

Affidavit of Publication

State of New Mexico,
County of Eddy, ss.

April Hernandez, being first duly sworn, on oath says:

That she is HR/Administrative Assistant of the Carlsbad Current-Argus, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

October 13 2006

2006

2006

2006

That the cost of publication is \$44.02 and that payment Thereof has been made and will be assessed as court costs.

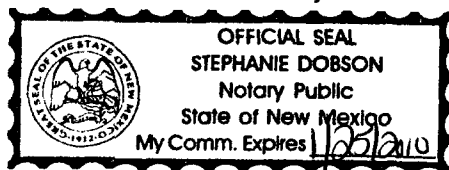
April Hernandez

Subscribed and sworn to before me this

13 day of October, 2006
Stephanie Dobson

My commission Expires on 1/25/2010

Notary Public



Oil Conservation Division
Case No. 13,778
Exhibit No. 13

October 13, 2006

NOTICE

To: Sam J. Elliott,
Mildred E. Elliott, Wil-
liam B. Dunn, William
Harvey Jones, Frances
Carol Jones, John Bra

zeal, Patricia N. Bra-
zeal, Curtis Baker,
Deanna Baker, Albert
R. Rust, Geneva Rust,
Paul A. Sneed, Doris A.
Sneed, Fred Ward,
Marilyn Brazeal, James
Henry Dowley, Wilson
Brazeal, Rosezell Bra-
zeal, and K.D. McPet-
ters, or their heirs or
devisees: Hayes Land
& Production, LP has
filed an application
with the New Mexico
Oil Conservation Divi-
sion (Case No. 13778)
seeking an order es-
tablishing an 80-acre
non-standard oil spac-
ing and proration unit
as an exception to Di-
vision Rule 104(B), or
an 80-acre project
area under Division
Rule 111, in the Dela-
ware and Bone Spring
formations, comprised
of the SW $\frac{1}{4}$ /NW $\frac{1}{4}$ and
NW $\frac{1}{4}$ /SW $\frac{1}{4}$ of Section
11, Township 22 South,
Range 26 East,
N.M.P.M., to be dedi-
cated to the Mesa
Grande "11" Well No.
2, located at an unor-
thodox location 2661
feet from the south
line and 660 feet from
the west line of Section
11. In the alternative,
applicant requests that
Division Order No. R-
12459, granting said

unorthodox location,
be rescinded and the
well shut-in. The ap-
plication is scheduled
to be heard at 8:15
a.m. on Thursday, Oc-
tober 26, 2006 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 enter an ap-
pearance and partici-
pate in the case. Failure to appear will
preclude you from
contesting this matter
at a later date. The at-
torney for applicant is
James Bruce, P.O. Box
1056, Santa Fe, New
Mexico 87504. The
proposed unit is locat-
ed approximately 2-
1/2 miles west of
Carlsbad, New
Mexico.