

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

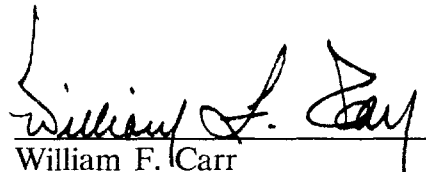
IN THE MATTER OF THE APPLICATION  
OF NEARBURG PRODUCING COMPANY  
FOR AN UNORTHODOX OIL WELL LOCATION,  
EDDY COUNTY, NEW MEXICO.

CASE NO. 10532

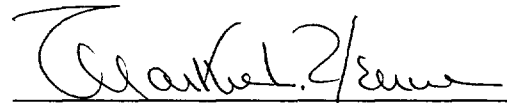
AFFIDAVIT OF MAILING

William F. Carr, being duly sworn, states that on July 24, 1992, he mailed a copy of the letter(s) advising that Nearburg Producing Company filed an application for an unorthodox well location, Eddy County, New Mexico, setting forth the hearing date, by certified mail, return receipt requested, to the following individuals listed on Exhibit "A" attached.

Further Affiant sayeth naught.

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

SUBSCRIBED AND SWORN to before me this 19th day of August, 1992.

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

My Commission Expires:

August 19, 1995

BEFORE EXAMINER CATANACH	
OIL CONSERVATION DIVISION	
NEARBURG	EXHIBIT NO. <u>9</u>
CASE NO.	<u>10532</u>

## EXHIBIT A

Exxon Company, USA  
Post Office Box 1600  
Midland, Texas 79792

UTI Energy Corporation  
500 North Loraine, Suite 1070  
Midland, Texas 79701

Richard A. Barr  
500 North Loraine, Suite 1070  
Midland, Texas 79701

Scott E. Wilson  
500 North Loraine, Suite 1070  
Midland, Texas 79701

Enron Oil & Gas Company  
Post Office Box 2267  
Midland, Texas 79702

Bettis Brothers, Inc.  
500 W. Texas, Suite 830  
Midland, Texas 79701

CAMPBELL, CARR, BERGE  
& SHERIDAN, P.A.  
LAWYERS

MICHAEL B. CAMPBELL  
WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN  
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS  
MICHAEL H. FELDEWERT

JACK M. CAMPBELL  
OF COUNSEL

JEFFERSON PLACE  
SUITE 1 - 110 NORTH GUADALUPE  
POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE: (505) 988-4421  
TELECOPIER (505) 983-6043

July 24, 1992

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

Exxon Company, USA  
Post Office Box 1600  
Midland, Texas 79792

Re: Application of Nearburg Producing Company for an Unorthodox Well  
Location, Eddy County, New Mexico

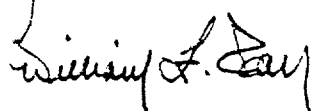
Gentlemen:

This letter is to advise you that Nearburg Producing Company has filed an application with the New Mexico Oil Conservation Division seeking approval of an unorthodox well location for its Emerald 32 Federal No. 2 Well to be drilled at an unorthodox location 2080 feet from the South line and 1400 feet from the West line of Section 32, Township 24 South, Range 29 East, N.M.P.M., Eddy County, New Mexico. The NE/4 SW/4 of Section 32 will be dedicated to this well.

This application has been set for hearing before an Examiner of the Oil Conservation Division on August 20, 1992. You are not required to attend this hearing, but as an owner of an interest that may be affected by the unorthodox well location, 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 have been requested by the Division (Memorandum 2-90) to file a Prehearing Statement substantially in the form prescribed by the Division. Prehearing statements should be filed by 4:00 o'clock p.m. on the Friday before a scheduled hearing.

Very truly yours,



WILLIAM F. CARR  
ATTORNEY FOR NEARBURG PRODUCING COMPANY  
WFC:mlh

P-106 677 546

RECEIPT FOR CERTIFIED MAIL

INSURANCE COVERAGE PROVIDED  
BY U.S. AIR MAIL

(See Reverse)

Exxon Company, USA  
Post Office Box 1600  
Midland, Texas 79792

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date  JUL 24 1992	

PS Form 3800, June 1985

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.  
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent the card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:  
Exxon Company, USA  
Post Office Box 1600  
Midland, Texas 79792

4. Article Number  
P 106 677 546

Type of Service:  
☐ Registered  
☒ Certified  
☐ Insured  
☐ Express Mail  
☐ COD  
☐ Return Receipt for Merchandise  
 Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee  
X *[Signature]*

6. Signature - Agent  
X

7. Date of Delivery  
JUL 28 1992

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-865 DOMESTIC RECEIPT

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL  
WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN  
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS  
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JEFFERSON PLACE  
SUITE 1 - 110 NORTH GUADALUPE  
POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE (505) 988-4421  
TELECOPIER (505) 983-6043

July 24, 1992

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

UTI Energy Corporation  
500 North Loraine, Suite 1070  
Midland, Texas 79701

Re: Application of Nearburg Producing Company for an Unorthodox Well  
Location, Eddy County, New Mexico

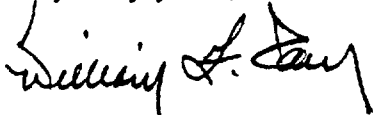
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Very truly yours,



WILLIAM F. CARR  
ATTORNEY FOR NEARBURG PRODUCING COMPANY  
WFC:mlh

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for rates and check boxes for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

UTI Energy Corporation  
500 North Loraine, Suite 1070  
Midland, Texas 79701

4. Article Number  
P 106 677 547

Type of Service:  
☐ Registered  
☒ Certified  
☐ Express Mail  
☐ Insured  
☐ COD  
☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address  
X

6. Signature — Agent  
X Beverly Barr

7. Date of Delivery  
7-24-92

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, May 1988 \* U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

P-106 677 547

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

UTI Energy Corporation  
500 North Loraine, Suite 1070  
Midland, Texas 79701

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date JUL 24 1992	

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL  
WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN  
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS  
MICHAEL H. FELDEWERT

JACK M. CAMPBELL  
OF COUNSEL

JEFFERSON PLACE  
SUITE 1 - 110 NORTH GUADALUPE  
POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE (505) 988-4421  
TELECOPIER (505) 983-6043

July 24, 1992

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

Richard A. Barr  
500 North Loraine, Suite 1070  
Midland, Texas 79701

Re: Application of Nearburg Producing Company for an Unorthodox Well  
Location, Eddy County, New Mexico

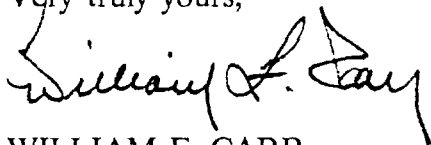
Dear Mr. Barr:

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Very truly yours,



WILLIAM F. CARR  
ATTORNEY FOR NEARBURG PRODUCING COMPANY  
WFC:mlh

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3. Article Addressed to:

Richard A. Barr  
 500 North Loraine, Suite 1070  
 Midland, Texas 79701

4. Article Number

P 106 677 548

Type of Service:

☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED.**

8. Addressee's Address (ONLY if requested and fee paid)

5. Signature - Address

X

6. Signature - Agent

X

7. Date of Delivery

7-27-92

PS Form 3811, Mar. 1988

\* U.S.G.P.O. 1988-212-865

DOMESTIC RETURN RECEIPT

P-106 677 548

RECEIPT FOR CERTIFIED MAIL

POSTAGE AND FEES PAID  
 100 TOP INTERNATIONAL MAIL  
 (See Reverse)

Richard A. Barr  
 500 North Loraine, Suite 1070  
 Midland, Texas 79701

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	JUL 24 1992



CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL  
WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN  
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS  
MICHAEL H. FELDEWERT

