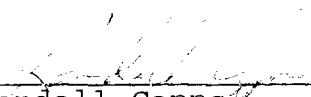


AFFIDAVIT

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

Randall Capps, 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 the letters attached hereto, and that pursuant to Rule 1207, notice has been given at the correct addresses provided by such rule.



Randall Capps

Subscribed and sworn to before me this 2nd day of December, 1987 by Randall Capps.



Notary Public

My commission expires:
10-5-88

STOGNER
CAPPS
5
9255

● **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 box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to: Mayfield Corporation POB 22568 Houston, TX 77227	4. Article Number P 079 618 345
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Addressee X <i>[Signature]</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery 11-17-87	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

P 079 618 345

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL

See Reverse

U.S. POST OFFICE

Sent to	<i>Mayfield Corp</i>
Street and No.	<i>POB 22568</i>
P.O., State and ZIP Code	<i>Houston, TX 77227</i>
Postage	\$
Certified Fee	
Special Delivery Fee	
Registered Fee	
Return Receipt Fee (to whom delivered)	
Return Receipt Fee (to whom delivered)	
Return Receipt Fee (to whom delivered)	
Other Postage	
Total Postage	

RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

November 7, 1987

Mayfield Corporation
POB 22568
Houston, TX 77227

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea County, New Mexico.

Dear Interest Owner:

Enclosed is a copy of the docket for the Oil Conservation Division Examiner hearings scheduled for Wednesday, November 18, 1987. You have an interest which may be affected by the above referenced case.

Very truly yours,



Randall L. Capps

RLC/mac
enclosure

BEFORE EXAMINER STOGNER
OIL CONSERVATION DIVISION
CAPPS EXHIBIT NO. 5
CASE NO: 9255

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 box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to: Gloria Goldston King City Corp. Center-Ste. 2680 1200 Smith Street. Houston, TX 77002	4. Article Number P079618 341
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail
	Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Addressee X	8. Addressee's Address (<i>ONLY if requested and fee paid</i>)
6. Signature - Agent X <i>C. Bigham</i>	
7. Date of Delivery NOV 13 1987	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

P 079 618 341

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL

(See Reverse)

* U.S.G.P.O. 1984-446-014

Sent to	Gloria Goldston King City Corp. Center-Ste 2680
Street and No.	1200 Smith St.
P.O., State and ZIP Code	Houston, Tx 77002
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	

PS Form 3800, Feb. 1982

RANDALL L. CAPPs
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

November 7, 1987

Gloria Goldston King
City Corp. Center-Ste. 2680
1200 Smith Street.
Houston, TX 77002

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

Dear Interest Owner:

Enclosed is a copy of the docket for the Oil Conservation Division
Examiner hearings scheduled for Wednesday, November 18, 1987. You have
an interest which may be affected by the above referenced case.

Very truly yours,



Randall L. Capps

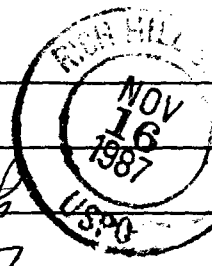
RLC/mac
enclosure

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 box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

<p>3. Article Addressed to:</p> <p>W. J. Goldston, Jr. 2400 Augusta Drive-Ste. 230</p> <p>Houston, TX 77057</p>	<p>4. Article Number</p> <p>P 079 618 340</p>
<p>5. Signature - Addressee</p> <p>X</p>	<p>Type of Service:</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Insured</p> <p><input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD</p> <p><input type="checkbox"/> Express Mail</p>
<p>6. Signature - Agent</p> <p>X <i>Ray Welch</i></p>	<p>Always obtain signature of addressee or agent and DATE DELIVERED.</p>
<p>7. Date of Delivery</p> <p>10-16-87</p>	<p>8. Addressee's Address (ONLY if requested and fee paid)</p>

PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT



P 079 618 340

RECEIPT FOR CERTIFIED MAIL

U.S. MAIL COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

U.S.G.P.O. 1964-426-014 U.S.G.P.O. 1964-426-014 U.S.G.P.O. 1964-426-014	Sent to <i>W J Goldston, Jr.</i>
	Street and No. <i>2400 Augusta Drive Ste 230</i>
	P.O., State and ZIP Code <i>Houston Tx 77057</i>
	Postage
	Certified Fee
	Special Delivery Fee
	Restricted Mail Service
	Return Address (Signature to whom mail is returned)
	Return Date and Address (Signature)
	Other Message and Fees

**RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 7, 1987

W. J. Goldston, Jr.
2400 Augusta Drive-Ste. 230

Houston, TX 77057

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

Dear Interest Owner:

Enclosed is a copy of the docket for the Oil Conservation Division
Examiner hearings scheduled for Wednesday, November 18, 1987. You have
an interest which may be affected by the above referenced case.

Very truly yours,



Randall L. Capps

RLC/mac
enclosure

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1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to: Jack H Mayfield Jr POB 22568 Houston, TX 77227	4. Article Number P 071-618 349
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail
Always obtain signature of addressee or agent and DATE DELIVERED .	
5. Signature - Addressee X <i>[Signature]</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery 11-17-87	

PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT

P 079 618 349
 RECEIPT FOR CERTIFIED MAIL
 U.S. POSTAL SERVICE PROVISIONS
 FOR REGISTERED MAIL
 (See Reverse)

U.S.C.P.O. 1984-446-V14

Sent to	Jack H Mayfield Jr
Street and No.	POB 22568
P.O., State and ZIP Code	Houston TX 77227
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	\$
Postmaster's Date	

PS Form 3890, Feb. 1982

**RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 7, 1987

Jack H. Mayfield, Jr.
POB 22568
Houston, TX 77227

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

Dear Interest Owner:

Enclosed is a copy of the docket for the Oil Conservation Division
Examiner hearings scheduled for Wednesday, November 18, 1987. You have
an interest which may be affected by the above referenced case.

Very truly yours,



Randall L. Capps

RLC/mac
enclosure

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1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to: Nancy Goldston Herpin POB 22568 Houston, TX 77227	4. Article Number P079618 333 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Addressee X <i>R Herpin</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery 11-17-87	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

P 079 618 333

RECEIPT FOR CERTIFIED MAIL

NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES

(See Reverse)

* U.S.G.P.O. 1984 446-014

Deliver to	Nancy Goldston Herpin
Street and No.	P.O. Box 22568
P.O., State and ZIP Code	Houston, TX 77227
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	

PS Form 3801, Feb. 1982

**RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 7, 1987

Nancy Goldston Herpin
POB 22568
Houston, TX 77227

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

Dear Interest Owner:

Enclosed is a copy of the docket for the Oil Conservation Division
Examiner hearings scheduled for Wednesday, November 18, 1987. You have
an interest which may be affected by the above referenced case.

Very truly yours,



Randall L. Capps

RLC/mac
enclosure

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1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to: Mary Iris Goldston Corporation and Iris Goldston POB 22568 Houston, TX 77227	4. Article Number PO 79618 335
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Addressee X <i>[Signature]</i>	8. Addressee's Address (<i>ONLY if requested and fee paid</i>)
6. Signature - Agent X	
7. Date of Delivery 11-17-87	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

P 079 618 335

RECEIPT FOR CERTIFIED MAIL

U.S. POSTAL SERVICE
MAIL ROOM
1000 MARKET STREET, PHOENIX, AZ 85001

(See Reverse)

U.S. POSTAL SERVICE PS Form 3800, Feb. 1982	Sent to MARY IRIS Goldston Corp + IRIS Goldston
	Street and No. PO Box 22568
	P.O., State and ZIP Code Houston, TX 77227
	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	

**RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 7, 1987

Mary Iris Goldston Corporation
and Iris Goldston
POB 22568
Houston, TX 77227

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

Dear Interest Owner:

Enclosed is a copy of the docket for the Oil Conservation Division
Examiner hearings scheduled for Wednesday, November 18, 1987. You have
an interest which may be affected by the above referenced case.

