

BEFORE THE

OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

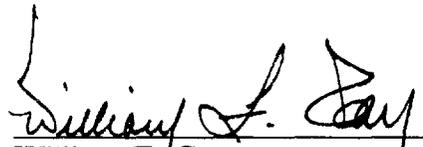
IN THE MATTER OF THE APPLICATION
OF NEARBURG PRODUCING COMPANY
FOR AN UNORTHODOX OIL WELL LOCATION,
EDDY COUNTY, NEW MEXICO.

CASE NO. 10532

AFFIDAVIT OF MAILING

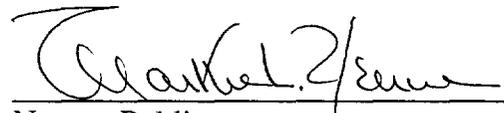
William F. Carr, being duly sworn, states that on July 24, 1992, he mailed a copy of the letter(s) advising that Nearburg Producing Company filed an application for an unorthodox well location, Eddy County, New Mexico, setting forth the hearing date, by certified mail, return receipt requested, to the following individuals listed on Exhibit "A" attached.

Further Affiant sayeth naught.



William F. Carr

SUBSCRIBED AND SWORN to before me this 19th day of August, 1992.



Notary Public

My Commission Expires:

August 19, 1995

BEFORE EXAMINER CATANACH OIL CONSERVATION DIVISION NEARBURG EXHIBIT NO. <u>9</u> CASE NO. <u>10532</u>

EXHIBIT A

Exxon Company, USA
Post Office Box 1600
Midland, Texas 79792

UTI Energy Corporation
500 North Loraine, Suite 1070
Midland, Texas 79701

Richard A. Barr
500 North Loraine, Suite 1070
Midland, Texas 79701

Scott E. Wilson
500 North Loraine, Suite 1070
Midland, Texas 79701

Enron Oil & Gas Company
Post Office Box 2267
Midland, Texas 79702

Bettis Brothers, Inc.
500 W. Texas, Suite 830
Midland, Texas 79701

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

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

July 24, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Exxon Company, USA
Post Office Box 1600
Midland, Texas 79792

Re: Application of Nearburg Producing Company for an Unorthodox Well
Location, Eddy County, New Mexico

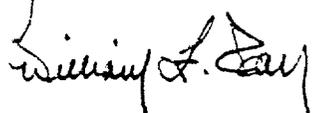
Gentlemen:

This letter is to advise you that Nearburg Producing Company has filed an application with the New Mexico Oil Conservation Division seeking approval of an unorthodox well location for its Emerald 32 Federal No. 2 Well to be drilled at an unorthodox location 2080 feet from the South line and 1400 feet from the West line of Section 32, Township 24 South, Range 29 East, N.M.P.M., Eddy County, New Mexico. The NE/4 SW/4 of Section 32 will be dedicated to this well.

This application has been set for hearing before an Examiner of the Oil Conservation Division on August 20, 1992. You are not required to attend this hearing, but as an owner of an interest that may be affected by the unorthodox well location, 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 PRODUCING COMPANY
WFC:mlh

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent the card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.
 1. Show to whom delivered, date, and addressee's address. **2.** Restricted Delivery *(Extra charge)*

3. Article Addressed to:
 Exxon Company, USA
 Post Office Box 1600
 Midland, Texas 79792

4. Article Number
 P 106 677 546

Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 COD
 Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.
8. Addressee's Address (ONLY if requested and fee paid)

5. Signature - Address
 X *[Signature]*

6. Signature - Agent
 X

7. Date of Delivery
 JUL 28 1992

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RECEIPT

P-106 677 546

PLACE STICKER FOR CERTIFIED MAIL
 POSTAGE AND FEES PAID
 (See Reverse)

Exxon Company, USA
 Post Office Box 1600
 Midland, Texas 79792

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	JUL 24 1992

PS Form 3800, June 1985

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

July 24, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

UTI Energy Corporation
500 North Loraine, Suite 1070
Midland, Texas 79701

Re: Application of Nearburg Producing Company for an Unorthodox Well
Location, Eddy County, New Mexico

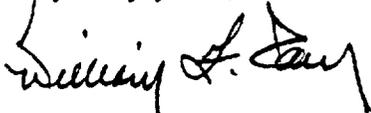
Gentlemen:

This letter is to advise you that Nearburg Producing Company has filed an application with the New Mexico Oil Conservation Division seeking approval of an unorthodox well location for its Emerald 32 Federal No. 2 Well to be drilled at an unorthodox location 2080 feet from the South line and 1400 feet from the West line of Section 32, Township 24 South, Range 29 East, N.M.P.M., Eddy County, New Mexico. The NE/4 SW/4 of Section 32 will be dedicated to this well.

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Very truly yours,



WILLIAM F. CARR
ATTORNEY FOR NEARBURG PRODUCING COMPANY
WFC:mlh

P-106 677 547

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

UTI Energy Corporation
500 North Loraine, Suite 1070
Midland, Texas 79701

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	JUL 24 1992

PS Form 3800, June 1985

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

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1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to:

UTI Energy Corporation
500 North Loraine, Suite 1070
Midland, Texas 79701

4. Article Number
P 106 677 547

Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 COD
 Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address
X

6. Signature - Agent
X Beverly Barr

7. Date of Delivery
7-24-92

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, May 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

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JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

July 24, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Richard A. Barr
500 North Loraine, Suite 1070
Midland, Texas 79701

Re: Application of Nearburg Producing Company for an Unorthodox Well
Location, Eddy County, New Mexico

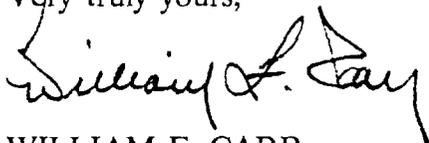
Dear Mr. Barr:

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Very truly yours,



WILLIAM F. CARR
ATTORNEY FOR NEARBURG PRODUCING COMPANY
WFC:mlh

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3. Article Addressed to: Richard A. Barr
 500 North Loraine, Suite 1070
 Midland, Texas 79701

4. Article Number: P 106 677 548

Type of Service:
 Registered Insured
 Certified COD
 Registered Mail Return Receipt for Merchandise

5. Signature - Address: X

6. Signature - Agent: X Beverly Barr

7. Date of Delivery: 7-27-92

8. Addressee's Address (ONLY if requested and fee paid):
 Always obtain signature of addressee or agent and DATE DELIVERED.

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

P-106 677 548

RECEIPT FOR CERTIFIED MAIL
 RECEIPT FOR CERTIFIED MAIL
 RECEIPT FOR CERTIFIED MAIL
 (See Reverse)

Richard A. Barr
 500 North Loraine, Suite 1070
 Midland, Texas 79701

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	JUL 24 1992

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 968-4421
TELECOPIER (505) 983-6043

July 24, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Scott E. Wilson
500 North Loraine, Suite 1070
Midland, Texas 79701

Re: Application of Nearburg Producing Company for an Unorthodox Well
Location, Eddy County, New Mexico

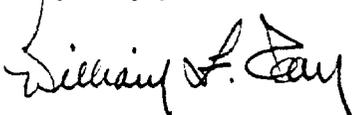
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WFC:mlh

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3. Article Addressed to:

Scott E. Wilson
500 North Loraine, Suite 1070
Midland, Texas 79701

4. Article Number

P 106 677 550

Type of Service:

- Registered
- Certified
- Insured
- Express Mail
- COD
- Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED.**

8. Addressee's Address (ONLY if requested and fee paid)

5. Signature - Address

X

6. Signature - Agent

X

Beverly Barr

7-27-92

7. Date of Delivery

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-866 DOMESTIC RETURN RECEIPT

P-106 677 550

RECEIPT FOR CERTIFIED MAIL
INTERNATIONAL MAIL
(See Reverse)

Scott E. Wilson
500 North Loraine, Suite 1070
Midland, Texas 79701

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	5
Postmark or Date	JUL 24 1992

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

July 24, 1992

CERTIFIED MAIL
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Enron Oil & Gas Company
Post Office Box 2267
Midland, Texas 79702

Re: Application of Nearburg Producing Company for an Unorthodox Well
Location, Eddy County, New Mexico

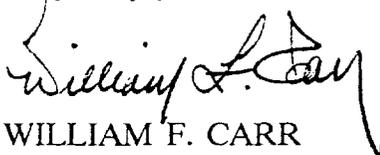
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ATTORNEY FOR NEARBURG PRODUCING COMPANY
WFC:mlh

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& SHERIDAN, P.A.
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JACK M. CAMPBELL
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TELEPHONE: (505) 988-4421
TELECOPIER (505) 983-6043

July 24, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Bettis Brothers, Inc.
500 W. Texas, Suite 830
Midland, Texas 79701

Re: Application of Nearburg Producing Company for an Unorthodox Well
Location, Eddy County, New Mexico

Gentlemen:

This letter is to advise you that Nearburg Producing Company has filed an application with the New Mexico Oil Conservation Division seeking approval of an unorthodox well location for its Emerald 32 Federal No. 2 Well to be drilled at an unorthodox location 2080 feet from the South line and 1400 feet from the West line of Section 32, Township 24 South, Range 29 East, N.M.P.M., Eddy County, New Mexico. The NE/4 SW/4 of Section 32 will be dedicated to this well.

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WILLIAM F. CARR
ATTORNEY FOR NEARBURG PRODUCING COMPANY
WFC:mlh

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 1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to: Bettis Brothers, Inc.
 500 W. Texas, Suite 830
 Midland, Texas 79701
 (Extra charge)

4. Article Number: P 106 677 552
 Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

5. Signature - Address: *Bettis Brothers*
 6. Signature - Agent: *X*
 7. Date of Delivery: 7-27-92

8. Addressee's Address (ONLY if required and fee paid):
 Always obtain signature of addressee or agent and DATE DELIVERED.

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

P-106 677 552

FOR CERTIFIED MAIL
 SPECIAL DELIVERY SERVICE
 (See Reverse)

Bettis Brothers, Inc.
 500 W. Texas, Suite 830
 Midland, Texas 79701

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	JUL 24 1992

PS Form 3800, June 1985