## 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:

## APPLICATION OF CHEVRON U.S.A. INC. FOR A NON-STANDARD SPACING AND PRORATION UNIT, UNORTHODOX WELL LOCATION, AND COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

CASE NO. 14929

#### **AFFIDAVIT**

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

Michael H. Feldewert, attorney in fact and authorized representative of Chevron U.S.A. Inc., the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Application was provided under the notice letter and proof of receipt attached hereto.

Michael H. Feldewert

SUBSCRIBED AND SWORN to before me this 28th day of November 2012 by Michael

H. Feldewert.



OFFICIAL SEAL LISAMARIE ORTIZ NOTARY PUBLIC-STATE OF NEW MEXICO My commission expires

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BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico Exhibit No. 5 Submitted by: <u>CHEVRON U.S.A. INC.</u> Hearing Date: <u>November 28, 2012</u>

# EXHIBIT A CHEVRON U.S.A. INC. HERITAGE 2 15 NO. 2H WELL

BNSF Railway Company c/o Farmers National Company Attn: Jennifer Kindred 5110 S. Yale, Suite 400 Tulsa, OK 74135

Oxy USA Inc. 10889 Wilshire Boulevard Los Angeles, CA 90024

Yates Petroleum Corporation 105 S. 4th Street Artesia, New Mexico 88210

BK Exploration 10159 E. 11th Street Suite 401 Tulsa, OK 74128-3028

Stelaron, Inc. Post Office Box 7787 Amarillo, Texas 79109

Bird 2000 Limited Partnership PI Fort Worth Club Tower 777 Taylor Street, 4th Floor Fort Worth, Texas 76102

Randall R. Fort 9716 Admiral Emerson Ave. Albuquerque, NM 87111

Robert Mitchell Raindl P.O. Box 853 Tahoka, TX 79373 Pogo Producing Company, LLC; Plains Exploration & Production Co; Plains Resources, Inc.; Pogo Panhandle 2004 LP; Latigo

Occidental Oil & Gas Corp Post Office Box 27570 Houston, Texas 77227-7570

Exxon Corporation Exploration and Producing 800 Bell Street Houston, Texas 77002

Chesapeake Exploration 6100 N. Western Avenue Oklahoma City, OK 73118

U.S. Bank as Trusteee for the Wilbur Leutwyler Trust, under agreement dated 6/3/1996.

Radler 2000 Limited Partnership 3131 West 7th Street, 4th Floor Fort Worth, Texas 76107

Tommy L. Fort P.O. Box 5356 Midland, TX 79704-5356

Rash Energy, Inc. 1412 South Boston Suite 500 Tulsa, OK 74119 Investments, LLC; Latigo Gas Services LP; Latigo Petroluem, Inc.; Latigo Petroleum Texas 700 Milam, Suite 3100 Houston, Texas 77002

David Petroleum Corporation 116 W 1st Street Roswell, New Mexico 88203

Bird Creek Resources, Inc. 1437 South Boulder Ave Tulsa, OK 74119

Broughton Petroleum 1205 Silliman St. Sealy, Texas 77474

Post Office Box 3499 Tulsa, Oklahoma 74101

Razorback Petroleum, LLC P.O. Box 8864 Pine Bluff, AR 71611

Margie Fort Bruns 10316 Country Manor P1 NM Albuquerque, NM 87114

Karen Lynn Luke 1206 E. College Blvd Roswell, NM 88201 HOLLAND&HART

Adam G. Rankin Phone 505-954-7294 Fax 505-983-6043 AGRankin@hollandhart.com

November 9, 2012

#### VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

#### **TO OFFSETS**

## RE: Chevron U.S.A. Inc. for a Non-Standard Spacing and Proration Unit, Unorthodox Well Location, and Compulsory Pooling, Eddy County, New Mexico

This letter is to advise you that Chevron U.S.A., Inc. has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests in a nonstandard 160-acre spacing and proration unit comprised of the W/2 W/2 of Section 15, Township 23 South, Range 28 East, NMPM, Eddy County, New Mexico, Bone Spring formation, South Culebra Bluff-Bone Spring Pool. Chevron also seeks an order approving an unorthodox well location. As an owner of an offsetting interest, you are entitled to notice of this application.

