle nesting site.

c. Within one-half mile of a known rookery area.

d. Within any area where the activity is likely to adversely affect federally listed threatened or endangered species, or a species proposed for such designation, or that is likely to destroy or adversely modify the critical habitat of such species.

e. Within one-quarter mile of a levee constructed with or maintained with federal funds without the approval of the U. S. Army Corps of Engineers, Engineering and Operations Divisions, and the respective levee board.

f. Within one-quarter mile of a levee or other flood control facilities owned or operated by agencies of state and local government.

g. In or within 500 feet of any designated scenic stream.

h. On barrier islands.

i. At or in close proximity to any known historic or archeological site or within the boundaries of a historic district.

This general permit is subject to the applicable standard conditions of our permit form, ENG Form 1721. A copy of the form is attached to this general permit as enclosure 1. A copy of a typical board road and ring levee drawing is attached as enclosure 2.

The following special conditions are made a part of this permit:

a. Maximum length, including roads, pits, and appurtenances, authorized by this permit is 1,500 feet. Normally, the maximum top width of roads would be 20 feet, maximum berm width would be 15 feet, and the maximum top width of staggered borrow areas would be 20 feet.

b. Work authorized by this permit must follow the shortest, direct route through wetlands unless acceptable reasons for deviations are provided. Legitimate reasons for deviating include, but are not limited to, avoiding cultural resources sites, ponds utilized by waterfowl, shellfish, or mollusk producing ponds and property on which right-of-way cannot be obtained.

c. Authorized work must follow existing pipelines, powerlines, and similar disturbed areas to the maximum extent practicable.

d. Applications for work to be performed under authority of this general permit must include the following:

(1) A completed application form (ENG 4345), and drawings clearly showing the location, character, and extent of the proposed work (see enclosure 2).

(2) A detailed discussion of alternative drilling sites and alternate routes considered and reasons why an apparently less environmentally damaging alternative was not selected.

(3) A compensatory mitigation plan to offset unavoidable wetland losses. This plan will adhere as closely as possible to the requirements of the Memorandum of Agreement between the Department of the Army and the Environmental Protection Agency (i.e., compensatory mitigation will generally be in-kind, performed within the same geographical area as the project site, etc.). The compensatory mitigation plan must provide a minimum of 1 to 1 acreage replacement, with each plan evaluated on the basis of conditions existing at the proposed project site. Compensatory mitigation may consist of wetland creation, enhancement,

participation in an approved mitigation bank, etc. The plan should be designed to replace the functions of the affected project site. It may be performed on federal wildlife refuges, state wildlife management areas, and parish or private lands. The plan must include a letter from the refuge or land manager agreeing to the proposed plan. Compensatory mitigation shall be performed as specified within the individual general permit authorization.

(4) Signed statements from the affected landowners establishing that they have no objection to the required restoration and that they agree not to develop or disturb restoration/mitigation areas without the prior approval of the District Engineer.

e. Roads, ring levees, and appurtenances authorized by this general permit may not connect with other fill authorized by this general permit nor may they be within one-half mile of an existing or restored road approved by this general permit, unless the use of such existing facilities is determined to be the least damaging practicable alternative by the New Orleans District (i.e., a proposed drill site contiguous to an existing road or ring levee may, if appropriate, be authorized by this general permit).

f. Fills must utilize non-wetland areas, existing roads, existing dredged material deposits, and similar areas to the maximum extent practicable.

g. To insure compliance with conditions b, c, d, e, and f, immediately above, drawings submitted with applications for work under this general permit must:

(1) Show all existing roads, waterways, well locations, pipelines, canals, etc., within one mile of the proposed work site.

(2) Provide the authorization under which any existing privately-owned road which connects with a proposed road was constructed. If the authorization number is not known, the approximate date of construction and interest which constructed the road must be provided, if known.

h. Additional conditions may be added to this general permit by the District Engineer if it is found to be in the public interest to do so.

i. This general permit may be suspended, in whole or part, by the District Engineer if it is found to be in the public interest to do so.

j. If cultural resources are uncovered at a site of work authorized by this general permit, work must be suspended and written notification provided to the State Historic Preservation Officer and to the Regulatory Branch of this office.

k. Work authorized by this general permit may not be performed until the Regulatory Branch of this office has reviewed the material submitted by applicants and notified applicants that the work may proceed.

l. Culverts shall be installed through the road fills in accordance with the following:

(1) Minimum diameter shall be 24 inches.

(2) Maximum distance between culvert installation shall be 500 feet.

(3) Culverts shall be installed at all crossings of small streams, ditches, and sloughs. These culverts shall be of sufficient size so as to convey normal flows and shall be installed so as to approximate pre-project flow conditions and not promote drainage of wetlands.

m. Culvert openings must be maintained to allow for free flow of water. Locations, number, and sizes of culverts must be shown on the drawings.

n. Bridges with clear openings at least 6 feet wide may be used in lieu of culverts.

o. Borrow pits for road fills must be discontinuous. The pits should be staggered with a maximum length of 300 feet. If pits are not staggered, gaps at least 50 feet in length shall be left between the 300-foot long segments of borrow pits. Culverts or bridge openings may not be installed through road fills to connect staggered segments of the borrow pit. Culverts and/or ditches may not be installed to connect sections of discontinuous borrow pit along one side of a road fill.

p. The maximum outside dimensions of ring levees shall not exceed 400 feet, or a total area of 160,000 square feet. See special condition aa.

q. Material for construction of ring levees must be excavated from inside the leveed areas. All pits (e.g., production, sludge, or burn pits) must be located within in the ring levee.

r. Material used for the construction of the roads and ring levees must be free of contaminants.

s. Ring levees shall be degraded by restoring the material with which they were built into the areas from which it was removed, and disturbed areas leveled and restored to as near pre-project conditions as practicable within 30 days after pits have been cleaned.

t. The discharge and/or disposal of drilling muds, cuttings associated with drilling fluids, and produced waters from drilling or production operations must be in compliance with federal and state regulations.

u. Road fills and/or drilling pads in wetlands constructed with native material shall be degraded when the locations which they were installed to serve are abandoned. The material shall be deposited to the extent practicable into the borrow areas from which it was excavated and the area leveled and restored to as near pre-project conditions as practicable. If the road fills and/or drilling pads in wetlands were constructed with hauled-in material, that material shall be removed from the site and hauled to a non-wetland area, with the project site being leveled and restored to as near pre-project conditions as practicable. Restoration must be accomplished within 90 days of abandonment unless the District Engineer has granted additional time in writing because of weather conditions or clearly unusual circumstances. Requests for additional time must be made by the permittee or agent in writing at least 20 days prior to expiration of the 90 day period allowed for restoration. Abandoned sites shall be replanted with appropriate species, depending upon the ecotype, in the first planting season (December 15 through March 15) following abandonment.

v. Boards and other extraneous construction material shall be removed from the site prior to commencement of degrading operations. All plastic sheeting shall be removed from areas of the roadway and drill site from which boards are removed.

w. In the event that the well is a producer, the well pad shall be reduced to the minimum size necessary for production and that the remaining area of the drill site and ring levee be restored to as near pre-project conditions as practicable within 90 days of completion of the well. The restored area shall be planted with appropriate species as described in condition u. above.

x. Interests performing work under authority of this general permit must obtain water quality certification from the Louisiana Department of Environmental Quality (DEQ) before any work may be accomplished. Requests for the certification must advise the DEQ that they propose to perform their work under authority of this general permit.

y. Interests performing work under authority of this general permit within Louisiana's Coastal Zone must obtain a coastal use permit or waiver from the Louisiana Department of Natural Resources, Coastal Management Division, prior to commencement of work.

z. The District Engineer must be notified of abandonment of wells served by facilities authorized by this general permit within 10 days of abandonment. The notification must be in writing and must include the date of abandonment and the estimated date the restoration work will begin.

aa. Further written notification must be given to the District Engineer within 5 days of completion of the restoration work, including required mitigation.

bb. A geologic review meeting will be required for the following items of work applied for under this general permit:

(1) All board roads, regardless of length.

(2) Ring levees larger than 300' X 300', or 90,000 square feet.

(3) Ring levees with maximum dimensions of 300' X 300' if an existing ring levee exists within the directional drilling radius. The directional drilling radius is the maximum distance from a proposed bottom hole location from which a given well feasibly can be directionally drilled. It is determined by the following formula: [(proposed total well depth in feet – surface casing distance in feet –1425) X .57735027] + 375. If, at the conclusion of the meeting it is determined that it is technically and/or economically infeasible to reduce the dimensions of the board road and/or ring levee, authorization will be granted under this general permit provided the project meets all other terms and conditions of this general permit.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Ronald J. Ventola
Chief, Regulatory Branch
for
Richard P. Wagenaar
Colonel, U. S. Army
District Commander

Enclosures

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT (33 CFR 325)	OMB Approval No. 0710-003 Expires December 31, 2004

The Public burden for this collection of information is estimated to average 10 hours per response, although the majority of applications sho uld require 5 hours or less. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden es timate or any other aspect of this collection of information, including suggestions for reducing this burden, to Departments of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710 -0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any pen alty for failing to comply with a collection of information if it does not display a current valid OMB control number. Please DO NOT RETURN your form to either of these addresses. Completed applications must be submitted to the District Engineer having ju risdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, 33 USC 1413. Principal Purpose: These laws require permits authorizing activities in, or affecting, navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dum ping it into ocean waters. Routine Uses: Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit applica tion cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED

(ITEMS BELOW TO BE FILLED BY THE APPLICANT)

5. APPLICANT'S NAME AUS-TEX Exploration	8. AUTHORIZED AGENT'S NAME AND TITLE *(an agent is not required)* Jennifer Olexy/Environmental Specialist
6. APPLICANT'S ADDRESS 221 Rue DeJean Lafayette, LA 70508	9. AGENT'S ADDRESS 675 Bering Dr., Suite 260 Houston, TX 77057
7. APPLICANT'S PHONE NOS. W/AREA CODE A. Residence B. Business – (337) 232-2550	10. AGENT'S PHONE NOS. W/AREA CODE A. Residence B. Business – (713) 840-9995

11. STATEMENT OF AUTHORIZATION

I hereby authorize, C.H. Fenstermaker & Associates, Inc. to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

APPLICANT'S SIGNATURE DATE 9/8/06

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE *(see instructions)*
Proposed board road, drillsite & structures for drilling Gueymard No. 10 Well.

13. NAME OF WATERBODY, IF KNOWN *(if applicable)* N/A	14. PROJECT STREET ADDRESS *(if applicable)* N/A
15. LOCATION OF PROJECT PARISH Iberville STATE LA	

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN *(see instructions)*
Section 13, T9S-R1E. (Latitude) 30° 16' 06" (Longitude) 91° 03' 33"

17. DIRECTIONS TO THE SITE
Approximately 11.5 miles Southeasterly from Plaquemine, LA

18. Nature of Activity ***(Description of project, include all features)***

The proposed activity will consist of the installation of a 320' x 280' proposed drillsite, (1) 90' x 90' wing, And a ± 1091' of existing road to be boarded.

And 24" culverts every 250'

MB 11/17/06

19. Project Purpose ***(Describe the reason or purpose of the project, see instructions)***

To drill the Gueymard No. 10 Well.

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

N/A

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

Fill required for ring levee ± 933 cubic yards (native material)

Fill required for culvert ± 30 cubic yards (to be hauled in from upland location)

Earthen fill required for road & wing ±808 cubic yards

MB 11/17/06

22. Surface Area in Acres of Wetlands or Other Waters Filled ***(see instructions)***

± 2.45 acres for the proposed activities.

23. Is Any Portion of the Work Already Complete? Yes____ No _X_ IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more can't be entered here, please attach a supplemental list).

(1) Davis A. Gueymard
303 Hilltrace Ave.
Baton Rouge, LA 70809

25. List of Other Certificates or Approvals/Denials Received from other Federal, State or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
Parish	LNO				

To the best of my knowledge the proposed activity described in my permit application complies with and will be conducted in a manner that is consistent with the LA Coastal Management Program.

* Would include but is not limited to zoning, building and flood plain permits.

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

Nancy Dean 11/17/06 Jennifer Olens 9-21-06

SIGNATURE OF APPLICANT **DATE** **SIGNATURE OF AGENT** **DATE**

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.

LANDOWNER STATEMENT

RECEIVED
SEP 26 2006

Mr. Ronald Ventola
U.S. Army Corps of Engineers
P. O. Box 60267
New Orleans, LA 70160

Dear Mr. Ventola:

As property owner affected by the proposed drill site and structures for drilling the:

Aus-Tex Exploration
Gueymard No. 10 Well
Section 13, Township9S – Range 1E
Iberville Parish, Louisiana

I have no objection to restoration of the proposed drill site upon abandonment of the aforementioned well. Specifically, I have no objection to restoration of the drill site as required in the Corps of Engineers' General Permit NOD-13.

Sincerely,

Davis A. Gueymard - Landowner/Representative
9303 Hilltrace Ave.
Baton Rouge, LA 70809

9/22/06
Date

Blanke, Kenneth G MVN

From: Nancy Bean [nancy@fenstermaker.com]
Sent: Friday, November 17, 2006 2:53 PM
To: Blanke, Kenneth G MVN
Cc: Gregg Hamilton; Chris Guidry
Subject: RE: Aus-Tex Exploration Gueymard No. 10 Well MVN-2006-3363-CQ, T.Bourque Well MVN-2006-3377-CR

Thanks, Kenny!
Yes, I do have the correct permit number for the T. Bourque No. 1 Well (MVN-2006-3377-CR) however I entered it incorrectly in my e-mail to you.
Sorry!!
Have a good weekend.

Nancy Bean

-----Original Message-----
From: Blanke, Kenneth G MVN
[mailto:Kenneth.G.Blanke@mvn02.usace.army.mil]
Sent: Friday, November 17, 2006 2:45 PM
To: Nancy Bean
Subject: RE: Aus-Tex Exploration Gueymard No. 10 Well MVN-2006-3363-CQ, T.Bourque Well MVN-2006-3377-CR

Nancy,

I had spoken with Mr. Andrew Harrison earlier and he had instructed me that Monday the contracts would be finished. He also said that he would contact me via email once everything was finalized. I wanted to make sure that you had the correct COE # for the T. Bourque Well (MVN-2006-3377-CR). Thanks again and please email or call me if you have any questions or concerns.

Have a nice weekend,

Kenny Blanke

Environmental Resource Specialist

Regulatory Branch

Central Evaluation Section

504-862-1217 phone

504-862-2574 fax

-----Original Message-----
From: Nancy Bean [mailto:nancy@fenstermaker.com]
Sent: Friday, November 17, 2006 1:55 PM
To: Blanke, Kenneth G MVN
Cc: Gregg Hamilton; Chris Guidry
Subject: Aus-Tex Exploration Gueymard No. 10 Well MVN-2006-3363-CQ

Kenny,
Thank you for visiting with me via telephone earlier today. Attached please find the revised application and set of plans we discussed for Aus-Tex Exploration's Gueymard No. 10 Well.

Also, as we discussed, we are working with Bayou Paul Mitigation Bank for the mitigation contracts on this project as well as the VUA T.
Bourque No. 1 Well (MVN-2006-3374-CR) which you've acquired from Michael Brown. I asked

Mr. Andrew Harrison to e-mail you advising he was preparing these contracts for us, however, I failed to reiterate this request when I e-mailed the details to him. He advised the contracts would be ready Monday, 11/20/06. May I have him e-mail you at that time?

Please call if I might be of further assistance.
Thanks,

Nancy Bean
Regulatory Assistant, Environmental Dept.
C. H. Fenstermaker & Associates, Inc.
Engineers, Surveyors, Environmental Consultants
675 Bering Dr., Suite 260
Houston, TX 77057
T - (713) 840-9995
F - (713) 840-9997
E-mail: nancy@fenstermaker.com
www.fenstermaker.com

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P. O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

October 13, 2006

Operations Division
Central Evaluation Section

Subject: **MVN-2006-3363-CQ**
Compensatory Mitigation

FILE

AUS-TEX Exploration
221 Rue DeJean
Lafayette, LA. 70508

Gentlemen:

Regarding your Department of the Army permit requesting authorization application to construct a board road, turning wing, and a ring levee for drilling the Gueymard No.10 Well, approximately 11.5 miles southeasterly of Plaquemine, Louisiana in Iberville Parish, our office has determined that compensatory mitigation will be required to off set all unavoidable project related wetland impacts. The following mitigation areas are available to satisfy this requirement:

1. Bayou Paul Mitigation Bank
   4.2 acres of Bottomland Hardwood- Restoration
   P.O.C. Andrew Harrison (225) 388-0065

2. High Point Wetlands Mitigation Area – Phase IV
   12.8 acres of Bottomland Hardwood-Enhancement
   P.O.C. David Blackburn (662) 513-4164

Please contact me within ***10 days*** describing how you will meet this requirement. If you require any further assistance in formulating an appropriate mitigation proposal, please do not hesitate calling me at (504) 862-1217, fax- (504) 862-2574.

Sincerely,

Kenny Blanke
Project Manager

Blanke, Kenneth G MVN

From: Andrew Harrison [ajh@ajharrisonlaw.com]
Sent: Wednesday, December 06, 2006 9:03 AM
To: Blanke, Kenneth G MVN
Cc: 'Andrew Harrison'; 'Nancy Bean'
Subject: Aus-Tex Exploration; MVN2006-3377-CR and 2006-3363-CQ

FILE

Ken, please be advised that Aus Tex Exploration purchased 3.4 and 4.2 acres of mitigation from the Bayou Paul Wetlands Mitigation Bank for MVN2006-3377-CR and 2006-3363-CQ permits, Bourque and Gueymand wells, respectively, sir.

