

STATE OIL AND GAS BOARD  
STATE OF ALABAMA Exhibit No. 1  
Petition By El Paso AFFIDAVIT OF TESTIMONY  
COUNTY OF JEFFERSON Item No. 21 Date 10-16-02 Docket No. 10-16-02-7  
Testimony Of C. Dickinson  
REG & ENF  
OCT 15 2002

Comes now Clay C. Dickinson, who, after being duly sworn on his oath, states the following:

My name is Clay C. Dickinson. I am a contract landman for El Paso Production Company (hereinafter "El Paso"), and my address is P.O. Box 361351, Birmingham, Alabama, 35236. My Affidavit of Qualifications is on file with the State Oil and Gas Board of Alabama (hereinafter the "Board"), and I have previously testified before this Board and have been accepted as an expert witness by the Board.

That El Paso has filed a petition bearing the captioned Docket Number requesting the Board to force pool, without imposition of the Risk compensation fee, all tracts and interests in hydrocarbons produced from the El Paso Production Company - Jernigan 33-06-268 Well, Permit No. 12559-C, located on a 40-acre unit consisting of the Southeast Quarter of the Northwest Quarter of Section 33, Township 17 South, Range 8 West, Tuscaloosa County, Alabama, in the White Oak Creek Coal Degasification Field.

That I am personally aware that in 1996 the Alabama Department of Conservation and Natural Resources advised Sonat Exploration Company (predecessor in title to El Paso) in writing that the State of Alabama did not claim any portion of White Oak Creek water bottoms to be navigable water bottoms owned by the State. Subsequent to permitting the subject Jernigan well, El Paso has been advised by the Department that the State does, in fact, claim 0.78 acres in the Southeast Quarter of the Northwest Quarter of Section 33 to be navigable, and thus owned by the State of Alabama. In my opinion, the Board should force pool the interest of the State Pursuant to the provisions of Section 9-17-13, Code of Alabama (1975), as amended, and Rule 400-7-2-.01 of the State Oil and Gas Board of Alabama Administrative Code. Mr. James H. Griggs, Director, State Lands Division, Department of Conservation and Natural Resources, has advised El Paso in writing that the State does not oppose the force pooling request.

That I am familiar with the term "waste" as defined by the Statutes of the State of Alabama, and that in my opinion, granting this petition will prevent waste, protect co-equal and correlative rights of all owners in the field, and prevent the drilling of unnecessary wells.

Further Affiant Saith not.

  
Clay C. Dickinson

Sworn to and subscribed before me this 8th day of October, 2002.

  
Notary Public

My Commission Expires:  
05-31-02

STATE OF ALABAMA  
COUNTY OF TUSCALOOSA

AFFIDAVIT OF NOTICE

Comes now Steven F. Harrison, attorney for El Paso Production Company, who, after being duly sworn on his oath, states the following:


That on behalf of El Paso Production Company, a petition bearing Docket No. 10-16-02-7 was filed with the State Oil and Gas Board of Alabama and, in accordance with rule 400-7-1-.11 of the rules and regulations of the State Oil and Gas Board of Alabama Administrative Code, notice of said petition was mailed, by ordinary first class mail, postage pre-paid, to the persons listed on Exhibit "A" attached hereto and made a part hereof, at least fifteen (15) days prior to the scheduled hearing of said petition. The persons notified are interested parties, know to the Petitioner, in the subject unit.

Also attached hereto and made a part of this Affidavit is a true copy of the notice mailed to the aforementioned persons, labeled Exhibit "B".

Further Affiant saith not.

  
Steven F. Harrison

Sworn to and subscribed before me this 1st day of October, 2002.

  
Notary Public

My Commission Expires:  
MY COMMISSION EXPIRES JULY 13, 2006

STATE OIL & GAS BOARD  
OF ALABAMA  
OCT 04 2002

STATE OIL AND GAS BOARD  
OF ALABAMA

Exhibit No. 2

Petition By El Paso

Item No. 21 Date 10-16-02

Testimony Of S. Harrison

Received By R. Hamilton

**EXHIBIT "A"**  
**TO AFFIDAVIT OF NOTICE**

**Re: EL PASO PRODUCTION COMPANY**  
**Docket No. 10-16-02-7**

**Hon. James H. Griggs**  
**ALABAMA DEPARTMENT OF CONSERVATION**  
**& NATURAL RESOURCES**  
**64 North Union Street**  
**Montgomery, AL 36130-1901**

## NOTICE OF MEETING

The State Oil and Gas Board of Alabama will hold its regular monthly meeting at 10:00 a.m. on Wednesday, October 16, 2002, and Friday, October 18, 2002, in the Board Room of the State Oil and Gas Board, Walter B. Jones Hall, University of Alabama Campus, 420 Hackberry Lane, Tuscaloosa, Alabama, to consider among other items, the following petition(s):

### DOCKET NO. 10-16-02-7

Petition by EL PASO PRODUCTION COMPANY, a foreign corporation authorized to do and doing business in the State of Alabama, requesting the State Oil and Gas Board of Alabama to enter an order force pooling, without imposition of the risk compensation fee, all tracts and interests in hydrocarbons produced from the El Paso Production Company - Jernigan 33-06-268 Well, Permit No. 12559-C, located on a 40-acre unit consisting of the Southeast Quarter of the Northwest Quarter of Section 33, Township 17 South, Range 8 West, Tuscaloosa County, Alabama, in the White Oak Creek Coal Degasification Field. This Petition is filed in accordance with Section 9-17-13, Code of Alabama (1975), as amended, and Rule 400-7-2-.01 of the State Oil and Gas Board of Alabama Administrative Code.

The meetings of the State Oil and Gas Board are public meetings, and members of the public are invited to attend and present their position concerning this petition(s). Requests to continue or oppose a petition should be received by the Board at least two (2) days prior to the hearing. For additional information, you may contact the State Oil and Gas Board, P. O. Box 869999, Tuscaloosa, Alabama 35486-6999, Telephone Number 205/349-2852, Fax Number 205/349-2861, or by email at [petitions@ogb.state.al.us](mailto:petitions@ogb.state.al.us).

10-16-02-7 21



STATE OF ALABAMA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
64 NORTH UNION STREET  
MONTGOMERY, ALABAMA 36130

DON SIEGELMAN  
GOVERNOR  
  
RICHARD C. LILES  
ACTING COMMISSIONER

JAMES H. GRIGGS, DIRECTOR  
GREGORY M. LEIN, ASSISTANT DIRECTOR  
STATE LANDS DIVISION  
TELEPHONE (334) 242-3484  
FAX NO. (334) 242-0999

October 9, 2002

Mr. Steve Harrison  
Harrison and Associates, LLC  
826 Indian Hills Drive  
Tuscaloosa, AL 35406-2229

STATE OIL & GAS BOARD  
OF ALABAMA  
OCT 15 2002  
REG & ENF

Re: El Paso Production Company - Proposed Force Pool  
0.78 Acres of State-Owned Land - Jernigan 33-06-268 well  
T17S, R8W, S33 (SW/4 of NW/4), Tuscaloosa County, Alabama

Dear Mr. Harrison:

This letter is written in reply to your inquiry concerning an Oil & Gas Board petition to force pool approximately 0.78 acres of state-owned land located as referenced above.

This office has no objection to your petitioning the State Oil and Gas Board to force pool this acreage, provided the acreage is not assessed with risk compensation. If you have any questions in this connection, please advise.

Sincerely,

  
James H. Griggs, Director  
State Lands Division

JHG/ab

cc: Dr. Donald Oltz  
State Oil & Gas Board

STATE OIL AND GAS BOARD	
Exhibit No.	3
Petition By	El Paso
Mem No.	21
Date	10-16-02
Testimony Of	J. Griggs
Received By	R. Hamel