This application has been set for hearing before a Division Examiner at 8:15 AM on November 29, 2012. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time 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 Pre-Hearing Statement with the Oil Conservation Division's Santa Fe office, four days in advance of a scheduled hearing, but at least on the Thursday preceding the 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.

Questions concerning this application should be directed to Kevin Stubbs, at (732) 372-1048.

Sincerel

Adam G. Rankin

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. 🗘 HOLLAND&HART.

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Adam G. Rankin Phone 505-954-7294 Fax 505-983-6043 AGRankin@hollandhart.com

November 8, 2012

### VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

#### **TO AFFECTED INTEREST OWNERS**

## RE: Chevron U.S.A. Inc. for a Non-Standard Spacing and Proration Unit, Unorthodox Well Location, and Compulsory Pooling, Eddy County, New Mexico

This letter is to advise you that Chevron U.S.A., Inc. has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests in a nonstandard 160-acre spacing and proration unit comprised of the W/2 W/2 of Section 15, Township 23 South, Range 28 East, NMPM, Eddy County, New Mexico, Bone Spring formation, South Culebra Bluff-Bone Spring Pool. Chevron also seeks an order approving an unorthodox well location. As an interest owner subject to this pooling application, you are entitled to notice of this application.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on November 29, 2012. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

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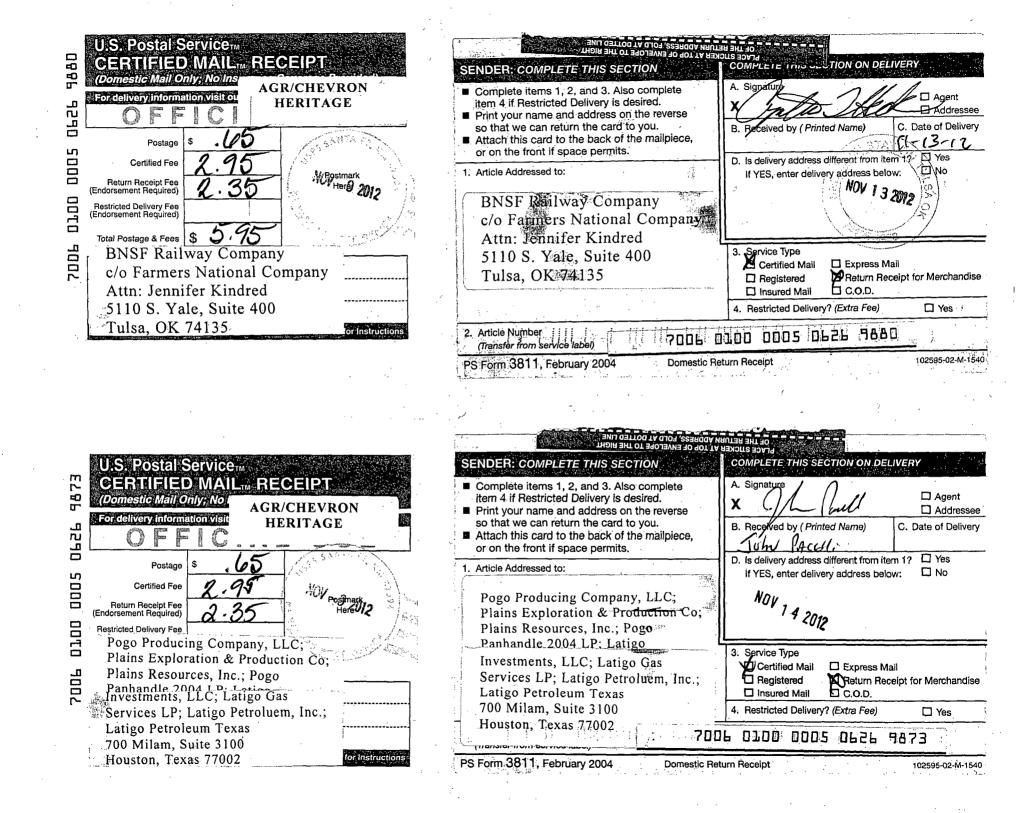
Questions concerning this application should be directed to Kevin Stubbs at (713) 372-1048.

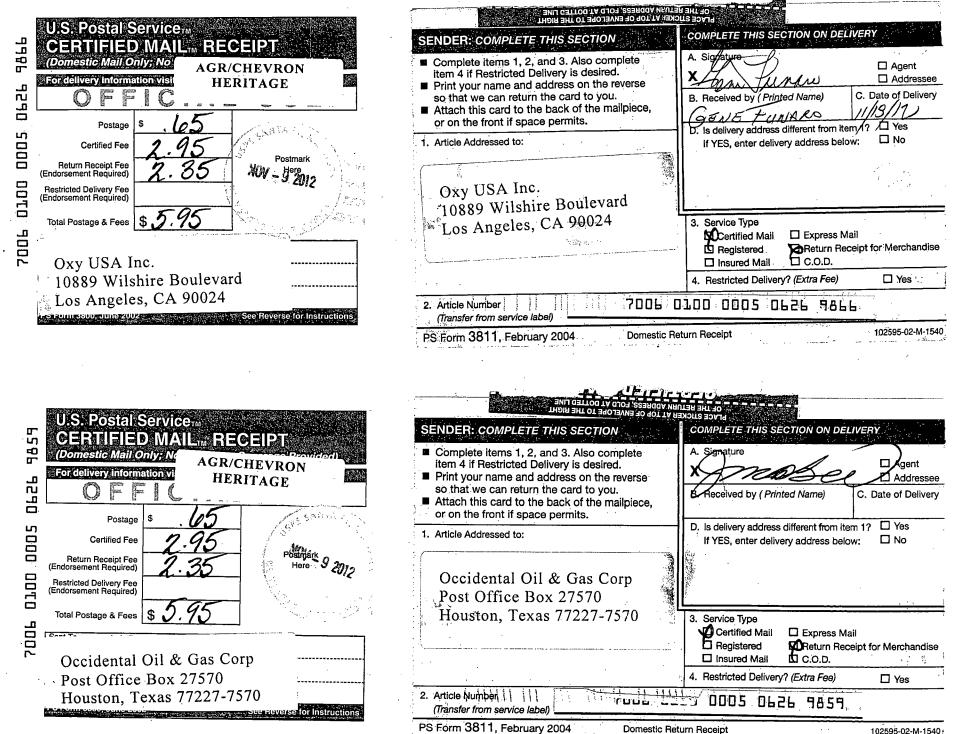
Sincerely,

Adam G. Rankin

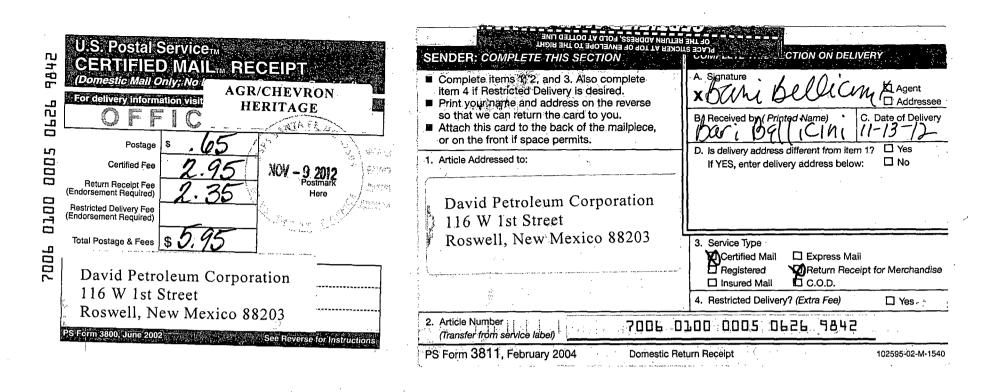
Holland & Hart up

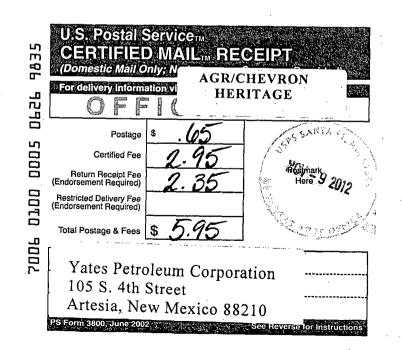
Phone [505] 988-4421 Fax [505] 983-6043 www.hollandhart.com 110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208 Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C.