If you have any questions, you may reach me by email or through any of the numbers below.

Thanks.

Andrew

Andrew J. Harrison, Jr.

Harrison Law, LLC

One American Place, Suite 1500

Baton Rouge, LA 70825

225-388-0065 ph.

225-388-0501 fax

225-907-3380 cell

ajh@ajharrisonlaw.com

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CEMVN-OD-SC 18 September 2006

Memo for Chief, Real Estate Division

The attached permit application is forwarded for your determination as to the need for a real estate instrument.

APPLICANT: AUS-TEX Exploration

APPLICATION NUMBER: MVN 2006-3363-CQ

PROJECT MANAGER: Kenny Blanke, ext.1217

Please advise us of your determination as soon as possible. Lack of reply within 5 days of this date will be construed as indicating that Real Estate Division has no property interest at the proposed site and does not object to permit issuance.

for
Ronald J. Ventola
Chief, Regulatory Branch

Encl

CEMVN-RE-M 1st End

SEP 18 REC'D

FOR C/Reg Br, Ops Div

Reference permit application forwarded for determination as to need for a real estate instrument.

✓ a. No real estate instrument will be required for this application as no real estate interest under the jurisdiction of the New Orleans District is involved.

___ b. A real estate instrument (REI) will be required for this application as it impacts real interests under the jurisdiction of the New Orleans District. If review by other district elements results in changes to any of the application exhibits and/or the proposed work being authorized under the DA permit, these changes should be forwarded to RE Division to be incorporated into the REI. Within the permit, please also advise the applicant of the need for a REI, and that no further action is required on their part for issuance of a REI, which will be forwarded under separate letter. Please forward a copy of the final permit for our records.

for C/Mgmt & Disp, MD&C Br
Real Estate Division

Encl

Map used 91
18 Sep 06-DMC

Return 9/21

Blanke, Kenneth G MVN

From: Gregg Hamilton [gregg@fenstermaker.com]

Sent: Tuesday, October 10, 2006 9:01 AM

To: Brown, Michael T MVN; vortego@wlf.louisiana.gov; Blanke, Kenneth G MVN

Cc: Stephen Olivier

Subject: Thursday Site Visit to St Gabriel Field

We are scheduled to go Thursday for the T. Bourque and Gueymard site visits. We will meet at the convenient store/gas station at the corner of Hwy 30 and Hwy 74 at 9 am. My cell phone number is 337-349-1059.

We will look at the T. Bourque site, the alternate site proposed by the government and then we will visit the Gueymard site.

Thanks

Gregg

Gregg Hamilton
Senior Environmental Specialist
C. H. Fenstermaker & Associates, Inc.
Engineers, Surveyors, Environmental Consultants
135 Regency Square
Lafayette, LA 70508
T- (337) 314-0504
F- (337) 232-3299
Email: gregg@fenstermaker.com
www.fenstermaker.com

********** -COMM. JOURNAL- ********** DATE SEP-19-2006 ***** TIME 10:07 *********

MODE = MEMORY TRANSMISSION START=SEP-19 10:01 END=SEP-19 10:07

FILE NO.=253

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	87138409997	007/007	00:02:12

-USCOE CENTRAL EVAL SEC -

********** -504 862 2574 - ***** - 504 862 2574- **********

September 19, 2006

MEMORANDUM FROM: U.S. Army Corps of Engineers, New Orleans District
Regulatory Branch, Central Evaluation Section

TO: U.S. Fish and Wildlife Service
U.S. Environmental Protection Agency
National Marine Fisheries Service
Louisiana Department of Wildlife and Fisheries
Louisiana Department of Environmental Quality
Louisiana Geological Survey- Mr. John Johnston
Iberville Parish Government- Mr. David Dupont
Ms. Jennifer Olexy / Mr. Gregg Hamilton

SUBJECT: Geologic Review Meeting for the Gueymard No. 10 Well is scheduled on September 28, 2006 at 11:00 a.m. following the VUA T.Bourque No. 1 Well meeting, on the 10th floor of the DNR building Room 1068.

