BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF MEWBOURNE OIL COMPANY FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO. **Case No. 13285**

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 names and correct addresses of the interest owners entitled to receive notice of the Application filed herein.

4. Notice of the Application was provided to the interest owners at their correct addresses by certified mail. Copies of the notice letter and certified return receipts 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 21st day of June, 2004, by James Bruce.

Notary Public

My Commission Expires:
3/14/05

OIL CONSERVATION DIVISION
CASE NUMBER
EXHIBIT NUMBER 5

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)
(505) 660-6612 (Cell)
(505) 982-2151 (Fax)

jamesbruc@aol.com

June 3, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Persons on attached list

Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Mewbourne Oil Company, regarding the N½ of Section 5, Township 20 South, Range 25 East, N.M.P.M., Eddy County, New Mexico. This application is scheduled to be heard at 8:15 a.m. on Thursday, June 24, 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, by Friday, June 18, 2004, if you intend to enter an appearance and participate in the case.

Very truly yours,

James Bruce

Attorney for Mewbourne Oil Company

Nearburg Exploration Company, L.L.C.
Building 2, Suite 120
3300 North "A" Street
Midland, Texas 79705

EOG Resources, Inc.
P.O. Box 2267
Midland, Texas 79702

Kaiser-Francis Oil Company
P.O. Box 21468
Tulsa, Oklahoma 74136

Louis Berney
1797 15th Avenue
Star Prairie, Wisconsin 54026

Joseph T. Ingram
10204 Falconbridge Drive
Richmond, Virginia 23233

Leslea I. Cole
832 West Ammandale Way
Tucson, Arizona 85737

David A. Metts
2609 Hodges
Midland, Texas 79705

Howard Y. Williams
(address unknown)

Richard Kiene and wife Rita A. Kiene
(address unknown)

7003 3110 0001 8383 7625

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Sent To
Street, Apt. No.; or PO Box No.: David A. Metts, 2609 Hodges
City, State, ZIP+4: Midland, Texas 79705

PS Form 3800, June 2002 — See Reverse for Instructions

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:

Leslea I. Cole
832 West Ammandale Way
Tucson, Arizona 85737

COMPLETE THIS SECTION ON DELIVERY

A. Signature: X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery: 6-5-04

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 (Transfer from service label): 7003 3110 0001 8383 7618

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MOC-5

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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:

David A. Metts
2609 Hodges
Midland, Texas 79705

COMPLETE THIS SECTION ON DELIVERY

A. Signature: X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name): David Metts | C. Date of Delivery: 6-5-04

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 (Transfer from service label): 7003 3110 0001 8383 7625

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Sent To
Street, Apt. No.; or PO Box No.: Leslea I. Cole, 832 West Ammandale Way
City, State, ZIP+4: Tucson, Arizona 85737

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Sent To
Street, Apt. No.; or PO Box No.: Joseph T. Ingram, 10204 Falconbridge Drive
City, State, ZIP+4: Richmond, Virginia 23233

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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:

Louis Berney
1797 15th Avenue
Star Prairie, Wisconsin 54026

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name): Louis Berney — C. Date of Delivery: 6-7-04

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 (Transfer from service label): 7003 3110 0001 8383 7595

PS Form 3811, August 2001 — Domestic Return Receipt — MOC-S — 102595-02-M-1540

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:

Joseph T. Ingram
10204 Falconbridge Drive
Richmond, Virginia 23233

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name): Maggie Ingram — C. Date of Delivery

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

RICHMOND HILL RIDGE BRANCH JUN 17 2004 USPS

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 (Transfer from service label): 7003 3110 0001 8383 7601

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Sent To
Street, Apt. No.; or PO Box No.: Louis Berney, 1797 15th Avenue
City, State, ZIP+4: Star Prairie, Wisconsin 54026

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Total Postage & Fees	$

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Sent To
Street, Apt. No.; or PO Box No.: Kaiser-Francis Oil Company
P.O. Box 21468
City, State, ZIP+4: Tulsa, Oklahoma 74136

PS Form 3800, June 2002 — See Reverse for Instructions

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:

BOG Resources, Inc.
P.O. Box 2267
Midland, Texas 79702

COMPLETE THIS SECTION ON DELIVERY

A. Signature: X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name): [illegible] C. Date of Delivery: 6-7-04

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 (Transfer from service label): 7003 3110 0001 8383 7571

PS Form 3811, August 2001 — Domestic Return Receipt — 102595-02-M-1540

MOC-3

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:

Kaiser-Francis Oil Company
P.O. Box 21468
Tulsa, Oklahoma 74136

COMPLETE THIS SECTION ON DELIVERY

A. Signature: X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name): [illegible] C. Date of Delivery: JUN 07 2004

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

USPS

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 (Transfer from service label): 7003 3110 0001 8383 7588

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

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Sent To
Street, Apt. No.; or PO Box No.: BOG Resources, Inc.
P.O. Box 2267
City, State, ZIP+4: Midland, Texas 79702

PS Form 3800, June 2002 — See Reverse for Instructions

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:

Nearburg Exploration Company, L.L.C.
Building 2, Suite 120
3300 North "A" Street
Midland, Texas 79705

COMPLETE THIS SECTION ON DELIVERY

A. Signature
x D. Walton ☐ Agent ☐ Addressee

B. Received by (Printed Name) D. Walton
C. Date of Delivery 6-7-04

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 (Transfer from service label) 7003 3110 0001 8383 7632

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

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Nearburg Exploration Company, L.L.C.
Street, Apt. No.; or PO Box No. Building 2, Suite 120
3300 North "A" Street
City, State, ZIP+4 Midland, Texas 79705

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