

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF NEARBURG EXPLORATION COMPANY, L.L.C. FOR COMPULSORY POOLING AND AN UNORTHODOX GAS WELL LOCATION, LEA COUNTY, NEW MEXICO.

Case No. 12206

AFFIDAVIT REGARDING NOTICE

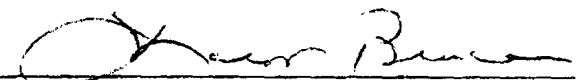
STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Applicant.
3. Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the Application filed herein.
4. Notice of the Application was provided to the interest owners at their correct addresses by mailing them, by certified mail, a copy of the Application. Copies of the notice letters and certified return receipts are attached hereto as Exhibits A and B.
5. Applicant has complied with the notice provisions of Division Rule 1207.


James Bruce

SUBSCRIBED AND SWORN TO before me this 6th day of July, 1999, by James Bruce.


Notary Public

My Commission Expires:
3/14/2001

NEW MEXICO
OIL CONSERVATION DIVISION
EXHIBIT 4

CASE NO

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

3304 CAMINO LISA
SANTA FE, NEW MEXICO 87501

(505) 982-2043
(505) 982-2151 (FAX)

June 3, 1999

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

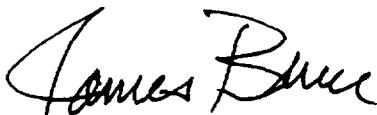
Harvey E. Yates Company
P.O. Box 1933
Roswell, New Mexico 88202

Attention: Vernon D. Dyer

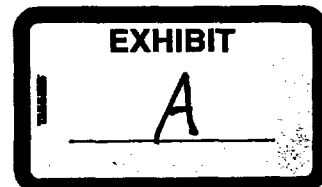
Dear Mr. Vernon Dyer:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Nearburg Exploration Company, L.L.C., regarding the E $\frac{1}{2}$ of Section 24, Township 19 South, Range 33 East, NMPM, Lea County, New Mexico. This matter is scheduled to be heard at 8:15 a.m. on Thursday, June 24, 1999 at the Division's offices at 2040 South Pacheco Street, Santa Fe, New Mexico 87505. As an interest owner in the well unit, you have the right to appear at the hearing and participate in the case. Failure to appear at the hearing will preclude you from contesting this matter at a later date.

Very truly yours,


James Bruce

Attorney for Nearburg
Exploration Company, L.L.C.



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, 8 on the reverse of this form so that we can return this card to you.
- Print your name and add. Attach this form to the front of the mailpiece, or on the back if space does not 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 delivered.

3. Article Addressed to:

Harvey E. Yates Company
P.O. Box 1933
Roswell, New Mexico 88202

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

[Handwritten Signature]

4a. Article Number
2 559 543 934

4b. Service Type

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

7. Date of Delivery

8. Addressee's Address (Only if requested)

[Handwritten Address]



102595-98-B-0229 Domestic Return Receipt

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
 - 2. Restricted Delivery
- Consult postmaster for fee.

Thank you for using Return Receipt Service.

2 559 543 934

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

| | |
|---|-------------|
| Sent to | |
| Harvey E. Yates Company Street, P.O. Box 1933 Roswell, New Mexico 88202 | |
| Post Office, State, & ZIP Code | |
| Postage | \$ 0.55 |
| Certified Fee | 1.40 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to Whom & Date Delivered | 1.25 |
| Return Receipt Showing to Whom, Date, & Addressee's Address | |
| TOTAL Postage & Fees | \$ 3.20 |
| Postmark and Date | JUN 03 1999 |

PS Form 3800 April 1995

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

3304 CAMINO LISA
SANTA FE, NEW MEXICO 87501

(505) 982-2043
(505) 982-2151 (FAX)

June 28, 1999

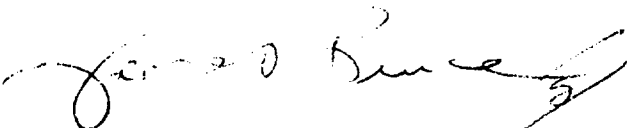
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Spiral, Inc.
Explorers Petroleum Corp.
HEYCO Employees, LTD.
James H. Yates, Inc.
Cokelan Corporation
P. O. Box 1933
Roswell, New Mexico 88202

Dear Sirs:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Nearburg Exploration Company, L.L.C., regarding the E $\frac{1}{2}$ of Section 24, Township 19 South, Range 33 East, NMPM, Lea County, New Mexico. This matter is scheduled to be heard at 8:15 a.m. on Thursday, July 8, 1999 at the Division's offices at 2040 South Pacheco Street, Santa Fe, New Mexico 87505. As an interest owner in the well unit, you have the right to appear at the hearing and participate in the case. Failure to appear at the hearing will preclude you from contesting this matter at a later date.

Very truly yours,



James Bruce

Attorney for Nearburg
Exploration Company, L.L.C.



PS Form 3800, April 1995

Z 181 567 100

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

| | |
|--|-----------------------------|
| Sent to Spiral, Inc., et al, HEYCO, P. O. Box 1933 James Yates | |
| Post Office, State, & ZIP Code Roswell, NM 88202 | |
| Postage | \$ 1.50 |
| Certified Fee | 1.25 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to Whom & Date Delivered | |
| Return Receipt Showing to Whom, Date, & Addressee's Address | |
| TOTAL Postage & Fees | \$ 2.75 |
| Postmark or Date | APR 28 1999 USPS - 87501 |

SENDER:

- Complete items 1 and/o additional services.
- Complete items 3, 4a, & 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not 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 delivered.

3. Article Addressed to:

Spiral, Inc.
 Explorers Petroleum Corp.
 HEYCO Employees, LTD.
 James H. Yates, Inc.
 Cokelan Corporation
 P. O. Box 1933
 Roswell, New Mexico 88202

5. Received By: (Print Name)

Signature: (Addressee or Agent)
[Signature]

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
 - 2. Restricted Delivery
- Consult postmaster for fee.

4a. Article Number

2181567100

4b. Service Type

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

7. Date of Delivery

6-29-99

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

102585-98-B-0229

Domestic Return Receipt

PS Form 3811, December 1994

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.