

CERTIFIED MAIL RETURN RECEIPT REQUESTED

AFFECTED INTEREST OWNERS

Re: Application of Koch Exploration Company, LLC for an order authorizing increased well density and simultaneous dedication on certain non-standard spacing units in the Basin-Fruitland Coal Gas Pool, San Juan County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that Koch Exploration Company, LLC has filed the enclosed application with the New Mexico Oil Conservation Division seeking authorization for increased well density and simultaneous dedication on certain non-standard spacing units in the Basin-Fruitland Coal Gas Pool. Koch seeks authorization to drill an additional coal gas well in each of three existing non-standard gas spacing units that comprise the following acreage located in the narrow sections along the west side of Township 31 North, Range 8 West:

- A. W/2 equivalent of Section 6 and the NW/4 equivalent of Section 7 (The additional well is proposed at a standard location in the NW/4 of Section 6):
- B. SW/4 equivalent of Section 7 and W/2 equivalent of Section 18 (the additional well is proposed at a standard location in the NW/4 of Section 18); and
- C. W/2 equivalent of Section 19 and the NW/4 equivalent of Section 30 (the additional well is proposed at a standard location in the NW/4 of Section 19).

Koch also seeks authorization to simultaneously dedicated each of these units to the three coal gas wells located thereon

This application has been set for hearing before a Division Examiner at 8:15 a. m. on December 13, 2006 at Porter Hall located at 1220 South Saint Francis Drive, Santa Fe, New Mexico. 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 with the Oil Conservation Division's Santa Fe office located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505, four days in advance of a scheduled hearing, but at least on the Thursday preceding the hearing. This statement must include: the names of the parties and their

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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.

Sincerely

William F. Carr

Attorney for Koch Exploration Company, L.L.C.

Enclosure

cc: Mr. Morgan J. Connor

Land Manager

Koch Exploration Company, LLC

EXHIBIT A

NOTIFICATION LIST

IN THE MATTER OF THE APPLICATION OF KOCH EXPLORATION COMPANY, LLC FOR AN ORDER AUTHORIZING INCREASED WELL DENSITY AND SIMULTANEOUS DEDICATION IN THE BASIN FRUITLAND COAL GAS POOL, SAN JUAN COUNTY, NEW MEXICO.

BP America Production Company Regulatory Affairs 1660 Lincoln Street, suite 3000 Denver, Colorado 80264 Attention: Bill Hawkins

Burlington Resources Oil and Gas Company 3401 East 30th Street Farmington, New Mexico 87402 Attn: Alan Alexander

ConocoPhillips Company
3401 East 30th Street
Farmington, New Mexico 87402
Attn: Alan Alexander

Chevron Texaco
11111South Wilcrest
Houston, Texas 77099
Attention: Paul R. Owen, Esq.

Four Star Oil & Gas
11111 South Wilcrest
Houston, Texas 77099
Attention: Stacey Saunders

Peoples Energy 1301 McKinney, Suite 3200 Houston, Texas 77010 Attention: Diane Sumrall

Williams Production Company One Williams Center, Suite 2500 Tulsa, Oklahoma 74172 Attention: Barbara Burnett

Williams Production Company 999 Godard Ave. Ignascio, Colorado 81137 Bureau of Land Management Farmington District Office 1235 La Plata Highway Suite A Farmington, New Mexico 87401-8731

Commissioner of Public Lands 310 Old Santa Fe Trail Post Office Box 1148 Santa Fe, New Mexico 87504-1148

Morgan Connor Land Manager Koch Exploration Company, LLC 9777 Pyramid Court Englewood, Colorado 80112

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

IN THE MATTER OF THE APPLICATION OF KOCH EXPLORATION COMPANY, LLC FOR AN ORDER AUTHORIZING INCREASED WELL DENSITY AND SIMULTANEOUS DEDICATION ON CERTAIN NON-STANDARD SPACING UNITS IN THE BASIN-FRUITLAND COAL GAS POOL, SAN JUAN COUNTY, NEW MEXICO.

CASE	NO.	

APPLICATION

KOCH EXPLORATION COMPANY, LLC ("Koch") through its undersigned attorneys, hereby makes application to the Oil Conservation Division for an order authorizing the drilling of an additional well on each of three irregular spacing and proration units located in portions of Sections 6, 7, 18, 19 and 30 of Township 31 North, Range 8 West, NMPM, San Juan County, New Mexico, and in support of its application states:

- 1. Koch Exploration Company, LLC, is the operator of the Fruitland Coal formation, Basin-Fruitland Coal Gas Pool, in the following three irregular spacing units located along the western boundary of Township 31 North, Range 8 West:
 - A. W/2 equivalent of Section 6 and the NW/4 equivalent of Section 7;
 - B. SW/4 equivalent of Section 7 and W/2 equivalent of Section 18; and
 - C. W/2 equivalent of Section 19 and the NW/4 equivalent of Section 30.
- 2. These non-standard spacing units were approved in the Mesaverde formation by Division Order No. R-392, dated November 24, 1953. Non-standard spacing units comprised of the same acreage were also approved in the Dakota formation, Basin Dakota-Gas Pool, by Order No. R-12521. Division Order No. R-8768-A, dated July 16, 1991 amended Rule 5 of the Special Pool Rules and Regulations for Basin-Fruitland Coal Gas Pool to provide for administrative approval of non-standard spacing units in the Basin- Fruitland Coal Gas Pool if the non-standard spacing unit already existed in the Mesaverde or Dakota formation. Such approval consisted of acceptance by the District Supervisor of the Division's Aztec District Office of Division Form C-

102 showing the proposed non-standard unit and the acreage contained therein. Therefore these non-standard units were approved at the time the Acreage Dedication Plat (Form C-102) was filed for the original coal gas well on each of these spacing units.

- 3. These spacing units are located in the "High Productivity Area" of the Basin-Fruitland Coal Gas Pool as established by Order No. R-8768-F dated July 17, 2003.
- 4. The spacing and well location requirements of the Special Rules for the Basin Fruitland Coal Gas Pool for the High Productivity Area, provide for no more than two (2) wells per standard 320-acre gas spacing unit provided that prior to drilling a second well on a standard 320-acre gas spacing unit in the High Productivity Area notice and an opportunity to object must be provided to affected offset operators. Rule 7(d)(2) Since the subject spacing units are non-standard units, they do not fall under the provisions of the Special Pool Rules and Regulations for the Basin-Fruitland Coal Gas Pool
- 5. The subject non-standard spacing units were proposed and approved to keep the ownership common in these tracts for all formations.
- 6. Due to the irregular shape of these non-standard units, there is acreage that cannot be drained by the existing wells thereon and the reserves under these tracts are being drained by wells on offsetting spacing units in this pool.
- 7. Koch seeks authorization to drill an additional well in the NW/4 of Section 6, the NW/4 of Section 18 and the NW/4 of Section 19, of Township 31 North, Range 8 West and simultaneously dedicate three wells in the Basin-Fruitland Coal Gas Pool to each of these non-standard spacing units.
- 8. The Oil and Gas Act charges the Division with the protection of the correlative rights of each owner in a spacing or proration unit.
- 9. "Correlative Rights" is "the opportunity afforded, as far as it is practicable to do so, to the owner of each property in a pool to produce without waste his just and equitable share of the oil or gas, or both, in the pool, being an amount, so far as can be practicably determined, APPLICATION FOR INCREASED WELL DENSITY AND SIMULTANEOUS DEDICATION

and so far as can be practicably obtained without waste, substantially in the proportion that the

quantity of recoverable oil or gas, or both, under such property bears to the total recoverable oil

or gas, or both, in the pool"

The approval of this application and the drilling of an additional Fruitland Coal

Gas well on each of these three spacing units is necessary to enable the owners therein to produce

their just and equitable share of the reserves from this pool.

11. Notice of this application has been provided as required by Division Rules to

each affected persons as defined by Division Rules 1207(a)(2) [19.15.14.1207(1)(2) NMAC] in

each spacing unit that adjoins the spacing unit on which a proposed additional well is proposed.

12. Approval of this application will be in the best interest of conservation, the

prevention of waste and the protection of correlative rights.

WHEREFORE, Koch Exploration Company, LLC request that this application be set for

hearing before an examiner of the Oil Conservation Division on December 13, 2006, and that

after notice and hearing as required by law, the Division enter its order granting this application.

Respectfully submitted, Holland & Hart, LLP

v: William F.

William F. Carr ATTORNEYS FOR KOCH

EXPLORATION COMPANY, LLC

AFFIDAVIT OF PUBLICATION

Ad No. 54247

STATE OF NEW MEXICO County of San Juan:

ROBIN ALLISON, being duly sworn says: That she is the CLASSIFIED MANAGER of THE DAILY TIMES, a daily newspaper of general circulation published in English at Farmington, said county and state, and that the hereto attached Legal Notice was published in a regular and entire issue of the said DAILY TIMES, a daily newspaper duly qualified for the purpose within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico for publication and appeared in the Internet at The Daily Times web site on the following day(s):

Sunday, November 19, 2006.

