

**BEFORE THE
OIL CONSERVATION DIVISION
NEW MEXICO ENERGY, MINERALS AND
NATURAL RESOURCES DEPARTMENT**

**APPLICATION OF MCELVAIN OIL & GAS
PROPERTIES, INC. FOR COMPULSORY POOLING,
RIO ARRIBA COUNTY, NEW MEXICO**

CASE NO. 12635

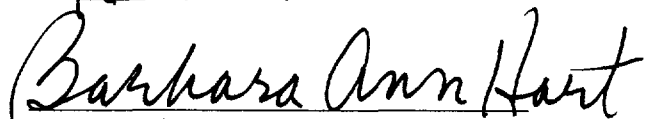
AFFIDAVIT

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

Michael H. Feldewert, attorney in fact and authorized representative of McElvain Oil & Gas Properties, Inc., the Applicant herein, being first duly sworn, upon oath, states that notice of the above-referenced Application was mailed to the addresses shown on Exhibit "A" attached hereto and that true and correct copies of the notice letter and status of receipt are attached hereto.


Michael H. Feldewert

SUBSCRIBED AND SWORN to before me this 16th day of May, 2001.


Notary Public

My Commission Expires:

3/28/04

**AFFIDAVIT,
Page 1**

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Case No. 12635 Exhibit No. 9
Submitted by:
McElvain Oil & Gas Properties, Inc.
Hearing Date: May 17, 2001

EXHIBIT A

Herbert Kai
Post Office Box 500
Rilliot, Arizona 85654

Forcenergy Onshore, Inc.
c/o Forest Oil Corp.
1600 Broadway, Suite 2200
Denver, Colorado 80202

D. J. Simmons Company Limited Partnership
1099 Ridgeway Place
Farmington, New Mexico 87401

HOLLAND & HART LLP
AND
CAMPBELL & CARR
ATTORNEYS AT LAW

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March 15, 2001

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO ALL AFFECTED INTEREST OWNERS

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

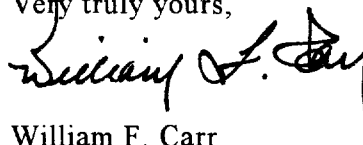
Ladies and Gentlemen:

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 certain spacing and proration units in the S/2 of Section 25, Township 25 North, Range 3 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to its Naomi Well No. 1 (formerly the Wynona Well No. 1) in the SW/4 of said Section 25, which McElvain proposes to reenter and in the Mesaverde formation, Blanco-Mesaverde Pool at a previously approved unorthodox gas well location 1650 feet from the South line and 450 feet from the West line of said Section 25.

This application has been set for hearing before a Division Examiner on April 5, 2001. 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 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,



William F. Carr
Attorney for McElvain Oil & Gas Properties, Inc.

Enclosures

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