Affidavit of Publication				
STATE OF NEW MEXICO				
County of Eddy:				
Gary D. Scott Can of Cont				
being duly sworn, says that he is the Publisher				
of the Artesia Daily Press, a daily newspaper of general				
circulation, published in English at Artesia, said county				
and state, and that the hereto attached				
Legal Notice				
was published in a regular and entire issue of the said				
Artesia Daily Press, a daily newspaper duly qualified				
for that purpose within the meaning of Chapter 167 of				
the 1937 Session Laws of the state of New Mexico for				
1 Consecutive weeks/days on the same				
day as follows:				
First Publication July 2, 2010				
Second Publication				
Third Publication				
Fourth Publication				
Fifth Publication				
Subscribed and sworn to before me this				
2nd day of July 2010				
OFFICIAL SEAL				

NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 3/18/

Notary Public, Eddy County, New Mexico

Walter L. Green

Copy of Publication:

NOTICE OF PUBLICA-TION STATE OF NEW MEXI-CO ENERGY, MINERALS NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION SANTA FE, NEW MEX-ICO The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the **Rules and Regulations** of the Division of the following public hearing to be held at 8:15 A.M. on July 22, 2010 in the Oil **Conservation** Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appoint for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact: Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by July 12, 2010. Public documents including the : agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed. STATE OF NEW MEXI-CO TO:

All named parties and persons having any right, title, interest or claim in the following cases and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stat-

ed.) CASE NO .: 14518 Amended Application of Mewbourne Oil Company for a nonstandard spacing and proration unit and compulsory pooling, Eddy County, New Mexico. To: Heirs or Devisees of Howard C. Warren, Mill Neck Associates and Josephine Laughlin, Trustee of the Josephine Laughlin Living Trust.

Applicant in the abovestyled cause seeks an order (1) creating a 169.64-acre non-standard spacing unit comprised of the N/2 N/2 equivalent of Section 4. Township 20 South, Range 29 East, NMPM. and (2) pooling all mineral interests in the Bone Spring formation. Parkway-Bone Spring Pool, in this non-standard spacing and proration unit which spacing unit will be the project area for its Burton "4" Federal Well No. 3H (API No. 30-015-37816) to be drilled from a non-

standard surface location 810 feet from the North line and 200 feet from the East line (Unit A) to a true vertical depth of approximately 7,909 feet (estimated measured depth of approximately 12,442 feet) and then in a westerly direction approximately 4172.56 feet in the Bone Spring formation to a terminus 660 feet from the North line and 330 feet from the West line (Unit D) of said Section 4. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs i and charges for supervision, designation of

#### Mewbourne Company as operator c

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the well and a charg for risk involved in drilling said well. Sai area is located approxi mately 8 miles south o Loco Hills, New Mexico Given under the Seal o the State of New Mexicc Oil Conservation Division at Santa Fe New Mexico on this 28th day of June 2010. STATE OF NEW MEXI-CO OIL CONSERVA-TION DIVISION Mark E. Fesmire, P.E., Director

Published in the Artesia Daily Press, Artesia, NM, July 2, 2010. Legal No. 21276.

ATTACHMENT E



William F. Carr wcarr@hollandhart.com

June 22, 2010

#### **<u>CERTIFIED MAIL - RETURN RECEIPT REQUESTED</u></u> <u>TO AFFECTED INTEREST OWNERS:</u>**

## Re: Amended Application of Mewbourne Oil Company for a non-standard spacing and proration unit and compulsory pooling, Eddy County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that Mewbourne Oil Company has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order (1) creating a 169.64-acre non-standard spacing unit comprised of the N/2 N/2 equivalent of Section 4, Township 20 South, Range 29 East, NMPM, and (2) pooling all mineral interests in the Bone Spring formation, Parkway-Bone Spring Pool, in this non-standard spacing and proration unit which will be the project area for its Burton "4" Federal Well No. 3H (API No. 30-015-37816) to be drilled from a non-standard surface location 810 feet from the North line and 200 feet from the East line (Unit A) to a true vertical depth of approximately 7,909 feet (estimated measured depth of approximately 12,442 feet) and then in a westerly direction approximately 4172.56 feet in the Bone Spring formation to a terminus 660 feet from the North line and 330 feet from the West line (Unit D) of said Section 4.

This application has been set for hearing before a Division Examiner at 8:15 AM on July 22, 2010. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at i220 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 no later than 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.

Very truly yours.

