

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF CHI ENERGY, INC.  
FOR COMPULSORY POOLING, EDDY  
COUNTY, NEW MEXICO.

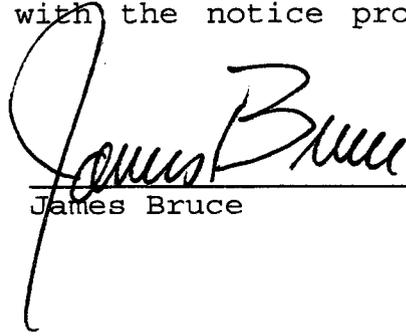
Case No. 13,378

AFFIDAVIT REGARDING NOTICE

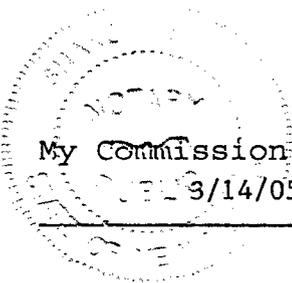
STATE OF NEW MEXICO            )  
  ) ss.  
COUNTY OF SANTA FE            )

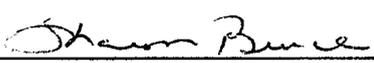
James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Applicant.
3. Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the Application filed herein.
4. Notice of the Application was provided to the interest owners at their correct addresses by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Exhibit A.
5. Applicant has complied with the notice provisions of Division Rule 1207.

  
 \_\_\_\_\_  
 James Bruce

SUBSCRIBED AND SWORN TO before me this 17th day of November, 2004, by James Bruce.



  
 \_\_\_\_\_  
 Notary Public

OIL CONSERVATION DIVISION  
 CASE NUMBER  
 EXHIBIT NUMBER 4

**JAMES BRUCE**  
ATTORNEY AT LAW

POST OFFICE BOX 1056  
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213  
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)  
(505) 660-6612 (Cell)  
(505) 982-2151 (Fax)

jamesbruc@aol.com

October 28, 2004

Certified Mail - Return Receipt Requested

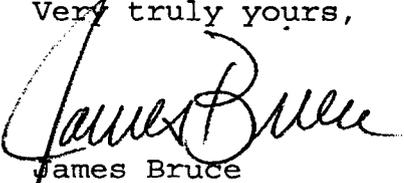
To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Chi Energy, Inc., regarding the S½ of Section 28, Township 22 South, Range 27 East, N.M.P.M., Eddy County, New Mexico. This application is scheduled to be heard at 8:15 a.m. on Thursday, November 18, 2004 at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an interest owner in the well unit, you have the right to appear at the hearing and present evidence. Failure to appear at the hearing will preclude you from contesting this matter at a later date.

You are required to notify the Division, and the undersigned, by Friday, November 12, 2004, if you intend to enter an appearance and participate in the case.

Very truly yours,

  
James Bruce

Attorney for Chi Energy, Inc.



EXHIBIT A

Bird Creek Resources, Inc.  
P.O. Box 21470  
Tulsa, Oklahoma 74121

BK Exploration Corp.  
Suite 208  
810 South Cincinnati  
Tulsa, Oklahoma 74119

**U.S. Postal Service**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	

Sent To:  
 Street, Apt. No.; Suite 208  
 or PO Box No. 810 South Cincinnati  
 City, State, ZIP+4<sup>®</sup> Tulsa, Oklahoma 74119

PS Form 3800, June 2002 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

AK Exploration Corp.  
 Suite 208  
 810 South Cincinnati  
 Tulsa, Oklahoma 74119

2. Article Number  
 (Transfer from service label) 7004 0750 0000 9053 4730

PS Form 3811, February 2004 Domestic Return Receipt

102585-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bird Creek Resources, Inc.  
 P.O. Box 21470  
 Tulsa, Oklahoma 74121

2. Article Number  
 (Transfer from service label) 7004 0750 0000 9053 4723

PS Form 3811, February 2004 Domestic Return Receipt

102585-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- Signature *R. Montgomery*
- Received by (Printed Name) *R. MONTGOMERY*
- Date of Delivery *11/6/04*
- Is delivery address different from item 1?  Yes  No

If YES, enter delivery address below:

3. Service Type  
 Certified Mail  
 Registered  
 Insured Mail  
 Express Mail  
 Return Receipt for Merchandise  
 C.O.D.  
 Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
 (Transfer from service label) 7004 0750 0000 9053 4730

PS Form 3811, February 2004 Domestic Return Receipt

102585-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- Signature *[Signature]*
- Received by (Printed Name) *[Signature]*
- Date of Delivery *NOV 01 2004*
- Is delivery address different from item 1?  Yes  No

If YES, enter delivery address below:

3. Service Type  
 Certified Mail  
 Registered  
 Insured Mail  
 Express Mail  
 Return Receipt for Merchandise  
 C.O.D.  
 Restricted Delivery? (Extra Fee)  Yes

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 Street, Apt. No.; Suite 208  
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