

**STATE OF NEW MEXICO
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES
OIL CONSERVATION DIVISION**

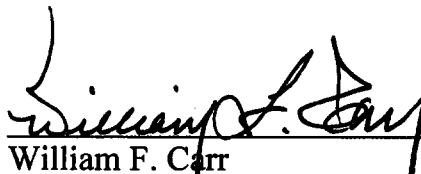
**IN THE MATTER OF THE AMENDED APPLICATION
OF DOMINION EXPLORATION AND PRODUCTION,
INC. FOR AN EXEMPTION TO THE PROVISIONS OF
DIVISION RULE 310.A, CHAVES, EDDY, AND LEA
COUNTIES, NEW MEXICO.**

CASE NO. 13479

AFFIDAVIT


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

William F. Carr, attorney in fact and authorized representative of Dominion Exploration & Production, Inc., the Applicant herein, being first duly sworn, upon oath, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.



William F. Carr

SUBSCRIBED AND SWORN to before me this 16th day of May 2005 by William F. Carr.



Notary Public

My Commission Expires: Aug. 23, 2005

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Case No. 13479 Exhibit No. 9
Submitted by:
DOMINION EXPLORATION & PRODUCTION, INC.
Hearing Date: May 19, 2005

Amended Application of
Dominion Exploration & Production, Inc.
for an exemption to the provisions
of Division Rule 310.A
Chaves, Eddy and Lea Counties, New Mexico

EXHIBIT A

Notice List

Bogle, Ltd.
P. O. Box 460
Dexter, NM 88230

Dorris Harrod
P. O. Box 243
Lovington, NM 88260

Commissioner of Public Lands
P. O. Box 1148
Santa Fe, NM 87504-1148

Alta Faye Klein Family Trust
Alta Faye Klein et al, Trustees
P. O. Box 1503
Hobbs NM 88241

Bureau of Land Management
2909 West Second Street
Roswell, NM 88201

Leo V. Sims, II
424 East Zia
Hobbs, NM 88240

Bogle Farms, Inc.
Maljamar, NM 88264

Thomas Kennann and Winnie
Kennann, husband and wife
P. O. Box 202
Eunice, NM 88231

William F. Gillock, Jr.
159 Gillock Road
Carlsbad, NM 88220

HOLLAND & HART LLP



William F. Carr
wcarr@hollandhart.com

April 28, 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

AFFECTED INTEREST OWNERS:

Re: Oil Conservation Division Case 13479: Amended Application of Dominion Exploration & Production, Inc. for an exemption to the provisions of Division Rule 310.A, Chaves, Eddy and Lea Counties, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that Dominion Exploration & Production, Inc. has filed the enclosed amended application with the New Mexico Oil Conservation Division seeking an order approving an exemption to the provisions of Division Rule 310.A which provides that fire walls required by this rule shall form a reservoir having a capacity one-third larger than the capacity of enclosed tank or tanks and instead authorize the firewalls around forty-five facilities to permit each facility to be operated in compliance with the requirements established by the Environmental Protection Agency for such facilities. These facilities are located at various sites in Chaves, Eddy and Lea Counties, New Mexico.

This amended application has been set for hearing before a Division Examiner on May 19, 2005. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this amended 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 Pre-hearing Statement four days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address and should 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 DOMINION EXPLORATION & PRODUCTION, INC.

cc: Mr. Tommy Arnwine
Dominion Exploration & Production, Inc.

Holland & Hart LLP

Phone [505] 988-4421 Fax [505] 983-6043 www.hollandhart.com

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. 3

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

OFFICIAL

47808 Postage \$ 1.83
0004 Certified Fee 2.30
Return Receipt Fee (Endorsement Required) 1.75
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 4.88

Sent To Bogle Farms, Inc.
Street, Apt. N or PO Box No Maljamar, NM 88264
City, State, Zi

PS Form 380

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:

Bogle Farms, Inc.
Maljamar, NM 88264
Box 460 Dexter nm

2. Article Number (Copy from service label)

7001 1140 0002 9557 8848

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

- 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:

Bogle, Ltd.
P. O. Box 460
Dexter, NM 88230

2. Article Number (Copy from

7001 1140 0002 9557 8217

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

- 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:

Leo V. Sims, II
424 East Zia
Hobbs, NM 88240

2. Article Number (Copy from

7001 1140 0002 9557 8286

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery
KAWAGAKI 5/9/05

C. Signature
X Kawagaki ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

PO Box 460
Dexter nm 88230

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

A. Received by (Please Print Clearly) B. Date of Delivery
M.H. Torres 5/20/05

C. Signature
X M.H. Torres ☐ 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

A. Received by (Please Print Clearly) B. Date of Delivery
4-30-05

C. Signature
X [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

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

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

47868
0004

Postage	\$ 1.83
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.88

Sent To
Bureau of Land Management
2909 West Second Street
Roswell, NM 88201

PS Form 3811, July 1999

- 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:

Bureau of Land Management
2909 West Second Street
Roswell, NM 88201

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

C. Signature

X *[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

2. Article Number (Copy from 7001 1140 0002 9557 8231

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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47868
0004

Postage	\$ 1.83
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.88

Sent To
Commissioner of Public Lands
P. O. Box 1148
Santa Fe, NM 87504-1148

PS Form 3811, July 1999

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Commissioner of Public Lands
P. O. Box 1148
Santa Fe, NM 87504-1148

C. Signature

X *[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

2. Article Number (C 7001 1140 0002 9557 8224

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Domestic Return Receipt

102595-00-M-0952

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

47868
0004

Postage	\$ 1.83
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.88

Sent To
Alta Faye Klein Family
Alta Faye Klein et al, Trustees
P. O. Box 1503
Hobbs NM 88241

PS Form 3811, July 1999

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Alta Faye Klein Family Trust
Alta Faye Klein et al, Trustees
P. O. Box 1503
Hobbs NM 88241

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

Faye Klein 5/2/05

C. Signature

X *[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

2. Article Number (Cop 7001 1140 0002 9557 8279

PS Form 3811, July 1999

Domestic Return Receipt

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**U.S. Postal Service
CERTIFIED MAIL RECEIPT**

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SENDER: COMPLETE THIS SECTION

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- 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:

William F. Gillock, Jr.
159 Gillock Road
Carlsbad, NM 88220

COMPLETE THIS SECTION ON DELIVERY

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

Amber Barnes

C. Signature

x Amber Barnes

☐ 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

2. Article Number (C

7001 1140 0002 9557 8255

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

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- 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:

Dorris Harrod
P. O. Box 243
Lovington, NM 88260

C. Signature

x Dorris Harrod

☐ 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

2. Article Number (Cop

7001 1140 0002 9557 8262

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**U.S. Postal Service
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47868
0004 Postage \$ 1.83
Certified Fee 2.30
Return Receipt Fee (Endorsement Required) 1.75
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 4.88

Sent To William F. Gillock, Jr.
159 Gillock Road
Carlsbad, NM 88220

PS Form

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(Domestic Mail Only; No Insurance Coverage Provided)

47868
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Certified Fee 2.30
Return Receipt Fee (Endorsement Required) 1.75
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 4.88

Sent To Dorris Harrod
P. O. Box 243
Lovington, NM 88260

PS Form 3800

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

47868
0004 Postage \$ 1.83
Certified Fee 2.30
Return Receipt Fee (Endorsement Required) 1.75
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 4.88

Sent To Thomas Kennann and Winnie
Kennann, husband and wife
P. O. Box 202
Eunice, NM 88231

PS Form 3800