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. 12472

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 7th day of August, 2000 by William F. Carr.



Mara Dalton, Notary Public

BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico Case No. 12472 Exhibit No. 1 Submitted by: <u>McElvain Oil & Gas Properties, Inc.</u> Hearing Date: <u>August 10, 2000</u>

EXHIBIT A

James M. Raymond P.O. Box 291445 Kerrville, TX 78029-1445

J. Roger Friedman c/o Lebhar- Friedman 425 Park Avenue New York, NY 10022

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

Mesa Grande, Ltd. 6 E. 5th Street, Suite 200 Tulsa, OK 74103

Arriba Company, Ltd. P.O. Box 35304 Tulsa, OK 74153

Huntington and Carol Walker 2961 Filmore Way Denver, CO 80210

Lillian Habeeb 100 Marine Avenue Brooklyn, NY 11209

Herbert Luria Estate c/o David Luria, Jr. 111 South 15th Street Philadelphia, PA 19102-2678

Schaefer Family Trust c/o Erin White Schaefer 5835 Stadium Street San Diego, CA 92122 John S. Brown, Jr. P.O. Box 31639 El Paso, TX 79931

Partrica M. Friedman c/o Lebhar-Friedman 425 Park Avenue New York, NY 10022

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

Dorothy Weaver 285 Riverside Drive, #13C New York, NY 10025

Minerals Management Service P.O. Box 5640 T. A. Denver, CO 80217

James and Barbara Fullerton 1656 Court Place, Suite 406 Denver, CO 80202

The Ames Company 1250 NE Loop 410, #1100 San Antonio, TX 78209

Leota Jones Revocable Trust c/o Robert Lee Bayless P.O. Box 168 Farmington, NM 87499

McHugh Companies 650 S. Cherry, Suite 1225 Denver, CO 80222 Joe F. Elledge P.O. Box 111 Farmington, NM 87499

George A. Lippman 5862 Chromo Drive, Suite 139 El Paso, TX 79912

Nona Gardner 6018 S. 92nd East Avenue Tulsa, OK 74145

Cynthia Anne Adams 11023 Taylor Circle Wichita, KS 67212

Davis Family, LLC 4906 S. Laguna Avenue Sierra Vista, AZ 85650

Elizabeth B. Loring 230 Congress St. Boston, MA 02110

Nona A. Gardner 6018 S. 92nd East Avenue Tulsa, OK 74145

Mary M. Waugh P.O. Box 1231 Norman, OK 73070

James F. Rosborough 14429 Pettit Way Potomac, MD 20854 Marcheta Colson P.O. Box 475 Templeton, CA 93465

Shear, Inc. P.O. Box 2665 Grand Junction, CO 81502

Brooks J. Boedecker 2708 First Avenue No., #425A Billings, MT 59103

Halco Oil Company 4733 Creighton Dallas, TX 75214

Jake R. Schwartz P.O. Box 7960 Waco, TX 76714

Philip Asher Sanger 6707 Troll Haven Austin, TX 78746

Gladys H. Campbell Rev. Trust c/o Gladys H. Campbell 117 S. Los Robles Avenue Pasadena, CA 91101

Hazel D. Schmedes 1333 Birch Hill Lane Mamaroneck, NY 10643

R. F. Beauchamp 300 Plaza Alicante, Suite #800 Garden Grove, CA 92840

Sophie H. Spellman P.O. Box 368 Colfax, WI 54730 F. P. Schonwald Co. 16 NW 63rd Street, Suite 302 Oklahoma City, OK 73116

George and Theodora Mourry 9281 Shord Road Brooklyn, NY 11209

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

M.S. Brooks Jr. Estate Martha Lanham, Ind. Executrix P.O. Box 1154 Fredericksburg, TX 78624

MAP, Inc. P.O. Box 686 Solana Beach, CA 92075

Joan Sanger 3600 MacArthur Drive Waco, TX 76705

Tri-Star Minerals P.O. Box 3806 Minot, ND 58702

George Zarou 8423 Ridge Blvd. Brooklyn, NY 11209

Mary Beth Harkins 5826 Hefner Village Court Oklahoma City, OK 73132

Ken Altschuld 8400 E. Prentice, #1035 Englewood, CO 80111 Mercedes B. Hawkins Trust 2525 S. Delaware Tulsa, OK 74114

Ruth Burrows 47 Stoneridge Ponca City, OK 74601

G. David Heuston 1865 HCR-74, Box 43 Lindrith, NM 87029

Robert E. Levy, Jr. c.o Northwest Trust P.O. Box 2626 Waco, TX 76702-2626

Louis Roddy Sanger 5424 Edinburgh Waco, TX 76710

Horace and Kathleen Gibson 7089 N. 24th Street St. Paul, MN 55128

Katherine V. Winter P.O. Box 520 Shelter Island, NY 11964

H.B. Brown 1710 South Bay Front Balboa Island, CA 92662

William and Elizabeth Trumbell 333 Tigertail Road Los Angeles, CA 90049

C. H. Gallant 274 Del Mesa Carmel Carmel, CA 93921 Will and Florence Gleason 474 3rd Avenue Fox Island, WA 98333

Ellen B. Reton Estate c/o M. Zajac 1827 Laurel Lane Lake Clark Shore, FL 33406 David H. Eslick 71 Highland Avenue Buffalo, NY 14222 C. Morgan Epes, Jr. 751 Bird Avenue Buffalo, NY 14209

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

MICHAEL B. CAMPBELL WILLIAM F. CARR BRADFORD C BERGE MARK F SHERIDAN MICHAEL H. FELDEWERT TANYA M TRUJILLO 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. Jaw@westofpecos.com

July 20, 2000

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

AFFECTED ROYALTY INTEREST OWNERS:

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 Mesaverde formation in the N/2 of Section 10, Township 25 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Elk Com "10" Well No. 1A which it proposes to drill to a depth sufficient to test all formations below the base of the Pictured Cliffs to the base of the Mesaverde formation, Blanco-Mesaverde Gas Pool, at a standard location in the NW/4 of said Section 10.

This application has been set for hearing before a Division Examiner on August 10, 2000. 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.

July 20, 2000 Page 2

Parties appearing in cases are required by Division Rule 1208.B to file a prehearing statement three days in advance of a scheduled hearing. This statement must include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Very truly yours,

Dullar

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

WFC/md

Enclosures

cc: Ms. Mona Binion McElvain Oil & Gas Properties, Inc.

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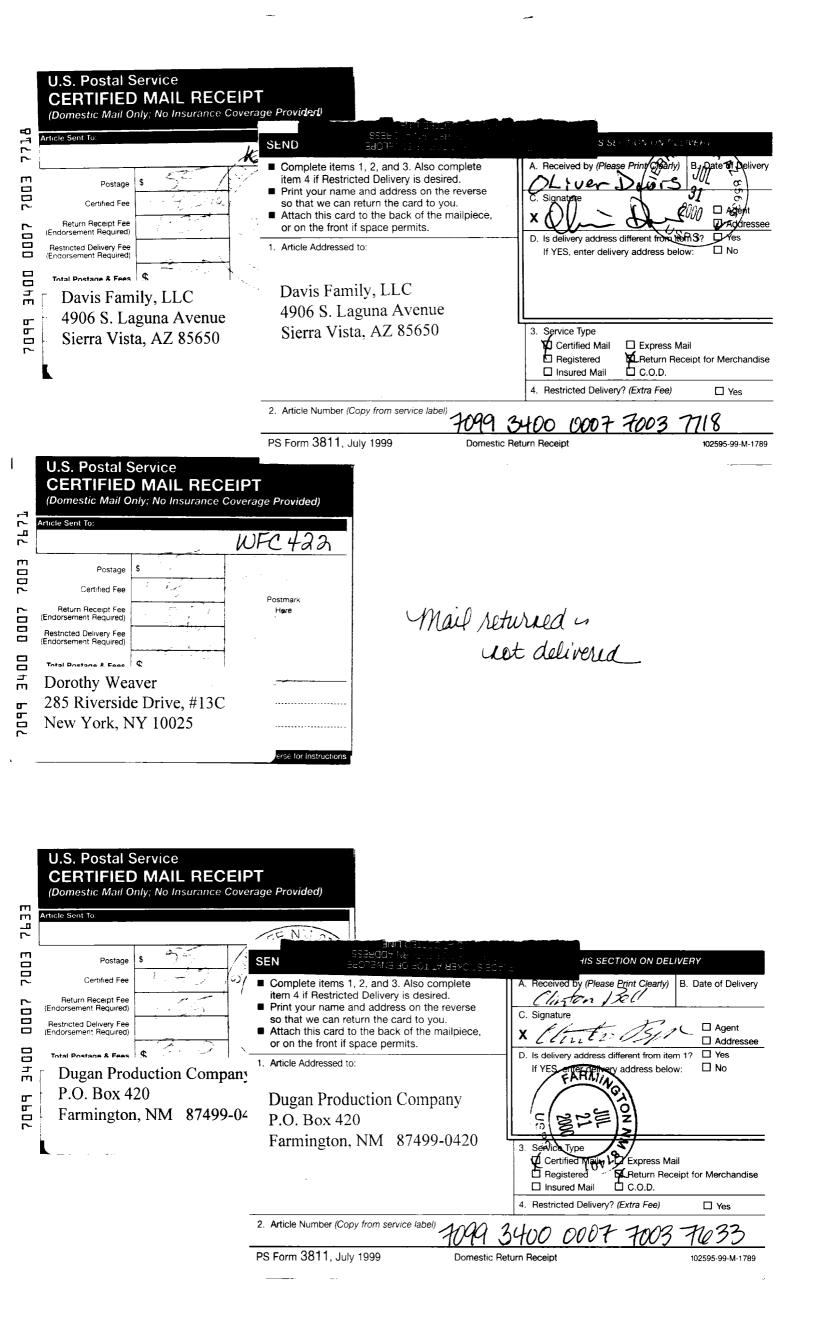
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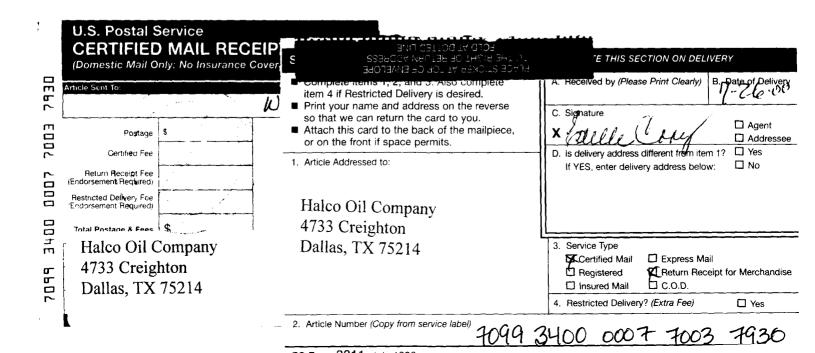
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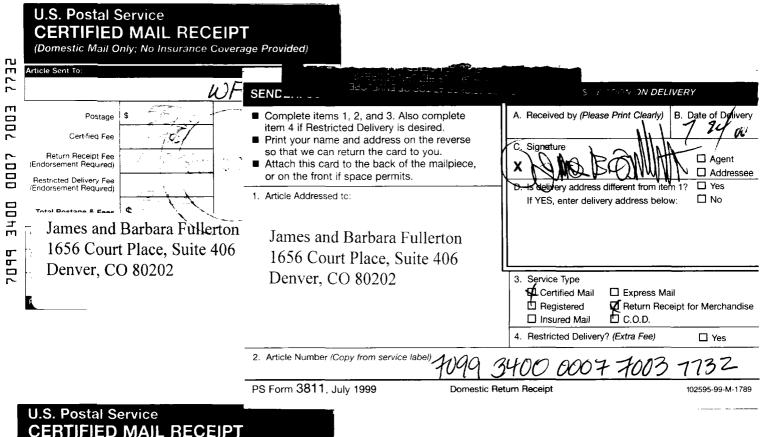
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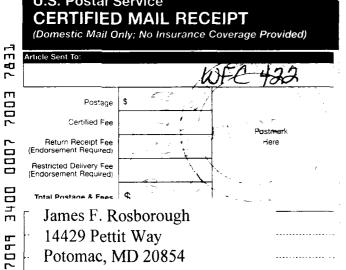
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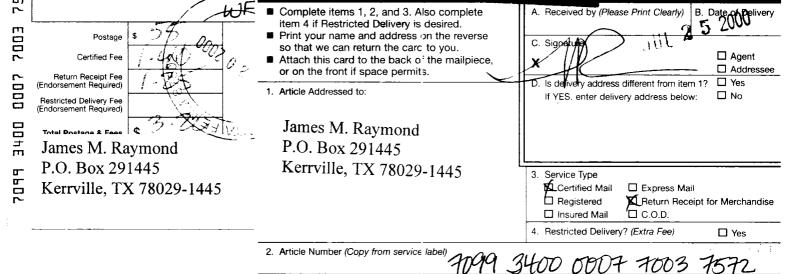
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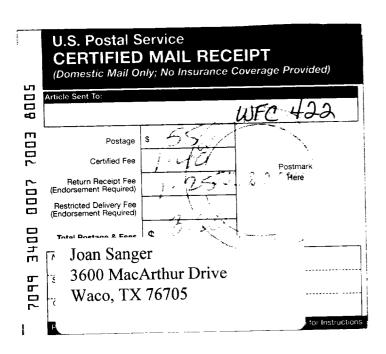
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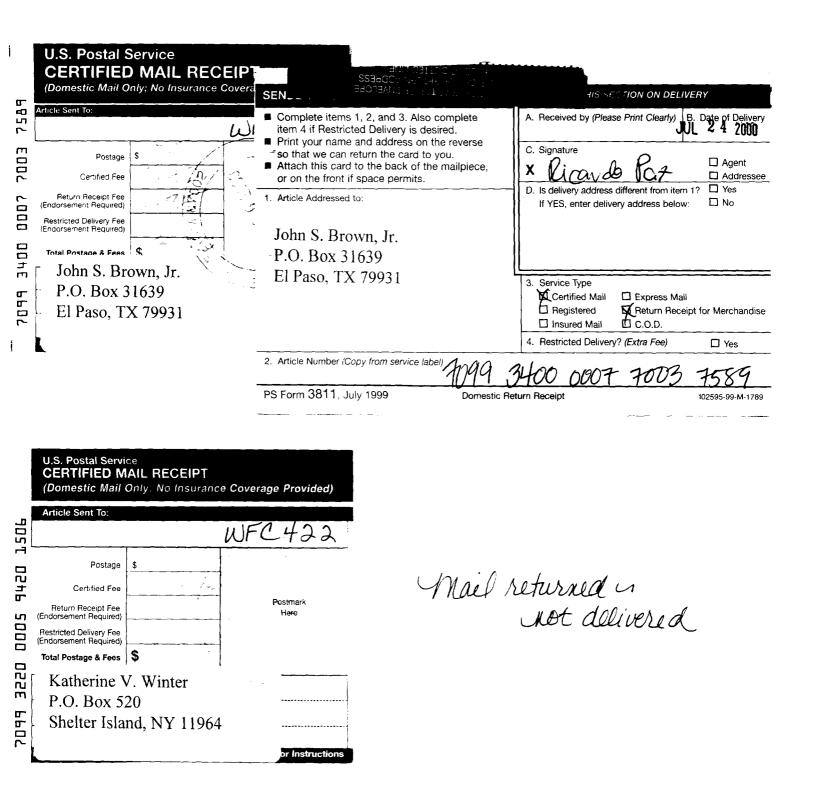
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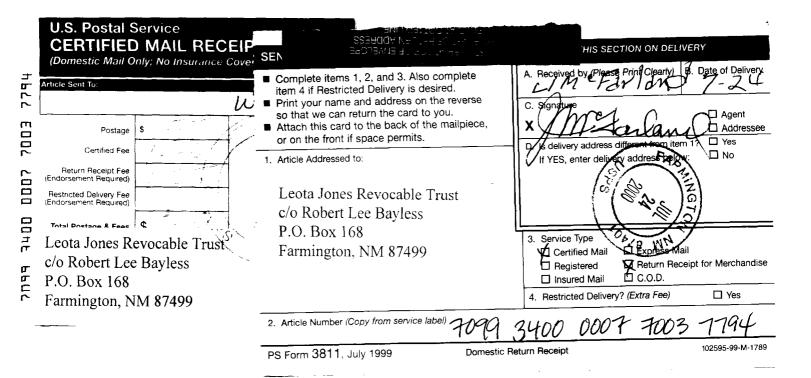
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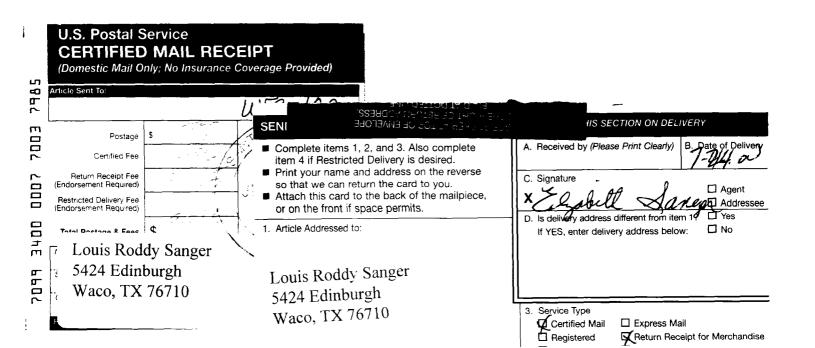
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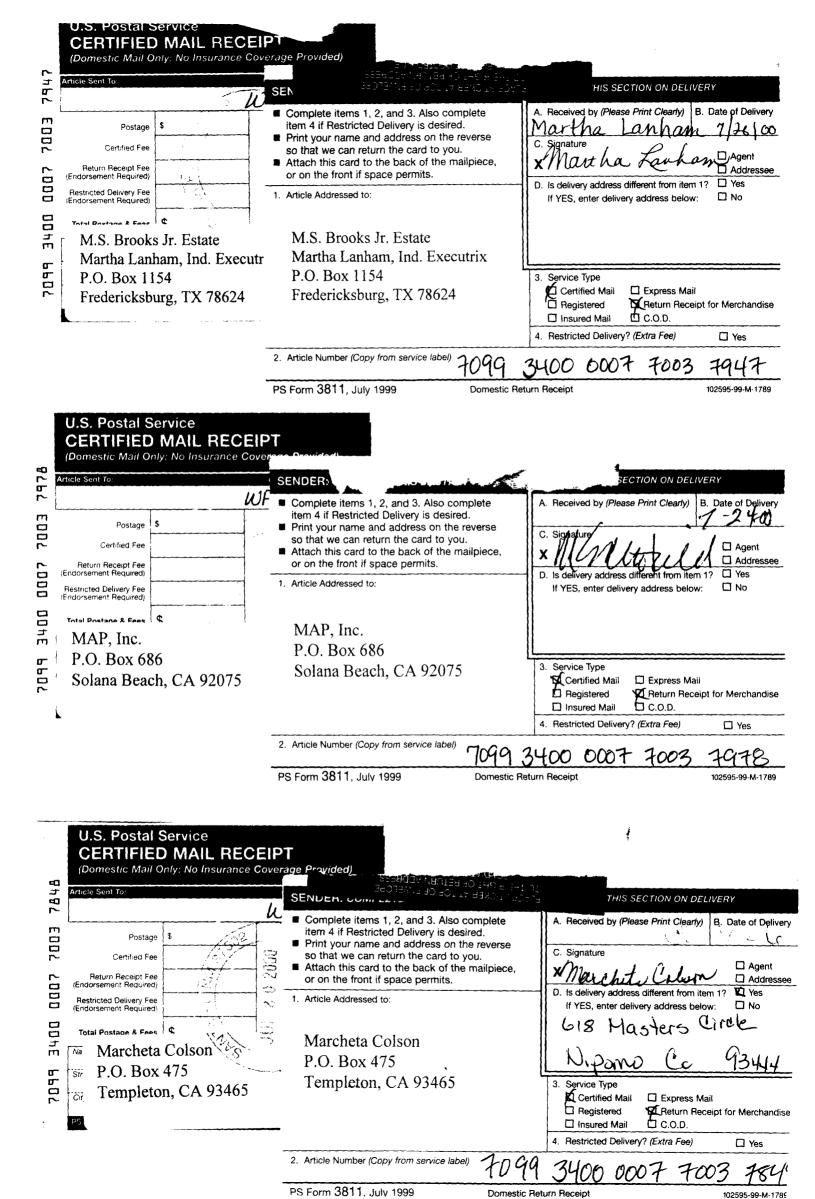
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Postage Certified Fee	s //	 Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	C. Softature X Agent D. Is tielivery address different from item ? Yes
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] -		8400 E. Prentice, #1035 Englewood, CO 80111	3. Service Type Certified Mail Express Mail Registered Certified Mail Content for Merchandis Insured Mail C.O.D.
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3220 000;	Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees Mary Beth Harkins 5826 Hefner Village Court	Complete items 1, 2, and 3. Also complete tem 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: Mary Beth Harkins 5826 Hefner Village Court	A. Received by (Please Print Clearly) B. Date of Delivery C. Signature X Man ett full and Agent D. Is delivery address different from item 1? If VES, enter delivery address below: No
6602	Oklahoma City, OK 73132	Oklahoma City, OK 73132	3. Service Type Q Certified Mail Express Mail Registered Paturn Receipt for Merchandise Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes 32220 DODS 9420 15551 Return Receipt 102595-99-M-1789
0092 E002 2000 00h	Postage S Postage S Postage S Print So t Atta Return Receipt Fee Certified Pelivery Fee Endorsement Required Certification Cert	SSBBUGY NULLEY TO THOM SSBBUGY NULLEY TO THOM BLOWERS AND THE STATE STATES AND THE STATES AND STATES AND THE STA	SECTION ON DELIVERY A. Received by (Please Print Clearly) B. Date of Delivery G. Signature JJL 2 4 2000 Multimer Agent Addressee Addressee D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
1E 6602	P.O. Box 1231 Tu Norman, OK 73070	cle Number (Copy from service label)	3. Service Type 4. Registered Express Mail Insured Mail Certified Mail Insured Mail Co.D. 4. Restricted Delivery? (Extra Fee) Yes HOO DOOT HOOS HOOS HOUS Insert Receipt 102595-99-M-1789
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	McHugh Companies 650 S. Cherry, Suite 1225 Denver, CO 80222	650 S. Cherry, Suite 1225 Denver, CO 80222	3. Service Type Certified Mail Registered Insured Mail O.D. 4. Restricted Delivery?
