



San Juan Business Unit
ConocoPhillips Company
P.O. Box 4289
Farmington, NM 87499-4289

April 12, 2007

Hand Delivered

Edwin Leroy Smith
Edwin Smith, LLC
40758 Jasper Drive
Kingsburg, CA 93631-1316

Re: Duff #104, & Duff #105 wells, W/2 Section 8, T29N R11W
Case No. 13486, Application of Synergy Operating, LLC
For Compulsory Pooling, San Juan County, New Mexico.

Dear Mr. Smith:

Please be advised that Burlington Resources Oil & Gas Company LP, as a wholly owned subsidiary of ConocoPhillips Company, will operate the two captioned Duff Fruitland Coal wells if Synergy does not. Burlington is the largest working interest owner in both of the subject wells.

Sincerely,

William H. Rainbolt
Land Supervisor

xc: David R. Catnanach
New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

