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

APPLICATION OF MARSHALL & WINSTON, INC. FOR APPROVAL OF A NON-STANDARD OIL SPACING AND PRORATION UNIT AND COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

Case No. 14,962

AFFIDAVIT OF NOTICE
COUNTY OF SANTA FE)
STATE OF NEW MEXICO)
James Bruce, being duly sworn upon his oath, deposes and states:
I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Marshall & Winston, Inc.
3. Marshall & Winston, Inc. 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 last known addresses, by certified mail. Copies of the notice letter and certified return receipt are attached hereto as Exhibit 1.
5. Applicant has complied with the notice provisions of Division Rules NMAC 19.15.4.9 and 19.15.4.12.C. James Bruce
SUBSCRIBED AND SWORN TO before me this 4th day of March, 2013 by James Bruce.
My Commission Expires: 3/14/-13 Notary Public
Oil Conservation Division Case No.

Exhibit No.

JAMES BRUCE ATTORNEY AT LAW

POST OFFICE BOX 1056 SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213 SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone) (505) 660-6612 (Cell) (505) 982-2151 (Fax)

jamesbruc@aol.com

February 14, 2013

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Enclosed is a copy of an application for a non-standard well unit, an unorthodox location, and compulsory pooling filed with the New Mexico Oil Conservation Division by Marshall & Winston, Inc., regarding a well located in the S½ of Section 3, Township 19 South, Range 32 East, N.M.P.M., Lea County, New Mexico.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, March 7, 2013, in Porter Hall at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. 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 contesting the matter at a later date.

A party appearing in a Division case is required by Division Rules to file a Pre-Hearing Statement no later than Thursday, February 28, 2013. This statement must be filed with the Division's Santa Fe office at the above address, and should include: The names of the party and its attorney; a concise statement of the case; the names of the 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 need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned.

Very truly yours,

James Bruce

Attorney for Marshall & Winston, Inc.

EXHIBIT____

EXHIBIT A

Endurance Properties, Inc. 15455 Dallas Parkway, Suite 150 Addison, Texas 75001

S & C Construction, Inc. P. O. Box 1509 Whitefish, Montana 59937

SherrFive, LP 812 Eagle Pointe Montgomery, Texas 77316

Yates Petroleum Corporation 105 South Fourth Street Artesia, New Mexico 88210

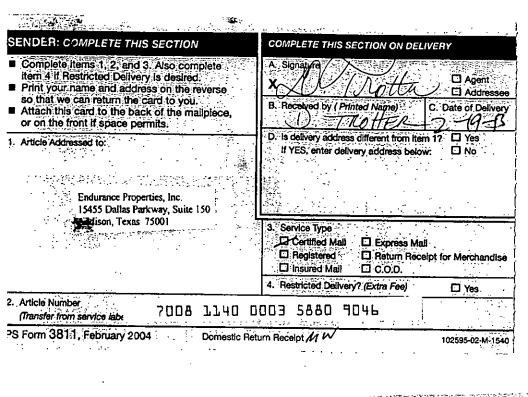
Kenneth L. Hewitt 50 Lamsden Lane SW Atlanta, Georgia 30327

J. C. Johnson, Individually and as Personal Representative of the Estate of Dorothy M. Johnson 1000 Huff Road Pampa, Texas 79065

Jack G. Roberts 5300 Hill North Dale Drive 4 Road 1768 Farmington, New Mexico 87401

Larry M. Newell, Individually and as Independent Executor of the Estate of Clay Newell 5016 Byers Avenue Fort Worth, Texas 76107

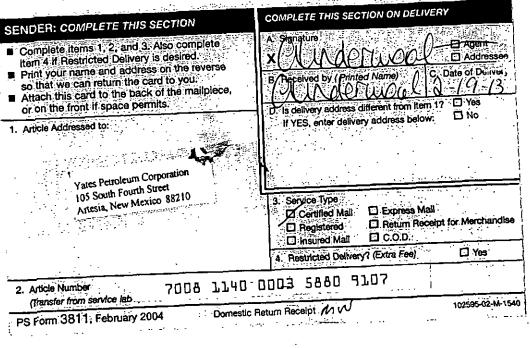
Helen G. Newell 2002 Boyd Street Midland, Texas 79701





