

EXHIBIT A

Mewbourne Oil Company
500 West Texas, Suite 1050
Midland, TX 75711

Sun Company
succeeded by
ORYX Energy Co.
Post Office Box 2880
Dallas, TX 75221-2880

San Benito Bank and Trust
Trustee of the Vilas P. Shelton
Marital Trust
Post Office Drawer 1911
San Benito, TX 78586

Marathon Oil Company
Post Office Box 552
Midland, TX 79702

Phillips Petroleum Co.
4001 Penbrook
Odessa, TX 79762

Anadarko Petroleum Corporation
Box 2497
Midland, TX 79702

Mossman Midwest
Post Office Box 597
Roswell, NM 88202

**BEFORE THE
OIL CONSERVATION DIVISION**
Santa Fe, New Mexico

Case No. 11726 Exhibit No. 5

AFFIDAVIT,
Page 2

Submitted by: ARCO Permian a unit of Atlantic Richfield

Hearing Date: March 6, 1997

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN

MICHAEL H. FEJDEWERT
TANYA M. TRUJILLO
PAUL R. OWEN

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

January 30, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mewbourne Oil Company
500 West Texas, Suite 1050
Midland, TX 75711

Re: Application of Arco Permian, a Division of Atlantic Richfield Company, for compulsory pooling, directional drilling and unorthodox well locations, Eddy County, New Mexico

Gentlemen:

This letter is to advise you that Arco Permian, a Division of Atlantic Richfield Company has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order approving an unorthodox bottomhole location and the directional drilling of its Mimosa 8 State Com Well No.1 which Arco proposes to directionally drill to the base of the Upper Mississippian formation from an unorthodox surface location 350 feet from the South line and 2003 feet from the West line to an unorthodox bottomhole location in the Morrow formation within 55 feet of a point 404 feet from the South line and 1749 feet from the West line of said Section 8. Arco also requests an order force pooling certain interests in all formations from 3300 feet to the base of the Upper Mississippian formation.

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Mewbourne Oil Company

January 30, 1997

Page 2

Parties appearing in cases have been requested by the Division (Memorandum 2-90) to file a Prehearing Statement substantially in the form prescribed by the Division. Prehearing statements should be filed by 4:00 o'clock p.m. on the Friday before a scheduled hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "Wm F Carr". The signature is fluid and cursive, with a large, stylized "C" at the end.

WILLIAM F. CARR

ATTORNEY FOR ARCO PERMIAN,

A DIVISION OF ATLANTIC RICHFIELD COMPANY

WFC:mlh

Enc.

cc: Lee Scarborough

Is your **RETURN ADDRESS** completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece before the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

- I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Mewbourne Oil Company
500 West Texas, Suite 1050
Midland, TX 75711

4a. Article Number

P 551 044 651

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

8-1-97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *[Signature]*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 551 044 651

US Postal Service
Receipt for Certified Mail

Mewbourne Oil Company
500 West Texas, Suite 1050
Midland, TX 75711

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	JAN 30 1997

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
LAWYERS

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TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

January 30, 1997

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Sun Company
succeeded by
ORYX Energy Co.
Post Office Box 2880
Dallas, TX 75221-2880

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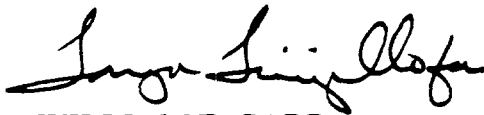
Sun Company succeeded by ORYX Energy Co.

January 30, 1997

Page 2

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Very truly yours,

A handwritten signature in black ink, appearing to read "William F. Carr". The signature is fluid and cursive, with a large initial "W" and a long, sweeping underline.

WILLIAM F. CARR

ATTORNEY FOR ARCO PERMIAN,

A DIVISION OF ATLANTIC RICHFIELD COMPANY

WFC:mlh

Enc.

cc: Lee Scarborough

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 - 2. ☐ Restricted Delivery
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3. Article Addressed to:

Sun Company
succeeded by
ORYX Energy Co.
Post Office Box 2880
Dallas, TX 75221-2880

4a. Article Number

P 551 044 652

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
FEB 04 1997

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 551 044 652

US Postal Service

Receipt for Certified Mail

Sun Company
succeeded by
ORYX Energy Co.
Post Office Box 2880
Dallas, TX 75221-2880

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date JAN 30 1997	

PS Form 3800, April 1995

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN

MICHAEL H. FELDEWERT
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JEFFERSON PLACE
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SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

January 30, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

San Benito Bank and Trust
Trustee of the Vilas P. Shelton
Marital Trust
Post Office Drawer 1911
San Benito, TX 78586

Re: Application of Arco Permian, a Division of Atlantic Richfield Company, for compulsory pooling, directional drilling and unorthodox well locations, Eddy County, New Mexico

Gentlemen:

This letter is to advise you that Arco Permian, a Division of Atlantic Richfield Company has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order approving an unorthodox bottomhole location and the directional drilling of its Mimosa 8 State Com Well No.1 which Arco proposes to directionally drill to the base of the Upper Mississippian formation from an unorthodox surface location 350 feet from the South line and 2003 feet from the West line to an unorthodox bottomhole location in the Morrow formation within 55 feet of a point 404 feet from the South line and 1749 feet from the West line of said Section 8. Arco also requests an order force pooling certain interests in all formations from 3300 feet to the base of the Upper Mississippian formation.

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San Benito Bank and Trust
Trustee of the Vilas P. Shelton Marital Trust
January 30, 1997
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Very truly yours,

A handwritten signature in black ink, appearing to read "Wm F Carr", written in a cursive style.

WILLIAM F. CARR
ATTORNEY FOR ARCO PERMIAN,
A DIVISION OF ATLANTIC RICHFIELD COMPANY
WFC:mlh

Enc.

cc: Lee Scarborough

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3. Article Addressed to:

San Benito Bank and Trust
Trustee of the Vilas P. Shelton
Marital Trust
Post Office Drawer 1911
San Benito, TX 78586

4a. Article Number

51044653

4b. Service Type

- ☒ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ COD
- ☐ Certified
- ☐ Insured
- ☐ Restricted Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *[Signature]*
PS Form 3811, December 1994

Domestic Return Receipt

P 551 044 653
US Postal Service
Receipt for Certified Mail

San Benito Bank and Trust
Trustee of the Vilas P. Shelton
Marital Trust
Post Office Drawer 1911
San Benito, TX 78586

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	JAN 30 1997

Thank you for using Return Receipt Service.

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

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TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

January 30, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Marathon Oil Company
Post Office Box 552
Midland, TX 79702

Re: Application of Arco Permian, a Division of Atlantic Richfield Company, for compulsory pooling, directional drilling and unorthodox well locations, Eddy County, New Mexico

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WILLIAM F. CARR

ATTORNEY FOR ARCO PERMIAN,

A DIVISION OF ATLANTIC RICHFIELD COMPANY

WFC:mlh

Enc.

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3. Article Addressed to:

Marathon Oil Company
Post Office Box 552
Midland, TX 79702

4a. Article Number

P 551 044 654

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ COD
- ☒ Certified
- ☐ Insured

7. Date of Delivery

JAN 03 1997

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *[Signature]*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 551 044 654

US Postal Service
Receipt for Certified Mail

Marathon Oil Company
Post Office Box 552
Midland, TX 79702

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
JAN 30 1997	

PS Form 3800, April 1995

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
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TELECOPIER (505) 983-6043

January 30, 1997

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RETURN RECEIPT REQUESTED

Phillips Petroleum Co.
4001 Penbrook
Odessa, TX 79762

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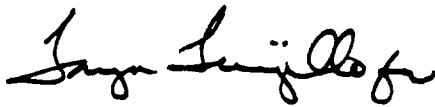
Phillips Petroleum Co.

January 30, 1997

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WFC:mlh

Enc.

cc: Lee Scarborough

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Phillips Petroleum Co.
4001 Penbrook
Odessa, TX 79762

4a. Article Number

P 551 044 655

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

2-3-97

8. Addressee's Address (City if requested and fee is paid)

gma

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

X *[Signature]*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 551 044 655

US Postal Service
Receipt for Certified Mail

Phillips Petroleum Co.
4001 Penbrook
Odessa, TX 79762

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
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TOTAL Postage & Fees	\$
Postmark or Date	JAN 30 1997

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LAWYERS

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Box 2497
Midland, TX 79702

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Anadarko Petroleum Corporation

January 30, 1997

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3. Article Addressed to:

Anadarko Petroleum Corporation
Box 2497
Midland, TX 79702

4a. Article Number

P 551 044 656

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

FEB 03 1997

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Addressee or Agent)

X

PS Form 3800, April 1995

Domestic Return Receipt

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US Postal Service
Receipt for Certified Mail

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Midland, TX 79702

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	JAN 30 1997

PS Form 3800, April 1995

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& SHERIDAN, P.A.
LAWYERS

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Re: Application of Arco Permian, a Division of Atlantic Richfield Company, for compulsory pooling, directional drilling and unorthodox well locations, Eddy County, New Mexico

Gentlemen:

This letter is to advise you that Arco Permian, a Division of Atlantic Richfield Company has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order approving an unorthodox bottomhole location and the directional drilling of its Mimosa 8 State Com Well No.1 which Arco proposes to directionally drill to the base of the Upper Mississippian formation from an unorthodox surface location 350 feet from the South line and 2003 feet from the West line to an unorthodox bottomhole location in the Morrow formation within 55 feet of a point 404 feet from the South line and 1749 feet from the West line of said Section 8. Arco also requests an order force pooling certain interests in all formations from 3300 feet to the base of the Upper Mississippian formation.

This application has been set for hearing before a Division Examiner on February 20, 1997. You are not required to attend this hearing, but as an owner of an interest that may be affected by the order entered in this case, you 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.

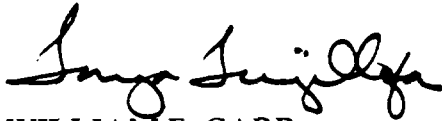
Mossman Midwest

January 30, 1997

Page 2

Parties appearing in cases have been requested by the Division (Memorandum 2-90) to file a Prehearing Statement substantially in the form prescribed by the Division. Prehearing statements should be filed by 4:00 o'clock p.m. on the Friday before a scheduled hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "Wm F Carr", written in a cursive style.

WILLIAM F. CARR

ATTORNEY FOR ARCO PERMIAN,

A DIVISION OF ATLANTIC RICHFIELD COMPANY

WFC:mlh

Enc.

cc: Lee Scarborough

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SENDER:

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- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece before the article number.
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4a. Article Number

P 551 044 657

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2/1/97

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WALTER HENRIQUEZ

6. Signature: (Addressee or Agent)

X *Walter Henriquez*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 551 044 657

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Postage	\$
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PS Form 3800, April 1995