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. 12395

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 parties 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 this 27th, day of April, 2000 by William F. Carr.

OFFICIAL SEAL

Mara Dalton

NOTARY PUBL

STATE OF NEW 1882

MY ATTERISTATION SIGN Expires 9/25/01

Mara Dalton, Notary Public

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico

ase No. 12395 Exhibit No. 4
Submitted by:

McElvain Oil & Gas Properties
Hearing Date: May 4, 2000

EXHIBIT A NOTICE AFFIDAVIT

McELVAIN OIL & GAS PROPERTIES, INC. FOR COMPULSORY POOLING S/2 OF SECTION 33, TOWNSHIP 26 NORTH, RANGE 2 WEST, N.M.P.M. RIO ARRIBA COUNTY, NEW MEXICO

Energyn Resources Corporation 605 21st Street North Birmingham, Alabama 35203-2707

Neumann Family Trust c/o Peter C. Neumann Post Office Box 1170 Reno, Nevada 89504

Gavilan Dome Properties 1180 Cedarwood Drive Moraga, California 94556

Mesa Grande Resources, Inc. 1200 Philtower Building Tulsa, Oklahoma 74103

NM&O Operating Company 6 East 5th Street, Suite 200 Tulsa, Oklahoma 74103

Johansen Energy Partnership Post Office Box 1773 Whitefish, Montana 59937

Williams Production Company Attn: Mr. M. Vern Hansen Post Office Box 3102 Tulsa, Oklahoma 74101

Dugan Production Corporation Post Office Box 420 Farmington, New Mexico 87499-0420

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
MICHAEL H. FELDEWERT
PAUL R. OWEN
ANTHONY F. MEDEIROS

JACK M. CAMPBELL
1916-1999

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: law@westofpecos.com

April 12, 2000

<u>CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

Noseco Corporation, a NV Corp. 7400 Lakeside Drive Reno, NV 89511

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

Ladies and 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 all mineral interests from the base of the Pictured Cliffs formation to the base of the Dakota formation in certain spacing and proration units in the S/2 of Section 29, Township 26 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Bear Com 29 Well No. 1 which it proposes to drill to a depth sufficient to test all pooled formations to the base of the Dakota formation. Basin-Dakota Gas Pool, at a standard location in the SE/4of said Section 29.

Very truly yours,

William F. Carr ATTORNEY FOR McELVAIN OIL & GAS PROPERTIES, INC. **U.S. Postal Service** CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) Article Sent To Postage er Certified Fee 3, Inc. Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees \$ 2. Noseco Corporation TO THE RIGHT OF RETURN ADDRESS. FOLD AT DOTTED LINE 7400 Lakeside Drive SECTION ON DELIVERY PLACE STICKER AT TOP OF ENVELOPE Reno, NV 89511 Complete items 1, 2, and 3. Also complete Rect ived by (Please Print Clearly) B. Date u item 4 if Restricted Delivery is desired. Print your name and address on the rev so that we can return the card to you. □ Agent Attach this card to the back of the Addressee or on the front if space permits. ☐ Yes ery address different from item 12 1. Article Addressed to: ES, enter delivery address below: Noseco Corporation 7400 Lakeside Drive Reno, NV 89511 Service Type Certified Mail ☐ Express Mail Registered Return Receipt for Merchandise C.O.D. ☐ Insured Mail 4. Restricted Delivery? (Extra Fee) Yes 2. Article Number (Copy from service label) PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD G. BERGE
MARK F. SHERIDAN
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FACSIMILE: (505) 983-5043

E-MAIL: law@westofpecos.com

April 12, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Williams Production Company Attn: M.Vern Hansen P.O. Box 3102 Tulsa, OK 74101

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

Ladies and 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 all mineral interests from the base of the Pictured Cliffs formation to the base of the Dakota formation in certain spacing and proration units in the S/2 of Section 29, Township 26 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Bear Com 29 Well No. 1 which it proposes to drill to a depth sufficient to test all pooled formations to the base of the Dakota formation, Basin-Dakota Gas Pool, at a standard location in the SE/4of said Section 29.

