

BEFORE THE
OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

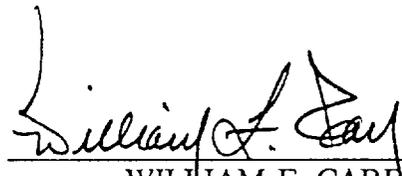
IN THE MATTER OF THE APPLICATION
OF NEARBURG PRODUCING COMPANY
FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

CASE NO. 10178

AFFIDAVIT

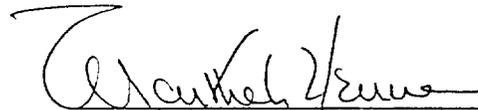
STATE OF NEW MEXICO)
)ss.
COUNTY OF SANTA FE)

WILLIAM F. CARR, attorney in fact and authorized representative of Nearburg Producing Company, 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

SUBSCRIBED AND SWORN to before me this 17th day of December, 1990.



Notary Public

My Commission Expires:

August 19, 1991

BEFORE EXAMINER STOGBER	
OIL CONSERVATION DIVISION	
NEARBURG	EXHIBIT NO. <u>5</u>
CASE NO.	<u>10178</u>

EXHIBIT A

Torch Energy Advisors, Inc.
1221 Lamar, Suite 1600
Houston, Texas 77010
Attn: Scott Guy

Felmont Oil & Gas Company
1221 Lamar, Suite 1600
Houston, Texas 77010
Attn: Scott Guy

Torch Oil & Gas Company
1221 Lamar, Suite 1600
Houston, Texas 77010
Attn: Scott Guy

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

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

November 21, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Torch Energy Advisors Inc.
1221 Lamar, Suite 1600
Houston, Texas 77010
Attn: Scott Guy

Re: Application of Nearburg Producing Company for Compulsory Pooling, Eddy
County, New Mexico

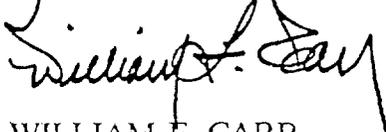
Gentlemen:

This letter is to advise you that Nearburg Producing Company has filed an application with the New Mexico Oil Conservation Division seeking the force pooling of all mineral interests in all Pennsylvanian gas formations in and under the W/2 of Section 16, Township 18 South, Range 25 East, N.M.P.M., Eddy County, New Mexico. Nearburg Producing Company proposes to dedicate the referenced pooled unit to its Ewing State No. 1 Well located at a standard location 1980 feet from the North and West lines of said Section 16.

This application has been set for hearing before a Division Examiner on December 19, 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 the matter at a later date.

Parties appearing in cases have been requested by the Division (Memorandum 2-90) to file a Prehearing Statement substantially in the form prescribed by the Division. Prehearing statements should be filed by 4:00 o'clock p.m. on the Friday before a scheduled hearing.

Very truly yours,



WILLIAM F. CARR
ATTORNEY FOR NEARBURG PRODUCING COMPANY
WFC:mlh

P-106 679 169

RECEIPT FOR CERTIFIED MAIL

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

Sent to Attn: Scott Guy Torch Energy Advisors, Inc.	
Street and No 1221 Lamar, Suite 1600	
P.O., State and ZIP Code Houston, Texas 77010	
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	\$ 2.00
Postmark or Date November 21, 1990	

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 service(s) requested.
1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to:
Torch Energy Advisors Inc.
1221 Lamar, Suite 1600
Houston, Texas 77010
Attn: Scott Guy

4. Article Number
P-106 679 169

Type of Service:
 Registered
 Certified
 Insured
 COD
 Return Receipt for Merchandise
 Express Mail
 Signature Required
 Signature Required and Date Delivered

5. Signature - Address
X

6. Signature - Agent
X *[Signature]*

7. Date of Delivery
11-27-90

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

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

November 28, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Felmont Oil and Gas Company
1221 Lamar, Suite 1600
Houston, Texas 77010
Attn: Scott Guy

Re: Application of Nearburg Producing Company for Compulsory Pooling, Eddy
County, New Mexico

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Very truly yours,



WILLIAM F. CARR
ATTORNEY FOR NEARBURG PRODUCING COMPANY
WFC:mlh

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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:		4. Article Number P-106 678 296	
Felmont Oil & Gas Company 1221 Lamar, Suite 1600 Houston, Texas 77010		Type of Services: <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 Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Address X		8. Addressee's Address (ONLY if requested and fee paid) 1221 Lamar	
6. Signature - Agent X W. J. Smith		1221 Lamar	
7. Date of Delivery 11-30-90		11/30/90	

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

P-106 678 296

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

Felmont Oil & Gas Company
 1221 Lamar, Suite 1600
 Houston, Texas 77010

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	5
Postmark or Date	NOV 28 1990

PS Form 3800, June 1985

CAMPBELL & BLACK, P.A.