APPLICANT: AUS-TEX Exploration

BASEFILE No.: MVN-2006-3363 CQ

CUP/CONSISTENCY No:

1. If you have any questions, please contact Kenny Blanke at (504) 862-1217.

********** -COMM. JOURNAL- ********** DATE SEP-19-2006 ***** TIME 09:16 ********

MODE = MEMORY TRANSMISSION START=SEP-19 09:01 END=SEP-19 09:16

FILE NO.=249

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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002	OK	<03>	NMFS	007/007	00:01:35
003	OK	<05>	DEQ	007/007	00:01:36
004	OK	<06>	LDWF	007/007	00:01:38
005	OK	<09>	JOHN JOHNSON	007/007	00:02:02
006	OK	<10>	USFWS	007/007	00:02:13

-USCOE CENTRAL EVAL SEC -

********** -504 862 2574 - ***** - 504 862 2574- *********

September 19, 2006

MEMORANDUM FROM: U.S. Army Corps of Engineers, New Orleans District
Regulatory Branch, Central Evaluation Section

TO: U.S. Fish and Wildlife Service
U.S. Environmental Protection Agency
National Marine Fisheries Service
Louisiana Department of Wildlife and Fisheries
Louisiana Department of Environmental Quality
Louisiana Geological Survey- Mr. John Johnston
Iberville Parish Government- Mr. David Dupont
Ms. Jennifer Olexy / Mr. Gregg Hamilton

SUBJECT: Geologic Review Meeting for the Gueymard No. 10 Well is scheduled on September 28, 2006 at 11:00 a.m. following the VUA T.Bourque No. 1 Well meeting, on the 10th floor of the DNR building Room 1068.

APPLICANT: AUS-TEX Exploration

BASEFILE No.: MVN-2006-3363 CO

CUP/CONSISTENCY No:

1. If you have any questions, please contact Kenny Blanke at (504) 862-1217.

ORM PROCESSING SHEET

Applicant Aus-Tex **Agent** CHF

Description _____

Proj. Manager Kenny B **PM Code** CQ **Parish** Iberville

Permit No. MVN-2006-3363 CQ **(Ex.: MVN 2004-2159-CY)**

Regulatory File Name (40 characters) Aus-TEX Exploration Gueymard #10 Well

SP PGP ____ **GP** NOD-13 **NWP** ____ **LOP Mod: w/PN w/oPN Timex: w/PN w/oPN**

Authority: ( ) 10 (✓)404 ( )10/404 Circle Permit Types: ATF: Y or N PCN: Y or N

( ) Coastal Zone Management Act Procedure Classification: OCZ CUP GP Local Exempt

In description field enter (P# & Analyst last name): P200 _____

Date printed on CUP ___/___/___ **Date CUP rec'd** ___/___/___

( ) Section 401 WQC Procedure

In description field enter (WQC# & Analyst last name): WQC# _____

Date printed on WQC ___/___/___ **Date WQC rec'd** ___/___/___

Hydrologic Unit Code: HUC _____

MITIGATION: Yes No Acreage/type _____ **Location** _____

DATES

Date Rec'd (stamped on application) 9/11/06

Date App Assigned 9/12/06

Date App Determined Complete ___/___/___ **Date of Receipt of Complete App** ___/___/___

PUBLIC NOTICE: Begin ___/___/___ **End** ___/___/___ **Time/ext requested by** _____

Date requested ___/___/___ **Comment period extended until** ___/___/___

ORM Subacts (required):

EFH (Essential Fish Habitat): Yes No begin ___/___/___ **end** ___/___/___

ESA (Endangered Species Act): Yes No begin ___/___/___ **end** ___/___/___

Congressional (add under request for action): Yes No begin ___/___/___ **end** ___/___/___

FOIA request (add under request for action): Yes No begin ___/___/___ **end** ___/___/___

MEETINGS (number):

Pre-app: ____ **Dates:** ___/___/___ ; ___/___/___

Site visit: ____ **Dates:** ___/___/___ ; ___/___/___

Other: ____ **Dates:** ___/___/___ ; ___/___/___

FTO/Date Decision Mailed (date stamped on FTO – closes out EVAL SP, etc.) ___/___/___

STO (same as Date PMT Signed and End Date – closes out Request for Action) ___/___/___

Date PMT expires ___/___/___

FURNISH COPY OF PERMIT TO: ( ) Real Estate Division ( )NMFS ( )DNR (Conservation Plan Boundary Coordinator)

PROCESSING TIME (days) _____

NOTES: Confirm they are boarding an existing road; if so, no GR required. Can't tell if this is field or forested, need to find out for mitigation purposes. Mike B. has another Aus-Tex NOD-13 in the area. Coordinate w/ him