

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

**IN THE MATTER OF THE APPLICATION OF  
MARATHON OIL COMPANY, KERR-McGEE  
CORPORATION AND SANTA FE ENERGY  
RESOURCES, INC. TO TERMINATE GAS  
PRORATIONING, TO IN-FILL DRILL AND  
TO AMEND THE SPECIAL POOL RULES  
AND REGULATIONS FOR THE INDIAN  
BASIN-MORROW GAS POOL,  
EDDY COUNTY, NEW MEXICO**

**OCD Case No. 11512**

**A F F I D A V I T**

**STATE OF TEXAS           §  
  §  
COUNTY OF MIDLAND   §**

Thomas C. Lowry, being first duly sworn upon his oath, deposes and states:

1. He is a Texas attorney employed by Marathon Oil Company in Midland, Texas.
2. He supervised the sending of Notice of Hearing for the Marathon Application in OCD Case No. 11512.
3. Notice of hearing was sent on March 29, 1996, to the parties listed on the attached Exhibit, which consist of the following:
  - A. All interest owners, including royalty owners, in wells currently producing from the Indian Basin-Morrow Pool. This is all interest owners in Township 21 South, Range 23 East, Sections 2, 9, 10, 11, 14, 15, 22 and 36, and Township 21 South, Range 24 East, Sections 16, 17, 19, 20, 30 and 31. Inadvertently omitted from this group of interest owners were Nolan H. Brunson, Jr. and Oryx Energy Company. Marathon has requested Mr. Brunson and Oryx each sign a Waiver of Notice of Hearing.
  - B. The only operator in the Pool which does not have a currently producing Morrow well and was not given notice of the hearing as an owner in a producing well, is Citation Oil & Gas Corporation. Marathon intended to send notice of hearing to Citation, but Citation was inadvertently omitted from the mailing list. Marathon has requested Citation sign a Waiver of Notice of Hearing.

Before the  
OIL CONSERVATION DIVISION  
SANTA FE, NEW MEXICO  
Submitted by MARATHON OIL CO. EXHIBIT NO. \_\_\_\_\_  
Hearing Date: May 2, 1996 CASE NO. 11512

- C. Notice was given to Conoco, Inc. and Vernon E. Faulconer, Inc., who are the only operators of Morrow wells offsetting the Indian Basin-Morrow Pool who were not given notice of hearing under A.
  - D. Notice was given to Devon Energy Corporation as the only owner of an undrilled oil and gas lease within the Pool who was not given notice of hearing under A.
  - E. There were no owners of unleased minerals who were not otherwise given notice of hearing under A.
  - F. Notice was given to Natural Gas Pipeline Company of America and Agave Petroleum Company as the two pipeline companies likely to transport all Morrow production from the Pool.
4. 124 notices of hearing were sent. 121 green cards were returned indicating receipt. Two cards were not returned, one from Amoco Production Company and one from Ann A. Stromberg. Tracers have been placed on these two letters with no results received as of the date of this Affidavit. One letter was returned due to an expired forwarding order by Optometric Education Program Foundation, Inc. Several unsuccessful attempts have been made to obtain a correct address.
5. Upon personal knowledge, Affiant swears and affirms the foregoing to be true and correct

  
 \_\_\_\_\_  
 Thomas C. Lowry

STATE OF TEXAS                   §  
   §           SS.  
 COUNTY OF MIDLAND         §

Subscribed and sworn to before me this 30th day of April, 1996.

  
 \_\_\_\_\_  
 Maria L. Vela, Notary Public in and for the State  
 of Texas, County of Midland

My commission expires: 8/15/96

Chase Properties, Inc.  
6403 NW Grand Blvd Suite 600  
Oklahoma City OK 73116

Louis Dreyfus Natural Gas Corp.  
14000 Quail Spring Parkway Suite 600  
Oklahoma City OK 73134-2600

Elsie G. Gorman  
802 South Western  
Stillwater OK 74074-4127

Lowe Partners, LP  
P O Box 832  
Midland TX 79702-0832

Maralo, Inc.  
P O Box 832  
Midland TX 79702-0832

Parker & Parsley Development  
P O Box 3178  
Midland TX 79702-3178

Ken Perkins Oil & Gas, Inc.  
P O Drawer 1237  
Kingsville TX 78363

Marion E. Spitler  
1610 Banbury Lane  
Carrollton TX 75006-5202

Santa Fe Energy Resources Inc  
1616 S Voss  
Houston TX 77057-0000

Yates Petroleum Corporation  
P O Box 1395  
Artesia NM 88211-1395

Bill Fenn  
P O Drawer 569  
Giddings TX 78942

Santa Fe Energy Resources Inc  
550 W Texas, Suite 1330  
Midland TX 79701

Devon Energy Corporation  
20 N Broadway, Suite 1500  
Oklahoma City OK 73102

Conoco Inc  
10 Desta Drive, Suite 100W  
Midland TX 79705

Fasken Oil & Ranch Interests  
303 W Wall, Suite 1900  
Midland TX 79701

Vernon E Faulconer Inc  
P O Box 7995  
Tyler TX 75711-7995

The Home-Stake Oil & Gas Co  
2800 First National Tower  
Tulsa OK 74103

Bonnie M Morrison  
c/o United New Mexico Bank  
P O Box 1977  
Roswell NM 88202-1977

Willis F Ammentorp  
423 Fitch  
Kerrville TX 78028-2755

John C Stanfield  
2314 Maxwell  
Midland TX 79705-4910

James P. Murphy  
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Midland TX 79705-4929

Charles W Perry Jr  
P O Box 371  
Midland TX 79702-0371

Robert D. Anson, Trustee  
2503 Culpepper Drive  
Midland TX 79705-6318

W L Furche  
105 Western United Life Bldg  
Midland TX 79701

Elinor M Chase  
1303 W. Kansas  
Midland TX 79701-6036

Marjorie F Chase  
1303 W Kansas  
Midland TX 79701-6036

Mary Ann Chase  
89 Sunnyside Drive  
Athens OH 45701-1921

Samuel Chase  
19 Bonita Street  
Sausalito CA 94965-2113

Steve Chase  
20042 Pork Ranch  
San Antonio TX 78259-1921

Dorothy C Frenzel  
1118 Mogford  
Midland TX 79701-5668

## EXHIBIT

Rimco Partners LPI  
c/o Rimco Associates Inc  
22 Waterville Rd  
Avon CT 06001-2066

Charles B Hinton  
9426 Sanford  
Houston TX 77031-2218

Harvin L Landua Jr  
2004 Community Lane  
Midland TX 79701

Jeffrey D Landua  
P O Box 2296  
Brenham TX 77834

Amoco Production Company  
P O Box 3092  
Houston TX 77253

Nearburg Exploration Company  
3300 N "A" St #8100  
Dallas TX 79705

Sabine Royalty Trust  
P O Box 830650  
Dallas TX 75283

Elizabeth Mendez  
9215 Hagerman NE  
Albuquerque NM 87109-6455

Estate of Jo Anna W Light  
Robert S Light, Pers. Rep.  
P O Box 1658  
Carlsbad NM 88221-1658

Mildred M Parker  
c/o Texas Commerce Bank  
P O Box 200270  
Houston TX 77216-0270

The Hill Foundation  
First National Bank of Denver  
Attn: Trust Minerals 023  
P O Box 5825 Terminal Annex  
Denver CO 80217-5825

First Century Oil Inc  
P O Box 1518  
Roswell NM 88202-1518

Hugh E Hanagan  
P O Box 329  
Roswell NM 88202-0329

Wallace S. Gates  
611 South Roselawn  
Artesia NM 88210-2047

Robert B Gates and  
Nada S Gates  
4943 Rustic Trail  
Midland TX 79707-1420

Helen Gates Maxwell  
218 Aldersgate Circle  
Asheville NC 28803-2044

Virginia Gates Irish  
7450 Olivetos Ave, Apt 154  
La Jolla CA 92037

Sara S Jones  
1203 Vernon Road  
Ardmore OK 73401-3653

C John McIntyre  
732 Cloyd Road  
Palos Verdes Estates CA 90274

Ann H Stromberg  
274 San Luis Place  
Claremont CA 91711-1746

Sarann Company  
P O Box 2208  
Ardmore OK 73402-2208

Westway Petro  
500 N Akard St Lock Box 70  
Dallas TX 75201-3320

TC & June B Stromberg, Trustees  
P O Box 2208  
Ardmore OK 73402-2208

Jon Stromberg  
2938 Maple Springs  
Dallas TX 75235-8319

Mary Adele Stromberg Perry  
72 Delmore  
Hillsboro TX 76645-2357

Hanagan Properties  
P O Box 1887  
Santa FE NM 87504-1887

Wheatley Trust Agency  
First Natl Bank of Artesia, Agent  
P O Drawer AA  
Artesia NM 88211-7526

John W Gates & Jean M Gates  
Revocable Trust  
706 West Grand  
Artesia NM 88210-1935

William H Stromberg Trust  
William H Stromberg Trustee  
P O Box 1412  
Ardmore OK 73402-1412

Mary Love Stromberg Trust  
Mary Love Stromberg Trustee  
P O Box 1412  
Ardmore OK 73402-1412

Robert L Bergman  
Jacqueline R Bergman  
Rev. Tr. 4/20/88  
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Roswell NM 88201-3424

Karen K Stark Barton  
2628 SW 45th St  
Oklahoma City OK 73119-4611

Mary Lou Gibbs  
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Tulsa OK 74115-3232

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Caldwell ID 83605

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347 Hillside Cir  
Burleson TX 76028-5225

David L Stark  
313 Balsam  
Lake Jackson TX 77566-6121

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W B Stark  
Rt 5 Box 328  
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Deborah Ann Stark Wortham  
RR 3 Box 531  
Tuttle OK 73089-9558

Tessa Nicole Stark  
Jerry D Stark Custodian  
1205 South Delaware  
Bartlesville OK 74003-5039

William Douglass McCoy  
19002 Redriver Pass  
San Antonio TX 78259-3514

Michael Francis McCoy  
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Santa Fe NM 87505-8425

Laura Ann McCoy Lindsey  
512 Nootka Rd.  
Dexter NM 88230-9613

Brian Patrick McCoy  
16910 Summer Creek  
San Antonio TX 78248-1407

Wills Royalty Inc  
P O Box 1658  
Carlsbad NM 88221-1658

Ray Hobbs  
1312 Alpha St  
Carlsbad NM 88220-4605

Leslie Riggs Mills Trustee of the Riggs-  
Mills Irrevocable Family Tr  
P O Box 230430  
Anchorage AK 99523-0430

Potash Company of America  
P O Box 31  
Carlsbad NM 88221-5601

Commissioner of Public Lands  
State of New Mexico  
P O Box 1148  
Santa Fe NM 87504-1148

Minerals Management Service  
Royalty Management Program  
P O Box 5810 TA  
Denver CO 80217-5810

Minerals Management Service  
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Denver CO 80217-5640

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Vol L Boswell, Trustee Tag Trust B of  
Ann Kennedy Winslow  
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Southwest Royalties  
P O Box 11390  
Midland TX 79702-8390

Nortex Corporation  
1415 Louisiana Suite 3100  
Houston TX 77002-7353

Kerr-McGee Corporation  
Attn: Joint Venture Operating  
P O Box 25421  
Oklahoma City OK 73125-0421

Santiago Royalty Corporation  
104 North Hudson Suite 800  
Oklahoma City OK 73210-4803

Pacific Enterprises Oil Company USA  
Dept 024  
Dallas TX 75284-0024

Phillips Petroleum Company  
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Rubie C Bell Manag. Gen. Part.  
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Frank W Podpechan  
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Littleton CO 80120-2161

Elizabeth A Malone  
Testamentary Trust  
C-O Baynard W Malone  
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Roswell NM 88202-0087

Ross L Malone - Testamentary Trust  
C-O Baynard W Malone  
P O Box 87  
Roswell NM 88202-0087

Earl L Malone MD  
2501 Cortez Ct  
Roswell NM 88201-3414

J Hiram Moore  
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Midland TX 79702-7908

Claremont Corporation  
P O Box 549  
Claremore OK 74018-0549

Optometric Education Program  
Foundation, Inc.  
2912 South Daimler  
Santa Anna, CA 92705

Charles F. Malone Living Trust  
P O Drawer 700  
Roswell NM 88202

Andersen-Malone Trust DTD  
Baynard W Malone Trustee, et al  
P O Box 87  
Roswell NM 88202-0087

La Vida Energy Corporation  
P O Box 2158  
Midland TX 79702-2158

Penroc Oil Corp.  
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Hobbs NM 88241-5970

Fasken Land and Minerals, Ltd.  
303 W. Wall AVE., Suite 1900  
Midland TX 79701

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Dallas TX 75243

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Trustee Acct 1630035307  
P O Box 10966  
Midland TX 79702

Max H Christensen  
P O Box 3790  
Midland TX 79702-3790

Joseph G. Kuthe Trust A  
J Jochum, Trustee  
P O Box D  
Elgin NE 68636

Louis Dreyfus Gas Holdings Inc  
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C/o Rimco Associates, Inc.  
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Avon CT 06001-2066

Rimco Partners, LP III  
C/o Rimco Associates  
22 Waterville Rd  
Avon CT 06001-2066

Texas Commerce Bank N A  
Trustee Acct #1630101100  
P O Box 10966  
Midland TX 79702

R G Hanagan  
P O Box 1887  
Santa Fe NM 87504-1887

Nations Bank of Texas NA  
Sabine Royalty Trust  
Dept #0887  
Dallas TX 75284-0887

Natural Gas Pipeline Company  
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P O Box 283  
Houston TX 77001-0283

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Artesia NM 88210