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

APPLICATION OF NEARBURG EXPLORATION COMPANY, L.L.C. FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO

CASE NO. <u>1279</u>/

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 persons 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. Car

SUBSCRIBED AND SWORN to before me this // day of December 2001.

Notary Rublic

My Commission Expires:

august 23,2005

BEFORE THE OIL CONSERVATION DIVISION

Santa Fe, New Mexico

Case No. 12791 Exhibit No. 5

Submitted by:

NEARBURG EXPLORATION COMPANY, L.L.C.

Hearing Date: <u>January 10, 2002</u>

EXHIBIT A

APPLICATION OF NEARBURG EXPLORATION COMPANY, L.L.C. FOR COMPULSORY POOLING, E/2 SECTION 31, TOWNSHIP 18 SOUTH, RANGE 34 EAST, NMPM LEA COUNTY, NEW MEXICO.

NOTIFICATION LIST

Kaiser-Francis oil Co. 6733 South Yale Tulsa, Oklahoma 74136

HOG Partnership, L.P. 5950 Cedar Springs Road, Suite 200 Dallas, Texas 75235-6803

Kudo Petroleum L.L.C. Post Office Box 600490 Dallas, Texas 75360-0490

Mexco Energy Corp., fka Miller Oil Co. Post Office Box 10502 Midland, Texas 79702

Mika Petroleum L.L.C. Loretta D. Lowe c/o Larry K. Lowe 2313 Broadway Lubbock, Texas 79401

Loretta D. Lowe c/o Larry K. Lowe 2313 Broadway Lubbock, Texas 79401

Larry K Lowe 2313 Broadway Lubbock, Texas 79401

Brady M. Lowe c/o Larry K. Lowe 2313 Broadway Lubbock, Texas 79401

APPLICATION, Page 4

T. H. McElvain Oil & Gas Limited Partnership McElvain Oil 7 Gas Properties, Inc. Gen.Ptnr. Post Office Box 2148 Santa Fe, New Mexico 87504-2148

Josephine M. Whithers 11578 Lost Tree Way North Palm Beach, Florida 33408

Ralph C. McElvain, Jr. 5318 South Cottonwood Club Circle Salt Lake City, Utah 84117

Ruth P. McElvain Post Office Box 2148 Santa Fe, New Mexico 87504

James E. McElvain Post Office Box 2148 Santa Fe, New Mexico 87504

Caryl M. Bradford 4005 Euclid Ave. Dallas, Texas 75205

McElvain Oil Co. 14828 Bellbrook Addison, Texas 75240

55 Form 3800. Fet

102595-99-M-1

Domestic Return Receipt

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-17

U.S. Postal Service CERTIFIED MAIL RECEIPT		
(Domestic Wall Only; No Insurance Coverage	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Postage \$ 161 Postage \$ 2.10 Return Fer eight Fee (Endorsement Feaured) Restricted Delivery Fee (Endorsement Required)	 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. 1. Article Addressed to: 	A. Received by (Please Print Clearly) B. Date of Delivery C. Signature Agent Addressee D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
Total Postage & Food & 4. // Recipient's Nam. Loretta D. Lowe Street, Apt. No.: C/O Larry K. Lowe 2313 Broadway Lubbock, Texas 79401	Loretta D. Lowe c/o Larry K. Lowe 2313 Broadway Lubbock, Texas 79401	3. Service Type Certified Mail Registered Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes
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U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Pro	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. Received by (Please Print Clearly) C. Signature Agent Address
Necry bivg Uap:1:31 Postage S 167 Certified Fee 2:105 Return Receipt Fee IEndorsement Required; 1:500 Postre Restricted Delivery Fee	1. Article Addressed to: James E. McElvain Post Office Box 2148	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
Total Postage & F Recipient's Name James E. McElvain Post Office Box 2148	Santa Fe, New Mexico 87504 2. Article Number (Copy from service label)	Service Type Service Type Registered Insured Mail Restricts Drivery? (Extra Fee) Service Type Express Mail Receipt for Merchan C.O.D.
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Restricted or (Endor	Postage & Fees & 7/17 Postage & Fees & 7/17 Part's Ni Apt No	Ralph C. McElvain, Jr. 5318 South Cottonwood Club Circle Salt Lake City, Utah 84117	3. Service Type X Certified Mail
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Street, Apt. No.; or

City, State. ZIP+4

Post Office Box 2148 Santa Fe. New Mexico 87504-2148

Gen. Ptnr.

McElvain Oil & Gas Properties, Inc

PS Form 3811, July 1999

S Form 3800, Fe

Domestic Return Receipt

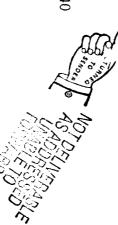
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HOLLAND & HART ILP CAMPBELL & CARR ATTORNEYS AT LAW

P O BOX 2208
SANTA FE, NEW MEXICO 87504-2208
110 NORTH GUADALUPE, SUITE 1
SANTA FE NEW MEXICO 87501-6525

McElvain Oil Co. 14828 Bellbrook Addison, Texas 75240



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