



**EXHIBIT A**

**APPLICATION OF  
MARBOB ENERGY CORPORATION  
FOR COMPULSORY POOLING  
E/2 OF SECTION 14, TOWNSHIP 22 SOUTH, RANGE 26 EAST, N.M.P.M.  
EDDY COUNTY, NEW MEXICO.**

Ruth Monk  
Landsund Health Service Center  
1900 Westridge  
Carlsbad, New Mexico 88220

Larry Gene Davis  
1620 Pine Bluff Ave  
Orlando, Florida 32806

Donald Davis  
2719 Rochell Point  
Irving, Texas 75062

Gerald Adkins  
Address Unknown

Rudolfo Valenzuela  
Address Unknown

Martin Fickel  
Address Unknown

M. H. Holley  
Address Unknown

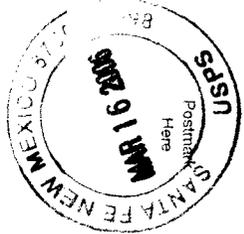
7001 1140 0002 9557 9276

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only, No Insurance Coverage Provided)

WFD  
Postage \$ 1.87  
44503.0002 Certified Fee 2.40  
Return Receipt Fee (Endorsement Required) 1.55  
Restricted Delivery Fee (Endorsement Required)  
Total Postage & Fees \$ 5.12

Sent To  
**Donald Davis**

Street, Apt. No. 2719 Rochell Point  
or PO Box No.  
City, State, Zip Irving, Texas 75062



PS Form 3811

7001 1140 0002 9557 9269

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only, No Insurance Coverage Provided)

WFD  
Postage \$ 1.87  
44503.0002 Certified Fee 2.40  
Return Receipt Fee (Endorsement Required) 1.55  
Restricted Delivery Fee (Endorsement Required)  
Total Postage & Fees \$ 5.12

Sent To  
**Larry Gene Davis**

Street, Apt. No. 1620 Pine Bluff Ave  
or PO Box No.  
City, State, Zip Orlando, Florida 32806



PS Form 3811

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Donald Davis**  
2719 Rochell Point  
Irving, Texas 75062

2. Article Number (Copy #) **7001 1140 0002 9557 9276**

PS Form 3811, July 1999

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) **Robert L Davis** B. Date of Delivery **3-23**

C. Signature *Robert L Davis*

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

Agent  Addressee

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- C.O.D.
- Express Mail
- Return Receipt for Merchandise

4. Restricted Delivery? (Extra Fee)  Yes

102595-00-M-0952

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Larry Gene Davis**  
1620 Pine Bluff Ave  
Orlando, Florida 32806

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) **ROBERT L DAVIS** B. Date of Delivery

C. Signature *Robert L Davis*

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

Agent  Addressee

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- C.O.D.
- Express Mail
- Return Receipt for Merchandise

4. Restricted Delivery? (Extra Fee)  Yes

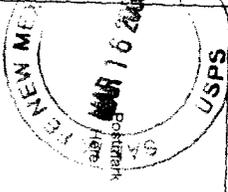
PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only - No Insurance Coverage Provided)

44503 AC02 LTD	Postage	\$ 1.87
	Certified Fee	2.40
	Return Receipt Fee (endorsement required)	1.85
	Restricted Delivery Fee (endorsement required)	
	Total Postage & Fees	\$ 5.12



**Sent To**  
 Ruth Monk  
 Street, Apt. No. or PO Box No.: Landsund Health Service Center  
 1900 Westridge  
 City, State, Zip+: Carlsbad, New Mexico 88220

2525 9557 2000 0411 1002

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ruth Monk  
 Landsund Health Service Center  
 1900 Westridge  
 Carlsbad, New Mexico 88220

2. Article Number (Copy from)

2001 1140 0002 9557 9252

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) **MARSHA DRAPPAH** B. Date of Delivery **3-29-06**

C. Signature *Marsha Drappa*  Agent  Addressee

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes



March 16, 2006

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**TO ALL AFFECTED INTEREST OWNERS**

Re: Application of Marbob Energy Corporation for compulsory pooling, Eddy County, New Mexico.