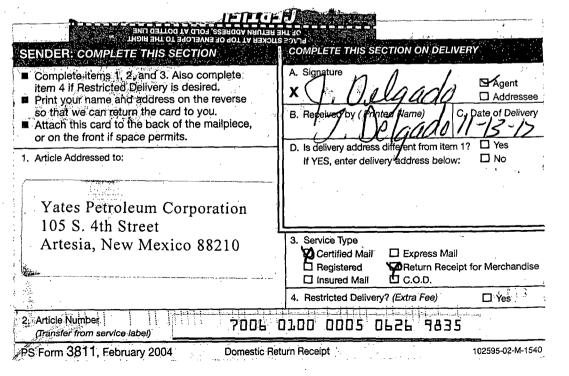


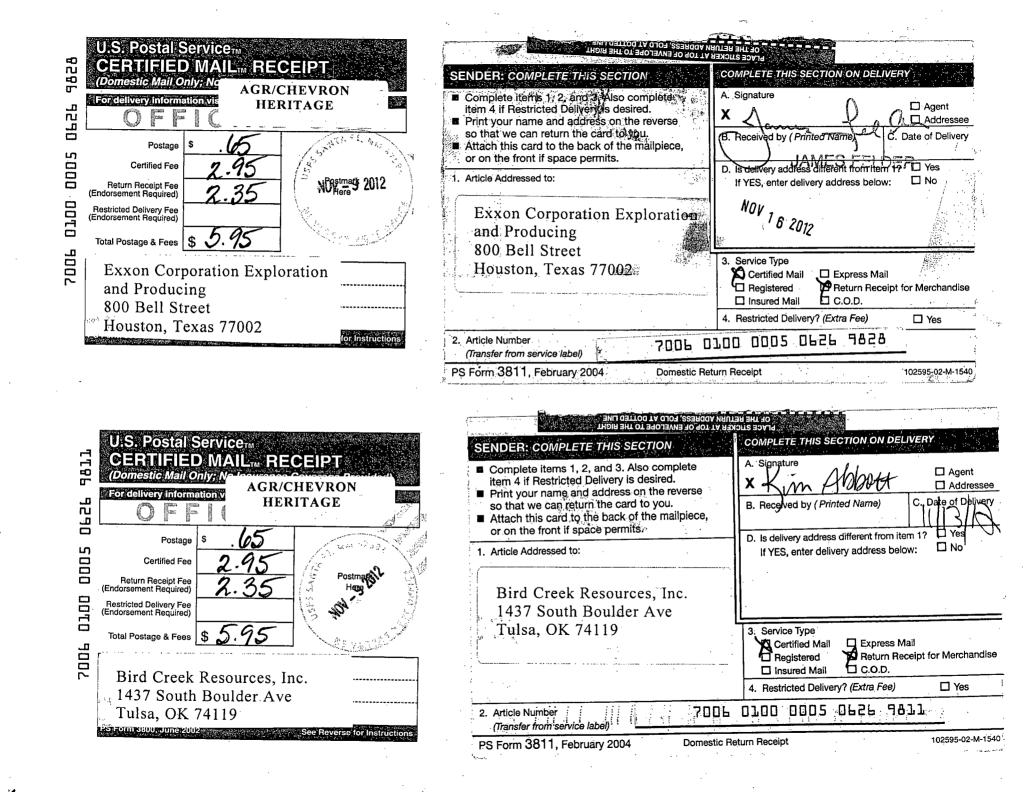


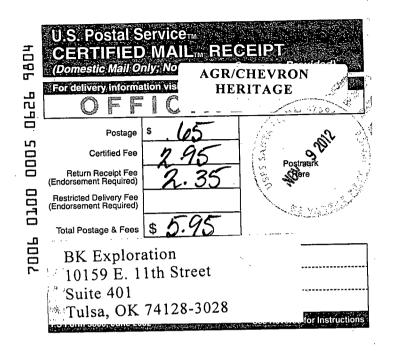
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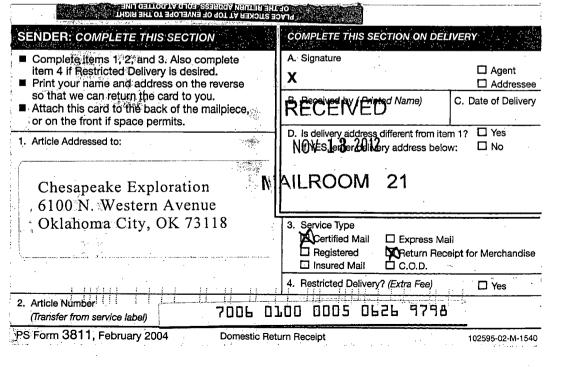






