## 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 NEARBURG EXPLORATION COMPANY, LLC FRO A NON-STANDARD SPACING AND PRORATION UNIT AND COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

CASE NO. 14940

### AFFIDAVIT

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

Michael H. Feldewert, attorney in fact and authorized representative of Nearburg Exploration Company, LLC, 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 23rd day of January 2013 by Michael H.

Feldewert.



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

BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico Exhibit No. 6 Submitted by: <u>NEARBURG EXPLORATION COMPANY, LLC</u> Hearing Date: January 24, 2013

# EXHIBIT A NEARBURG EXPLORATION COMPANY, LLC LAGUNA 23 FED COM WELL NO. 1H

#### **POOLED PARTIES:**

Read & Stevens, Inc. P.O. Box 1518 Roswell, New Mexico 88202

Bean Family Limited Co. P.O. Box 1783 Roswell, New Mexico 88202

CBR Oil Properties, LLC P.O. Box 1518 Roswell, New Mexico 88202

Union Hill Oil & Gas 5007 Deloache Avenue 10 Dallas, Texas 75220

CLM Production Co. P.O. Box 881 Roswell, New Mexico 88202

Diamond Star Production Co., LLC P. O. Box 638 Ardmore, Oklahoma 73402

First Century Oil, Inc. P.O. Box 1518 Roswell, New Mexico 88202

Calvin C. Desmond Trust United Bank Plaza 400 N. Pennsylvania, Suite 900 Roswell, New Mexico 88201 Cimarex Energy, Co. 600 N. Marienfeld Street, Suite 600 Midland, Texas 79701

HHB Limited Partnership 6823 S. Florence Avenue 5 Tulsa, Oklahoma 74136

H. W. Allen Co. 4835 S. Peoria Avenue #20 Tulsa, Oklahoma 74105

Watson Properties, LLC 3905 Futura Drive #11 Roswell, New Mexico 88201

P Elida Gas Group, LLC P.O. Box 3900 Roswell, New Mexico 88202

J&L Exploration, LLC P.O. Box 51067 Midland, TX 79710-1067

Merry L. Christiansen 5352 State Highway 125 N. Rogersville, Missouri 65742

V. C. Desmond Trust
 United Bank Plaza
 400 N. Pennsylvania, Suite 900
 Roswell, New Mexico 88201

Rottman Oil Partners 308 E. Carrillo Street Santa Barbara, California 93101

Westway Petro Two, a Texas Joint Venture 6500 N. Akard Street, LB 70 Dallas, Texas 75201

Betty Read Young 1311 West 3rd Street Roswell, New Mexico 88201

William V. Palmer, LLC 3226 Anderson Drive Lovington, New Mexico 88260

Carolyn R. Beall P.O. Box 3098 Midland, Texas 79702

Dr. Alfred J. Rodriquez 6200 West Parker Road, Suite 215 Plano, Texas 75092

CSA Petroleum Corp. P.O. Box 318 Hunt, Texas 78024

DHB Partnership 8144 Walnut Hill Lane Suite 982, LB 51 Dallas, Texas 75231

# EXHIBIT A NEARBURG EXPLORATION COMPANY, LLC LAGUNA 23 FED COM WELL NO. 1H

Jack C. Holland 180 Mooring Buoy Hilton Head South Carolina 29928

New Mexico Western Minerals, Inc. 2303 Sallee Loop Roswell, New Mexico 88201

Donald E. or Glenda L Richter 9 Willowood Street Dallas, Texas 75205 Phillip G. Huey 6330 E. University Dallas, Texas 75214

Ralph E. Peacock Box 470488 Tulsa, Oklahoma 74145

The Sharon Stone Trolinger Revocable Trust 6026 Meadowcreek Dallas, Texas 75248 M.P.S., Inc. 17103 Preston Road, Suite 185 Dallas, Texas 75248-0000

