

**BEFORE THE  
OIL CONSERVATION DIVISION  
NEW MEXICO ENERGY, MINERALS AND  
NATURAL RESOURCES DEPARTMENT**

**IN THE MATTER OF THE APPLICATION  
OF CHESAPEAKE OPERATING INC.,  
FOR A NON-STANDARD DEEP GAS  
SPACING UNIT, LEA COUNTY, NEW MEXICO**

**CASE NO. 13646**

**AFFIDAVIT**

**STATE OF NEW MEXICO     )  
  ) ss.  
COUNTY OF SANTA FE     )**


Michael H. Feldewert, attorney in fact and authorized representative of Chesapeake Operating Inc., the Applicant herein, being first duly sworn, upon oath, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.

  
Michael H. Feldewert

SUBSCRIBED AND SWORN to before me this 15th day of February, 2006, by Michael H. Feldewert.



**OFFICIAL SEAL  
LISAMARIE ORTIZ  
NOTARY PUBLIC-STATE OF NEW MEXICO**  
My commission expires 1/14/07

  
\_\_\_\_\_  
Lisamarie Ortiz, Notary Public

BEFORE THE OIL CONSERVATION DIVISION  
Santa Fe, New Mexico  
Case No. 13646 Exhibit No. 5  
Submitted by:  
CHESAPEAKE OPERATING, INC.  
Hearing Date: February 16, 2006

**EXHIBIT A**

**APPLICATION OF CHESAPEAKE OPERATING INC. FOR A NON-STANDARD  
DEEP GAS SPACING UNIT, LEA COUNTY, NEW MEXICO.  
(Little Eddy Unit Well No. 1)**

Breck Operating Corp.  
P. O. Box 911  
Breckenridge, TX. 76424  
Attention: Mr. Don Craig

Samson Resources Company  
200 North Loraine, Suite 1010  
Midland, TX 79701  
Attention Ms. Rita Buress

State of New Mexico  
Bureau of Land Management  
P.O. Box 27115  
Santa Fe, NM 87502-0115

**HOLLAND & HART**



**Michael H. Feldewert**

Recognized Specialist in the Area of  
Natural Resources - oil and gas law -  
New Mexico Board of Legal Specialization

[mfeldewert@hollandhart.com](mailto:mfeldewert@hollandhart.com)

January 13, 2006

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Attention Ms. Rita Buress  
Samson Resources Company  
200 North Loraine, Suite 1010  
Midland, TX 79701

Re: Application of Chesapeake Operating, Inc.  
For a Non-standard Deep Gas Spacing Unit, Lea County, New Mexico.  
LEU Well No. 1

Dear Ms. Buress:

This letter is to advise you that Chesapeake Operating, Inc. has filed the enclosed application with the New Mexico Oil Conservation Division. This application has been set for hearing before a Division Examiner on February 16, 2006. You are not required to attend this hearing, but as an owner of an interest in this property, you may appear and present testimony. Failure to appear at these hearings and become a party of record will preclude you from challenging the matter at a later date.

Any person desiring to appear and present technical evidence at the hearing is required by Division Rules 1208 and 1211 to file an entry of appearance five business days in advance of a scheduled hearing, and a prehearing statement four days in advance of the hearing, but in no event later than the Thursday preceding the scheduled hearing date. The prehearing statement must include: the party and the party's attorney; the reasons a party supports or opposes the application; the names and expertise of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Sincerely,

Michael H. Feldewert  
Holland & Hart, LLP  
Attorneys for  
Chesapeake Operating, Inc.

MHF

**Holland & Hart LLP**

Phone (505) 988-4421 Fax (505) 983-6043 [www.hollandhart.com](http://www.hollandhart.com)

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. ☎

HOLLAND & HART LLP



**Michael H. Feldewert**

Recognized Specialist in the Area of  
Natural Resources - oil and gas law -  
New Mexico Board of Legal Specialization

mfeldewert@hollandhart.com

January 13, 2006

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Attention: Mr. Don Craig  
Breck Operating Corp.  
P. O. Box 911  
Breckenridge, TX. 76424

Re: Application of Chesapeake Operating, Inc.  
For a Non-standard Deep Gas Spacing Unit, Lea County, New Mexico.  
LEU Well No. 1

Dear Mr. Craig:

This letter is to advise you that Chesapeake Operating, Inc. has filed the enclosed application with the New Mexico Oil Conservation Division. This application has been set for hearing before a Division Examiner on February 16, 2006. You are not required to attend this hearing, but as an owner of an interest in this property, you may appear and present testimony. Failure to appear at these hearings and become a party of record will preclude you from challenging the matter at a later date.

Any person desiring to appear and present technical evidence at the hearing is required by Division Rules 1208 and 1211 to file an entry of appearance five business days in advance of a scheduled hearing, and a prehearing statement four days in advance of the hearing, but in no event later than the Thursday preceding the scheduled hearing date. The prehearing statement must include: the party and the party's attorney; the reasons a party supports or opposes the application; the names and expertise of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Sincerely,

Michael H. Feldewert  
Holland & Hart, LLP  
Attorneys for  
Chesapeake Operating, Inc.

