

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

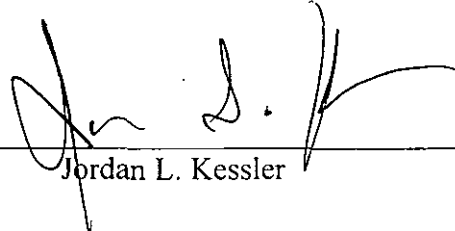
APPLICATION OF RKI EXPLORATION AND PRODUCTION FOR A NON-STANDARD SPACING AND PRORATION UNIT AND COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

CASE NOS. 15414

AFFIDAVIT

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

Jordan L. Kessler, attorney in fact and authorized representative of RKI Exploration and Production the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Application was provided under the notice letters attached hereto.

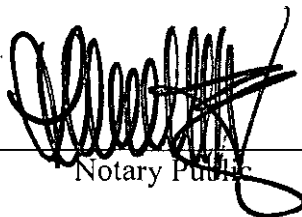


Jordan L. Kessler

SUBSCRIBED AND SWORN to before this 2nd day of December 2015 by Jordan L. Kessler.



OFFICIAL SEAL
LISAMARIE ORTIZ
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires 01/14/19



Notary Public

**BEFORE THE OIL CONSERVATION
DIVISION**
Santa Fe, New Mexico
Exhibit No. 5
Submitted by: **RKI EXPLORATION**
Hearing Date: December 3, 2015

Working Interest Owners:

C.W. Trainer and Wife Jackie Trainer
Attn: Trainer Partners, Ltd.
PO Box 3788
Midland, TX 79702
Phone: 432-687-2505

Randall Trainer
2802 N. Garfield St.
Midland, TX 79705

Elwade Corporation
3520 96th Street
Lubbock, Texas 79423

Pioneer Natural Resources
303 W. Wall St.
Midland, TX 79701

James W. Brock
c/o Beverly Brock
2301 Maxwell Dr.
Midland, TX 79705

HOLLAND & HART



Jordan L. Kessler
Associate

Phone (505) 988-4421

Fax (505) 983-6043

JLKessler@hollandhart.com

November 13, 2015

VIA CERTIFIED MAIL
CERTIFIED RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS

Re: Application of RKI Exploration and Production for compulsory pooling and approval of an unorthodox well location, Eddy County, New Mexico.
RDX Federal Com 28 9H Well

Ladies & Gentlemen:

This letter is to advise you that RKI Exploration and Production has filed the enclosed application with the New Mexico Oil Conservation Division. This application will be set for hearing before a Division Examiner at 8:15 a.m. on December 3, 2015. 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 19.15.4.13.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.

If you have any questions about this matter please contact Sam McCurdy, at (405) 987-2226 or SMcCurdy@rkixp.com.

Sincerely,

Jordan L. Kessler

RKI EXPLORATION AND PRODUCTION

Holland & Hart LLP

Phone (505) 988-4421 **Fax** (505) 983-6043 **www.hollandhart.com**

110 North Guadalupe Suite 1 Santa Fe, New Mexico 87501 **Mailing Address** P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Boulder Carson City Colorado Springs Denver Denver Tech Center Billings Boise Cheyenne Jackson Hole Las Vegas Reno Salt Lake City Santa Fe Washington, D.C. ☐



Jordan L. Kessler
Associate
Phone (505) 988-4421
Fax (505) 983-6043
JLKessler@hollandhart.com

November 13, 2015

VIA CERTIFIED MAIL
CERTIFIED RECEIPT REQUESTED

TO: OFFSETTING LESSEES AND OPERATORS

RE: Application of RKI Exploration and Production for compulsory pooling and approval of an unorthodox well location, Eddy County, New Mexico.
RDX Federal Com 28 9H Well

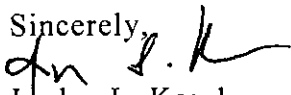
Dear Sir or Madam:

This letter is to advise you that RKI Exploration and Production, has filed the enclosed application with the New Mexico Oil Conservation Division. *Your interests are not being pooled under this application*, but as a lessee or operator in an offsetting tract, 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 3, 2015. 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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If you have any questions about this matter please contact Sam McCurdy, at (405) 987-2226 or SMcCurdy@rkixp.com.

