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

## IN THE MATTER OF THE APPLICATION OF NEARBURG EXPLORATION COMPANY, L.L.C. FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

**CASE NO. 12415** 

#### AFFIDAVIT

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

William F. Carr, attorney in fact and authorized representative of Nearburg

Exploration Company, L.L.C., 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 30th, day of May, 2000 by William F. Carr.



Mara Dalton, Notary Public BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico Exhibit No. 5 Case No. 12415 Submitted by: Nearburg Exploration Company, L.L.C. Hearing Date: June 1, 2000

# **EXHIBIT** A

Yates Petroleum Corporation 105 South Fourth Street Artesia, New Mexico 88210

Marbob Energy Corporation Post Office Box 227 Artesia, New Mexico 88211

EOG Resources, Inc. Post Office Box 2267 Midland, Texas 79702

Harvard Petroleum Corporation Post Office Box 936 Roswell, New Mexico 88201

Phelps White Post Office Box 874 Roswell, New Mexico 88201

New Mexico Western Minerals Post Office Box 1738 Roswell, New Mexico 88201

Tom P. White Post Office Box 533 Roswell, New Mexico 88201

Roy G. Barton 1919 North Turner Hobbs, New Mexico 88240

Charles F. Malone Living Trust u/t/a 8/1/87 Post Office Drawer 700 Roswell, New Mexico 88201 Louis Dreyfus Gas Holdings, Inc. 14000 Quail Springs Parkway #600 Oklahoma City, Oklahoma 73134

Pitch Energy Corporation Post Office Box 304 Artesia, New Mexico 88211

Read & Stevens, Inc. Post Office Box 1518 Roswell, New Mexico 88201

J.P. White, Jr. Post Office Box 874 Roswell, New Mexico 88201

Bean Family Limited Company Post Office Box 1738 Roswell, New Mexico 88201

Elk Oil Company Post Office Box 310 Roswell, New Mexico 88201

Cheryl W. Derrick Post Office Box 533 Roswell, New Mexico 88201

The Anderson-Malone Trust u/t/a 12/5/91 Post Office Box 87 Roswell, New Mexico 88201

Jean A. Eaton 5921 South Datura Court Littleton, Colorado 80120 Marathon Oil Company Post Office Box 552 Midland, Texas 79702

Laura Jones C/O Paul SlaytonPost Office Box 2035 Roswell, New Mexico 88202

Western Reserves Oil Company 306 Building of the Southwest Midland, Texas 79701

Robert J. Leonard Post Office Box 400 Roswell, New Mexico 88201

Dora L. McKnight Post Office Box 1738 Roswell, New Mexico 88201

John M. Kelly Post Office Box 310 Roswell, New Mexico 88201

Theodore P. White Post Office Box 533 Roswell, New Mexico 88201

Earl L. Malone, M.D. 2501 Cortez Court Roswell, New Mexico 88201

Baynard W. Malone, as Trustee of the Elizabeth A. MaloneTestamentary Trust f/b/o Edna M. Schwartz Post Office Box 87 Roswell, New Mexico 88201 Baynard W. Malone, as Trustee for Ross L. Malone Test. Trust Post Office Box 87 Roswell, New Mexico 88201 Margaret B. Nichols, Individually and as sole devisee under the Will of Leonard Nichols, diseased - c/o J.R. McCutcheon P.O. Box 1144 Odessa, TX 79760

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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 (1) 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: law@westofpecos.com

## May 11, 2000

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

TO ALL AFFECTED PARTIES:

#### Re: Application of Nearburg Exploration Company, L.L.C. for compulsory pooling, Eddy County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that Nearburg Exploration Company, L.L.C. has filed the enclosed application with the New Mexico Oil Conservation Division seeking the compulsory pooling of certain spacing and proration units in the E/2 of Section 29, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico. Said units will be dedicated to Nearburg's proposed Pathfinder "29" State Com Well No. 1 which it proposes to drill at a standard location 1980 feet from the North line and 660 feet from the East line of said Section 29 to test all formations from the surface to the base of the Morrow formation.

This application has been set for hearing before a Division Examiner on June 1, 2000. 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.

