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

APPLICATION OF XTO ENERGY, INC.
TO AMEND DIVISION ORDER R-12824 TO
INCLUDE SIMULTANEOUS DEDICATION AND AN
EXCEPTION TO THE WELL DENSITY REQUIREMENTS
OF THE BASIN-DAKOTA GAS POOL RULES
SAN JUAN COUNTY, NEW MEXICO.

**CASE NO. 14143** 

## CERTIFICATE OF MAILING AND COMPLIANCE WITH ORDER R-8054

STATE OF NEW MEXICO	•	SS
COUNTY OF SANTA FE	•	33

W. Thomas Kellahin, being first duly sworn, hereby certifies that he is an attorney for the Applicant and responsible for notification in this matter and that the notice provisions of Division Rule 1207 (Order R-8054) have been complied with, that Applicant has caused to be conducted a good faith diligent effort to find the correct addresses of all interested parties entitled to receive notice, that on May 16, 2008, he caused to be mailed by certified mail return-receipt requested the attached notice of this hearing (attached as Exhibit "A") and a copy of the application for the above referenced case, at least twenty days prior to the hearing of this case set for June 26, 2008 to the parties shown in the attached Exhibit "B" and as evidenced by the attached copies of return receipt cards and/or receipts of certified mailing, and that pursuant to Division Rule 1207, notice has been given at the correct addresses provided by such rule.

W. Thomas Kellahin

SUBSCRIBED AND SWORN to before me this 18th day of June 2008, by W. Thomas

Kellahin

Lynda Kellahin, Notary Public

My Commission Expires: June 18, 2008

OFFICIAL SEAL
Lynda Kellahin
NOTARY PUBLIC
STATE OF NEW MEXICO

Oil Conservation Division Case No. 2

Exhibit No.

## KELLAHIN & KELLAHIN Attorney at Law

W. THOMAS KELLAHIN 706 GONZALES ROAD SANTA FE, NEW MEXICO 87501 TELEPHONE 505-982-4285
FACSIMILE 505-982-2047
TKELLAHIN@COMCAST.NET

May 16, 2008

TO: NOTICE OF THE HEARING OF THE FOLLOWING NEW MEXICO OIL CONSERVATION DIVISION CASE:

Re: Application of XTO Energy, Inc. to amend Division Order R-12824 to include the simultaneous dedication and an exception to the well density requirements of the Special Rules and Regulations for the Basin-Dakota Gas Pool to authorize a fifth Dakota well within a 407.56 acre non-standard gas proration and spacing unit consisting of the S/2S/2 of Section 19 and the N/2 of Section 30, T29N, R9W, San Juan County, New Mexico

On behalf of XTO Energy, Inc., please find enclosed our application for an exception to the referenced pool rules such that there can be 5 producing Dakota gas wells in the same 407.56-acre spacing unit consisting part of the Section 19 and 30 that has been set for hearing on the New Mexico Oil Conservation Division Examiner's docket now scheduled for 8:15 am on June 26, 2008. The hearing will be held at the Division hearing room located at 1220 South Saint Francis Drive, Santa Fc. New Mexico.

As an interest owner who may be affected by this application, we are notifying you of your right to appear at the hearing and participate in this case, including the right to present evidence either in support of or in opposition to the application. Failure to appear at the hearing may preclude you from any involvement in this case at a later date.

Pursuant to the Division's Memorandum 2-90, you are further notified that if you desire to appear in this case, then you are requested to file a Pre-Hearing Statement with the Division not later than 5:00 PM on Thursday, June 19, 2008, with a copy delivered to the undersigned.

W. Thomas Kellahin

## Gerk Gas Com B No. 2 (Dakota) Notice List

Burlington Resources Oil & Gas Company, LP P O Box 4289 Farmington NM 87499-0656

ConocoPhillips Company P O Box 4289 Farmington NM 87499-0656

Production Gathering Company 8080 N Central Expwy Ste. 1090 Dallas TX 75206



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so that we can return the card to you.	H. Received by (Printed Name)	C. Date of Delivery		
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