

KELLAHIN, KELLAHIN AND AUBREY

ATTORNEYS AT LAW

EL PATIO BUILDING

117 NORTH GUADALUPE

POST OFFICE BOX 2265

SANTA FE, NEW MEXICO 87504-2265

TELEPHONE (505) 982-4285

TELEFAX (505) 982-2047

W. THOMAS KELLAHIN  
KAREN AUBREY

CANDACE HAMANN CALLAHAN

JASON KELLAHIN  
OF COUNSEL

To M.S. - JHM 10-9-90

October 4, 1990

Mr. Jim Morrow  
Oil Conservation Division  
Post Office Box 2088  
Santa Fe, New Mexico 87504

HAND DELIVERED

Re: Application of Bird Creek  
Resources, Inc. for Compulsory  
Pooling, NMOCD Case No. 10067  
SW/4SE/4 Section 15, T23S, R28E  
Eddy County, New Mexico

Dear Mr. Morrow:

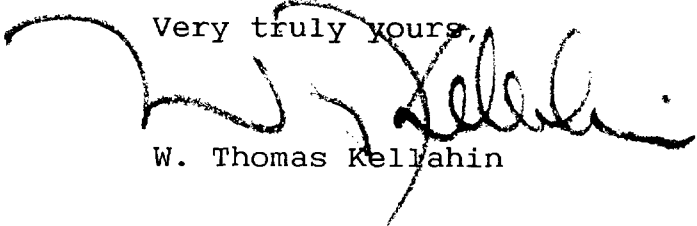
The referenced case was taken under advisement at the Examiner's hearing held on October 3, 1990. The case was originally heard on September 5, 1990 with the technical evidence and witnesses presented at that time.

The case was continued to provide one party, CHL Energy Inc., the twenty-day notice period in which to appear and participate in the hearing. They did not appear.

Enclosed is my certificate showing the notification to CHL Energy Inc. as required by Division rules.

We believe we have completed all matters for the issuance of a compulsory pooling order in this case.

Very truly yours,

  
W. Thomas Kellahin

WTK/tic  
Enclosure

cc: Lawrence W. Robinette

RECORDED

OCT 11 1990

OIL CONSERVATION DIVISION  
SANTA FE

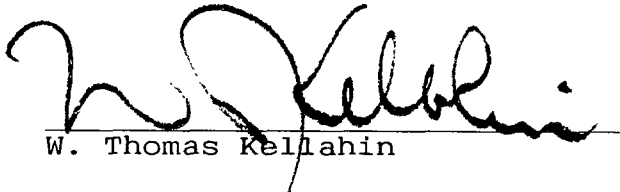
STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION

IN THE MATTER OF THE APPLICATION  
OF BIRD CREEK RESOURCES, INC.  
FOR COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO

CASE NO. 10067

SUPPELMENTAL  
CERTIFICATE OF MAILING  
AND  
COMPLIANCE WITH ORDER R-8054

In Accordance with Division Rule 1207 (Order R-8054) I hereby certify that on September 11, 1990, notice of the hearing and a copy of the Application for the above referenced case was mailed by registered mail return-receipt, at least twenty days prior to the hearing set for October 3, 1990, to the parties shown in the Application as evidenced by the attached copies of return-receipt cards.

  
W. Thomas Kellahin

SUBSCRIBED AND SWORN to before me this 2nd day  
of October, 1990.

  
Notary Public

My Commission Expires:

7-6-91

RECORDED

OCT 11 1990

OIL CONSERVATION DIV  
SANTA FE

All Entries MUST be in Ball Point or Typed

<b>REGISTERED NO.</b> R 522 887 327		<b>POSTMARK OF</b> Bird Creek Case 10067 SEP 11 1990 USPS	
<b>Post Office Completion</b>	Reg. Fee \$ 4.50	Special Delivery \$	
	Handling Charge \$	Return Receipt \$ .90	
	Postage \$ .96	Restricted Delivery \$	
	Received by <i>[Signature]</i>	<input type="checkbox"/> Intl	
<b>Customer Completion (Please Print)</b>	Customer must declare Full value \$		<input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance \$25,000 Domestic Ins. Limit
	FROM		
	Kellahin, Kellahin & Aubrey		
	P.O. Box 2265		
	Santa Fe, NM 87504		
	TO		
CHL Energy, Inc. c/o Queencliff Management, 1241 Homer Street			
Vancouver, British Columbia V6Z 2Y9			

PS Form 3806, RECEIPT FOR REGISTERED MAIL (Customer Copy)  
June 1986 (See Information on Reverse)

To be filled out by the office of origin.  
A remplir par le bureau d'origine.

