

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF XTO ENERGY INC. FOR  
COMPULSORY POOLING, BERNALILLO COUNTY,  
NEW MEXICO.

Case No. 13,299

AFFIDAVIT REGARDING NOTICE

STATE OF NEW MEXICO           )  
  ) ss.  
COUNTY OF SANTA FE           )

James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters set forth herein.

2. I am an attorney for Applicant.

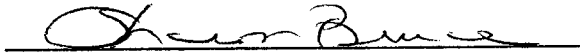
3. Applicant has conducted a good faith, diligent effort to find the name and correct address of the interest owner entitled to receive notice of the Application filed herein.

4. Notice of the Application was provided to the interest owner at its correct address by certified mail. Copies of the notice letter and certified return receipt are attached hereto as Exhibit A.

5. Applicant has complied with the notice provisions of Division Rule 1207.

  
James Bruce

SUBSCRIBED AND SWORN TO before me this 7th day of July, 2004, by James Bruce.

  
Notary Public

My Commission Expires:  
3/14/05

OIL CONSERVATION DIVISION

CASE NUMBER

EXHIBIT NUMBER 4

**JAMES BRUCE**  
ATTORNEY AT LAW

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jamesbruc@aol.com

June 16, 2004

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

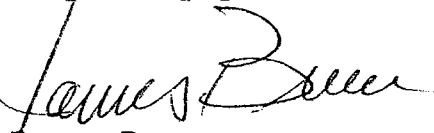
Kent Investment Limited Partnership  
c/o Peter Digangi, Jr., agent  
1209 Georgia N.E.  
Albuquerque, New Mexico 87110

Ladies and Gentlemen:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by XTO Energy Inc., regarding a well in the SE¼ of Section 27, Township 10 North, Range 1 West, N.M.P.M., Bernalillo County, New Mexico. This application is scheduled to be heard at 8:15 a.m. on Thursday, July 8, 2004, at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an interest owner in the well unit, you have the right to appear at the hearing and present evidence. Failure to appear at the hearing will preclude you from contesting this matter at a later date.

You are required to notify the Division, and the undersigned, in writing by Friday, July 2, 2004, if you intend to enter an appearance and participate in the case.

Very truly yours,

  
James Bruce

Attorney for XTO Energy Inc.



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kent Investment Limited Partnership  
c/o Peter Digangi, Jr., agent  
1209 Georgia N.E.  
Albuquerque, New Mexico 87110

2. Article Number

(Transfer from service label)

PS Form 3811, August 2001

7004 0750 0003 8814 5761

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *Peter Digangi* ☐ Agent  
B. Received by (Printed Name) ☐ Addressee

C. Date of Delivery  
D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type

- ☐ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

**U.S. Postal Service<sup>®</sup>**  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
(Domestic Mail Only; No Insurance Certificate Provided)  
For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage \$  
Certified Fee  
Return Receipt Fee (Endorsement Required)  
Restricted Delivery Fee (Endorsement Required)  
Total Postage & Fees \$

Sent To

Street, Apt. No.: Kent Investment Limited Partnership  
or PO Box No. c/o Peter Digangi, Jr., agent  
City, State, ZIP+4: 1209 Georgia N.E., Albuquerque, New Mexico 87110

PS Form 3800, June 2002

See Reverse for Instructions



102596-02-161840