

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

**APPLICATION OF NADEL AND GUSSMAN HEYCO,
L.L.C. FOR APPROVAL OF A NON-STANDARD OIL
SPACING AND PRORATION UNIT AND COMPULSORY
POOLING, EDDY COUNTY, NEW MEXICO.**

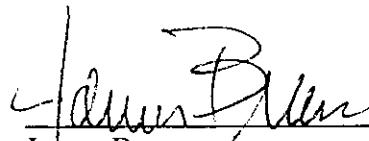
Case No. 15,056

AFFIDAVIT OF NOTICE

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

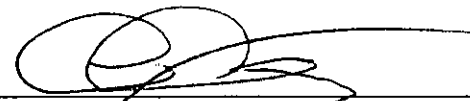
James Bruce, being duly sworn upon his oath, deposes and states:

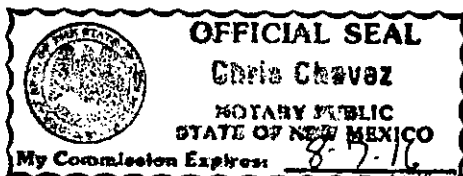
1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Nadel and Gussman Heyco, L.L.C.
3. Nadel and Gussman Heyco, L.L.C. has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the application filed herein.
4. Notice of the application was provided to the interest owners, at their last known addresses, by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Attachment 1.
5. Applicant has complied with the notice provisions of Division Rules NMAC 19.15.4.9 and 19.15.4.12.C.


James Bruce

SUBSCRIBED AND SWORN TO before me this 13 day of November, 2013 by James Bruce.

My Commission Expires: 8-7-16


Notary Public



Oil Conservation Division
Case No. _____
Exhibit No. 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) 660-6612 (Cell)
(505) 982-2151 (Fax)

jamesbruc@aol.com

October 10, 2013

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

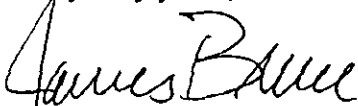
Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling and a non-standard oil spacing and proration unit, filed with the New Mexico Oil Conservation Division by Nadel and Gussman Heyco, LLC, regarding a well in the N½N½ of Section 9, Township 18 South, Range 26 East, N.M.P.M., Eddy County, New Mexico.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, October 31, 2013, in Porter Hall at the Division's offices at 1220 South St. 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 contesting the matter at a later date.

A party appearing in a Division case is required by Division Rules to file a Pre-Hearing Statement no later than Thursday, October 24, 2013. This statement must be filed with the Division's Santa Fe office at the above address, and should include: The names of the party and its attorney; a concise statement of the case; the names of the 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 need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned.

Very truly yours,



James Bruce

Attorney for Nadel and Gussman Heyco, LLC

Attachment 

EXHIBIT A

Conquistador Council of Boy Scouts
Of America Trust Fund
2603 N. Aspen
Roswell, New Mexico 88201

Simmons-Farrar Royalties LLC
P.O. Box 130185
Tyler, Texas 75713

Hotchkiss-Simmons Royalties LLC
3901 Cabeza De Vaca Circle
Irving, Texas 75062

UNM School of Law
MSC11 6070
1 University of New Mexico
Albuquerque, New Mexico 87131

Reginald R. Greiner Estate
C/O John A. Greiner
23756 Nevada Road
Haywood, California 94541

John A. Greiner
23756 Nevada Road
Haywood, California 94541

Clint Whitten
Trustee of the David S. Greiner Trust
1642 Highland Oaks Drive
Arcadia, California 91006

Eddy County Board of Education
School District #16

c/o Cas Tabor
McCormick, Caraway, Tabor & Byers, LLP
P.O. Box 1718
Carlsbad, New Mexico 88221

c/o Public Education Department
300 Don Gaspar
Santa Fe, New Mexico 87501

Attention: Mary Deets

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:

Reginald R. Greiner Estate
C/O John A. Greiner
23756 Nevada Road
Haywood, California 94541

2. Article Number:

(Transfer from service label)

7012 3050 0000 6871 5786

PS Form 3811, February 2004

Domestic Return Receipt

NGH

102595-02-M

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

JOHN GREINER

C. Date of Delivery

10/12/13

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

U.S. Postal Service™

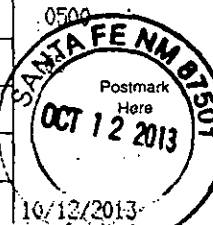
CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

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

IRVING TX 75062 SPECIAL USE

Postage	\$	\$0.46
Certified Fee		\$3.10
Return Receipt Fee (Endorsement Required)		\$2.55
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$6.11



Sent To: Hotchkiss-Simmons Royalties LLC
3901 Cabera De Vaca Circle
Irving, Texas 75062

Street, Apt. No., or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

U.S. Postal Service™

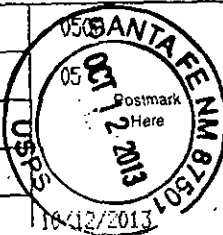
CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

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

HAYWARD CA 94541

Postage	\$	\$0.46
Certified Fee		\$3.10
Return Receipt Fee (Endorsement Required)		\$2.55
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$6.11



Sent To: Reginald R. Greiner Estate
C/O John A. Greiner
23756 Nevada Road
Haywood, California 94541

Street, Apt. No., or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006

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:

Hotchkiss-Simmons Royalties LLC
3901 Cabera De Vaca Circle
Irving, Texas 75062

2. Article Number

(Transfer from service label)

7012 3050 0000 6871 5782

PS Form 3811, February 2004

Domestic Return Receipt

NGH

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

HOTCHKISS

C. Date of Delivery

10-21-13

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

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:

John A. Greiner
23756 Nevada Road
Haywood, California 94541

2. Article Number
(Transfer from service label)

7012 3050 0000 6871 5793

PS Form 3811, February 2004

Domestic Return Receipt

N6H

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*
B. Received by (Printed Name)
John GREINER

☐ Agent
☐ Addressee

C. Date of Delivery

10/17/13

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

U.S. Postal Service™

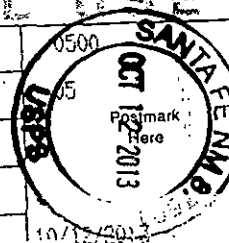
CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

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

CARLSBAD, NM 88221

Postage \$ \$0.46
 Certified Fee \$3.10
 Return Receipt Fee (Endorsement Required) \$2.55
 Restricted Delivery Fee (Endorsement Required) \$0.00
 Total Postage & Fees \$6.11



Sent To Cas Tabor
 McCormick, Caraway, Tabor & Byers, LLP
 P.O. Box 1718
 Carlsbad, New Mexico 88221
 Street, Apt. No., or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions.

U.S. Postal Service™

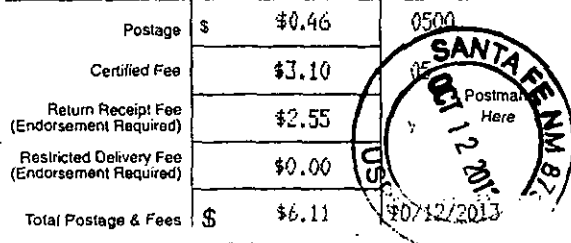
CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

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

HAYWARD, CA 94541

Postage \$ \$0.46
 Certified Fee \$3.10
 Return Receipt Fee (Endorsement Required) \$2.55
 Restricted Delivery Fee (Endorsement Required) \$0.00
 Total Postage & Fees \$ \$6.11



Sent To John A. Greiner
 23756 Nevada Road
 Haywood, California 94541

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

PS Form 3800, August 2006

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:

Cas Tabor
 McCormick, Caraway, Tabor & Byers, LLP
 P.O. Box 1718
 Carlsbad, New Mexico 88221

2. Article Number
(Transfer from service label)

7012 3050 0000 6871 5816

PS Form 3811, February 2004

Domestic Return Receipt

N6H

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*
 B. Received by (Printed Name)
 Sandra Rodriguez

☐ Agent
☐ Addressee

C. Date of Delivery

10-17-13

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

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:

Conquistador Council of Boy Scouts
Of America Trust Fund
2803 N. Aspen
Roswell, New Mexico 88201

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Diana Conde*☐ Agent☐ Addressee

B. Received by (Printed Name)

Conde

C. Date of Delivery

*10-15*D. Is delivery address different from item 1? ☐ YesIf 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

(Transfer from service label)

7012 3050 0000 6871 5748

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

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ARCADIA, CA 91006

OFFICIAL USE

Postage \$ \$0.46

Certified Fee \$3.10

Return Receipt Fee
(Endorsement Required) \$2.55Restricted Delivery Fee
(Endorsement Required) \$0.00

Total Postage & Fees \$ \$6.11

Sent To

Clint Whitten

Trustee of the David S. Greiner Trust

1642 Highland Oaks Drive

Arcadia, California 91006

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions.

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

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

ROSWELL, NM 88201

OFFICIAL USE

Postage \$ \$0.46

Certified Fee \$3.10

Return Receipt Fee
(Endorsement Required) \$2.55Restricted Delivery Fee
(Endorsement Required) \$0.00

Total Postage & Fees \$ \$6.11

Sent To

Conquistador Council of Boy Scouts
Of America Trust Fund
2803 N. Aspen
Roswell, New Mexico 88201

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006

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:

Clint Whitten
Trustee of the David S. Greiner Trust
1642 Highland Oaks Drive
Arcadia, California 91006

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Clint Whitten*☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

*10-15-13*D. Is delivery address different from item 1? ☐ YesIf 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

(Transfer from service label)

7012 3050 0000 6871 5809

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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:

UNM School of Law
MSC11 6070
1 University of New Mexico
Albuquerque, New Mexico 87131

2. Article Number

(Transfer from service label)

7012 3050 0000 6871 5779

PS Form 3811, February 2004

Domestic Return Receipt

NGH

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☒ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

10/15/13

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

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

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

SANTA FE, NM 87501

Postage \$0.46

0500

Certified Fee \$3.10

05

Return Receipt Fee (Endorsement Required) \$2.55

Postmark Here

Restricted Delivery Fee (Endorsement Required) \$0.00

Total Postage & Fees \$6.11

10/12/2013

Sent To

Public Education Department
300 Don Gaspar
Santa Fe, New Mexico 87501

Street, Apt. No., or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006

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:

Public Education Department
300 Don Gaspar
Santa Fe, New Mexico 87501

2. Article Number

(Transfer from service label)

7012 3050 0000 6871 5823

PS Form 3811, February 2004

Domestic Return Receipt

NGH

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

10/15/13

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

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:

Simmons-Farrar Royalties LLC
P.O. Box 130185
Tyler, Texas 75713

2. Article Number: 7012 3050 0000 6871 5755

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

NGH

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X [Signature]

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. P. S. J. E. L.

C. Date of Delivery

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

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

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

TYLER TX 75713

OFFICIAL USE

Postage \$ 0.46

0500

Certified Fee \$3.10

Return Receipt Fee (Endorsement Required) \$2.55

Restricted Delivery Fee (Endorsement Required) \$0.00

Total Postage & Fees \$ 6.11



Sent To

Simmons-Farrar Royalties LLC

Street, Apt. No., or PO Box No.

P.O. Box 130185

City, State, ZIP+4

Tyler, Texas 75713

PS Form 3800, August 2006

See Reverse for Instructions