Very truly yours,

Domestic Return Receipt

William F. Carr ATTORNEY FOR McELVAIN OIL & GAS PROPERTIES, INC. **U.S. Postal Service CERTIFIED MAIL RECEIPT** (Domestic Mail Only: No Insurance Coverage Provided) WFC 572 Postage 0005 9425 Certified Fee Inc. Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees | \$ 3 Williams Production Comp PLACE STICKER AT TOP OF ENVELOPE
TO THE RIGHT OF RETURN ADDRESS. ON ON DELIVERY Attn: M. Vern Hansen SENDER: CI P.O. Box 3102 B. Date of Delivery Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired... Tulsa, OK 74101 PR 1 7 2000 Print your name and address on the reverse Č. so that we can return the card to you. □ Agent Attach this card to the back of the mailpiece. ☐ Addressee or on the front if space permits. ☐ Yes v address different from item 1? 1. Article Addressed to: If YES, enter delivery address below: Williams Production Company Attn: M. Vern Hansen P.O. Box 3102 Service Type Tulsa, OK 74101 Certified Mail ☐ Express Mail Registered Return Receipt for Merchandise ₫ C.O.D. Insured Mail 4. Restricted Delivery? (Extra Fee) ☐ Yes 2. Article Number (Copy from service label)

PS Form 3811, July 1999

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April 12, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Johansen Energy Partnership P.O. Box 1773 Whitefish, MT 59937

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

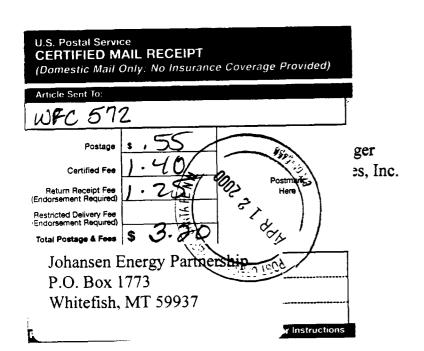
Ladies and Gentlemen:

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 all mineral interests from the base of the Pictured Cliffs formation to the base of the Dakota formation in certain spacing and proration units in the S/2 of Section 29, Township 26 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Bear Com 29 Well No. 1 which it proposes to drill to a depth sufficient to test all pooled formations to the base of the Dakota formation, Basin-Dakota Gas Pool, at a standard location in the SE/4of said Section 29.

Very truly yours,

William F. Carr

ATTORNEY FOR McELVAIN OIL & GAS PROPERTIES, INC.



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E-MAIL: law@westofpecos.com

April 12, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

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

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

Ladies and 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 all mineral interests from the base of the Pictured Cliffs formation to the base of the Dakota formation in certain spacing and proration units in the S/2 of Section 29, Township 26 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Bear Com 29 Well No. 1 which it proposes to drill to a depth sufficient to test all pooled formations to the base of the Dakota formation, Basin-Dakota Gas Pool, at a standard location in the SE/4of said Section 29.

Very truly yours,

William F. Carr ATTORNEY FOR McELVAIN OIL & GAS PROPERTIES, INC. **U.S. Postal Service CERTIFIED MAIL RECEIPT** (Domestic Mail Only: No Insurance Coverage Provided) WFC 572 **Postage** . Inc. Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees | \$ NM&O Operating Company COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION 6 East 5th Street, Suite 200 Received by (Please Print Clearly) B. Complete items 1, 2, and 3. Also complete Tulsa, OK 74103 item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. ☐ Agent Attach this card to the back of the mailpiece, ☐ Addressee or on the front if space permits. ☐ Yes Is delivery address different from item 1? 1. Article Addressed to: If YES, enter delivery address below: NM&O Operating Company 6 East 5th Street, Suite 200 Tulsa, OK 74103 3. Service Type Certified Mail
Registered Express Mail Return Receipt for Merchandise ☐ Insured Mail 4. Restricted Delivery? (Extra Fee) ☐ Yes 2. Article Number (Copy from service label)

1099

MICHAEL B. CAMPBELL
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E-MAIL: law@westofpecos.com

April 12, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Dugan Production Corporation P.O. Box 420 Farmington, NM 87499-0420

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

Ladies and 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 all mineral interests from the base of the Pictured Cliffs formation to the base of the Dakota formation in certain spacing and proration units in the S/2 of Section 29, Township 26 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Bear Com 29 Well No. 1 which it proposes to drill to a depth sufficient to test all pooled formations to the base of the Dakota formation, Basin-Dakota Gas Pool, at a standard location in the SE/4of said Section 29.

U.S. Postal Service

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.

William F. Carr ATTORNEY FOR McELVAIN

OIL & GAS PROPERTIES, INC.

