

**AFFIDAVIT OF NOTICE**

Before me, the undersigned authority, on this day personally appeared DAVID K. BROOKS, well known to me to be a credible person, and after being duly sworn, did solemnly declare upon his oath as follows:

“My name is David K. Brooks. I am employed by the Energy, Minerals and Natural Resources Department of the State of New Mexico as Assistant General Counsel.

“I am attorney of record for the New Mexico Oil Conservation Division, as Applicant, in Case No. 12823, Application of the New Mexico Oil Conservation Division for an Order Requiring M&G Oil, Inc. to Properly Plug Four (4) Wells, Imposing Civil Penalties for Failure to Comply, Authorizing the Division to Plug Said Wells and Ordering a Forfeiture of Applicable Plugging Bond, Lea County, New Mexico.

“On January 30, 2002, I prepared a letter to each of the respondents named in Case No. 12823. Attachment A to this Affidavit is a true copy of the letter that I prepared. I then caused a copy of Attachment A to be mailed to each of said respondents, namely, the operator, M&G Oil, Inc., and the surety, Lumbermen's Mutual Casualty Company, at the addresses indicated on Attachment A, by Certified Mail, Return Receipt Requested. A copy of the Application filed with the Division in Case No. 12823 was enclosed with each letter.

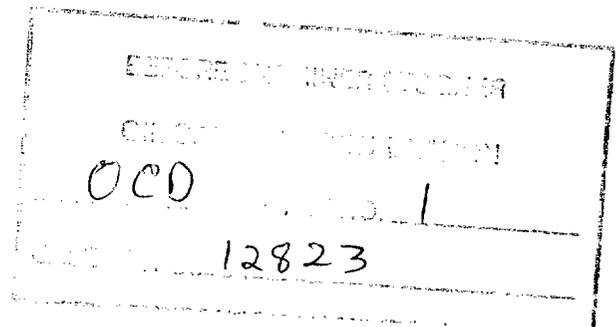
The notification letter sent to Lumbermen's Mutual Casualty Company was duly delivered, as evidenced by copy of certified mail receipt stamped by the United States Postal Service, and return receipt signed by C Bergreen., attached hereto as Attachment B.

The notification letter sent to M&G Oil, Inc. was duly posted, as evidenced by copy of certified mail receipt stamped by the United States Postal Service, copied on Attachment C. The original envelope containing the notice letter and application was returned to the Oil Conservation Division, marked "Refused," as indicated on the face of the envelope, also copied on Attachment C.

Further Affiant sayeth not.



David K. Brooks



Subscribed and sworn to in the City of Santa Fe, County of Santa Fe, State of New Mexico, this 20th day of February, 2002. Witness my hand and seal of office.



Notary Public  
State of New Mexico

[SEAL]

My commission expires 2/18, 2003



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**  
Governor  
**Betty Rivera**  
Cabinet Secretary

February 20, 2002

**Lori Wrotenberg**  
Director  
**Oil Conservation Division**

M & G Oil, Inc.  
1934 N. Fowler  
Hobbs, NM 88240

Lumbermen's Mutual Casualty Company  
c/o Kemper Insurance  
Attn Michele LeCesne  
One Kemper Drive K-7  
Long Grove IL 60049-0001

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

**Re: Case No. \_\_\_\_\_ : Application of the New Mexico Oil Conservation Division for an Order Requiring M&G Oil, Inc. to Properly Plug Four (4) Wells, Imposing Civil Penalties for Failure to Comply, Authorizing the Division to Plug Said Wells and Ordering a Forfeiture of Applicable Plugging Bond.**

**Lumbermen's Mutual Casualty Company Bond No. 3S-568-862-00**

Ladies and Gentlemen:

You are hereby notified that the New Mexico Oil Conservation Division has filed the referenced Application, a copy of which is enclosed herewith, seeking an Order requiring M&G Oil, Inc. or his surety to properly plug and abandon four (4) wells located in Lea County, New Mexico, specifically identified in said application.

A hearing on this Application will take place before a Division hearing officer on Thursday, February 21, 2002, at 8:15 a.m., in the Division Hearing Room, First Floor, 1220 South St. Francis Drive in Santa Fe, New Mexico. At that hearing you will have an opportunity to show cause, if any there be, why an order should not be entered as requested in the Application.

The referenced surety bond no. 3S-568-862-00 was cancelled as to future liability effective May 11, 1987. However it remains in effect with respect to any property or wells acquired, started or drilled prior to that date.

Attachment A

Inquiries concerning this application may be directed to the undersigned in the Santa Fe office of the Division at (505)-476-3450.

Very truly yours,

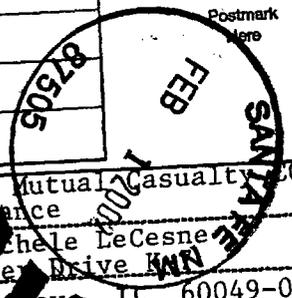
David K. Brooks  
Assistant General Counsel

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

7001 1940 0004 7919 3375

**OFFICIAL USE**

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



Sent To **Lumberman's Mutual Casualty Co.**  
**c/o Kemper Insurance**  
 Street, Apt. No.; or PO Box No. **Attn. Michele LeCesne**  
**One Kemper Drive**  
 City, State, ZIP+4 **Long Grove, IL 60049-0001**

PS Form 3800, January 2001 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:  
**Lumbermen's Mutual Casualty Co.**  
**c/o Kemper Insurance**  
**Attn: Michele LeCesne**  
**One Kemper Drive K-7**  
**Long Grove, IL 60049-0001**

2. Article Number  
 (Transfer from service label) **7001 1940 0004 7919 3375**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X C. BERGGREN**  Agent  Addressee  
 B. Received by **[Signature]** C. Date of Delivery **FEB 10 2008**

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

Attachment B

State of New Mexico  
**ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT**

1220 South Saint Francis Drive  
 P.O. Box 6429

Santa Fe, New Mexico 87505-5472

First Notice

10 - 8

**CERTIFIED MAIL**



7001 1940 0004 7919 3382



*Replied*

M & G Oil, Inc.  
 1934 N. Fowler  
 Hobbs, NM 88240

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

**OFFICIAL USE**

Postage \$  
 Certified Fee  
 Return Receipt Fee (Endorsement Required)  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$



7001 1940 0004 7919 3382

Sent To M & G OIL, INC.  
 Street, Apt. No., or PO Box No. 1934 N. Fowler  
 City, State, ZIP+4 Hobbs, NM 88240  
 PS Form 3800, January 2001 See Reverse for Instructions

Attachment C