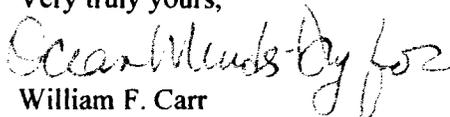
Ladies and Gentlemen:

This letter is to advise you that Marbob Energy Corporation has filed the enclosed application with the New Mexico Oil Conservation Division seeking the compulsory pooling of certain spacing and proration units in the E/2 of Section 14, Township 22 South, Range 26 East, N.M.P.M., Eddy County, New Mexico. Said units are to be dedicated to dedicate its Whiskey Girl Fee Well No. 1 (API No. 30-015-34631) to be drilled as a deviated well from an unorthodox surface location 464 feet from the South line and 1119 from the East line to a bottomhole location 660 feet from the South line and 990 feet from the East line (Unit P) of said Section 14, to an approximate depth of 11,800 feet to test any and all formations from surface to the base of the Morrow formation.

This application has been set for hearing before a Division Examiner on April 13, 2006. 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 challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 1208.B to file a Pre-Hearing Statement with the Oil Conservation Division's Santa Fe office located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505, four days in advance of a scheduled hearing but in no event later than 5:00 pm Mountain Time on the Thursday preceding the scheduled hearing date. This statement must include: the names of the parties and their attorneys; a concise statement of the case; the names of all 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 are to be resolved prior to the hearing.

Very truly yours,

  
William F. Carr

cc: Ross Duncan  
Raye Miller  
Marbob Energy Corporation

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

**IN THE MATTER OF THE APPLICATION OF  
MARBOB ENERGY CORPORATION  
FOR COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO.**

CASE NO. \_\_\_\_\_

**APPLICATION**

MARBOB ENERGY CORPORATION ("Marbob"), through its undersigned attorneys, hereby makes application pursuant to the provisions of N.M.Stat. Ann. 70-2-17, (1978), for an order pooling all mineral interests from surface to the base of the Morrow formation in the following described spacing and proration units located in the E/2 of Section 14, Township 22 South, Range 26 East, N.M.P.M., Eddy County, New Mexico: the E/2 for all formations and/or pools developed on 320-acre spacing which includes but is not limited to the Undesignated South Carlsbad-Morrow Gas Pool, Undesignated South Carlsbad-Atoka Gas Pool, South Carlsbad-Wolfcamp Pool, Undesignated South Carlsbad Strawn; the SE/4 for all formations and/or pools developed on 160-acre spacing; and the SE/4 SE/4 for all formations and/or pools developed on 40-acre spacing which includes but is not necessarily limited to the Undesignated South Carlsbad Delaware Pool, and in support of its application states:

1. Marbob Energy Corporation is a working interest owner in the E/2 of said Section 14 and has the right to drill thereon.
2. Marbob proposes to dedicate the above-referenced spacing or proration units to its Whiskey Girl Fee Well No. 1 (API No. 30-015-34631) to be drilled as a deviated well from an unorthodox surface location 464 feet from the South line and 1119 from the East line to a bottomhole location 660 feet from the South line and 990 feet from the East line (Unit P) of said Section 14, to an approximate depth of 11,800 feet to test any and all formations from surface to the base of the Morrow formation.

3. Marbob has sought and been unable to obtain a voluntary agreement for the development of these lands from certain interest owners in the subject spacing units identified on Exhibit A to this application.

4. Said pooling of interests will avoid the drilling of unnecessary wells, will prevent waste and will protect correlative rights.

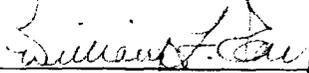
5. In order to permit Marbob to obtain its just and fair share of the oil and gas underlying the subject lands, all mineral interests should be pooled, and Marbob Energy Company should be designated the operator of the well to be drilled.

WHEREFORE, Marbob Energy Corporation requests that this application be set for hearing before an Examiner of the Oil Conservation Division on April 13, 2006 and, after notice and hearing as required by law, the Division enter its order:

- A. pooling all mineral interests in the subject spacing and proration units,
- B. designating Marbob Energy Corporation operator of these units and the well to be drilled thereon,
- C. authorizing Marbob Energy Corporation to recover its costs of drilling, equipping and completing the well,
- D. approving the actual operating charges and costs of supervision while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedures, and
- E. imposing a penalty for the risk assumed by Marbob Energy Corporation in drilling and completing the well against any working interest owner who does not voluntarily participate in the drilling of the well.

Respectfully submitted,

HOLLAND & HART LLP

By: 

WILLIAM F. CARR

Post Office Box 2208

Santa Fe, New Mexico 87504

Telephone: (505) 988-4421

ATTORNEYS FOR MARBOB ENERGY  
CORPORATION

CASE \_\_\_\_\_:

**Application of Marbob Energy Corporation for compulsory pooling, Eddy County, New Mexico.** Applicant in the above-styled cause seeks an order for an order pooling all mineral interests from surface to the base of the Morrow formation in the following described spacing and proration units located in the E/2 of Section 14, Township 22 South, Range 26 East, N.M.P.M., Eddy County, New Mexico: the E/2 for all formations and/or pools developed on 320-acre spacing which includes but is not limited to the Undesignated South Carlsbad-Morrow Gas Pool, Undesignated South Carlsbad-Atoka Gas Pool, South Carlsbad-Wolfcamp Pool, Undesignated South Carlsbad Strawn; the SE/4 for all formations and/or pools developed on 160-acre spacing; and the SE/4 SE/4 for all formations and/or pools developed on 40-acre spacing which includes but is not necessarily limited to the Undesignated South Carlsbad Delaware Pool. Said units are to be dedicated to dedicate its Whiskey Girl Fee Well No. 1 (**API No. 30-015-34631**) to be drilled as a deviated well from an unorthodox surface location 464 feet from the South line and 1119 from the East line to a bottomhole location 660 feet from the South line and 990 feet from the East line (Unit P) of said Section 14, to an approximate depth of 11,800 feet to test any and all formations from surface to the base of the Morrow formation. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision, designation of Marbob Energy Corporation as operator of the well and a charge for risk involved in drilling said well. Said area is located approximately 2 miles north of the Carlsbad Airport.

# Affidavit of Publication

NO. 19202

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 March 19 2006

Second Publication \_\_\_\_\_

Third Publication \_\_\_\_\_

Fourth Publication \_\_\_\_\_

Subscribed and sworn to before me this

20th Day March 2006

Notary Public, Eddy County, New Mexico

My Commission expires September : 23, 2007

# Copy of Publical

## NOTICE OF PUBLICATION 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 April 13, 2006, in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appoint 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 505-478-3458 or through the New Mexico Relay Network, 1-800-659-1779 by April 3, 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 13692:**  
Application of Marbob Energy Corporation for compulsory pooling, Eddy County, New Mexico. Applicant in the above-styled cause seeks an order for an order pooling all mineral interests from surface to the base of the Morrow formation in the following described spacing and poration units located in the E22 of Section 14, Township 22 South, Range 26 East, T.M.P.M., Eddy County, New Mexico: the E22 for all formations and/or pools developed on 20-acre spacing which includes but is not limited to the Undesignated South Carlsbad-Morrow

## LEGAL NOTICE

Gas Pool, Undesignated South Carlsbad-Morrow Gas Pool, South Carlsbad-Wolfcamp Pool, Undesignated South Carlsbad Strawn, the SE4 for all formations and/or pools developed on 160-acre spacing; and the SE4 SE4 for all formations and/or pools developed on 40-acre spacing which includes but is not necessarily limited to the Undesignated South Carlsbad Delaware Pool. Said units are to be dedicated to dedicate its Whiskey Girl Fee Well No. 1 (API No. 30-015-34631) to be drilled as a deviated well from an unorthodox surface location 484 feet from the South line and 1119 from the East line to a bottomhole location 660 feet from the South line and 940 feet from the East line (Unit #) of said Section 14, to an approximate depth of 11,800 feet to test any and all formations from surface to the base of the Morrow formation. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision. Designation of Marbob Energy Corporation as operator of the well and a charge for risk involved in drilling said well. Said area is located approximately 2 miles north of the Carlsbad Airport.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 16th day of March 2006.

STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION  
Mark E. Fesmire, P.E.,  
Director

Published in the Artesia Daily Press, Artesia, N.M. March 19, 2006  
Legal 19202