

**STATE OF NEW MEXICO
MINERALS AND NATURAL RESOURCES
OIL CONSERVATION DIVISION**

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION,
THROUGH THE SUPERVISOR OF DISTRICT I, FOR AN ORDER REQUIRING
GREKA AM, INC. TO BRING SIX WELLS INTO COMPLIANCE WITH
19.15.4.201 NMAC, ASSESSING APPROPRIATE CIVIL PENALTIES, AND
AUTHORIZING THE DIVISION TO PLUG SAID WELLS AND FORFEIT THE
APPLICABLE SECURITY IN DEFAULT OF COMPLIANCE BY THE
OPERATOR; LEA COUNTY, NEW MEXICO.**

CASE NO. 13363.

Affidavit of Jane Prouty

[illegible]

Jane Prouty, being first duly sworn on oath, states as follows:

1. I am employed as the supervisor of production and permitting at the Santa Fe, New Mexico office of the Oil Conservation Division ("OCD").
2. My duties include maintaining records of oil and gas production and injection on wells located in New Mexico.
3. The OCD's information on production and injection comes from monthly production reports filed by the well operators.
4. In 1993 the OCD began using the ONGARD (Oil and Natural Gas Administration and Revenue Database) to record oil and gas production and injection by well. Since 1993, production and injection data from the monthly production reports filed by operators has been entered into ONGARD.
5. When the OCD began using the ONGARD system in 1993, it converted existing production and injection data into ONGARD for those wells that were not shown as "plugged" according to the OCD records available at that time. The pre-1993 production and injection information for each such well was totaled and appears in ONGARD as 1992 production or injection for that well.
6. I have researched the ONGARD records for production and injection information regarding the six wells at issue in the above-captioned case:

Fern Guye #001, API 30-025-34488:

Last produced or injected in 3/2000

Before the OCD
Case 13363
OCD Ex. 7

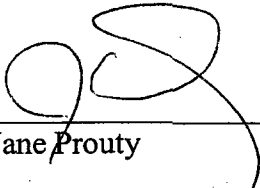
Harton State #001, API 30-025-28540: Last produced or injected in 3/2002
Morris #001, API 30-025-29247: Last produced or injected in 10/2001
Saba State #001, API 30-025-33726: Last produced or injected in 10/2001
San Simon 5 State #001, API 30-025-27564: Last produced or injected in 11/1999
San Simon 5 State #002, API 30-025-28480: Last produced or injected in 8/1998

Attachment A to this affidavit is a printout of the ONGARD production and injection for these wells since January 1, 1997.

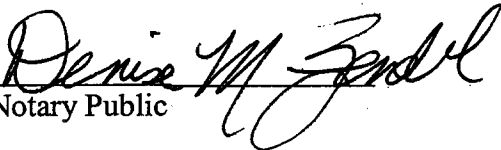
7. The printout shows, for each well, by production month and year, the production of gas, oil and water reported, and the amount of injection reported. If a month and year appear in the report that means that this well was reported on a C-115 with the volumes as indicated. If a month and year do not appear, the well was not reported on the C-115, or no C-115 was submitted to the OCD.

8. None of the six wells has reported production during at least the past two years.

THIS CONCLUDES MY AFFIDAVIT.


Jane Prouty

SUBSCRIBED AND SWORN before me this 12th day of November, 2004.


Notary Public

My Commission Expires:

1-9-08

**NEW MEXICO OIL CONSERVATION DIVISION
WELL PRODUCTION 1997 - PRESENT**

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
34703 SABA ENERGY OF TEXAS INC									
FERN GUYE #001	30-025-34488	M-5-13S-36E	M						
					4/1999	79	50	0	0
					5/1999	123	163	2,580	0
					6/1999	0	91	1,479	0
					7/1999	0	90	1,152	0
					8/1999	0	66	1,285	0
					9/1999	0	0	0	0
					10/1999	0	0	0	0
					11/1999	22	28	266	0
					12/1999	0	0	0	0
					1/2000	0	0	0	0
					2/2000	0	0	112	0
					3/2000	0	0	365	0
					4/2000	0	0	0	0
					5/2000	0	0	0	0
					6/2000	0	0	0	0
					7/2000	0	0	0	0
					8/2000	0	0	0	0
					9/2000	0	0	0	0
					10/2000	0	0	0	0
					11/2000	0	0	0	0
					12/2000	0	0	0	0
					1/2001	0	0	0	0
					2/2001	0	0	0	0
					3/2001	0	0	0	0
					4/2001	0	0	0	0
					5/2001	0	0	0	0
					6/2001	0	0	0	0
					7/2001	0	0	0	0
					8/2001	0	0	0	0
					9/2001	0	0	0	0
					10/2001	0	0	0	0
					11/2001	0	0	0	0
					12/2001	0	0	0	0
					1/2002	0	0	0	0
					2/2002	0	0	0	0

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
FERN GUYE #001	30-025-34488	M-5-13S-36E	M		3/2002	0	0	0	0
					4/2002	0	0	0	0
					5/2002	0	0	0	0
						224	488	7,239	0
HARTON STATE #001	30-025-28540	H-7-13S-36E	H		9/1997	0	2,231	147	0
					10/1997	0	2,948	78	0
					11/1997	0	1,533	224	0
					12/1997	0	1,749	147	0
					1/1998	0	2,150	108	0
					3/1998	1,494	2,919	47	0
					4/1998	1,653	2,447	145	0
					5/1998	3,612	2,606	136	0
					6/1998	3,005	2,038	117	0
					7/1998	1,810	2,227	106	0
					8/1998	1,481	2,004	116	0
					9/1998	1,159	1,639	84	0
					10/1998	1,065	2,025	179	0
					11/1998	823	1,251	75	0
					12/1998	7,094	5,881	145	0
					1/1999	7,384	5,274	29	0
					2/1999	6,332	4,240	12	0
					3/1999	5,658	4,073	0	0
					4/1999	5,161	3,257	14	0
					5/1999	2,506	2,668	0	0
					6/1999	2,883	1,669	0	0
					7/1999	1,871	1,060	0	0
					8/1999	1,126	869	0	0
					9/1999	538	467	3	0
					10/1999	63	58	0	0
					11/1999	1,071	1,428	0	0
					12/1999	0	1,317	0	0
					1/2000	0	3,495	120	0
					2/2000	0	3,908	120	0
					3/2000	0	3,408	1,260	0
					4/2000	0	4,046	0	0
					5/2000	0	4,061	120	0
					6/2000	3,199	3,541	127	0
					7/2000	4,641	3,659	267	0
					8/2000	0	2,685	3,487	0

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
HARTON STATE #001	30-025-28540	H-7-13S-36E	H						
					9/2000	1,956	2,287	586	0
					10/2000	2,297	2,028	945	0
					11/2000	600	2,323	1,920	0
					12/2000	280	2,388	1,927	0
					1/2001	280	2,388	1,927	0
					2/2001	0	1,777	1,794	0
					3/2001	1,609	1,806	2,321	0
					4/2001	1,455	1,644	2,385	0
					5/2001	1,734	1,530	2,569	0
					6/2001	1,406	1,419	2,436	0
					7/2001	1,760	1,442	2,390	0
					8/2001	455	307	2,077	0
					9/2001	0	0	0	0
					10/2001	121	161	188	0
					11/2001	0	1,265	0	0
					12/2001	0	0	0	0
					1/2002	0	0	0	0
					2/2002	0	0	0	0
					3/2002	184	0	0	0
					4/2002	0	0	0	0
					5/2002	0	0	0	0
						79,766	113,596	30,878	0
MORRIS #001	30-025-29247	D-8-13S-36E	D						
					9/1998	726	1,471	268	0
					10/1998	859	734	411	0
					11/1998	0	0	0	0
					12/1998	1,395	1,387	1,921	0
					1/1999	1,996	1,529	3,099	0
					2/1999	896	758	1,669	0
					3/1999	637	525	1,476	0
					4/1999	841	434	1,442	0
					5/1999	314	292	1,324	0
					6/1999	183	172	763	0
					7/1999	286	221	1,225	0
					8/1999	155	95	447	0
					9/1999	0	0	0	0
					10/1999	0	0	0	0
					11/1999	202	276	1,776	0
					12/1999	0	253	1,290	0
					1/2000	0	206	1,045	0

WELL NAME	API	ULSTR	OCD UL	YEAR/MO	GAS	OIL	WATER	INJ
MORRIS #001	30-025-29247	D-8-13S-36E	D					
				2/2000	0	147	1,019	0
				3/2000	0	154	813	0
				4/2000	0	135	960	0
				5/2000	0	161	395	0
				6/2000	90	116	430	0
				7/2000	0	86	678	0
				8/2000	2	0	0	0
				9/2000	0	93	192	0
				10/2000	41	50	663	0
				11/2000	0	0	120	0
				12/2000	0	0	0	0
				1/2001	0	0	0	0
				2/2001	0	0	0	0
				3/2001	0	0	0	0
				4/2001	0	0	0	0
				5/2001	116	101	1,196	0
				6/2001	321	263	2,363	0
				7/2001	60	105	1,208	0
				8/2001	88	90	879	0
				9/2001	0	59	470	0
				10/2001	134	67	1,222	0
				11/2001	0	0	0	0
				12/2001	0	0	0	0
				1/2002	0	0	0	0
				2/2002	0	0	0	0
				3/2002	0	0	0	0
				4/2002	0	0	0	0
				5/2002	0	0	0	0
					9,342	9,980	30,764	0
SABA STATE #001	30-025-33726	I-7-13S-36E	I					
				3/1997	0	3,332	0	0
				4/1997	0	4,215	0	0
				5/1997	0	4,375	0	0
				6/1997	0	2,071	1,772	0
				7/1997	0	213	493	0
				8/1997	0	1,778	4,099	0
				9/1997	0	1,875	4,107	0
				10/1997	0	1,233	4,410	0
				11/1997	0	1,034	4,331	0
				12/1997	0	683	2,893	0

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
SABA STATE #001	30-025-33726	I-7-13S-36E	I						
					1/1998	0	6,949	95	0
					3/1998	4,564	7,737	0	0
					4/1998	4,201	6,298	0	0
					5/1998	5,898	4,929	409	0
					6/1998	3,243	2,653	409	0
					7/1998	610	473	150	0
					8/1998	9,499	9,415	2,651	0
					9/1998	6,346	6,900	1,850	0
					10/1998	6,880	5,640	2,073	0
					11/1998	6,022	5,129	2,199	0
					12/1998	6,925	4,482	2,691	0
					1/1999	3,152	2,444	2,643	0
					2/1999	2,276	2,096	2,667	0
					3/1999	1,293	1,383	2,353	0
					4/1999	1,393	755	2,933	0
					5/1999	1,266	1,458	0	0
					6/1999	1,486	1,091	0	0
					7/1999	636	613	0	0
					8/1999	1,107	1,599	3,393	0
					9/1999	998	1,267	2,553	0
					10/1999	120	1,115	4,102	0
					11/1999	0	93	94	0
					12/1999	0	602	3,680	0
					1/2000	0	497	3,054	0
					2/2000	0	908	5,183	0
					3/2000	0	993	3,401	0
					4/2000	0	756	3,520	0
					5/2000	0	503	3,520	0
					6/2000	26	650	1,331	0
					7/2000	146	422	3,778	0
					8/2000	89	336	2,415	0
					9/2000	0	255	659	0
					10/2000	0	497	4,355	0
					11/2000	0	0	0	0
					12/2000	0	0	0	0
					1/2001	0	0	0	0
					2/2001	0	0	0	0
					3/2001	0	0	0	0
					4/2001	0	0	0	0
					5/2001	66	151	744	0

WELL NAME	API	ULSTR	UL	YEAR/MO	GAS	OIL	WATER	INJ
SABA STATE #001	30-025-33726	I-7-13S-36E	I					
				6/2001	2.457	414	5.513	0
				7/2001	0	13	168	0
				8/2001	82	353	4.372	0
				9/2001	32	0	0	0
				10/2001	0	67	1.222	0
				11/2001	0	0	0	0
				12/2001	0	0	0	0
				1/2002	0	0	0	0
				2/2002	0	0	0	0
				3/2002	0	0	0	0
				4/2002	0	0	0	0
				5/2002	0	0	0	0
					70.813	102.745	102.285	0
SAN SIMON 5 STATE #001	30-025-27564	E-5-22S-35E	E					
				1/1997	511	0	0	0
				2/1997	551	0	0	0
				3/1997	751	0	0	0
				4/1997	311	0	0	0
				5/1997	437	0	0	0
				6/1997	174	0	0	0
				7/1997	506	0	0	0
				8/1997	868	0	0	0
				9/1997	800	0	0	0
				10/1997	511	0	0	0
				11/1997	379	0	0	0
				12/1997	324	0	0	0
				1/1998	544	0	0	0
				2/1998	312	0	0	0
				3/1998	277	0	0	0
				4/1998	59	0	0	0
				5/1998	0	0	0	0
				6/1998	31	0	0	0
				7/1998	150	0	0	0
				8/1998	5	0	0	0
				9/1998	621	0	0	0
				10/1998	662	0	0	0
				11/1998	592	0	0	0
				12/1998	0	0	0	0
				1/1999	72	0	0	0
				2/1999	88	0	0	0

WELL NAME	API	ULSTR	OCD UL	YEAR/MO	GAS	OIL	WATER	INJ
SAN SIMON 5 STATE #001	30-025-27564	E-5 -22S-35E	E					
				3/1999	77	0	0	0
				4/1999	167	0	0	0
				5/1999	110	0	0	0
				6/1999	99	0	0	0
				7/1999	99	0	0	0
				8/1999	99	0	0	0
				9/1999	99	0	0	0
				10/1999	96	0	0	0
				11/1999	100	0	0	0
				12/1999	0	0	0	0
				1/2000	0	0	0	0
				2/2000	0	0	0	0
				3/2000	0	0	0	0
				4/2000	0	0	0	0
				5/2000	0	0	0	0
				6/2000	0	0	0	0
				7/2000	0	0	0	0
				8/2000	0	0	0	0
				9/2000	0	0	0	0
				10/2000	0	0	0	0
				11/2000	0	0	0	0
				12/2000	0	0	0	0
				1/2001	0	0	0	0
				2/2001	0	0	0	0
				3/2001	0	0	0	0
				4/2001	0	0	0	0
				5/2001	0	0	0	0
				6/2001	0	0	0	0
				7/2001	0	0	0	0
				8/2001	0	0	0	0
				9/2001	0	0	0	0
				10/2001	0	0	0	0
				11/2001	0	0	0	0
				12/2001	0	0	0	0
					10,482	0	0	0
SAN SIMON 5 STATE #002	30-025-28480	G-5 -22S-35E	G					
				1/1997	7	0	0	0
				2/1997	28	0	0	0
				3/1997	240	0	0	0
				4/1997	26	0	0	0

Friday, November 12, 2004

WELL NAME	API	ULSTR	OCD UL	YEAR/MO	GAS	OIL	WATER	INJ
SAN SIMON 5 STATE #002 30-025-28480 G-5 -22S-35E G								
				5/1997	316	0	0	0
				6/1997	400	0	0	0
				7/1997	440	0	0	0
				8/1997	457	0	0	0
				9/1997	415	0	0	0
				10/1997	21	0	0	0
				11/1997	4	0	0	0
				12/1997	0	0	0	0
				1/1998	0	0	0	0
				2/1998	0	0	0	0
				3/1998	0	0	0	0
				4/1998	0	0	0	0
				5/1998	0	0	0	0
				6/1998	15	0	0	0
				7/1998	0	0	0	0
				8/1998	55	0	0	0
				9/1998	0	0	0	0
				10/1998	0	0	0	0
				11/1998	0	0	0	0
				12/1998	0	0	0	0
				1/1999	0	0	0	0
				2/1999	0	0	0	0
				3/1999	0	0	0	0
				4/1999	0	0	0	0
				5/1999	0	0	0	0
				6/1999	0	0	0	0
				7/1999	0	0	0	0
				8/1999	0	0	0	0
				9/1999	0	0	0	0
				11/1999	0	0	0	0
				12/1999	0	0	0	0
				1/2000	0	0	0	0
				2/2000	0	0	0	0
				3/2000	0	0	0	0
				4/2000	0	0	0	0
				5/2000	0	0	0	0
				6/2000	0	0	0	0
				7/2000	0	0	0	0
				8/2000	0	0	0	0
				9/2000	0	0	0	0

WELL NAME	API	ULSTR	OCD		YEAR/MO	GAS	OIL	WATER	INJ
			UL	G					
SAN SIMON 5 STATE #002	30-025-28480	G-5-22S-35E	G		10/2000	0	0	0	0
					11/2000	0	0	0	0
					12/2000	0	0	0	0
					1/2001	0	0	0	0
					2/2001	0	0	0	0
					3/2001	0	0	0	0
					4/2001	0	0	0	0
					5/2001	0	0	0	0
					6/2001	0	0	0	0
					7/2001	0	0	0	0
					8/2001	0	0	0	0
					9/2001	0	0	0	0
					10/2001	0	0	0	0
					11/2001	0	0	0	0
					12/2001	0	0	0	0
					2.424	0	0	0	