

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

**APPLICATION OF MACK ENERGY CORPORATION
TO AMEND COMPULSORY POOLING ORDER R-12006
TO INCLUDE ADDITIONAL OIL WELLS FOR EXISTING
40-ACRE SPACING AND PRORATION UNITS,
LEA COUNTY, NEW MEXICO.**

CASE NO. 13206

AFFIDAVIT

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

Michael H. Feldewert, attorney in fact and authorized representative of Mack Energy Corporation, the Applicant herein, being first duly sworn, upon oath, states that notice of the above-referenced Application was mailed to the addresses shown on Exhibit "A" attached hereto, and that true and correct copies of the notice letter and proof of receipt are attached hereto.



Michael H. Feldewert

SUBSCRIBED AND SWORN to before me this 20th day of January 2004 by Michael H. Feldewert.



Notary Public

My Commission Expires: 11-25-06



**OFFICIAL SEAL
JONNI LU POOL
NOTARY PUBLIC-STATE OF NEW MEXICO**
My commission expires 11-25-06

HOLLAND & HART^{LLP}



Michael H. Feldewert

Recognized Specialist in the Area of
Natural Resources - oil and gas law -
New Mexico Board of Legal Specialization

mfeldewert@hollandhart.com
44822-0007

December 30, 2003

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Moleen Trust
c/o Mr. Jerry Lane
Branch Bank and Trust
P.O. Box 687
Columbia, SC 29202-0687

Re: **Application of Mack Energy Corporation to amend compulsory pooling Order R-12006 to include additional oil wells for existing 40-acre spacing and proration units, Lea County, New Mexico.**

Dear Mr. Lane:

This letter is to advise you that Mack Energy Corporation has filed the enclosed application with the New Mexico Oil Conservation Division. This application has been set for hearing before a Division Examiner on January 22, 2004. You are not required to attend this hearing, but an owner of an interest that may be affected by this application 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 Prehearing Statement three days in advance of a scheduled hearing. 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.

Sincerely,

Michael H. Feldewert
Holland & Hart, LLP
Attorneys for Mack Energy Corporation

MHF/jlp
Enclosure

3174472_1.DOC

Holland & Hart LLP

Phone (505) 988-4421 Fax (505) 983-6043 www.hollandhart.com

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Albuquerque Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. 25

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 Total Postage & Fees \$ 9.25



Sent To MOLLEN TRUST c/o Jerry Lane, BRANCH BANK
 Street, Apt. No.; or PO Box No. P.O. Box 687
 City, State, ZIP+4 COLUMBIA SC 29202-0687

PS Form 3800, January 2001 See Reverse for Instructions

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:
MOLLEN TRUST
c/o Jerry Lane
BRANCH BANK & TRUST
P.O. Box 687
COLUMBIA, SC 29202-0687

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Sarah Bonnette B. Date of Delivery
 C. Signature Sarah Bonnette 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 O.D.
 4. Restricted Delivery? (Extra Fee) Yes



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