

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. 12901

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. Carr

SUBSCRIBED AND SWORN to before me this 14th day of July 2002.



Notary Public

My Commission Expires:

August 23, 2005

2962095_1.DOC

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Case No. 12901 Exhibit No. 6
Submitted by:
NEARBURG EXPLORATION COMPANY, L.L.C.
Hearing Date: August 1, 2002

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL

| | |
|--|----------------|
| Nearburg Postage | \$.60 |
| Packer 7 Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 4.65 |

Sent To Chevron USA, Inc.
Post Office Box 1150
Midland, Texas 79702

PS Form 3800, July 1999

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.

1. Article Addressed to:

Chevron USA, Inc.
Post Office Box 1150
Midland, Texas 79702

2. Article Number () 7001 1140 0002 5600 9132

PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-095

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *John Bell* B. Date of Delivery **JUL 15 2002**

C. Signature *John Bell* Agent Addressee

X Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

4. Restricted Delivery? (Extra Fee) Yes

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL

| | |
|--|----------------|
| Nearburg Postage | \$.60 |
| Packer 7 Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 4.65 |

Sent To Devon SFS Operating, Inc.
Attention: Richard Winchester
Post Office Box 108838
Oklahoma City, OK 73101

PS Form 3800, July 1999

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.

1. Article Addressed to:

Devon SFS Operating, Inc.
Attention: Richard Winchester
Post Office Box 108838
Oklahoma City, OK 73101-8838

2. Article Number () 7001 1140 0002 5600 9149

PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-095

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *Goodluck Njork* B. Date of Delivery **JUL 12 2002**

C. Signature *Goodluck Njork* Agent Addressee

X Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

4. Restricted Delivery? (Extra Fee) Yes

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL

| | |
|--|----------------|
| Nearburg Postage | \$.60 |
| Packer 7 Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 4.65 |

Sent To Devon SFS Operating, Inc.
Attention: Richard Winchester
20 North Broadway, Suite 1500
Oklahoma City, OK 73102

PS Form 3800, July 1999

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.

1. Article Addressed to:

Devon SFS Operating, Inc.
Attention: Richard Winchester
20 North Broadway, Suite 1500
Oklahoma City, OK 73102-8260

2. Article Number () 7001 1140 0002 5600 9125

PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-095

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *Goodluck Njork* B. Date of Delivery **JUL 12 2002**

C. Signature *Goodluck Njork* Agent Addressee

X Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

4. Restricted Delivery? (Extra Fee) Yes

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

| | |
|--|----------------|
| Manzano Postage | \$.60 |
| Gr. Flash Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 4.65 |

Postmark Here

Sent To Paula Dooley, Executrix of the Estate of William Patrick Dooley
 Street, Apt. No., or PO Box No. 1006 South Second Street
 City, State, ZIP+4 Artesia, NM 88210

PS Form 3800, January 2001

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.

1. Article Addressed to:

OXY USA WTP Limited Partnership
 Attention: David Evans
 Post Office Box 50250
 Midland, Texas 79710

2. Article Number (Copy from

7001 1140 0002 5600 9156

COMPLETE THIS SECTION ON DELIVERY

| | |
|--|--|
| A. Received by (Please Print Clearly) Aerie Horn | B. Date of Delivery |
| C. Signature X Aerie Horn | <input type="checkbox"/> Agent <input type="checkbox"/> Addressee |
| D. Is delivery address different from item 1? If YES, enter delivery address below: | <input type="checkbox"/> Yes <input type="checkbox"/> No |

3. Service Type

| | |
|--|--|
| <input checked="" type="checkbox"/> Certified Mail | <input type="checkbox"/> Express Mail |
| <input type="checkbox"/> Registered | <input checked="" type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail | <input type="checkbox"/> C.O.D. |

4. Restricted Delivery? (Extra Fee) Yes

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

| | |
|--|----------------|
| Nearburg Postage | \$.60 |
| Packer7 Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 4.65 |

Postmark Here

Sent To OXY USA WTP Limited Part
 Attention: David Evans
 Street, Apt. No., or PO Box No. Post Office Box 50250
 City, State, ZIP+4 Midland, Texas 79710

PS Form 3800,

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-09E

**U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage)**

| | |
|--|----------------|
| Postage | \$.60 |
| Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 4.65 |

Sent To
Phillips Petroleum Company
Attention: Brett Butterfield
4001 Penbrook
Odessa, Texas 79762

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.

