

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


APPLICATION OF NEARBURG EXPLORATION  
COMPANY, L.L.C., FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.

CASE NO. 12901


AFFIDAVIT

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

William F. Carr, attorney in fact and authorized representative of Nearburg Exploration Company, L.L.C., 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 at the addresses shown on Exhibit "A" attached hereto.

  
\_\_\_\_\_  
William F. Carr

SUBSCRIBED AND SWORN to before me this 14th day of July 2002.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

August 23, 2005

2962095\_1.DOC

BEFORE THE OIL CONSERVATION DIVISION  
Santa Fe, New Mexico  
Case No. 12901 Exhibit No. 6  
Submitted by:  
NEARBURG EXPLORATION COMPANY, L.L.C.  
Hearing Date: August 1, 2002

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

**Neatburg**  
 Postage \$ .60  
**Packer 7**  
 Certified Fee 2.30  
 Return Receipt Fee (Endorsement Required) 1.75  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 4.65

**Sent To**  
 Chevron USA, Inc.  
 Post Office Box 1150  
 Midland, Texas 79702

PS Form 3800

**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:

Chevron USA, Inc.  
 Post Office Box 1150  
 Midland, Texas 79702

2. Article Number (

7001 1140 0002 5600 9132

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) **Bob Bell** B. Date of Delivery **JUL 15 2002**  
 C. Signature **Bob Bell** ☐ 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)

**Neatburg**  
 Postage \$ .60  
**Packer 7**  
 Certified Fee 2.30  
 Return Receipt Fee (Endorsement Required) 1.75  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 4.65

**Sent To**  
 Devon SFS Operating, Inc.  
 Attention: Richard Winchester  
 Post Office Box 108838  
 Oklahoma City, OK 73101

PS Form 3800, Jan

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-095

- 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:

Devon SFS Operating, Inc.  
 Attention: Richard Winchester  
 Post Office Box 108838  
 Oklahoma City, OK 73101-8838

2. Article Number

7001 1140 0002 5600 9149

A. Received by (Please Print Clearly) B. Date of Delivery  
 C. Signature **Goodluck Njork** ☐ 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)

**Neatburg**  
 Postage \$ .60  
**Packer 7**  
 Certified Fee 2.30  
 Return Receipt Fee (Endorsement Required) 1.75  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 4.65

**Sent To**  
 Devon SFS Operating, Inc.  
 Attention: Richard Winchester  
 20 North Broadway, Suite  
 Oklahoma City, OK 73102

PS Form 3800, Jan

- 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:

Devon SFS Operating, Inc.  
 Attention: Richard Winchester  
 20 North Broadway, Suite 1500  
 Oklahoma City, OK 73102-8260

2. Article Number (

7001 1140 0002 5600 9125

A. Received by (Please Print Clearly) B. Date of Delivery  
 C. Signature **Goodluck Njork** ☐ 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

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-095

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

Manzano	Postage	\$ .60
Gr. Flash	Certified Fee	2.30
	Return Receipt Fee (Endorsement Required)	1.75
	Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees		\$ 4.65

Postmark Here

**Sent To** Paula Dooley, Executrix of the  
Estate of William Patrick Dooley  
1006 South Second Street  
Artesia, NM 88210

PS Form 3800, January 1999

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

Nearburg	Postage	\$ .60
Packer 7	Certified Fee	2.30
	Return Receipt Fee (Endorsement Required)	1.75
	Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees		\$ 4.65

Postmark Here

**Sent To** OXY USA WTP Limited Partnership  
Attention: David Evans  
Post Office Box 50250  
Midland, Texas 79710

**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:

OXY USA WTP Limited Partnership  
Attention: David Evans  
Post Office Box 50250  
Midland, Texas 79710

2. Article Number (Copy from

7001 1140 0002 5600 9156

PS Form 3811, July 1999

**COMPLETE THIS SECTION ON DELIVERY**

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

C. Signature

☐ 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

Domestic Return Receipt

102595-00-M-09E

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

OFFICIAL

Nearburg  
Packer 7

Postage	\$ .60
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65

Sent To  
Phillips Petroleum Company  
Attention: Brett Butterfield  
4001 Penbrook  
Odessa, Texas 79762

PS Form 3800

**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:

Phillips Petroleum Company  
Attention: Brett Butterfield  
4001 Penbrook  
Odessa, Texas 79762

2. Article Number (Copy from)

PS Form 3811, July 1999

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) Naoni Merloza B. Date of Delivery 7-15

C. Signature X Naoni Merloza ☐ 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

7001 1140 0002 5600 9163

Domestic Return Receipt 102595-00-M-0952

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

OFFICIAL

Nearburg  
Packer 7

Postage	\$ .60
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65

Sent To  
Wilson Oil Company  
1275 South Birch Street, Suite 604  
Denver, Colorado 80246

PS Form 3800

■ 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:

Wilson Oil Company  
1275 South Birch Street, Suite 604  
Denver, Colorado 80246

2. Article Number (Copy from)

PS Form 3811, July 1999

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery 7/18/02

C. Signature X Raymond Zeel ☐ 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

7001 1140 0002 5600 9170

Domestic Return Receipt 102595-00-M-0952

**EXHIBIT A**

**APPLICATION OF NEARBURG EXPLORATION COMPANY, L.L.C.**  
**FOR COMPULSORY POOLING,**  
**E/2 OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 35 EAST, NMPM**  
**LEA COUNTY, NEW MEXICO.**

**NOTIFICATION LIST**

Chevron USA, Inc.  
Post Office Box 1150  
Midland, Texas 79702

Devon SFS Operating, Inc.  
20 North Broadway, Suite 1500  
Oklahoma City, Oklahoma 73102-8260  
Attention: Richard Winchester

Devon SFS Operating, Inc.  
Post Office Box 108838  
Oklahoma City, Oklahoma 73101-8838  
Attention: Richard Winchester

OXY USA WTP Limited Partnership  
Post Office Box 50250  
Midland, Texas 79710  
Attention: David Evans

Phillips Petroleum Company  
4001 Penbrook  
Odessa, Texas 79762  
Attention: Brett Butterfield

Wilson Oil Company  
1275 South Birch Street, Suite 604  
Denver, Colorado 80246

HOLLAND & HART<sup>LLP</sup>  
ATTORNEYS AT LAW

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

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

William F. Carr

wcarr@hollandhart.com

July 11, 2002

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**TO ALL AFFECTED PARTIES:**

Re: Application of Nearburg Exploration Company, L.L.C. for compulsory pooling, Lea County, New Mexico.

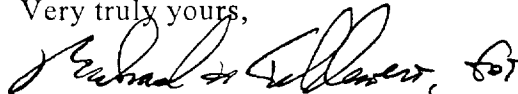
Ladies and Gentlemen:

This letter is to advise you that Nearburg Exploration Company, L.L.C. has filed the enclosed application with the New Mexico Oil Conservation Division seeking the force pooling of all mineral interests in all formations from the surface through the base of the Morrow formation in certain standard gas spacing and proration unit comprised of the E/2 of Section 7, Township 21 South, Range 35 East, N.M.P.M., Lea County, New Mexico. Nearburg proposes to dedicate the referenced pooled unit to its Packer "7" State Com Well No. 1 to be drilled at a standard location 1980 feet from the North line and 660 feet from the East line of said Section 7.

This application has been set for hearing before a Division Examiner on August 1, 2002. 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  
for Holland & Hart LLP  
ATTORNEYS FOR NEARBURG  
EXPLORATION COMPANY, L.L.C.

Enclosure

cc: Mr. Duke Roush  
Nearburg Exploration Company L.L.C.