

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

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION,
THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER FOR A
COMPLIANCE ORDER AGAINST KIRBY EXPLORATION CO. OF TEXAS,
FINDING THAT THE OPERATOR IS IN VIOLATION OF 19.15.25.8 NMAC AS
TO ONE WELL, REQUIRING OPERATOR TO BRING SAID WELL INTO
COMPLIANCE WITH 19.15.25.8 NMAC BY A DATE CERTAIN, AND IN THE
EVENT OF NON-COMPLIANCE, DECLARING THE WELL ABANDONED
AND AUTHORIZING THE DIVISION TO PLUG THE WELL IN LEA COUNTY,
NEW MEXICO.

CASE NO. 15139

Affidavit of Maxey Brown

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

I, Maxey Brown, being first duly sworn on oath, upon information and belief,
states as follows:

1. I am employed as the Compliance Officer at the Hobbs, New Mexico
office of the Oil Conservation Division ("OCD").

2. My duties include maintaining records of oil and gas production and
injection on wells located in New Mexico.

3. The OCD's information on production and injection comes from monthly
production reports filed by the well operators.

4. In 1993 the OCD began using the ONGARD (Oil and Natural Gas
Administration and Revenue Database) to record oil and gas production and injection by
well. Since 1993, production and injection data from the monthly production reports
filed by operators has been entered into ONGARD.

5. When the OCD began using the ONGARD system in 1993, it converted
existing production and injection data into ONGARD for those wells that were not shown
as "plugged" according to the OCD records available at that time. The pre-1993
production and injection information for each such well was totaled and appears in
ONGARD under the last month of production or injection for that well.

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6. I have researched the ONGARD records for production and injection information regarding well GG Travis #1, located in Lea County, New Mexico, section, township and range, I-21-23S-37E, API No. 30-025-10820. ONGARD contains no production or injection records for these wells since June 2006.

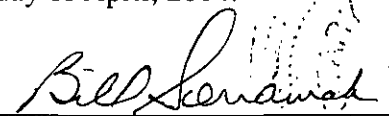
7. Operator, Kirby Exploration Company of Texas, is operating under OGRID #12757; Operator has not posted financial assurances to secure its obligation to plug and abandon the well.

8. The Secretary of State list Operator's New Mexico Corporate status as "Revoked and Beyond Appeal Period"

9. The subject well operated by Operator in New Mexico has been inactive for a continuous period exceeding one year plus 90 days, and is neither plugged and abandoned in accord with Division Rules 19.15.25.9 to -11 NMAC nor on approved temporary abandonment status in accord with Division Rule 19.15.25.12 NMAC.


Maxey Brown

SUBSCRIBED AND SWORN before me this 28th day of April, 2014.


Notary Public

My Commission Expires:

Feb 17, 2016