BEFORE THE OIL CONSERVATION DIVISION NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

IN THE MATTER OF THE APPLICATION OF MCELVAIN OIL AND GAS, INC. FOR COMPULSORY POOLING AND AN UNORTHODOX WELL LOCATION, RIO ARRIBA COUNTY, NEW MEXICO

CASE NO. 12284

AFFIDAVIT

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

William F. Carr, attorney in fact and authorized representative of McElvain Oil & Gas, Inc., the applicant herein, being first duly sworn, upon oath, states that notice has been given to all interested parties 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.

SUBSCRIBED AND SWORN to before this // day of November, 1999 by William F. Carr.



Mara Dalton, Notary Public

BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico Case No. 12284 Exhibit No. 4 Submitted by: McElvain Oil & Gas, Inc. Hearing Date: December 2, 1999

<u>EXHIBIT A</u> NOTICE AFFIDAVIT

McELVAIN OIL & GAS PROPERTIES, INC. FOR COMPULSORY POOLING S/2 OF SECTION 33, TOWNSHIP 26 NORTH, RANGE 2 WEST, N.M.P.M. RIO ARRIBA COUNTY, NEW MEXICO

Energyn Resources Corporation 605 21st Street North Birmingham, Alabama 35203-2707

Neumann Family Trust c/o Peter C. Neumann Post Office Box 1170 Reno, Nevada 89504

Gavilan Dome Properties 1180 Cedarwood Drive Moraga, California 94556

Mesa Grande Resources, Inc. 1200 Philtower Building Tulsa, Oklahoma 74103

. -

NM&O Operating Company 6 East 5th Street, Suite 200 Tulsa, Oklahoma 74103

Johansen Energy Partnership Post Office Box 1773 Whitefish, Montana 59937

Williams Production Company Attn: Mr. M. Vern Hansen Post Office Box 3102 Tulsa, Oklahoma 74101

Dugan Production Corporation Post Office Box 420 Farmington, New Mexico 87499-0420

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL WILLIAM F. CARR BRADFORD C. BERGE MARK F. SHERIDAN MICHAEL H FELDEWERT PAUL R. OWEN ANTHONY F. MEDEIROS JACK M. CAMPBELL -916-1999

FILE COPY

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

October 25, 1999

<u>CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

Energyn Resources Corporation 605 21st Street North Birmingham, Alabama 35203-2707

> Re: Application of McElvain Oil & Gas, Inc. for Compulsory Pooling, Rio Arriba County, New Mexico

Gentlemen:

. . . This letter is to advise you that McElvain Oil & Gas Properties, Inc. has filed the enclosed application with the New Mexico Oil Conservation Division seeking the force pooling of all mineral interests from the base of the Pictured Cliffs formation to the base of the Mesaverde formation in certain spacing and proration units in the S/2 of Section 33, Township 26 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Cougar Com 33 Well No. 1 which it proposes to drill to a depth sufficient to test all pooled formations to the base of the Dakota formation, Basin-Dakota Gas Pool, at a standard location in the NW/4 SE/4of said Section 33.

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WILLIAM F. CARR Attorney for McElvain Oil & Gas Properties, Inc.

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Enclosures

SSƏJUP: CUMIE OCT SOLUTION OL ƏDOJƏAUƏ JO DOL JƏAO ƏU! 12 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 w card to you. Attach this form to the front of the mailpiece, or on the back if spa permit. Write "Return Receipt Requested" on the mailpiece below the art	PIO-1			Rec No In	Energyn Reso	Provided. nal Mail (See rever surces Corporati	on
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Energyn Resources Corporation 605 21st Street North	4b. Service T			Specia	al Delivery Fee		
Birmingham, Alabama 35203-2707	Registered Express M	lail M		Restri	cted Delivery Fee		_
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CAMPBELL, CARR, BERGE & SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL WILLIAM F. CARR BRADFORD C. BERGE MARK F. SHERIDAN MICHAEL H. FELDEWERT PAUL R. OWEN ANTHONY F. MEDEIROS JACK M. CAMPBELL 196-1999 JEFFERSON PLACE SUITE 1 - 110 NORTH GUADALUPE POST OFFICE BOX 2208 SANTA FE, NEW MEXICO 87504-2208 TELEPHONE: (505) 988-4421 FACS:MILE: (505) 983-6043 E-MAIL: CODSDB@ix.netcom.com

October 25, 1999

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Neumann Family Trust c/o Peter C. Neumann Post Office Box 1170 Reno, Nevada 89504

> Re: Application of McElvain Oil & Gas, Inc. for Compulsory Pooling, Rio Arriba County, New Mexico

Gentlemen:

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Very truly yours,

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WILLIAM F. CARR Attorney for McElvain Oil & Gas Properties, Inc.

