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Reply to Santa Fe Office

June 3, 2008

**HAND DELIVERED**

Mr. David Brooks  
New Mexico Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, NM 87505

Re: Case No. 14130; Application of Energen Resources Corporation for  
Compulsory Pooling and Unorthodox Well Location, Rio Arriba and San Juan  
Counties, New Mexico

Dear Mr. Brooks:

Enclosed is the original Affidavit of Publication from the Rio Grande Sun  
newspaper.

On behalf of the Applicant, we ask that the record in the referenced matter be  
supplemented to include the Affidavit.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.



J. Scott Hall

Cc: Dave Poage, w/encl.

**NOTICE**

To: Palmetto Partners L.P., or its successors or assigns. Energen Resources Corporation has made application to the New Mexico Oil Conservation Division for relief in the following matter:

**Case No. 14130: Application of Energen Resources Corporation for Compulsory Pooling and Unorthodox Well Location, Rio Arriba and San Juan Counties, New Mexico.** Applicant seeks an order pooling all mineral interests in the Fruitland Coal formation, (Basin-Fruitland Coal Gas Pool) underlying the W/2 of Section 22, Township 32 North, Range 6 West, NMPM, Rio Arriba and San Juan Counties, New Mexico, forming a standard 320-acre spacing and proration unit to be dedicated to the 32-5 Unit Well No. 115. The well will be directionally drilled from an unorthodox surface location 120 feet from the South line and 50 feet from the East line of Section 22 in Rio Arriba County, penetrating the Fruitland Coal formation at an unorthodox point 50 feet from the South line and 2630 feet from the West line of Section 22, to a standard bottom hole location 660 feet from the North and West lines of Section 22 in Township 32 North, Range 6 West, NMPM in San Juan County, New Mexico.

This Application is brought pursuant to the provisions of 19.15.14.1210 A.(1)(b), NMAC. Applicant has been unable to locate the following owners of mineral rights referenced above, whose last known address is: Palmetto Partners L.P., 535 Fifth Avenue, 25th Floor, New York, NY 10017. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, the actual operating costs and charges for supervision, designation of applicant as operator and a charge for risk involved in drilling the well. The lands that are the subject of the application are located approximately 6 miles south of Arboles, Colorado. This application will be set for hearing before a Division Examiner at 8:15 a.m. on May 29, 2008 at the New Mexico Oil Conservation Division, 1220 South St. Francis Dr., Santa Fe, New Mexico. Any owner of an interest that may be affected may appear and present testimony. Failure to appear at that time and become a party of record will preclude such party from challenging this application at a later time. For further information, contact the applicant's attorney, J. Scott Hall, Montgomery and Andrews, P.A., P.O. Box 2307 Santa Fe, New Mexico 87504. (505) 982-3873.

(Published May 29, 2008)

# Affidavit of Publication

State of New Mexico

County of Rio Arriba

I, Robert Trapp, being first duly sworn, declare and say I am the publisher of the Rio Grande SUN, a weekly newspaper published in the English language and having a general circulation in the County of Rio Arriba, State of New Mexico, and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 of the Session Laws of 1937. The publication, a copy of which is hereto attached, was published in said paper once each week for

**er's Bill**

the time at 42.30

times at \_\_\_\_\_

Affidavit 5.00

Subtotal 47.30

Tax 5.05

Total 72.35

1 consecutive weeks and on the same day of each week in the regular issue of the paper during the time of publication and the notice was published in the newspaper proper, and not in any supplement. The first publication being on the

29<sup>th</sup> day of May, 2008

and the last publication on the 29<sup>th</sup> day of

May, 2008 payment for said advertisement has been duly made, or assessed as court costs. The undersigned has personal knowledge of the matters and things set forth in this affidavit.

Robert Trapp Publisher

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_

Maria V. Lopez-Garcia

Maria V. Lopez-Garcia/Notary Public  
My commission expires 13 July 2009

**P. at Rio Grande SUN**

**Date** \_\_\_\_\_

**By** \_\_\_\_\_

# Advertising Invoice

Rio Grande Sun  
PO Box 790  
Espanola, NM 87532  
Phone: (505)753-2126  
Fax: (505)753-2140

MONTGOMERY & ANDREWS, P.A.  
PO BOX 2307  
SANTA FE, NM 87504

Cust#: 02106350-000  
Ad#: 02529155  
Phone: (505)986-2624  
Date: 05/30/08

Ad taker: EV Salesperson: Classification: 899

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
01 RIO GRANDE SUN	05/29/08	05/29/08	1	62.30		62.30
AFFIDAVIT						5.00

**Payment Reference:**

Total: 67.30  
Tax: 5.05  
Net: 72.35  
Prepaid: 72.35

**Total Due** 0.00

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