Very truly yours,



Randall L. Capps

RLC/mac
enclosure

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1. <input checked="" type="checkbox"/> Show to whom delivered, date, and addressee's address.		2. <input type="checkbox"/> Restricted Delivery.	
3. Article Addressed to:		4. Article Number P079618 346	
The Walter L. Goldston Agency First Natl. Bk. of Houston Acct 30107877 B 809 Houston, TX 77001		Type of Service:	
		<input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail	
Always obtain signature of addressee or agent and DATE DELIVERED.			
5. Signature — Addressee X		8. Addressee's Address (ONLY if requested and fee paid)	
6. Signature — Agent X			
7. Date of Delivery NOV 13 1987			

PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT

P 079 618 346

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse) #30107877

U.S.G.P.O. 1984-446-014	Sent to	W.L. Goldston Agency
	Street and No.	First Natl. Bk. of Houston
	P.O., State and ZIP Code	P.O. B. 809
	Postage	Houston, TX 77001
	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		

PS Form 3800, Feb. 1982

**RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 7, 1987

The Walter L. Goldston Agency
First Ntl. Bk. of Houston Acct 30107877
POB 809
Houston, TX 77001

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

Dear Interest Owner:

Enclosed is a copy of the docket for the Oil Conservation Division
Examiner hearings scheduled for Wednesday, November 18, 1987. You have
an interest which may be affected by the above referenced case.

Very truly yours,



Randall L. Capps

RLC/mac
enclosure

● **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 box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to:
**First City National Bank of Houston Trustee
of The Jeanne Goldston Trust Acct #0102453
POB 809
Houston, TX 77001**

4. Article Number
P079618344

Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 COD

5. Signature — Addressee
X

6. Signature — Agent
X **KRIS FENLEY**

7. Date of Delivery
NOV 13 1987

Always obtain signature of addressee or agent and **DATE DELIVERED**.

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

PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT

P 079 618 344
RECEIPT FOR CERTIFIED MAIL
NO MAIL ACCEPTANCE PROVIDED
FOR INTERNATIONAL MAIL
(See Reverse)

U.S.G.P.O. 1984-448-011 PS Form 3800, Feb. 1982	Sent to 1st City Natl BK of Houston Trustee of the Jeanne Goldston Tr
	Street and No. # 0102453 POB 809
	P.O., State and ZIP Code Houston TX 77001
	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	

© 1982 U.S. GOVERNMENT PRINTING OFFICE: 1982-448-011

**RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 7, 1987

First City National Bank of Houston Trustee
of The Jeanne Goldston Trust Acct #0102453
POB 809
Houston, TX 77001

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

Dear Interest Owner:

Enclosed is a copy of the docket for the Oil Conservation Division
Examiner hearings scheduled for Wednesday, November 18, 1987. You have
an interest which may be affected by the above referenced case.

Very truly yours,



Randall L. Capps

RLC/mac
enclosure

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1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to: 1st City Ntl Bk of Houston, Trustee The Beulah Wood Kinney Trust #0106532 B 809 Houston, TX 77001	4. Article Number P 079618 343
5. Signature — Addressee X	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail
6. Signature — Agent X KRIS FENLEY	Always obtain signature of addressee or agent and <u>DATE DELIVERED.</u>
7. Date of Delivery NOV 13 1987	8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

P 079 618 343

RECEIPT FOR CERTIFIED MAIL

NO POSTAGE IS DUE IF PAID PROVIDED
 NOT FOR INTERNATIONAL MAIL

(See Reverse)

* U.S. P.O. 1984-446-014

Sent to 1st City Ntl. Bk of Houston	
Street and No. Trustee - Beulah Wood Kinney #0106532	
P.O. State and ZIP Code POB 809	
Postage Houston, TX 77001	
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date of Delivery	
Return Receipt Showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	
Postmark (Date)	

* PS Form 3803, Feb. 1982

**RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 7, 1987

First City Ntl Bk of Houston, Trustee
of The Beulah Wood Kinney Trust *0106532
POB 809
Houston, TX 77001

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

Dear Interest Owner:

Enclosed is a copy of the docket for the Oil Conservation Division
Examiner hearings scheduled for Wednesday, November 18, 1987. You have
an interest which may be affected by the above referenced case.

