

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

APPLICATION OF T.H. MCELVAIN OIL  
& GAS LIMITED PARTNERSHIP FOR  
COMPULSORY POOLING, LEA COUNTY,  
NEW MEXICO.

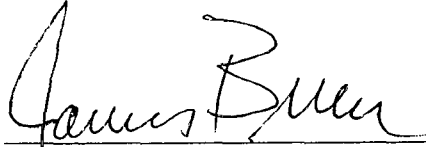
Case No. 14,409

AFFIDAVIT OF NOTICE

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


James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for T.H. McElvain Oil & Gas Limited Partnership.
3. T.H. McElvain Oil & Gas Limited Partnership 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 correct addresses, by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Exhibit A.
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 15th day of December, 2009 by  
James Bruce.

My Commission Expires: 3/14/13

  
Notary Public

Oil Conservation Division  
Case No. 2  
Exhibit No. 2

**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)

[jamesbruce@aol.com](mailto:jamesbruce@aol.com)

November 24, 2009

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

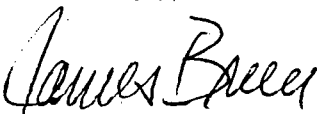
Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by T.H. McElvain Oil & Gas Limited Partnership, regarding the W½SW¼ of Section 31, Township 18 South, Range 34 East, N.M.P.M., Lea County, New Mexico.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, December 17, 2009, 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, December 10, 2009. 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 T.H. McElvain Oil & Gas Limited Partnership

EXHIBIT A

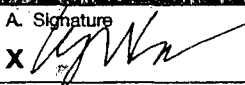
EXHIBIT A

ConocoPhillips Company  
P.O. Box 2197  
Houston, Texas 77252

Attention: Tom Scarborough

BP America Production Company  
WL-1, 6.196  
501 Westlake Park Boulevard  
Houston, Texas 77079

Attention: Craig T. Ferguson

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature X  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:  BP America Production Company WL-1, 6.196 501 Westlake Park Boulevard Houston, Texas 77079		B. Received by (Printed Name) HARRIS D W	C. Date of Delivery 12/1/09
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service) 0758 42E2 0000 0E2E 8002			

PS Form 3811, February 2004

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OFFICIAL USE	
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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent To BP America Production Company Street, Apt. No., or PO Box No. WL-1, 6.196 City, State, ZIP+4 501 Westlake Park Boulevard Houston, Texas 77079	

PS Form 3800, August 2006

See Reverse for Instructions


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Track &amp; Confirm

Enter Label/Receipt Number.

Your item was delivered at 5:27 AM on November 30, 2009 in  
HOUSTON, TX 77252.

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#### Detailed Results:

- **Delivered, November 30, 2009, 5:27 am, HOUSTON, TX 77252**
- **Notice Left, November 28, 2009, 4:52 am, HOUSTON, TX 77252**

#### Notification Options

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No FEAR Act/EEO Data

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Postage	\$
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Total Postage & Fees	\$
<div> <div>7008 3230 0000 2324 8527</div> <div> </div> </div>	
Sent To Street, Apt. No., or PO Box No. ConocoPhillips Company P.O. Box 2197 City, State, ZIP+4 Houston, Texas 77252	
PS Form 3800, August 2006 See Reverse for Instructions	