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BK Exploration 10159 E. 11th <b>Stre</b> et	
Suite 401 Tulsa, OK 74128-3028	3. Service Type Certified Mail Express Mail Registered Insured Mail C.O.D.
	4. Restricted Delivery? (Extra Fee)
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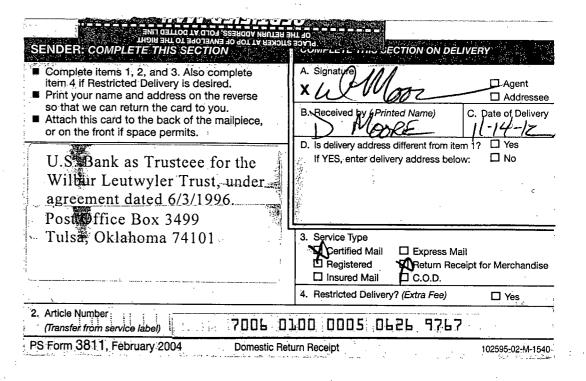




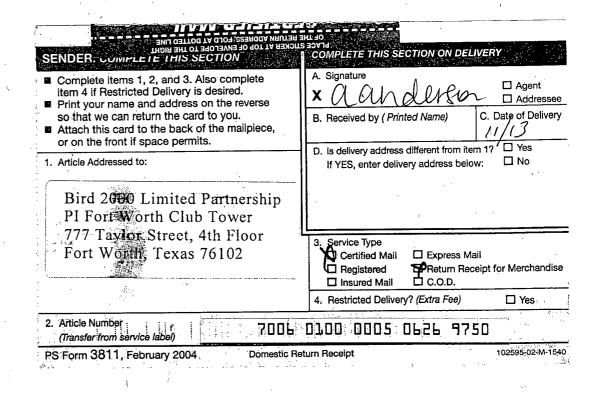


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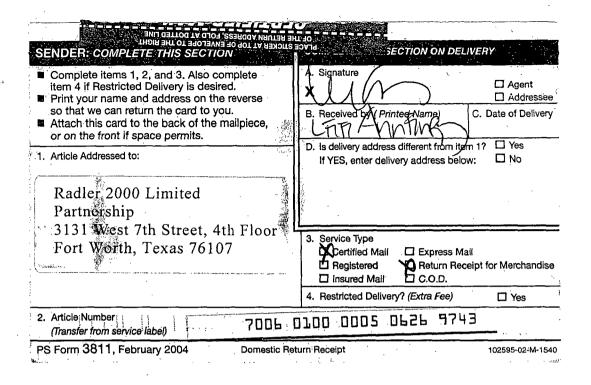


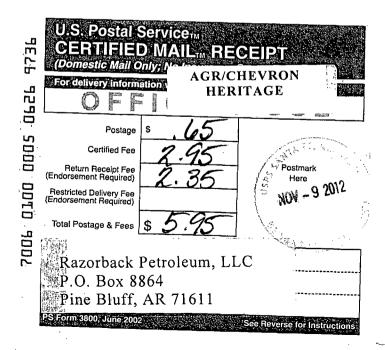


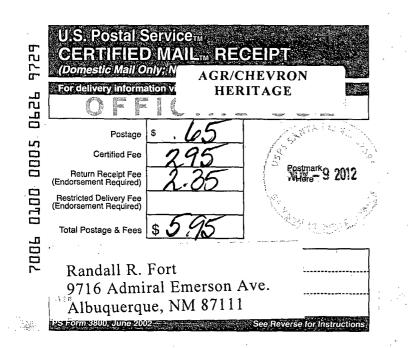


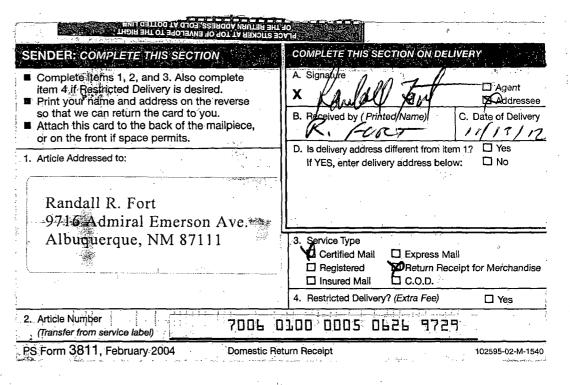


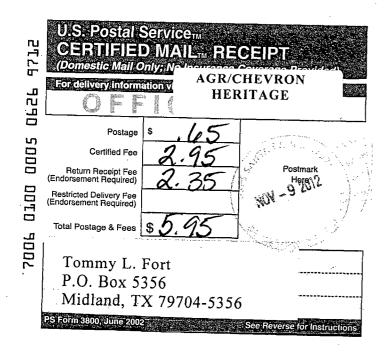






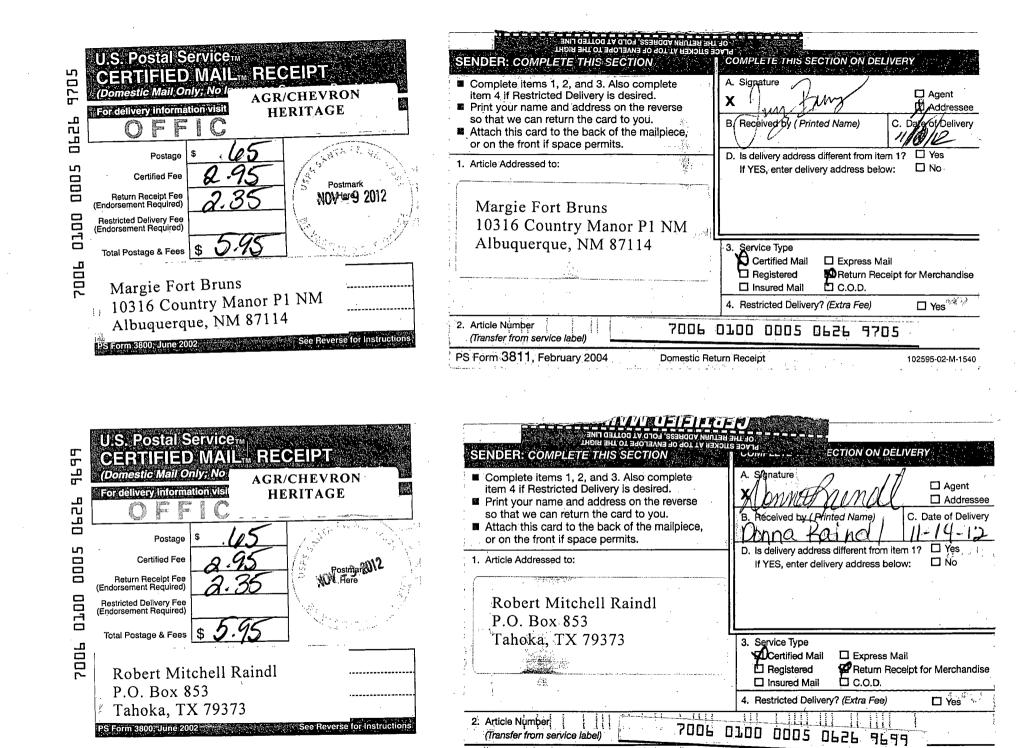






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Tommy L. Fort P.O. Box 5356 Midland, TX 79704-5356	3. Service Type 2 Certified Mail Express Mail 2 Registered 3 Express Mail 4 Registered 4 Return Receipt for Merchandise 4 Insured Mail			
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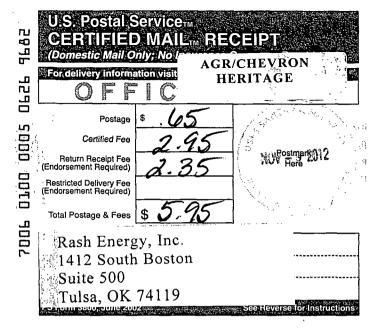


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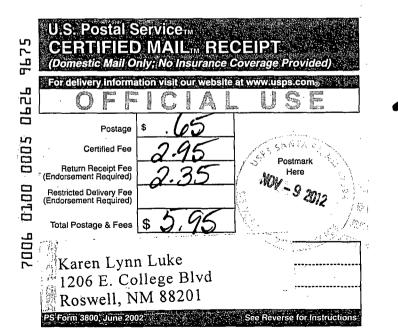
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