

BEFORE THE OIL CONSERVATION DIVISION  
NEW MEXICO ENERGY, MINERALS AND  
NATURAL RESOURCES DEPARTMENT

APPLICATION OF MCELVAIN OIL & GAS  
PROPERTIES, INC. FOR A NON-STANDARD  
GAS SPACING AND PRORATION UNIT  
RIO ARRIBA COUNTY, NEW MEXICO

CASE NO. 12688

AFFIDAVIT

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

William F. Carr, attorney in fact and authorized representative of McElvain Oil & Gas Properties, Inc., the Applicant herein, being first duly sworn, upon oath, states that notice has been given to all interested persons entitled to receive notice of this application under Oil Conservation Division rules, and that notice has been given to the addresses shown on Exhibit "A" attached hereto.

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

SUBSCRIBED AND SWORN to before me this 21<sup>st</sup> day of June, 2001.

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

My Commission Expires:

Aug 21, 2001

**EXHIBIT A**

**NOTICE LIST**

**McELVAIN OIL & GAS PROPERTIES, INC.  
FOR A 505.20-ACRE NON-STANDARD SPACING AND PRORATION UNIT  
LOTS 3 AND 4, S/2 NW/4, AND SW/4 OF SECTION 5  
AND LOTS 1 THROUGH 4 OF SECTION 6,  
TOWNSHIP 25 NORTH, RANGE 2 WEST, N.M.P.M.  
RIO ARRIBA COUNTY, NEW MEXICO**

Mesa Grande Resources, Inc.  
1318 Philtower Building  
Tulsa, Oklahoma 74103

Mesa Grande Ltd.  
6 East 5th Street, Suite 200  
Tulsa, Oklahoma 74103

Gavilan Dome Properties  
1800 Cedarwood Drive  
Moraga, California 94556

Arriba Company Ltd.  
Post Office Box 35304  
Tulsa, Oklahoma 74153

Hooper, Kimball & Williams, Inc.  
5550 South Lewis, Suite 301  
Tulsa, Oklahoma 74105

Williams Production Company  
Post Office Box 3102  
Tulsa, Oklahoma 74101

NM&O Operating Company  
6 East 5th Street, Suite 200  
Tulsa, Oklahoma 74103

Noseco Corporation  
7400 East Murray Drive  
Reno Nevada 89511

Neumann Family Trust  
c/o Peter C. Neumann  
Post Office Box 1170  
Reno, Nevada 89504

Ibex Partnership  
Post Office Box 911  
Breckenridge, Texas 76424-0911

Petco Limited  
Post Office Box 911  
Breckenridge, Texas 76424-0911

Clark & Oatman  
Post Office Drawer 310  
Bastrop, Texas 78602

Premier Operating Co.  
Post Office Box 35984  
Tulsa, Oklahoma 74153-0984

HOLLAND & HART LLP  
AND  
CAMPBELL & CARR  
ATTORNEYS AT LAW

DENVER • ASPEN  
BOULDER • COLORADO SPRINGS  
DENVER TECH CENTER  
BILLINGS • BOISE  
CHEYENNE • JACKSON HOLE  
SALT LAKE CITY • SANTA FE  
WASHINGTON, D.C.

SUITE 1  
110 NORTH GUADALUPE  
SANTA FE, NEW MEXICO 87501-6525  
MAILING ADDRESS  
P.O. BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
June 21, 2001

TELEPHONE (505) 988-4421  
FACSIMILE (505) 983-6043  
www.hollandhart.com

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**TO: ALL AFFECTED INTEREST OWNERS**

*Re: Application of McElvain Oil & Gas, Inc. for a non-standard gas spacing and proration unit, Rio Arriba County, New Mexico*

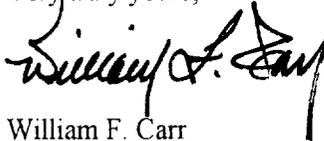
Ladies and Gentlemen:

This letter is to advise you that McElvain Oil & Gas Properties, Inc. has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order approving a 505.20-acre non-standard gas spacing and proration unit in the Mesaverde formation, Blanco Mesaverde Gas Pool comprised of Lots 3 and 4, S/2 NW/4 and SW/4 of Section 5 and Lots 1 through 4 of Section 6, Township 25 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to a well to be drilled at a standard gas well location in the NW/4 of said Section 5

This application has been set for hearing before a Division Examiner on July 12, 2001. 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 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.

