

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

APPLICATION OF NEARBURG EXPLORATION
COMPANY, L.L.C. FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

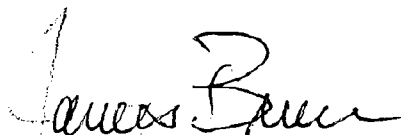
Case No. 14,470

AFFIDAVIT OF NOTICE

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

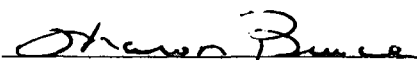
James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Nearburg Exploration Company, L.L.C.
3. Nearburg Exploration Company, L.L.C. 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 letters and certified return receipt are attached hereto as Exhibit A.
5. Applicant has complied with the notice provisions of Division Rules NMAC 19.15.4.9 and 19.15.4.12.C.


James Bruce

SUBSCRIBED AND SWORN TO before me this 6th day of June, 2010 by James Bruce.

My Commission Expires: 3/14/13


Notary Public

Oil Conservation Division
Case No. _____
Exhibit No. 2

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)

jamesbruce@aol.com

April 20, 2010

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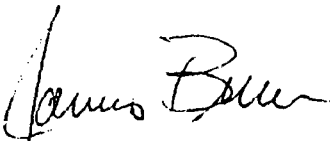
To: Persons on Exhibit A

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Nearburg Exploration Company, L.L.C., regarding the W½ of Section 33, Township 18 South, Range 27 East, N.M.P.M., Eddy County, New Mexico.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, May 13, 2010, in Porter Hall at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting the matter at a later date.

A party appearing in a Division case is required by Division Rule 1208.B to file a Pre-Hearing Statement no later than Thursday, May 6, 2010. This statement must be filed with the Division's Santa Fe office at the above address, and should include: The names of the party and its attorney; a concise statement of the case; the names of the 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 need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned.

Very truly yours,



James Bruce

Attorney for Nearburg Exploration Company, L.L.C.

EXHIBIT A

EXHIBIT A

Chevron Midcontinent LLP
P.O. Box 36366
Houston, Texas 77236

OXY USA Inc.
Suite 110
5 Greenway Plaza
Houston, Texas 77046

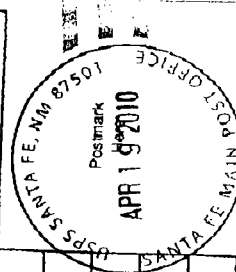
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 City, State, Zip+4 Houston, Texas 77046

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2. Article Number (Transfer from service label)

7009 2820 0002 8540 1721

PS Form 3811, February 2004 Domestic Return Receipt *McC-Kay* 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature *X Paul Kay*
 B. Received by (Printed Name) *PAUL KAY*
 C. Date of Delivery *4/23/10*
 D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

1. Article Addressed to:

3. Service Type
☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail
☐ Return Receipt for Merchandise
☐ C.O.D.
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 P.O. Box 36366
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PS Form 3811, February 2004 Domestic Return Receipt *McC-Kay* 102595-02-M-1540

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A. Signature *X Paul Kay*
 B. Received by (Printed Name) *PAUL KAY*
 C. Date of Delivery *4/23/10*
 D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

1. Article Addressed to:

3. Service Type
☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail
☐ Return Receipt for Merchandise
☐ C.O.D.
 4. Restricted Delivery? (Extra Fee) ☐ Yes

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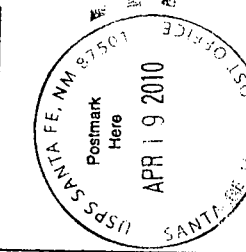
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 City, State, Zip+4 Houston, Texas 77046

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JAMES BRUCE
ATTORNEY AT LAW

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

jamesbruc@aol.com

May 3, 2010

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

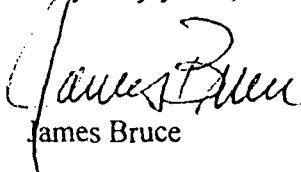
To: Persons on Exhibit A

Enclosed is a copy of an amended application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Nearburg Exploration Company, L.L.C., regarding the W½ of Section 33, Township 18 South, Range 27 East, N.M.P.M., Eddy County, New Mexico (the amended application reflects that applicant is only pooling to the base of the Cisco/Canyon formation).

This matter is scheduled for hearing at 8:15 a.m. on Thursday, May 13, 2010, in Porter Hall at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting the matter at a later date.

A party appearing in a Division case is required by Division Rule 1208.B to file a Pre-Hearing Statement no later than Thursday, May 6, 2010. This statement must be filed with the Division's Santa Fe office at the above address, and should include: The names of the party and its attorney; a concise statement of the case; the names of the 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 need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned.

Very truly yours,



James Bruce

Attorney for Nearburg Exploration Company, L.L.C.

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JAMES BRUCE
ATTORNEY AT LAW

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(505) 982-2151 (Fax)

jamesbruce@aol.com

May 20, 2010

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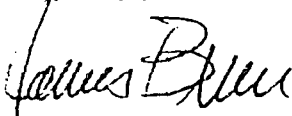
To: Persons on Exhibit A

Enclosed is a copy of a second amended application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Nearburg Exploration Company, L.L.C., regarding the W½ of Section 33, Township 18 South, Range 27 East, N.M.P.M., Eddy County, New Mexico (the amended application reflects that applicant is only pooling to the base of the Cisco/Canyon formation, and that the well's location is unorthodox, per the attached plat).

This matter is scheduled for hearing at 8:15 a.m. on Thursday, June 10, 2010, in Porter Hall at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting the matter at a later date.

A party appearing in a Division case is required by Division Rule 1208.B to file a Pre-Hearing Statement no later than Thursday, June 3, 2010. This statement must be filed with the Division's Santa Fe office at the above address, and should include: The names of the party and its attorney; a concise statement of the case; the names of the 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 need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned.

Very truly yours,



James Bruce

Attorney for Nearburg Exploration Company, L.L.C.

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A. Signature
 X *Michael P. Hall* ☐ Agent ☐ Addressee

B. Received by (Printed Name)
Michael P. Hall C. Date of Delivery
2/11/04

D. Is delivery address different from item 1? ☐ Yes ☐ No
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3. Service Type
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