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appeared before me, whom I know personally							
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And the cost of the publication is \$144.46

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COPY OF PUBLICATION

STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION SANTA FE, NEW MEXICO

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on December 13, 2006, in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appoint for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qulified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact: Florene Davidson at 505-476-3458 or through the New Mexico, Relay Network, 1-800-659-1779 by December 3, 2006. Public documents including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a symmary or other type of accessible form is needed.

STATE OF NEW MEXICO TO: All named parties and persons having any right, title, interest or claim in the following cases and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so

CASE 13841:

Application of Koch Exploration Company, LLC for an order authorizing increased well density and six multaneous dedication on certain non-standard spacing units in the Basin-Fruitland Coal Gas Pool, San Juan County, New Mexico. Applicant seeks authorization to drill an additional coal gas well at a standard location in each of three existing non-standard gas spacing units in the Basin-Fruit land Coal Gas Pool. These three GPU's comprise the following acreage located in the narrow sections along the west side of Township 31 North, Range 8 West:

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Applicant also seeks authorization to simultaneously dedicated each of these units to the three coal gas wells located thereon. This area is located approximately 6.5 miles west of the Los Pinos arm of the Navajo Reservoir approximately 30.66 miles north of Aztec, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 16th day of November 2006.

STATE OF NEW MEXICO OIL CONSERVATION DIVISION

Mark E. Fesmire, P.E., Director

Legal No. 54247, published in The Daily Times, Farmington, New Mexico on Sunday, November 19, 2006

AFFIDAVIT OF PUBLICATION

Ad No. 54247

STATE OF NEW MEXICO County of San Juan:

ROBIN ALLISON, being duly sworn says: That she is the CLASSIFIED MANAGER of THE DAILY TIMES, a daily newspaper of general circulation published in English at Farmington, said county and state, and that the hereto attached Legal Notice was published in a regular and entire issue of the said DAILY TIMES, a daily newspaper duly qualified for the purpose within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico for publication and appeared in the Internet at The Daily Times web site on the following day(s):

Sunday, November 19, 2006.

And the cost of the publication is \$144.46

ROBIN ALLISON appeared before me, whom I know personally to be the person who signed the above document.

Commission Expires

COPY OF PUBLICATION

STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION SANTA FE, NEW MEXICO

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STATE OF NEW MEXICO OIL CONSERVATION DIVISION

Mark E. Fesmire, P.E., Director

Legal No. 54247, published in The Daily Times, Farmington, New Mexico on Sunday, November 19, 2006

102595-02-M-1540 ☐ Addressee C. Date of Delivery Return Receipt for Merchandise 02595-02-M-1540 X Return Receipt for Merchandise 2 Date of Delivery. ☐ Addressee ☐ Agent ☐ Agent % □ □ COMPLETE THIS SECTION ON DELIVERY D. Is delivery address different from item 1? COMPLETE THIS SECTION ON DELITERY If YES, enter delivery address below: ☐ Express Mail If YES, enter delivery address below: ☐ Express Mail 4. Restricted Delivery? (Extra Fee) O C.O.D. 4. Restricted Delivery? (Extra Fee) B. Received by (Printed Name) Received by (Printed Name) Certified Mail 5894 ☐ Insured Mail A Certified Mail 9917 ☐ Insured Mail ☐ Registered Service Type Service Type A. Signayure Signature Domestic Return Receipt 9559 Domestic Return Receipt 9557 1140 0002 5000 1235 LaPlata Highway, Suite A Attach this card to the back of the mailpiece, Farmington, NM 87401-8731 Print your name and address on the reverse Bureau of Land Management Attach this card to the back of the mailpiece, ■ Complete Items 1, 2, and 3. Also complete Print your name and address on the reverse BP America Production Company Complete items 1, 2, and 3. Also complete Farmington District Office 1660 Lincoln Street, Suite 3000 1140 tem 4 if Restricted Delivery is desired. so that we can return the card to you. SENDER: COMPLETE THIS SECTION SENDER: COMPLETE THIS SECTION Item 4 if Restricted Delivery is desired so that we can return the card to you 4 Denver, Colorado 82064 or on the front if space permits. or on the front if space permits. 7007 7007 PS Form 3811, February 2004 PS Form 3811, February 2004 Attn: Bill Hawkins Regulatory Affairs 1. Article Addressed to: Transfer from service (Transfer from serv. 1. Article Addressed to: 2. Article Number Article Number u Coverage Provided) Street, Apt. No.; Farmington District Office or Po Box No. 1235 LaPlata Highway, Suite A MON Prostmark City, State, ZiP+ Farmington, NM 87401-8731 0 BP America Production Company Bureau of Land Management Here 1660 Lincoln Street, Suite 3000 city, state, ZIP+4 Denver, Colorado 82064 Attn: Bill Hawkins Regulatory Affairs 00/ 702 C. TEMPER MAIL REGELE C. 4.5 I REGELD Total Postage & Fees | \$ Total Postage & Fees | \$ PHINITE WAY @**2**23 Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Postage Certified Fea Postage Certified Fee Street, Apt. No.; or PO Box No. Declaration of 大名子 5 F. C Sent To

