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December 6, 2006

Mr. Michael Rogers
BP America
Post Office Box 3092
Houston, Texas 77253-3092

RECEIVED
DEC 18 2006
BP

Re: NMOCD Case No. 13828; In the Matter of the Application of Energen Resources Corporation for an Amendment to Administrative Order NSL-3572 (NSP) and for an Exception to Rule 4 of the Special Pool Rules for the Basin Fruitland Coal Gas Pool for the Designation of a Non-Standard Gas Spacing Unit, San Juan County, New Mexico

Dear Mr. Rogers:

Enclosed is our notice letter and copy of the Application filed on behalf of Energen Resources Corporation in the above matter.

Energen seeks to have the New Mexico Oil Conservation Division issue an order conforming the non-standard spacing unit designated by the state with the pre-existing communitization agreements covering production from the Fruitland Coal and Mesaverde formations. BP's interests in the NW/4 equivalent of Section 30 T30NR9W would be excluded from the re-designated unit that is currently shown on the state's acreage dedication plat which appears to have been approved in error. BP does not participate in production from the Fruitland Coal formation communitized area in any event.

If agreeable, I would appreciate BP waiving its objections to Energen's application by signing this letter where indicated below and returning the same to me. BP's waiver will expedite the NMOCD's approval of Energen's Application and will eliminate the need for another hearing on the matter, now scheduled for January 4, 2007.

A PROFESSIONAL ASSOCIATION

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Mr. Michael Rogers
December 6, 2006
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Thank you for your consideration of this request. If additional information is needed, please do not hesitate to contact me.

Very truly yours,

MILLER STRATVERT P.A.



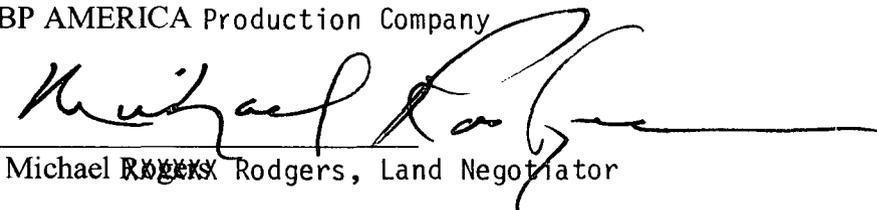
J. Scott Hall

JSH/glb
Enclosure

cc: Dave Poage, Energen Resources

WAIVER OF OBJECTIONS for Case No 13828, for Jan 4, 2007 Hearing

BP AMERICA Production Company



By: Michael Rodgers, Land Negotiator

Dated: Dec 18, 2006