Reserve Management, Inc. 1127 Judson Road, #126 Longview, Texas 75601

Marvin V. Turner, Trustee 31 Brass Horse Road Santa Fe, New Mexico 87508

#### **OFFSETS:**

Cimarex Energy, Co. 600 N. Marienfeld Street, Suite 600 Midland, Texas 79701

Burke Royalty Co., Ltd. Energy Square Building. 505 N Big Spring Suite 403 Midland, Texas 79701 Mewbourne Oil Company 500 West Texas, Ste. 1020 Midland, TX 79701 Read & Stevens, Inc. P.O. Box 1518 Roswell, New Mexico 88202

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

November 29, 2012

### VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

HOLLAND&HART...

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

## Re: Application of Nearburg Exploration Company, LLC for non-standard spacing and proration unit and compulsory pooling; Lea County, New Mexico - Laguna 23 Fed Com Well No. 1H

This letter is to advise you that Nearburg Exploration Co., LLC has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests in Bone Spring formation. 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 December 13, 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 four days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address and should 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 Terrence Gant, Midland Manager at (432) 528-1121.

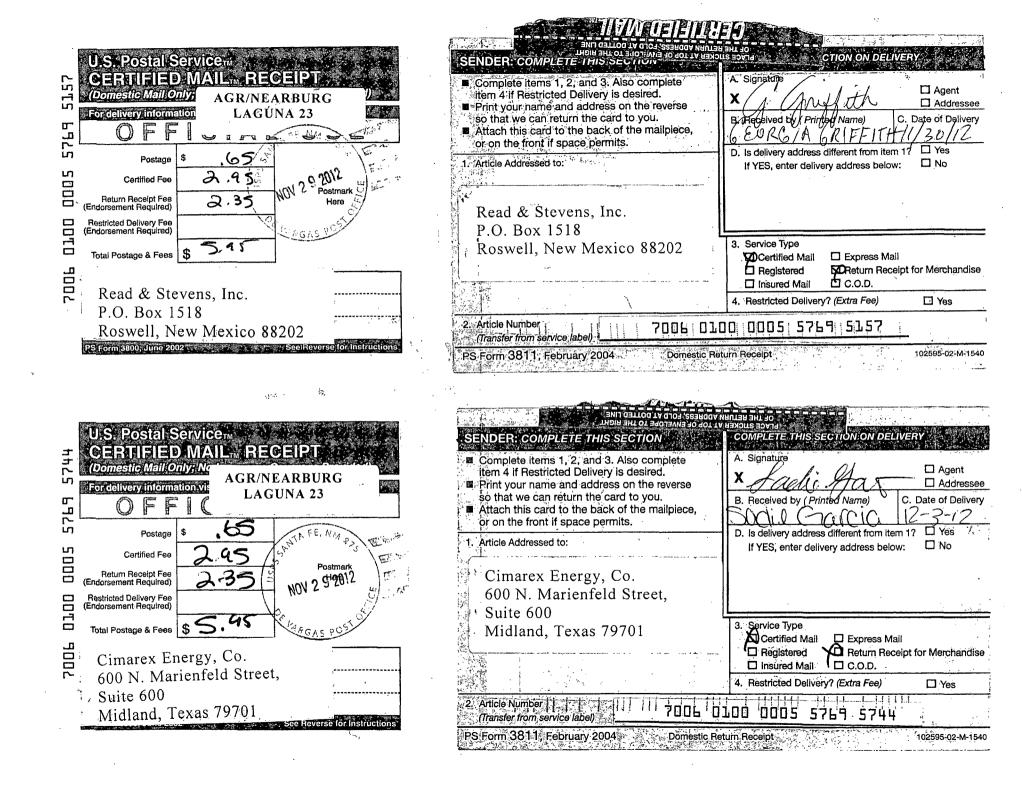
Adam G. Rankin

Holland & Hart LLP

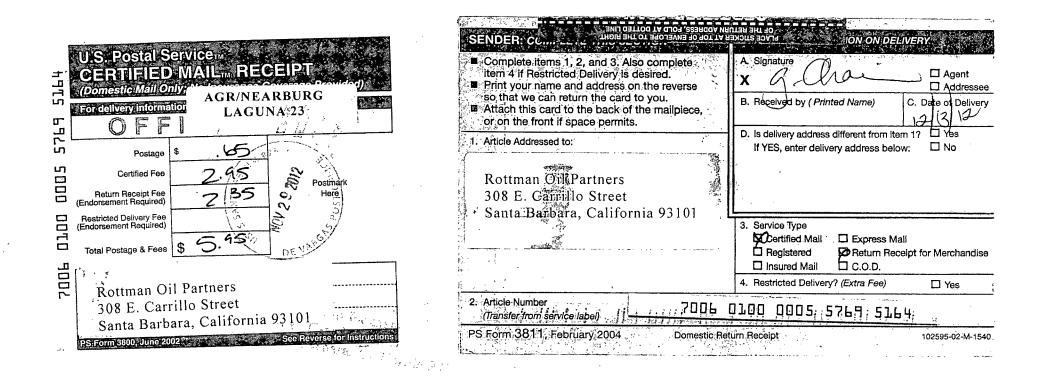
 Phone [505] 988-4421
 Fax [505] 983-6043
 www.hollandhart.com

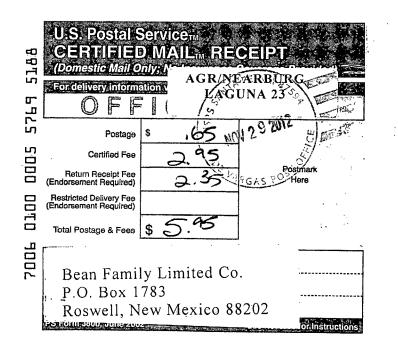
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 North Guadalupe
 Suite 1
 Santa Fe, NM
 87504-2208

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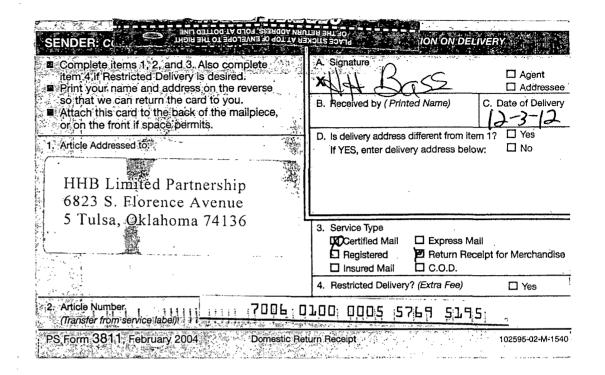
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Bean Family Limited Co. P.O. Box 1783	1012
Roswell, New Mexico 88202	Service Type     Certified Mail     Express Mail     Registered     Insured Mail     C.O.D.
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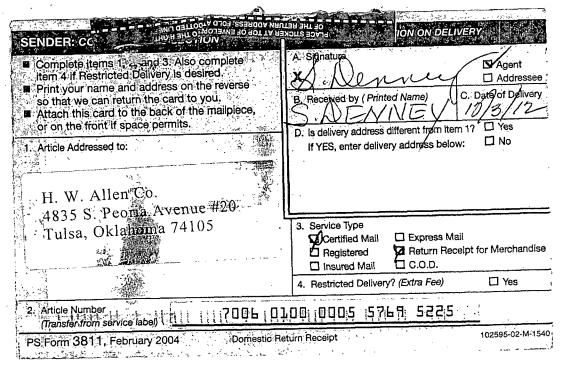






Roswell, New Mexico 88202	SENDER: COMPLETE THIS SECTION Complete items: 1, 2, and 3. Also complete item 4'if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: CBR Oil Properties, LLC P.O. Box 1518	OF THE REL
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Union Hill Oil & Gas 5007 Deloache Avenue	
10 Dallas, Texas 75220	3. Service Type     Service Type
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Watson Properties, LLC 3905 Futura Drive #11 Roswell, New Mexico 88201	3. Service Type 580Certified Mail Express Mail Registered F Return Receipt for Merchandise
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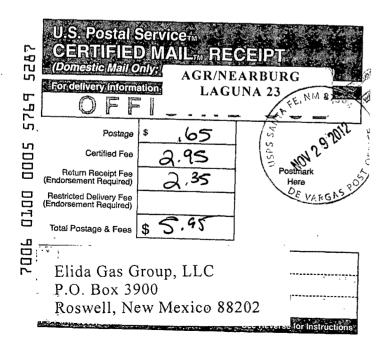


<ul> <li>Complete items 1, 2, and 3: Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the pard to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A Signature X B Received by (Printed Name)	Agent Address C. Date of Delive
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William V. Palmer, LLC 3226 Anderson Drive	4 wh 有些	
Lovington, New Mexico 88260	3. Service Type         2. Certified Mail       Express Ma         2. Registered       DReturn Rece         2. Insured Mail       C.O.D.	il Pipt for Merchandi
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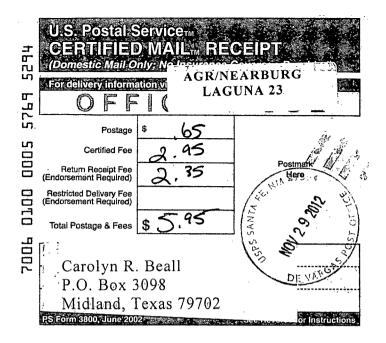


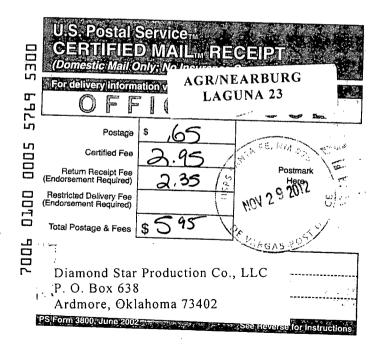
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CLM Production Co. P.O. Box 881	<ul> <li>D. Is delivery address different from item 1? ☐ Yes</li> <li>If YES; enter delivery address below: ☐ No</li> </ul>
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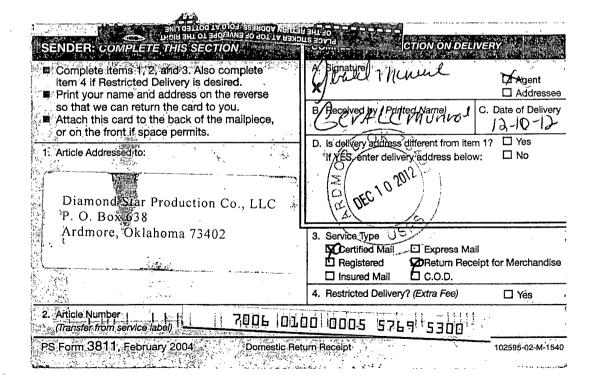


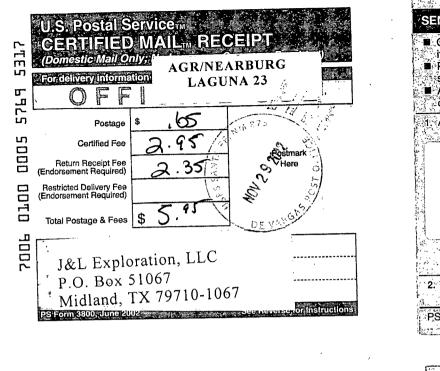


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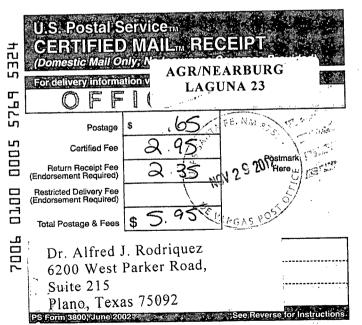


