

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

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION FOR
AN ORDER REQUIRING FI-RO CORP. TO PLUG SIX WELLS AND
ORDERING A FORFEITURE OF APPLICABLE FINANCIAL ASSURANCE IN
EVENT OF OPERAOR'S NON-COMPLIANCE; EDDY COUNTY, NEW
MEXICO.**

CASE NO. 13657

AFFIDAVIT OF NOTICE

I, David K. Brooks, Assistant General Counsel of the Energy, Minerals and Natural Resources Department of the State of New Mexico, and counsel of record for the Oil Conservation Division in this case, hereby state that notice of the hearing of this case on March 2, 2006 has been provided to the respondents, Southeastern Petroleum, Inc. and Underwriters Indemnity Company, as follows:

1. On February 3, 2006 the OCD mailed the notification letter attached as Exhibit A to this affidavit by certified mail, return receipt requested, to respondent Fi-Ro Corporation at the address shown on Exhibit A. The division has no valid address for respondent in its files. The address on Exhibit A is the address of Fi-Ro Corporation's registered agent in New Mexico. Exhibit B to this affidavit is a copy of the receipt for certified mail and return receipt evidencing the mailing of Exhibit A. The division has received neither a return receipt nor returned mail from the United States Postal Service with respect to this mailing.
2. On February 7, 2006, the OCD caused a notice of this hearing to be published in the Artesia Daily Press, a newspaper of general circulation in Eddy County, New Mexico. Exhibit C hereto is a copy of the publisher's affidavit evidencing this publication.


Further affiant sayeth not.



David K. Brooks

Subscribed and sworn to before me this 1st day of March, 2006.

SEAL



Notary Public Dorothy Phillips
My commission expires 4/2, 2007.

Case No. 13657
March 2, 2006
Exhibit 10



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

January 31, 2006

Fi-Ro Corporation
c/o Beth McDonald
2370A North Grand
Roswell, NM 88202

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Re: Case No. 13657: Application of the New Mexico Oil Conservation Division for an Order Requiring Fi-Ro Corporation to Plug Six Wells; Eddy County, New Mexico

Ladies and Gentlemen:

You are hereby notified that the New Mexico Oil Conservation Division has filed the referenced Application (copy enclosed), seeking an Order requiring you to properly plug and abandon six wells in Eddy County, New Mexico, identified in said application.

A hearing on this application will take place before a Division hearing examiner on Thursday, March 2, 2006, at 8:15 a.m., in Porter Hall, First Floor, 1220 South St. Francis Drive in Santa Fe, New Mexico. At that hearing you will have an opportunity to show cause why an order should not be entered as requested in the Application.

Inquiries concerning this application may be directed to the undersigned in the Santa Fe office of the Division at (505)-476-3450.

Very truly yours,

David K. Brooks
Assistant General Counsel

cc: Tim Gum, District Supervisor

*Exhibit A to
Affidavit of Notice
Case No. 13657*

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.64

Postmark
 FEB 15 2005
 CORONADO STATION

Sent To
 Fi-Ro Corporation
 c/o Beth McDonald
 9374 North Grand
 Roswell, NM 88202

PS Form 3800, June 2002

See Reverse for Instructions

Exhibit B to
 Affidavit of Notice
 Case No 13657

OIS
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Affidavit of Publication

Copy of

NO. 19147

STATE OF NEW MEXICO

County of Eddy:

Gary D. Scott being duly

sworn, says: That he is the Publisher of The

Artesia Daily Press, a daily newspaper of general

circulation, published in English at Artesia, said county

and county and state, and that the here to attached

Legal Notice

was published in a regular and entire issue of the said

Artesia Daily Press, a daily newspaper duly qualified

for that purpose within the meaning of Chapter 167 of

the 1937 Session Laws of the state of New Mexico for

1 Consecutiv week/days on the same

day as follows:

First Publication February 7 2006

Second Publication

Third Publication

Fourth Publication

Subscribed and sworn to before me this

7th Day February 2006

Barbara Ann Coons

Notary Public, Eddy County, New Mexico

My Commission expires September :23, 2007

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

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on March 2, 2006, in the Oil Conservation Division Hearing Room at 1220 South St. Francis Drive, Santa Fe, New Mexico, before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by February 20, 2006. Public documents, including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed.

STATE OF NEW MEXICO TO:

All named parties and persons having any right, title, interest or claim in the following cases and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

CASE 13657: Application of the New Mexico Oil Conservation Division for an Order Requiring FI-Ro Corporation to Plug Six Wells, Eddy County, New Mexico.

The Applicant seeks an order requiring FI-Ro Corp. to plug the following wells:

Well Name

API No.

Location

Eddy 35 State No. 1

30-015-23044

1980 FNL, 1980

Exhibit C
to Affidavit of
Notice
Case No 13657

day as follows:

First Publication February 7 2006

Second Publication

Third Publication

Fourth Publication

Barbara Ann Coons

Subscribed and sworn to before me this

7th Day February 2006

Barbara Ann Coons

Notary Public, Eddy County, New Mexico

My Commission expires September 23, 2007

Davidson if a summary or other type of accessible form is needed.

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The Applicant seeks an order requiring Fi-Ro Corp. to plug the following wells:

Well Name

API No.

Location

Eddy 35 State No. 1
30-015-23044
1980 FNL, 1980
F E L
G-35-18S-24E

Fo Fo No. 1
30-015-22866
2310 FNL, 990
F W L
E-32-19S-27E

Fo Fo No. 2
30-015-22867
1650 FNL, 1650
F W L
F-32-19S-27E

Fo Fo No. 3
30-015-22868
1650 FNL, 990
F W L
E-32-19S-27E

Tidewater State No. 1
30-015-04656
2310 FNL, 1650
F E L
G-36-19S-30E

Tidewater State No. 2
30-015-04655
1650 FSL, 1650
F E L
J-36-19S-30E

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 2nd day of February, 2006.

STATE OF NEW MEXICO

OIL CONSERVATION DIVISION

Mark E. Fesmire, P. E.
Division Director

S E A L

Published in the Artesia Daily Press, Artesia, N.M. February 7, 2006.