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

# IN THE MATTER OF THE APPLICATION OF OXY USA WTP LIMITED PARTNERSHIP FOR A NON-STANDARD SPACING AND PRORATION UNIT AND COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

CASE NO. 14963

## **AFFIDAVIT**

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

Adam G. Rankin, attorney in fact and authorized representative of OXY USA WTP LIMITED PARTNERSHIP, 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.

Adam G. Rankin

SUBSCRIBED AND SWORN to before me this 26th day of June 2013 by Adam

G. Rankin.



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

BEFORE THE OIL CONSERVATION DIVISION Santa Fc, New Mexico Exhibit No. 4 Submitted by: <u>OXY</u> Hearing Date: June 26, 2013 HOLLAND&HART

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

June 7, 2013

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

## **TO: AFFECTED INTEREST OWNERS**

## Re: Application of OXY USA WTP Limited Partnership for non-standard spacing and proration unit and compulsory pooling; Eddy County, New Mexico – Swearingen A Fee Com 3H Well

This letter is to advise you that OXY USA WTP Limited Partnership has filed the enclosed application with the New Mexico Oil Conservation Division. As an owner in the mineral estate 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 June 27, 2013. 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 Wesley Robertson at OXY USA WTP Limited Partnership (713) 366-5022.

Sincerely

Michael H. Feldewert

Holland & Hart LLP

HOLLAND&HART

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

June 7, 2013

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

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

## Re: Application of OXY USA WTP Limited Partnership for non-standard spacing and proration unit and compulsory pooling; Eddy County, New Mexico – Swearingen AFee Com 3H Well

This letter is to advise you that OXY USA WTP Limited Partnership has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order creating a non-standard spacing unit comprised of the S/2 S/2 of Section 5, Township 23 South, Range 28 East, NMPM, Eddy 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 June 27, 2013. 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 Wesley Robertson at OXY USA WTP Limited Partnership (713) 366-5022.

Sincerely,

Michael H. Feldewert

Holland & Hart LLP Phote [505] 988-4421 Fax [505] 983-5043 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. 3

# **EXHIBIT A**

### **OFFSETS:**

Chevron USA Inc. P.O. Box 2100 Houston, Texas 77252 Nadel and Gussman Permian, LLC 601 N. Marienfeld, Suite 508 Midland, Texas 79701 Pennzenergy Exploration & Production LLC P.O. Box 2967 Houston, Texas 77252

#### **POOLED PARTIES:**

Brown, Barbara 10400 2nd Street, UNIT D Albuquerque, NM 87114

Brown, David B. 5216 Blue Cypress Lane League City, TX 77573

Collier, Gregory 5731 NW 19th #4 Oklahoma City, OK 73127

Diamond, Jeffrey B. P.O. BOX 1866 Carlsbad, NM 88221

Gunther, Tiffany 6717 Hummingbird Court Owasso, OK 74055

Hopper, Jesma 2926 Columbine Wichita, KS 67204 Barbara J. Swearingen Trust 2535 Stonepost Lane Salina, KS 67401

Brown, John A. 10001 Peace Way, Unit #1319 Las Vegas, NV 89147

Collier, James A. 1113 Shady Oaks Cir Mc Kinney, Texas 75070

Estate of Addie Swearingen P.O. BOX 298 Roswell, NM 88202

Harris, Mary E. P.O. BOX 53 Richmond, KS 66080

Lafferty, James & Georgia BOX 129A Miller, MO 65707 Blenden, Dick A. 208 W. Stevens Street Carlsbad, NM 88220

Brown, Kenneth W. 7677 Jayhawk Drive Riverside, CA 92509

Collins, Craig & Sheryl Ann 3209 SW Belle Topeka, KS 66614

Estate of Jeanette Hughen 902 FOUNTAIN DR. Carlsbad, NM 88220

Hopkins, Flora Jane 24476 Chamalea Drive Mission Viejo, CA 92691

Lawson, Peggie Sue 6156 Jays Way Milton, FL 32570

# EXHIBIT A

Ledford, Donia 9700 S. 4055 RD. Talala, OK 74080

Mehl, Margaret L. 702 NE Cambridge DR. Lees Summit, MO 64086

Phillips, Kathleen A. P.O. BOX 11313 Midland, TX 79702

Richardson, Dale M. 5093 East Highway 82 Gainesville, TX 76240

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Rogers, Melvin P. 3104 E Broadway #10 Mesa, AZ 85204

Swearomgen, Anna & Ralph 512 Cedar Concordia, KS 66901

Watt, Edna Mae 400 Holland Drive West Sacramento, CA 95605 Levenson, Robert P.O. BOX 53430 Lubbock, TX 79453

Murphy, Sharlene 616 N Burgess Holdenville, OK 74848

Phillips, Donna P O BOX 1058 Seminole, OK 74818

Richardson, George E. 118A Miami RD. Fitzgerald, GA 31750

Stanico Energy Corporation P O BOX 32467 Oklahoma City, OK 73123

Swearingen, Richard Allen 3444 NE Happy Hollow Road Topeka, KS 66617 Martin, Julie J. P O BOX 10911 Southport, NC 28461

