

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF DEVON ENERGY PRODUCTION
COMPANY, L.P. FOR A TEMPORARY EXCEPTION
TO DIVISION RULE 104.C.(2)(c), LEA
COUNTY, NEW MEXICO.

Case No. 13241

AFFIDAVIT REGARDING NOTICE

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

James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters set forth herein.

2. I am an attorney for Applicant.


3. Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the Application filed herein.

4. Notice of the Application was provided to the interest owners at their correct addresses by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Exhibit A.

5. Applicant has complied with the notice provisions of Division Rule 1207.


James Bruce

SUBSCRIBED AND SWORN TO before me this 31st day of March, 2004, by James Bruce.


Notary Public

My Commission Expires:

3/14/05

OIL CONSERVATION DIVISION

CASE NUMBER

EXHIBIT NUMBER

5

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

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SANTA FE, NEW MEXICO 87501

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jamesbruc@aol.com

March 10, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

ConocoPhillips Company
600 North Dairy Ashford
Houston, Texas 77252

Attention: Linda Hicks

Nearburg Exploration Company, L.L.C.
Building 2, Suite 120
3300 North "A" Street
Midland, Texas 79705


Attention: Duke Roush

Ladies and gentlemen:

Enclosed is a copy of an application for an exception to Division Rule 104.C.(2)(c), filed with the New Mexico Oil Conservation Division by Devon Energy Production Company, L.P., regarding Lots 1-8 of Section 1, Township 21 South, Range 34 East, N.M.P.M., Lea County, New Mexico. This application is scheduled to be heard at 8:15 a.m. on Thursday, April 1, 2004 at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an interest owner in the well unit, you have the right to appear at the hearing and present evidence. Failure to appear at the hearing will preclude you from contesting this matter at a later date.

You are required to notify, in writing, the Division and the undersigned, by Friday, March 26, 2004, if you intend to enter an appearance and participate in the case.

Very truly yours,


James Bruce

Attorney for Devon Energy Production Company, L.P.



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

For delivery information visit our website at www.usps.com

OFFICIAL SEAL	
Postage \$	0.60
Certified Fee	0.30
Return Receipt Fee (Endorsement Required)	0.45
Restricted Delivery Fee (Endorsement Required)	0.85
Total Postage & Fees \$	4.65
UNIT 10005000	
MAR 12 2001	
Postmark Here	
CLERK: K05K1J	
03/12/04	

Sent To
ConocoPhillips Company
Street, Apt. No.: 600 North Dairy Ashford
or PO Box No. Houston, Texas 77252
City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

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:

ConocoPhillips Company
600 North Dairy Ashford
Houston, Texas 77252

2. Article Number

(Transfer from service label)

7003 2260 0006 7448 2553

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

Dev-104

COMPLETE THIS SECTION ON DELIVERY

A. Signature *x Oscar P. Galan* ☐ Agent
B. Received by (Printed Name) *Oscar P. Galan* ☐ Addressee
C. Date of Delivery *3-17-04*

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

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:

Nearburg Exploration Company, L.L.C.
Building 2, Suite 120
3300 North "A" Street
Midland, Texas 79705

2. Article Number
(Transfer from service label)

7003 2260 0006 7448 2560

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

Dev-104

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Restricted Delivery Fee (Endorsement Required)	0.85
Total Postage & Fees \$	4.65
UNIT 10005000	
MAR 12 2001	
Postmark Here	
CLERK: K05K1J	
03/12/04	

Sent To

Nearburg Exploration Company, L.L.C.
Street, Apt. No.: Building 2, Suite 120
or PO Box No. 3300 North "A" Street
City, State, ZIP+4 Midland, Texas 79705

PS Form 3800, June 2002

See Reverse for Instructions