Very truly yours,

CERTIFIED MAIL RECEIPT (Domestic Mail Only: No Insurance Coverage Provided) 2014 3240 0005 9425 1488 WFC 572 , Inc. Postage Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees Dugan Production Corporation P.O. Box 420 Farmington, NM 87499-0420 **SENDER:** COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY Complete items 1, 2, and 3. Also complete A. Received by (Please Print Clearly) B. Date of Delivery item 4 if Restricted Delivery is desired. Print your name and address on the reverse C. Signature so that we can return the card to you. ☐ Agent Attach this card to the back of the mailpiece, ☐ Addressee or on the front if space permits. D. Is delivery address different from item 1? ☐ Yes 1. Article Addressed to: If YES, enter delivery address below: **Dugan Production Corporation** P.O. Box 420 Farmington, NM 87499 Service Type Certified Mail ☐ Express Mail Registered Return Receipt for Merchandise p[₫ č.o.p. ☐ Insured Mail Restricted Delivery? (Extra Fee) ☐ Yes 2. Article Number (Copy from service la

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April 12, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mesa Grande Resources, Inc. 1200 Philtower Building Tulsa, OK 74103

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

Ladies and Gentlemen:

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Very truly yours,

William F. Carr ATTORNEY FOR McELVAIN OIL & GAS PROPERTIES, INC.



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FACSIMILE: (505) 983-6043

E-MAIL: law@westofpecos.com

April 12, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Gavilan Dome Properties 1180 Cedarwood Drive Moraga, CA 94556

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

Ladies and 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 all mineral interests from the base of the Pictured Cliffs formation to the base of the Dakota formation in certain spacing and proration units in the S/2 of Section 29, Township 26 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Bear Com 29 Well No. 1 which it proposes to drill to a depth sufficient to test all pooled formations to the base of the Dakota formation, Basin-Dakota Gas Pool, at a standard location in the SE/4of said Section 29.

Very truly yours,

William F. Carr

ATTORNEY FOR McELVAIN OIL & GAS PROPERTIES, INC. **U.S. Postal Service CERTIFIED MAIL RECEIPT** (Domestic Mail Only: No Insurance Coverage Provided) nc. 0005 9425 Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees \$ Gavilan Dome Properties 1180 Cedarwood Drive COMPLETE THIS SECTION ON DELIVERY TE THIS SECTION Moraga, CA 94556 B. Date of Delivery , 2, and 3. Also complete A. Received by (Please Print Clearly) d Delivery is desired. 4 15 00 Instructions and address on the reverse C. Signature so that we can return the card to you. ☐ Agent Attach this card to the back of the mailpiece, ☐ Addressee or on the front if space permits. ☐ Yes D. Is delivery address different from item 1? 1. Article Addressed to: ☐ No If YES, enter delivery address below: Gavilan Dome Properties 1180 Cedarwood Drive Moraga, CA 94556 3. Service Type ☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise Insured Mail ☐ C.O.D. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD G. BERGE
MARK F. SHERIDAN
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April 12, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Neumann Family Trust P.O. Box 1170 Reno, NV 89504

Attn: Peter C. Neumann

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

Ladies and 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 all mineral interests from the base of the Pictured Cliffs formation to the base of the Dakota formation in certain spacing and proration units in the S/2 of Section 29, Township 26 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Bear Com 29 Well No. 1 which it proposes to drill to a depth sufficient to test all pooled formations to the base of the Dakota formation, Basin-Dakota Gas Pool, at a standard location in the SE/4of said Section 29.

Very truly yours,

Domestic Return Receipt

102595-99-M-1789

William F. Carr ATTORNEY FOR McELVAIN U.S. Postal Service **CERTIFIED MAIL RECEIPT** OIL & GAS PROPERTIES, INC. (Domestic Mail Only: No Insurance Coverage Provided) Article Sent To Certified Fee 87505 Return Receipt Fee (Endorsement Required) s. Inc. Restricted Delivery Fee (Endorsement Required) Total Postage & Fees \$3.20 Neumann Family Trust TO THE RIGHT OF RETURN ADDRESS P.O. Box 1170 CTION ON DELIVERY SENDEF PLACE STICKER AT TOP OF ENVELOPE Reno, NV 89504 Received by (Please Print Clearly) B. Date of Delivery Complete items 1, 2, and 3. Also complete Attn: Peter C. Neumann item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. □ Agent Attach this card to the back of the mailpiece, ☐ Addressee or on the front if space permits. Is delivery address different from item 1? 1. Article Addressed to: Neumann Family Trust P.O. Box 1170 Reno, NV 89504 Attn: Peter C. Neumann Return Receipt for Merchandise **₫** c.o.d. ☐ Insured Mail 4. Restricted Delivery? (Extra Fee) ☐ Yes 2. Article Number (Copy from service label) 7099 3220 0005 9475

PS Form 3811, July 1999