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 PROPERTIES, INC. FOR COMPULSORY POOLING, RIO ARRIBA COUNTY, NEW MEXICO.

CASE NO. 12350

<u>AFFIDAVIT</u>

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

William F. Carr, attorney in fact and authorized representative of McElvain Oil & Gas Properties, 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.

William F. Carr

SUBSCRIBED AND SWORN to before this 29th day of February, 2000 by William F. Carr.

OFFICIAL SEAL

Mara Dalton

NOTARY PUBLIC
STATE OF NEW MEXICO

My Compression Expires:

My Commission Expires:

Mara Dalton, Notary Public

BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico

Case No. 12320 Exhibit No. 5
Submitted by: McElvain Oil & Gas, Inc.

Hearing Date: March 2, 2000

EXHIBIT A

Noseco Corporation 7400 Lakeside Drive Reno, NV 89511 Neumann Family Trust

1200 Philtower Bldg.Tulsa, OK 94556NM&O Operating Company6 East 5th Street, Suite 200

Dugan Production Company P.O. Box 420 Farmington, NM 87499-0420 c/o Peter Neumann P.O. Box 1170 Reno, NV 89504 Gavilan Dome Properties

Tulsa, OK 74103 Johansen Energy Partnership P.O. Box 1773 Whitefish, MT 59937 c/o Skredynski & Co. 1180 Cedarwood Drive Moraga, CA 94556 Mesa Grande Resources, Inc.

Williams Production Company Attn: Mr. M. Vern Hansen P.O. Box 3102 Tulsa, OK 74101 & 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
1915-1999

JEFFERSON PLACE
SUITE I - HO NORTH QUADALUPE
POST OFFICE BOX 2208

SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 988-4421
FACSIMILE: (505) 983-6043
E-MAIL: ccbspa@ix.netcom.com

February 10, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Noseco Corporation 7400 Lakeside Drive Reno, NV 89511

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

Ladies and 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 Lots 3, 4 S/2 NW/4, SW/4 (W/2 equivalent) of Section 3, Township 25 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Elk Com "3" Well No. 1A which it proposes to drill to a depth sufficient to test all formations to the base of the Mesaverde formation, Blanco-Mesaverde Gas Pool, at a standard location in the SW/4 of said Section 3.

Very truly yours, William J. Care / no William F. Carr ATTORNEY FOR McELVAIN OIL & GAS PROPERTIES, INC. WFC/md **Enclosures** Mr. Steve Jordan, Land Manager cc: McElvain Oil & Gas Properties, Inc. Z 191 937 563 **US Postal Service Receipt for Certified Mail** Noseco Corporation SENDER: I also wish to receive the follow-7400 Lakeside Drive ☐ Complete items 1 and/or 2 for additional services ing services (for an extra fee): Complete items 3, 4a, and 4b. Print your name and address on the reverse of this form so that we can return this Reno, NV 89511 Thank you for using Return Receipt Service 1. Addressee's Address Attach this form to the front of the mailpiece, or on the back if space does not 2. Restricted Delivery 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 5 delivered. Postage 4a. Article Number 937 563 3. Article Addressed to: your RETURN ADDRESS completed Certified Fee Noseco Corporation 4b. Service Type Special Delivery Fee ☐ Certified ☐ Registered 7400 Lakeside Drive ☐ Express Mail ☐ insured Restricted Delivery Fee Reno, NV 89511 ☐ Return Receipt for Merchandise ☐ COD Return Receipt Showing to 7. Date of Delivery Whom & Date Delivered Return Receipt Showing to Who Date, & Addressee's Address 5. Received By: (Print Nay 8. Addressee's Address (Only if requested and Form **3800**. fée is paid) TOTAL Postage & Feet Postmark or Date 9 PS Form 3811, December 1994 Domestic Return Receipt 102595-99-8-0223

8 SHERIDAN, P.A.

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
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SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 988-4421
FACSIMILE: (505) 983-6043
E-MAIL: CCDSD4@ix.netcom.com

February 10, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Neumann Family Trust c/o Peter Neumann P.O. Box 1170 Reno, NV 89504

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

Ladies and 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 Lots 3, 4 S/2 NW/4, SW/4 (W/2 equivalent) of Section 3. Township 25 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Elk Com "3" Well No. 1A which it proposes to drill to a depth sufficient to test all formations to the base of the Mesaverde formation, Blanco-Mesaverde Gas Pool, at a standard location in the SW/4 of said Section 3.

