BEFORE THE

OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

IN THE MATTER OF THE APPLICATION OF MARBOB ENERGY CORPORATION FOR SIMULTANEOUS DEDICATION AND UNORTHODOX WELL LOCATIONS, LEA COUNTY, NEW MEXICO.

CASE NO. 12076

AFFIDAVIT

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

William F. Carr, authorized representative of Marbob Energy Corporation, the Applicant herein, being first duly sworn, upon oath, states that in accordance with the notice provisions of Division rules, the Applicant has attempted to find the correct addresses of all interested persons entitled to receive notice of this application and that notice has been given at the addresses shown on Exhibit "A" attached hereto.

SUBSCRIBED AND SWORN to before me this $2 \times \lambda$ day of December, 1998 by William F. Carr.

My Commission Expires:

EXHIBIT A

Penwell Energy, Inc. 600 N. Marienfeld, #1100 Midland, TX 79701

Atlantic Richfield Company Post Office Box 1610 Midland, TX 79702

Culbertson Management Trust Box 2918 Midland, TX 79702

Scope Industries Post Office Box 2211 Santa Monica, CA 90407-2211

Pioneer Natural Resources Post Office Box 3178 Midland, TX 79702-3178

Elliott Industries, a Co. Limited Partnership Post Office Box 1355 Roswell, NM 88202-1355

Sharbro Oil Limited Company Post Office Box 840 Artesia, NM 88211-0840

MYCO Industries 105 South Fourth Street Artesia, NM 88210

AFFIDAVIT Page 2 Phillips Petroleum Company Box 7500 Bartlesville, OK 74005-7500

Yates Petroleum Corporation 105 South Fourth Street Artesia, NM 88210

Bureau of Land Management 2909 West Second Street Roswell, NM 88202

Saba Energy of Texas, Incorporated 1603 S.E. 19th Street, Suite 202 Edmond, OK 73013

Ray Westall Box 4 Loco Hills, NM 88255

Irwin W. Wallace 233 Wiltshire Blvd. Santa Monica, CA 90401

Harvey E. Yates Company Box 1933 Roswell, NM 88202-1933

Texaco Exploration and Production Inc. Box 2100 Denver, CO 80201

BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico

Case No. <u>12076</u> Exhibit No. <u>3</u>

Submitted by: <u>Marbob Energy Corporation</u>

Hearing Date: December 3, 1998

Elliott-Hall Company, a Utah Limited Partnership Post Office Box 1231 Ogden. Utah 88402-1231

Tenison Oil Company 8140 Walnut Hill Lane, Suite 601 Dallas, TX 75231

Yates Drilling Company 105 South Fourth Street Artesia, NM 88210

Fina Oil and Chemical Company Box 290 Midland, TX 79702-2990

Lynx Petroleum Consultants, Inc. Post Office Box 1708 Hobbs, NM 88241-1708

Commissioner of Public Lands Post Office Box 1148 Santa Fe, NM 87504-1148

AFFIDAVIT Page 3

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

LAWYERS

MICHAEL B. CAMPBELL WILLIAM F. CARR BRADFORD C. BERGE MARK F. SHERIDAN MICHAEL H. FELDEWERT ANTHONY F. MEDELROS PALL R. OWEN KATHERINE M. MOSS JACK M. CAMPBELL

OF COLNSEL

JEFFERSON PLACE SUITE I - 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

October 15, 1998

CERTIFIED MAIL RETURN RECEIPT REQUESTED

TO AFFECTED INTEREST OWNERS:

Re: Application of Marbob Energy Corporation for Simultaneous Dedication and Unorthodox Well Locations, Lea County, New Mexico

Gentlemen:

This letter is to advise you that Marbob Energy Corporation has filed the enclosed application with the New Mexico Oil Conservation Division seeking approval of an unorthodox well location for the Lusk Deep Unit Well No. 1 and the proposed Lusk Deep Unit Well No. 14. Marbob also seeks authorization to simultaneously dedicate a standard 643.47-acre spacing or proration unit in the Lusk-Morrow Gas Pool comprised of Section 19, Township 19 South, Range 32 East, NMPM, to its Deep Lusk Unit Wells 1 and 5 and its proposed Deep Lusk Unit Well No. 14.

This application has been set for hearing before a Division Examiner on November 5, 1998. 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.

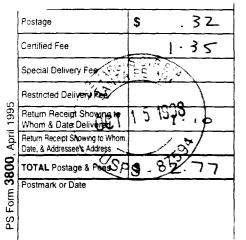
Very truly yours,

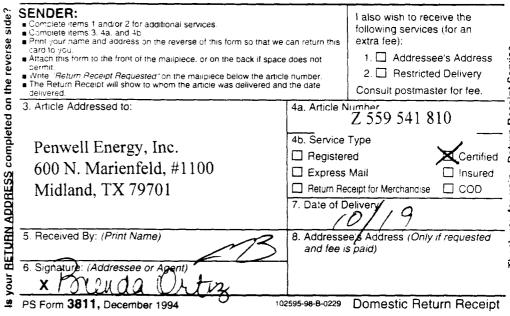
Illian

WILLIAM F. CARR ATTORNEY FOR MARBOB ENERGY CORPORATION WFC:mlh Enc.

US Postal Service **Receipt for Certified Mail**

Penwell Energy, Inc. 600 N. Marienfeld, #1100 Midland, TX 79701

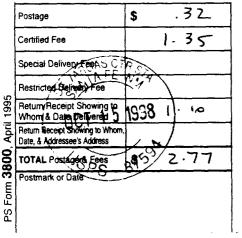


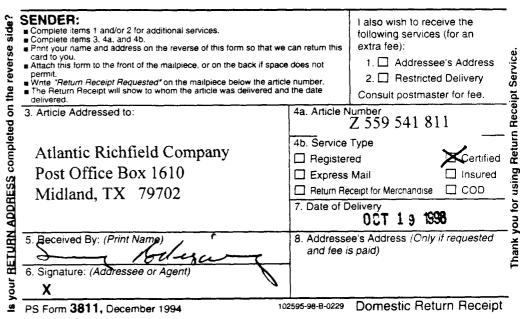


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US Postal Service Receipt for Certified Mail

Atlantic Richfield Company Post Office Box 1610 Midland, TX 79702



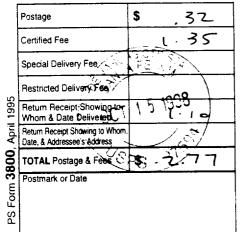


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Culbertson Management Trust Box 2918 Midland, TX 79702

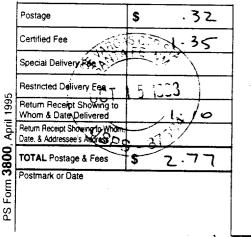


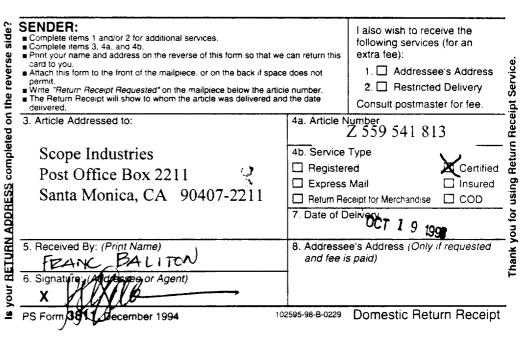
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Scope Industries Post Office Box 2211 Santa Monica, CA 90407-2211

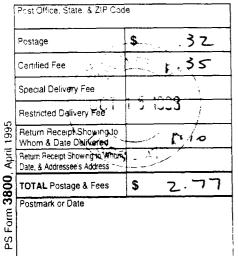




April 1995 3800 Form

Pioneer Natural Resources Post Office Box 3178 Midland, TX 79702-3178

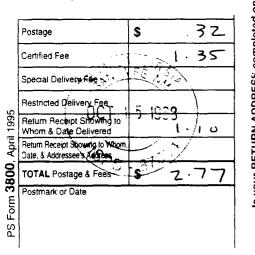
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n the reverse side?	SENDER: • Complete items 1 and/or 2 for additional services. • Complete items 3, 4a, and 4b. • Print your name and address on the reverse of this form so that we tard to you. • Affact ris form to the front of the mailplece, or on the back if space cermit. • Write "Return Receipt Requested" on the mailplece below the article • The Return Receipt Requested on the article was delivered and • The return Receipt will show to whom the article was delivered and • The red	e does not	I also wish to receive the following services (for an extra fee): 1.
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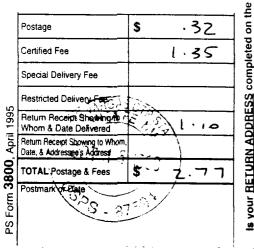
US Postal Service **Receipt for Certified Mail** Elliott Industries, a Co. Limited Partnership Post Office Box 1355 Roswell, NM 88202-1355



 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.
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Co. Limited Partnership	4b. Service	lype
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Sharbro Oil Limited Company Post Office Box 840 Artesia, NM 88211-0840

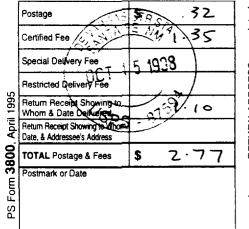


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MYCO Industries 105 South Fourth Street Artesia, NM 88210

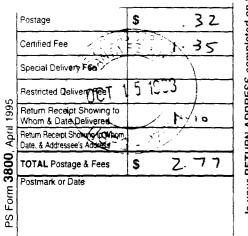


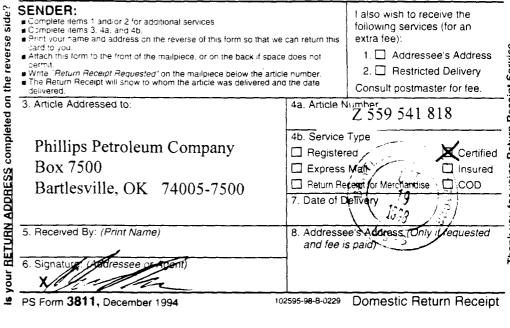
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3. Article Addressed to: MYCO Industries 105 South Fourth Street Artesia, NM 88210	4b. Service	Z 559 541 817 Type red Mail certified Insured COD
5. Received By GANNER GRIGGS 6. Signature (Addressee or Agent) X PS Form 3611, December 1994	8. Addresse and fee is 2595-98-8-0229	e's Address (Only if requested s paid). Domestic Return Receipt

Thank you for using Return Receipt Service.

US Postal Service Receipt for Certified Mail

Phillips Petroleum Company Box 7500 Bartlesville, OK 74005-7500

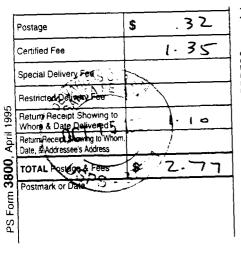




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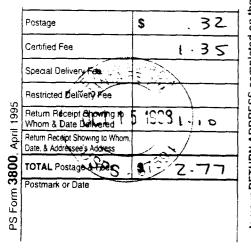
Yates Petroleum Corporation 105 South Fourth Street Artesia, NM 88210

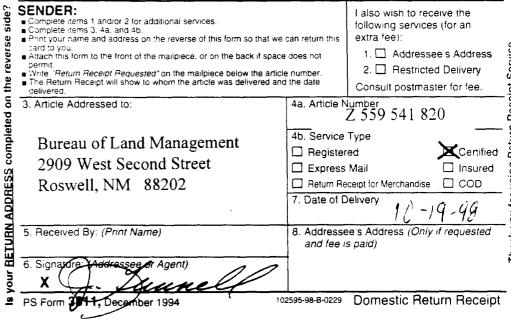


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Bureau of Land Management 2909 West Second Street Roswell, NM 88202

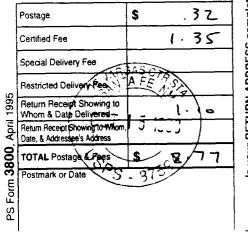




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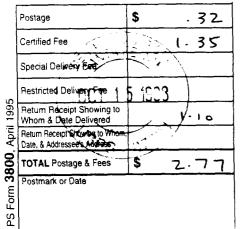
Saba Energy of Texas, Incorporated 1603 S.E. 19th Street, Suite 202 Edmond, OK 73013



 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 card to you. Attach this form to the front of the mailpiece, or on the back if space permit. Write "Return Receipt Requested" on the mailpiece below the article The Return Receipt will show to whom the article was delivered and delivered. Article Addressed to: 	e does not le number. d the date	I also wish to receive the following services (for an extra fee): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee.
Saba Energy of Texas, Incorporated 1603 S.E. 19th Street, Suite 202 Edmond, OK 73013	4b. Service Register Express	Z 559 541 821 Type red Certified Mail Insured ceipt for Merchandise COD
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US Postal Service Receipt for Certified Mail

Ray Westall Box 4 Loco Hills, NM 88255



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Irwin W. Wallace 233 Wiltshire Blvd. Santa Monica, CA 90401

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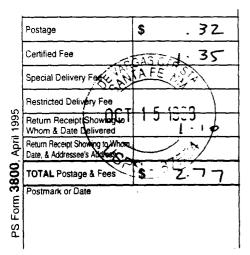
CAMPBELL, CARR, BERGE & SHERIDAN, P.A. NOTICE. NOTICE . URN SANTA FE, NEW MEXICO 87504-2208 100 1 5 1 199A POST OFFICE BOX 2208 LAWYERS Santa Monica, CA 90401 Irwin W. Wallace 233 Wiltshire Blvd. SENDER J N CERTIFIED 559 541 823 MAIL DATTENDTED ANT ENGRY // ADAN WAIL RECEPTACIE DNO SUCH NUMBER CONSUFFICIENT ADDRESS DFORWARDING ORDER EXPIRED TEMPORARILY AWAY DVACANT DREFUSED 14 147 T 14 14 14 THERE STREET

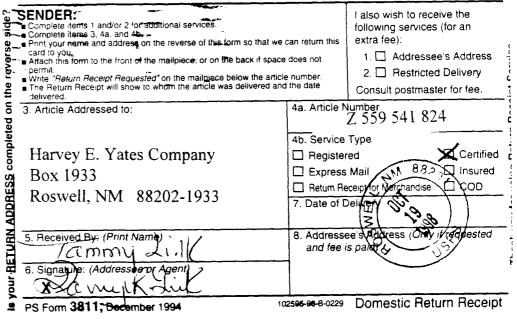
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Harvey E. Yates Company Box 1933 Roswell, NM 88202-1933





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US Postal Service Receipt for Certified Mail

Texaco Exploration and Production Inc. Box 2100 Denver, CO 80201

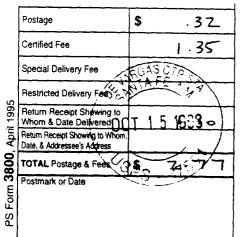
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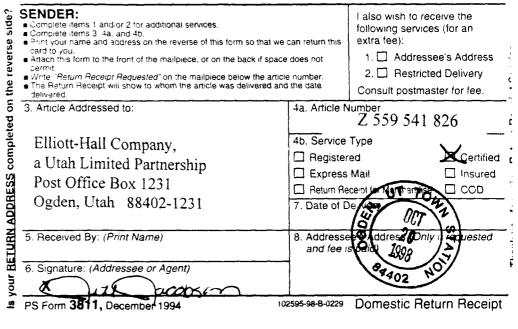
SENDER: Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b. Print your name and address on the reverse of this form so that we card to you. Attach this form to the front of the mailpiece, or on the back if space permit. Write 'Return Receipt Requested' on the mailpiece below the articl The Return Receipt will show to whom the article was delivered and delivered.	e does not le number. d the date	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: Texaco Exploration and Production Inc. Box 2100 Denver, CO 80201	4a. Article N 4b. Service Register Express Return Re 7. Date of D	Z 559 541 825 Type red Mail Insured receipt for Merchandise
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US Postal Service Receipt for Certified Mail

Elliott-Hall Company, a Utah Limited Partnership Post Office Box 1231 Ogden, Utah 88402-1231





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US Postal Service Receipt for Certified Mail

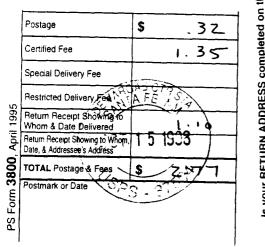
Tenison Oil Company 8140 Walnut Hill Lane, Suite 601 Dallas, TX 75231

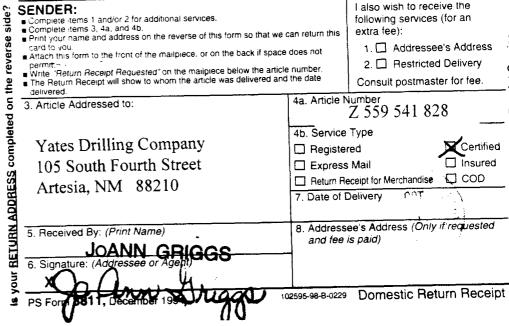


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3. Article Addressed to: Tenison Oil Company 8140 Walnut Hill Lane, Suite 601 Dallas, TX 75231	4b. Service	Z 559 541 827 Type red Mail Certified Insured ceipt for Merchandise COD
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US Postal Service Receipt for Certified Mail

Yates Drilling Company 105 South Fourth Street Artesia, NM 88210

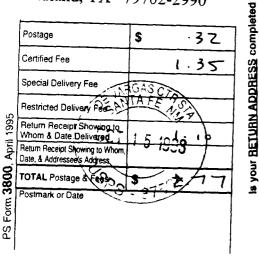




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US Postal Service Receipt for Certified Mail

Fina Oil and Chemical Compan-Box 290 Midland, TX 79702-2990



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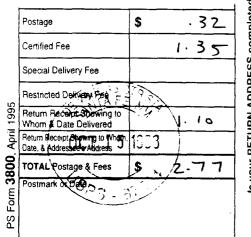
PS Form **3819**, December 1994

ACUDED

102595-98-B-0229 Domestic Return Receipt

US Postal Service Receipt for Certified Mail

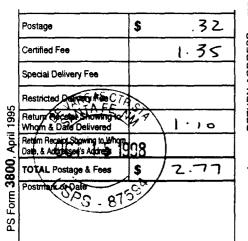
Lynx Petroleum Consultants, Inc. Post Office Box 1708 Hobbs, NM 88241-1708



 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 card to you. Attach this form to the front of the mailpiece, or on the back if spapermit. Write "Return Receipt Requested" on the mailpiece below the ant The Return Receipt will show to whom the article was delivered. 	ce does not	I also wish to receive the following services (for an extra fee): 1.	
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Commissioner of Public Lands Post Office Box 1148 Santa Fe, NM 87504-1148



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