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. 12693

	<u>AFFIDAVIT</u>
STATE OF NEW MEXICO)
COUNTY OF SANTA FE) ss.)

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 19 day of September, 2001.

Notary Public

My Commission Expires:

BEFORE THE OIL CONSERVATION DIVISION
SANTA FE, NEW MEXICO
Case No. 12693 Exhibit No. 6

EXHIBIT A

NOTICE LIST

McELVAIN OIL & GAS PROPERTIES, INC. FOR COMPULSORY POOLING E/2 OF SECTION 5, TOWNSHIP 25 NORTH, RANGE 2 WEST, N.M.P.M. RIO ARRIBA COUNTY, NEW MEXICO

Hooper, Kimball 5550 S. Lewis, Suite 301 Tulsa, OK 74105 Attn: Greg Owens

Premier Operating Co. Post Office Box 35984 Tulsa OK 74153-0984 Attn: Virgil Landreth

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

Mesa Grande Resources, Inc. 1318 Philtower Bldg. Tulsa, OK 74103

Gavilan Dome Properties 1800 Cedarwood Drive Moraga, CA 94556

Arriba Company Ltd. P.O. Box 35304 Tulsa, OK 74153 Williams Production Company P.O. Box 3102 Tulsa, OK 74101

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

Noseco Corporation 7400 East Murray Drive Reno, NV 89511

Petco Limited P. O. Box 911 Breckenridge, TX 76424

IBEX Partnership P.O. Box 911 Breckenridge, TX 76424-0911

HOLLAND & HART LLP CAMPBELL & CARR

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

ATTORNEYS AT LAW
P.O. BOX 2208
SANTA FE, NEW MEXICO 87504-2208
110 NORTH GUADALUPE, SUITE 1
SANTA FE, NEW MEXICO 87501-6525

TELEPHONE (505) 988-4421 FACSIMILE (505) 983-6043

Michael H. Feldewert

mfeldewert@hollandhart.com

June 21, 2001

CERTIFIED MAIL RETURN RECEIPT REQUESTED

TO: AFFECTED INTEREST OWNERS

Re: Application of McElvain Oil & Gas Properties, Inc. for

Compulsory Pooling, Rio Arriba County, New Mexico.

Cougar Com #5-2

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. 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 name of the party and its attorney; 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

Michael H. Feldewert

MHF/ras Enc.

HOLLAND & HARTLLP

CAMPBELL & CARR

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE • CASPER
CHEYENNE • JACKSON HOLE
SALT LAKE CITY • SANTA FE

WASHINGTON, D.C.

ATTORNEYS AT LAW
P.O. BOX 2208
SANTA FE, NEW MEXICO 87504-2208
110 NORTH GUADALUPE, SUITE 1
SANTA FE, NEW MEXICO 87501-6525

TELEPHONE (505) 988-4421 FACSIMILE (505) 983-6043

Michael H. Feldewert

mfeldewert@hollandhart.com

June 21, 2001

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Noseco Corporation 7400 East Murray Drive Reno NV 89511

Re: Application of McElvain Oil & Gas Properties, Inc. for Compulsory Pooling, Rio Arriba County New Mexico. Cougar Com #5-2

Dear Interest Owners:

Since you now dispute the Farmout Agreement executed by your representatives on February 15, 2001, McElvain has included your working interests in pending pooling applications with the New Mexico Oil Conservation Division. This letter is to advise you that the enclosed pooling application for McElvain's proposed Cougar Com 32 Well No. 1 has been set for hearing before an Examiner for the New Mexico Oil Conservation Division 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 name of the party and its attorney; 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.

< : ' A.

Michael H. Feldewert

MHF/ras Enclosure

cc. Mary E. Walta, Esq.

(Domestic Mail Only; No Insurance Coverage P	Provided)	<u>.</u> .
# MHF/McE/ Cousar Com	SENDER: COMPLETE THIS SECTION	PLACE STICKER AT TOP OF ENVELOPE 10 THE RIGHT OF RETURN ADDRESS. 10 THE RIGHT OF ENVELOPE
Postage \$.55 JUN 2 Certified Fee 1.90 Postage 1.50 Postage 1.5	Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.	A. Received by (Please Print Clearly) C. Signature X
-	2. Article Number (Copy from service label)	4. Restricted Delivery? (Extra Fee)
	PS Form 3811, July 1999 Domestic Re	0600 0024 3128 209b turn Receipt 102595-99-M-1789
U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage MHF/McE/Cousawe Postage Certified Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Gavilan Dome Properties 1800 Cedarwood Drive Moraga, CA 94556	2001 Retur	nod
U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage MHF/ Mc E/ Cougar Camp Postage \$. 55 6 9	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.	A. Received by (Please Print Clearly) C. Signature A. Addressee

U.S. Postal Service

Certified Fee

Total Postano & Fons

Hooper, Kimball

Tulsa, OK 74105

Attn: Greg Owens

5550 S. Lewis, Suite 301

Return Receipt Fee (Endorsement Required)

060

2. Article Number (Copy from service label) 7000 PS Form 3811, July 1999

1. Article Addressed to:

Hooper, Kimball

Tulsa, OK 74105

Attn: Greg Owens

5550 S. Lewis, Suite 301

Domestic Return Receipt

☐ Insured Mail

4. Restricted Delivery? (Extra Fee)

☐ Yes

Express Mail
Return Receipt for Merchandise
C.O.D.

