

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION


CASE NO. 12636

APPLICATION OF McELVAIN OIL & GAS
PROPERTIES, INC. FOR COMPULSORY POOLING,
RIO ARriba COUNTY, NEW MEXICO.

AFFIDAVIT

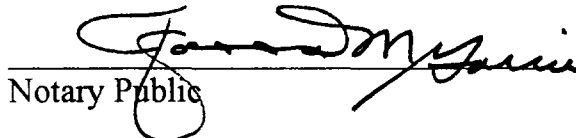
STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

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 proof of receipt are attached hereto.



Michael H. Feldewert

SUBSCRIBED AND SWORN to before me this 4th day of April, 2001.


Notary Public

My Commission Expires:

Aug 21, 2001

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Case No. 12636 Exhibit No. 4
Submitted by:
McElvain Oil & Gas Properties, Inc.
Hearing Date: April 5, 2001

EXHIBIT A

NOTICE LIST

**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**

Energen Resources Corporation
2198 Bloomfield Highway
Farmington, New Mexico 87401

Gavilan Dome Properties
1180 Cedarwood Drive
Moraga, California 94556

Mesa Grande Resources, Inc.
1318 Philtower Building
Tulsa, Oklahoma 74103

Johansen Energy Partnership
Post Office Box 1773
Whitefish, Montana 59937

HOLLAND & HART LLP
AND
CAMPBELL & CARR
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE
CHEYENNE • JACKSON HOLE
SALT LAKE CITY • SANTA FE
WASHINGTON, D.C.

SUITE 1
110 NORTH GUADALUPE
SANTA FE, NEW MEXICO 87501-6525
MAILING ADDRESS
P.O. BOX 2208
SANTA FE, NEW MEXICO 87504-2208
March 15, 2001

TELEPHONE (505) 988-4421
FACSIMILE (505) 983-6043
www.hollandhart.com

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

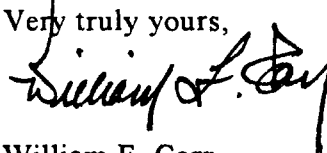
Ladies & Gentlemen:

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 compulsory 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 33, 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 Cougar Com 33M Well No. 1 which it proposes to drill to a depth sufficient to test all formations to the base of the Dakota formation, Basin-Dakota Gas Pool, at a standard location in the SW/4 of said Section 33.

This application has been set for hearing before a Division Examiner on April 4, 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.

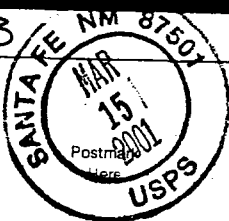
Enclosures

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

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

WFC 423



Postage \$.55

Certified Fee 1.90

Return Receipt Fee (Endorsement Required) 1.50

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$ 3.95

Recd

Street Cavilan Dome Properties
1180 Cedarwood Drive
City, Moraga, California 94556

PS I

Instructions

U.S. Postal Service**CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

WFC 423



Postage \$.55

Certified Fee 1.90

Return Receipt Fee (Endorsement Required) 1.50

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$ 3.95

Recd

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

PS I

SENDER: COMPLETE THIS SECTION

- 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:


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

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

MAR 19 2001

C. Signature

X  ☐ Agent ☐ AddressD. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0600 0024 3129 1593

PS Form 3811, July 1999

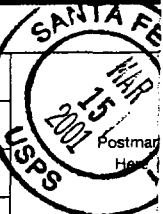
Domestic Return Receipt

102595-99-M-17

U.S. Postal Service**CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

WFC 423



Postage \$.55

Certified Fee 1.90

Return Receipt Fee (Endorsement Required) 1.50

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$ 3.95

Recd

Street Johansen Energy Partnership
Post Office Box 1773
City, Whitefish, Montana 59937

PS I

SENDER: COMPLETE THIS SECTION

- 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:

Johansen Energy Partnership
Post Office Box 1773
Whitefish, Montana 59937

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X  ☐ Agent ☐ AddressD. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0600 0024 3129 1562

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-178

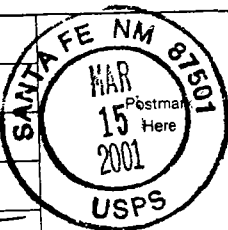
U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

WFC 423

Postage	\$.55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.95



Complete items 1, 2, and 3. Also complete Restricted Delivery if desired. If name and address on the reverse of this card can return the card to you, attach this card to the back of the mailpiece, front if space permits.

Addressed to:

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

Recip:

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

PS Form

Instructions

2. Article Number (Copy from service label)

7000 0000 0024 3129 1579

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1786

A. Received by (Please Print Clearly) B. Date of Delivery
29 MAR 2001

C. Signature
X E. Alan Miller ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes