

**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 Dorothy Phillips

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

Dorothy Phillips, being first duly sworn on oath, states as follows:

1. I have been employed as the bond administrator at the Santa Fe, New Mexico office of the Oil Conservation Division ("OCD") for the past four years.

2. My duties include maintaining records of financial assurance documents filed by operators pursuant to NMSA 1978, Section 70-2-14.

3. I have reviewed OCD's financial assurance records to determine if financial assurance documents were filed for the two wells at issue in the above-captioned case:

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

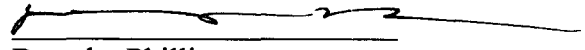
b. Lea 407 State #005, API #30-025-03535, located at Unit Letter D, Section 33, Township 21 South, Range 35 East, in Lea County, New Mexico.

4. OCD's electronic permitting database, "E-Permitting" identifies the wells associated with a particular operator that have not been plugged. Attachment "A" to this affidavit is a printout of the E-Permitting screen showing Millard Deck Estate as operator of the Alexander #001 and Lea 407 State #005.

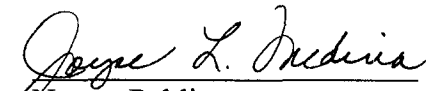
**Before the OCD
Case 13361
OCD Ex. 3**

5. I reviewed my files and found no active financial assurances for "Millard Deck" or "Millard Deck Estate." According to my records, "Millard Deck," "Millard Deck Estate," and "Millard Deck Oil Company, Incorporated" all posted financial assurances with the OCD, but those financial assurances have been cancelled. Attachment "B" to this affidavit is a copy of the records showing cancellation of those financial assurances.

THIS CONCLUDES MY AFFIDAVIT.


Dorothy Phillips

SUBSCRIBED AND SWORN before me this 4th day of October, 2004.


Notary Public

My Commission Expires:

12/31/07

Wells Operated By MILLARD DECK ESTATE , 14894
September 28, 2004

Property	Well Name	Lease Type	ULSTR	OCD Unit	API	Well Type	Pool ID	Pool Name	Last Prod/Inj	Oil POD	Gas POD
7950	ALEXANDER #001	P	2-7 -21S-37E	E	30-025-06429	G	76480	EUMONT;YATES-7 RVRS-QUEEN (GAS)	02/85	1929710	1929730
7951	LEA 407 STATE #005	S	D-33-21S-35E	D	30-025-03535	O	53790	SAN SIMON;YATES, NORTH (ASSOC)	08/86	1929610	1929630

Attachment A

PRINCIPAL: Millard Deck

14894

SURETY: Employers' Fire Insurance Company

BOND NO.:

TYPE: \$5,000 one-well

APPROVED: 7-30-64

CANCELLED: Yes

WELL LOCATION: J-16-22S-37E

PRINCIPAL: Millard Deck Oil Company, Incorporated

SURETY: Hartford Accident and Indemnity Company

BOND NO.: 4375217

TYPE: \$50,000 Blanket

APPROVED: 12-30-77

CANCELLED: January 15, 1982

WELL LOCATION:

Attachment B

PRINCIPAL: Willard Deck MILLARD DECK ESTATE

14894

SURETY: Hartford Accident and Indemnity Company

BOND NO.: 4375226

TYPE: \$50,000 Blanket

APPROVED: 2-7-78

CANCELLED: February 6, 1984

WELL LOCATION:

PRINCIPAL: MILLARD DECK ESTATE

SURETY: United States Fidelity & Guaranty Company

BOND NO.: 18 0130 10007 84

TYPE: \$50,000 Blanket Plugging Bond

APPROVED: February 3, 1984

CANCELLED: October 22, 1993

WELL LOCATION: