

BEFORE THE OIL CONSERVATION DIVISION
NEW MEXICO ENERGY, MINERALS AND
NATURAL RESOURCES DEPARTMENT

APPLICATION OF BP AMERICA PRODUCTION
COMPANY, FOR COMPULSORY POOLING AND
DOWNHOLE COMMINGLING, SAN JUAN COUNTY,
NEW MEXICO

CASE NO. 13653

AFFIDAVIT

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

Ocean Munds-Dry, attorney in fact and authorized representative of BP America
Production Company, the Applicant herein, being first duly sworn, upon oath, states that
notice of the above-referenced Application was mailed to the interested parties shown on
Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that
true and correct copies of the notice letter and proof of notice are attached hereto.

Ocean Munds-Dry
Ocean Munds-Dry

SUBSCRIBED AND SWORN to before me this 3rd day of February 2006.



OFFICIAL SEAL
LISAMARIE ORTIZ
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires 1/14/07

[Signature]
Notary Public

My Commission Expires:

January 14, 2007

EXHIBIT A

**APPLICATION OF BP AMERICA PRODUCTION
COMPANY, FOR COMPULSORY POOLING
W/2 OF SECTION 32, TOWNSHIP 31 NORTH, RANGE 10 WEST, N.M.P.M.
SAN JUAN COUNTY, NEW MEXICO.**

Burlington Resources Oil & Gas Company LP
3401 East 30th St.
Farmington, NM 87402

Westport Oil and Gas Company LP
c/o Kerr-McGee Corporation
1670 Broadway, Suite 2800
Denver, CO 80202-4800

Energen Resources Corporation
2198 Bloomfield Hwy
Farmington, NM 87041-8108

Marcia Berger
c/o Petroleum Asset Mgmt LLC
P.O. Box 745
Hobbs, NM 88241

WWR Enterprises, Inc.
c/o Petroleum Asset Mgmt LLC
P.O. Box 745
Hobbs, NM 88241

William C. Briggs
c/o Sunwest Bank of Albuquerque, N.A., Agent
P.O. Box 26900
Albuquerque, NM 87125

Herbert R. Briggs
6729 Academy Rd. Suite D
Albuquerque, NM 87109

CEEFAM LLC
3117 Hyder, SE
Albuquerque, NM 87104

Cyrene Inman
Bank of America, NA Agent Trust Oil & Gas
P.O. Box 26900
Albuquerque, NM 87125-6900

Pennies From Heaven LLC
901 Rio Grande Blvd. NW
Albuquerque, NM 87106

Roger B. Nielsen
1200 Danbury Dr.
Mansfield, TX 76063-3809

Carolyn Nielsen Sedberry
Little Oil & Gas Inc., Agent
P.O. Box 1258
Farmington, NM 87499

ConocoPhillips Company
600 N. Dairy Ashford-WL3
Suite 4000
Houston, TX 77079

Production Gathering Company LP
8080 N. Central Expy, Suite 1090
Dallas, TX 75206

Fred Luthy Jr.
Bank of America, NA Agent
Trust Oil & Gas
P.O. Box 840738
Dallas, TX 75284-0738

Fritts Living Trust No.2, as amended
P.O. Box 53445
Lubbock, TX 79453

Duff Leach Family Trust
P.O. Box 30396
Albuquerque, NM 87190

Stanley W. Hatch
1455 Hardscrabble Rd.
Cadyville, NY 12918

Sheila J. Hatch
920 Mckendrie St.
San Jose, CA 95126

T.E. Duff, Trust
P.O. Box 398
Ruidoso, NM 88345



**Ocean Munds-Dry
Associate**
omundsdry@hollandhart.com

February 2, 2006

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO: AFFECTED INTEREST OWNERS

Re: Application of BP America Production Company for compulsory pooling and downhole commingling, San Juan County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that BP America Production Company has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests from the surface to the base of the Dakota formation in certain spacing and proration units in the W/2 of Section 32, Township 31 North, Range 10 West, N.M.P.M., San Juan County, New Mexico. Said pooled units are to be dedicated to BP's EPNG Com B LS Well No. 3M to be drilled at a standard gas location 2150 feet from the South line and 725 feet from the West line of Section 32. BP also seeks to commingle production from the Mesaverde formation, Blanco-Mesaverde Gas Pool and the Dakota formation, Basin-Dakota Gas Pool in the wellbore of the EPNG Com B LS Well No. 3M.

This application has been set for hearing before a Division Examiner on March 2, 2006. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 1208.B to file a Pre-hearing Statement at least four business days in advance of a scheduled hearing, but in no event later than 5:00 pm MST, on the Thursday preceding the scheduled hearing date. This statement must be filed at the Division's Santa Fe office at the above specified address and should include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Very truly yours,

Ocean Munds-Dry
ATTORNEY FOR BP AMERICA PRODUCTION
Co.

Holland & Hart LLP

Phone: (505) 988-4421 Fax: (505) 983-6043 www.hollandhart.com

110 North Guadalupe, Suite 1, Santa Fe, NM 87501 Mailing Address: P.O. Box 2208, Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C.

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

**IN THE MATTER OF THE APPLICATION
OF BP AMERICA PRODUCTION COMPANY
FOR COMPULSORY POOLING AND
DOWNHOLE COMMINGLING, SAN JUAN
COUNTY, NEW MEXICO.**

CASE NO. _____

APPLICATION

BP AMERICA PRODUCTION COMPANY, ("BP") through its undersigned attorneys, hereby makes application to the Oil Conservation Division pursuant to the provisions of NMSA 1978 § 70-2-17 (2005), for an order pooling all mineral interests in the Mesaverde formation at an approximate depth interval of 4300 feet to 5440 feet below the surface and the Dakota formation from an approximate depth of 7170 feet to an approximate depth of 7440 feet in the following described spacing and proration units located in the W/2 of Section 32, Township 31 North, Range 10 West, N.M.P.M., San Juan County, New Mexico: the W/2 for all formations and/or pools developed on 320-acre spacing which includes but is not limited to the Blanco-Mesaverde Gas Pool and the Basin Dakota-Gas Pool, and the SW/4 for all formations and/or pools developed on 160-acre spacing, and in support of its application states:

1. On June 1, 1953 the interest owners in the W/2 of Section 32 entered an Operating Agreement and Communitization Agreement combining the interests in this spacing unit in the Mesaverde formation only for the drilling of a well. These agreements contain no provisions concerning: (i) operations on this spacing unit by less than all parties; (ii) subsequent wells; or (iii) non-consent percentages because the

agreements were for the sole purpose of drilling one Mesaverde well on this spacing unit.

2. In 1953, the rules governing the Blanco Mesaverde pool provided for one well on each 320-acre spacing unit and this unit was therefore fully developed when the parties to the original agreements drilled the El Paso Natural Gas Company State Well No. 3 at a location 1650 feet from the South and West of Section 32 in July of 1953.

3. The Special Pool Rules and Regulations for the Blanco-Mesaverde Gas Pool currently provide up to four wells on a 320-acre spacing unit and the W/2 of said Section 32 is therefore not fully developed in the Blanco-Mesaverde Gas Pool.

4. BP America Production Company is a working interest owner in the W/2 of said Section 32 and has the right to drill thereon.

5. Pursuant to Rule I.B.(1)(a) of the Special Pool Rules and Regulations for the Blanco-Mesaverde Gas Pool, BP America Production Company desires to drill its EPNG Gas Com B LS Well No. 3M at a standard gas well location 2150 feet from the South line and 725 feet from the West line (Unit L) of said Section 32, to an approximate depth of 7432 feet to test any and all formations from the surface to the base of the Dakota formation. This well will be the THIRD OPTIONAL INFILL WELL as to the Mesaverde formation in the W/2 of Section 32. There is no operating agreement covering the Dakota formation in this spacing unit.

6. BP also desires to commingle production from the Mesaverde formation, Blanco-Mesaverde Gas Pool and the Dakota formation, Basin-Dakota Gas Pool in the wellbore of the EPNG Com B LS Well No. 3M. The Blanco-Mesaverde Gas Pool and the Basin-

Dakota Gas Pool are pre-approved for downhole commingling By Division Rule 303.C(5).

7. As operator of this spacing unit BP owes an obligation to the other interest owners in this spacing unit, including the state of New Mexico, to prudently develop and produce the reserves under this acreage. To do so, additional wells need to be drilled on this acreage.

8. BP has sought and been unable to obtain a voluntary agreement for the development of these lands from certain mineral interest owners in the subject spacing units who are identified on Exhibit A to this application.

9. Said pooling of interests and the drilling of the proposed well will not violate any provision of the 1953 Operating Agreement, will result in the efficient development of the reserves under this spacing unit, will prevent waste and will protect correlative rights. As no operating agreement is fully executed for the development of the Dakota formation, this application is necessary to force pool the unsigned parties.

10. In order to permit BP to obtain its just and fair share of the oil and gas underlying the subject lands, all mineral interests should be pooled, and BP America Production Company should be designated the operator of the well to be drilled.

WHEREFORE, BP America Production Company requests that this application be set for hearing before an Examiner of the Oil Conservation Division on March 2, 2006 and, after notice and hearing as required by law, the Division enter its order:

- A. pooling all mineral interests in the subject spacing and proration units,
- B. designating BP America Production Company operator of these units and the well to be drilled thereon,

- C. authorizing BP America Production Company to recover its costs of drilling, equipping and completing the well,
- D. approving the actual operating charges and costs of supervision while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedures, and
- E. imposing a penalty for the risk assumed by BP America Production Company in drilling and completing the well against any working interest owner who does not voluntarily participate in the drilling of the well.

Respectfully submitted,
HOLLAND & HART LLP

By: *William F. Carr*
WILLIAM F. CARR
OCEAN MUNDS-DRY

Post Office Box 2208
Santa Fe, New Mexico 87504
Telephone: (505) 988-4421

ATTORNEYS FOR BP AMERICA
PRODUCTION COMPANY

CASE _____:

Application of BP America Production Company for compulsory pooling and downhole commingling, San Juan County, New Mexico. Applicant in the above-styled cause seeks an order pooling all mineral interests from the surface to the base of the Dakota formation to an approximate depth of 7432 feet in the following described spacing and proration units located in the W/2 of Section 32, Township 31 North, Range 10 East, N.M.P.M., San Juan County, New Mexico: the W/2 for all formations and/or pools developed on 320-acre spacing which includes but is not limited to the Blanco-Mesaverde Gas Pool and the Basin Dakota-Gas Pool; and the SW/4 for all formations and/or pools developed on 160-acre spacing. Said units are to be dedicated to its EPNG Com B LS Well No. 3M to be drilled at a standard gas well location 2150 feet from the South line and 725 feet from the West line (Unit L) of said Section 32. Applicant also seeks to commingle production from the Mesaverde formation, Blanco-Mesaverde Gas Pool and the Dakota formation, Basin-Dakota Gas Pool in said well. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision, designation of BP America Production Company as operator of the well and a charge for risk involved in drilling said well. Said area is located approximately 15 miles northeast of Farmington, New Mexico.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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Postage	\$ 1.87
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.12

Sent To Marcia Berger
c/o Petroleum Asset Mgmt LLC
P.O. Box 745
City, State, Zip Hobbs, NM 88241

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only - No Insurance Coverage Provided)

Postage	\$ 1.87
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.12

Sent To Herbert R. Briggs
6729 Academy Rd. Suite D
City, State, Zip Albuquerque, NM 87109

SENDER: COMPLETE THIS SECTION

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Marcia Berger
c/o Petroleum Asset Mgmt LLC
P.O. Box 745
Hobbs, NM 88241

2. Article Number (Copy from service) 7001 1140 0002 9558 3266
PS Form 3811, July 1999 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery
M. Kuenstler 2-3-06
C. Signature X M. Kuenstler Agent
D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

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1. Article Addressed to:

Herbert R. Briggs
6729 Academy Rd. Suite D
Albuquerque, NM 87109

2. Article Number (C) 7001 1140 0002 9558 3297
PS Form 3811, July 1999 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery
M. Kuenstler 2-3-06
C. Signature X M. Kuenstler Agent
D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