Sincerely,

Jordan L. Kessler

RKI EXPLORATION AND PRODUCTION

Holland & Hart LLP

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

110 North Guadalupe Suite 1 Santa Fe, New Mexico 87501 **Mailing Address** P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Boulder Carson City Colorado Springs Denver Denver Tech Center Billings Boise Cheyenne Jackson Hole Las Vegas Reno Salt Lake City Santa Fe Washington, D.C. ☐

**RK1 EXPLORATION AND PRODUCTION
RDX FEDERAL COM 28 9H WELL**

AFFECTED PARTIES:

C.W. Trainer & Jackie Trainer
Attn: Trainer Partners, Ltd.
P.O. Box 3788
Midland, Texas 79702

Randall Trainer
2802 N. Garfield Street
Midland, Texas 79705

Elwade Corporation
3520 96th Street
Lubbock, Texas 79423

Pioneer Natural Resources
303 W. Wall Street
Midland, Texas 79701

James W. Brock
c/o Beverly Brock
2301 Maxwell Drive
Midland, Texas 79705

OFFSETS:

EOG Resources, Inc.
5509 Champions Drive
Midland, Texas 79706

OXY USA Inc.
P.O. Box 4294
Houston, Texas 72104

7015 0640 0007 1143 2766

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Extra Services & Fees (check box, add fee as appropriate)

☒ Return Receipt (hardcopy) \$ 2.80

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

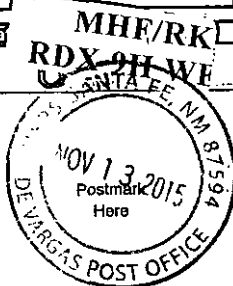
☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage

C.W. Trainer & Jackie Trainer
 Attn: Trainer Partners, Ltd.
 P.O. Box 3788
 Midland, Texas 79702

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7015 0640 0007 1143 2759

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Extra Services & Fees (check box, add fee as appropriate)

☒ Return Receipt (hardcopy) \$ 2.80

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

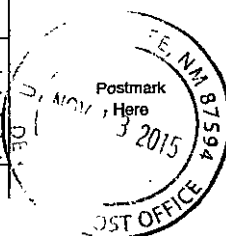
☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage

Randall Trainer
 2802 N. Garfield Street
 Midland, Texas 79705

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.
 ■ 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:

C.W. Trainer & Jackie Trainer
 Attn: Trainer Partners, Ltd.
 P.O. Box 3788
 Midland, Texas 79702

9590 9403 0670 5183 6840 92

2. Article Number (Transfer from service label)

7015 0640 0007 1143 2766

PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* ☐ Agent ☐ Addressee

B. Received by (Printed Name) *Nancy Ston* C. Date of Delivery *11/17/15*

D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type

☐ Adult Signature ☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery ☐ Registered Mail™
☒ Certified Mail® ☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery ☐ Return Receipt for Merchandise
☐ Collect on Delivery ☒ Signature Confirmation™
☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery
 (per \$500)

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.
 ■ 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:

Randall Trainer
 2802 N. Garfield Street
 Midland, Texas 79705

9590 9403 0670 5183 6840 85

2. Article Number (Transfer from service label)

7015 0640 0007 1143 2759

PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery *11-11-15*

D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type

☐ Adult Signature ☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery ☐ Registered Mail™
☒ Certified Mail® ☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery ☐ Return Receipt for Merchandise
☐ Collect on Delivery ☒ Signature Confirmation™
☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery
 (per \$500)

