

BEFORE THE

OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

IN THE MATTER OF THE APPLICATION  
OF ENRON OIL & GAS COMPANY FOR  
COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO.

CASE NO. 12005

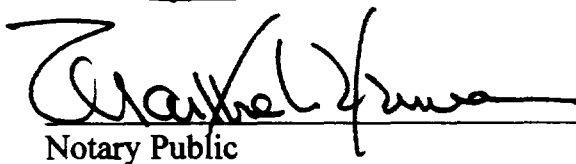
AFFIDAVIT

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

Paul R. Owen, attorney in fact and authorized representative of Enron Oil & Gas Company, 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.

  
Paul R. Owen

SUBSCRIBED AND SWORN to before me this 8th day of July, 1998.

  
Notary Public

My Commission Expires:

August 19, 1999

**EXHIBIT A**

Joel R. Miller  
Shirley B. Miller  
Post Office Box 3003  
Midland, TX 70702

Jay E. Floyd  
Sharon L. Floyd  
Post Office Box 2577  
Midland, TX 79702

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

Case No. 12005 Exhibit No. 5

Submitted by: Enron Oil & Gas Company

Hearing Date: July 9, 1998

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

MICHAEL B. CAMPBELL  
WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN  
MICHAEL H. FELDEWERT  
ANTHONY F. MEDEIROS  
PAUL R. OWEN  
KATHERINE M. MOSS  
  
JACK M. CAMPBELL  
OF COUNSEL

JEFFERSON PLACE  
SUITE 1 - 110 NORTH GUADALUPE  
POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE (505) 988-4421  
FACSIMILE (505) 983-6043  
E-MAIL: ccbspa@ix.netcom.com

June 17, 1998

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Joel R. Miller  
Shirley B. Miller  
Post Office Box 3003  
Midland, TX 70702

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

Dear Mr. and Mrs. Miller:

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 from the surface to the base of the Chester formation, in the E/2 NW/4 of Section 2, Township 18 South, Range 29 East. Enron Oil & Gas Company proposes to dedicate the referenced pooled unit to its STW "2" State Com No. 1 Well to be drilled at a standard location 1650 feet from the North line and 1650 feet from the West line of said Section 2.

This application has been set for hearing before a Division Examiner on July 9, 1998. You are not required to attend this hearing, but as an owner of an interest that may be subject to pooling 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,



PAUL R. OWEN  
ATTORNEY FOR ENRON OIL & GAS COMPANY  
PRO:mlh

Enc.

cc: Patrick J. Tower

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.

3. Article Addressed to:

Joel R. Miller  
Shirley B. Miller  
Post Office Box 3003  
Midland, TX 70702

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Joel R. Miller*

PS Form 3811, December 1994

4a. Article Number

Z 211 156 259

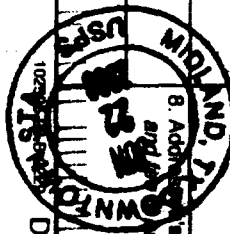
4b. Service Type

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

8. Addressee's Address (Only if requested)

7. Date of Delivery

Domestic Return Receipt



Z 211 156 259

US Postal Service

**Receipt for Certified Mail**

Joel R. Miller  
Shirley B. Miller  
Post Office Box 3003  
Midland, TX 70702

Postage	\$ .55
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 1.90
Postmark of Date	DEC 23 1994

PS Form 3800, April 1995

Thank you for using Return Receipt Service.

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

MICHAEL B CAMPBELL  
WILLIAM F CARR  
BRADFORD C BERGE  
MARK F SHERIDAN  
MICHAEL H FELDEWERT  
ANTHONY F MEDEIROS  
PAUL R OWEN  
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E-MAIL: ccbpsa@ix.netcom.com

June 17, 1998

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Jay E. Floyd  
Sharon L. Floyd  
Post Office Box 2577  
Midland, TX 79702

Re: Application of Enron Oil & Gas Company for Compulsory Pooling, Eddy  
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Dear Mr. and Mrs. Floyd:

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ATTORNEY FOR ENRON OIL & GAS COMPANY  
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Enc.

cc: Patrick J. Tower

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- 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:

Jay E. Floyd  
Sharon L. Floyd  
Post Office Box 2577  
Midland, TX 79702

4a. Article Number  
Z 211 156 258

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ COD

7. Date of Delivery

6-19-98

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

5. Received By: (Print Name)

6. Signature/Address of Agent

PS Form 3800, December 1994

102595-98-8-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 211 156 258

US Postal Service  
**Receipt for Certified Mail**

Jay E. Floyd  
Sharon L. Floyd  
Post Office Box 2577  
Midland, TX 79702

Postage	\$ 1.55
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.00
Postmark or Date	

PS Form 3800, April 1995