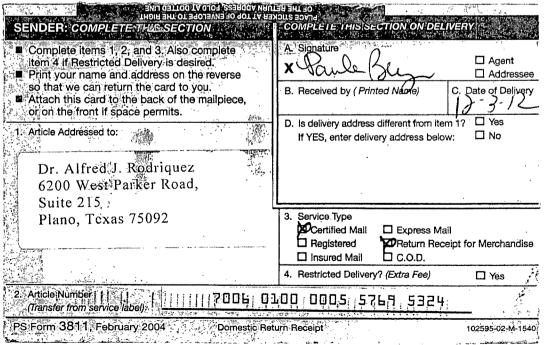




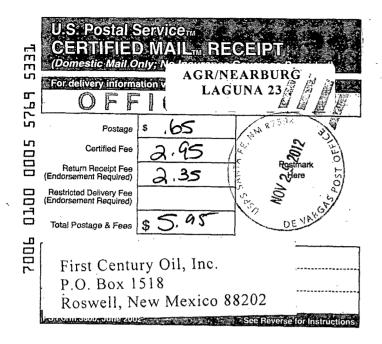


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J&L Exploration, LLC P.O. Box 51067	
Midland, TX 79710-1067	Service Type     Decrified Mail     Express Mail     Registered     Insured Mail     C.O.D.
에 나 가장 	4. Restricted Delivery? (Extra Fee) Yes
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172 m HOIR BIT OT BOUL ION ON DELIVERY SENDER: COMPLETE THIS SECTION A Signat Complete items 1, 2; and 3. Also complete item 4 if Restricted Delivery is desired. Agent-Addressee Print your name and address on the reverse so that we can return the card to you. C. Date of Delivery Received by (Printed Name) Attach this card to the back of the mailpiece. 24-12 or on the front if space permits. D. Is delivery address different from item 1? Yes Article Addressed to: No If YES, enter delivery address below: 15xx 856 Merry L. Christiansen ogensuille Hu 65742 5352 State Highway 125 N. Rogersville, Missouri 65742 3. Service Type Certified Mall Express Mail C Registered EDReturn Receipt for Merchandise D Insured Mail 🖸 C.O.D. 4. Restricted Delivery? (Extra Fee) Yes 2. Article Number 7006 01001000515769 5348 (Transfer from service label) PS Form 3811. February 2004 Domestic Return Receip 02595-02-M-1540

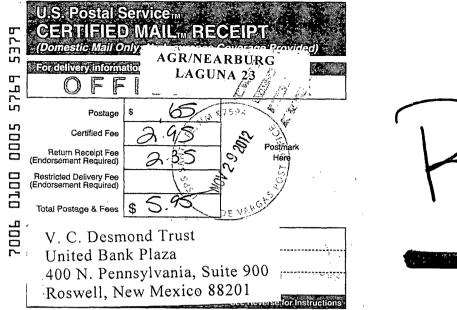


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CSA Petroleum Corp. P.O. Box 318	( <b>1</b>
Hunt, Texas 78024	3. Service Type Certified Mail Registered Insured Mail C.O.D.
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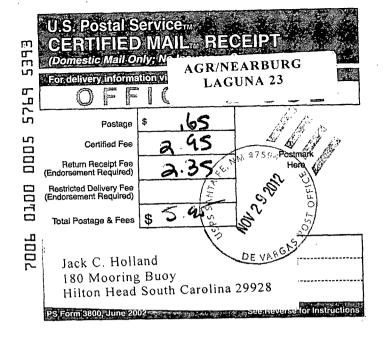
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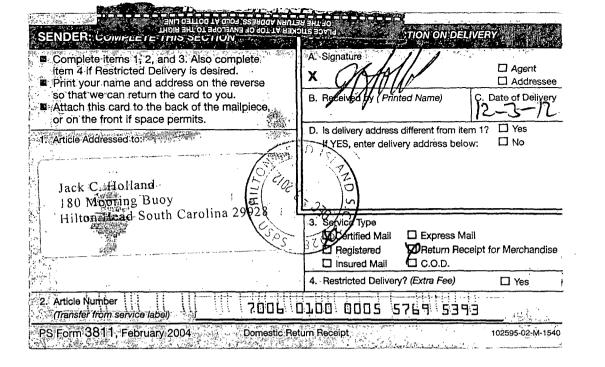






