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:

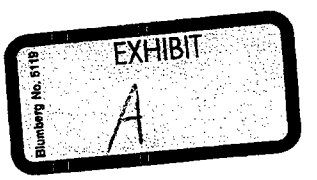
Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Mewbourne Oil Company, regarding the W½ of Section 33, Township 16 South, Range 28 East, N.M.P.M., Eddy County, New Mexico. This application is scheduled to be heard at 8:15 a.m. on Thursday, 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



PARTIES BEING POOLED

Chisos, Ltd.
670 Dona Ana Road S.W.
Deming, New Mexico 88030

Devon Energy Production Company, L.P.
P.O. Box 108838
Oklahoma City, Oklahoma 73101-8838

Attention: Meg Muhlinghause
Land Department

Manix Energy, Ltd.
P.O. Box 2818
Midland, Texas 79702

June Johnson Cooper
c/o Cooper, Kardaras & Kelleher
141 East Walnut Street
Pasadena, California 91103

June Johnson Cooper
c/o Cooper, Kardaras & Kelleher
660 South Figueroa
Los Angeles, California 90017

ConocoPhillips Company
P.O. Box 2197, WL3
Houston, Texas 77252

Attention: Linda Hicks

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

Yates Petroleum Corporation
Yates Drilling Company
Abo Petroleum Corporation
MYCO Industries, Inc.
105 South Fourth Street
Artesia, New Mexico 88210

7003 3110 0001 8383 7687

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

Postmark Here: JUN - 5 2004 SANTA FE NM 87501-9998

Sent To: Chisos, Ltd.
Street, Apt. No.; or PO Box No.: 670 Dona Ana Road S.W.
City, State, ZIP+4: Deming, New Mexico 88030

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:
EOG 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: 6-8-04
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): 7004 0750 0003 8814 5747

PS Form 3811, August 2001 — Domestic Return Receipt — MOC-33 — 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:
Chisos, Ltd.
670 Dona Ana Road S.W.
Deming, New Mexico 88030

COMPLETE THIS SECTION ON DELIVERY

A. Signature: X [signature] ☐ Agent ☐ Addressee
B. Received by (Printed Name): S. Craddock 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): 7003 3110 0001 8383 7687

PS Form 3811, August 2001 — Domestic Return Receipt — MOC-33 — 102595-02-M-1540

7004 0750 0003 8814 5747

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

Postmark Here: JUN - 5 2004 SANTA FE NM 87501-9998

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

PS Form 3800, June 2002 — See Reverse for Instructions

7004 0750 0003 8814 5730

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

JUN - 5 2004
Postmark Here
SANTA FE NM 87501

Sent To
June Johnson Cooper
c/o Cooper, Kardaras & Kelleher
660 South Figueroa
Los Angeles, California 90017

Street, Apt. No.; or PO Box No.
City, State, ZIP+4

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:

ConocoPhillips Company
P.O. Box 2197, WL3
Houston, Texas 77252

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery
JUN - 9 2004

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) 7004 0750 0003 8814 5754

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

MSC-33

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:

June Johnson Cooper
c/o Cooper, Kardaras & Kelleher
660 South Figueroa
Los Angeles, California 90017

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) [illegible] C. Date of Delivery 6/9/04

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) 7004 0750 0003 8814 5730

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

MSC-33

7004 0750 0003 8814 5754

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

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SANTA FE NM 87501

Sent To
ConocoPhillips Company
P.O. Box 2197, WL3
Houston, Texas 77252

Street, Apt. No.; or PO Box No.
City, State, ZIP+4

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

JUN - 5 2004
Postmark Here
SANTA FE NM 87501-9308

Sent To
Manix Energy, Ltd.
Street, Apt. No.; or PO Box No. P.O. Box 2818
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:

Yates Petroleum Corporation
Yates Drilling Company
Abo Petroleum Corporation
MYCO Industries, Inc.
105 South Fourth Street
Artesia, New Mexico 88210

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Kathy Donaghe ☐ Agent ☐ Addressee

B. Received by (Printed Name) KATHY DONAGHE C. Date of Delivery

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

JUN 07 2004

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)* 7004 0750 0003 8814 5716

PS Form 3811, August 2001 Domestic Return Receipt MOC-33 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:

Manix Energy, Ltd.
P.O. Box 2818
Midland, Texas 79702

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Judy LeBus ☐ Agent ☐ Addressee

B. Received by (Printed Name) Judy LeBus C. Date of Delivery

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 7700

PS Form 3811, August 2001 Domestic Return Receipt MOC-33 102595-02-M-1540

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

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SANTA FE NM 87504-1054

Sent To
Yates Petroleum Corporation
Yates Drilling Company
Abo Petroleum Corporation
MYCO Industries, Inc.
Street, Apt. No.; or PO Box No. 105 South Fourth Street
City, State, ZIP+4 Artesia, New Mexico 88210

PS Form 3800, June 2002 See Reverse for Instructions