Very truly yours,



William F. Carr  
Attorney for McElvain Oil & Gas Properties, Inc.

Enclosures

cc: Mona Binion, Land Manager  
McElvain Oil & Gas Properties, Inc.

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

WFC - McElwain/WFP

Postage	\$	1.55
Certified Fee		1.90
Return Receipt Fee (Endorsement Required)		1.50
Restricted Delivery Fee (Endorsement Required)		
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>3.95</b>

Recipient's Name  
 Street, Apt. No., or  
 City, State, ZIP+4

Arriba Company Ltd.  
 Post Office Box 35304  
 Tulsa, Oklahoma 74153

**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:

Arriba Company Ltd.  
 Post Office Box 35304  
 Tulsa, Oklahoma 74153

2. Article Number (Copy from service label)  
 7000 0600 0024 3127 8693

PS Form 3811, July 1999 Domestic Return Receipt

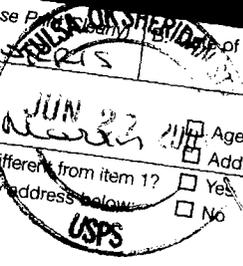
**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *CR McElwain* Date of Delivery *JUN 23 2001*

C. Signature *CR McElwain*

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

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



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

WFC - McElwain/WFP

Postage	\$	.55
Certified Fee		1.90
Return Receipt Fee (Endorsement Required)		1.50
Restricted Delivery Fee (Endorsement Required)		
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>3.95</b>

Recipient's Name  
 Street, Apt. No., or  
 City, State, ZIP+4

Clark & Oatman  
 Post Office Drawer 310  
 Bastrop, Texas 78602

**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:

Clark & Oatman  
 Post Office Drawer 310  
 Bastrop, Texas 78602

2. Article Number (Copy from service label)  
 1000 0600 0024 3127 1033

PS Form 3811, July 1999 Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *John Green* Date of Delivery *26 JUN 2001*

C. Signature *John Green*

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

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

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

WFC - McElwain/WFP

Postage	\$	.55
Certified Fee		1.90
Return Receipt Fee (Endorsement Required)		1.50
Restricted Delivery Fee (Endorsement Required)		
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>3.95</b>

Recipient's Name  
 Street, Apt. No., or  
 City, State, ZIP+4

Gavilan Dome Properties  
 1800 Cedarwood Drive  
 Moraga, California 94556



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

**WFC McElvain/NSP**

Postage	\$ 1.55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 3.95</b>

Recipient's Name: Mesa Grande Ltd.  
 Street, Apt. No.: 6 East 5th Street, Suite 200  
 City, State, ZIP: Tulsa, Oklahoma 74103  
 PS Form 3800, Feb 1999

**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:  
 Mesa Grande Ltd.  
 6 East 5th Street, Suite 200  
 Tulsa, Oklahoma 74103

2. Article Number (Copy from service label)  
 7000 0600 0024 3127 8716  
 PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-176

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
 Helena Thomas 6-26-01  
 C. Signature  
 X Helena Thomas  Agent  Addressed  
 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

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

**WFC-McElvain WFP**

Postage	\$ 1.55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage</b>	<b>\$ 3.95</b>

Recipient's Name: Ibex Partnership  
 Street, Apt. No.: Post Office Box 911  
 City, State, ZIP: Breckenridge, Texas 76424  
 PS Form 3800, Feb 1999

**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:  
 Ibex Partnership  
 Post Office Box 911  
 Breckenridge, Texas 76424-0911

2. Article Number (Copy from service label)  
 7000 0600 0024 3127 8631  
 PS Form 3811, July 1999

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
 Christie Spurr 6-26-01  
 C. Signature  
 X Christie Spurr  Agent  Addressed  
 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

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

**WFC-McElvain/WFP**

Postage	\$ 1.55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 3.95</b>

Recipient's Name: Hooper, Kimball & Williams Inc.  
 Street, Apt. No.: 5550 South Lewis, Suite 301  
 City, State, ZIP: Tulsa, Oklahoma 74105  
 PS Form 3800, Feb 1999

**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:  
 Hooper, Kimball & Williams, Inc.  
 5550 South Lewis, Suite 301  
 Tulsa, Oklahoma 74105

2. Article Number (Copy from service label)  
 7000 0600 0024 3127 8686  
 PS Form 3811, July 1999

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
 Jean Weber 6-26-01  
 C. Signature  
 X Jean Weber  Agent  Addressed  
 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

