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

IN THE MATTER OF THE APPLICATION OF LCX ENERGY, LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

**CASE NO. 13,628** 

#### **AFFIDAVIT**

STATE OF NEW MEXICO)

) ss.

COUNTY OF SANTA FE

J. SCOTT HALL, attorney in fact and authorized representative of LCX Energy, LLC, the Applicant herein, being first duly sworn, upon oath, states that the notice provisions of Rule 1207 of the New Mexico Oil Conservation Division have been complied with, that Applicant has caused to be conducted a good faith diligent effort to find the correct addresses of all interested persons entitled to receive notice, as shown by Exhibit "A" attached hereto, and that pursuant to Rule 1207, notice has been given at the correct addresses provided by such rule.

J. SCOTT HALL

SUBSCRIBED AND SWORN to before me this 28th day of February, 2006.

OFFICIAL SEAL

Virginia L. Bell

NOTARY PUBLIC
STATE OF NEW MEXICO

My Commission-Expires:

Virginia Z. Bell Notary Public

My Commission Expires:

March 30, 2009



Ranne B. Miller Alice T. Lorenz Stephen M. Williams Stephan M. Vidmar Seth V. Bingham Timothy R. Briggs Rudolph Lucero Deborah A. Solove Gary L. Gordon Lawrence R. White Virginia Anderman Marte D. Lightstone J. Scott Hall\* Thomas R. Mack Thomas M. Domme Ruth O. Pregenzer

Jeffrey E. Jones James J. Widland Bradley D. Tepper\*\* Robin A. Goble James R. Wood Dana M. Kyle Kirk R. Allen Ruth Fuess H. Brook Laskey Paula G. Maynes Michael C. Ross Gary Risley M. Dylan O'Reilly Jennifer D. Hall

Todd A. Schwarz

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Counsel

James B. Collins Terri S. Beach Robert D. Taichert Douglas A. Echols Ann M. Conway

Of Counsel

William K. Stratvert Sharon P. Gross

Reply to Santa Fe

150 Washington Ave., Suite 300 Santa Fe. NM 87501

Mailing Address: P.O. Box 1986 Santa Fe, NM 87504-1986

Telephone: (505) 989-9614 Facsimile: (505) 989-9857

Writer's Direct E-Mail: shall@mstlaw.com

\*\* New Mexico Board of Specialization Recognized Specialist in Real Estate Law

December 19, 2005

#### CERTIFIED MAIL/ RETURN RECEIPT REQUESTED

Wells Fargo Bank New Mexico, N.A. Trustee of the Cecil Brown and Courtney Booker Brown Revocable Trust A-1 and Irrevocable Trust A-2 200 Lomas Blvd. Albuquerque, New Mexico 87102

Re:	In the Matter of the Application of LCX Energy, LLC for Compulsory Pooling
	Eddy County, New Mexico; NMOCD Case No.

Dear Sir or Madam:

This will advise that LCX Energy, LLC has filed an Application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests from the surface through the base of the Wolfcamp formation in the following described acreage in Section 6, Township 17 South, Range 25 East, NMPM; the W/2 to form a standard 320-acre spacing and proration unit for all formations developed on a 320-acre spacing within that vertical extent which includes but is not necessarily limited to the Undesignated West Cottonwood Creek-Wolfcamp Gas Pool, and the NW/4 to form a standard spacing and proration unit for all formations developed on 160-acre spacing within that vertical extent. Said spacing and proration units are to be dedicated to the 1725 Federal Com Well No. 61 (API No. 30-015-34340) currently being drilled from a surface location 660 feet from the North line and 760 feet from the west line of said Section 6 to an appropriate depth to be horizontally drilled in a southerly direction in the Wolfcamp formation for a sufficient distance to enable the well to effectively drain the W/2 of Section 6 and test all formations from the surface to the base of the Wolfcamp formation. Also to be considered will be the cost of drilling, completing and equipping said well and the allocation of the costs thereof as well as operating costs and charges for supervision, designation of LCX Energy, LLC as operator of the well and imposition of a 200%

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New Mexico Board of Specialization Recognized Specialist in Natural Resources - Oil & Gas Law

Wells Fargo Bank New Mexico, N.A. December 19, 2005 Page 2

penalty plus the costs of drilling, completing and equipping the well incurred by LCX against any working interest owner who does not voluntarily participate in the well. A copy of the application is enclosed.

This application will be set for hearing before a Division Examiner at 8:15 a.m. on January 19, 2006, at the New Mexico Oil Conservation Division, 1220 South St. Francis Dr., Santa Fe, New Mexico. You are not required to attend this hearing, but as an owner of an interest that may be affected, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging this application at a later time.

Very truly yours,

MILLER STRATVERT P.A.

1. Sou dall

J. Scott Hall

JSH/glb Enclosure

POSTMARK OR DATE POSTAGE \$0.60 RETURN RESTRICTED DELIVERY FEE \$0.00 RECEIPT CERTIFIED FEE \$2.30 SERVICE RETURN RECEIPT FEE \$1.75 SENT TO: TOTAL POSTAGE AND FEE'S \$4.65

Wells Fargo Bank New Mexico, N.A. Trustee Cecil Brown & Courtney Booker Brown 200 Lomas Blvd. Albuquerque, New Mexico 87102
PS FORM 3800 2/19/2005 2:35 PM



B. Received by (Brinted Name)	C. Date of Delivery
D. Is delivery address different from iter If YES enter delivery address below:	
3. Service Type	ertified
4. Restricted Delivery? (Extra Fee)	Yes
	If YES enter delivery address below:



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December 19, 2005

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### RETURN RECEIPT REQUESTED

Wells Fargo Bank New Mexico, N.A. Trustee of the Cecil Brown and Courtney Booker Brown Revocable Trust A-1 and Irrevocable Trust A-2 200 Lomas Blvd., 12th Floor Albuquerque, New Mexico 87102

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Wells Fargo Bank New Mexico, N.A. December 19, 2005 Page 2

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Very truly yours,

MILLER STRATVERT P.A.

