

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF ROCA PRODUCTION,  
INC. FOR COMPULSORY POOLING, LEA  
COUNTY, NEW MEXICO.

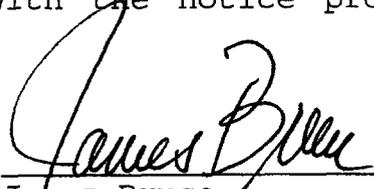
Case No. 13083

AFFIDAVIT REGARDING NOTICE

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

James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Applicant.
3. Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the Application filed herein.
4. Notice of the Application was provided to the interest owner at her correct address by certified mail. Copies of the notice letters and certified return receipts are attached hereto as Exhibit A.
5. Applicant has complied with the notice provisions of Division Rule 1207.

  
\_\_\_\_\_  
James Bruce

SUBSCRIBED AND SWORN TO before me this 8th day of July, 2003, by James Bruce.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:  
3/14/05

OIL CONSERVATION DIVISION  
CASE NUMBER \_\_\_\_\_  
EXHIBIT 5

**JAMES BRUCE**  
ATTORNEY AT LAW

POST OFFICE BOX 1056  
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213  
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (PHONE)  
(505) 982-2151 (FAX)

jamesbruc@aol.com

May 15, 2003

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

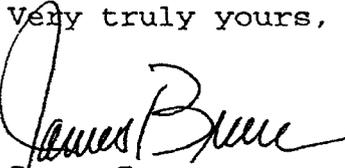
Evelyn Clay O'Hara  
3774 West Sixth Street  
Fort Worth, Texas 76107

Dear Ms. O'Hara:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Roca Production, Inc., regarding the NE¼ of Section 33, Township 22 South, Range 36 East, NMPM, Lea County, New Mexico. This matter will be heard at 8:15 a.m. on Thursday, June 5, 2003 at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. **Please note that the hearing may be continued to June 12th or June 19th due to a conflict in the Division's schedule. It is your responsibility to determine the correct hearing date.** As an interest owner in the well unit, you have the right to appear at the hearing and participate in the case. Failure to appear at the hearing will preclude you from contesting this matter at a later date.

You are required to notify the Division, and the undersigned, by Friday, May 30, 2003, if you intend to enter an appearance and participate in the case.

Very truly yours,

  
James Bruce

Attorney for Roca Production, Inc.



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Evelyn Clay O'Hara  
3774 West Sixth Street  
Fort Worth, Texas 76107

2. Article Number

(Transfer from service label)

PS Form 3811, August 2001

7002 2030 0004 5186 4857

Domestic Return Receipt

102595-02-1001 (3-0)

*Brown*

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*[Signature]*

B. Received by (Printed Name)  Agent  Addressee

C. Date of Delivery  
5-26-03  
Delivery address different from item 1?  Yes  No  
YES, enter delivery address below:

3. Service Type

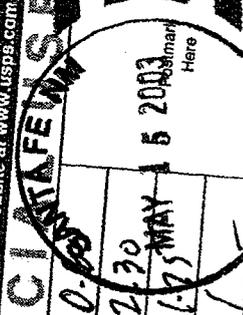
Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  G.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only. No Insurance Coverage Provided)  
For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL RECEIPT**

Postage	\$ 0.00
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65



Sent To  
Evelyn Clay O'Hara  
3774 West Sixth Street  
Fort Worth, Texas 76107

PS Form 3800, June 2002 See Reverse for Instructions

**JAMES BRUCE**  
ATTORNEY AT LAW

POST OFFICE BOX 1056  
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213  
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (PHONE)  
(505) 982-2151 (FAX)

jamesbruc@aol.com

May 29, 2003

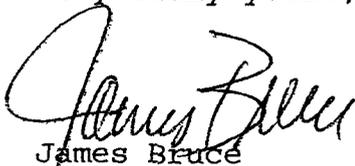
Via First Class and Certified Mail

Evelyn Clay O'Hara  
3774 West Sixth Street  
Fort Worth, Texas 76107

Dear Ms. O'Hara:

I previously mailed you an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Roca Production, Inc., regarding the NE¼ of Section 33, Township 22 South, Range 36 East, NMPM, Lea County, New Mexico. Please note that the hearing has been set for June 10, 2003 at 8:15 a.m.

Very truly yours,



James Bruce

Attorney for Roca Production, Inc.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature Evelyn O'Hara  Agent  
 Addressee  Addressed to Date of Delivery 05/29/03

B. Received by (Printed Name) Evelyn O'Hara  Yes  
 No

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  NO

3. Service Type  Express Mail  Return Receipt for Merchandise  
 Certified Mail  Registered  C.O.D.  Yes  
 Insured Mail (Extra Fee)  Yes

4. Restricted Delivery? (Extra Fee)  Yes

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Evelyn Clay O'Hara  
 3774 West Sixth Street  
 Fort Worth, Texas 76107

2. Article Number (Transfer from service label)

PS Form 3811, August 2001

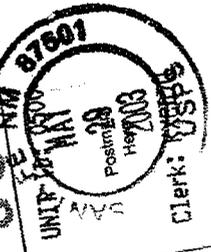
7002 2030 0004 5186 7414

Domestic Return Receipt

**U.S. Postal Service RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com



Postage	\$ 2.32
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	4.42
Total Postage & Fees	\$ 10.80

Sent To: Evelyn Clay O'Hara  
 3774 West Sixth Street  
 Fort Worth, Texas 76107

Street, Apt. No.; or PO Box No.  
 City, State, Zip+4

See Reverse for Instructions

PS Form 3800, June 2002

7002 2030 0004 5186 7414

**JAMES BRUCE**  
ATTORNEY AT LAW

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SANTA FE, NEW MEXICO 87504

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SANTA FE, NEW MEXICO 87501

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(505) 982-2151 (FAX)

jamesbruc@aol.com

June 9, 2003

Evelyn Clay O'Hara  
3774 West Sixth Street  
Fort Worth, Texas 76107

Dear Ms. O'Hara:

The hearing regarding the NE¼ of Section 33, Township 22 South, Range 36 East, NMPM, Lea County, New Mexico has again been re-scheduled, and will now be heard at 8:15 a.m. on Thursday, July 10, 2003 at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505.

Very truly yours,



James Bruce

Attorney for Roca Production, Inc.