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Registered Service Type Certified Mail ☐ Insured Mail ☐ Insured Mail 9870 9937 A. Signature Domestic Return Receipt Domestic Return Receipt 9557 9557 шi 1140 0002 000 Koch Exploration Company, LLC Attach this card to the back of the mailpiece, Attach this card to the back of the mailpiece, Print your name and address on the reverse Print your name and address on the reverse ■ Complete items 1, 2, and 3. Also complete ■ Complete items 1, 2, and 3. Also complete 1,1,40 item 4 if Restricted Delivery is desired. SENDER: COMPLETE THIS SECTION item 4 if Restricted Delivery is desired SENDER: COMPLETE THIS SECTION so that we can return the card to you. so that we can return the card to you. Attn: Stacey Saunders or on the front if space permits. or on the front if space permits. Englewood, CO 80112 11111South Wilcrest 7007 PS Form 3811, February 2004 7007 Four Star Oil & Gas Houston, TX 77099 PS Form 3811, February 2004 9777 Pyramid Court Morgan Connor Land Manager 1. Article Addressed to: 1. Article Addressed to: (Transfer from servi (Transfer from serv. 2. Article Number 2. Article Number Street, Apt. No. Koch Exploration Company, LLC or PO Box No. (1) 1901 14 200E Here O Postmai Englewood, CO 80112 Street, Apt. No. Attn: Stacey Saunders or PO Box No. 111111South Wilcrest Four Star Oil & Gas Olly, State, ZIP, 9777 Pyramid Court city, State, ZIP, Houston, TX 77099 2.49 4 8 S Postal Service ER ITPIED WAIL RECEIPT Morgan Connor C. Land Manager 2.40 3 Total Postage & Fees | \$ O Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Postage Certified Fee Total Postage & Fees Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Postage Certified Fea LI. PS Form 3800 mas mo sa Li. #28X Sent To DhTT TODL 2000 TEPP 722P

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Registered ☐ Insured Mail orred 9557 A. Signathi Domestic Return Recelpt 7001 1140 0002 Attach this card to the back of the mailplece, とから Print your name and address on the reverse ■ Complete items 1, 2, and 3. Also complete 1301 McKinney, Suite 3200 tem 4 if Restricted Delivery is desired. SENDER: COMPLETE THIS SECTION so that we can return the card to you. or on the front if space permits. Attn: Diane Sumrall Houston, TX 77010 PS Form 3811, February 2004 (Transfer from service label) Peoples Energy 1. Article Addressed to: 2. Article Number W Williams Production Company O Street, Apt. No.; Attn: Diane Sumrall or PO Box No.; 1301 McKinney, Suite 3200 CITY, State, ZIP+ Ignascio, CO 81173 Street, Apt. No.; 999 Godard Avenue or PO Box No. City, State, ZIP+ Houston, TX 77010 ġ, - Peoples Energy ETHIFIED MAIL REGELPT C. Total Postage & Fees | \$ Total Postage & FARS | Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Certified Fee Postage Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Postage Certified Fee PS Form 3800 **X87** 大名は Sent To Sent To LOOL በትፒፒ 2000 1556 0066

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Attach this card to the back of the mailpiece, Williams Production Company Print your name and address on the reverse ■ Complete items 1, 2, and 3. Also complete 1,1,40 item 4 if Restricted Delivery is desired. SENDER: COMPLETE THIS SECTION Julsa, Oklahoma 74172 Attn: Barbara Burnett or on the front if space permits. 7007 PS Form 3811, February 2004 1. Article Addressed to: (Transfer from servic 2. Article Number Street, Apt. N. Attn: Barbara Burnett or PO BOX Nº One Williams Center, Suite 2500 - Williams Production Company cii, state, zii Tulsa, Oklahoma 74172 9h.2 44 18 Total Postage & Fees | \$ 8000000 Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Certified Fee Postage IJ. Sent To

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