If YES, enter delivery address below:

CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage	ge Provided)	
MHF/ McE/Cougan Com	SENDER: COMPLETE THIS SECTION	PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF RETURN ADDRESS FOLD AT DOTTED LINE
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: 	D. Is Delivery address different from item 1? Yes If YES, enter delivery address below:
Total Postage & Fees \$ 3.95 IBEX Partnership P.O. Box 911	IBEX Partnership P.O. Box 911	
Breckenridge, TX 76424-0911	Breckenridge, TX 76424-0911	3. Service Type Certified Mail
	2. Article Number (Copy from service label)	0600 0024 3128 2058
	PS Form 3811, July 1999 Domestic R	eturn Receipt 102595-99-M-1789
U.S. Postal Service CERTIFIED MAIL RECEIPT		
		COMPLETE THIS SECTION ON DELIVERY
CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage MHF/McE/CousarC Postage S. 55 Certified Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required)		COMPLETE THIS SECTION ON DELIVERY A. Received by (Please Print Clearly) HULL W HOMULC C. Signature X Agent Addressed D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage MHF McE Cousard Postage \$.55 Certified Fee	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. Article Addressed to: Mesa Grande Ltd. 6 East 5 th Street, Suite 200	A. Received by (Please Print Clearly) H. L. L. M. M. L. L. B. Date of Delivery C. Signature X. Agent Addressed D. Is delivery address different from item 1? If YES, enter delivery address below: No
CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage MHF/McE/Cousarc Postage S. 55 Certified Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees Mesa Grande Ltd.	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. Article Addressed to: Mesa Grande Ltd.	A. Received by (Please Print Clearly) B. Date of Delivery C. Signature X
CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage MHF McE Cousard Postage \$.55 Certified Fee 1.90 Resturn Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees \$ 13.95 Mesa Grande Ltd. 6 East 5 th Street, Suite 200 Tulsa, OK 74103	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. Article Addressed to: Mesa Grande Ltd. 6 East 5 th Street, Suite 200 Tulsa, OK 74103	A. Received by (Please Print Clearly) H. L. L. M. M. L. L. Agent C. Signature X. Agent Addressee D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No 3. Service Type Certified Mail Registered Return Receipt for Merchandise

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

Postage
Certified Fee
Certified Fee
(Endorsement Required)
Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees
Mesa Grande Resources, Inc.
1318 Philtower Bldg.
Tulsa, OK 74103

U.S. Postal Service

Returned Unclaimed

Cougar com 5-2

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage	Provided)	
(Domestic Mail Only; No Insurance Coverage WHP/NCE/Cover Co Postage Certified Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees NM & O Operating Company 6 East 5 th Street, Suite 200 Tulsa, OK 74103	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 5 th Street, Suite 200 Tulsa, OK 74103	SSENCO NUMBER OF THE SET OF SECTION OF SECTI
	2. Article Number (Copy from service label) PS Form 3811, July 1999 Domestic	Registered Return Receipt for Merchandise C.O.D. 4. Restricted Delivery? (Extra Fee) Yes CLOD 0024 3128 2072 Return Receipt 102595-99-M-1789
U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Postage Postage Certified Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Noseco Corporation 7400 East Murray Drive Reno, NV 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, NV 89511	SSENCOV NENTER HO IHOIM EHI OI ENOTEMNE HO GOLL IV HENOLIS BOVID A. Received by (Please Print Clearly) B. Date of Delivery C. Signature X Addressee D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
	2. Article Number (Copy from service label) 7000 PS Form 3811, July 1999 Domestic I	Certified Mail
U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Postage Postage Certified Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees \$ 3.95	 item 4 if Hestricted 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 P O Box 911 	SSBUDGY NUMBER OF THE STATE OF
Petco Limited P. O. Box 911 Breckenridge, TX 76424	2. Article Number (Copy from service label) PS Form 3811, July 1999 Domestic	Certified Mail Express Mail Registered Receipt for Merchandis C.O.D.

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Pr	ovided)	
Postage Certified Fee Gendorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees NM & O Operating Company 6 East 5th Street, Suite 200 Tulsa, OK 74103	■ 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 5 th Street, Suite 200 Tulsa, OK 74103	SSERICITY NEALEST OF THE STATE
U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Property of the Coverage Property of the Coverage Property of the Certified Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required)		A. Received by (Please Print Clearly) C. Signature X
II S. Postal Service	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. Article Addressed to: Petco Limited P. O. Box 911 Breckenridge, TX 76424 2. Article Number (Copy from service label) PS Form 3811, July 1999 Domestic F	3. Service Type Certified Mail Express Mail Registered Return Receipt Pes
		COUGON CONI 3-2

U.S. Postal Service CERTIFIED MAIL RECE (Domestic Mail Only; No Insurance Co MHF/INCE/COUGAY Postage Certified Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees Premier Operating Co. Post Office Box 35984 Tulsa OK 74153-0984 Attn: Virgil Landreth	verage Provided)	Complete THIS SECTION ON DELIVERY Received by (Please Print Clearly) B. Date of Delivery
U.S. Postal Service CERTIFIED MAIL RECE (Domestic Mail Only; No Insurance Co MHF MCE Cousan Postage Postage Certified Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Williams Production Comp P.O. Box 3102 Tulsa, OK 74101	PS Form 3811, July 1999 Domestic F IPT verage Provided) 1 200 hark any	600 0024 3128 2133 Return Receipt 102595-99-M-1789
	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. Article Addressed to: Williams Production Company P.O. Box 3102 Tulsa, OK 74101 2. Article Number (Copy from service label) PS Form 3811, July 1999 Domestic	A. Received by (Please Print Clearly B. Pate of Phory C. Signature X

Cougar com 5-2