

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

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

Case No. 14,549

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 letter and certified return receipts are attached hereto as Exhibit 1.
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 28th day of September, 2010 by James Bruce.

My Commission Expires: 3/14/13

  
Notary Public

Oil Conservation Division  
Case No. 2  
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](mailto:jamesbruce@aol.com)

September 9, 2010

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

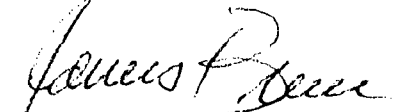
To: Persons on Exhibit A

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 N½NE¼ of Section 12, Township 12 South, Range 32 East, N.M.P.M., Lea County, New Mexico.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, September 30, 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, September 23, 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 1

EXHIBIT A

Elliot-Hall Company  
Elliot Industries Limited Partnership  
P.O. Box 1355  
Roswell, New Mexico 88202

Edge Petroleum Exploration Company  
Suite 2000  
2000 West Sam Houston Parkway South  
Houston, Texas 77042

Attention: William S. Michalak

Pure Energy Group, Inc.  
Suite 218  
22610 U.S. Highway 281 North  
San Antonio, Texas 78258

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

Northern Trust Company, Agent for  
Shriners Hospital for Children  
16771 Dallas Parkway  
Addison, Texas 75001

Attention: Davilyn C. Gray

Shriners Hospital for Children  
2900 Rocky Point Drive  
Tampa, Florida 33607

Attention: Tom Guthry

## 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:

Pure Energy Group, Inc.  
Suite 218  
22610 U.S. Highway 281 North  
San Antonio, Texas 78258

## 2. Article Number

(Transfer from service label)

7008 0500 0001 4591 7108

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

- A. Signature [Signature] ☒ Agent ☐ Addressee
- B. Received by (Printed Name) J KESSLER C. Date of Delivery 9/14
- 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

U.S. Postal Service<sup>TM</sup>  
CERTIFIED MAIL<sup>TM</sup> RECEIPT<sup>TM</sup>  
(Domestic Mail Only; No Insurance Coverage Provided)For delivery information visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Postage \$

Certified Fee

Return Receipt Fee

(Endorsement Required)

Restricted Delivery Fee

(Endorsement Required)

Total Postage &amp; Fees \$

Sent To Edge Petroleum Exploration Company

Suite 2000

2000 West Sam Houston Parkway South

Houston, Texas 77042

City, State, ZIP+4

PS Form 3800, August 2005

See Reverse for Instructions

Postmark  
HereU.S. Postal Service<sup>TM</sup>  
CERTIFIED MAIL<sup>TM</sup> RECEIPT<sup>TM</sup>  
(Domestic Mail Only; No Insurance Coverage Provided)For delivery information visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Postage \$

Certified Fee

Return Receipt Fee

(Endorsement Required)

Restricted Delivery Fee

(Endorsement Required)

Total Postage &amp; Fees \$

Sent To Pure Energy Group, Inc.

Suite 218

22610 U.S. Highway 281 North

San Antonio, Texas 78258

City, State, ZIP+4

PS Form 3800, August 2005

See Reverse for Instructions

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- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Edge Petroleum Exploration Company  
Suite 2000  
2000 West Sam Houston Parkway South  
Houston, Texas 77042

## 2. Article Number

(Transfer from service label)

7008 0500 0001 4591 7115

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

- A. Signature [Signature] ☒ Agent ☐ Addressee
- B. Received by (Printed Name) [Signature] C. Date of Delivery 9/14
- 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

**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 SW  
Deming, New Mexico 88030

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent ☐ Addressee  
 B. Received by (Printed Name) Brian W. Jensen PCA 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

2. Article Number 7008 0500 0001 4591 7092

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

PCA

102595-02-M-1540

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

Postmark Here

Sent To Chisos, Ltd.  
670 Dona Ana Road SW  
Deming, New Mexico 88030  
 Street Apt. No. or PO Box No. City, State, Zip+4

PS Form 3800, August 2006

See Reverse for Instructions

7008 0500 0001 4591 7092