5. Article Number (C) 7001 1140 0002 9558 3297
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OFFICIAL USE

WFC BP EPN 6	Postage \$ 1.87
	Certified Fee 2.40
	Return Receipt Fee (Endorsement Required) 1.85
	Restricted Delivery Fee (Endorsement Required) 5.12
	Total Postage & Fees \$

Sent To
William C. Briggs
c/o Sunwest Bank of Albuquerque,
N.A., Agent
P.O. Box 26900
Albuquerque, NM 87125

PS Form 3811, July 1999

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CERTIFIED MAIL RECEIPT
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WFC BP EPN 6	Postage \$ 1.87
	Certified Fee 2.40
	Return Receipt Fee (Endorsement Required) 1.85
	Restricted Delivery Fee (Endorsement Required) 5.12
	Total Postage & Fees \$

Sent To
Burlington Resources Oil & Gas
Company LP
3401 East 30th St.
Farmington, NM 87402

PS Form 3811, July 1999

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■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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1. Article Addressed to:
William C. Briggs
c/o Sunwest Bank of Albuquerque,
N.A., Agent
P.O. Box 26900
Albuquerque, NM 87125

2. Article Number (Copy) 7001 1140 0002 9558 3280

PS Form 3811, July 1999 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature *Julia* Agent Addressed ☒ Yes ☐ No

D. Is delivery address different from item 1? ☐ Yes ☒ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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1. Article Addressed to:
Burlington Resources Oil & Gas
Company LP
3401 East 30th St.
Farmington, NM 87402

2. Article Number (Copy from 1) 7001 1140 0002 9558 3235

PS Form 3811, July 1999 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature *Karla Halphen* Agent Addressed ☐ Yes ☒ No

D. Is delivery address different from item 1? ☐ Yes ☒ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

U.S. Postal Service
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WFL BP
 EPNG

Postage	\$ 1.87
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.12

Postmark Here

Sent To CEEFAM LLC
 3117 Hyder, SE
 Albuquerque, NM 87104

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7002 1140 0002 9556 855E

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CERTIFIED MAIL RECEIPT
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OFFICIAL USE

WFL BP
 EPNG

Postage	\$.87
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.12

Postmark Here

Sent To ConocoPhillips Company
 600 N. Dairy Ashford-WL3
 Suite 4000
 Houston, TX 77079

PS Form 3811

7002 1140 0002 9556 355E

SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:

CEEFAM LLC
 3117 Hyder, SE
 Albuquerque, NM 87104

2. Article Number (Copy from

7002 1140 0002 9556 3303

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) WFL BP B. Date of Delivery 2/3/00

C. Signature [Signature] ☒ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes ☐ No

If YES, enter delivery address below:

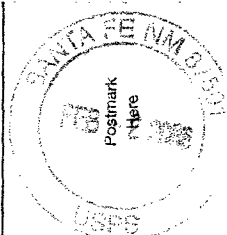
3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☒ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.

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

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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OFFICIAL USE

WFEBP	Postage	\$ 1.87
EPNG	Certified Fee	2.40
	Return Receipt Fee (Endorsement Required)	1.85
	Restricted Delivery Fee (Endorsement Required)	
	Total Postage & Fees	\$ 5.12



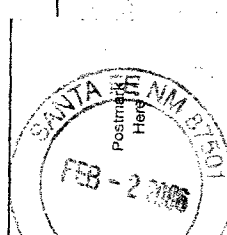
Sent To
 Duff Leach Family Trust
 P.O. Box 30396
 Albuquerque, NM 87190
 PS Form 3800

7001 1140 0002 9558 3396

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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OFFICIAL USE

WFEBP	Postage	\$.87
EPNG	Certified Fee	2.40
	Return Receipt Fee (Endorsement Required)	1.85
	Restricted Delivery Fee (Endorsement Required)	
	Total Postage & Fees	\$ 5.12



Sent To
 T.E. Duff, Trust
 P.O. Box 398
 Ruidoso, NM 88345
 PS Form 3800

7001 1140 0002 9558 3426

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- 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:
 Duff Leach Family Trust
 P.O. Box 30396
 Albuquerque, NM 87190

