

**EXHIBIT A**

Costilla Energy, Inc.  
(CSL Partners)  
Post Office Box 10369  
Midland, TX 79702  
Attn: Gary L. Winter

Joel R. Miller  
Jay E. Floyd  
Post Office Box 2577  
Midland, TX 79702

Phillips Petroleum Company  
4001 Penbrook  
Odessa, TX 79762  
Attn: G.L. Fenton

**BEFORE THE  
OIL CONSERVATION DIVISION**  
Santa Fe, New Mexico

Case No. 11710 Exhibit No. 5

**AFFIDAVIT,  
Page 2**

Submitted by: Enron Oil & Gas Company

Hearing Date: January 23, 1997

CAMPBELL, CARR, BERGE  
& SHERIDAN, P.A.  
LAWYERS

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WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN

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POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE: (505) 988-4421  
TELECOPIER: (505) 983-6043

January 2, 1997

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUEST**

**TO ALL AFFECTED PARTIES IN THE W/2 OF SECTION 36, TOWNSHIP 17  
SOUTH, RANGE 29 EAST, N.M.P.M., EDDY COUNTY, NEW MEXICO**

Re: Application of Enron Oil & Gas Company for Compulsory Pooling, Eddy  
County, New Mexico

Gentlemen:

This letter is to advise you that Enron Oil & Gas Company has filed the enclosed application with the New Mexico Oil Conservation Division seeking the force pooling of certain mineral interests in and under the W/2 of Section 36, Township 17 South, Range 29 East, N.M.P.M., Eddy County, New Mexico. Enron Oil & Gas Company proposes to dedicate these pooled units to its Sand Tank "36" State Com. No. 1 Well which it proposes to drill at an orthodox location 1980 feet from the South and West lines of said Section 36.

This application has been set for hearing before a Division Examiner on January 23, 1997. 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 have been requested by the Division (Memorandum 2-90) to file a Prehearing Statement substantially in the form prescribed by the Division. Prehearing statements should be filed by 4:00 o'clock p.m. on the Friday before a scheduled hearing.

Very truly yours,



WILLIAM F. CARR  
ATTORNEY FOR ENRON OIL & GAS COMPANY  
WFC:mlh  
Enc.

Is your **RETURN ADDRESS** completed on the reverse side?

**SENDER:**

- ☐ Complete items 1 and/or 2 for additional services.
- ☐ Complete items 3, 4a, and 4b.
- ☐ Print your name and address on the reverse of this form so that we can return this card to you.
- ☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
- ☐ Write "Return Receipt Requested" on the mailpiece below the article number.
- ☐ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
  2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Costilla Energy, Inc.  
(CSL Partners)  
Post Office Box 10369  
Midland, TX 79702  
Attn: Gary L. Winter

4a. Article Number

104510445501

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

JAN 06 1997

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

PS Form 3811, December 1994

Domestic Return Receipt

**Receipt for Certified Mail**

Costilla Energy, Inc.  
(CSL Partners)  
Post Office Box 10369  
Midland, TX 79702  
Attn: Gary L. Winter

|   |           |
|---|-----------|
| Postage   | \$        |
| Control Fee   |           |
| Special Delivery Fee  |           |
| Restricted Delivery Fee                                     |           |
| Return Receipt Showing to Whom & Date Delivered             |           |
| Return Receipt Showing to Whom, Date, & Addressee's Address |           |
| <b>TOTAL Postage &amp; Fees</b>                             | <b>\$</b> |
| Postmark or Date  |           |

JAN - 2 1997

Thank you for using Return Receipt Service.

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  2. ☐ Restricted Delivery
- Consult postmaster for fee.

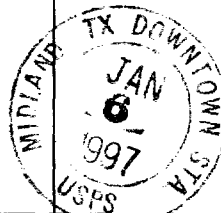
3. Article Addressed to:

Joel R. Miller  
Jay E. Floyd  
Post Office Box 2577  
Midland, TX 79702

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

PS Form 3871, December 1994



4a. Article Number

4b. Service Type

- ☐ Registered  
☐ Express Mail  
☐ Return Receipt for Merchandise  
☐ COD
- ☒ Certified  
☐ Insured

8. Addressee's Address (Only if requested and fee is paid)

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 551 044 555

U.S. Postal Service  
**Receipt for Certified Mail**

Joel R. Miller  
Jay E. Floyd  
Post Office Box 2577  
Midland, TX 79702

|   |            |
|---|------------|
| Postage   | \$         |
| Certified Fee   |            |
| Special Delivery Fee  |            |
| Restricted Delivery Fee                                     |            |
| Return Receipt Showing to Whom & Date Delivered             |            |
| Return Receipt Showing to Whom, Date, & Addressee's Address |            |
| <b>TOTAL Postage &amp; Fees</b>                             | <b>\$</b>  |
| Postmark or Date  | JAN 2 1997 |

PS Form 3871, April 1995

Is your **RETURN ADDRESS** completed on the reverse side?

**SENDER:**

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Phillips Petroleum Company  
4001 Penbrook  
Odessa, TX 79762  
Attn: G. L. Fenton

4a. Article Number

P 551 044 556

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☒ Certified
- ☐ Insured
- ☐ COD

7. Date of Delivery

1-6-97

8. Addressee's Address (Only if requested and fee is paid)

*[Signature]*

5. Received By: (Print Name)

6. Signature: (Addressee, if Agent)

*[Signature]*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 551 044 556

US Postal Service  
Receipt for Certified Mail

Phillips Petroleum Company  
4001 Penbrook  
Odessa, TX 79762  
Attn: G. L. Fenton

JAN - 2 1997