

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

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION,
THROUGH THE SUPERVISOR OF DISTRICT I, FOR AN ORDER
DETERMINING THAT ORBIT ENERGY INC. KNOWINGLY AND
WILLFULLY VIOLATED 19.15.4.201 NMAC; REQUIRING ORBIT ENERGY
INC. TO BRING FIVE WELLS INTO COMPLIANCE WITH 19.15.4.201 NMAC;
ASSESSING APPROPRIATE CIVIL PENALTIES; AND IN THE EVENT OF
NON-COMPLIANCE, AUTHORIZING THE DIVISION TO PLUG SAID WELLS
AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCES; ROOSEVELT
COUNTY, NEW MEXICO.**

CASE NO. 13373

Affidavit of Jane Prouty

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

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 under the last month of production or injection for that well.

**Before the OCD
Case 13373
OCD Ex. 2**

6. I have researched the ONGARD records for production and injection information regarding the following wells:

Farrell Federal #010, API 30-041-10446, F-28-7S-33E
James McFarland #004, API 30-041-10567, L-20-7S-33E
Humble Federal #005, API 30-041-20116, B-26-7S-32E
State BA #001, API 30-041-10003, A-34-7S-35E
State BA #002, API 30-041-20048, H-34-7S-35E

7. The last production shown in ONGARD for the wells is as follows:

Farrell Federal #010, API 30-041-10446, F-28-7S-33E:	02/1996
James McFarland #004, API 30-041-10567, L-20-7S-33E:	03/1996
Humble Federal #005, API 30-041-20116, B-26-7S-32E:	NONE
State BA #001, API 30-041-10003, A-34-7S-35E:	05/1997
State BA #002, API 30-041-20048, H-34-7S-35E:	04/1997

8. A report of production for these wells since January, 1997 is attached.

9. I researched the error files for reports on the wells identified in paragraph 6, above, found no record of any attempt to submit production or injection information for these wells in ONGARD.

THIS CONCLUDES MY AFFIDAVIT.


Jane Prouty

SUBSCRIBED AND SWORN before me this 18th day of October, 2004.


Notary Public

My Commission Expires:

4/2/07

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

OCD

WELL NAME

API

ULSTR

UL

YEAR/MO

GAS

OIL

WATER

INJ

227083 ORBIT ENERGY INC

FARRELL FEDERAL #010

30-041-10446 F-28-07S-33E F

1/1997	0	0	0	0
2/1997	0	0	0	0
3/1997	0	0	0	0
4/1997	0	0	0	0
5/1997	0	0	0	0
6/1997	0	0	0	0
7/1997	0	0	0	0
8/1997	0	0	0	0
9/1997	0	0	0	0
10/1997	0	0	0	0
11/1997	0	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	0	0	0	0
7/1998	0	0	0	0
8/1998	0	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
10/1999	0	0	0	0
11/1999	0	0	0	0

Attachment A

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
FARRELL FEDERAL #010	30-041-10446	F-28-07S-33E	F		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
					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
					6/2002	0	0	0	0
					7/2002	0	0	0	0
					8/2002	0	0	0	0
					9/2002	0	0	0	0
					10/2002	0	0	0	0
					11/2002	0	0	0	0
					12/2002	0	0	0	0
					1/2003	0	0	0	0
					2/2003	0	0	0	0
					3/2003	0	0	0	0

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
FARRELL FEDERAL #010	30-041-10446	F-28-07S-33E	F		4/2003	0	0	0	0
					5/2003	0	0	0	0
					6/2003	0	0	0	0
					7/2003	0	0	0	0
					8/2003	0	0	0	0
					9/2003	0	0	0	0
					10/2003	0	0	0	0
					11/2003	0	0	0	0
					12/2003	0	0	0	0
					1/2004	0	0	0	0
						0	0	0	0
HUMBLE FEDERAL #005	30-041-20116	B-26-07S-32E	B		1/1997	0	0	0	0
					2/1997	0	0	0	0
					3/1997	0	0	0	0
					4/1997	0	0	0	0
					5/1997	0	0	0	0
					6/1997	0	0	0	0
					7/1997	0	0	0	0
					8/1997	0	0	0	0
					9/1997	0	0	0	0
					10/1997	0	0	0	0
					11/1997	0	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	0	0	0	0
					7/1998	0	0	0	0
					8/1998	0	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

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
HUMBLE FEDERAL #005	30-041-20116	B-26-07S-32E	B		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
					10/1999	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
					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
					3/2002	0	0	0	0
					4/2002	0	0	0	0
					5/2002	0	0	0	0
					6/2002	0	0	0	0
					7/2002	0	0	0	0
					8/2002	0	0	0	0

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
HUMBLE FEDERAL #005	30-041-20116	B-26-07S-32E	B		9/2002	0	0	0	0
					10/2002	0	0	0	0
					11/2002	0	0	0	0
					12/2002	0	0	0	0
					1/2003	0	0	0	0
					2/2003	0	0	0	0
					3/2003	0	0	0	0
					4/2003	0	0	0	0
					5/2003	0	0	0	0
					6/2003	0	0	0	0
					7/2003	0	0	0	0
					8/2003	0	0	0	0
					9/2003	0	0	0	0
					10/2003	0	0	0	0
					11/2003	0	0	0	0
					12/2003	0	0	0	0
					1/2004	0	0	0	0
JAMES MCFARLAND #004	30-041-10567	L-20-07S-33E	L		1/1997	0	0	0	0
					2/1997	0	0	0	0
					3/1997	0	0	0	0
					4/1997	0	0	0	0
					5/1997	0	0	0	0
					6/1997	0	0	0	0
					7/1997	0	0	0	0
					8/1997	0	0	0	0
					9/1997	0	0	0	0
					10/1997	0	0	0	0
					11/1997	0	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	0	0	0	0
					7/1998	0	0	0	0
					8/1998	0	0	0	0
					9/1998	0	0	0	0

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
JAMES MCFARLAND #004	30-041-10567	L-20-07S-33E	L		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
					10/1999	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
					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

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
JAMES MCFARLAND #004	30-041-10567	L-20-07S-33E	L		2/2002	0	0	0	0
					3/2002	0	0	0	0
					4/2002	0	0	0	0
					5/2002	0	0	0	0
					6/2002	0	0	0	0
					7/2002	0	0	0	0
					8/2002	0	0	0	0
					9/2002	0	0	0	0
					10/2002	0	0	0	0
					11/2002	0	0	0	0
					12/2002	0	0	0	0
					1/2003	0	0	0	0
					2/2003	0	0	0	0
					3/2003	0	0	0	0
					4/2003	0	0	0	0
					5/2003	0	0	0	0
					6/2003	0	0	0	0
					7/2003	0	0	0	0
					8/2003	0	0	0	0
					9/2003	0	0	0	0
					10/2003	0	0	0	0
					11/2003	0	0	0	0
					12/2003	0	0	0	0
					1/2004	0	0	0	0
						0	0	0	0
STATE BA #001	30-041-10003	A-34-07S-35E	A		1/1997	0	1	20	0
					2/1997	0	1	20	0
					3/1997	0	1	20	0
					4/1997	0	1	20	0
					5/1997	0	1	20	0
					6/1997	0	0	0	0
					7/1997	0	0	0	0
					8/1997	0	0	0	0
					9/1997	0	0	0	0
					10/1997	0	0	0	0
					11/1997	0	0	0	0
					12/1997	0	0	0	0
					1/1998	0	0	0	0
					2/1998	0	0	0	0

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
STATE BA #001	30-041-10003	A-34-07S-35E	A		3/1998	0	0	0	0
					4/1998	0	0	0	0
					5/1998	0	0	0	0
					6/1998	0	0	0	0
					7/1998	0	0	0	0
					8/1998	0	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
					10/1999	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
					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

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
STATE BA #001	30-041-10003	A-34-07S-35E	A		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
					3/2002	0	0	0	0
					4/2002	0	0	0	0
					5/2002	0	0	0	0
					6/2002	0	0	0	0
					7/2002	0	0	0	0
					8/2002	0	0	0	0
					9/2002	0	0	0	0
					10/2002	0	0	0	0
					11/2002	0	0	0	0
					12/2002	0	0	0	0
					1/2003	0	0	0	0
					2/2003	0	0	0	0
					3/2003	0	0	0	0
					4/2003	0	0	0	0
					5/2003	0	0	0	0
					6/2003	0	0	0	0
					7/2003	0	0	0	0
					8/2003	0	0	0	0
					9/2003	0	0	0	0
					10/2003	0	0	0	0
					11/2003	0	0	0	0
					12/2003	0	0	0	0
					1/2004	0	0	0	0
						0	5	100	0
STATE BA #002	30-041-20048	H-34-07S-35E	H		1/1997	0	2	20	0
					2/1997	0	2	20	0
					3/1997	0	3	30	0
					4/1997	0	1	10	0
					5/1997	0	0	0	0
					6/1997	0	0	0	0
					7/1997	0	0	0	0

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
STATE BA #002	30-041-20048	H-34-07S-35E	H		8/1997	0	0	0	0
					9/1997	0	0	0	0
					10/1997	0	0	0	0
					11/1997	0	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	0	0	0	0
					7/1998	0	0	0	0
					8/1998	0	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
					10/1999	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
					10/2000	0	0	0	0
					11/2000	0	0	0	0

WELL NAME	API	ULSTR	UL	OCD	YEAR/MO	GAS	OIL	WATER	INJ
STATE BA #002	30-041-20048	H-34-07S-35E	H		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
					3/2002	0	0	0	0
					4/2002	0	0	0	0
					5/2002	0	0	0	0
					6/2002	0	0	0	0
					7/2002	0	0	0	0
					8/2002	0	0	0	0
					9/2002	0	0	0	0
					10/2002	0	0	0	0
					11/2002	0	0	0	0
					12/2002	0	0	0	0
					1/2003	0	0	0	0
					2/2003	0	0	0	0
					3/2003	0	0	0	0
					4/2003	0	0	0	0
					5/2003	0	0	0	0
					6/2003	0	0	0	0
					7/2003	0	0	0	0
					8/2003	0	0	0	0
					9/2003	0	0	0	0
					10/2003	0	0	0	0
					11/2003	0	0	0	0
					12/2003	0	0	0	0
					1/2004	0	0	0	0
						0	8	80	0