7015 0640 0007 1143 2780

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OFFICIAL

MHF/RKI
RDX 9H WELL

Certified Mail Fee \$ 3.45

Extra Services & Fees (check box, add fee as appropriate)

☒ Return Receipt (hardcopy) \$ 2.80

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage \$

EOG Resources, Inc.
 5509 Champions Drive
 Midland, Texas 79706

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 1143 2773

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OFFICIAL

MHF/RKI
RDX 9H WK

Certified Mail Fee \$ 3.45

Extra Services & Fees (check box, add fee as appropriate)

☒ Return Receipt (hardcopy) \$ 2.80

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage \$

OXY USA Inc.
 P.O. Box 4294
 Houston, Texas 72104

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.
 ■ 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:

EOG Resources, Inc.
 5509 Champions Drive
 Midland, Texas 79706

2. Article Number (Transfer from service label)

7015 0640 0007 1143 2780

3. Service Type

☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☒ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) J. Berry

C. Date of Delivery 11-19-15

D. Is delivery address different from item 1? ☐ Yes ☒ No
 If YES, enter delivery address below:

PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.
 ■ 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:

OXY USA Inc.
 P.O. Box 4294
 Houston, Texas 72104

2. Article Number (Transfer from service label)

7015 0640 0007 1143 2773

3. Service Type

☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☒ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) J. Berry

C. Date of Delivery 11-19-15

D. Is delivery address different from item 1? ☐ Yes ☒ No
 If YES, enter delivery address below:

PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

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U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only **HF/RKI**
 For delivery information, visit **9H WELL**
OFFICIAL

Certified Mail Fee \$ **3.45**
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$ **2.80**
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$
 Postage \$
 Elwade Corporation
 3520 96th Street
 Lubbock, Texas 79423

USPS SANTA FE, NM
 Postmark Here
 NOV 13
 DEVARGAS POST OFFICE

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 1143 2735

U.S. Postal Service™
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OFFICIAL

Certified Mail Fee \$ **3.45**
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$ **2.80**
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$
 Postage \$
 Pioneer Natural Resources
 303 W. Wall Street
 Midland, Texas 79701

USPS SANTA FE, NM
 Postmark Here
 NOV 13
 DEVARGAS POST OFFICE

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SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:

Elwade Corporation
 3520 96th Street
 Lubbock, Texas 79423

9590 9403 0670 5183 6840 78

2. Article Number (Transfer from service label)

7015 0640 0007 1143 2742

PS Form 3811, April 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x Debra Castle ☐ Agent ☐ Addressee

B. Received by (Printed Name)

Debra Castle

C. Date of Delivery

11-23-15

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature ☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery ☐ Registered Mail™
☒ Certified Mail® ☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery ☐ Return Receipt for Merchandise
☐ Collect on Delivery ☒ Signature Confirmation™
☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery
☐ Registered Mail Restricted Delivery (\$500)

Domestic Return Receipt

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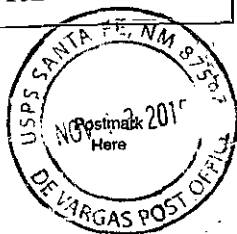
MHF/RK
 RDX 9H WE

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)
☒ Return Receipt (hardcopy) \$ 2.80
☐ Return Receipt (electronic) \$ _____
☐ Certified Mail Restricted Delivery \$ _____
☐ Adult Signature Required \$ _____
☐ Adult Signature Restricted Delivery \$ _____

Postage

James W. Brock
 c/o Beverly Brock
 2301 Maxwell Drive
 Midland, Texas 79705



PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

James W. Brock
 c/o Beverly Brock
 2301 Maxwell Drive
 Midland, Texas 79705

9590 9403 0670 5183 6840 54

2. Article Number (Transfer from service label)

7015 0640 0007 1143 2728

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Shirley Sweeney

☒ Agent
☐ Addressee

B. Received by (Printed Name)

SHIRLEY SWEENEY

C. Date of Delivery

6/11/05

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☒ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

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