

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF NADEL AND GUSSMAN PERMIAN,  
L.L.C. FOR COMPULSORY POOLING, EDDY  
COUNTY, NEW MEXICO.

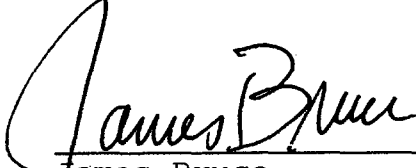
Case No. 13115

AFFIDAVIT REGARDING NOTICE

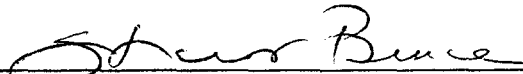
STATE OF NEW MEXICO            )  
  ) ss.  
COUNTY OF SANTA FE            )

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 receipt 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 4th day of August, 2003, by James Bruce.

  
 \_\_\_\_\_  
 Notary Public

My Commission Expires:  
3/14/05

OIL CONSERVATION DIVISION  
 CASE NUMBER \_\_\_\_\_  
 \_\_\_\_\_ RECEIPT 4

**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) 982-2151 (FAX)

jamesbruc@aol.com

July 2, 2003

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

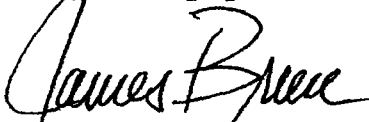
To: Persons on Exhibit A

Ladies and Gentlemen:

Enclosed is a copy of an application for a non-standard gas spacing and proration unit, etc., filed with the New Mexico Oil Conservation Division by Nadel and Gussman Permian, L.L.C., regarding the W $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 28, Township 21 South, Range 27 East, N.M.P.M., Eddy County, New Mexico. This application is scheduled to be heard at 8:15 a.m. on Thursday, July 24, 2003 at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an offset operator or interest owner, 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 requested to notify the Division, and the undersigned, by Friday, July 18, 2003, if you intend to enter an appearance and participate in the case.

Very truly yours,



James Bruce

Attorney for Nadel and Gussman Permian, L.L.C.



EXHIBIT A

Bureau of Land Management  
2909 West Second Street  
Roswell, New Mexico 88201

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

Attention: Ken Gray

OXY USA WTP Limited Partnership  
P.O. Box 50250  
Midland, Texas 79710

Snow Oil & Gas, Inc.  
P.O. Box 1277  
Andrews, Texas 79714

Key Production Co., Inc.  
Suite 3300  
707 17th Street  
Denver, Colorado 80202

Mark T. Owen  
3323 Providence Drive  
Midland, Texas 79707

Redfern Enterprises, Inc.  
P.O. Box 2127  
Midland, Texas 79702

EXCO Resources, Inc.  
Central Resources, Inc.  
RKC, Inc.  
Suite 600  
6500 Greenville Avenue  
Dallas, Texas 75206

Texas Independent Exploration, Inc.  
Rick Zimmerman  
Suite 3800  
1600 Smith Street  
Houston, Texas 77002

Robert St. John  
4647 West Ponds Circle  
Littleton, Colorado 80123

J. Hiram Moore  
Suite 404  
310 West Wall  
Midland, Texas 79701

7003 0500 0002 3972 3177

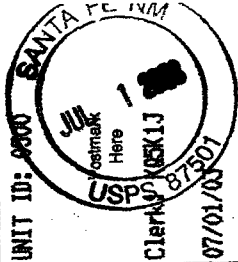
**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**HOUSTON TX 77002**  
**OFFICIAL USE**

Postage	\$ 0.60
Certified Fee	2.20
Return Receipt Fee (Endorsement Required)	1.25
Restricted Delivery Fee (Endorsement Required)	4.62
Total Postage & Fees	\$ 8.67

Sent To  
 Rick Zimmerman  
 Suite 3800  
 1600 Smith Street  
 Houston, Texas 77002



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:

Key Production Co., Inc.  
 Suite 3300  
 707 17th Street  
 Denver, Colorado 80202

2. Article Number (Transfer from service label)

7002 2030 0004 5187 9769

PS Form 3811, August 2001

102595-01-M-0381

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) \_\_\_\_\_  
 C. Date of Delivery 7-3-03

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

**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:

Texas Independent Exploration, Inc.  
 Rick Zimmerman  
 Suite 3800  
 1600 Smith Street  
 Houston, Texas 77002

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) \_\_\_\_\_  
 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 0500 0002 3972 3177

PS Form 3811, August 2001

102595-01-M-0381

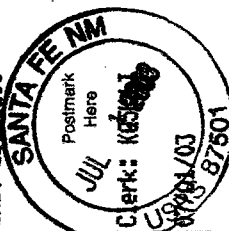
**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ 0.60
Certified Fee	2.20
Return Receipt Fee (Endorsement Required)	1.25
Restricted Delivery Fee (Endorsement Required)	4.62
Total Postage & Fees	\$ 8.67

UNIT ID: 0500



Sent To  
 Key Production Co., Inc.  
 Suite 3300  
 707 17th Street  
 Denver, Colorado 80202

PS Form 3800, June 2002

See Reverse for Instructions

6926 2875 4000 0802 2002

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information, visit our website at [www.usps.com](http://www.usps.com).

**LITTLETON, CO SPECIAL USE**

Postage	\$ 0.0037
Certified Fee	2.7230
Return Receipt Fee (Endorsement Required)	1.7575
Restricted Delivery Fee (Endorsement Required)	4.6432
Total Postage & Fees	\$ 9.1274

Sent To  
 Robert St. John  
 4647 West Ponds Circle  
 Littleton, Colorado 80123

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:

J. Hiram Moore  
 Suite 404  
 310 West Wall  
 Midland, Texas 79701

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

PS Form 3811, August 2001

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*J. Hiram Moore*  Agent  Addressee

B. Received by (Printed Name)  
*J. Hiram Moore* C. Date of Delivery  
*7-3*

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  No

7003 0500 0002 3972 3184

Domestic Return Receipt

*NGP-NSP*

102595-01-M-0381

497E 226E 2000 0050 0002

**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:

Robert St. John  
 4647 West Ponds Circle  
 Littleton, Colorado 80123

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

4. Restricted Delivery? (Extra Fee)  Yes  No

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

7003 0500 0002 3972 3184

PS Form 3811, August 2001

Domestic Return Receipt

*NGP-NSP*

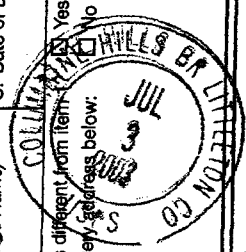
102595-01-M-0381

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*J. Hiram Moore*  Agent  Addressee

B. Received by (Printed Name)  
*J. Hiram Moore* C. Date of Delivery  
*7-3*

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



Postage	\$ 0.00
Certified Fee	2.7230
Return Receipt Fee (Endorsement Required)	1.7575
Restricted Delivery Fee (Endorsement Required)	4.6432
Total Postage & Fees	\$ 9.1274

Sent To

J. Hiram Moore  
 Suite 404  
 310 West Wall  
 Midland, Texas 79701

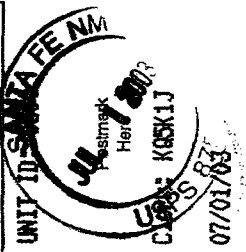
PS Form 3800, June 2002 See Reverse for Instructions

7003 0500 0002 3972 3184

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**UNIT ID: SANTA FE NM**



Postage	\$ 0.00
Certified Fee	2.7230
Return Receipt Fee (Endorsement Required)	1.7575
Restricted Delivery Fee (Endorsement Required)	4.6432
Total Postage & Fees	\$ 9.1274

Sent To

J. Hiram Moore  
 Suite 404  
 310 West Wall  
 Midland, Texas 79701

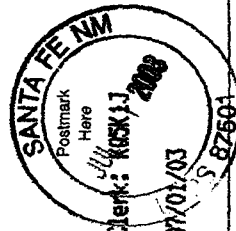
PS Form 3800, June 2002 See Reverse for Instructions

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For delivery information visit our website at [www.usps.com](http://www.usps.com)

**ANDREWS SPECIAL USE**

Postage	\$ 0-60
Certified Fee	2-20
Return Receipt Fee (Endorsement Required)	1-75
Restricted Delivery Fee (Endorsement Required)	4-64
Total Postage & Fees	\$ 8-64



Sent To  
Snow Oil & Gas, Inc.  
P.O. Box 1277  
Andrews, Texas 79714  
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:

Bureau of Land Management  
2909 West Second Street  
Roswell, New Mexico 88201

2. Article Number  
(Transfer from service label)

7002 2030 0004 5187 8977

PS Form 3811, August 2001 Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  Addressee
- B. Received by (Printed Name) Julia Koskij
- C. Date of Delivery 7-3-03
- 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

7002 2030 0004 5187 8977

102598-02-M-1840

2526 2815 4000 0002 2002

**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:

Snow Oil & Gas, Inc.  
P.O. Box 1277  
Andrews, Texas 79714

2. Article Number  
(Transfer from service label)

7002 2030 0004 5187 9752

PS Form 3811, August 2001

Domestic Return Receipt

102598-01-M-0081

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  Addressee
- B. Received by (Printed Name) Julia Koskij
- C. Date of Delivery 7-3-03
- 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.

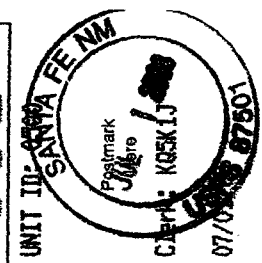
- 4. Restricted Delivery? (Extra Fee)  Yes

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

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**ANDREWS SPECIAL USE**

Postage	\$ 0-60
Certified Fee	2-20
Return Receipt Fee (Endorsement Required)	1-75
Restricted Delivery Fee (Endorsement Required)	4-64
Total Postage & Fees	\$ 8-64



Sent To  
Bureau of Land Management  
2909 West Second Street  
Roswell, New Mexico 88201  
City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

2526 2815 4000 0002 2002

**U.S. Postal Service™  
CERTIFIED MAIL™ RECEIPT**  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OKLAHOMA CITY, OK 73101-8838**

UNIT ID: 0500  
JUL Postmark Here  
UNIT 10: SANTA FE NM  
07/01/03

Postage	\$ 0.607
Certified Fee	2.280
Return Receipt Fee (Endorsement Required)	1.75.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65.42

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

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:

Mark T. Owen  
3323 Providence Drive  
Midland, Texas 79707

2. Article Number  
(Transfer from service label)

7002 2030 0004 5187 9776  
Domestic Return Receipt NSP-NSP

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  X

B. Received by (Printed Name)  Agent  Addressee

C. Date of Delivery

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

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

2. Article Number  
(Transfer from service label)

7002 2030 0004 5187 8984  
Domestic Return Receipt NSP-NSP

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  X

B. Received by (Printed Name)  Agent  Addressee  
AMIE OWEN 7-3

C. Date of Delivery

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

7002 2030 0004 5187 9776  
Domestic Return Receipt NSP-NSP

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

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**UNIT 10: SANTA FE NM**

JUL Postmark Here  
UNIT 10: SANTA FE NM  
07/01/03

Postage	\$ 0.607
Certified Fee	2.280
Return Receipt Fee (Endorsement Required)	1.75.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65.42

Mark T. Owen  
3323 Providence Drive  
Midland, Texas 79707

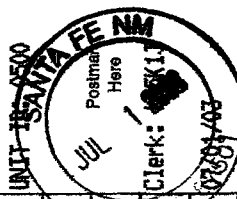
PS Form 3800, June 2002

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

Postage	\$ 0.6027
Certified Fee	2.7280
Return Receipt Fee (Endorsement Required)	1.7575
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 46.42

Sent To  
 EXCO Resources, Inc.  
 Central Resources, Inc.  
 RKC, Inc.  
 Suite 600  
 6500 Greenville Avenue  
 Dallas, Texas 75206



0970 2269 2000 0050 8002

**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:

EXCO Resources, Inc.  
 Central Resources, Inc.  
 RKC, Inc.  
 Suite 600  
 6500 Greenville Avenue  
 Dallas, Texas 75206

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 Agent  
 Addressee

B. Received by (Printed Name) \_\_\_\_\_ C. Date of Delivery \_\_\_\_\_

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

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

4. Restricted Delivery? (Extra Fee)  Yes  No

2. Article Number (Transfer from service label) **7003 0500 0002 3972 3160**

Domestic Return Receipt **NGP-NSP**

PS Form 3811, August 2001 102595-01-M-0381

**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:

OXY USA WTP Limited Partnership  
 P.O. Box 50250  
 Midland, Texas 79710

2. Article Number (Transfer from service label) **7002 2030 0004 5167 8991**

Domestic Return Receipt **NGP-NSP**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 Agent  
 Addressee

B. Received by (Printed Name) \_\_\_\_\_ Date of Delivery \_\_\_\_\_

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

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

4. Restricted Delivery? (Extra Fee)  Yes  No

5. Article Number (Transfer from service label) **7002 2030 0004 5167 8991**

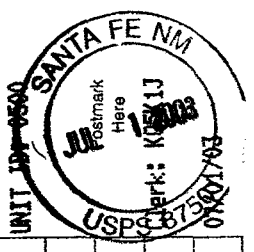
Domestic Return Receipt **NGP-NSP**

**U.S. Postal Service<sup>TM</sup>**  
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*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

Postage	\$ 0.6027
Certified Fee	2.7280
Return Receipt Fee (Endorsement Required)	1.7575
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 46.42

Sent To  
 OXY USA WTP Limited Partnership  
 P.O. Box 50250  
 Midland, Texas 79710



0970 2269 2000 0050 8002



**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:

Redfern Enterprises, Inc.  
 P.O. Box 2127  
 Midland, Texas 79702

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
U Busber  Addressee

B. Received by (Printed Name) U Busber C. Date of Delivery 10-7-03

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

PO Box 2127

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 7003 0500 Q002 3972 3153  
 (Transfer from service label)  
 Domestic Return Receipt NSP-NSP 102595-01-M-0381

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
*(Domestic Mail Only; No Insurance Cover/age Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**NO OFFICIAL USE**

Postage	\$ 0-60.37	UNIT 18ANTA FE NM
Certified Fee	2-3 02.30	Postmark Here
Return Receipt Fee (Endorsement Required)	1-75 1.75	JUL 1 2003
Restricted Delivery Fee (Endorsement Required)		Clerk: [Signature]
Total Postage & Fees	\$ 4-69.42	88700071703

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

Redfern Enterprises, Inc.  
 P.O. Box 2127  
 Midland, Texas 79702

PS Form 3800, June 2002 See Reverse for Instructions

7003 0500 Q002 3972 3153