2. Article Number (Copy from)
 7001 1140 0002 9558 3396
 PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)
 Jerry Leach
 B. Date of Delivery
 2/6/99

C. Signature
 [Signature]
☒ Agent
☐ Addressee

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

3. Service Type
☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail

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

Domestic Return Receipt
 102595-00-M-0952

SENDER: COMPLETE THIS SECTION

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- 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:
 T.E. Duff, Trust
 P.O. Box 398
 Ruidoso, NM 88345

2. Article Number (Copy from)
 7001 1140 0002 9558 3426
 PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)
 T.E. DUFF
 B. Date of Delivery
 2/7/99

C. Signature
 [Signature]
☒ Agent
☐ Addressee

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

3. Service Type
☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail

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

Domestic Return Receipt
 102595-00-M-0952

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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WFO BP
EPNG

Postage	\$ 1.87
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.12

Sent To
Energen Resources Corporation
2198 Bloomfield Hwy
Farmington, NM 87041-8108

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only - No Insurance Coverage Provided)

WFO BP
EPNG

Postage	\$ 1.87
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.12

Sent To
Fritts Living Trust No.2, as amended
P.O. Box 53445
Lubbock, TX 79453

652E 8556 2000 0477 1002

68EE 8556 2000 0477 1002

SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:

Energen Resources Corporation
2198 Bloomfield Hwy
Farmington, NM 87041-8108

2. Article Number (Copy from)
7001 1140 0002 955A 3259

PS Form 3811, July 1999 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)
T. Andrews

B. Date of Delivery

C. Signature
T. Andrews

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

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

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

SENDER: COMPLETE THIS SECTION

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- 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:

Fritts Living Trust No.2, as amended
P.O. Box 53445
Lubbock, TX 79453

2. Article Number (Copy from)
7001 1140 0002 955A 3389

PS Form 3811, July 1999 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature
T. Andrews

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

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

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

102595-00-M-0852

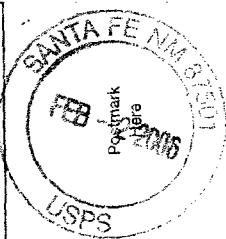
U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only, No Insurance Coverage Provided)

OFFICIAL USE

WFC BP	Postage	\$ 1.87
EPNG	Certified Fee	2.40
	Return Receipt Fee (Endorsement Required)	1.85
	Restricted Delivery Fee (Endorsement Required)	
	Total Postage & Fees	\$ 5.12



Sent To
 Sheila J. Hatch
 920 Mckendrie St.
 San Jose, CA 95126

PS Form 3811

674E 8556 2000 0471 1002

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:

Sheila J. Hatch
 920 Mckendrie St.
 San Jose, CA 95126

2. Article Number (Copy from

7001 1140 0002 9558 3419

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) _____ B. Date of Delivery _____
- C. Signature Sheila J. Hatch ☒ Agent ☐ Addressee
- D. Is delivery address different from item 1? ☐ Yes ☒ No
 If YES, enter delivery address below:

FEB 07 2006

3. Service Type

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

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

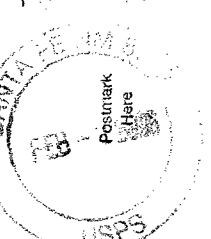
U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only, No Insurance Coverage Provided)

OFFICIAL USE

WFC BP	Postage	\$ 1.87
EPNG	Certified Fee	2.40
	Return Receipt Fee (Endorsement Required)	1.85
	Restricted Delivery Fee (Endorsement Required)	
	Total Postage & Fees	\$ 5.12



Sent To
 Stanley W. Hatch
 1455 Hardscrabble Rd.
 Cadyville, NY 1

PS Form 3811

204E 8556 2000 0471 1002

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:

Stanley W. Hatch
 1455 Hardscrabble Rd.
 Cadyville, NY 1

2. Article Number (Copy from

7001 1140 0002 9558 3402

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) Adina Hatch B. Date of Delivery 2-6-06
- C. Signature Adina Hatch ☒ Agent ☐ Addressee
- D. Is delivery address different from item 1? ☐ Yes ☒ No
 If YES, enter delivery address below:

3. Service Type

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

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

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

0 7 5 5 6 2 0 0 0 1 1 4 0 7 0 0 2

WPA BP EPNG	Postage \$ 1.87
	Certified Fee 2.40
	Return Receipt Fee (Endorsement Required) 1.85
	Restricted Delivery Fee (Endorsement Required) 5.12
	Total Postage & Fees \$ 11.24

Sent To Cyrene Inman
Bank of America, NA Agent Trust Oil & Gas
P.O. Box 26900
Albuquerque, NM 87125-6900
PS Form 3811, July 1999

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

0 7 5 5 6 2 0 0 0 1 1 4 0 7 0 0 2

WPA BP EPNG	Postage \$ 1.87
	Certified Fee 2.40
	Return Receipt Fee (Endorsement Required) 1.85
	Restricted Delivery Fee (Endorsement Required) 5.12
	Total Postage & Fees \$ 11.24

Sent To Fred Luthy Jr.
Bank of America, NA Agent Trust Oil & Gas
P.O. Box 840738
Dallas, TX 75284-0738
PS Form 3811, July 1999

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:

Cyrene Inman
Bank of America, NA Agent Trust Oil & Gas
P.O. Box 26900
Albuquerque, NM 87125-6900

2. Article Number (Copy 7001 1140 0002 9558 3310)

PS Form 3811, July 1999 Domestic Return Receipt

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:

Fred Luthy Jr.
Bank of America, NA Agent Trust Oil & Gas
P.O. Box 840738
Dallas, TX 75284-0738

2. Article Number (Copy from s 7001 1140 0002 9558 3372)

PS Form 3811, July 1999 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature *[Signature]* D. Is delivery address different from item 1? ☐ Yes ☒ No

If YES, enter delivery address below:

3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.

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

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature *[Signature]* D. Is delivery address different from item 1? ☐ Yes ☒ No

If YES, enter delivery address below:

3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.

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

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)

OFFICIAL USE

WFC BP EPNG	Postage \$ 1.87
	Certified Fee 2.40
	Return Receipt Fee (Endorsement Required) 1.85
	Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 5.12	

Postmark
Here

Sent To
 Roger B. Nielsen
 1200 Danbury Dr.
 Mansfield, TX 76063-3809

PS Form 3800

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)

OFFICIAL USE

WFC BP EPNG	Postage \$ 1.87
	Certified Fee 2.40
	Return Receipt Fee (Endorsement Required) 1.85
	Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 5.12	

Postmark
Here

Sent To
 Pennies From Heaven LLC
 901 Rio Grande Blvd. NW
 Albuquerque, NM 87106

PS Form 3800

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:

Roger B. Nielsen
 1200 Danbury Dr.
 Mansfield, TX 76063-3809

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) R. B. Nielsen B. Date of Delivery 2/21/06
- C. Signature [Signature] ☐ Agent ☐ Addressee
- D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No



3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from 7001 1140 0002 9550 3334)

PS Form 3811, July 1999 Domestic Return Receipt 102585-00-M-0952

MAIL
 RETURNED

2001 1140 0002 9550 3334

2001 1140 0002 9550 3334

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

WFC BP	Postage	\$ 1.87
EPNG	Certified Fee	2.40
	Return Receipt Fee (Endorsement Required)	1.85
	Restricted Delivery Fee (Endorsement Required)	
	Total Postage & Fees	\$ 5.12

Sent To

Production Gathering Company LP
8080 N. Central Expy, Suite 1090
Dallas, TX 75206

Street, Apt. No.
or PO Box No.

City, State, ZIP

PS Form 3811, July 1999

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

WFC BP	Postage	\$.87
EPNG	Certified Fee	2.40
	Return Receipt Fee (Endorsement Required)	1.85
	Restricted Delivery Fee (Endorsement Required)	
	Total Postage & Fees	\$ 5.12

Sent To

Carolyn Nielsen Sedberry
Little Oil & Gas Inc., Agent
P.O. Box 1258
Farmington, NM 87499

Street, Apt. No.
or PO Box No.