Very truly yours,



Randall L. Capps

RLC/mac
enclosure

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 box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to: _____ 4. Article Number
P 079 618 342

**1st City Ntl Bk of Houston Successor Trust
1/W/O W. J. Goldston, Dec'd. Acct #0106213
DB 809
Houston, TX 77001**

Type of Service:
 Registered Insured
 Certified COD
 Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature — Addressee
X

6. Signature — Agent
X **KRIS FENLEY**

7. Date of Delivery
NOV 13 1987

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

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

P 079 618 342

RECEIPT FOR CERTIFIED MAIL

INTERNATIONAL (COVERAGE PROVIDED)
ADD FOR INTERNATIONAL MAIL

(See Reverse)

* U.S.G.P.D. 1984 446-014 PS Form 3811, Feb. 1986	Sent to	1st City Ntl Bk of Houston Successor Trustee W/O W. J. Goldston	
	Street and No.	Acct # 0106213	
	P.O., State and ZIP Code	DB 809, Houston, TX 77001	
	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		
	POSTAGE AND FEES	\$	3

**RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 7, 1987

First City Ntl Bk of Houston Successor Trustee
U/W/O W. J. Goldston, Dec'd. Acct #0106213
\$\$ Address=POB 809
Houston, TX 77001

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

Dear Interest Owner:

Enclosed is a copy of the docket for the Oil Conservation Division
Examiner hearings scheduled for Wednesday, November 18, 1987. You have
an interest which may be affected by the above referenced case.

Very truly yours,



Randall L. Capps

RLC/mac
enclosure

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 box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to: 1st City Natl BK of Houston & Kathleen H. Goldstar Tr # 010425 POB 809 Houston, Tx 77001	4. Article Number P079 618 347 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 Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Addressee X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X KRIS FENLEY	
7. Date of Delivery NOV 13 1987	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

P 079 618 347

RECEIPT FOR CERTIFIED MAIL

INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

U.S.G.P.O. 1984-446-514

sent to ~~1st City Natl BK of Houston~~
K.H. Goldstar, Tr. # 0104253
Street and No. POB 809
City, State and ZIP Code
Houston, Tx 77001

Postage	3
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	3
Postmark Date	

NOV 13 1987
LUBBOCK TX

RANDALL L. CAPP5
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

November 7, 1987

First City Ntl Bk of Houston and Kathleen H. Goldston
Trustees of The K. H. Goldston Trust *0104253
POB 809
Houston, TX 77001

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

Dear Interest Owner:

Enclosed is a copy of the docket for the Oil Conservation Division
Examiner hearings scheduled for Wednesday, November 18, 1987. You have
an interest which may be affected by the above referenced case.

Very truly yours,



Randall L. Capps

RLC/mac
enclosure

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 box(es) for additional service(s) requested.

1. ~~Know to whom delivered~~, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to:
Stephens Production Company
POB 2407
Fort Smith, AR 72902

4. Article Number
P079618339

Type of Service:
 Registered Insured
 Certified COD
 Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature - Addressee
X *Leslie Craven*

6. Signature - Agent
X

7. Date of Delivery
11-12-87

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

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

P 079 618 339

RECEIPT FOR CERTIFIED MAIL

INTERNATIONAL OVERSEAS FPM (O.I.)
 NORTH AMERICAN MAIL

(See Reverse)

U.S. P.O. 1984-446-014
 U.S. P.O. 1982

Sent to	Stephens Production Co
Street and No.	P.O. Box 2407
P.O. State and ZIP Code	Ft. Smith, AR 72902
Postage	5
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	

PS Form 3811, Feb. 1986

**RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 7, 1987

Stephens Production Company
POB 2407
Fort Smith, AR 72902

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
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1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to: Harry Kilian & Kathleen Kilian 3822 Wickersham Houston, TX 77027	4. Article Number P 079618 348
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature — Addressee X <i>Harry Kilian</i>	8. Addressee's Address (ONLY if requested and fee paid) 3822 Wickersham 77027
6. Signature — Agent X	
7. Date of Delivery 1/13/87	

PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT

P 079 618 348

RECEIPT FOR CERTIFIED MAIL

NO RECEIPT OVERAGE PROVIDED
 FOR INTERNATIONAL MAIL

(See Reverse)

