

BEFORE THE

OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

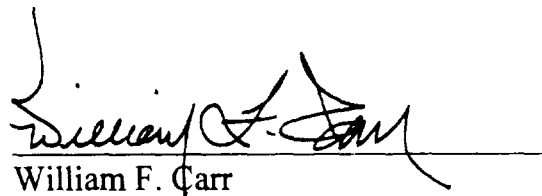
IN THE MATTER OF THE APPLICATION
OF APACHE CORPORATION FOR
COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.

CASE NO. 11789

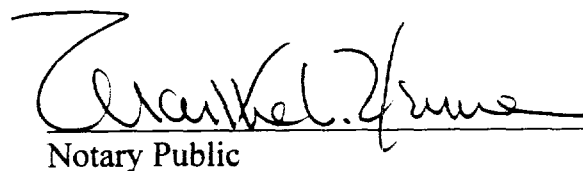
AFFIDAVIT

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

William F. Carr, attorney in fact and authorized representative of Apache Corporation, the Applicant herein, being first duly sworn, upon oath, states that notice has been given to all interested persons entitled to receive notice of this application under Oil Conservation Division rules, and that notice has been given at the addresses shown on Exhibit "A" attached hereto.


William F. Carr

SUBSCRIBED AND SWORN to before me this 28th day of May, 1997.


Notary Public

My Commission Expires:

August 19, 1999

EXHIBIT A

Wood Oil Company
401 S. Boston, Suite 3100
Tulsa, OK 74103-4001

Kirby Minerals, LC
Post Office Box 47330
Oklahoma City, OK 73157

R.C. (Rocky) Kimball
705 E. Myrtle Wood Court
Highlands Ranch, CO 80163

Jane D. Randolph
2105 Spruce
Boulder, CO 80302

V.S. Holdings (U.S.A.)
Post Office Box 22261
Houston, TX 77227-2261

Bill R. Snow
320 S. Boston, Suite 1910
Tulsa, OK 74103

The Imperial Trusts Company of Canada
331 Bay Street
Toronto, Canada

Philip R. Snow
c/o Bill R. Snow
320 S. Boston, Suite 1910
Tulsa, OK 74103

Mary Elizabeth Roelke, as Trustee of the
Mary Elizabeth Roelke Trust - 1989
dated 4/24/89
Post Office Box 440
Palm City, FL 34990

Claude E. Carter
c/o Shelby H. Carter, Jr.
8200 Hickory Creek Drive
Austin, TX 78735-1531

Universal Resources Corporation
1331 17th Street, Suite 800
Denver, CO 80202

Jack Skaggs
c/o Ruth T. Skaggs
1709 S. Parkwood
Harlingen, TX 78550

Roy G. Barton, Jr.
c/o Barton Oil Producers
Post Office Box 978
Hobbs, NM 88240

Rollins M. Koppel, et ux (Amalie C.)
Post Office Box 2878
Harlingen, TX 78551

Paul Balbaud
General Delivery
Paris France

BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico

**AFFIDAVIT,
Page 2**

Case No. 11789 Exhibit No. 4

Submitted by: Apache Corporation

Hearing Date: May 29, 1997

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

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
MICHAEL H. FELDEWERT
ANTHONY F. MEDEIROS
PAUL R. OWEN

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 988-4421
FACSIMILE: (505) 983-6043
E-MAIL: ccbsca@ix.netcom.com

May 8, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

**TO AFFECTED OWNERS IN SECTION 28, TOWNSHIP 16 SOUTH, RANGE 38
EAST, NMPM, LEA COUNTY, NEW MEXICO**

Re: Application of Apache Corporation for Compulsory Pooling, Lea County,
New Mexico

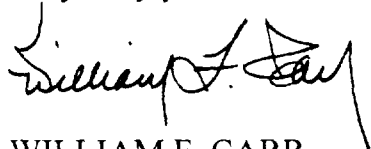
Gentlemen:

This letter is to advise you that Apache Corporation has filed the enclosed application with the New Mexico Oil Conservation Division seeking the force pooling of certain mineral interests in all formations developed on 40, 80 or 160-acre spacing from a the surface to the base of the Strawn formation, in and under certain spacing units in the SE/4 of Section 28, Township 16 South, Range 38 East, NMPM, Lea County, New Mexico. Apache Corporation proposes to dedicate the referenced pooled units to its Maltese Falcon "28" Well No. 1 which will be drilled as a wildcat well at a standard location in the SE/4 of said Section 28.

This application has been set for hearing before a Division Examiner on May 29, 1997. You are not required to attend this hearing, but as an owner of an interest that may be subject to pooling, 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.

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,



WILLIAM F. CARR
ATTORNEY FOR APACHE CORPORATION
WFC:mlh
Enc.