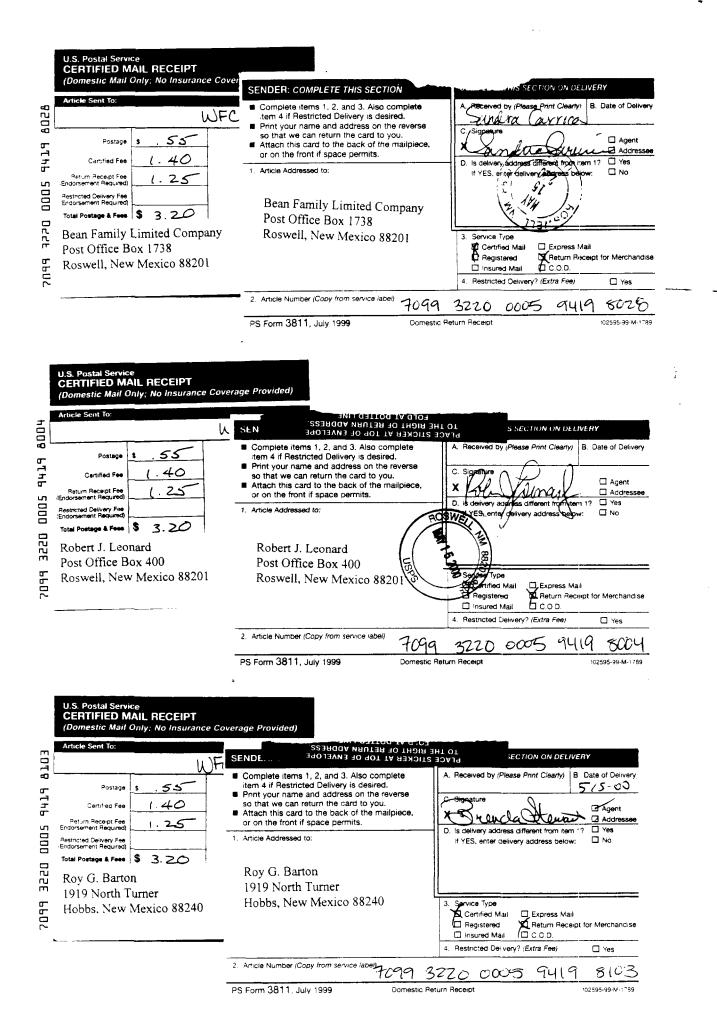
Parties appearing in cases have been requested by the Division (Memorandum 2-90) to file a Prehearing Statement substantially in the form prescribed by the Division. Prehearing statements should be filed by 4:00 o'clock p.m. on the Friday before a scheduled hearing.

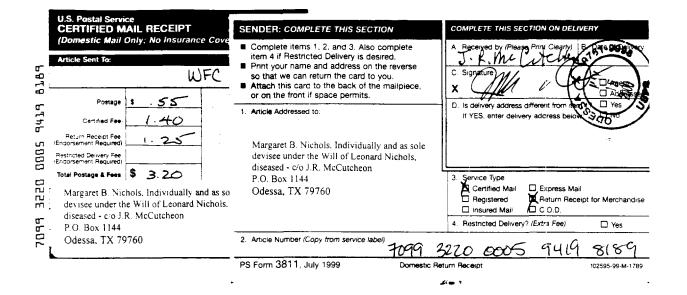
Very truly yours,

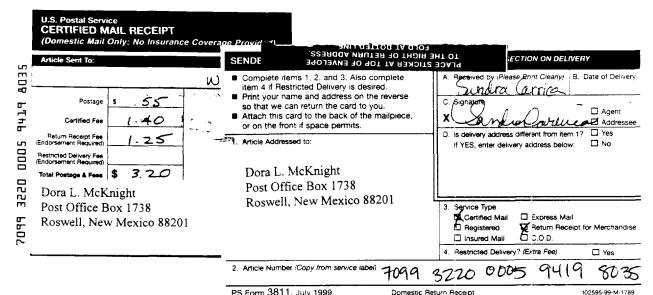
William F. Carr ATTORNEY FOR NEARBURG EXPLORATION COMPANY, L.L.C.

WFC/md

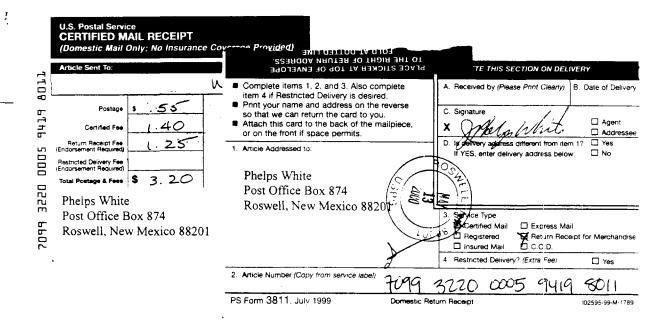
Enclosure

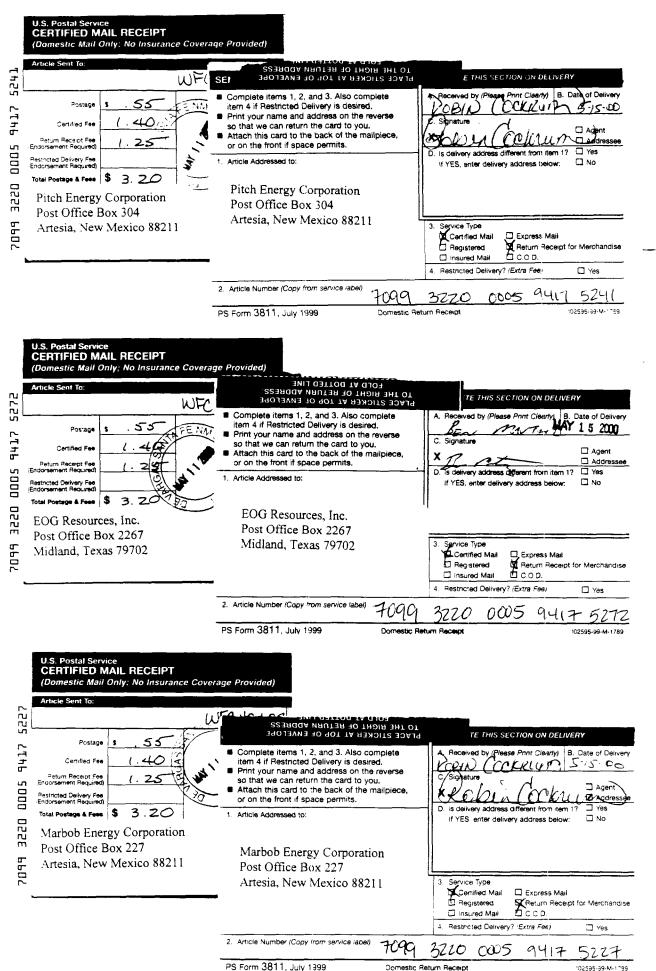






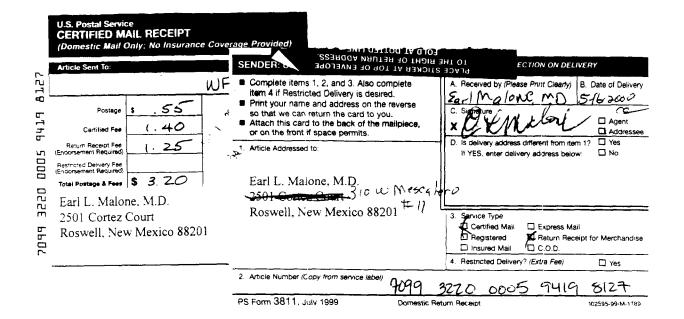
PS Form 3811, July 1999

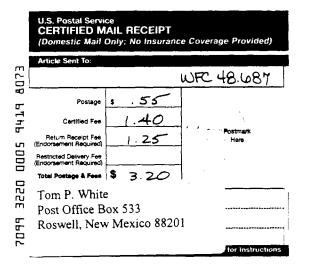


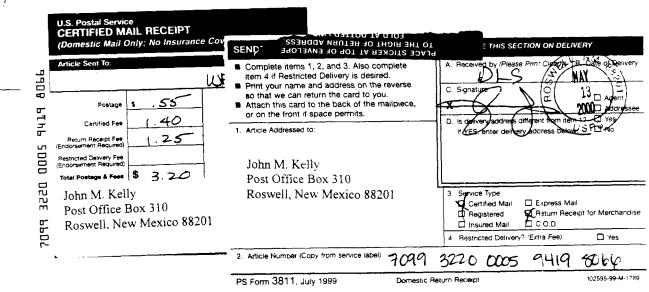


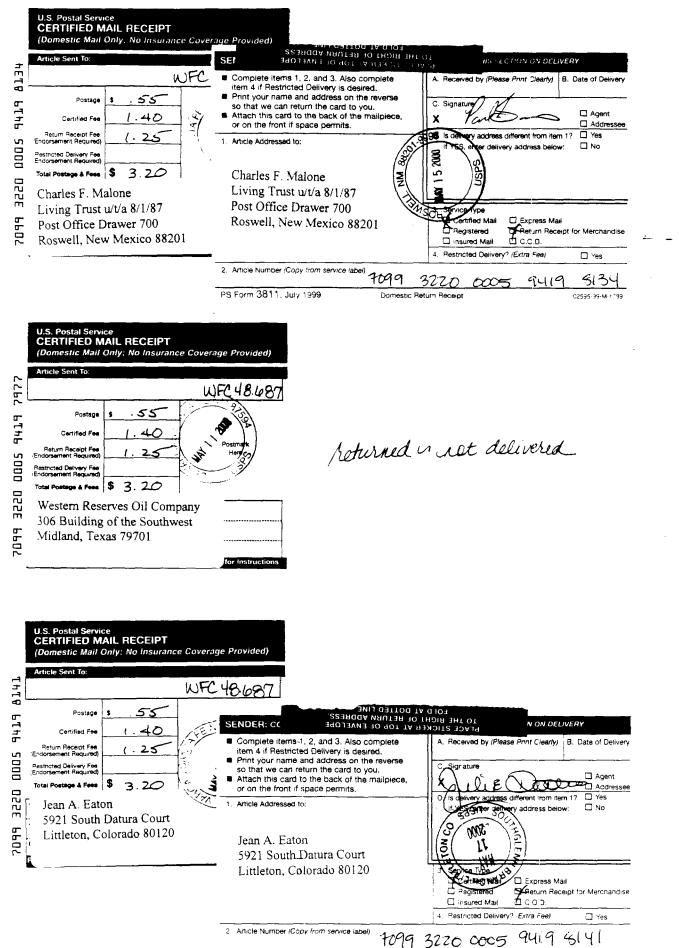
PS Form 3811, July 1999

Domestic Return Receipt





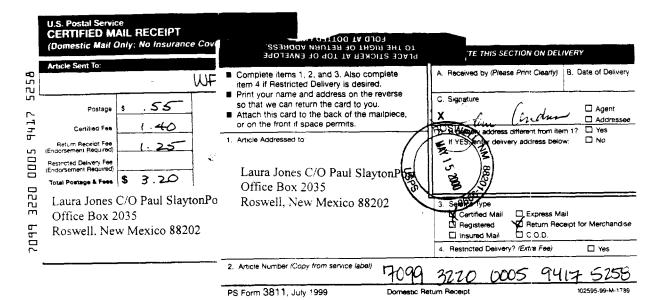


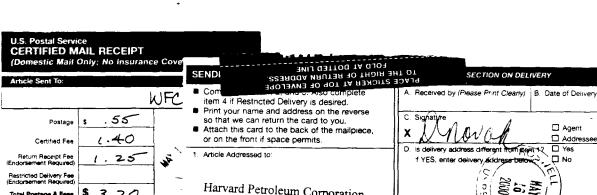


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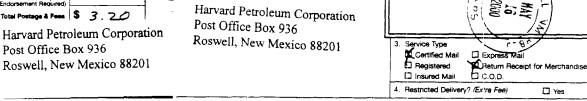
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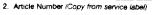
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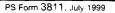


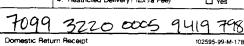


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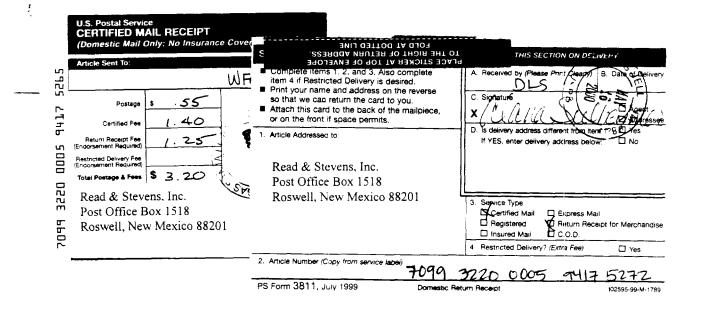


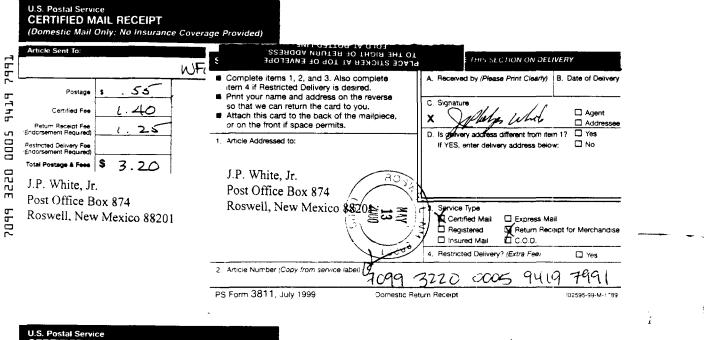


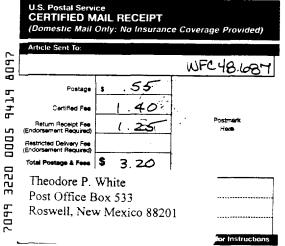


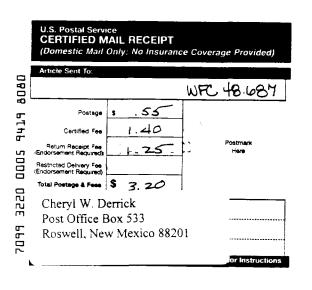


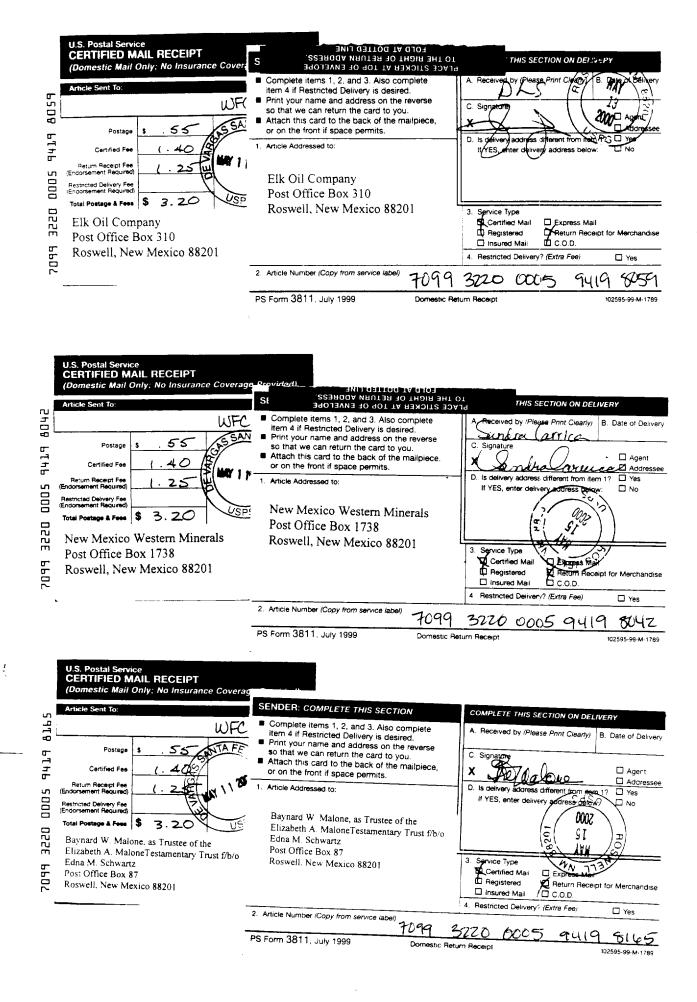
🗆 Yes

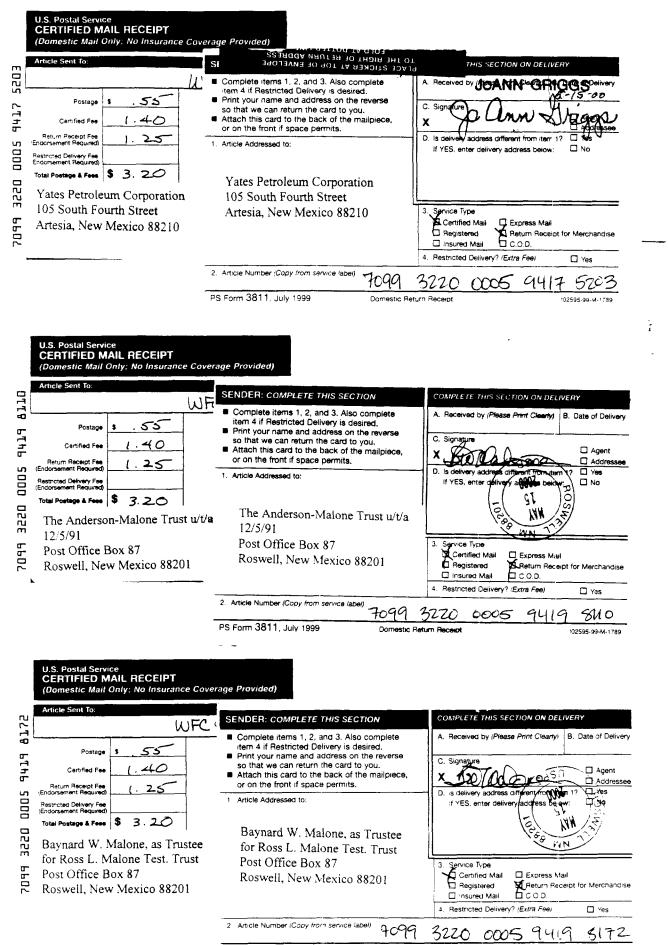












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WFC U	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Postage \$.55 Certified Fee (-40) Return Receipt Fee (-25) (Endorsement Required)	<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece.</li> </ul>	A. Received by (Please Print Clearly) B. Date of Delivery MUUIIIAN MAY 16 2000 C. Signature X. MILAN J. J. J. Agent
Aestricted Delivery Fee (Endorsement Required) Total Postage & Fees \$ 3, 2.0	or on the front if space permits.  1. Article Addressed to:	D. is delivery address different from item 1? Yes
Marathon Oil Company Post Office Box 552 Midland, Texas 79702	Marathon Oil Company Post Office Box 552 Midland, Texas 79702	If YES, enter delivery acidress below: No  3. Service Type Certified Mail Express Mail Registered Receipt for Merchandise
		🗇 Insured Mail 🧰 D.O.D.
	2. Article Number 'Copy from service label) 7099	
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CERTIFIED MAIL RECEIPT (Domestic Mail Only: No Insurance Article Sent To: Postage Postage Certified Fee Return Recent Fee (Endorsement Required) Restrict Oplivery Fee (Endorsement Required)	Coverage Provided) WFC 48.681 Postmark Here	
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CERTIFIED MAIL RECEIPT (Domestic Mail Only: No Insurance         Article Sent To:         Postage         Postage         Certified Fee         Cadorsement Required)         Total Postage & Feee         Louis Dreyfus Gas Holdings, 14000 Quail Springs Parkway         Oklahoma City, Oklahoma 72	NFC 48.681 Postmark Here In SENDER: COMPLETE THIS SECTION # Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.	A Beceived by (Prease Print Clearly) B. Date of Delivery JERALY (FARSON) S / S Signature X JULY (J. C./L1.1/1) Addressee D is delivery address different from item 1? Yes If YES, enter delivery address below: No

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