

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

**APPLICATION OF MYCO INDUSTRIES, INC.,
FOR AN EXCEPTION TO DIVISION RULES
10.C(2)(b) AND (c),
EDDY COUNTY ,NEW MEXICO.**

CASE NO. 13469

AFFIDAVIT

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

Michael H. Feldewert, attorney in fact and authorized representative of Myco Industries, Inc., the Applicant herein, being first duly sworn, upon oath, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.

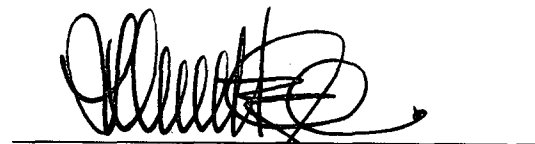


Michael H. Feldewert

SUBSCRIBED AND SWORN to before me this 4th day of
May 2005 by Michael H. Feldewert.



**OFFICIAL SEAL
LISAMARIE ORTIZ
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires 7/19/07**



Notary Public

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Case No. 13469 Exhibit No. 2
Submitted by:
Myco Industries, Inc.
Hearing Date: May 5, 2005

EXHIBIT A

**APPLICATION OF MYCO INDUSTRIES, INC. FOR AN EXCEPTION TO
DIVISION RULES 104.C(2)(b) AND (c), EDDY COUNTY, NEW MEXICO.
(Boise Federal Well No.1)**

Mewbourne Oil Company
500 West Texas
Suite 1020
Midland, Texas 79701
Attn: Paul Haden

Attn: Roger Parker
Delta Petroleum Corporation
370 17th Street
Suite 4300
Denver, Colorado 80202

Jay Reynolds
Western Oil Producers, Inc.
P.O. Box 1498
Roswell, New Mexico 88202

Doug Hurlbut
OXY USA WTP LP
6 Desta Drive, Suite 6000
Midland, Texas 79705-5505

HOLLAND & HART^{LLP}



Michael H. Feldewert
Recognized Specialist in the Area of
Natural Resources - oil and gas law -
New Mexico Board of Legal
Specialization

mfeldewert@hollandhart.com

March 28, 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Roger Parker
Delta Petroleum Corporation
370 17th Street
Suite 4300
Denver, Colorado 80202

**Re: Application for Myco Industries, Inc. for an Exception to Division
Rules 104(B)(2)(b) and (c),
Eddy County New Mexico.**

Dear Mr. Parker:

This letter is to advise you that Myco Industries, Inc., has filed the enclosed application with the New Mexico Oil Conservation Division. This application has been set for hearing before a Division Examiner on April 11, 2005. You are not required to attend this hearing, but as an owner of interest in this property, you may appear and present testimony. Failure to appear at this hearing and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 1208.B to file a Prehearing Statement three days in advance of the scheduled hearing. This statement must include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Sincerely,

Michael H. Feldewert

MHF

Holland & Hart LLP

Phone [505] 988-4421 Fax [505] 983-6043 www.hollandhart.com

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

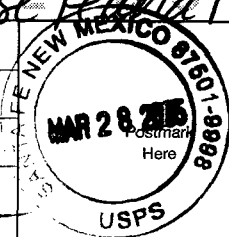
Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. ☐

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

7001 1140 0002 5601 9841

MHF/Myco - Boise Federal

Postage \$.60
 Certified Fee 1.75
 Return Receipt Fee (Endorsement Required) 2.30
 Restricted Delivery Fee (Endorsement Required)
 Total Postage & Fees \$ 4.65



Roger Parker
 Delta Petroleum Corporation
 370 17th Street, Suite 4300
 Denver, Colorado 80202

PS Form 3800, January 2001 See Reverse for Instructions

SENDER: COMPLETE

- 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:

 Roger Parker
 Delta Petroleum Corporation
 370 17th Street, Suite 4300
 Denver, Colorado 80202

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Sean Hansen B. Date of Delivery 3 31 01
 C. Signature [Signature] ☐ Agent ☐ Addressee
 D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label) 7001 1140 0002 5601 9841

HOLLAND & HART^{LLP}



Michael H. Feldewert
Recognized Specialist in the Area of
Natural Resources - oil and gas law -
New Mexico Board of Legal
Specialization

mfeldewert@hollandhart.com

March 28, 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jay Reynolds
Western Oil Producers, Inc.
Post Office Box 1498
Roswell, New Mexico 88202

**Re: Application for Myco Industries, Inc. for an Exception to Division
Rules 104(B)(2)(b) and (c),
Eddy County New Mexico.**

Dear Mr. Reynolds

This letter is to advise you that Myco Industries, Inc., has filed the enclosed application with the New Mexico Oil Conservation Division. This application has been set for hearing before a Division Examiner on April 11, 2005. You are not required to attend this hearing, but as an owner of interest in this property, you may appear and present testimony. Failure to appear at this hearing and become a party of record will preclude you from challenging the matter at a later date.