City, State, ZIP

PS Form 3811, July 1999

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:

Production Gathering Company LP
8080 N. Central Expy, Suite 1090
Dallas, TX 75206

2. Article Number (Copy from

7001 1140 0002 9550 3365

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

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:

Carolyn Nielsen Sedberry
Little Oil & Gas Inc., Agent
P.O. Box 1258
Farmington, NM 87499

2. Article Number (Copy from se

7001 1140 0002 9550 3341

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

2-6-9

C. Signature

David Lean

Agent

Addressee

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail ☐ Express Mail☐ Registered ☒ Return Receipt for Merchandise☐ Insured Mail ☐ C.O.D.4. Restricted Delivery? (Extra Fee) ☐ Yes

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

Cheri Whitney 2-7

C. Signature

Cheri Whitney

Agent

Addressee

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail☐ Registered ☒ Return Receipt for Merchandise☐ Insured Mail ☐ C.O.D.4. Restricted Delivery? (Extra Fee) ☐ Yes

(Domestic Mail Only - No Insurance Coverage Provided)

Form 3801

7m 3800 1000

02595-00-M-0952

1558 3242

7001 1140 0002 9558 3327

HOLLAND & HART

JEFFERSON PLACE
110 NORTH GUADALUPE
SUITE 1
SANTA FE, NEW MEXICO 87501
MAILING ADDRESS
P.O. BOX 2208
SANTA FE, NEW MEXICO 87504-2208

Pennies From Heaven LLC
901 Rio Grande Blvd. NW
Albuquerque, NM 87106

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:

Pennies From Heaven LLC
901 Rio Grande Blvd. NW
Albuquerque, NM 87106

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

☐ Agent
☐ Addressee

X

D. Is delivery address different from item 1? ☐ Yes
if YES, enter delivery address below: ☐ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy for 7001 1140 0002 9558 3327)

10/10/01 10:11 AM

AFFIDAVIT OF PUBLICATION

Ad No. 52935

STATE OF NEW MEXICO County of San Juan:

CONNIE PRUITT, being duly sworn says:
That she is the ADVERTISING 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):

Tuesday, February 7, 2006.

And the cost of the publication is \$108.07.

Connie Pruitt

ON 2/8/06 CONNIE PRUITT
appeared before me, whom I know personally
to be the person who signed the above
document.

Wynell Corey
My Commission Expires November 17, 2008.

COPY OF PUBLICATION

918

Legals

NOTICE OF PUBLICATION

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

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on March 2, 2006, in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact: Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by February 27, 2006. Public documents including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed.

STATE OF NEW MEXICO TO:
All named parties and persons
having any right, title, interest
or claim in the following cases
and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

CASE 13653:

Application of BP America Production Company for compulsory pooling and downhole commingling, San Juan County, New Mexico. Applicant in the above-styled cause seeks an order pooling all mineral interests from the surface to the base of the Dakota formation to an approximate depth of 7432 feet in the following described spacing and proration units located in the W/2 of Section 32, Township 31 North, Range 10 East, N.M.P.M., San Juan County, New Mexico: the W/2 for all formations and/or pools developed on 320-acre spacing which includes but is not limited to the Blanco-Mesaverde Gas Pool and the Basin-Dakota Gas Pool; and the SW/4 for all formations and/or pools developed on 160-acre spacing. Said units are to be dedicated to its EPNG Com B LS Well No. 3M to be drilled at a standard gas well location 2150 feet from the South line and 725 feet from the West line (Unit 1) of said Section 32. Applicant also seeks to commingle production from the Mesaverde formation, Blanco-Mesaverde Gas Pool and the Dakota formation, Basin-Dakota Gas Pool in said well. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision, designation of BP America Production Company as operator of the well and a charge for risk involved in drilling said well. Said area is located approximately 15 miles northeast of Farmington, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 2nd day of February 2006.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

Mark E. Fesmire, P.E., Director

Legal No. 52935 published in The Daily Times, Farmington, New Mexico on Tuesday, February 7, 2006.