NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT **OIL CONSERVATION DIVISION**

APPLICATION OF DUGAN PRODUCTION CORPORATION FOR AN UNORTHODOX COAL GAS WELL LOCATION, SAN JUAN COUNTY, NEW MEXICO.

CASE NO. 13399

AFFIDAVIT

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

William F. Carr, attorney in fact and authorized representative of Dugan Production Corporation, the Applicant herein, being first duly sworn, upon oath, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.

SUBSCRIBED AND SWORN to before me this 28 day of January 2005.

OFFICIAL SEAL LISAMARIE ORTIZ NOTARY PUBLIC-STATE OF NEW MEXICO

My Commission Expires:

BEFORE THE OIL CONSERVATION DIVISION

Santa Fe, New Mexico

Case No. 13399 Exhibit No. 11

Submitted by:

Dugan Production Corporation Hearing Date: February 17, 2005

APPLICATION OF DUGAN PRODUCTION CORPORATION FOR AN UNORTHODOX COAL GAS WELL LOCATION SAN JUAN COUNTY, NEW MEXICO

NOTICE LIST

Exhibit A

Bureau of Land Management 1235 La Plata Hwy, Suite A Farmington, NM 87401

City of Farmington 800 Municipal Drive Farmington, NM 87401

Lance Oil Company, Inc. P. O. Box 70 Kirtland, NM 87417

State Highway Department New Mexico P. O. Box 1149 Santa Fe, NM 87504-1149

Lee Atchison P. O. Box 15069 Farmington, NM 87499

Richard C. Akins 1309 Dewey Lane Alamogordo, NM 88310

Geraldine Sterling Box 74 Farmington, NM 87499

Bill Jensen 613 Merino Kraal Farmington, NM 87401

E. B. Mann P. O. Box 1769 Bloomfield, NM 87413

Rilla E. King P. O. Box 186 Dolores, CO 81325 Colleen McSparron 810 Stratford Pismo Beach, CA 93449

Robert & Janice Johnston 605 Parkland Drive Aztec, NM 87410

Randall E. Presley P. O. Box 2200 Newport Beach, CA 92663

Daryl & Eva Burson 641 Ridge Lea Court Farmington, NM 87401

Twila M. Goodding 1009 Crestview Circle Farmington, NM 87401

Larue Schenck 3016 Crestridge Farmington, NM 87401

Larry Dimmick 650 West Main, Suite C Farmington, NM 87401

Motor Property Partners 6515 Tevis Drive Balersfield, CA 93309

James Pope 4407 West Hopi Farmington, NM 87401

Troy & Pauline Pope 4315 West Hopi Farmington, NM 87401





January 13, 2005

<u>CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

TO ALL AFFECTED INTEREST OWNERS:

Re: Application of Dugan Production Corporation for an unorthodox coal gas well location, San Juan County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that Dugan Production Corporation filed the enclosed application with the New Mexico Oil Conservation Division seeking approval to drill its Federal "I" Com. Well No. 103 (API No. 30-045-32587) at an unorthodox coal gas well location 1775 feet from the North line and 10 feet from the West line (Unit E) of Section 12, Township 29 North, Range 14 West, NMPM, San Juan County, New Mexico within the W/2 equivalent of Section 12, Township 29 North, Range 14 West, being a standard 320-acre, more or less, stand-up gas spacing unit for the Basin-Fruitland Coal (Gas) Pool.

This application has been set for hearing before a Division Examiner on February 17, 2005. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 1208.B to file a Pre-hearing Statement three days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office lat the above specified address and should include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

William F. Carr

ATTORNEY FOR YATES PETROLEUM CORPORATION

cc: Kurt Fagrelius

Dugan Production Corporation

November 3, 2004

Certified - 7002 2410 0001 0134.1518

Mr. Michael E. Stogner
New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: Application for Administrative Approval of
Unorthodox Location for Dugan Production Corp.'s Federal I Com #103
Unit E, Section 12, T29N, R14W
1775' FNL & 10' FWL (W/2 - 320)

Dear Mr. Stogner:

Dugan Production hereby requests approval for an unorthodox location for the referenced well. Attached for you reference are the following exhibits:

- 1. Well location and acreage dedication plat (NMOCD Form C-102)
- 2. Topographic map
- 3. Fruitland Coal Offsetting Working Interest Owners Map
- 4. Plat map of Harper Hill Industrial Subdivision
- 5. Detailed drawing of subdivision and well pad

The unorthodox location is necessary due to topographic conditions.

