BEFORE THE

OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

IN THE MATTER OF THE APPLICATION OF McELVAIN OIL & GAS PROPERTIES, INC. FOR COMPULSORY POOLING, RIO ARRIBA COUNTY, NEW MEXICO.

CASE NO. 11822

AFFIDAVIT

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

William F. Carr, attorney in fact and authorized representative of McElvain Oil & Gas Properties, Inc., the Applicant herein, being first duly sworn, upon oath, states that notice has been given to all interested persons entitled to receive notice of this application under Oil Conservation Division rules, and that notice has been given at the addresses shown on Exhibit "A" attached hereto.

William F. Carr

SUBSCRIBED AND SWORN to before me this day of August, 1997 by William F. Carr.

Notary Public

My Commission Expires:

EXHIBIT A

Richard L. Harris, Trustee of the Neumann Family Trust 1924 South Utica, Suite 700 Tulsa, OK 74104

Mesa Grande Resource, Inc. an Oklahoma Corporation 1200 Philtower Bldg. Tulsa, OK 74103

NM & O Operating Company 6 E. 5th Street, Suite 200 Tulsa, OK 74103

Johansen Energy Partnership Post Office Box 1773 Whitefish, MT 59937

Williams Production Company Post Office Box 3102 Tulsa, OK 74101

Northwest Pipeline Corporation Post Office Box 3102 Tulsa, OK 74101

Dugan Production Corporation Post Office Box 5820 Farmington, NM 87499-5820

E. Alex Phillips, et ux 1200 Philtower Bldg. Tulsa, OK 74103

AFFIDAVIT, Page 2 Gavilan Dome Properties, a California Limited Partnership c/o Skredynski & Company, General Partner 1180 Cedarwood Drive Moraga, CA 94556

BEFORE THE OIL CONSERVATION DIVISION

Santa Fe, New Mexico

Case No. <u>11822</u> Exhibit No. <u>4</u>

Submitted by: McElvain Oil & Gas Properties, Inc.

Hearing Date: August 7, 1997

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

LAWYERS

MICHAEL B CAMPBELL
W LLAM F CARR
BRADFORD C BERGE
MARK F SHER-DAN
MICHAEL H FELDEWERT
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POST OFFICE BOX 2208

SANTA FE, NEW MEXICO 87504-2208

TELEPHONE (505) 988-4421

FACSIMILE (505) 983-6043

E-MAIL COSDA@IX.netcom.com

July 8, 1997

CERTIFIED MAIL RETURN RECEIPT REQUESTED

TO AFFECTED OWNERS IN SECTION 3: LOTS 3 & 4, S/2 NW/4, SW/4 (W/2 EQUIVALENT), TOWNSHIP 25 NORTH, RANGE 2 WEST, N.M.P.M.

Re: Application of McElvain Oil & Gas Properties, Inc., for Compulsory Pooling, Rio Arriba County, New Mexico

Gentlemen:

This letter is to advise you that McElvain Oil & Gas Properties, Inc., 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 equivalent of Section 3, Township 25 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain Oil & Gas Properties, Inc., proposes to drill its Elk Com Well No. 1 at a standard location in said Section 3.

This application has been set for hearing before a Division Examiner on August 7, 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 in the Division. Prehearing statements should be filed by 4:00 p.m. on the Friday before a scheduled hearing.

Very truly yours,

WILLIAM F. CARR

ATTORNEY FOR McELVAIN OIL & GAS PROPERTIES, INC.

WFC:mlh

Enc.



Richard L. Harris, Trustee of the Neumann Family Trust 1924 South Utica, Suite 700 Tulsa, OK 74104

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Thank you for using Return Receipt Service.



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