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Sincerely,

Michael H. Feldewert

MHF

Holland & Hart^{LLP}

Phone [505] 988-4421 Fax [505] 983-6043 www.hollandhart.com

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. ☐

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

7001 1140 0002 5601 9834

MHF/Muco - Boise Federal

Postage	\$.60
Certified Fee	1.75
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65



Jay Reynolds
 Western Oil Producers, Inc.
 Post Office Box 1498
 Roswell, New Mexico 88202

PS Form 3800, January 2001 See Reverse for Instructions

SENDER: COMPLETE

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jay Reynolds
 Western Oil Producers, Inc.
 Post Office Box 1498
 Roswell, New Mexico 88202

2. Article Number (Copy from service label)

7001 1140 0002 5601 9834

A. Received by (Please Print Clearly) B. Date of Delivery

Genny Long 3-30-05

C. Signature

X Genny Long

☐ Agent
☐ Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes
☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

HOLLAND & HART^{LLP}



Michael H. Feldewert
Recognized Specialist in the Area of
Natural Resources - oil and gas law -
New Mexico Board of Legal
Specialization

mfeldewert@hollandhart.com

March 28, 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Doug Hurlbut
OXY USA WTP LP
6 Desta Drive, Suite 6000
Midland, Texas 79705-5505

**Re: Application for Myco Industries, Inc. for an Exception to Division
Rules 104(B)(2)(b) and (c),
Eddy County New Mexico.**

Dear Mr. Hurlbut:

This letter is to advise you that Myco Industries, Inc., has filed the enclosed application with the New Mexico Oil Conservation Division. This application has been set for hearing before a Division Examiner on April 11, 2005. You are not required to attend this hearing, but as an owner of interest in this property, you may appear and present testimony. Failure to appear at this hearing and become a party of record will preclude you from challenging the matter at a later date.

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Sincerely,

Michael H. Feldewert

MHF

Holland & Hart^{LLP}

Phone [505] 988-4421 Fax [505] 983-6043 www.hollandhart.com

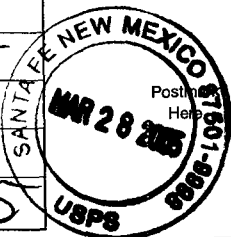
110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. ☐

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

M.H.F./Mgco Boise Federal

Postage	\$ 60
Certified Fee	1.75
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$4.65



Doug Hurlbut
 OXY USA WTP LP
 6 Desta Drive, Suite 6000
 Midland, Texas 79705-5505

PS Form 3800, January 2001

See Reverse for Instructions

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:

Doug Hurlbut
 OXY USA WTP LP
 6 Desta Drive, Suite 6000
 Midland, Texas 79705-5505

2. Article Number (Copy from service label)

7001 1140 0002 5601 9827

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

RECIPIENT: COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)	B. Date of Delivery
Ron [Signature]	4/6/05
C. Signature	
[Signature]	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
D. Is delivery address different from item 1?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If YES, enter delivery address below:	

3. Service Type

- | | |
|--|--|
| <input checked="" type="checkbox"/> Certified Mail | <input type="checkbox"/> Express Mail |
| <input type="checkbox"/> Registered | <input checked="" type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail | <input type="checkbox"/> C.O.D. |

4. Restricted Delivery? (Extra Fee) ☐ Yes

HOLLAND & HART^{LLP}



Michael H. Feldewert
Recognized Specialist in the Area of
Natural Resources - oil and gas law -
New Mexico Board of Legal
Specialization

mfeldewert@hollandhart.com

March 28, 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Paul Haden
Mewbourne Oil Company
500 West Texas
Suite 1020
Midland, Texas 79701

**Re: Application for Myco Industries, Inc. for an Exception to Division
Rules 104(B)(2)(b) and (c),
Eddy County New Mexico.**

Dear Mr. Haden:

This letter is to advise you that Myco Industries, Inc., has filed the enclosed application with the New Mexico Oil Conservation Division. This application has been set for hearing before a Division Examiner on April 11, 2005. You are not required to attend this hearing, but as an owner of interest in this property, you may appear and present testimony. Failure to appear at this hearing and become a party of record will preclude you from challenging the matter at a later date.

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Sincerely,

Michael H. Feldewert

MHF

Holland & Hart^{LLP}

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110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. ☐

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

7001 1140 0002 5601 9810

MHF/Mycro-Borne Federal

Postage	\$ 60
Certified Fee	1.75
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65



Paul Haden
 Mewbourne Oil Company
 500 West Texas, Suite 1020
 Midland, Texas 79701

See Reverse for Instructions

SENDER: COMPLETE

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
 OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

IVERY

- 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:

Paul Haden
 Mewbourne Oil Company
 500 West Texas, Suite 1020
 Midland, Texas 79701

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

G. Barner

☒ Agent

☐ Addressee

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7001 1140 0002 5601 9810