The subject well is located inside the Farmington city limits. Existing and proposed commercial and industrial developments occupy all favorable topographic and orthodox areas within the proration unit. After an extended period of time planning, surveying and negotiating with surface owners in the immediate area and consideration of existing city streets, utilities and zoning setback requirements, it was determined that the subject non-standard location was the only acceptable location to all involved parties. Since the proposed well pad and pipeline will be located on a lot on the outer boundary of the subdivision, surface impact within the Farmington city limits will be minimized. Once an agreement on the location of the well pad and pipeline had been reached, Dugan Production Corp. then purchased the lot on which to drill from Dimmick realty.

By certified mail, a copy of this application and request for administrative approval has been sent to all Fruitland Coal offsetting working interest owners, the Bureau of Land Management and the City of Farmington.

Please contact me if you have any questions or need additional information.

Sincerely,

Kurt Fagrelius

Geologist

Attachments

Cc:

Bureau of Land Management – 1235 La Plata Hwy., Farmington, NM 87401 (Certified Return Receipt Requested – 7002 2410 0001 0134-1440)

NMOCD - 1000 Rio Brazos Road, Aztec, NM 87410

(Certified Return Receipt Requested -7002 2410 0001 0134 1457)

City of Farmington - 800 Municipal Drive, Farmington, NM 87401

(Certified Return Receipt Requested - 7002 2410 0001 0134 1471)

Lance Oil Company, Inc. - P.O. Box 70, Kirtland, NM 87417

(Certified Return Receipt Requested - 7002 2410 0001 0134 1488)

State Highway Department of New Mexico, P.O. Box 1149, Santa Fe, NM 87504 (Certified Return Receipt Requested – 7002 2410 0001 0134 1495)

Atchison, Lee - P.O. Box 15069, Farmington, NM 87499

(Certified Return Receipt Requested - 7002 2410 0001 0134 1501)

District I PO Box 1980, Hobbs, NM 88241-1980

District II PO Drawer DD, Artesia, NM 88211-0719

District III 1000 Rio Brazos Rd., Aztec, NM 87410

District IV PO Box 2088, Santa Fe. NM 87504-2088 State of New Mexic

Energy, Minerals & Natural Resources Department

OIL CONSERVATION DIVISION PO Box 2088 Santa Fe. NM 87504-2088 Form Revised February 21, Instructions on

Submit to Appropriate District C

State Lease - 4 C Fee Lease - 3 C

AMENDED REP

DWARDS

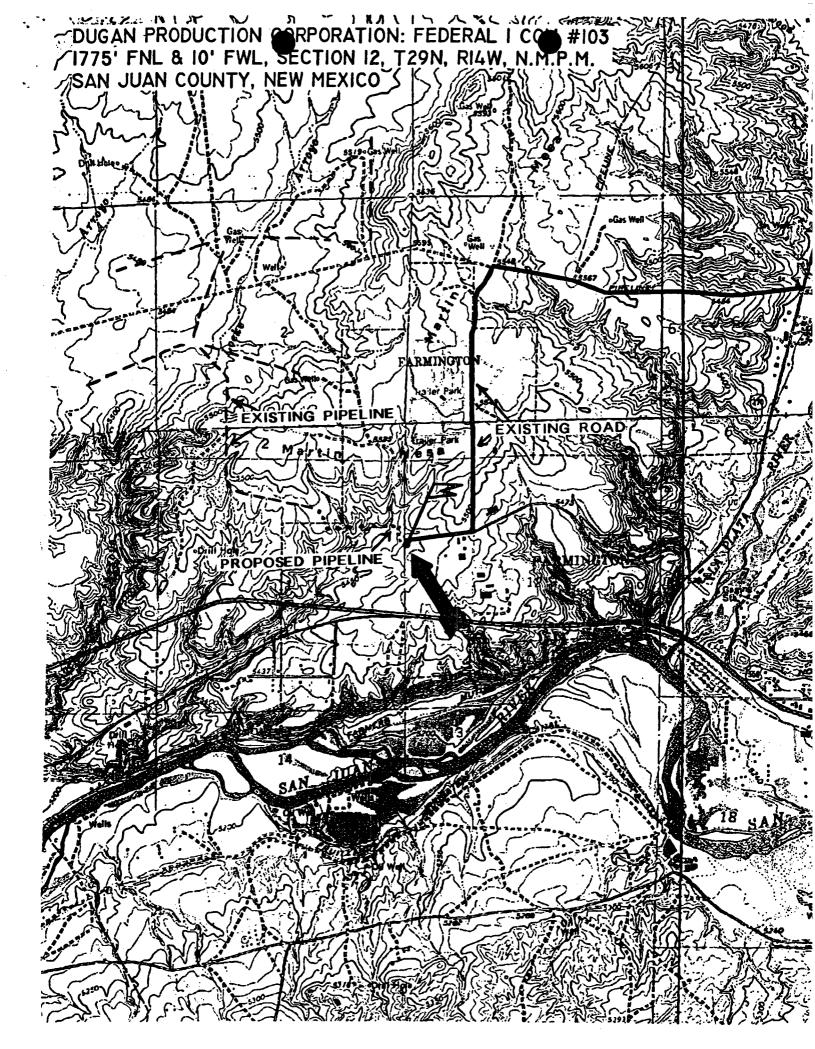
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Certificate Number

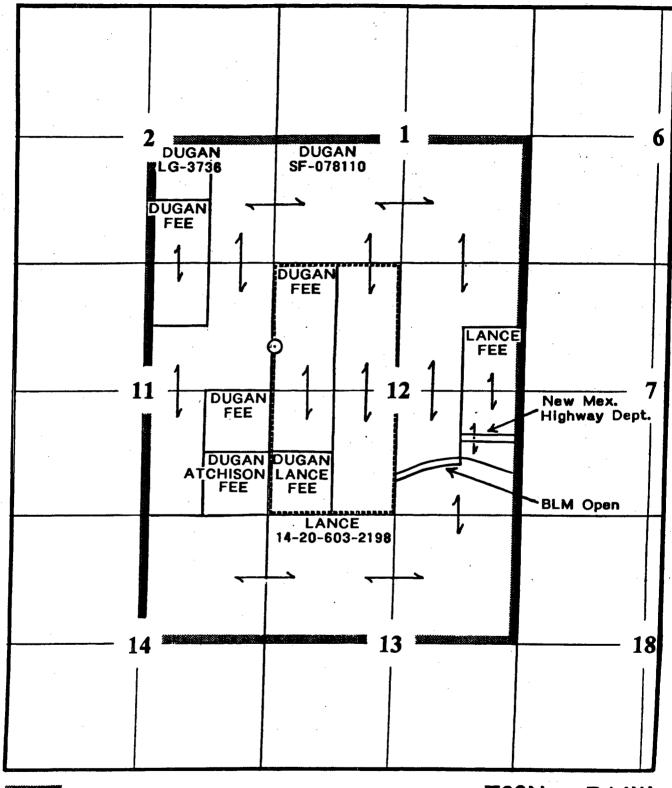
WELL LOCATION AND ACREAGE DEDICATION PLAT Pool Name Pool Code 'API Number 71629 BASIN FRUITLAND COAL Property Name Well Number Property Code FEDERAL I COM 103 "Operator Name Elevation 'OGRID No. DUGAN PRODUCTION CORPORATION 006515 5473 ¹⁰ Surface Location Sect ion Feet from the North/South line Feet from the County or lot co. East/Nest line 29N NORTH 1775 10 14W WEST Ε 12 SAN JU 11 Bottom Different From Surface Hole Location If Lot Ion North/South line UL or lot no. Section East/West line County 111111 to Intol ¹⁴ Coreclidation Code Dedicated Acres 320.0 Acres - (W/2)NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION 1323.30 1326.60 OPERATOR CERTIFICATIO DUGAN 2643.30 DUGAN I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief SF-078110 FEE Signature 84 Kurt Fagrelius Printed Name Geologist Title August 6, 2004 Date *SURVEYOR CERTIFICATION I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief. Date of Survey: JUNE 16, 2004 Signature and Seal of Professional Surveyor SEON C. EDWARE AN MEXICO 2598 15269 RICHARDSON LOT 1 LOT 2 FEE AOFESSIONAL San Juan River

LOT 3

5287.92



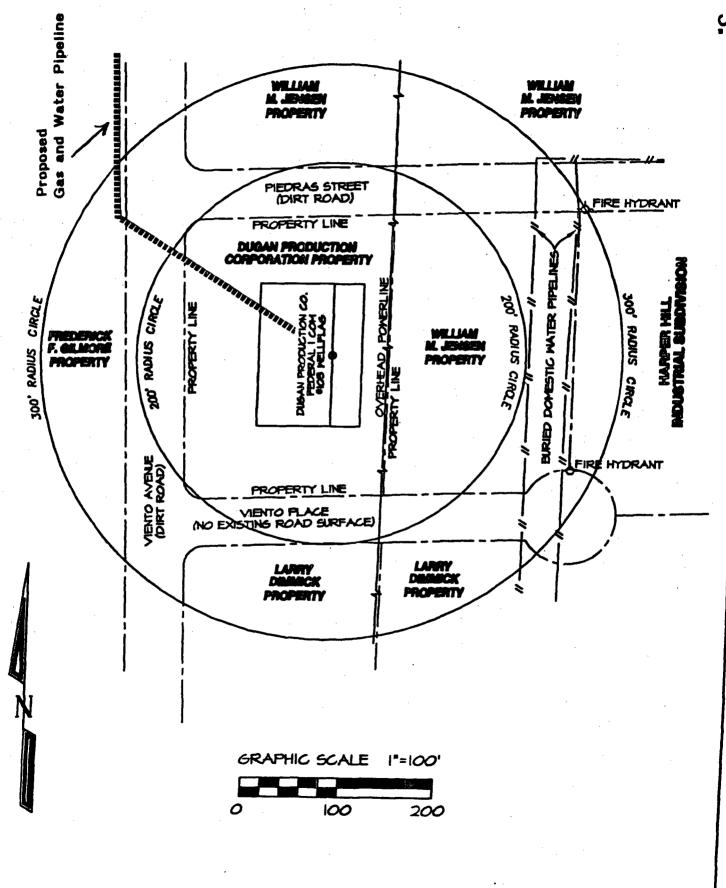
Fruitland Coal - Offsetting Working Interest Owners Map



Offsetting Notification Area

DUGAN PRODUCTION CORP.
Federal I Com #103
Application for Unorthodox Location
Basin Fruitland Coal Pool
San Juan County, New Mexico

DUGAN PRODUCTION CORPORATION FEDERAL I COM #103 1775' FNL & 10' FWL, SECTION 12, T29N, R14W, NMPM SAN JUAN COUNTY, NEW MEXICO GROUND ELEVATION: 5473'



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Registered ☐ Express Mail Return Receipt for Merchandise C.O.D. Sent To Insured Mail City of Farmington 4. Restricted Delivery? (Extra Fee) Street, Apt. No.; ☐ Yes 800 Municipal Drive or PO Box No. 2. Article Number (Copy fron 7001 1140 0002 9557 7562 Farmington, NM 8740 City, State, ZIP+ PS Form 3811, July 1999 PS Form 3800 Domestic Return Receipt 102595-00-M-0952 U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) MATURNED MEXICO 06 Postage TAFE 2.30 JAN 1 2 2005 Certified Fee Postmark Return Receipt Fee (Endorsement Required) Here Restricted Delivery Fee (Endorsement Required) USPS Total Postage & Fees | \$

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or PO Box No.

PS Form 3800,

Larry Dimmick

City, State, ZIP+ Farmington, NM 87401

650 West Main, Suite C

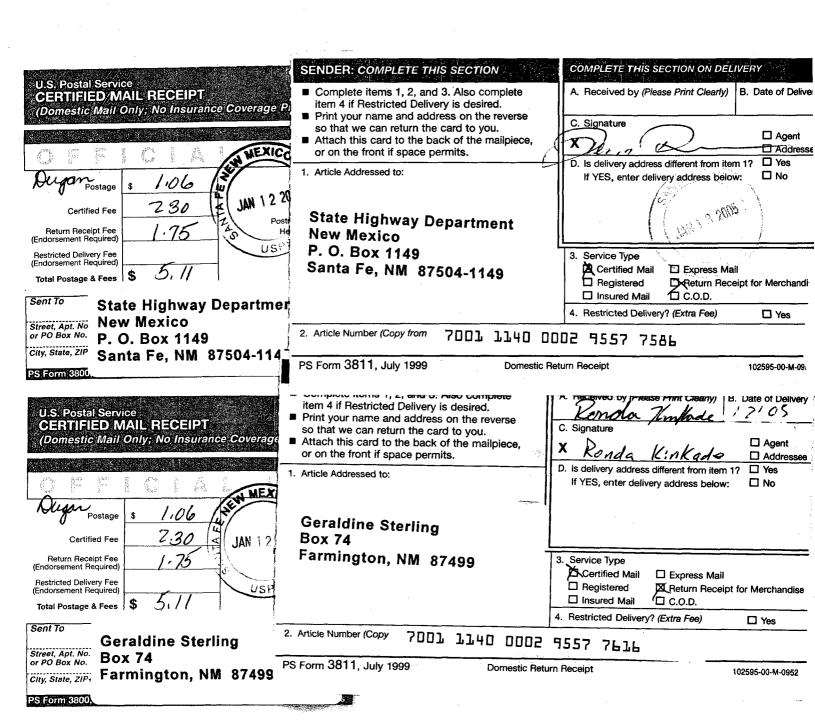
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Sent To Street, Apt. No.; or PO Box No. City, State, ZIP+ Randall E. Presley P. O. Box 2200 Newport Beach, CA 9:	Newport Beach, CA 92663 26 2. Article Number (Copy from 7001 1140 00	3. Service type Certified Meil Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D. Restricted Delivery? (Extra Fee) Yes
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