LAWYERS

JACK M. CAMPBELL
BRUCE D. BLACK
MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
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November 28, 1990

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Attn: Scott Guy

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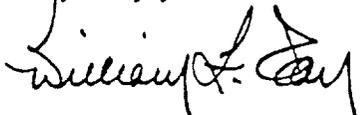
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ATTORNEY FOR NEARBURG PRODUCING COMPANY
WFC:mlh

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

3. Article Addressed to:
 Torch Oil & Gas Company
 1221 Lamar, Suite 1600
 Houston, Texas 77010

4. Article Number
 P-106 678 295

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

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature -- Address
 X

6. Signature -- Agent
 X *D. J. Smith*

7. Date of Delivery
 NOV 30 1990

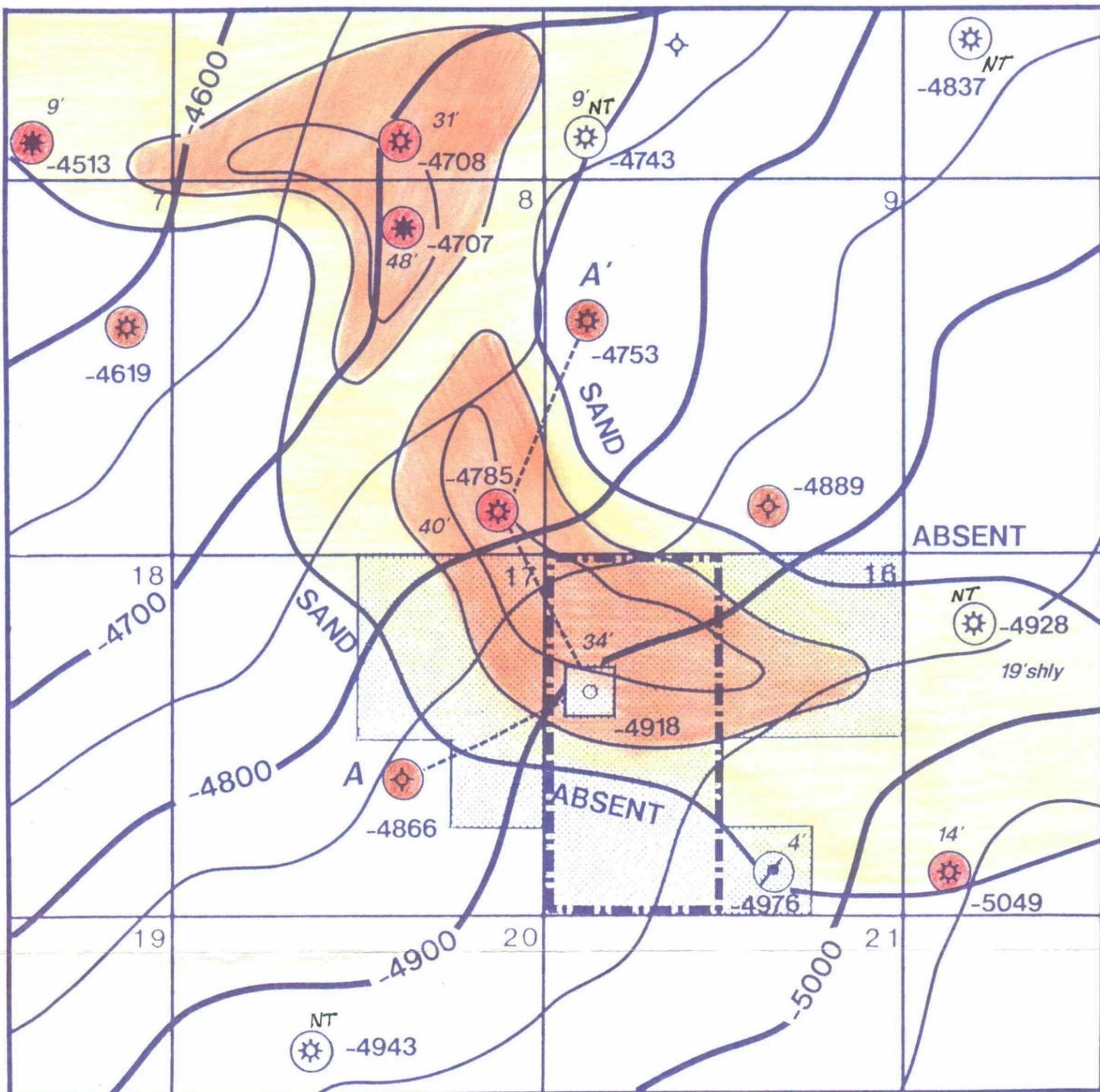
8. Addressee's Address (ONLY if requested and fee paid)

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

P-106 678 295
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Torch Oil & Gas Company
 1221 Lamar, Suite 1600
 Houston, Texas 77010

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	NOV 28 1990



SS ABSENT



SS PRESENT & PERFORATED

9'

← GROSS SS THICKNESS



PRORATION UNIT

BEFORE EXAMINER STOGNER
OIL CONSERVATION DIVISION
 NEARBURG EXHIBIT NO. 6
 CASE NO. 10178

Nearburg Producing Company
 Exploration and Production
 Dallas, Texas

MORROW STRUCTURE MAP

(C.I. 50')

"MIDDLE" MORROW SS ISOPACH

(C.I. 20')

GEOLOGY BY	DATE	DRAWN BY	FILE NO.
J.B. ELGER	12/90	BILLINGS	