William F. Carr

cc: Mr. D. Paul Haden Senior Landman Mewbourne Oil Company Holland & Hart up

[505] 988-4421 (505] 983-6043 www.hollandhart.com 110 North Guadalupe Suite 1 Santa Fe, NM 87501 (1999) P.O. Box (208) Santa Fe, NM 87504-2208



William F. Carr wcarr@hollandhart.com

June 22, 2010

#### **CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

#### TO: OFFSETS AND LESSEES IDENTIFIED ON EXHIBIT A

# Re: Amended Application of Mewbourne Oil Company for a non-standard spacing and proration unit, inter alia, Eddy County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that Mewbourne Oil Company has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order creating a non-standard spacing unit comprised of the N/2 N/2 of Section 4, Township 20 South, Range 29 East, NMPM, Eddy County, New Mexico. The Division requires notice to offset operators or lessees of the non-standard unit. This non-standard spacing and proration unit will be the project area for the Burton "4" Federal Well No. 3-H to be horizontally drilled at a non-standard location in Section 4.

This application has been set for hearing before a Division Examiner at 8:15 AM on July 22, 2010. 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.

Sincerely, miling

William F. Carr Attorney for Mewbourne Oil Company

#### EXHIBIT A

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### APPLICATION OF MEWBOURNE OIL COMPANY FOR A 169.64-ACRE NONSTANDARD SPACING AND PRORATION UNIT AND COMPULSORY POOLING N/2 N/2 EQUIVALENT OF SECTION 4, TOWNSHIP 20 SOUTH, RANGE 29 EAST, N.M.P.M., EDDY COUNTY, NEW MEXICO. (Burton "4" Federal Well No. 3H)

#### **NOTIFICATION FOR POOLING**

Underwood Petroleum Corporation The Summit 1034 Liberty Park Drive Austin, Texas 78746

Bivins Energy Corporation 4925 Greenville Ave., Suite 814 Dallas, Texas 75206 Attn: Craig Bivins

Christine Barnes Motycka Post Office Box 505 Midland, Texas 79701

Julie Ellen Barnes c/o Christine B. Motycka Post Office Box 505 Midland, Texas 79701

Craig W. Barr c/o Christine B. Motycka Post Office Box 505 Midland, Texas 79701

Zachariah J. Reid c/o Christine B. Motycka Post Office Box 505 Midland, Texas 79701

Taylor L. Barr c/o Christine B. Motycka Post Office Box 505 Midland, Texas 79701

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Thomas R. Barr c/o Christine B. Motycka Post Office Box 505 Midland, Texas 79701

Viola Elaine Barnes c/o Christine B. Motycka Post Office Box 505 Midland, Texas 79701

Steven Clement Barnes c/o Christine B. Motycka Post Office Box 505 Midland, Texas 79701

Marion Gardiner Miller, Trustee of the Boyd and Marion Gardiner Laughlin Management Trust 914 Bedford Midland, Texas 79701

Marion Gardiner Miller Trust 914 Bedford Midland, Texas 79701

Heirs and devisees of Howard C. Warren (Address Unknown)

Mill Neck Associates (Address Unknown)

Josephine Laughlin, Trustee of the Josephine Laughlin Living Trust (Address Unknown)

#### **NOTIFICATION FOR NON-STANDARD UNIT**

Chesapeake Operating, Inc. Attn: Mr. Craig Barnard PO Box 18496 Oklahoma City, Oklahoma 73154-0496

OXY USA WTP Limited Partnership Attn: Mr. Patrick S. Sparks P.O. Box 4294 Houston, Texas 77210

SM Energy Company Attn: Ms. Rita Buress 3300 N. A Street, Bldg 7, Suite 200 Midland, Texas 79705

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TriTex Resources, LLC Attn: Mr. Don Ritter 15455 Dallas Parkway, Suite 600 Addison, Texas 75001

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Certified Fee D No If YES, enter delivery address below: Return Receipt Fee TriTex Resources, LLC (Endorsement Required) Attn: Mr. Don Ritter Restricted Delivery Fee (Endorsement Required) 15455 Dallas Parkway, Suite 600 Addison, Texas 75001 Total Postage & Fees \$ 5,88 3. Service Type 7006 Certified Mail Express Mail Sent To **TriTex** Resource Registered Return Receipt for Merchandise Attn: Mr. Don Ri Street Insured Mail C.O.D. 15455 Dallas Par or PO E 4. Restricted Delivery? (Extra Fee) City, St. Addison, Texas 7 2. Article Number PS For 7006 0100 0005 0626 0092 (Transfer from service label)

PS Form 3811, February 2004

**Domestic Return Receipt** 

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