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J. Scott Hall

JSH/glb Enclosure

RETURN
RECEIPT
SERVICE
POSTAGE
RESTRICTED DELIVERY FEE
CERTIFIED FEE
RETURN RECEIPT FEE
SENT TO: TOTAL POSTAGE AND FEE'S



Wells Fargo Bank New Mexico, N.A.
Trustee Cecil Brown & Courtney Booker
Brown Revocable Trust
200 Lomas Blvd., 12th Floor
Albuquerque, New Mexico 87102

PS FORM 3800 2/19/2005 2:01 PM



#### RECEIPT FOR CERTIFIED MAIL

\$0.60

\$0.00

\$2.30

\$1.75

\$4.65

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(SEE OTHER SIDE)

2. Article Number	COMPLETE THIS SECTION ON DELIVERY  A. Signature
	X A Agent Addressee
10PE 0000 047P EA&A 1845	B. Received by (Printed Name) C. Date of Delivery  J-255 HAGON 12-21-00
1. Article Addressed to:	D. is delivery address different from item 1?
Wells Fargo Bank New Mexico, N.A. Trustee Cecil Brown & Courtney Booker Brown 200 Lomas Blvd.	3. Service Type Certified
Albuquerque, New Mexico 87102 12/19/2005 2:35 PM	4. Restricted Delivery? (Extra Fee) Yes



LAW OFFICES

Ranne B. Miller Alice T. Lorenz Stephen M. Williams Stephan M. Vidmar Seth V. Bingham Timothy R. Briggs Rudolph Lucero Deborah A. Solove Gary L. Gordon Lawrence R. White Virginia Anderman Marte D. Lightstone J. Scott Hall\* Thomas R. Mack Thomas M. Domme Ruth O. Pregenzer

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\*\* New Mexico Board of Specialization Recognized Specialist in Real Estate Law

December 12, 2005

#### CERTIFIED MAIL/ RETURN RECEIPT REQUESTED

Ms. Meg Muhlinghause **Devon Energy Corporation** 20 North Broadway Oklahoma City, OK 73102-8260

Re:

In the Matter of the Application of LCX Energy, LLC for Compulsory Pooling,

Eddy County, New Mexico; NMOCD Case No.

Dear Ms. Muhlinghause:

This will advise that LCX Energy, LLC has filed an Application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests from the surface through the base of the Wolfcamp formation in the following described acreage in Section 6, Township 17 South, Range 25 East, NMPM; the W/2 to form a standard 320-acre spacing and proration unit for all formations developed on a 320-acre spacing within that vertical extent which includes but is not necessarily limited to the Undesignated West Cottonwood Creek-Wolfcamp Gas Pool, and the NW/4 to form a standard spacing and proration unit for all formations developed on 160-acre spacing within that vertical extent. Said spacing and proration units are to be dedicated to the 1725 Federal Com Well No. 61 (API No. 30-015-34340) currently being drilled from a surface location 660 feet from the North line and 760 feet from the west line of said Section 6 to an appropriate depth to be horizontally drilled in a southerly direction in the Wolfcamp formation for a sufficient distance to enable the well to effectively drain the W/2 of Section 6 and test all formations from the surface to the base of the Wolfcamp formation. Also to be considered will be the cost of drilling, completing and equipping said well and the allocation of the costs thereof as well as operating costs and charges for supervision, designation of LCX Energy, LLC as operator of the well and imposition of a 200% penalty plus the costs of drilling, completing and equipping the well incurred by LCX against any working interest owner who does not voluntarily participate in the well. A copy of the application is enclosed. · A PROFESSIONAL ASSOCIATION

Ms. Meg Muhlinghause Devon Energy Corporation December 12, 2005 Page 2

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Very truly yours,

MILLER STRATVERT P.A.

J. Scott Hall

JSH/glb Enclosures

POSTMARK OR DATE \$0.60 RETURN RESTRICTED DELIVERY FEE \$0.00 RECEIPT CERTIFIED FEE \$2.30 SERVICE \$1.75 SENT TO: \$4.65

> Ms. Meg Muhlinghause Devon Energy Corporation 20 North Broadway Oklahoma City, OK 73102-8260

PS FORM 3889 2/12/2005 11:08 AM



## RECEIPT FOR CERTIFIED MAIL NO INSURANCE COVERAGE PROVIDED NOT FOR INTERNATIONAL MAIL (SEE OTHER SIDE)

2. Article Number	A. Signature  A. Signature  A. Algulum   Agent   Addressee
7161 8863 9710 0000 3871	B. Received by (Printed Name) C: Date of Delivery Kachel Talls
Article Addressed to:	D. Is delivery address different from item 1? Yes If YES enter delivery address below: No
Ms. Meg Muhlinghause Devon Energy Corporation	CANO BENE
20 North Broadway Oklahoma City, OK 73102-8260	3. Service Type Certified
12/12/2005 11:08 AM	4. Restricted Delivery? (Extra Fee) Yes