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

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE SUPERVISOR OF DISTRICT I, FOR AN ORDER REQUIRING MILLARD DECK ESTATE TO BRING TWO WELLS INTO COMPLIANCE WITH 19.15.4.201 NMAC, ASSESSING AN APPROPRIATE CIVIL PENALTY IN THE EVENT OF NON-COMPLIANCE, AND AUTHORIZING THE DIVISION TO PLUG SAID WELLS, LEA COUNTY, NEW MEXICO.

CASE NO. 13361

Affidavit of Jane Prouty

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

Jane Prouty, being first duly sworn on oath, states as follows:

- 1. I am employed as the supervisor of production and permitting at the Santa Fe, New Mexico office of the Oil Conservation Division ("OCD").
- 2. My duties include maintaining records of oil and gas production and injection on wells located in New Mexico.
- 3. The OCD's information on production and injection comes from monthly production reports filed by the well operators.
- 4. In 1993 the OCD began using the ONGARD (Oil and Natural Gas Administration and Revenue Database) to record oil and gas production and injection by well. Since 1993, production and injection data from the monthly production reports filed by operators has been entered into ONGARD.
- 5. When the OCD began using the ONGARD system in 1993, it converted existing production and injection data into ONGARD for those wells that were not shown as "plugged" according to the OCD records available at that time. The pre-1993 production and injection information for each such well was totaled and appears in ONGARD under the last month of production or injection for that well.
- 6. I have researched the ONGARD records for production and injection information regarding the following wells:

Before the OCD Case 13361 OCD Ex. 2

- a. Alexander #001, API #30-025-06429, located at Unit Letter E, Section 7, Township 21 South, Range 37 East, in Lea County, New Mexico; and
- b. Lea 407 State #005, API #30-025-03535, located at Unit Letter D, Section 33, Township 21 South, Range 35 East, in Lea County, New Mexico.
- 7. ONGARD contains no production or injection records for the Alexander #001 since February, 1985. I researched the error files for reports on the Alexander #001 and found no record of any attempt to submit production or injection information for this well in ONGARD.
- 8. ONGARD contains no production or injection records for the Lea 407 State #005 since August, 1986. I researched the error files for reports on the Lea 407 State #005 and found no record of any attempt to submit production or injection information for this well in ONGARD.

THIS CONCLUDES MY AFFIDAVIT.

Jane Prouty

SUBSCRIBED AND SWORN before me this 6th day of October, 2004.

Notary Public

My Commission Expires: