

BEFORE THE  
OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES


IN THE MATTER OF THE APPLICATION  
OF GRUY PETROLEUM MANAGEMENT CO.  
FOR AN UNORTHODOX WELL LOCATION  
AND SIMULTANEOUS DEDICATION,  
LEA COUNTY, NEW MEXICO.

CASE NO. 12015

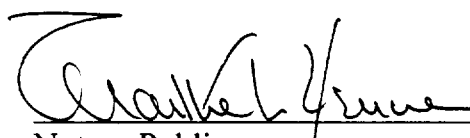
AFFIDAVIT

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

William F. Carr, authorized representative of Gruy Energy Management Co., the Applicant herein, being first duly sworn, upon oath, states that in accordance with the notice provisions of Division rules, the Applicant has attempted to find the correct addresses of all interested persons entitled to receive notice of this application 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 2nd day of September, 1998 by  
William F. Carr.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

August 19, 1999

**EXHIBIT A**

Armstrong Energy Corporation  
Post Office Box 1973  
Roswell, NM 88202

Texaco Exploration and Production Inc.  
Post Office Box 3109  
Midland, TX 79702

Altura Energy, Ltd.  
Post Office Box 4294  
Houston, TX 77210-4294

Sun Operating Limited Partnership  
Post Office Box 840638  
Dallas, TX 75284

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

Case Nos. 12015 and 12017 Exhibit Nos. 5

Submitted by: Gruy Petroleum Management Co.

Hearing Date: September 3, 1998

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  
KATHERINE M. MOSS  
  
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: ccbspa@ix.netcom.com

July 16, 1998

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

**TO AFFECTED PARTIES IN SECTION 4, TOWNSHIP 26 SOUTH, RANGE 37 EAST,  
NMPM, LEA COUNTY, NEW MEXICO**

***Re: Application of Gruy Petroleum Management Co., for an unorthodox well  
location and simultaneous dedication, Lea County, New Mexico***

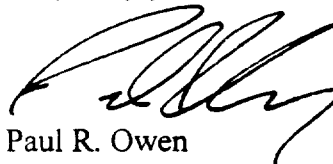
Gentlemen:

This letter is to advise you that Gruy Petroleum Management Co., has filed the enclosed application with the New Mexico Oil Conservation Division seeking an exception to the provisions of Oil Conservation Division General Rule 104 C (2) (a) for its Rhodes Federal Unit Well 43 to be drilled at an unorthodox well location 2310 feet from the South line and 990 feet from the West line of Section 4, Township 26 South, Range 37 East, NMPM, Lea County, New Mexico. Gruy also seek approval for authorization to simultaneously dedicate the SW/4 of said Section 4 to the Rhodes Federal Unit Well Nos. 41, 43 and 415.

This application has been set for hearing before a Division Examiner on August 6, 1998. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, 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,



Paul R. Owen  
ATTORNEY FOR GRUY PETROLEUM  
MANAGEMENT CO.

Enc.

cc: Zeno Farris

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:

Armstrong Energy Corporation  
Post Office Box 1973  
Roswell, NM 88202

4a. Article Number  
Z 211 156 298

4b. Service Type

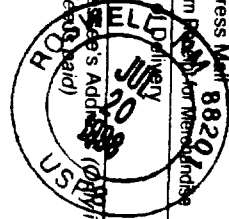
- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☒ Certified
- ☐ Insured
- ☐ COD

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *[Signature]*

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



PS Form 3811, December 1994

102595-98 B 0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 211 156 298

US Postal Service  
**Receipt for Certified Mail**

Armstrong Energy Corporation  
Post Office Box 1973  
Roswell, NM 88202

Postage	\$ .55
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.10
Return Receipt Showing to Whom, Date, & Addressee's Address	
<b>TOTAL Postage &amp; Fees</b>	<b>\$ 3.00</b>
Postmark or Date	

PS Form 3800, April 1995

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

<b>SENDER:</b> <input type="checkbox"/> Complete items 1 and/or 2 for additional services <input type="checkbox"/> Complete items 3, 4a, and 4b <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number <input type="checkbox"/> 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. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to:  Texaco Exploration and Production Inc. Post Office Box 3109 Midland, TX 79702		4a. Article Number Z 211 156 299	
5. Received By: (Print Name)  X <i>Melby Hays</i>		4b. Service type <input type="checkbox"/> Registered <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
6. Signature: (Addressee or Agent) X <i>Melby Hays</i>		7. Date of Delivery JUL 20 1995	
PS Form 3811, December 1994		8. Addressee's Address (Only if requested and fee is paid)  102595-98-B 0229 Domestic Return Receipt	

Thank you for using Return Receipt Service.

Z 211 156 299  
 US Postal Service  
**Receipt for Certified Mail**

Texaco Exploration and Production Inc.  
 Post Office Box 3109  
 Midland, TX 79702

Postage	\$ 1.55
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.10
Return Receipt Showing to Whom, Date, & Addressee's Address	
<b>TOTAL Postage &amp; Fees</b>	<b>\$ 3.00</b>
Postmark or Date	JUL 20 1995

PS Form 3800 April 1995

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**SENDER:**

- ☐ Complete items 1 and/or 2 for additional services.
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- ☐ 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:

Altura Energy, Ltd.  
Post Office Box 4294  
Houston, TX 77210-4294

4a. Article Number  
Z 211 156 300

4b. Service Type

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

7. Date of Delivery

**JUL 21 1998**

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

**X**

PS Form 3811, December 1994

102595-96-B 0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 211 156 300

US Postal Service

**Receipt for Certified Mail**

Altura Energy, Ltd.  
Post Office Box 4294  
Houston, TX 77210-4294

Postage	\$ .55
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.10
Return Receipt Showing to Whom, Date, & Addressee's Address	
<b>TOTAL Postage &amp; Fees</b>	<b>\$ 3.00</b>
Postmark or Date	<b>JUL 21 1998</b>

PS Form 3800, April 1995


7 211 156 301  
 US Postal Service  
**Receipt for Certified Mail**

Sun Operating Limited Partnership  
 Post Office Box 840638  
 Dallas, TX 75284

Postage	\$ .55
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.10
Return Receipt Showing to Whom, Date, & Addressee's Address	
<b>TOTAL Postage &amp; Fees</b>	<b>\$3.00</b>
Postmark or Date	

PS Form 3800 April 1995

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3. Article Addressed to:  Sun Operating Limited Partnership Post Office Box 840638 Dallas, TX 75284		4a. Article Number Z 211 156 301	
5. Received By (Print Name)  _____		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Insured <input type="checkbox"/> COD	
6. Signature: Addressee (Agent) X 		7. Date of Delivery MAY 5 1998	
PS Form 3811, December 1994		8. Addressee's Address (Only if requested and fee is paid)  Domestic Return Receipt	

Thank you for using Return Receipt Service.