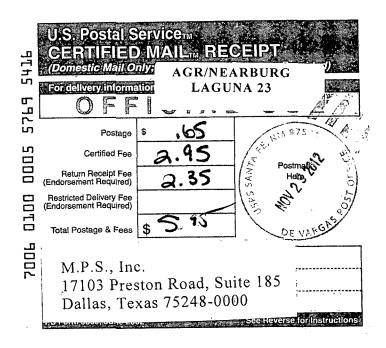
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DHB Partnership 8144 Walnut Hill Lane Suite 982, LB 51	
Dallas, Texas 75231	Service Type     Certified Mail     Express Mail     Registered     Insured Mail     C.O.D.
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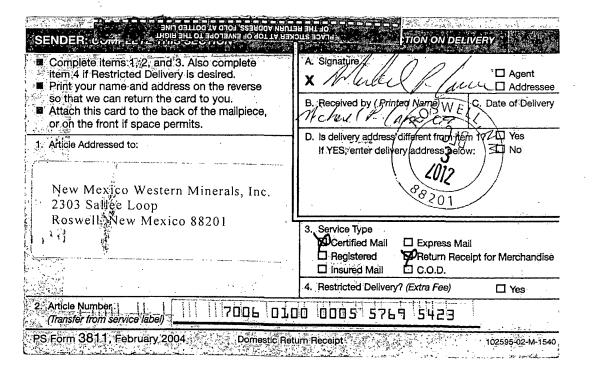


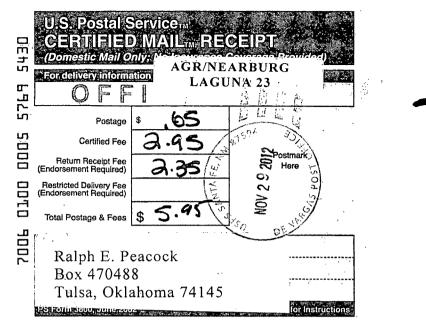
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Phillip G. Huey 6330 E. University Dallas, Texas 75214		
Danas, rexas 75214	3. Service Type         Certified Mail       Express Mail         Registered       PReturn Receipt for Merchandise         Insured Mail       C.O.D.	
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M.P.S., Inc. 17103 Preston Road, Suite 185 Dallas, Texas 75248-0000	3. Service Type SC Certified Mail □ Express Mail □ Registered □ Return Receipt for Merchandise □ Insured Mail □ C.O.D.
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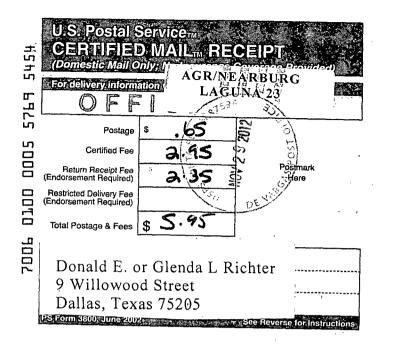




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Certified Fee 2.95 Return Receipt Fee 3.355
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Reserve Management, Inc. 1127 Judson Road, #126 Longview, Texas 75601 For Form 2000-2002

Complete items:1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse	A Signature	☐ Agent ☐ Addressee
so that we can return the card to you. Attach this card to the back of the mallpiece, or on the front if space permits.		C. Date of Delivery
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Bongview, Texas 75601	3. Service Type	ot for Merchandise
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Donald E. or Glenda L Richter 9 Willowood Street		
Dallas, Texas 75205	Service Type     Certified Mail     Express Mail     Registered     Insured Mail     C.O.D.	
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1. Article Addressed to:	If YES, enter delivery address below:
<ul> <li>The Sharon Stone Trolinger</li> <li>Revocable Trust</li> <li>6026 Meadowcreek</li> </ul>	
Dallas, Texas 75248	3. Service Type Certified Mail Cartified Mail Registered Insured Mail C.O.D.
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HOLLAND&HART.

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

November 29, 2012

## <u>VIA CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

#### **TO: OFFSET OWNERS**

Re: Application of Nearburg Exploration Company, LLC for non-standard spacing and proration unit and compulsory pooling; Lea County, New Mexico - Laguna 23 Fed Com Well No. 1H

This letter is to advise you that Nearburg Exploration Co. LLC has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order creating a non-standard spacing unit comprised of the E/2 W/2 of Section 23, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. As a mineral lessee or operator in the offsetting properties, you are entitled to notice of this application.

This application has been set for hearing before a Division Examiner at 8:15 AM on December 13, 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.

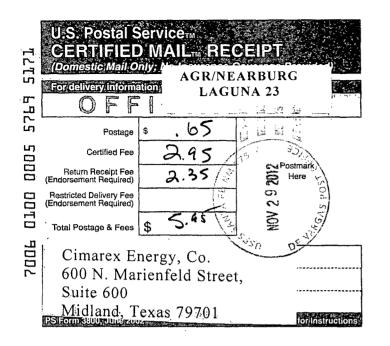
Questions concerning this application should be directed to Terrence Gant, Midland Manager at (432) 528-1121.

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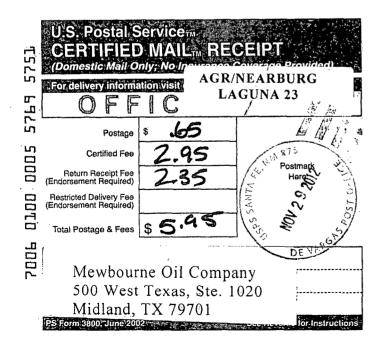
Adam G. Rankin

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. 🗘



SENDER: COMPLETE THIS SECTION	anido ISaoyid Cumplete This Section On Delivery	
<ul> <li>Complete items 1, 2; and 3; Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A Signature A Signature A Agent Addressee B. Received by (Printed Namp) C. Date of Delivery C. Date of Deliv	
1. Article Addressed to:	D. Is delivery address different from item 1? LI Yes If YES, enter delivery address below: D No	
Cimarex Energy, Co. 600 N. Marienfeld Street,		
Suite 600 Midland, Texas 79701	3. Service Type         Ocertified Mail       Express Mail         Registered       PReturn Receipt for Merchandise         Insured Mail       C.O.D.	
	4. Restricted Delivery? (Extra Fee)	
2. Article Number		
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Mewbourne Oil Company 500 West Texas, Ste. 1020	If YES, enter delivery address below:
Midland, TX 79701	3. Service Type Certified Mail Express Mail Registered Express Mail Insured Mail C.O.D.
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2. Article Number 7006 01	00 0005 5769 5751

U.S. Postal Servicem Ð CERTIFIED MAIL RECEIPT 576. (Domestic Mail Only: No AGR/NEARBURG For delivery information visit Π-F  $\bigcirc$ F 55 7 K. L. ίη. .65 Postage KILL M \$ NOV 2 9 2012 ហ 245 Certified Fee 000 Postmark 1. Return Receipt Fee (Endorsement Required) 2.35 Here 0100 Restricted Delivery Fee (Endorsement Required) 45 5. Total Postage & Fees \$ 7006 Read & Stevens, Inc. P.O. Box 1518 Roswell, New Mexico 88202 PS/Form 3800, June 2002

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1. Article Addressed to:	D. Is delivery address different from item 1? <sup>7-1</sup> Yes If YES, enter delivery address below: INO
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Roswell, New Mexico 88202	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.
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