Enclosures

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& SHERIDAN, P.A.

LAWYERS

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October 25, 1999

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Gavilan Dome Properties 1180 Cedarwood Drive Moraga, California 94556

> Re: Application of McElvain Oil & Gas, Inc. for Compulsory Pooling, Rio Arriba County, New Mexico

Gentlemen:

1.10

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May

WILLIAM F. CARR Attorney for McElvain Oil & Gas Properties, Inc.

Enclosures

cc: Mr. Steve Jordan, Land Manager McElvain Oil & Gas Properties, Inc.

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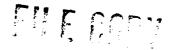
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CAMPBELL, CARR, BERGE & SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL WILLIAM F. CARR BRADFORD C. BERGE MARK F. SHERIDAN MICHAEL H. FELDEWERT PAUL R. OWEN ANTHONY F. MEDEIROS JACK M. CAMPBELL 1916-1999



JEFFERSON PLACE SUITE I - 110 NORTH GUADALUPE POST OFFICE BOX 2208 SANTA FE, NEW MEXICO 87504-2208 TELEPHONE: (305) 988-4421 FACSIMILE: (505) 983-6043 E-MAIL: ccbspa@ix.nelcom.com

October 25, 1999

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mesa Grande Resources, Inc. 1200 Philtower Building Tulsa, Oklahoma 74103

> Re: Application of McElvain Oil & Gas, Inc. for Compulsory Pooling, Rio Arriba County, New Mexico

Gentlemen:

· ___

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Very truly yours, Lian

WILLIAM F. CARR Attorney for McElvain Oil & Gas Properties, Inc.

Enclosures

cc: Mr. Steve Jordan, Land Manager McElvain Oil & Gas Properties, Inc.

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US Postal Service **Receipt for Certified Mail** No Insurance Coverage Provided. Do not use for International Mail (See reverse)

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Mesa Grande Resources, Inc. 1200 Philtower Building Tulsa, Oklahoma 74103

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MICHAEL B. CAMPBELL WILLIAM F. CARR BRADFORD C. BERGE MARK F. SHERIDAN MICHAEL H. FELOEWERT PAUL R. OWEN ANTHONY F. MEDEIROS JACK M. CAMPBELL 1916-1999



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October 25, 1999

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NM&O Operating Company 6 East 5th Street, Suite 200 Tulsa, Oklahoma 74103

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WILLIAM F. CARR Attorney for McElvain Oil & Gas Properties, Inc.

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& SHERIDAN, P.A.

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FILE COPY

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October 25, 1999

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Johansen Energy Partnership Post Office Box 1773 Whitefish, Montana 59937

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Very truly yours,

WILLIAM F. CARR Attorney for McElvain Oil & Gas Properties, Inc.

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RETURN ADDRESS completed on the reverse side?	 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 to card to you. Attach this form to the front of the mailpiece, or on the back if space does not write. Write "Return Receipt Requested" on the mailpiece below the article number delivered. 	I also wish to receive the ing services (for an extra 1.	US Postal Service Receipt for Ce No Insurance Coverag <u>Do not use for Internat</u> Johansen Post Offic	
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& SHERIDAN, P.A.

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October 25, 1999

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Williams Production Company Attn: Mr. M. Vern Hansen Post Office Box 3102 Tulsa, Oklahoma 74101

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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,

Mianto

WILLIAM F. CARR / Attorney for McElvain Oil & Gas Properties, Inc.

Enclosures

Is your <u>HEIUHN ADDHESS</u> 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 card to you. Attach this form to the front of the mailpiece, or on the back if spa permit. White 'Return Receipt Requested' on the mailpiece below the and The Return Receipt will show to whom the article was delivered delivered.	ve can return this lice does not icle number.	1 also wish to receive the following services (for an extra fee): 1. Addressee's Address 2. Restricted Delivery	S Postal Ceceip D Insuran D not use	Service t for C ce Covera for Intern William Attn: M Post Of	571 510 Certified Mail age Provided. ational Mail (See reverse) is Production Company r. M. Vern Hansen fice Box 3102
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& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL WILLIAM F. CARR BRADFORD C. BERGE MARK F. SHERIDAN MICHAEL H. FELDEWERT PAUL R. OWEN ANTHONY F. MEDEIROS JACK M. CAMPBELL (918-1999



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October 25, 1999

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Dugan Production Corporation Post Office Box 420 Farmington, New Mexico 87499-0420

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Hank

WILLIAM F. CARR Attorney for McElvain Oil & Gas Properties, Inc.

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