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	Article Sent To: Postage \$ Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required)	 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Mercedes B. Hawkins Trust 	A. Received by (Please Print Clearly) B. Date of Delivery Um. HAUENS 72270 C. Signature X William Changes and Addressee D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
	Mercedes B. Hawkins Trust 2525 S. Delaware Tulsa, OK 74114	, 2525 S. Delaware Tulsa, OK 74114	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes
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(Endorsement Required) Restricted Delivery Fee (Endorsement Required)	1. Article Addressed to:	D. Is delivery address different from item 17 U Yes If YES, enter delivery address below: No
Total Postage & Fees & Minerals Management Server F. D. Box 5640 T. A. Denver, CO 80217	Minerals Management Service P.O. Box 5640 T. A. Denver, CO 80217	
	2. Article Number (Copy from service label) 1099 PS Particle Tr, July 1999 Domestic Ret	<u>3400 0007 7003 7101</u> um Receipt 102595-99-M-1
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CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverad Article Sent To: Postage Certified Fee Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee	 SENT ECONOMINE ECOLOR IT EARORS EXAMPLES COMPLETE INTERPOLISION AND ADDRESS OF THE ENDORSE AND ADDRESS OF THE REVERSE SO THAT WE CAR TO PRIVE THE CARD TO YOU. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: NM&O Operating Company 6 E. 5th Street, Suite 200 Tulsa, OK 74103 	A. Received by (Please Print Clearly) B. Date of Deliver C. Signature Image: Agent X Image: Agent D. Is delivery address different from item 1? Yes

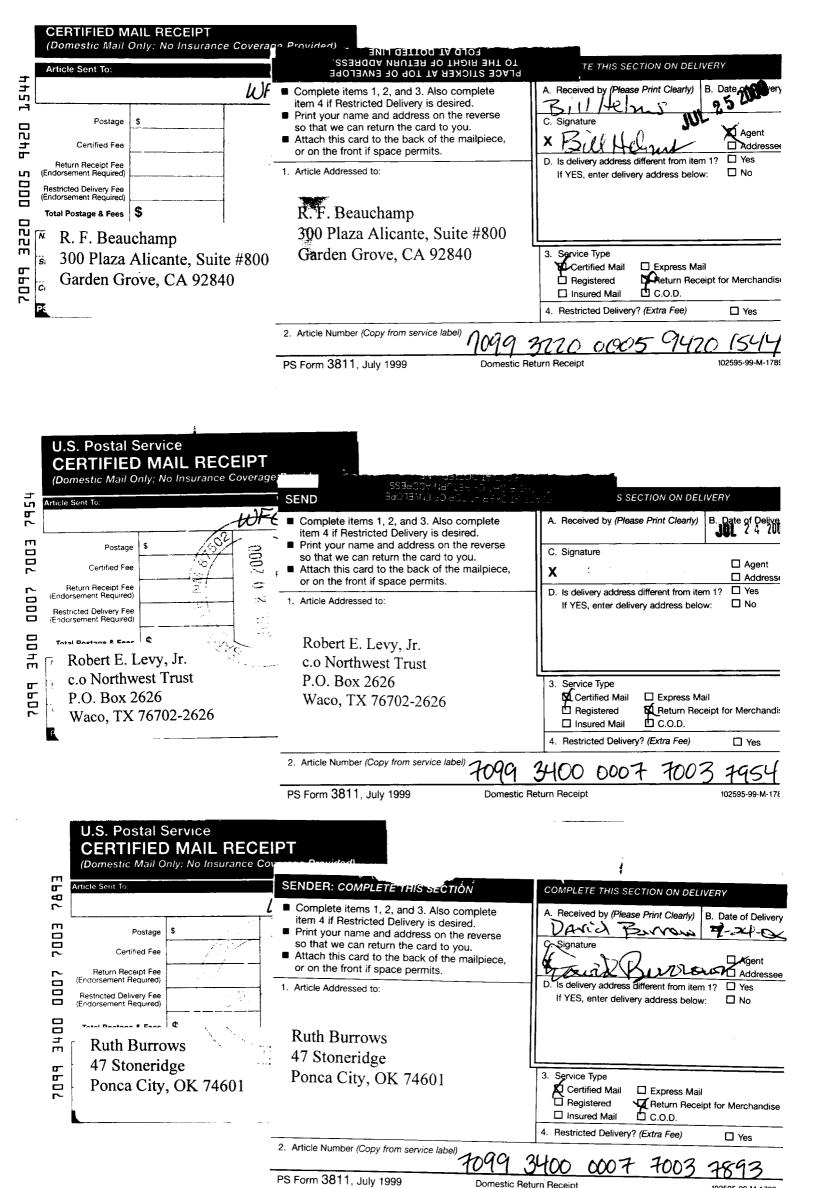
PS Form 3811, July 1999

Domestic Return Receipt

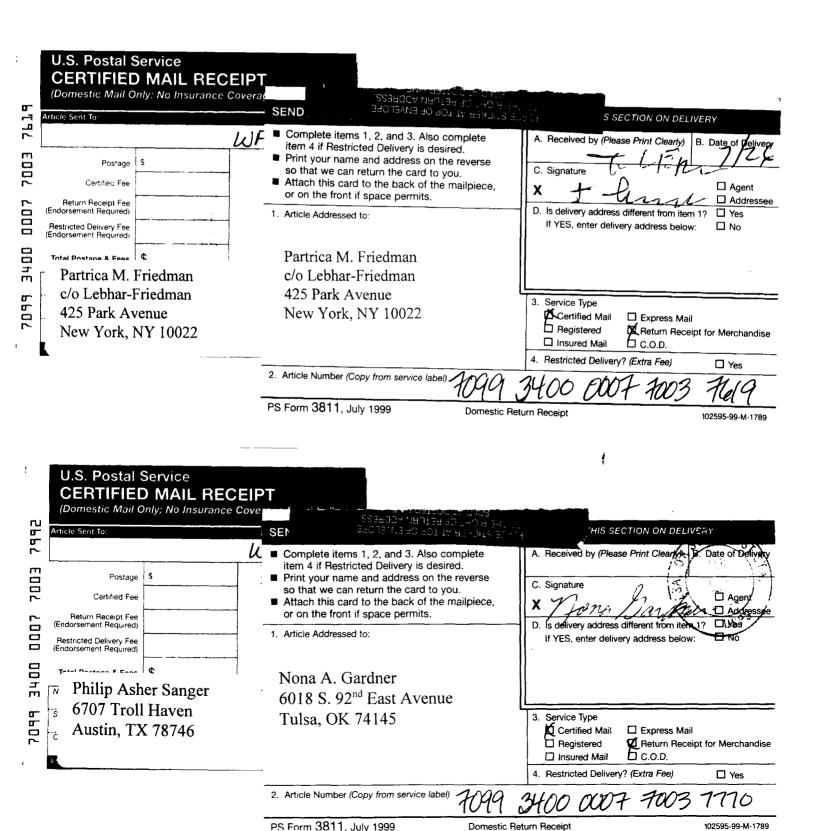
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. 2000	Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required)		ł	Nona Gardner 6018 S. 92 nd East Av Tulsa, OK 74145	enue	4. A.
004E 6602	Total Postage & Fees 7 Nona A. G 2 6018 S. 92 7 Tulsa, OK	ardner nd East Avenu		2. Article Number (Copy from service la		 3. Service Type Certified Mail Registered Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes
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- - A	(Domestic Mail Only; No Insu		Complete items 1, 2, and 3. Also complete	A. Received by (Please Print Clearly) B. Date of Delivery
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הח החו	Return Receipt Fee Endorsement Required) Restricted Delivery Fee Endorsement Required) Total Postage & Fees		 Article Addressed to: Schaefer Family Trust c/o Erin White Schaefer 	D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
	 Schaefer Family Tress c/o Erin White Scha 5835 Stadium Stree San Diego, CA 9212 	aefer t	5835 Stadium Street San Diego, CA 92122	3. Service Type 4. Restricted Delivery? (Extra Fee) 4. Restricted Delivery? (Extra Fee)

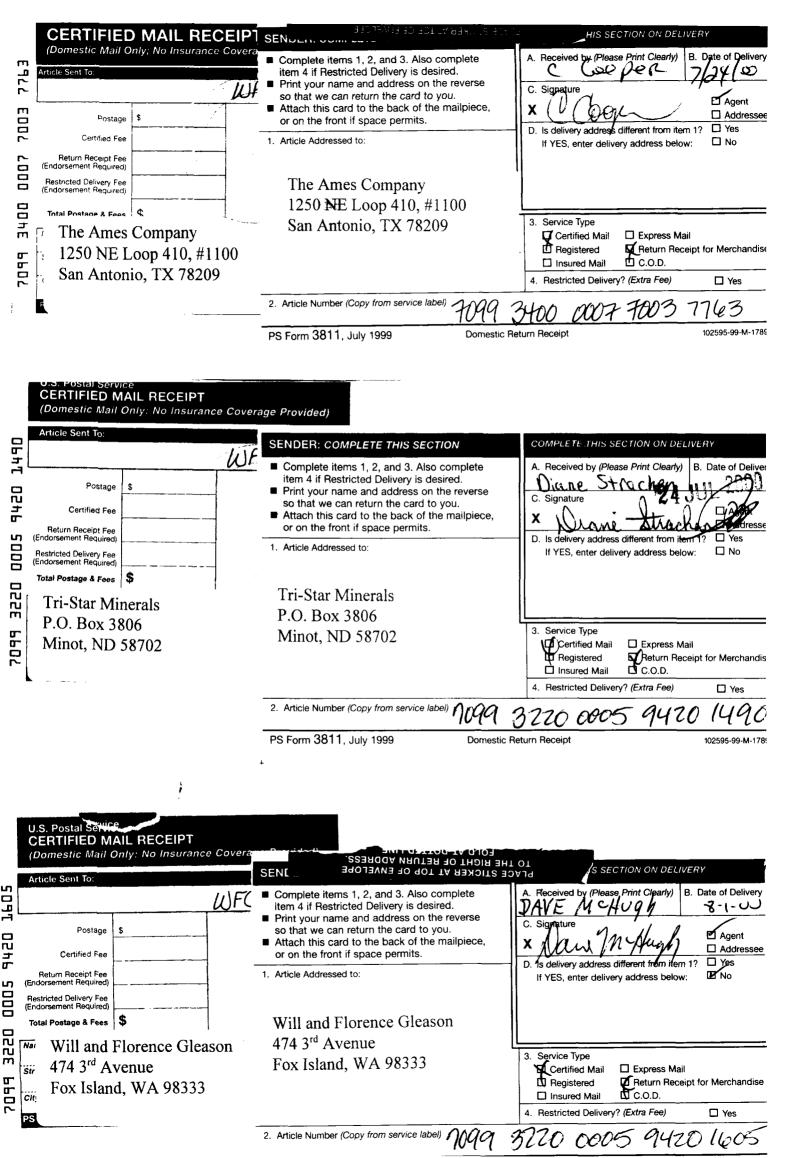
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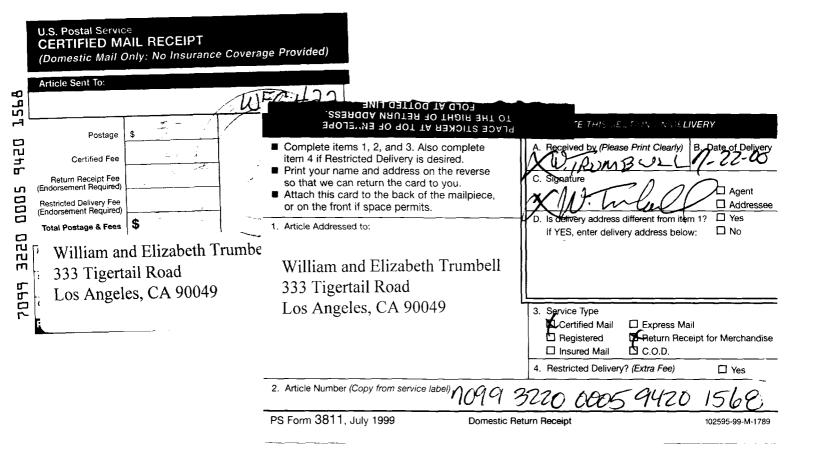
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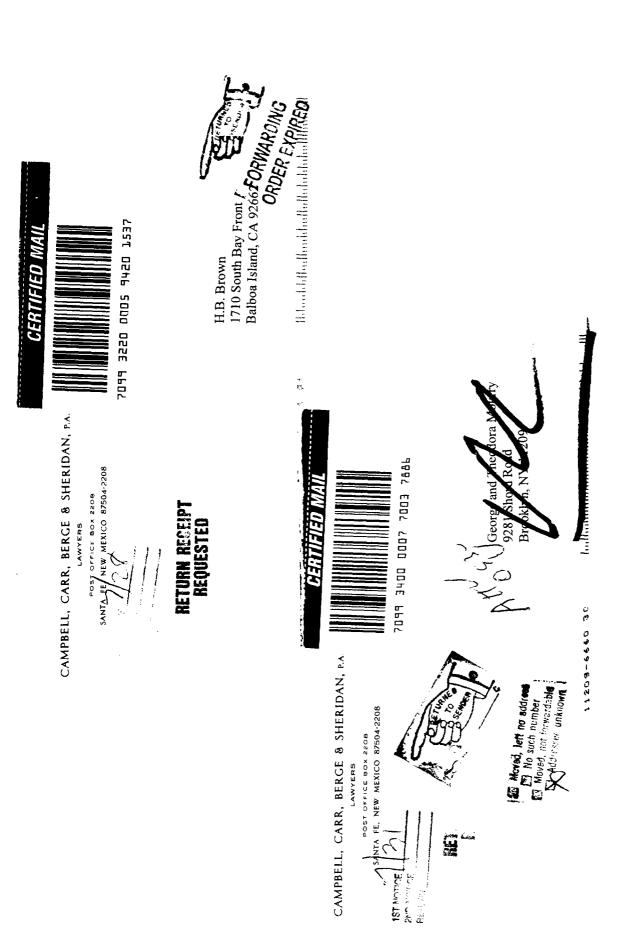
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7099 3220	Sophie H. Spellman Sir P.O. Box 368 Colfax, WI 54730		Instructions