* U.S. POST OFFICE 1984 44b-014

Sent to <i>Harry Kilian & Kathleen Kilian</i>
Street and No. <i>3822 Wickersham</i>
P.O. State and ZIP Code <i>Houston, TX 77027</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
TO PAID Postage and Fees \$
Postmark (Date)

U.S. POST OFFICE, Feb. 1984

**RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 7, 1987

Harry Kilian & Kathleen Kilian
3822 Wickersham
Houston, TX 77027

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

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RLC/mac
enclosure

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1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to: Enstar Corporation C/O Union Texas Petroleum POB 2120 Houston, TX 77252-2120	4. Article Number 079 618 337
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Addressee X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent <i>[Signature]</i>	
7. Date of Delivery NOV 13 1987	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

P 079 618 337

RECEIPT FOR CERTIFIED MAIL

NO POSTAGE OR GUARANTEE PROVIDED
 IF BY INTERNATIONAL MAIL

(See Reverse)

U.S.S.P.O. Form 3800, Feb. 1982

Sent to	ENSTAR Corp
Street and No.	26 Union Texas Petroleum
P.O., State and ZIP Code	P.O. Box 2120 Houston, TX 77252-2120
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom Date and Address of Delivery	
Return Receipt Showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark (Date)	NOV 13 1987

**RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 7, 1987

Enstar Corporation
C/O Union Texas Petroleum
POB 2120
Houston, TX 77252-2120

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

Dear Interest Owner:

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Very truly yours,



Randall L. Capps

RLC/mac
enclosure

**RANDALL L. CAPPS
4630 50th; Suite 400
Lubbock, Texas 79414
(806) 796-1316**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

November 7, 1987

Esandco, Ltd.
600 National Bank of Commerce Bldg.
San Antonio, TX 78205

Re: Case 9255: Application of Randall L. Capps for compulsory Pooling. Lea
County, New Mexico.

Dear Interest Owner:

Enclosed is a copy of the docket for the Oil Conservation Division
Examiner hearings scheduled for Wednesday, November 18, 1987. You have
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Randall L. Capps

RLC/mac
enclosure

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1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to:
Esandco, Ltd.
600 National Bank of Commerce Bldg.
San Antonio, TX 78205

4. Article Number
P 079618 338

Type of Service:
 Registered Insured
 Certified COD
 Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature — Addressee
X

6. Signature — Agent
X *Probst*

7. Date of Delivery
NOV 12 1987

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

PS Form 3811, Feb. 1986- DOMESTIC RETURN RECEIPT

P 079 618 338

RECEIPT FOR CERTIFIED MAIL

(U.S. MAIL COVERAGE PROVIDED FOR INTERNATIONAL MAIL)

(See Reverse)

U.S.G.P.O. 1984-446-014

PS Form 3800, Feb. 1982

Section	Esandco, Ltd.
Street and No.	600 Natl Bk of Com. Bldg
P.O., State and ZIP Code	San Antonio, Tex 78205
Postage	\$
* Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Agent and Date Delivered	
Return receipt showing to whom Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

* If you are mailing this receipt to a foreign country, you must also attach a return receipt card from that country.

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

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:

CASE NO. 9255
Order No. R-8566

APPLICATION OF RANDALL L. CAPPS
FOR COMPULSORY POOLING, LEA COUNTY,
NEW MEXICO

ORDER OF THE DIVISION

BY THE DIVISION:

This cause came on for hearing at 8:15 a.m. on December 2, 1987, at Santa Fe, New Mexico, before Examiner Michael E. Stogner.

NOW, on this 18th day of December, 1987, the Division Director, having considered the testimony, the record, and the recommendations of the Examiner, and being fully advised in the premises,

FINDS THAT:

- (1) Due public notice having been given as required by law, the Division has jurisdiction of this cause and the subject matter thereof.
- (2) The applicant, Randall L. Capps, seeks an order pooling all mineral interests from the surface to the base of the Wolfcamp formation underlying the NW/4 SW/4 (Unit L) of Section 18, Township 12 South, Range 38 East, NMPM, Lea County, New Mexico, forming a standard 40-acre oil spacing and proration unit to be dedicated to the Gary Bennett Pearl Western Well No. 1-Y located at a standard oil well location 1980 feet from the South line and 610 feet from the West line of said Section 18.
- (3) As the previous operator of this well, Cavalcade Oil Corporation requested and received approval for this well to be temporarily abandoned on May 5, 1986. On May 15, 1987 this well was approved for a change in ownership to Gary Bennett of Lubbock, Texas.
- (4) At the time of the hearing the applicant requested that Gary Bennett be designated the operator of the subject well and unit.

(5) The applicant has a right to develop said acreage and proposes to re-enter said well for this purpose.

(6) There are interest owners in the proposed proration unit who have not agreed to pool their interests.

(7) To avoid the drilling of unnecessary wells, to protect correlative rights, and to afford to the owner of each interest in said unit the opportunity to recover or receive without unnecessary expense his just and fair share of the oil underlying the proposed spacing and proration unit, the subject application should be approved by pooling all mineral interests, whatever they may be, within said unit.

(8) Any non-consenting working interest owner should be afforded the opportunity to pay his share of estimated well costs to the operator in lieu of paying his share of reasonable well costs out of production.

(9) Any non-consenting working interest owner who does not pay his share of estimated well costs should have withheld from production his share of the reasonable well costs plus an additional 200 percent thereof as a reasonable charge for the risk involved in the re-entry of the well.

(10) Any non-consenting interest owner should be afforded the opportunity to object to the actual well costs but actual well costs should be adopted as the reasonable well costs in the absence of such objection.

(11) Following determination of reasonable well costs, any non-consenting working interest owner who has paid his share of estimated costs should pay to the operator any amount that reasonable well costs exceed estimated well costs and should receive from the operator any amount that paid estimated well costs exceed reasonable well costs.

(12) \$4000.00 per month while re-entering and \$400.00 per month while producing should be fixed as reasonable charges for supervision (combined fixed rates); the operator should be authorized to withhold from production the proportionate share of such supervision charges attributable to each non-consenting working interest, and in addition thereto, the operator should be authorized to withhold from production the proportionate share of actual expenditures required for operating the subject well, not in excess of what are reasonable, attributable to each non-consenting working interest.

(13) All proceeds from production from the subject well which are not disbursed for any reason should be placed in

escrow to be paid to the true owner thereof upon demand and proof of ownership.

(14) Upon the failure of the operator of said pooled unit to commence re-entry operations on the well to which said unit is dedicated on or before March 15, 1988, the order pooling said unit should become null and void and of no effect whatsoever.

(15) Should all the parties to this force pooling reach voluntary agreement subsequent to entry of this order, this order should thereafter be of no further effect.

(16) The operator of the well and unit should notify the Director of the Division in writing of the subsequent voluntary agreement of all parties subject to the force pooling provisions of this order.

IT IS THEREFORE ORDERED THAT:

(1) All mineral interests, whatever they may be, from the surface to the base of the Wolfcamp formation underlying the NW/4 SW/4 (Unit L) of Section 18, Township 12 South, Range 38 East, NMPM, Lea County, New Mexico, are hereby pooled to form a standard 40-acre oil spacing and proration unit to be dedicated to the Gary Bennett Pearl Western Well No. 1-Y located at a standard oil well location 1980 feet from the South line and 610 feet from the West line of said Section 18.

PROVIDED HOWEVER THAT, the operator of said unit shall commence the re-entry operation on said well on or before the 15th day of March, 1988.

PROVIDED FURTHER THAT, in the event said operator does not commence the re-entry operation on said well on or before the 15th day of March, 1988, Ordering Paragraph No. (1) of this order shall be null and void and of no effect whatsoever, unless said operator obtains a time extension from the Division for good cause shown.

PROVIDED FURTHER THAT, should said well not be re-entered and completed, or abandoned, within 120 days after commencement thereof, said operator shall appear before the Division Director and show cause why Ordering Paragraph No. (1) of this order should not be rescinded.

(2) Gary Bennett is hereby designated the operator of the subject well and unit.

(3) After the effective date of this order and within 90 days prior to commencing the re-entry operation of said well, the operator shall furnish the Division and each known working interest owner in the subject unit an itemized schedule of estimated well costs.

(4) Within 30 days from the date the schedule of estimated well costs is furnished to him, any non-consenting working interest owner shall have the right to pay his share of estimated well costs to the operator in lieu of paying his share of reasonable well costs out of production, and any such owner who pays his share of estimated well costs as provided above shall remain liable for operating costs but shall not be liable for risk charges.

(5) The operator shall furnish the Division and each known working interest owner an itemized schedule of actual well costs within 90 days following the recompletion of the well; if no objection to the actual well costs is received by the Division and the Division has not objected within 45 days following receipt of said schedule, the actual well costs shall be the reasonable well costs; provided however, if there is an objection to actual well costs within said 45-day period the Division will determine reasonable well costs after public notice and hearing.

(6) Within 60 days following determination of reasonable well costs, any non-consenting working interest owner who has paid his share of estimated costs in advance as provided above shall pay to the operator his pro rata share of the amount that reasonable well costs exceed estimated well costs and shall receive from the operator his pro rata share of the amount that estimated well costs exceed reasonable well costs.

(7) The operator is hereby authorized to withhold the following costs and charges from production:

- (A) The pro rata share of reasonable well costs attributable to each non-consenting working interest owner who has not paid his share of estimated well costs within 30 days from the date the schedule of estimated well costs is furnished to him.
- (B) As a charge for the risk involved in the re-entry of the well, 200 percent of the pro rata share of reasonable well costs attributable to each non-consenting working interest owner who has not paid his share of estimated well costs within

30 days from the date the schedule of estimated well costs is furnished to him.

(8) The operator shall distribute said costs and charges withheld from production to the parties who advanced the well costs.

(9) \$4000.00 per month while re-entering and \$400.00 per month while producing are hereby fixed as reasonable charges for supervision (combined fixed rates); the operator is hereby authorized to withhold from production the proportionate share of such supervision charges attributable to each non-consenting working interest, and in addition thereto, the operator is hereby authorized to withhold from production the proportionate share of actual expenditures required for operating such well, not in excess of what are reasonable, attributable to each non-consenting working interest.

(10) Any unsevered mineral interest shall be considered a seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest for the purpose of allocating costs and charges under the terms of this order.

(11) Any well costs or charges which are to be paid out of production shall be withheld only from the working interest's share of production, and no costs or charges shall be withheld from production attributable to royalty interests.

(12) All proceeds from production from the subject well which are not disbursed for any reason shall immediately be placed in escrow in Lea County, New Mexico, to be paid to the true owner thereof upon demand and proof of ownership; the operator shall notify the Division of the name and address of said escrow agent within 30 days from the date of first deposit with said escrow agent.

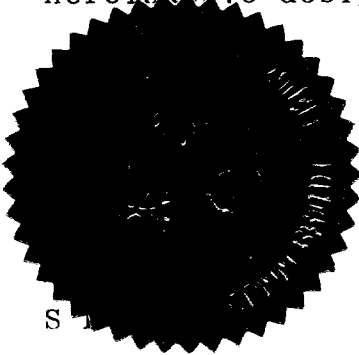
(13) Should all the parties to this force pooling reach voluntary agreement subsequent to entry of this order, this order shall thereafter be of no further effect.

(14) The operator of the well and unit shall notify the Director of the Division in writing of the subsequent voluntary agreement of all parties subject to the force pooling provisions of this order.

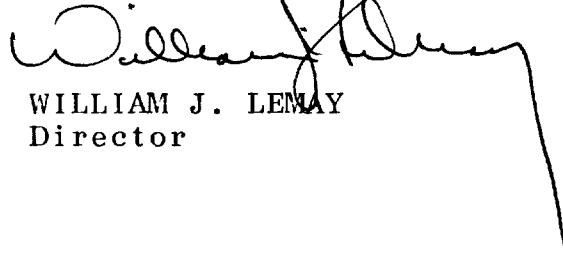
(15) Jurisdiction of this cause is retained for the entry of such further orders as the Division may deem necessary.

Page 6
Case No. 9255
Order No. R-8566

DONE at Santa Fe, New Mexico, on the day and year
hereinafter designated.



STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

A handwritten signature in black ink, appearing to read "William J. Lemay". The signature is written in a cursive style and extends to the right, ending in a long horizontal line.

WILLIAM J. LEMAY
Director

S