

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


APPLICATION OF MCELVAIN OIL & GAS
PROPERTIES, INC. FOR A NON-STANDARD
GAS SPACING AND PRORATION UNIT
RIO ARriba COUNTY, NEW MEXICO

CASE NO. 12688

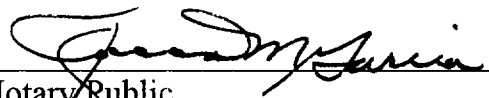
AFFIDAVIT

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 persons entitled to receive notice of this application under Oil Conservation Division rules, and that notice has been given to the addresses shown on Exhibit "A" attached hereto.


William F. Carr

SUBSCRIBED AND SWORN to before me this 21st day of June, 2001.


Notary Public

My Commission Expires:

Aug 21, 2001

EXHIBIT A

NOTICE LIST

**McELVAIN OIL & GAS PROPERTIES, INC.
FOR A 505.20-ACRE NON-STANDARD SPACING AND PRORATION UNIT
LOTS 3 AND 4, S/2 NW/4, AND SW/4 OF SECTION 5
AND LOTS 1 THROUGH 4 OF SECTION 6,
TOWNSHIP 25 NORTH, RANGE 2 WEST, N.M.P.M.
RIO ARRIBA COUNTY, NEW MEXICO**

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

Mesa Grande Ltd.
6 East 5th Street, Suite 200
Tulsa, Oklahoma 74103

Gavilan Dome Properties
1800 Cedarwood Drive
Moraga, California 94556

Arriba Company Ltd.
Post Office Box 35304
Tulsa, Oklahoma 74153

Hooper, Kimball & Williams, Inc.
5550 South Lewis, Suite 301
Tulsa, Oklahoma 74105

Williams Production Company
Post Office Box 3102
Tulsa, Oklahoma 74101

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

Noseco Corporation
7400 East Murray Drive
Reno Nevada 89511

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

Ibex Partnership
Post Office Box 911
Breckenridge, Texas 76424-0911

Petco Limited
Post Office Box 911
Breckenridge, Texas 76424-0911

Clark & Oatman
Post Office Drawer 310
Bastrop, Texas 78602

Premier Operating Co.
Post Office Box 35984
Tulsa, Oklahoma 74153-0984

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

June 21, 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 a non-standard gas spacing and proration unit, Rio Arriba County, New Mexico*

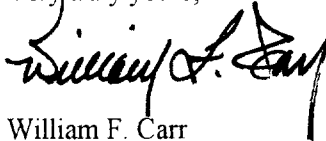
Ladies and Gentlemen:

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 an order approving a 505.20-acre non-standard gas spacing and proration unit in the Mesaverde formation, Blanco Mesaverde Gas Pool comprised of Lots 3 and 4, S/2 NW/4 and SW/4 of Section 5 and Lots 1 through 4 of Section 6, Township 25 North, Range 2 West, N.M.P.M., Rio Arriba County, New Mexico. McElvain proposes to dedicate the referenced pooled unit to a well to be drilled at a standard gas well location in the NW/4 of said Section 5

This application has been set for hearing before a Division Examiner on July 12, 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.

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

WFC-McElwain/WFP

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

Recipient's Name
 Street, Apt. No., or
 City, State, ZIP+4
 Arriba Company Ltd.
 Post Office Box 35304
 Tulsa, Oklahoma 74153

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:

Arriba Company Ltd.
 Post Office Box 35304
 Tulsa, Oklahoma 74153

2. Article Number (Copy from service label)
 7000 0600 0024 3127 8693

PS Form 3811, July 1999

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *CR MARRIS* Date of Delivery *JUN 23 2001*

C. Signature *CR MARRIS*

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

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☒ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

102595-99-M-1789

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

WFC-McElwain/WFP

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

Recipient's Name
 Street, Apt. No., or
 City, State, ZIP+4
 Clark & Oatman
 Post Office Drawer 310
 Bastrop, Texas 78602

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:

Clark & Oatman
 Post Office Drawer 310
 Bastrop, Texas 78602

2. Article Number (Copy from service label)
 1000 0600 0024 3127 1023

PS Form 3811, July 1999

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *Jul Green* Date of Delivery *26 JUN 2001*

C. Signature *Jul Green*

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

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☒ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

102595-99-M-178

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

FC-McElwain/WSP

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

Recipient's Name
 Street, Apt. No., or
 City, State, ZIP+4
 Gavilan Dome Properties
 1800 Cedarwood Drive
 Moraga, California 94556

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

WFC McElvain/NSP

Postage	\$ 1.55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.95

Recipient's Name
Mesa Grande Ltd.
Street, Apt. No.
6 East 5th Street, Suite 200
City, State, ZIP
Tulsa, Oklahoma 74103

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

WFC-McElvain WFP

Postage	\$ 1.55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage	\$ 3.95

Recipient's Name
Ibex Partnership
Street, Apt. No.
Post Office Box 911
City, State, ZIP
Breckenridge, Texas 76424

