

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

**APPLICATION OF MACK ENERGY CORPORATION  
TO AMEND COMPULSORY POOLING ORDER R-12006  
TO INCLUDE ADDITIONAL OIL WELLS FOR EXISTING  
40-ACRE SPACING AND PRORATION UNITS,  
LEA COUNTY, NEW MEXICO.**

**CASE NO. 13206**

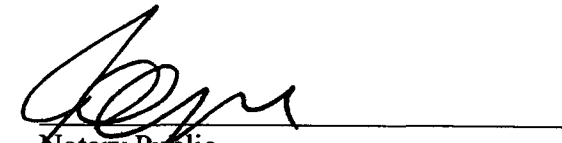
**AFFIDAVIT**

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

Michael H. Feldewert, attorney in fact and authorized representative of Mack Energy Corporation, the Applicant herein, being first duly sworn, upon oath, states that notice of the above-referenced Application was mailed to the addresses shown on Exhibit "A" attached hereto, and that true and correct copies of the notice letter and proof of receipt are attached hereto.

  
Michael H. Feldewert

SUBSCRIBED AND SWORN to before me this 20<sup>th</sup> day of January 2004 by Michael H. Feldewert.

  
Notary Public

My Commission Expires: 11-25-06



**OFFICIAL SEAL  
JONNI LU POOL  
NOTARY PUBLIC-STATE OF NEW MEXICO**  
My commission expires 11-25-06

3183412\_1.DOC

BEFORE THE OIL CONSERVATION DIVISION  
Santa Fe, New Mexico  
Case No. 13206 Exhibit No. 5  
Submitted by:  
MACK ENERGY CORPORATION  
Hearing Date: Jan. 22, 2004

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  
44822-0007

December 30, 2003

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

Moleen Trust  
c/o Mr. Jerry Lane  
Branch Bank and Trust  
P.O. Box 687  
Columbia, SC 29202-0687

Re: **Application of Mack Energy Corporation to amend compulsory pooling  
Order R-12006 to include additional oil wells for existing 40-acre spacing and  
proration units, Lea County, New Mexico.**

Dear Mr. Lane:

This letter is to advise you that Mack Energy Corporation has filed the enclosed application with the New Mexico Oil Conservation Division. This application has been set for hearing before a Division Examiner on January 22, 2004. You are not required to attend this hearing, but an owner of an interest that may be affected by this application may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 1208.B to file a Prehearing Statement three days in advance of a scheduled hearing. This statement must include: the names of the parties and their attorneys; a concise statement of the case; the names 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 Mack Energy Corporation

MHF/jlp  
Enclosure

3174472\_1.DOC

**Holland & Hart<sup>LLP</sup>**

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

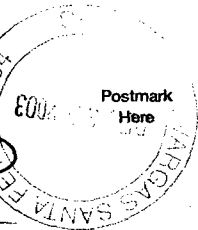
110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Albuquerque 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)

**OFFICIAL USE**

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Certified Fee	2.90
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	4.65
<b>Total Postage &amp; Fees</b>	<b>\$ 9.25</b>



**Sent To**  
 MOLLEN TRUST % JERRY LANE, BRANCH BANK  
 Street, Apt. No.;  
 or PO Box No. P.O. Box 687  
 City, State, ZIP+4 COLUMBIA SC 29202-0687

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:

MOLLEN TRUST  
 % JERRY LANE  
 BRANCH BANK & TRUST  
 P.O. Box 687  
 COLUMBIA, SC 29202-0687

**COMPLETE THIS SECTION ON DELIVERY**

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

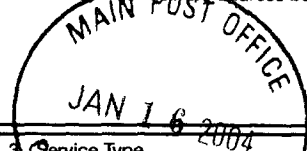
Sarah Bonnette

C. Signature

x Sarah Bonnette

- ☐ Agent  
☐ Addressee

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 ☐ O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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7001 1140 0002 5602 0809