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

IN THE MATTER OF THE APPLICATION OF SEELY OIL COMPANY FOR APPROVAL OF A WATERFLOOD PROJECT AND QUALIFICATION OF THE PROJECT AREA FOR THE RECOVERED OIL TAX RATE PURSUANT TO THE ENHANCED OIL RECOVERY ACT, LEA COUNTY, NEW MEXICO.

**CASE NO. 12964** 

## **AFFIDAVIT**

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

William F. Carr, attorney in fact and authorized representative of Seely Oil Company, the applicant herein, being first duly sworn, upon oath, states that notice has been given to all interested parties 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.

SUBSCRIBED AND SWORN to before this 7<sup>th</sup> day of January 2003 by William F. Carr.

My Commission Expires: (23, 3031713\_1.DOC

BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico Case Nos. 12964/12983 Exhibit No. 6 Submitted by:

> Seely Oil Company Hearing Date: January 9, 2003

# HOLLAND & HART LLP

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

October 24, 2002

# CERTIFIED MAIL RETURN RECEIPT REQUESTED

TO: SURFACE OWNERS AND LEASEHOLD OPERATORS WITHIN 1/2 MILE OF EACH PROPOSED INJECTION WELL IN THE EK PENROSE SAND UNIT AREA.

Re:

Application of Seely Oil Company for approval of a waterflood project, and for qualification of the project for the Recovered Oil Tax Rate pursuant to the Enhanced Oil Recovery Act, Lea County, New Mexico.

#### Ladies and Gentlemen:

Enclosed is a copy of the application of Seely Oil Company (Oil Conservation Division Form C-108) in the above-referenced case for approval of a waterflood project in the proposed EK Penrose Sand Unit Area. Water will be injected into the unitized interval of the Penrose formation and the proposed waterflood project is fully described in the application.

This application has been set for hearing before a Division Examiner on November 14, 2002. You are not required to attend this hearing, but as an owner of the surface of the land upon which the injection well will be located, 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 Pre-hearing 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 Seely oil Company

Enclosure

### **REVISED NOTICE LIST**

Application of Seely Oil Company
For Certification of the Waterflood Project
For the Incentive Tax Rate Pursuant to the
Enhanced Oil Recovery Act
E-K Penrose Sand Unit, Lea County, New Mexico

BP America 501 Westlake Park Blvd. Houston, Texas 77253

Devon SFS Operating, Inc. P. O. Box 730292 Dallas, Texas 75373-0292

Concho Oil & Gas Corp. 110 West Louisiana, Suite 420 Midland, Texas 79701

C. W. Trainer P. O. Box 754 Midland, Texas 79702

BTA Oil Producers 104 S. Pecos Midland, Texas 79701

Rhombus Energy 200 N. Lorraine, Suite 1270 Midland, Texas 79701

Yates Petroleum Corporation 105 S. Fourth Street Artesia, New Mexico 88210 Kaiser Francis Box 21468 Tulsa, Oklahoma 74121-1468

McElvain Oil & Gas Ltd. 1050 7<sup>th</sup> Street, Suite 1800 Denver, Colorado 80265

Ralph C. McElvain, Jr. 5318 S. Cottonwood Club Drive Salt Lake City, Utah 84117

Jacquelin M. Withers 11578 Lost Tree Way North Palm Beach, FL 33408

McElvain Oil Company Attn: David P. McElvain 14828 Pellbrook Addison, Texas 75240

Roberta M. Regan Trust Bank of America NA, Trustee P. O. Box 830308 Dallas, Texas 75283-0308

Kenneth Smith 267 Smith Ranch Road Hobbs, NM 88240-8514

Commissioner of Public Lands New Mexico State Land Office Attention: Pete Martinez Post Office Box 1148 Santa Fe, NM 87504-1148

Bureau of Land Management Attention: Armando Lopez 2909 W. 2<sup>nd</sup> Street Roswell, New Mexico 88201

U.S. Postal Service CERTIFIED MAIL RECEIPT	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVER!
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Restricted Delivery Fee (Endorsement Required) Total Postage & Fees  Sent To  BP America  Street, Apt. No.: or PO Box Nc. City, State, ZIF+  City, State, ZIF+	BP America 501 Westlake Park Blvd. Houston, Texas 77253	3. Service Type Certified Mail
PS Form 3800, a		
U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage P.	<ul> <li>SENDER: COMPLETE THIS SECTION</li> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Received by (Please Print Clearly)  C. Signature  A. Received by (Please Print Clearly)  C. Signature  Addresse
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or PG Box No. Midland, Texas 79701	2. Article Number (Copy from se 7001 1140	0002 5600 5721
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PS Form 880:		

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City. State. ZIP+ 2	idland, Texas 79701		4. Restricted Delivery? (Extra Fee) ☐ Yes
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