

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

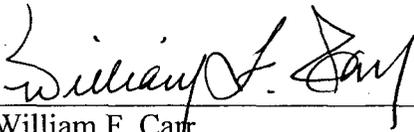
**IN THE MATTER OF THE APPLICATION OF  
MEWBOURNE OIL COMPANY FOR A NON-  
STANDARD SPACING AND PRORATION  
UNIT, UNORTHODOX WELL LOCATION,  
AND COMPULSORY POOLING, EDDY  
COUNTY, NEW MEXICO.**

CASE NO. 14595

**AFFIDAVIT**

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

William F. Carr, attorney in fact and authorized representative of Mewbourne Oil Company, the Applicant herein, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.

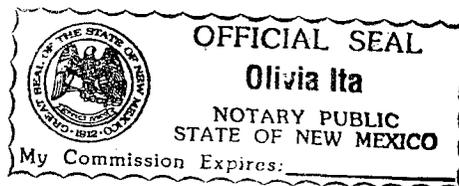
  
\_\_\_\_\_  
William F. Carr

SUBSCRIBED AND SWORN to before me this 2nd day of March 2011 by William F. Carr.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 3-10-12

BEFORE THE OIL CONSERVATION DIVISION  
Santa Fe, New Mexico  
Case No. 14595    Exhibit No. 5  
Submitted by:  
MEWBOURNE OIL COMPANY  
Hearing Date: March 3, 2011



**EXHIBIT A**

**APPLICATION OF  
MEWBOURNE OIL COMPANY  
FOR A NON-STANDARD SPACING AND PRORATION UNIT,  
UNORTHODOX WELL LOCATION AND  
COMPULSORY POOLING  
SE/4 SE/4 OF SECTION 5 AND THE E/2 NE/4 OF SECTION 8,  
TOWNSHIP 20 SOUTH, RANGE 25 EAST, N.M.P.M.  
EDDY COUNTY, NEW MEXICO.**

**NOTIFICATION LIST**

Louis Berney  
1797 15<sup>th</sup> Avenue  
Star Prairie, Wisconsin 54026

Leslea Ingram Cole  
6336 N. Oracle Road  
Suite 326-331  
Tucson, Arizona 85704



January 18, 2011

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**TO AFFECTED INTEREST OWNERS:**

**Re: Application of Mewbourne Oil Company for a non-standard spacing and proration unit, unorthodox well location, and compulsory pooling, Eddy County, New Mexico.**

Ladies and Gentlemen:

This letter is to advise you that Mewbourne Oil Company has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order (1) creating a non-standard spacing unit comprised of the SE/4 SE/4 of Section 5 and the E/2 NE/4 of Section 8, of Township 20 South, Range 25 East, NMPM, and (2) pooling all mineral interests in the Yeso formation, in this non-standard spacing and proration unit which spacing unit will be the project area for the West Draw "5/8" PH Fed Com Well No. 1-H which it proposes to drill as a horizontal oil well from a non-standard surface location 1500 feet from the South line and 350 feet from the East line (Unit I) of said Section 5, and then in a southerly direction in the Yeso formation to a bottom hole terminus at a point 2310 feet from the North line and 350 feet from the East line (Unit H) of said Section 8. This well will penetrate the Yeso formation at an unorthodox location 1195 feet from the South line and 350 feet from the East line of Section 5, however, the producing interval in the wellbore is within the well's "producing area."

This application has been set for hearing before a Division Examiner at 8:15 AM on February 17, 2011. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint 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 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, four days in advance of a scheduled hearing, but at least on the Thursday preceding the 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.

Very truly yours,

William F. Carr

cc: Mr. Corey Mitchell  
Landman  
Mewbourne Oil Company

# Affidavit of Publication

NO. 21519

STATE OF NEW MEXICO

County of Eddy:

Walter L. Green

*Walter L. Green*

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 state, and that the hereto 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 Consecutive weeks/days on the same

day as follows:

First Publication

January 25, 2011

Second Publication

Third Publication

Fourth Publication

Fifth Publication

Subscribed and sworn to before me this

25th day of January 2011



OFFICIAL SEAL  
Danny Scott  
NOTARY PUBLIC STATE OF NEW MEXICO

My commission expires: 3/18/2014

*Danny Scott*  
Danny Scott  
Notary Public, Eddy County, New Mexico

# Copy of Publication:

### LEGAL NOTICE

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 February 17, 2011, 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 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by February 7, 2011. 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 No.: 14595

Application of Mewbourne Oil Company for a non-standard spacing and proration unit unorthodox well location, and compulsory pooling, Eddy County, New Mexico. Applicant in the above-styled cause seeks an order creating a non-standard spacing unit comprised of the SE/4 SE/4 of Section 5 and the E/2 NE/4 of Section 8 of Township 20 South, Range 25 East, NMPM, and pooling all mineral interests in the Undesignated Yeso formation in this non-standard spacing and proration unit which spacing unit will be the project area for its proposed West Draw "5/8" PH Fed Com Well No. 1-H to be horizontally drilled from a surface location 1500 feet from the South line and 350 feet from the East line (Unit I) of said Section 5, and then in a southerly direction in the Yeso formation to a bottom hole terminus at a point 2310 feet from the North line and 350 feet from the East line (Unit H) of said Section 8. This well will penetrate the Yeso formation at an unorthodox location 1195 feet from the South line and 350 feet from the East line of Section 5, however, the producing interval in the wellbore is within the well's producing area. 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 Mewbourne Oil Company as operator of the well and a charge for risk involved in drilling said well. Said area is located approximately 4 miles northwest of Lakewood, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Division at Santa Fe, New Mexico on this 21st day of January 2011.

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

Published in the Artesia Daily Press, Artesia, N.M. January 25, 2011. Legal No. 21519.

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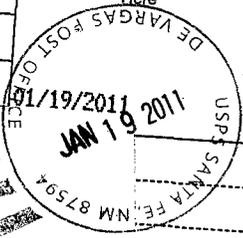
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