JACK M. CAMPBELL  
OF COUNSEL

JEFFERSON PLACE  
SUITE 1 - 110 NORTH GUADALUPE  
POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE: (505) 988-4421  
TELECOPIER (505) 983-6043

July 24, 1992

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

Scott E. Wilson  
500 North Loraine, Suite 1070  
Midland, Texas 79701

Re: Application of Nearburg Producing Company for an Unorthodox Well  
Location, Eddy County, New Mexico

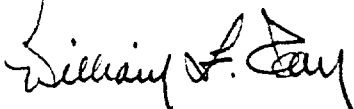
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ATTORNEY FOR NEARBURG PRODUCING COMPANY  
WFC:mlh

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3. Article Addressed to: Scott E. Wilson  
500 North Loraine, Suite 1070  
Midland, Texas 79701

4. Article Number: P 106 677 550

Type of Service:  
☐ Registered  
☒ Certified  
☐ Insured  
☐ COD  
☐ Return Receipt for Merchandise  
☐ Express Mail  
 Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address: X

6. Signature - Agent: X Beverly Barr

7. Date of Delivery: 7-27-92

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-866 DOMESTIC RETURN RECEIPT

P-106 677 550

RECEIPT FOR CERTIFIED MAIL

DELIVERY GUARANTEED BY FIRST CLASS MAIL

DELIVERY GUARANTEED BY FIRST CLASS MAIL

(See Reverse)

Scott E. Wilson  
500 North Loraine, Suite 1070  
Midland, Texas 79701

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	5
Postmark or Date	JUL 24 1992

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

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WILLIAM F. CARR  
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OF COUNSEL

JEFFERSON PLACE  
SUITE 1 - 110 NORTH GUADALUPE  
POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE (505) 988-4421  
TELECOPIER (505) 983-6043

July 24, 1992

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

Enron Oil & Gas Company  
Post Office Box 2267  
Midland, Texas 79702

Re: Application of Nearburg Producing Company for an Unorthodox Well  
Location, Eddy County, New Mexico

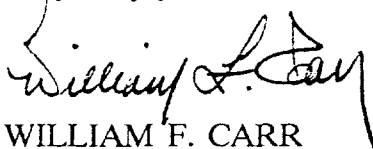
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WFC:mlh

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 Midland, Texas 79702

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P 106 677 551

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☒ Certified ☐ COD  
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8. Addressee's Address (ONLY if requested and fee paid)

5. Signature - Address

6. Signature - Agent

7. Date of Delivery

JUL 27 1992

PS Form 3811, Mar. 1988

\* U.S.G.P.O. 1988-212-865

DOMESTIC RETURN RECEIPT

P-106 677 551

RECEIPT FOR CERTIFIED MAIL

NO POSTAGE IS DUE FROM ADDRESSEE

SEE REVERSE FOR ADDITIONAL MAIL

(See Reverse)

Enron Oil & Gas Company  
 Post Office Box 2267  
 Midland, Texas 79702

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	JUL 24 1992

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL  
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JEFFERSON PLACE  
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POST OFFICE BOX 2208  
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TELEPHONE (505) 988-4421  
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Midland, Texas 79701

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Location, Eddy County, New Mexico

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WFC:mlh

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3. Article Addressed to:

Bettis Brothers, Inc.  
 500 W. Texas, Suite 830  
 Midland, Texas 79701

4. Article Number

P 106 677 552

Type of Service:

☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)

6. Signature - Addressee

6. Signature - Agent

X

7. Date of Delivery

7-27-92

PS Form 3800, Mar. 1988 \* U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

P-106 677 552

FOR CERTIFIED MAIL  
 SPECIAL DELIVERY (POSTAGE PAID)  
 FOR INTERNATIONAL MAIL  
 (See Reverse)

Bettis Brothers, Inc.  
 500 W. Texas, Suite 830  
 Midland, Texas 79701

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date JUL 24 1992	

5861 June Form 3800, PS