Nguyen, Elizabeth 1324 Bernardo CT NE Albuquerque, NM 87113

Phipps Living Trust 3013 Sycamore Court Moore, OK 73160

Richardson, Linda 13363 E. Aabury Dr. #104 Aurora, CO 80014

Swearingen, Anna & Ralph 442 Rock Road Jamestown, KS 66948

The John Charles Major Trust 18326 Bluewater Cove Humble, TX 77346



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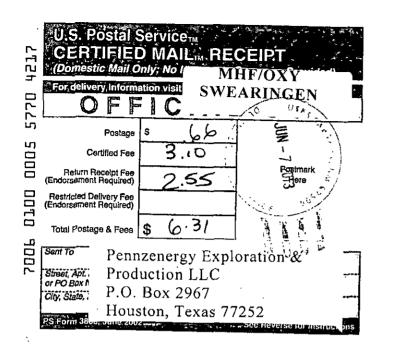
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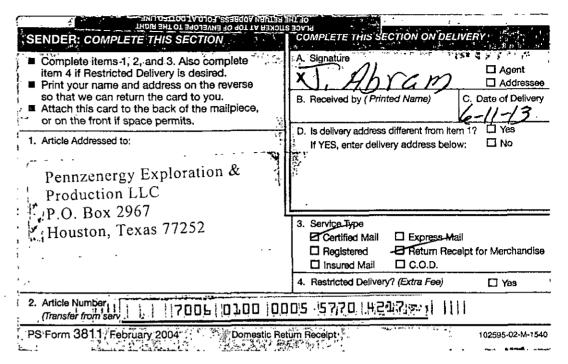
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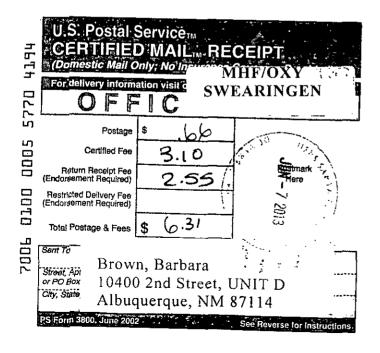
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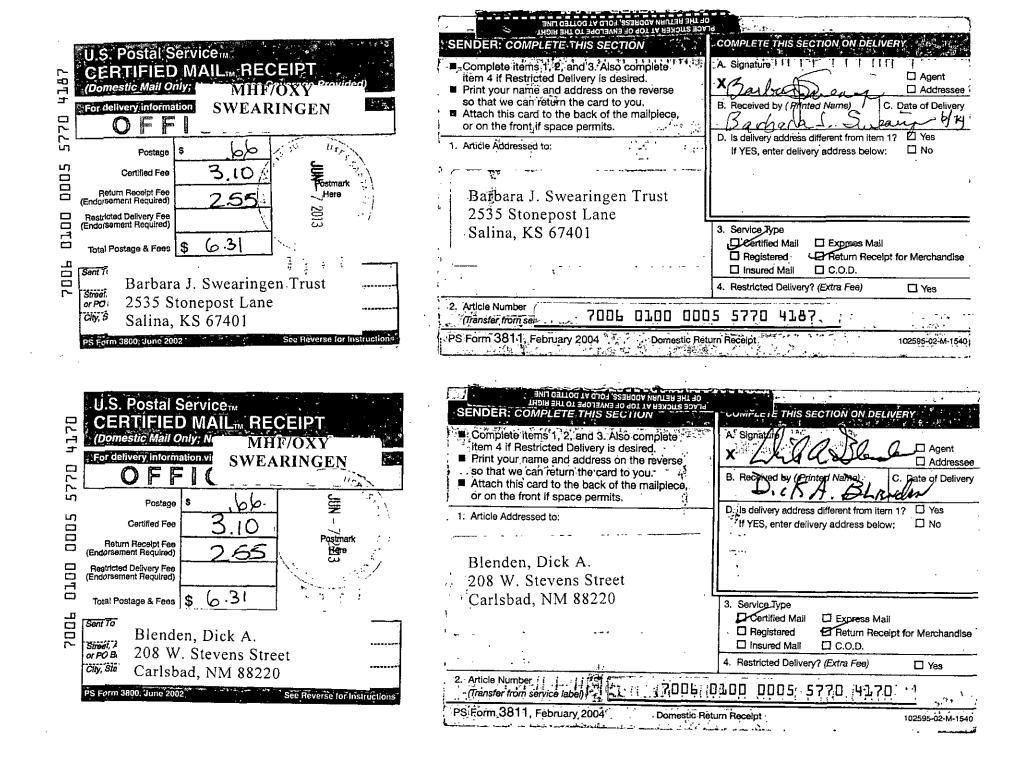
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Midland, Texas 79701 Certifled Mail Express Mail Return Receipt for Merchandise Registered Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) T Yes ROQE 0100 0005 5770 4224 2. Article Num (Transfer from PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540 المتراقم والمغرق









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