Registered article Envoi recommandé	<input type="checkbox"/> Letter Lettre	<input type="checkbox"/> Print Imprimé	<input type="checkbox"/> Other Autre
<input type="checkbox"/> Insured parcel Colis avec valeur déclarée	Insured value Valeur déclarée \$		
Office of mailing bureau de dépôt	Date of posting Date de dépôt No.		
Addressee (Name or firm) Nom ou raison sociale du destinataire CHL Energy, Inc. c/o Queencliff Management			
Street and No. Rue et No. 1241 Homer Street			
Place and country Lieu et Pays Vancouver, British Columbia V6Z 2Y9			

To be completed at destination.  
A compléter à destination.

This receipt must be signed by the addressee or by a person authorized to do so, by virtue of the regulations of the country of destination, or, if those regulations so provide, by the employee of the office of destination, and returned by the first mail directly to the sender. Cet avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau de destination, et renvoyé par le premier courrier directement à l'expéditeur.		POST OFFICE BUREAU DE POSTES SEP 17 1990 REGISTRATION SECTION SECTION DE RECOMMANDATION VANCOUVER B.C. V6B 2X0
<input type="checkbox"/> The article mentioned above was duly delivered. L'envoi mentionné ci-dessus a été dûment livré.	Date 70	
Signature of the addressee Signature du destinataire	Signature of the employee of the office of destination. Signature de l'agent du bureau de destination.	

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TELEPHONE (505) 982-4285  
TELEFAX (505) 982-2047

September 11, 1990

REGISTERED MAIL RETURN RECEIPT

CHL Energy, Inc.  
c/o Queencliff Management  
1241 Homer Street  
Vancouver, British Columbia V6Z1Y9

Re: Application of Bird Creek Resources, Inc.  
before the New Mexico Oil Conservation  
Division for a Compulsory Pooling Order  
in Case 10067 (West Loving Prospect)  
SW/4SE/4 Section 15-23S-28E  
Eddy County, New Mexico

Dear Sir:

Our firm represents Bird Creek Resources, Inc. On its behalf we presented the referenced case to the New Mexico Oil Conservation Division for hearing on September 5, 1990.

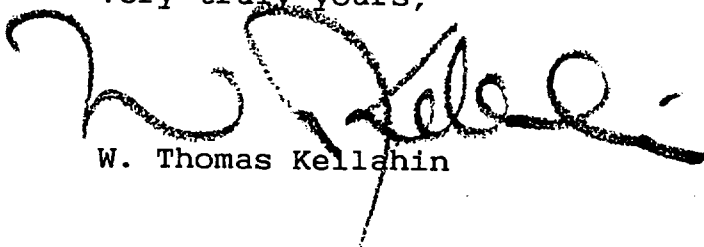
Bird Creek's information is that your company has a 1.38% working interest in the proposed spacing unit for the referenced well. By letter dated July 2, 1990, Bird Creek Resources proposed to you the voluntary participation of your interest in this well. You have not responded.

In the absence of a voluntary agreement, the New Mexico Oil Conservation Division has the authority to pool your interest. The purpose of this case is to obtain the Division's order pooling your interest. The hearing of this case was presented on September 5th, but will be continued to the Division hearing set for October 3, 1990 in Santa Fe, New Mexico to provide you an opportunity to appear and be heard. If you fail to appear your interest will be pooled.

CHL Energy, Inc.  
September 11, 1990  
Page 2

I have enclosed a copy of the original application and  
a copy of the hearing exhibits.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'W. Thomas Kellahin', with a long horizontal flourish extending to the right.

W. Thomas Kellahin

WTK/tic

cc: Lawrence W. Robinette