

BEFORE THE

OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

IN THE MATTER OF THE APPLICATION OF  
AMERIND OIL COMPANY LIMITED PARTNERSHIP  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.

CASE NO. 9933

AFFIDAVIT

BEFORE EXAMINER CATANACH	
OIL CONSERVATION DIVISION	
<u>AMERIND</u>	EXHIBIT NO. <u>5</u>
CASE NO. <u>9933</u>	

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

WILLIAM F. CARR, attorney in fact and authorized representative of Amerind Oil Company Limited Partnership, the Applicant herein, being first duly sworn, upon oath, states that the notice provisions of Rule 1207 of the New Mexico Oil Conservation Division have been complied with, that Applicant has caused to be conducted a good faith diligent effort to find the correct addresses of all interested persons entitled to receive notice as shown by Exhibit "A" attached hereto, and that pursuant to Rule 1207, notice has been given at the correct addresses provided by such rule.

William F. Carr  
WILLIAM F. CARR

SUBSCRIBED AND SWORN to before me this 1st day of May, 1990.

Markel Yance  
Notary Public

My Commission Expires:  
August 19, 1991

**EXHIBIT A**

TEX/CON Oil & Gas Company  
9401 Southwest Freeway  
Suite 1200  
Houston, Texas 77074  
Attn: Land Department

Doris Sanders Estate  
c/o Bill Sanders  
Bill's Bottle Shop  
2601 N. Midland Drive  
Midland, Texas 79701

Mr. Charles B. Read  
Post Office Box 1518  
Roswell, New Mexico 88202

Margaret Fitzgerald  
Anne Fitzgerald Dechant  
John Fitzgerald Curry  
c/o Keys A. Curry, Jr.  
6123 Willers Way  
Houston, Texas 77057

CAMPBELL & BLACK, P.A.

LAWYERS

JACK M. CAMPBELL  
BRUCE D. BLACK  
MICHAEL B. CAMPBELL  
WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN  
WILLIAM P. SLATTERY  
PATRICIA A. MATTHEWS

JEFFERSON PLACE  
SUITE 1 - 110 NORTH GUADALUPE  
POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE: (505) 988-4421  
TELECOPIER: (505) 983-6043

April 10, 1990

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

TEX/CON Oil & Gas Company  
9401 Southwest Freeway  
Suite 1200  
Houston, Texas 77074  
Attn: Land Department

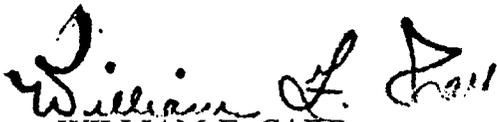
Re: Application of Amerind Oil Company Limited Partnership for Compulsory  
Pooling, Lea County, New Mexico

Gentlemen:

This letter is to advise you that Amerind Oil Company Limited Partnership has filed an application with the New Mexico Oil Conservation Division seeking an order force pooling of all mineral interests under the W/2 SE/4 of Section 5, Township 17 South, Range 37 East, N.M.P.M., Lea County, New Mexico. Amerind Oil Company Limited Partnership proposes to dedicate the referenced pooled unit to a well to be located at a standard location in the W/2 SE/4 of said Section 5.

This application has been set for hearing before a Division Examiner on May 2, 1990. You are not required to attend this hearing, but as an owner of an interest that may be subject to pooling, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging this application at a later date.

Very truly yours,



WILLIAM F. CARR

ATTORNEY FOR AMERIND OIL COMPANY LIMITED PARTNERSHIP  
WFC:mlh

P-106 678 083

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

Sent to <i>Tex Con Oil &amp; Gas Co.</i>	
Street and No. <i>9401 Southwind Freeway</i>	
R. P., State and ZIP Code <i>Dallas, Texas #0200 77074</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date <b>APR 10 1990</b>	

PS Form 3800, June 1985

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

<p>3. Article Addressed to: <i>Tex Con Oil &amp; Gas Co.</i> <i>9401 Southwind Freeway</i> <i>#1300</i> <i>Dallas, Texas 77074</i></p>		<p>4. Article Number <b>P 106 678 083</b></p>	
<p>5. Signature - Address <b>X</b></p>		<p>Type of Service:  <input type="checkbox"/> Registered  <input checked="" type="checkbox"/> Certified  <input type="checkbox"/> Express Mail  <input type="checkbox"/> Insured  <input type="checkbox"/> COD  <input type="checkbox"/> Return Receipt for Merchandise</p>	
<p>6. Signature - Agent <b>X</b> <i>Richard #27</i></p>		<p>Always obtain signature of addressee or agent and DATE DELIVERED. B. Addressee's Address (ONLY if requested and fee paid)</p>	
<p>7. Date of Delivery <i>4/6-90</i></p>			

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.  
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.  
1.  Show to whom delivered, date, and addressee's address. 2.  Restricted Delivery (Extra charge)

CAMPBELL & BLACK. P.A.  
LAWYERS

JACK M. CAMPBELL  
BRUCE D. BLACK  
MICHAEL B. CAMPBELL  
WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN  
WILLIAM P. SLATTERY  
PATRICIA A. MATTHEWS

JEFFERSON PLACE  
SUITE 1 - 110 NORTH GUADALUPE  
POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE: (505) 988-4421  
TELECOPIER: (505) 983-6043

April 10, 1990

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

Doris Sanders Estate  
c/o Bill Sanders  
Bill's Bottle Shop  
2601 N. Midland Drive  
Midland, Texas 79701

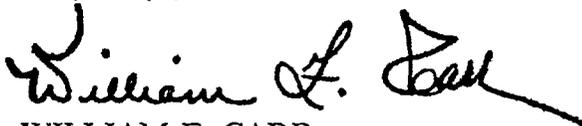
Re: Application of Amerind Oil Company Limited Partnership for Compulsory  
Pooling, Lea County, New Mexico

Dear Mr. Sanders:

This letter is to advise you that Amerind Oil Company Limited Partnership has filed an application with the New Mexico Oil Conservation Division seeking an order force pooling of all mineral interests under the W/2 SE/4 of Section 5, Township 17 South, Range 37 East, N.M.P.M., Lea County, New Mexico. Amerind Oil Company Limited Partnership proposes to dedicate the referenced pooled unit to a well to be located at a standard location in the W/2 SE/4 of said Section 5.

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Very truly yours,



WILLIAM F. CARR  
ATTORNEY FOR AMERIND OIL COMPANY LIMITED PARTNERSHIP  
WFC:mlh

P-106 678 082

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

To: <i>Bill Sanders Estate</i>	
Street and No. <i>3601 N. Midland Dr.</i>	
City, State and ZIP Code <i>Midland, Texas 79701</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date <b>APR 10 1990</b>	

PS Form 3800, June 1985

PS Form 3811, Mar. 1988

U.S.G.P.O. 1988-212-865

DOMESTIC RETURN RECEIPT

**SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.**

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge)

2.  Restricted Delivery (Extra charge)

3. Article Addressed to: *Bill Sanders Estate*  
*3601 N. Midland Dr.*  
*Midland, Texas 79701*

4. Article Number: **P 106 678 082**

Type of Service:  
 Registered  
 Certified  
 Express Mail  
 Insured  
 COD  
 Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address: *Bill Sanders*

6. Signature - Agent: *Bill Sanders*

7. Date of Delivery: *4-12-90*

8. Addressee's Address (ONLY if requested and fee paid):

CAMPBELL & BLACK, P.A.

LAWYERS

JACK M. CAMPBELL  
BRUCE D. BLACK  
MICHAEL B. CAMPBELL  
WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN  
WILLIAM P. SLATTERY  
PATRICIA A. MATTHEWS

JEFFERSON PLACE  
SUITE 1 - 110 NORTH GUADALUPE  
POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE: (505) 988-4421  
TELECOPIER: (505) 983-6043

April 10, 1990

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

Mr. Charles B. Read  
Post Office Box 1518  
Roswell, New Mexico 88202

Re: Application of Amerind Oil Company Limited Partnership for Compulsory  
Pooling, Lea County, New Mexico

Dear Mr. Read:

This letter is to advise you that Amerind Oil Company Limited Partnership has filed an application with the New Mexico Oil Conservation Division seeking an order force pooling of all mineral interests under the W/2 SE/4 of Section 5, Township 17 South, Range 37 East, N.M.P.M., Lea County, New Mexico. Amerind Oil Company Limited Partnership proposes to dedicate the referenced pooled unit to a well to be located at a standard location in the W/2 SE/4 of said Section 5.

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Very truly yours,



WILLIAM F. CARR  
ATTORNEY FOR AMERIND OIL COMPANY LIMITED PARTNERSHIP  
WFC:mlh

P-106 678 081

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

Sent to <i>Mr. Charles B. Read</i>	
Street and No. <i>P.O. Box 1578</i>	
P.O., State and ZIP Code <i>Aspen, NM 88202</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date  <b>APR 10 1988</b>	

PS Form 3800, June 1985

**SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.** Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge)

2.  Restricted Delivery (Extra charge)

3. Article Addressed to:  
*Mr. Charles B. Read*  
*P.O. Box 1578*  
*Aspen, NM 88202*

4. Article Number:  
**P 106 678 081**

Type of Service:  
 Registered  
 Certified  
 Express Mail  
 Insured  
 COD  
 Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address  
 *Charles B. Read*

6. Signature - Agent

7. Date of Delivery  
*4/12/88*

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-885 DOMESTIC RETURN RECEIPT

CAMPBELL & BLACK, P.A.

LAWYERS

JACK M. CAMPBELL  
BRUCE D. BLACK  
MICHAEL B. CAMPBELL  
WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN  
WILLIAM P. SLATTERY  
PATRICIA A. MATTHEWS

JEFFERSON PLACE  
SUITE 1 - 110 NORTH GUADALUPE  
POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE: (505) 988-4421  
TELECOPIER: (505) 983-6043

April 10, 1990

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

Margaret Fitzgerald  
Anne Fitzgerald Dechant  
John Fitzgerald Curry  
c/o Keys A. Curry, Jr.  
6123 Willers Way  
Houston, Texas 77057

Re: Application of Amerind Oil Company Limited Partnership for Compulsory  
Pooling, Lea County, New Mexico

Dear Mr. Curry:

This letter is to advise you that Amerind Oil Company Limited Partnership has filed an application with the New Mexico Oil Conservation Division seeking an order force pooling of all mineral interests under the W/2 SE/4 of Section 5, Township 17 South, Range 37 East, N.M.P.M., Lea County, New Mexico. Amerind Oil Company Limited Partnership proposes to dedicate the referenced pooled unit to a well to be located at a standard location in the W/2 SE/4 of said Section 5.

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Very truly yours,



WILLIAM F. CARR

ATTORNEY FOR AMERIND OIL COMPANY LIMITED PARTNERSHIP

WFC:mlh

P-106 678 080

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to: *Margaret Fitzgerald*  
*to Rep. A. Carrey, Jr.*

Street and No. *6123 Willers Way*

P.O. State and ZIP Code *Houston, Texas 77057*

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$

Postmark or Date  
**APR 10 1990**

PS Form 3800, June 1985

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-865

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

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1.  Show to whom delivered, date, and addressee's address. (Extra charge)

2.  Restricted Delivery (Extra charge)

3. Article Addressed to: *Margaret Fitzgerald*  
*6123 Willers Way*  
*Houston Texas 77057*

4. Article Number: **P 106 678 080**

Type of Service:  
 Registered  
 Certified  
 Express Mail  
 Insured  
 COD  
 Return Receipt for Merchandise

5. Signature - Address: *Margaret Fitzgerald*

6. Signature - Agent: *John F. Cunniff*

7. Date of Delivery: *4/11/90*

8. Addressee's Address (ONLY if requested and fee paid):  
 Always obtain signature of addressee or agent and DATE DELIVERED.

**APR 14 1990**  
 U.S.P.O.  
 THE NATIONAL DOMESTIC RETURN RECEIPT