

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

**IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:**

**APPLICATION OF MARATHON OIL COMPANY
TO AMEND AND TO ADOPT SPECIAL POOL RULES
EDDY COUNTY, NEW MEXICO.**

**BEFORE THE
OIL CONSERVATION DIVISION**
Case No. 11964 Exhibit No. 18
Submitted By:
Marathon Oil Company
Hearing Date: April 16, 1998

CASE NO. 11964

AFFIDAVIT OF MAILING NOTICE OF HEARING

**STATE OF TEXAS §
COUNTY OF MIDLAND §**

BEFORE ME, THE UNDERSIGNED AUTHORITY, personally appeared **Timothy B. Robertson**, who, being by me first duly sworn, on oath, says:

1. I am employed by Marathon Oil Company as a Landman, currently handling work related to oil and gas leases owned by Marathon in the State of New Mexico.

2. My business address is 125 W. Missouri, P.O. Box 552, Midland, Texas 79702.

3. I am familiar with Marathon's application to amend and adopt special pool rules for the Travis - Upper Pennsylvanian Pool in Eddy County, New Mexico. It was my responsibility to supervise the mailing of the personal notices of the hearing on Marathon's application to all interested parties.

4. Except as noted in Paragraph 7, Marathon has complied with the notice provisions of New Mexico Oil Conservation Division Rule 1207.

5. Except as noted in Paragraph 7, on March 25, 1998, notice of the hearing and a copy of the application were sent, with return receipt requested, to the following:

- a. All working interest owners (including operators) and unleased mineral owners within the Travis - Upper Pennsylvanian Pool as the pool is currently designated by the New Mexico Oil Conservation Division, and in the lands NMOCD proposes to add to the pool as a result of Marathon completing the D. Crockett "27" State #1 and the J. Buchanan "33" State #1. The lands currently in the pool are outlined in "pink" on the plat attached as Exhibit "A". The lands to be added to the pool are outlined in "blue" on Exhibit "A".
- b. The operator and working interest owners in the one well completed in the Upper Pennsylvanian formation that is within a mile of the current Travis - Upper Pennsylvanian Pool boundary or in or within a mile of the lands NMOCD proposes to add to the Travis - Upper Pennsylvanian Pool. That well is located in Unit J of Section 23, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico.
- c. All working interest owners and unleased mineral owners within the "purple" outline on the attached plat. The lands outlined in "purple" are those within a mile of the current pool and within a mile of Marathon's D. Crockett "27" State #1 well and J. Buchanan "33" State #1 well.

6. Notices were sent to the last known address of the 179 parties listed on Exhibit "B" attached. Marathon made a good-faith diligent effort to find the correct addresses of all interested parties. Those return receipts which have been received by Marathon accompany this affidavit. The notices sent to nine parties were returned as undeliverable. Of those, seven were resent after further research led to the discovery of other potential addresses.

7. I have recently discovered that 24 parties were inadvertently omitted from the notice list. These parties are listed on Exhibit "C", attached. These parties will be sent notice of hearing no later than April 15, 1998.

8. On March 18, 1998, shortly after the filing of the Application in this case, Marathon requested a temporary exception from Rule 506 to allow it to produce its Crockett "27" Well No. 1, and its Buchanan "33" Well No. 1, at a GOR not in excess of 7000 to 1, pending the entry of an order in this case. Counsel for Marathon in making that request for temporary exception represented that Marathon was the operator of all tracts immediately surrounding the Crockett and Buchanan wells, except for those immediately east of the Crockett well, which are operated by Devon Energy Corporation.

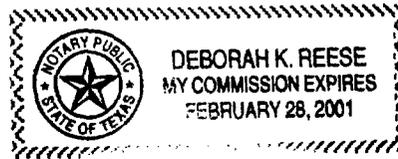
The plat attached as Exhibit "D" shows the tracts surrounding the Crockett and Buchanan wells which are operated by Marathon and those which are operated by Devon. Devon waived objection to the granting of the temporary exception.

Timothy B. Robertson
Timothy B. Robertson

SIGNED AND SWORN TO BEFORE ME on April 15, 1998, by Timothy B. Robertson.

Deborah K. Reese
Notary Public

My commission expires: _____



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