1. Article Addressed to:

Phillips Petroleum Company
Attention: Brett Butterfield
4001 Penbrook
Odessa, Texas 79762

2. Article Number (Copy from) **7001 1140 0002 5600 9163**

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *Naomi Mendoza* B. Date of Delivery *7-15*
C. Signature *Naomi Mendoza* Agent Addressee
D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

**U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage)**

| | |
|--|----------------|
| Postage | \$.60 |
| Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 4.65 |

Sent To
Wilson Oil Company
1275 South Birch Street, Suite 604
Denver, Colorado 80246

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.

1. Article Addressed to:

Wilson Oil Company
1275 South Birch Street, Suite 604
Denver, Colorado 80246

2. Article Number (Copy from) **7001 1140 0002 5600 9170**

A. Received by (Please Print Clearly) B. Date of Delivery *7/18/02*

C. Signature *Raymond Zeel* Agent Addressee
D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

EXHIBIT A

APPLICATION OF NEARBURG EXPLORATION COMPANY, L.L.C.
FOR COMPULSORY POOLING,
E/2 OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 35 EAST, NMPM
LEA COUNTY, NEW MEXICO.

NOTIFICATION LIST

Chevron USA, Inc.
Post Office Box 1150
Midland, Texas 79702

Devon SFS Operating, Inc.
20 North Broadway, Suite 1500
Oklahoma City, Oklahoma 73102-8260
Attention: Richard Winchester

Devon SFS Operating, Inc.
Post Office Box 108838
Oklahoma City, Oklahoma 73101-8838
Attention: Richard Winchester

OXY USA WTP Limited Partnership
Post Office Box 50250
Midland, Texas 79710
Attention: David Evans

Phillips Petroleum Company
4001 Penbrook
Odessa, Texas 79762
Attention: Brett Butterfield

Wilson Oil Company
1275 South Birch Street, Suite 604
Denver, Colorado 80246

HOLLAND & HART LLP
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE
CHEYENNE • JACKSON HOLE
SALT LAKE CITY • SANTA FE
WASHINGTON, D. C.

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

TELEPHONE (505) 988-4421
FACSIMILE (505) 983-6043

William F. Carr

wcarr@hollandhart.com

July 11, 2002

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO ALL AFFECTED PARTIES:

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

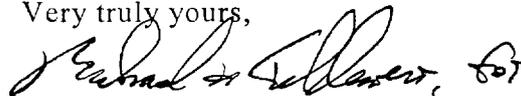
Ladies and Gentlemen:

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 force pooling of all mineral interests in all formations from the surface through the base of the Morrow formation in certain standard gas spacing and proration unit comprised of the E/2 of Section 7, Township 21 South, Range 35 East, N.M.P.M., Lea County, New Mexico. Nearburg proposes to dedicate the referenced pooled unit to its Packer "7" State Com Well No. 1 to be drilled at a standard location 1980 feet from the North line and 660 feet from the East line of said Section 7.

This application has been set for hearing before a Division Examiner on August 1, 2002. 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 are required by Division Rule 1208.B to file a Prehearing Statement three days in advance of a scheduled hearing. This statement must include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Very truly yours,



William F. Carr
for Holland & Hart LLP
ATTORNEYS FOR NEARBURG
EXPLORATION COMPANY, L.L.C.

Enclosure

cc: Mr. Duke Roush
Nearburg Exploration Company L.L.C.