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

WFC - McElvain /USD

Postage	\$ .55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 3.95</b>

Recipient's Name: Mesa Grande Resources, Inc.  
 Street, Apt. No.: 1318 Philtower Building  
 City, State, ZIP+4: Tulsa, Oklahoma 74103

**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:  
  
 NM&O Operating Company  
 6 East 5th Street, Suite 200  
 Tulsa, Oklahoma 74103

2. Article Number (Copy from service label)  
 7000 0600 0024 3127 8662

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly): Alex Thomas Date of Delivery: 10-11  
 C. Signature: Alex Thomas  
 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

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

WFC - McElvain /WFP

Postage	\$ .55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 3.95</b>

Recipient's Name: NM&O Operating Company  
 Street, Apt. No.: 6 East 5th Street, Suite 200  
 City, State, ZIP+4: Tulsa, Oklahoma 74103

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

WFC - McElvain /WFP

Postage	\$ .55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 3.95</b>

Recipient's Name: Neumann Family Trust  
 Street, Apt. No.: c/o Peter C. Neumann  
 City, State, ZIP+4: Post Office Box 1170  
 Reno, Nevada 89504

Mail Returned

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

FC-McElvain/WFP

Postage	\$ 1.55	Postmark Here
Certified Fee	1.90	
Return Receipt Fee (endorsement Required)	1.50	
Restricted Delivery Fee (endorsement Required)		
<b>Total Postage &amp; Fees</b>	<b>3.95</b>	

Postmark: JUN 21 2001

Recipient's Name: **Noseco Corporation**  
 7400 East Murray Drive  
 Reno Nevada 89511

**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:

**Noseco Corporation**  
 7400 East Murray Drive  
 Reno Nevada 89511

2. Article Number (Copy from service label)

1000 0000 0024 3127 8655

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) **HORSEY** B. Date of Delivery **6-26**

C. Signature **X [Signature]**  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

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

FC-McElvain/WFP

Postage	\$ 1.55	Postmark Here
Certified Fee	1.90	
Return Receipt Fee (endorsement Required)	1.50	
Restricted Delivery Fee (endorsement Required)		
<b>Total Postage &amp; Fees</b>	<b>3.95</b>	

Postmark: JUN 26 2001

Recipient's Name: **Petco Limited**  
 Post Office Box 911  
 Breckenridge, Texas 76424

**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:

**Petco Limited**  
 Post Office Box 911  
 Breckenridge, Texas 76424-0911

2. Article Number (Copy from service label)

1000 0000 0024 3127 1016

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-17

A. Received by (Please Print Clearly) **CHRISTIE SPERRE** B. Date of Delivery **6-26-01**

C. Signature **X [Signature]**  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

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

FC-McElvain WFP

Postage	\$ 1.55	Postmark Here
Certified Fee	1.90	
Return Receipt Fee (endorsement Required)	1.50	
Restricted Delivery Fee (endorsement Required)		
<b>Total Postage &amp; Fees</b>	<b>3.95</b>	

Postmark: JUN 26 2001

Recipient's Name: **Premier Operating Co.**  
 Post Office Box 35984  
 Tulsa, Oklahoma 74153-09

- 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:

**Premier Operating Co.**  
 Post Office Box 35984  
 Tulsa, Oklahoma 74153-0984

2. Article Number (Copy from service label)

1000 0000 0024 3127 1050

A. Received by (Please Print Clearly) **[Signature]** B. Date of Delivery

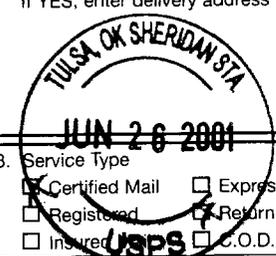
C. Signature **X [Signature]**  Agent  Addressee

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



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

WFC-McElvain/WFP

Postage	\$ .55
Certified Fee	1.90
Return Receipt Fee (endorsement Required)	1.50
Restricted Delivery Fee (endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>3.95</b>

Recipient's Name: Williams Production Company  
 Street, Apt. No.: Post Office Box 3102  
 City, State, ZIP: Tulsa, Oklahoma 74101

**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:  
 Williams Production Company  
 Post Office Box 3102  
 Tulsa, Oklahoma 74101

2. Article Number (Copy from service label)  
 7000 0600 0024 3127 8679

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *Stan Allen* B. Date of Delivery

C. Signature *Stan Allen*  
 Agent  
 Address

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below: JUN 28 2001

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes