#### **AFFIDAVIT OF NOTICE**

**\$** . .

Before me, the undersigned authority, on this day personally appeared DAVID K. BROOKS, well known to me to be a credible person, and after being duly sworn, did solemnly declare upon his oath as follows:

"My name is David K. Brooks. I am employed by the Energy, Minerals and Natural Resources Department of the State of New Mexico as Assistant General Counsel.

"I am attorney of record for the New Mexico Oil Conservation Division, as Applicant, in Case No. 12771, Application of the New Mexico Oil Conservation Division for an Order Requiring Operators to Bring Sixty-Two (62) Wells into Compliance with Rule 201.B, and Assessing Appropriate Civil Penalties; Lea, Roosevelt and Chaves Counties, New Mexico.

"On October 24, 2001, I prepared a letter to all of the operators named as respondents in the Application filed in Case No. 12771. Attachment A to this Affidavit is a true copy of the letter that I prepared. I then caused a copy of Attachment A to be mailed to each of the operators named on the second page of Attachment A, by Certified Mail, Return Receipt Requested. A copy of the Application filed with the Division is Case No. 12771 was enclosed with each letter.

"A copy of the notification letter (Attachment A) was sent to C.C. Pollard c/o Frank Pollard, by Certified Mail, Return Receipt Requested, and received by Frank Pollard, as evidenced by receipt for certified mail and postal return receipt true copies whereof are attached hereto as Attachment B.

"A copy of the notification letter (Attachment A) was sent to Prairie Sun, Inc., by Certified Mail, Return Receipt Requested, and received by Prairie Sun, Inc., as evidenced by receipt for certified mail and postal return receipt true copies whereof are attached hereto as Attachment C.

"A copy of the notification letter (Attachment A) was sent to Primal Energy Corporation, by Certified Mail, Return Receipt Requested, and received by Primal Energy Corporation, as evidenced by receipt for certified mail and postal return receipt true copies whereof are attached hereto as Attachment D.

"A copy of the notification letter (Attachment A) was sent to Professional Oil Services, Inc., c/o Art Marques, by Certified Mail, Return Receipt Requested, and received by Art Marquez, as evidenced by receipt for certified mail and postal return receipt true copies whereof are attached hereto as Attachment E. Art Marquez is the registered agent for Professional Oil Services, Inc., as evidenced by copy of report from the web site of the New Mexico Public Regulation Commission-attached-hereto-as-Attachment F.

BEFORE EXAMINER STOGNER
OIL CONSERVATION DIVISION
OCD EXMIBIT NO. 2
CASE NO. 12771
Nousmallels, Lead

"A copy of the notification letter (Attachment A) was sent to Pro-Gas Operating, Inc., c/o Glen L. Houston, by Certified Mail, Return Receipt Requested, and received by Glen L. Houston, as evidenced by receipt for certified mail and postal return receipt true copies whereof are attached hereto as Attachment G. Glen L. Houston is the registered agent for Pro-Gas Operating, Inc., as evidenced by copy of report from the web site of the New Mexico Public Regulation Commission attached hereto as Attachment H.

"A copy of the notification letter (Attachment A) was sent to RW Oil Co., by Certified Mail, Return Receipt Requested, and received by RW Oil Co., as evidenced by receipt for certified mail and postal return receipt true copies whereof are attached hereto as Attachment I.

"A copy of the notification letter (Attachment A) was sent to Spence Energy Co. by Certified Mail, Return Receipt Requested, and received by Spence Energy Co., as evidenced by receipt for certified mail and postal return receipt true copies whereof are attached hereto as Attachment J.

"A copy of the notification letter (Attachment A) was sent to Tenison Oil Co. by Certified Mail, Return Receipt Requested, and received by Tenison Oil Co., as evidenced by receipt for certified mail and postal return receipt true copies whereof are attached hereto as Attachment K.

Further Affiant sayeth not.

David K. Brooks

David K. Brooks

Subscribed and sworn to in the City of Santa Fe, County of Santa Fe, State of New Mexico, this 15<sup>th</sup> day of November, 2001. Witness my hand and seal of office.

Notary Public State of New Mexico

My commission expires 2/18, 2003

[SEAL]



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON Governor Jennifer A. Salisbury Cabinet Secretary

October 24, 2001

Lori Wrotenbery Director Oil Conservation Division

ADDRESS LIST

#### VIA: CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Re: <u>Case No. 12771</u>: Application of the New Mexico Oil Conservation Division for an Order Requiring Operators to Bring Sixty-Two (62) Wells into Compliance with Rule 201.B, and Assessing Appropriate Civil Penalties; Lea, Roosevelt and Chaves Counties, New Mexico.

Ladies and Gentlemen:

You are hereby notified that the New Mexico Oil Conservation Division has filed the referenced Application, a copy of which is enclosed herewith, seeking an Order requiring you to bring specified inactive wells in Lea, Roosevelt and Chaves Counties, New Mexico into compliance with Division Rule 201.B, by either restoring such wells to production or beneficial use, permanently abandoning or temporarily abandoning them. In addition, the Division seeks assessment of civil penalties for your failure to comply with previous administrative notices to bring these wells into compliance.

A hearing on this Application will take place before a Division hearing officer on Thursday, November 15, 2001, at 8:15 a.m., in the Division Hearing Room, First Floor, 1220 South St. Francis Drive in Santa Fe, New Mexico. At that hearing you will have an opportunity to show cause, if any there be, why an order should not be entered as requested in the Application.

Operational inquiries concerning the subject of this hearing should be directed to Mr. Chris Williams, District Supervisor, Oil Conservation Division, 1625 French Drive, Hobbs, NM 88240; phone (505)-393-6161. Counsel may contact the undersigned in the Santa Fe office at (505)-476-3450.

Very truly yours,

David K. Beach

David K. Brooks Assistant General Counsel

Attachment A

C.C.POLLARD C/O FRANK POLLARD 166 MORITZ CIRCLE SAN ANGELO, TX 76904

PRAIRIE SUN,INC. 3103 YESO RD PO BOX 8280 ROSWELL, NM 88201

PRIMAL ENERGY CORPORATION 211 HIGHLAND CROSS, STE 227 HOUSTON, TX 77073

PROFESSIONAL OIL SERVICES INC. 804 SPRAGUE ODESSA, TX 73764

PROFESSIONAL OIL SERVICES INC. C/O ART MARQUEZ 1307 W. MONROE LOVINGTON, NM 88260

PRO-GAS OPERATING INC. P.O. BOX 60243 MIDLAND, TX 79711-0243

PRO-GAS OPERATING INC. 4917 S.C.R., 1303 MIDLAND, TX 79765

PRO-GAS OPERATING INC. C/O GLENN L. HOUSTON 1010 FOWLER HOBBS, NM 88240

PRONGHORN MANAGEMENT CORP PO BOX 1772 HOBBS, NM 88241

Route 1 Box 104 RWOIL CO - 70 Box 1209 Louington, NM 88260 > 34703SABA ENERGY OF TEXAS INC 3000 WILCREST, STE 220 HOUSTON, TX 77042

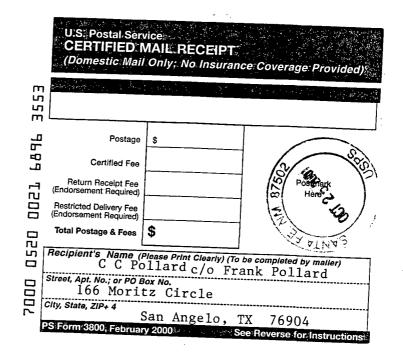
SANTA FE ENERGY OPERATING PARTNERS L P 1616 S VOSS, STE 600 HOUSTON, TX77057

SMITH & MARRS INC PO BOX 863 KERMIT, TX 79745 SPENCE ENERGY CO 4925 GREENVILLE, STE 220 DALLAS, TX 75206

TENISON OIL CO 401 CYPRESS ST, STE 500 ABILENE, TX79601

TEXLAND PETROLEUM, INC 777 MAINSTREET, SUITE 3200 FORT WORTH, TX 76102

W H BRININSTOOL PO DRAWER A JAL, NM 88252



τ. 1

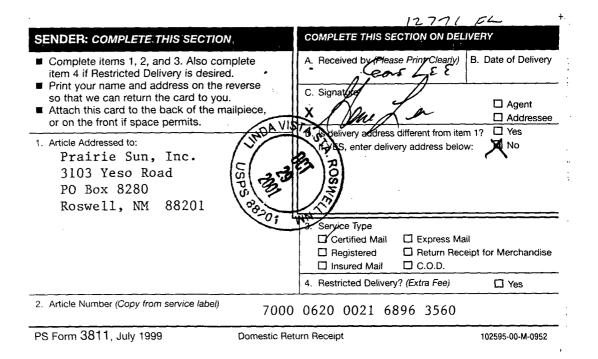
	COMPLETE THIS SECTION ON DELIVERY
SENDER: COMPLETE THIS SECTION	
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>Article Addressed to:</li> <li>C C Pollard c/o Frank Pollard 166 Moritz Circle San Angeleo, TX 76904</li> </ul>	A. Received by (Please Print Clearly) B. Date of Delivery 10/30/04 C. Signature C. Signature C. Is delivery address different from item 1?  Yes If YES, enter delivery address below: No
	3. Service Type         Ø Certified Mail       Express Mail         Registered       Return Receipt for Merchandise         Insured Mail       C.O.D.         4. Restricted Delivery? (Extra Fee)       Yes
2. Article Number (Copy from service label) 7000	0520 0021 6896 3553

PS Form 3811, July 1999

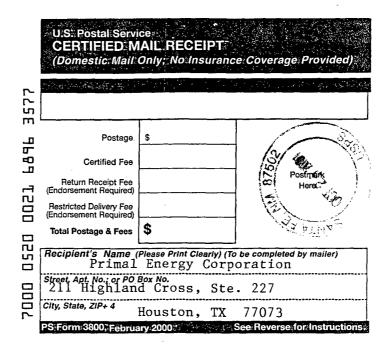
Domestic Return Receipt

Attachment B

		AIL RECEIPT	nce:Coverage Provided)
3560			
72	Postage	\$	
5 9 1	Certified Fee		
5	Return Receipt Fee (Endorsement Required)		CC/ Poptmark
0021	Restricted Delivery Fee (Endorsement Required)		E B//
	Total Postage & Fees	\$	ANVAG .
050	Prair	cie Sun. Inc	To be completed by mailer)
2000	Street, Apt. No.; or PO I	Box No. 3103 Y	eso Road
20	City, State, ZIP+ 4	Roswell, Nm	88201
	PSiForm 3800, Februa	iry 2000	See Reverse for Instructions



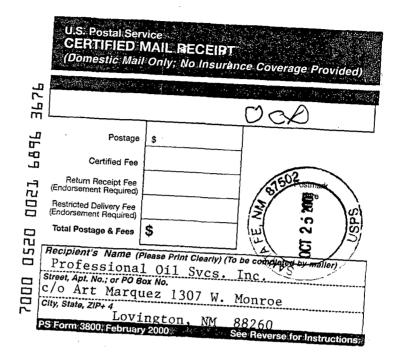
Attachment C



1984 - 1984 - 1995 - 1995 - 1995 - 1995 - 1995 - 1995 - 1995 - 1995 - 1995 - 1995 - 1995 - 1995 - 1995 - 1995 -

	· 12771 EL
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>Article Addressed to: Primal Energy Corporation 211 Highland Cross, Suite 227 Houston, TX 77073</li> </ul>	A. Received by (Please Print Clearly) B. Date of Delivery C. Signature Agent Addressee D. Is delivery address different from item 1? I Yes If YES, enter delivery address below: No
	3. Service Type         Image: Certified Mail       Image: Express Mail         Image: Certified Mail       Image: Certified Mail
	4. Restricted Delivery? (Extra Fee)
2. Article Number (Copy from service label) 700	00 0520 0021 6896 3577
PS Form 3811, July 1999 Domestic Ref	turn Receipt 102595-00-M-0952

Attachment D



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:</li> <li>Professional Oil Services Inc.</li> <li>C/o Art Marquz</li> <li>1307 W. Monrot Lovington, NM 88260</li> </ul>	A. Received by (Please Print Clearly) B. Date of Delivery C. Signature Agent D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
	<ul> <li>3. Service Type</li> <li>XIX Certified Mail   Express Mail  Registered  Insured Mail  C.O.D. </li> <li>4. Restricted Delivery? (Extra Fee)  Yes </li> </ul>
2. Article Number (Copy from service label) 7(	000 0520 0021 6896 3676

PS Form 3811, July 1999

Domestic Return Receipt

AttachmentE

# **NMPRC Corporation Information Inquiry**

• Follow this link to start a new search.

# **PROFESSIONAL OIL SERVICES, INC.**

(TEXAS Corporation)

SCC Number:	1925536
Tax & Revenue Number:	02355137002
Qualification Date:	APRIL 06, 1998, in NEW MEXICO
Corporation Type:	FOREIGN PROFIT
Corporation Status:	ACTIVE
Good Standing:	Not in Good Standing
Purpose:	OIL & GAS RECOVERY
Purpose:	OIL & GAS RECOVERY

#### **CORPORATION DATES**

Taxable Year End Date:05/06/00Filing Date://Expiration Date:

## SUPPLEMENTAL POST MARK DATES

Supplemental: Name Change: Purpose Change:

## MAILING ADDRESS

8404 SPRAGUE ODESSA, TEXAS 79764

## **PRINCIPAL ADDRESS**

## **PRINCIPAL ADDRESS (Outside New Mexico)**

# Attachment F

http://www.nmprc.state.nm.us/cgi-bin/nmprc/prcdtl.cgi?1925536+PROFESSIONAL OIL SERVICE... 11/14/01

# **REGISTERED AGENT**

#### ART MARQUEZ

1307 W. MONROE LOVINGTON NEW MEXICO 88260

Designation date: 05/12/98 Agent Post Mark Date: Resignation date:

# **COOP LICENSE INFORMATION**

Number:
Type:
Expiration Year:

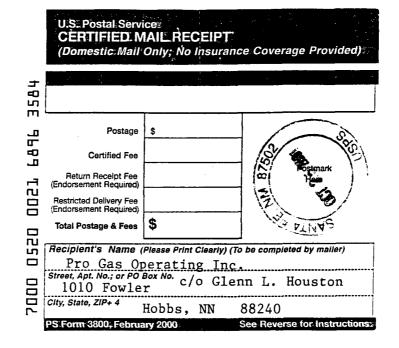
# **OFFICERS**

PresidentSEGURA, HUGOVice PresidentABALOS, POLYSecretaryMARQUEZ, ARTTreasurerNONE LISTED

## DIRECTORS

Date Election of Directors:

SEGURA, HUGO 8404 SPRAGUE ODESSA, TX 79764



	12771 FL +
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to: Pro Gas Operating Inc. c/o Glenn L. Houston 1010 Fowler</li></ul>	A. Received by (Please Rrint Clearly) B. Date of Delivery A. Received by (Please Rrint Clearly) B. Date of Delivery C. Signature Addressee D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
Hobbs, NM 88240 L	<ul> <li>3. Service Type</li> <li>2 Certified Mail</li> <li>2 Registered</li> <li>2 Return Receipt for Merchandise</li> <li>2 Insured Mail</li> <li>2 C.O.D.</li> <li>4. Restricted Delivery? (Extra Fee)</li> </ul>
2. Article Number (Copy from service label) 7000 0	4. Restricted Delivery? (Extra Fee) Yes 520 0021 6896 3584

PS Form 3811, July 1999

Domestic Return Receipt

Attachment G

# **NMPRC Corporation Information Inquiry**

• Follow this link to start a new search.

# **PRO-GAS OPERATING, INC.**

(TEXAS Corporation)

SCC Number:	1462175
Tax & Revenue Number:	
Qualification Date:	DECEMBER 21, 1989, in NEW MEXICO
Corporation Type:	FOREIGN PROFIT
Corporation Status:	THE PROCESS OF REVOCATION
Good Standing:	
Purpose:	<b>OPERATOR OF OIL AND GAS WELLS</b>

## **CORPORATION DATES**

Taxable Year End Date:12/31/93Filing Date://Expiration Date:

#### SUPPLEMENTAL POST MARK DATES

Supplemental: Name Change: Purpose Change:

## **MAILING ADDRESS**

P.O. BOX 60243 MIDLAND , TEXAS 79711-0243

## PRINCIPAL ADDRESS

1010 FOWLER HOBBS NEW MEXICO 88240

#### PRINCIPAL ADDRESS (Outside New Mexico)

# Attachment H

http://www.nmprc.state.nm.us/cgi-bin/nmprc/prcdtl.cgi?1462175+PRO GAS OPERATING INC

11/14/01

4917 S.C.R. 1303 MIDLAND TEXAS 79765

## **REGISTERED AGENT**

**GLEN L. HOUSTON** 

1010 FOWLER HOBBS NEW MEXICO 88240

Designation date: 12/11/92 Agent Post Mark Date: Resignation date:

# **COOP LICENSE INFORMATION**

Number: Type: Expiration Year:

# **INCORPORATORS**

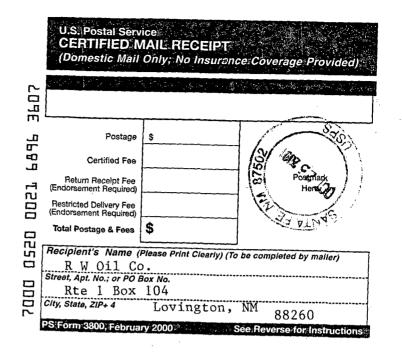
MCDONALD, D.M. NONE LISTED MCDONALD, SUE T. NONE LISTED

# DIRECTORS

Date Election of Directors: 01/04/93

 MCDONALD , D M
 1510 SPUR ODESSA , TX 79761

 MCDONALD , SUE T
 1510 SPUR ODESSA , TX 79761

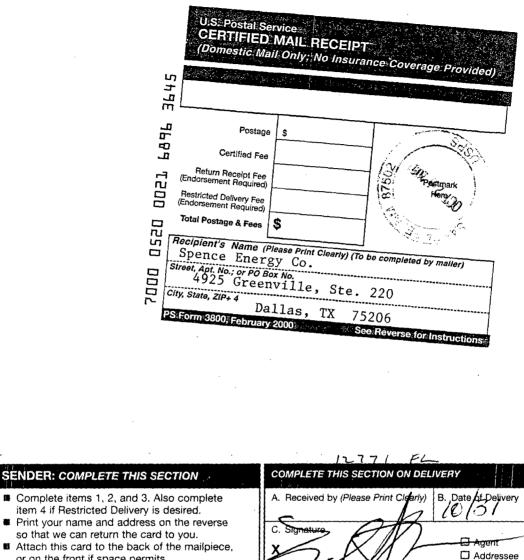


COMPLETE THIS SECTION ON DELIVERY
A. Received by (Please Print Clearly) B. Date of Delivery A 10/27 Signature X 0 4 40/27 Agent Addressee D. Is delivery address different from item 1? Yes If YES, enter delivery-address below: No
3. Service Type         Certified Mail        Express Mail         Registered        Return Receipt for Merchandise         Insured Mail        C.O.D.     4. Restricted Delivery? (Extra Fee)        Yes     0 0520 0021 6896 3607

PS Form 3811, July 1999

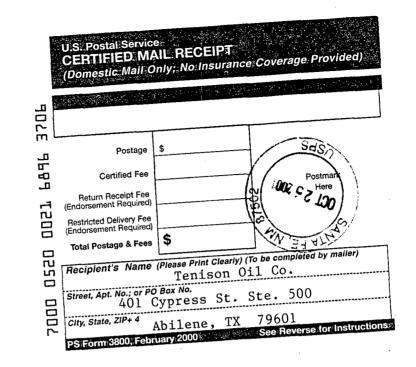
Domestic Return Receipt

Attachment I



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, Addressee or on the front if space permits. 🛛 Yes D. Is detail ept from item 1? 1. Article Addressed to: O No ES, enter delivery address below: Spence Energy Co. 4925 Greenville, Ste 220 Dallas, TX 75206 Service Type 3. Certified Mail Express Mail Registered C Return Receipt for Merchandise Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) C Yes 2. Article Number (Copy from service label) 7000 0520 0021 6896 3645 PS Form 3811, July 1999 **Domestic Return Receipt** 102595-00-M-0952

Attachment J



See.

· • •

	Case 2171 60
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3. Also complete " item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Received by (Please Brint Clearly) A. Received by (Please Brint Clearly) B. Date of Deliver 10/30/01 C. Signature X. U. U. And G. G. C. Addresse D. Is Gelivery address different from item 1? Yes
1. Article Addressed to: Tenison Oil Co. 401 Cypress St. Ste. 500 Abilene, TX 79601	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)
2. Article Number (Copy from service label) 70/00 5	520 0021 6896 3706
PS Form 3811, July 1999 Domestic Ret	turn Receipt 102595-00-M-0952

Attachment K