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

WFC-McElvain/WFP

Postage	\$ 1.55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.95

Recipient's Name
Hooper, Kimball & Williams Inc.
Street, Apt. No.
5550 South Lewis, Suite 301
City, State, ZIP
Tulsa, Oklahoma 74105

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:

Mesa Grande Ltd.
6 East 5th Street, Suite 200
Tulsa, Oklahoma 74103

2. Article Number (Copy from service label)

1000 0600 0024 3127 8716

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-176

- 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:

Ibex Partnership
Post Office Box 911
Breckenridge, Texas 76424-0911

2. Article Number (Copy from service label)

1000 0600 0024 3127 8631

PS Form 3811, July 1999

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:

Hooper, Kimball & Williams, Inc.
5550 South Lewis, Suite 301
Tulsa, Oklahoma 74105

2. Article Number (Copy from service label)

1000 0600 0024 3127 8686

COMPLETE THIS SECTION ON DELIVERY

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

Helen Thomas

6-26-01

C. Signature

X Helen Thomas

☐ 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

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

Christie Sperry

6-26-01

C. Signature

X Christie Sperry

☐ 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

COMPLETE THIS SECTION ON DELIVERY

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

Jean Weber

6-26-01

C. Signature

X Jean Weber

☐ 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

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

WFC - McElvain /NSD

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

Recipient's Name: Mesa Grande Resources, Inc.
 Street, Apt. No.: 1318 Philtower Building
 City, State, ZIP+4: Tulsa, Oklahoma 74103

PS Form 3800, Fe

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

WFC - McElvain /WFP

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

Recipient's Name: NM&O Operating Company
 Street, Apt. No.: 6 East 5th Street, Suite 200
 City, State, ZIP+4: Tulsa, Oklahoma 74103

PS Form 3800, Fe

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

WFC - McElvain /WFP

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

Recipient's Name: Neumann Family Trust
 Street, Apt. No.: c/o Peter C. Neumann
 City, State, ZIP+4: Post Office Box 1170
 Reno, Nevada 89504

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:

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

2. Article Number (Copy from service label)

1000 0600 0024 3127 8662

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

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

Debra Thomas 10-79

C. Signature

X Debra Thomas

D. Is delivery address different from item 1? If YES, enter delivery address below:

Yes No

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☒ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

Domestic Return Receipt

102595-99-M-1789

Mail Returned

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

FC-McElvain/WFP

Postage	\$ 1.55	Postmark Here
Certified Fee	1.90	
Return Receipt Fee (endorsement Required)	1.50	
Restricted Delivery Fee (endorsement Required)		
Total Postage & Fees	3.95	
Recipient's Name Noseco Corporation 7400 East Murray Drive Reno Nevada 89511		

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:

Noseco Corporation
7400 East Murray Drive
Reno Nevada 89511

2. Article Number (Copy from service label)

1000 0000 0024 3127 8655

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) HARSEN B. Date of Delivery 6-26

C. Signature [Signature] ☐ Agent ☐ Addressee

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

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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

FC-McElvain/WFP

Postage	\$ 1.55	Postmark Here
Certified Fee	1.90	
Return Receipt Fee (endorsement Required)	1.50	
Restricted Delivery Fee (endorsement Required)		
Total Postage & Fees	3.95	
Recipient's Name Petco Limited Post Office Box 911 Breckenridge, Texas 76424		

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:

Petco Limited
Post Office Box 911
Breckenridge, Texas 76424-0911

2. Article Number (Copy from service label)

1000 0000 0024 3127 1016

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-17

A. Received by (Please Print Clearly) CHRISTIE SPENCER B. Date of Delivery 6-26-01

C. Signature [Signature] ☐ Agent ☐ Addressee

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

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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

FC-McElvain WFP

Postage	\$ 1.55	Postmark Here
Certified Fee	1.90	
Return Receipt Fee (endorsement Required)	1.50	
Restricted Delivery Fee (endorsement Required)		
Total Postage & Fees	3.95	
Recipient's Name Premier Operating Co. Post Office Box 35984 Tulsa, Oklahoma 74153-09		

- 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:

Premier Operating Co.
Post Office Box 35984
Tulsa, Oklahoma 74153-0984

2. Article Number (Copy from service label)

1000 0000 0024 3127 1030

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

C. Signature [Signature] ☐ Agent ☐ Addressee

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

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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

WFC-McElvain/WFP

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

Recipient's Name
Street, Apt. No.
City, State, ZIP

Williams Production Company
Post Office Box 3102
Tulsa, Oklahoma 74101

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:

Williams Production Company
Post Office Box 3102
Tulsa, Oklahoma 74101

2. Article Number (Copy from service label)

4000 0600 0024 3127 8679

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Stan Allen B. Date of Delivery JUN 28 2001

C. Signature [Signature] ☐ Agent ☐ Address

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

Domestic Return Receipt

102595-99-M-1700