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Reply to Santa Fe Office

June 30, 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 for the May 29, 2008 hearing in  
the above-referenced matter. On behalf of the Applicant, we request that the Affidavit be  
included in the record.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.



J. Scott Hall

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2008 JUN 30 PM 2 51

**AFFIDAVIT OF PUBLICATION**

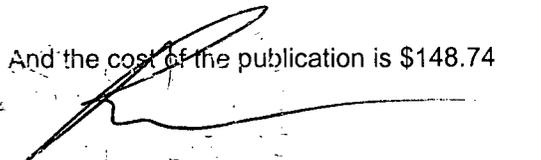
**Ad No. 60236**

**STATE OF NEW MEXICO  
County of San Juan:**

BOB WALLER, being duly sworn says: That he 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):

Wednesday May 28, 2008

And the cost of the publication is \$148.74



ON 6/2/08 BOB WALLER appeared before me, whom I know personally to be the person who signed the above document.

  
My Commission Expires - 11/05/11

**COPY OF PUBLICATION**

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 know 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.

Legal No. 60236 published in The Daily Times, Farmington, New Mexico on Wednesday May 28, 2008