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7	Total Postage & Fees	\$	\$6.31	_\\\	214/2013		
ייייי	Sent To Endurance Properties, Inc. Street, Apt. No.: 15455 Dallas Parkway, Suite 150 or PO Box No. Addison, Texas 75001 City, State, ZIP+4						
	PS Form 3800, August 2	006		s	ee Reverse fo	r Instructions	

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Kenneth L. Hewitt 50 Lamsden Lane SW Atlanta, Georgia 30327	3 Seprice Type Certified Mail: Express Mall: Registered: Return Receipt for Merchandis Insured Mail: C.O.D 4. Restricted Delivery? (Extra Fee): Yes
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Whitefish, Montana 59937	3. Service Type 2. Certified Mall
<u>. 40 * </u>	4. Restricted Delivery? (Extra Fee)
2. Article Number 7008 1140	0003 5880 5121

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GATE & TIME February 19, 2013, 5:11 pm

MONTGOMERY, TX 77316 Expected Delivery By: February 19, 2013

Certified Mail* Return Receipt

Arrival at Unit

February 19, 2013, 12,02 pm

MONTGOMERY, TX 77356

Depart USPS Sort Facility

February 17, 2013

NORTH HOUSTON TX 77315

Processed at USPS

February 17, 2013, 4:34 am

NORTH

Origin Sort Facility Dispatched to Sort February 14, 2013, 4:19 pm HOUSTON, TX 77315

SANTA FE, NM 87501

Acceptance

February 14, 2013, 2.07 pm

SANTA FE, NM 87501

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Depart USPS Sor Facility March 01, 2013

ALBUQUERQUE, NM 87101 Expected Delivery By:

February 19, 2013
Certified Mail*
Return Receipt

Processed through USPS Sort Facility

Depart USPS Sort F

February 25, 2013

March 01, 2013, 2:24 am

ALBUQUERQUE, NM 87101
MIDLAND, TX 79711

Facility
Processed at USPS Feb

February 24, 2013, 5 02 am

MIDLAND, TX 79711

Origin Sort Facility
Dispatched to Sort

February 14, 2013, 4:19 pm

SANTA FE. NM 87501

Facility Acceptance

e February 14, 2013, 2 03 pm

SANTA FE. NM 87501

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February 16, 2013, 9:23 am

FFATURES

FORT WORTH, TX 76107 Expected Delivery By:

February 19, 2013 Certified Mail* Return Receipt

Dispatched to Sort

February 14, 2013, 4.19 pm

SANTA FE, NM 87501

Facility

Acceptance

February 14, 2013, 2:04 pm

SANTA FE, NM 87501

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Notice Left

EM	DATE & TIME
	February 15, 2013, 8.07 am

FARMINGTON, NM 87401

Expected Delivery By: February 16, 2013 Certified Mad* Return Receipt

Arrival at Unit

February 15, 2013, 7 09 am

FARMINGTON, NM 87401

Depart USPS Sort Facility Processed at USPS February 15, 2013

ALBUQUERQUE, NM 87101

Ongin Sort Facility Dispatched to Sort February 14, 2013, 11:35 pm February 14, 2013, 4:19 pm

AUBUQUERQUE, NM 87101 SANTA FE, NM 87501

Facility

February 14, 2013, 2:05 pm Acceptance

SANTA FE, NM 87501

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DATE & TIME		
February 16, 2013, 7;24 am		

LOCATION
PAMPA TX 79065

Expected Delivery By: February 19, 2013 Certified Mail** Return Receipt

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Facility

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Origin Sort Facility
Dispatched to Sort

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February 16, 2013

AMARILLO, TX 79120

AMARILLO, TX 79120

SANTA FE, NM 87501

Facility
Acceptance Fabruary 14, 2013, 2:05 pm SANTA FE, NM 87501

February 15, 2013, 11:28 pm

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