

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

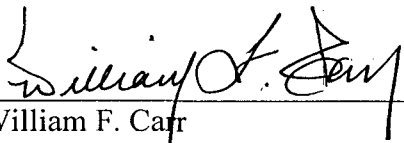
**IN THE MATTER OF THE APPLICATION OF
MEWBOURNE OIL COMPANY FOR A NON-
STANDARD SPACING AND PRORATION
UNIT, UNORTHODOX WELL LOCATION,
AND COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO.**

CASE NO. 14596

AFFIDAVIT

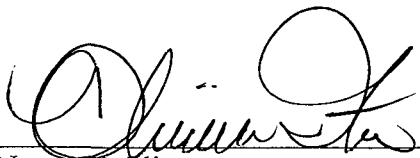
STATE OF NEW MEXICO)
)ss.
COUNTY OF SANTA FE)

William F. Carr, attorney in fact and authorized representative of Mewbourne Oil Company, the Applicant herein, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.



William F. Carr

SUBSCRIBED AND SWORN to before me this 2nd day of March 2011 by William F. Carr.



Notary Public

My Commission Expires: 3-10-12

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Case No. 14596 Exhibit No. 5
Submitted by:
MEWBOURNE OIL COMPANY
Hearing Date: March 3, 2011

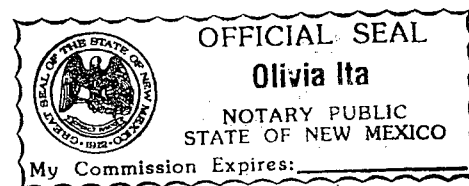


EXHIBIT A

**APPLICATION OF
MEWBOURNE OIL COMAPNY
FOR A NON-STANDARD SPACING AND PRORATION UNIT,
UNORTHODOX WELL LOCATION, AND
COMPULSORY POOLING
E/2 NW/4 AND THE E/4 SW/4 OF SECTION 24,
TOWNSHIP 19 SOUTH, RANGE 25 EAST, NMPM
EDDY COUNTY, NEW MEXICO.**

NOTIFICATION LIST

Nearburg Exploration Company, LLC
3300 North "A" Street
Building 2, Suite 120
Midland, Texas 79705
Attention: Ken Dixon

Affidavit of Publication

NO.

21520

STATE OF NEW MEXICO

County of Eddy:

Walter L. Green

Walter L. Green

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

January 25, 2011

Second Publication

Third Publication

Fourth Publication

Fifth Publication

Subscribed and sworn to before me this

25th

day of

January

2011



OFFICIAL SEAL

Danny Scott

NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 3/18/2014

Danny Scott
Danny Scott

Notary Public, Eddy County, New Mexico

Copy of Publication:

LEGAL NOTICE

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

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 February 17, 2011, 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 February 7, 2011. 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 MEXICO 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 stated.)

CASE No. 14596:

Application of Mewbourne Oil Company for a non-standard spacing and proration unit, unorthodox well location, and compulsory pooling, Eddy County, New Mexico. Applicant in the above-styled cause seeks an order creating a non-standard spacing unit comprised of the E/2 NW/4 and the NE/4 SW/4 of Section 24, of Township 19 South, Range 25 East, NMPM, and pooling all mineral interests in the Undesignated Yeso formation, in this non-standard spacing and proration unit which spacing unit will be the project area for its proposed Wyatt Draw "24" KC Well No. 1-H to be horizontally drilled from a surface location 990 feet from the South line and 1650 feet from the West line of said Section 24 and then in a northerly direction in the Undesignated Yeso formation to a bottom hole terminus at a location 330 feet from the North line and 1650 feet from the West line of said Section 24. This well will penetrate the Yeso formation at an unorthodox location 1295 feet from the South line and 1650 feet from the West line of Section 24, however, the producing interval in the wellbore is within the well's producing area. 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 and charges for supervision, designation of Mewbourne Oil Company as operator of the well and a charge for risk involved in drilling said well. Said area is located approximately 6 miles north of Lakewood, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Division at Santa Fe, New Mexico on this 21st day of January 2011.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

Published in the Artesia Daily Press, Artesia, N.M. January 25, 2011. Legal No. 21520.



January 18, 2011

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

TO AFFECTED INTEREST OWNERS:

Re: Application of Mewbourne Oil Company for a non-standard spacing and proration unit, unorthodox well location, 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 non-standard spacing unit comprised of the order creating a non-standard spacing unit comprised of the E/2 NW/4 and the NE/4 SW/4 of Section 24, of Township 19 South, Range 25 East, NMPM; and pooling all mineral interests in the Undesignated Yeso formation, in this non-standard spacing and proration unit which spacing unit will be the project area for its proposed Wyatt Draw "24" KC Well No. 1- H to be horizontally drilled from a surface location 990 feet from the South line and 1650 feet from the West line of said Section 24 and then in a northerly direction in the Undesignated Yeso formation, to a bottom hole terminus at a location 330 feet from the North line and 1650 feet from the West line of said Section 24. This well will penetrate the Yeso formation at an unorthodox location 1295 feet from the South line and 1650 feet from the West line of Section 24, however, the producing interval in the wellbore is within the well's "producing area."

This application has been set for hearing before a Division Examiner at 8:15 AM on February 17, 2011. 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.

Very truly yours,

William F. Carr

cc: Mr. Corey Mitchell
Landman
Mewbourne Oil Company

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

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

MIDLAND TX 79705

Postage \$ **7.61**
 Certified Fee **2.80**
 Return Receipt Fee
 (Endorsement Required) **2.30**
 Restricted Delivery Fee
 (Endorsement Required) \$0.00
 Total Postage & Fees \$ **5.98**



Nearburg Exploration Company, LLC
 Attention: Ken Dixon
 3300 North "A" Street
 Building 2, Suite 120
 Midland, Texas 79705

See 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:

Nearburg Exploration Company, LLC
 Attention: Ken Dixon
 3300 North "A" Street
 Building 2, Suite 120
 Midland, Texas 79705

2. Article Number

(Transfer from service label)

7006 0100 0005 0625 2721

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Signature]

☒ Agent
☐ Addressee

B. Received by (Printed Name)

Laura Selz

C. Date of Delivery

1/19

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