MHF

Holland & Hart LLP

Phone [505] 988-4421 Fax [505] 983-6043 [www.hollandhart.com](http://www.hollandhart.com)

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. ☐

HOLLAND & HART<sup>LLP</sup>



**Michael H. Feldewert**

Recognized Specialist in the Area of  
Natural Resources - oil and gas law -  
New Mexico Board of Legal Specialization

mfeldewert@hollandhart.com

January 13, 2006

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

State of New Mexico  
Bureau of Land Management  
P.O. Box 27115  
Santa Fe, NM 87502-0115

Re: Application of Chesapeake Operating, Inc.  
For a Non-standard Deep Gas Spacing Unit, Lea County, New Mexico.  
LEU Well No. 1

Dear Interest Owner:

This letter is to advise you that Chesapeake Operating, Inc. has filed the enclosed application with the New Mexico Oil Conservation Division. This application has been set for hearing before a Division Examiner on February 16, 2006. You are not required to attend this hearing, but as an owner of an interest in this property, you may appear and present testimony. Failure to appear at these hearings and become a party of record will preclude you from challenging the matter at a later date.

Any person desiring to appear and present technical evidence at the hearing is required by Division Rules 1208 and 1211 to file an entry of appearance five business days in advance of a scheduled hearing, and a prehearing statement four days in advance of the hearing, but in no event later than the Thursday preceding the scheduled hearing date. The prehearing statement must include: the party and the party's attorney; the reasons a party supports or opposes the application; the names and expertise of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Sincerely,

Michael H. Feldewert  
Holland & Hart, LLP  
Attorneys for  
Chesapeake Operating, Inc.

MHF

Holland & Hart<sup>LLP</sup>

Phone (505) 988-4421 Fax (505) 983-6043 [www.hollandhart.com](http://www.hollandhart.com)

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. ☺

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only. No Insurance Coverage Provided)

7001 1140 0002 9558 6359

**Midland/Chesapeake LEV 1**

Postage \$ **.83**  
 Certified Fee **2.40**  
 Return Receipt Fee **1.85**  
 Restricted Delivery Fee  
 Total Postage & Fees \$ **5.08**

UNIT ID: 8500  
 Postmark  
 Clerk: KB/170  
 01/13/06

Ms. Rita Buress  
 Samson Resources Company  
 200 North Lorain, Suite 1010  
 Midland, Texas 79701

PS Form 3800, January 2001 See Reverse for Instructions

SENDER: COMPLETE		CERTIFIED MAIL		DELIVERY
<p>1. Article Addressed to:</p> <p>Ms. Rita Buress            Samson Resources Company            200 North Lorain, Suite 1010            Midland, Texas 79701</p>		<p>A. Received by (Please Print Clearly)  <b>Joan Maner</b></p> <p>C. Signature  <b>Joan Maner</b></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes            If YES, enter delivery address below: <input type="checkbox"/> No</p>		<p>B. Date of Delivery  <b>1/17/06</b></p> <p><input type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee</p>
<p>2. Article Number (Copy from service label)</p> <p>7001 1140 0002 9558 6359</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

7001 1140 0002 9558 6335  
 MIF CHESAPEAKE LEUI

Postage	\$ 83.63
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.08</b>

UNIT ID: 0500  
 SALTA PEAK  
 Postmark Here  
 Clerk: KDZLPO  
 01/13/06

Mr. Don Craig  
 Breck Operating Corp.  
 P.O. Box 911  
 Breckenridge, Texas 76424

PS Form 3800, January 2001 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:

Mr. Don Craig  
 Breck Operating Corp.  
 P.O. Box 911  
 Breckenridge, Texas 76424

2. Article Number (Copy from service label)

7001 1140 0002 9558 6335

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
 C. Signature  
 D. Is delivery address different from item 1? If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

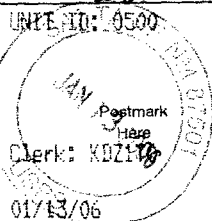
4. Restricted Delivery? (Extra Fee) ☐ Yes

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only. No Insurance Coverage Provided)

7001 1140 0002 9558 6342

**MAIL CHESAPEAKE LELL**

Postage	\$ 0.63
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 4.88</b>



State of New Mexico  
 Bureau of Land Management  
 P.O. Box 27115  
 Santa Fe, New Mexico 87502

PS Form 3800, January 2001 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:**

State of New Mexico  
 Bureau of Land Management  
 P.O. Box 27115  
 Santa Fe, New Mexico 87502

**2. Article Number (Copy from service label)**

7001 1140 0002 9558 6342

**COMPLETE THIS SECTION ON DELIVERY**

**A. Received by (Please Print Clearly)** **B. Date of Delivery**

*Henry Chesapeake*

**C. Signature**

*X Henry Chesapeake* ☐ Agent ☐ Addressee

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

**3. Service Type**

☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

**4. Restricted Delivery? (Extra Fee)** ☐ Yes