### TRILOGY OPERATING, INC.'S

RUBY #1 SE/4 SW/4 SECTION 24, T-19-S, R-38-E, NMPM, LEA COUNTY, NEW MEXICO

COMPULSORY POOLING REQUEST

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

APPLICATION OF TRILOGY OPERATING INC. FOR COMPULSORY POOLING LEA COUNTY, NEW MEXICO

**CASE 12659** 

# CERTIFICATE OF MAILING AND COMPLIANCE WITH ORDER R-8054

STATE OF NEW MEXICO )

(SS. COUNTY OF SANTA FE )

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 April 25, 2001, he caused to be mailed by certified mail return-receipt requested the attached notice of this hearing and a copy of the application for the above referenced case, at least twenty days prior to the hearing of this case set for May 17, 2001, to the parties shown in said application 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 16th day of May 2001, by W. Thomas Kellahin.

Lynda Kellahin, Notary Public

OFFICIAL SEAL
Lynda Kellahin
NOTARY PUBLIC
STATE OF NEW MEXICO
My Cummission Expires:

#### KELLAHIN AND KELLAHIN

ATTORNEYS AT LAW

EL PATIO BUILDING

IIT NORTH GUADALUPE

POST OFFICE BOX 2265

"NEW MEXICO BOARD OF LEGAL SPECIALIZATION RECOGNIZED SPECIALIST IN THE AREA OF NATURAL RESOURCES-OIL AND GAS LAW

JASON KELLAHIN (RETIRED 1991)

W. THOMAS KELLAHIN\*

SANTA FE, NEW MEXICO 87504-2265 April 25, 2001 TELEPHONE (505) 982-4285 TELEFAX (505) 982-2047

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

Re: Application of Trilogy Operating, Inc. for Compulsory Pooling, Lea County, New Mexico

On behalf of Trilogy Operating, Inc., please find enclosed our application for an compulsory pooling for its Ruby Well No. 1 which has been set for hearing on the New Mexico Oil Conservation Division Examiner's docket now scheduled for May 17, 2001. The hearing will be held at the Division hearing room located at 1220 South Saint Francis Drive, Santa Fe, 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 4:00 PM on Friday, May 11, 2001, with a copy delivered to the undersigned.

W. Thomas Kellahin

cc: BY CERTIFIED MAIL-RETURN RECEIPT REQUESTED to all parties listed in application

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(Domestic Mail Only; No Insurance Coverage Provided)

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COMPLETE THIS SECTION ON DELIVERY	A. Beceived by (Please Print Clearly) B. Date of Delivery C. Signature  X. M. A. M. C.	If YES, enter delivery address below:	Trilogy Ruby #1 May 17, 2001 4/25/01	7000 052 0022 8754 37
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Form 3811, July 1999 Domestic Return Receipt

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*		

#### EXHIBIT "A"

### SE/4 SW/4 SECTION 24, T-19-S, R-38-E, NMPM, LEA COUNTY, NEW MEXICO

.NLEASED MINERAL OWNERS:	MINERAL INTEREST
Gena Gilmer (No response) 5850 S. Jardin Place Memphis, TN 38141	0.0003662
Mike Gilmer (No response) P.O. Box 384 Columbia, TN 38402	0.0003662
Timothy C. Williams (Barbara Christman Farrell) 3931 Tall Birch Cove Memphis, TN 38115	0.0041503
Berry B. Martin (Lease not returned, ill) 12770 South Main Street Somerville, TN 38068	0.0019531
John Flood Address Unknown	0.0019531
. Tom Jones .ddress Unknown	0.0078125

Compulsory Pooling: Ruby #1 MI