Very truly yours,

William F. Carr

ATTORNEY FOR McELVAIN OIL & GAS

William J. Carr / ms

PROPERTIES, INC.

WFC/md

Enclosures

Mr. Steve Jordan, Land Manager cc:

McElvain Oil & Gas Properties, Inc.

Z 191 937 564

US Postal Service

Receipt for Certified Mail

Neumann Family Trust c/o Peter Neumann P.O. Box 1170 Reno, NV 89504

	Postage	\$.55
	Certified Fee	1.40
	Special Delivery Fee	
	Restricted Delivery Fee	
April 1995	Return Receipt Showing to Whom & Date Delivered	1.25
April	Return Receipt Showing to Whom, Date, & Addressee's Address	,
800	TOTAL Postage & Fees	\$ 3 20
Form 3800	Postmark or Date	
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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 call a card to you. Attach this form to the front of the mailpiece, or on the back if space of permit. Write "Return Receipt Requested" on the mailpiece below the article in the Return Receipt will show to whom the article was delivered and to delivered.	1. Addressee's Address 2. Restricted Delivery
Neumann Family Trust c/o Peter Neumann: P.O. Box 1170 Reno, NV 89504	Service Type Registered
5. Received By: (Print Name) 8. 6. Signature (Addressee or Agent)	Addressee's Address (Only if requested and fee is paid)
PS Form 381T, December 1994	102595-99-8-0223 Domestic Return Receipt

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL
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BRADFORD C. BERGE
MARK F. SHERIDAN
MICHAEL M. FELDEWERT
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1916-1999

JEFFERSON PLACE
SUITE I - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 988-4421
FACSIMILE: (505) 983-8043

E-MAIL: CCbspa@x.netcom.com

February 10, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Gavilan Dome Properties c/o Skredynski & Co. 1180 Cedarwood Drive Moraga, CA 94556

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

Ladies and Gentlemen:

This letter is to advise you that McElvain Oil & Gas Properties, Inc. has file 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 Lots 3, 4 S/2 NW/4, SW/4 (W/2 equivalent) of Section 3, Township 25 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Elk Com "3" Well No. 1A which it proposes to drill to a depth sufficient to test all formations to the base of the Mesaverde formation, Blanco-Mesaverde Gas Pool, at a standard location in the SW/4 of said Section 3.

Very truly yours,

William F. Carr

ATTORNEY FOR McELVAIN OIL & GAS

William J. Carr M.S

PROPERTIES, INC.

WFC/md

Enclosures

Mr. Steve Jordan, Land Manager cc:

McElvain Oil & Gas Properties, Inc.

937 565

US Postal Service

Receipt for Certified Mail

Gavilan Dome Properties c/o Skredynski & Co. 1180 Cedarwood Drive Moraga, CA 94556

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	3. Article Addressed to:	4a. Article Nu Z 191	937 565	
niy Appricas completed	Gavilan Dome Properties c/o Skredynski & Co. 1180 Cedarwood Drive Moraga, CA 94556	4b. Service Ty Registered Express M Return Rece 7. Date of Del	l ail eipt for Merchandis ivery	© Certified ☐ Insured Se ☐ COD
8 .	Received by (Anni Manuel) R	8. Addressee's Address (Only if requested and fee is paid)		
•	PS Form 3811 , December 1994	102595-99	-8-0223 Dome	stic Return Receipt

Thank you for using Return Receipt Service

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

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
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JEFFERSON PLACE
SUITE : - 110 NORTH GUADALUPE
POST OFFICE BOX 2208

SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 988-4421
FACSIMILE: (505) 983-6043

E-MAIL: ccbspa@fix.netcom.com

February 10, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mesa Grande Resources, Inc. 1200 Philtower Bldg. Tulsa, OK 94556

Re: Application of McElvain Oil & Gas, Inc. for Compulsory Pooling, Rio

Arriba County, New Mexico

Ladies and 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 Lots 3, 4 S/2 NW/4, SW/4 (W/2 equivalent) of Section 3. Township 25 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Elk Com "3" Well No. 1A which it proposes to drill to a depth sufficient to test all formations to the base of the Mesaverde formation, Blanco-Mesaverde Gas Pool, at a standard location in the SW/4 of said Section 3.

February 10, 2000 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, William J. Cars /mc

William F. Carr

ATTORNEY FOR McELVAIN OIL & GAS PROPERTIES, INC.

WFC/md

Enclosures

cc: Mr. Steve Jordan, Land Manager

McElvain Oil & Gas Properties, Inc.

Z 191 937 566 LOC

US Postal Service
Receipt for Certified Mail

Mesa Grande Resources, Inc. 1200 Philtower Bldg.

Tulsa, OK 94556

	Postage	\$.55
	Certified Fee	1.40
	Special Delivery Fee	
	Restricted Delivery Fee	
PS Form 3800 , April 1995	Return Receipt Showing to Whom & Date Delivered	1.25
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SHERIDAN, P.A.

MICHAEL B. CAMPBELL
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1916-1999

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SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 988-4421
FACSIMILE: (505) 983-8043
E-MAIL: CCDSpa@ix.netcom.com

February 10, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

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

Re: Application of McElvain Oil & Gas, Inc. for Compulsory Pooling, Rio

Arriba County, New Mexico

Ladies and Gentlemen:

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Very truly yours,

Ivilliam J. Cars / my

William F. Carr ATTORNEY FOR McELVAIN OIL & GAS PROPERTIES, INC.

WFC/md

Enclosures

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

Z 191 937 567

US Postal Service
Receipt for Certified Mail

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

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 & Feed
Postmark or Date

Fold at line over top of envelope to

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 space permit. Write "Return Receipt Requested" on the mailpiece below the article The Return Receipt will show to whom the article was delivered a delivered.	ce does not cle number. and the date	I also wish to receive the following services (for an extra fee): 1.
3. Article Addressed to: NM&O Operating Company 6 East 5th Street, Suite 200 Tulsa, OK 74103	4a. Article Number 37 567 4b. Service Type Registered Express Mail Return Receipt for Merchandise COD 7. Date of Delivery	
5. Received By: (Print Name) 6. Signature (Addressee or Agent) PS Form 3811, December 1994	8. Addressee fee is paid	e's Address (Only if requested and

Thank you for using Return Receipt Service

& SHERIDAN, P.A.

LAWYERS

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

JEFFERSON PLACE
SUITE I - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 968-4421
FACSIMILE: (505) 983-6043

E-MAIL: CCbspa@ix.netcom.com

February 10, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Johansen Energy Partnership P.O. Box 1773 Whitefish, MT 59937

Re: Application of McElvain Oil & Gas, Inc. for Compulsory Pooling, Rio

Arriba County, New Mexico

Ladies and Gentlemen:

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Very truly yours,

William F. Carr

ATTORNEY FOR McELVAIN OIL & GAS

William J. Cars /mil

PROPERTIES, INC.

WFC/md

Enclosures

cc: Mr. Steve Jordan, Land Manager

McElvain Oil & Gas Properties, Inc.