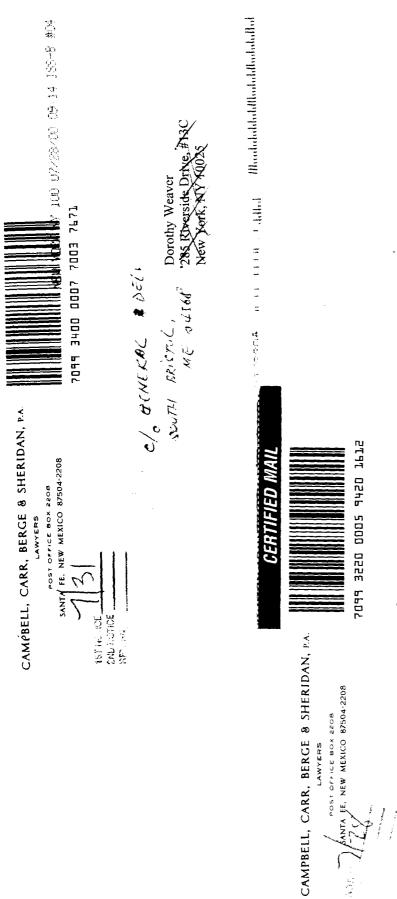
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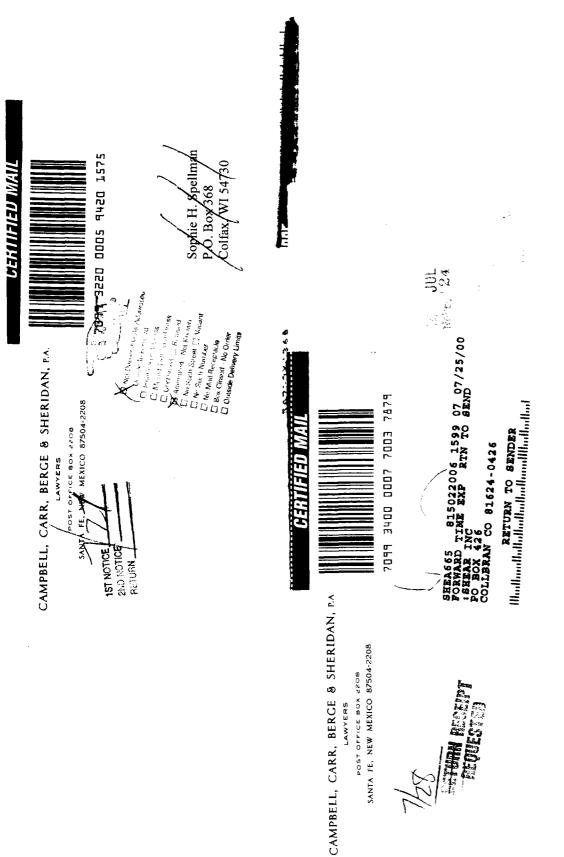


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