

**Case No. 13980**

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STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION COMMISSION

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST ROJO GRANDE COMPANY LLC, FINDING THAT OPERATOR VIOLATED 19.15.4.201 NMAC AS TO ONE WELL, REQUIRING OPERATOR TO RETURN SAID WELL INTO COMPLIANCE WITH 19.15.4.201 NMAC BY A DATE CERTAIN, AND AUTHORIZING THE DIVISION TO PLUG THE WELL AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCE IN THE EVENT OF NON-COMPLIANCE, EDDY COUNTY, NEW MEXICO.

CASE NO. 13980

AFFIDAVIT OF SERVICE

In accordance with Division Rule 1227.D [19.15.14.1227.D NMAC] and Rule 1210 (19.15.14.1210 NMAC) I hereby certify:

1. Notice of the January 10, 2008 hearing in the above-captioned case was mailed to the following by certified mail, return receipt requested, at least 20 days prior to the hearing date;

Rojo Grande Company, LLC  
Attn: Rob Matthews  
P.O. Box 181  
Madisonville, TX 77864

2. Exhibit A to this affidavit is a copy of the notice, with a copy of the certified return receipt for the notice mailed to Rojo Grande Company, LLC. Darla Wilkinson signed for the receipt.

3. The above address is the address that Rob Matthews, owner of Rojo Grande Company, LLC, gave Undersigned Counsel (by telephone) as his mailing address after a copy of the application that was initially mailed to Rojo Grande Company, LLC's, address on record with OCD was returned as "refused" (this was for the September 6, 2007 setting).

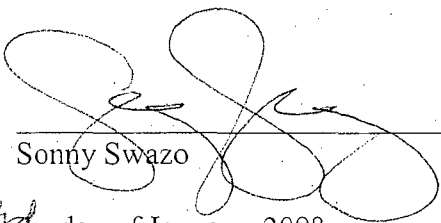
4. Since then, Undersigned Counsel has mailed numerous letters and notices to the above address by certified mail. Darla Wilkinson signed all receipts. During this time, Mr. Matthews has called Undersigned Counsel several times to discuss this case, the hearing, and the status of the well.

***Rojo Grande Company LLC***

***Case 13980  
OCD Exhibit No. 1***

5. Copies of the application were sent certified mail to the above address on August 29, 2007, September 13, 2007, and September 24, 2007. Darla Wilkinson signed the receipts. The letters and signed receipts are attached as Exhibit B.

6. Notice of the September 6, 2007 hearing was published in The Artesia Daily Press, a newspaper of general circulation in Eddy County. The affidavit of publication from The Artesia Daily Press is attached as Exhibit C.

  
\_\_\_\_\_  
Sonny Swazo

SUBSCRIBED AND SWORN to before me this 3rd day of January, 2008.

  
\_\_\_\_\_  
Sally Martinez  
Notary Public

My Commission Expires:

3-24-2010