Z 191 937 568 (A)

US Postal Service
Receipt for Certified Mail

Johansen Energy Partnership P.O. Box 1773 Whitefish, MT 59937

	Postage	s .55
	Certified Fee	1.40
	Special Delivery Fee	
3	Restricted Delivery Fee	
April 1995	Return Receipt Showing tell Whom & Date Delivered	1.25
April	Peturn Receipt Showing (Con.) Cate, & Addressee's Address	
800	TOTAL Postage & Fees	3.20
PS Form 3800	Postmark or Date	

SENDER:			eceive the follow-
 □ 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 to card to you. □ Attach this form to the front of the mailpiece, or on the back permit. □ Write "Receipt Requested" on the mailpiece below the The Return Receipt will show to whom the article was delivered. 	of space does not the article number. Bered and the date	1. Addresse 2. Restricte	
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PS Form 3811 , December 1994	102595-99	9-8-0223 Domes	stic Return Receipt

Thank you for using Return Receipt Service.

CAMPBELL, CARR, BERGE 8 SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
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1916-1999

JEFFERSON PLACE
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POST OFFICE BOX 2208

SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (\$0\$) 988-4421
FACSIMILE: (\$0\$) 983-6043
E-MAIL: CCBSD@Nx.netcom.com

February 10, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Williams Production Company Attn: Mr. M. Vern Hansen P.O. Box 3102 Tulsa, OK 74101

Re: Application of McElvain Oil & Gas, Inc. for Compulsory Pooling, Rio

Arriba County, New Mexico

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Very truly yours,

William F. Carr

ATTORNEY FOR McELVAIN OIL & GAS

William & Carr / mil

PROPERTIES, INC.

WFC/md

Enclosures

Mr. Steve Jordan, Land Manager cc:

McElvain Oil & Gas Properties, Inc.

US Postal Service Receipt for Certified Mail

illiams Production Company tn: Mr. M. Vern Hansen O. Box 3102 lsa, OK 74101

Postage	s 55
Certified Fee	1.40
Special Delivery Fee	-
Restricted Delivery Fee	
Return Receipt Showing too Whom & Date Delivered -	1.25
Return Receipt Showing to Whom, Cate, & Addressee's Addressee's	
TOTAL Postage & Fees	\$3.20
Postmark of Date	3

SENDER:			eceive the follow-
Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b.		ing services (for an extra fee):	
Print your name and address on the reverse of this form so that w card to you.	re can return this	Addressee's Address Restricted Delivery	
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 Write "Return Receipt Requested" on the mailpiece below the article. The Return Receipt will show to whom the article was delivered a delivered. 			
3. Article Addressed to:	4a. Article Nu Z 1	mber 91 937 569	
Williams Production Company	4b. Service T	,.	
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6. Signature (Addressee or Agent)			
PS Form 381 December 1994	102595-99	-B-0223 Domes	tic Return Receipt

Thank you for using Return Receipt Service.

CAMPBELL, CARR, BERGE 8 SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
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MICHAEL H. FELDEWERT
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JEFFERSON PLACE
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SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 988-4421
FACSIMILE: (505) 983-8043

E-MAIL: ccbspa@ix.netcom.com

February 10, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Dugan Production Company P.O. Box 420 Farmington, NM 87499-0420

Re: Application of McElvain Oil & Gas, Inc. for Compulsory Pooling, Rio

Arriba County, New Mexico

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February 10, 2000 Page 2

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Very truly yours,

William F. Carr ATTORNEY FOR McELVAIN OIL & GAS PROPERTIES, INC.

William J. Carr/mil

WFC/md

Enclosures

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

z 191 937 570 log4

US Postal Service
Receipt for Certified Mail

Dugan Production Company P.O. Box 420 Farmington, NM 87499-0420

	Postage	s .55
	Certified Fee	1.40
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ın	Restricted Delivery Fee	
April 1995	Return Receipt Showing to- Whom & Date Delivered	1,25
Apri	Return Receipt Showing to Milliam, Date, & Addressee's Addresse	28
800	TOTAL Postage & Fees	\$ 20
2 Form 3800	Postmark or Date	

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3. Article Addressed to: Dugan Production Company P.O. Box 420 Farmington, NM 87499-0420	4b. Service T ☐ Registered ☐ Express M	lal ☐ Certified all ☐ Insured eipt for Merchandise ☐ COD		
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