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 below 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:

Wood Oil Company
401 S. Boston, Suite 3100
Tulsa, OK 74103-4001

4a. Article

P 551 044 843

4b. Service Type

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

7. Date of Delivery

5/12/97

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *K. Y. Moore*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 551 044 843

US Postal Service
Receipt for Certified Mail
Wood Oil Company
401 S. Boston, Suite 3100
Tulsa, OK 74103-4001

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	MAY - 8 1997

PS Form 3800, April 1995

P 551 044 844

US Postal Service

Receipt for Certified Mail

R.C. (Rocky) Kimball

705 E. Myrtle Wood Court

Highlands Ranch, CO 8

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

MAY - 8 1997

PS Form 3800, April 1995

P 551 044 845

US Postal Service

Receipt for Certified Mail

V.S. Holdings (U.S.A.)

Post Office Box 22261

Houston, TX 77227-2261

PS Form 3800, April 1995

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	
MAY - 8 1997	

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

LAWYERS

POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208

AIR MAIL

0000



U.S. POSTAGE
PAID
SANTA FE, NM
87501
MAY 08, 97
AMOUNT
\$6.57
00055283-05



The Imperial Trusts Company of Canada
331 Bay Street
Toronto, Canada

REGISTERED MAIL
R 531 420 684



Domestic Insurance
Is Limited To
\$25,000; International
Indemnity Is Limited
(See Reverse)

Registered No. **R 531 420 685**

To Be Completed By Post Office	Reg. Fee \$	4.85	Special Delivery \$	
	Handling Charge \$		Return Receipt \$	1.10
	Postage \$	1.00	Restricted \$ Delivery	
	Received by	<i>WBA</i>		

Customer Must Declare
Full Value \$ *Domestic*

☐ With Postal Insurance
☒ Without Postal Insurance

To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	Campbell, Carr, Berge & Sheridan, P.A.
		Post Office Box 2208
		Santa Fe, New Mexico 87504-2208
	TO	The Imperial Trusts Company of Canada
		331 Bay Street
		Toronto, Canada

PS Form 3806, **Receipt for Registered Mail** (Customer Copy)
February 1995 (See Information on Reverse)

1ST NOTICE
2ND NOTICE
RETURN
MAY 27 1997
SANTA FE, NM



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.
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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:

Mary Elizabeth Roelke, as Trustee of the
Mary Elizabeth Roelke Trust - 1989
dated 4/24/89
Post Office Box 440
Palm City, FL 34990

4a. Article Number

P 551 044 847

4b. Service Type

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

7. Date of Delivery

MAY 16 1997

5. Received By: (Print Name)

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

☒ Signature: (Addressee or Agent)
Mary Elizabeth Roelke

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 551 044 847

US Postal Service

Receipt for Certified Mail

Mary Elizabeth Roelke, as Trustee of the
Mary Elizabeth Roelke Trust - 1989
dated 4/24/89
Post Office Box 440
Palm City, FL 34990

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	MAY - 8 1997

PS Form 3800, April 1995

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

SENDER:

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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:

Universal Resources Corporation
1331 17th Street, Suite 800
Denver, CO 80202

4a. Article Number

P 551 044 859

4b. Service Type

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

7. Date of Delivery

05-12-97

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

5. Received By: (Print Name)

Michael Reese

6. Signature: (Addressee or Agent)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 551 044 859

US Postal Service

Receipt for Certified Mail

Universal Resources Corporation
1331 17th Street, Suite 800
Denver, CO 80202

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	MAY - 8 1997

PS Form 3800 April 1995

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.
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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:

Roy G. Barton, Jr.
c/o Barton Oil Producers
Post Office Box 978
Hobbs, NM 88240

4a. Article Number

P 551 044 849

4b. Service Type

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

7. Date of Delivery

5-9-97

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

5. Received By: (Print Name)

JTSBEN

6. Signature: (Addressee or Agent)

X [Signature]

PS Form 3800, December 1994

Domestic Return Receipt

P 551 044 849

US Postal Service

Receipt for Certified Mail

Roy G. Barton, Jr.
c/o Barton Oil Producers
Post Office Box 978
Hobbs, NM 88240

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	MAY - 8 1997

PS Form 3800, April 1995

Thank you for using Return Receipt Service.

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

SENDER:

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- 1. ☐ Addressee's Address
 - 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Kirby Minerals, LC
Post Office Box 57330
Oklahoma City, OK 73157

4a. Article Number
P 551 044 850

- 4b. Service Type
- ☐ Registered
 - ☐ Express Mail
 - ☐ Return Receipt for Merchandise
 - ☐ COD
7. Date of Delivery

5. Received By: (Print Name)

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

6. Signature (Addressee or Agent)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 551 044 850

US Postal Service

Receipt for Certified Mail

Kirby Minerals, LC
Post Office Box 57330
Oklahoma City, OK 73157

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	MAY - 8 1997

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- 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:

Jane D. Randolph
2105 Spruce
Boulder, CO 80302

4a. Article Number

P 551 044 851

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt Requested
- ☐ Insured
- ☐ COD

7. Date of Delivery

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

5. Received By: (Print Name)

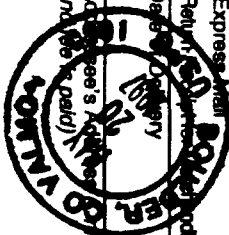
David Magruder

6. Signature: (Addressee or Agent)

X David Magruder

PS Form 3811, December 1994

Domestic Return Receipt



P 551 044 851

US Postal Service

Receipt for Certified Mail

Jane D. Randolph
2105 Spruce
Boulder, CO 80302

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	MAY - 8 1997

PS Form 3800, April 1995

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- 1. ☐ Addressee's Address
 - 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Bill R. Snow
320 S. Boston, Suite 1910
Tulsa, OK 74103

4a. Article Number

P 551 044 852

4b. Service Type

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

7. Date of Delivery

5-12-97

5. Received By: (Print Name)

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

6. Signature (Addressee or Agent)

PS Form 3811, December 1994

Domestic Return Receipt

P 551 044 852

US Postal Service

Receipt for Certified Mail

Bill R. Snow
320 S. Boston, Suite 1910
Tulsa, OK 74103

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	MAY - 8 1997

PS Form 3800, April 1995

Thank you for using Return Receipt Service.

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1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Philip R. Snow
c/o Bill R. Snow
320 S. Boston, Suite 1910
Tulsa, OK 74103

4a. Article Number

P 551 044 853

4b. Service Type

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

7. Date of Delivery

5-12-97

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 551 044 853

US Postal Service

Receipt for Certified Mail

Philip R. Snow
c/o Bill R. Snow
320 S. Boston, Suite 1910
Tulsa, OK 74103

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	MAY - 8 1997

PS Form 3800, April 1995

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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:

Claude E. Carter
c/o Shelby H. Carter, Jr.
8200 Hickory Creek Drive
Austin, TX 78735-1531

4a. Article Number

P 551 044 854

4b. Service Type

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

7. Date of Delivery

5-13 1997

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

5. Received By: (Print Name)

6. Signature: (Address of Addressee)

(Signature)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 551 044 854

US Postal Service

Receipt for Certified Mail

Claude E. Carter
c/o Shelby H. Carter, Jr.
8200 Hickory Creek Drive
Austin, TX 78735-1531

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
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Return Receipt Showing to Whom, Date, & Addressee's Address	
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Postmark or Date	MAY - 8 1997

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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:

Jack Skaggs
c/o Ruth T. Skaggs
1709 S. Parkwood
Harlingen, TX 78550

4a. Article Number

P 551 044 855

4b. Service Type

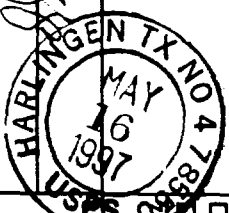
- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

Date of Delivery

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 551 044 855

US Postal Service
Receipt for Certified Mail
Jack Skaggs
c/o Ruth T. Skaggs
1709 S. Parkwood
Harlingen, TX 78550

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	MAY - 8 1997

PS Form 3800, April 1995

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- 1. ☐ Addressee's Address
 - 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Rollins M. Koppel, et ux (Amalie C.)
Post Office Box 2878
Harlingen, TX 78551

4a. Article Number

P 551 044 856

4b. Service Type

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

7. Date of Delivery

5/12/97

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

None

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 551 044 856

US Postal Service

Receipt for Certified Mail

Rollins M. Koppel, et ux (Amalie C.)
Post Office Box 2878
Harlingen, TX 78551

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	
MAY - 8 1997	

PS Form 3800 April 1995

Registered No. R 531 420 684

Date Stamp



To Be Completed By Post Office	Reg. Fee \$ <u>4.95</u>	Special \$ Delivery
	Handling \$ Charge	Return \$ <u>1.10</u> Receipt
	Postage \$ <u>.52</u>	Restricted \$ Delivery
	Received by <u>MPP</u>	

To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	Customer Must Declare Full Value \$ <u>Nominal</u>	<input type="checkbox"/> With Postal Insurance	\$25,000; International Indemnity is Limited (See Reverse)
		<input checked="" type="checkbox"/> Without Postal Insurance	
FROM	Campbell, Carr, Berge & Sheridan, P. A.		
	Post Office Box 2208		
	Santa Fe, New Mexico 87504-2208		
TO	Paul Balbaud		
	General Delivery		
	Paris, France		

PS Form 3806,
February 1995

Receipt for Registered Mail

(Customer Copy)

(See Information on Reverse)