

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

**APPLICATION OF APACHE CORPORATION FOR
AN EXCEPTION TO DIVISION ORDER NO. R-9922-E
TO PERMIT A THIRD WELL ON A WELL UNIT, EDDY
COUNTY, NEW MEXICO.**

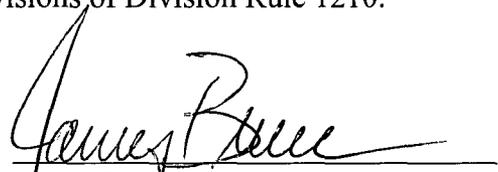
Case No. 14,177

AFFIDAVIT OF NOTICE

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

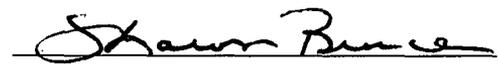
James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Apache Corporation.
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 1210.


James Bruce

SUBSCRIBED AND SWORN TO before me this 20th day of August, 2008 by James Bruce.

My Commission Expires: 3/14/09


Notary Public

Oil Conservation Division
Case No. _____
Exhibit No. 5

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)
(505) 660-6612 (Cell)
(505) 982-2151 (Fax)

jamesbruc@aol.com

July 31, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

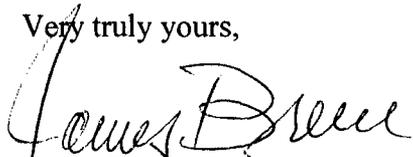
To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application to allow an additional well in a well unit, filed with the New Mexico Oil Conservation Division by Apache Corporation, regarding a well in the E $\frac{1}{2}$ of Section 2, Township 22 South, Range 23 East, N.M.P.M., Eddy County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Wednesday, August 21, 2008, at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an offset operator to or interest owner in the unit, you have the right to enter an appearance and participate in the case. Failure to appear will preclude you from contesting this matter at a later date.

You are required to notify (in writing) the Division, and the undersigned, by Thursday, August 14, 2008 if you intend to participate in the hearing.

Very truly yours,


James Bruce

Attorney for Apache Corporation

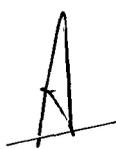
EXHIBIT 

EXHIBIT A

Marathon Oil Company
P.O. Box 3487
Houston, TX 77253-3487

Yates Petroleum
105 S. Fourth Street
Artesia, NM 88210

Chevron USA Incorporated
11111 South Wilcrest
Houston, TX 77099

OXY USA WTP Limited Partnership
OXY Permian Ltd.
P.O. Box 4294
Houston, TX 77210-4294

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 USE

Postage \$ _____
 Certified Fee _____
 Return Receipt Fee (Endorsement Required) _____
 Restricted Delivery Fee (Endorsement Required) _____
 Total Postage & Fees \$ _____

Postmark Here
 JUL 31 2008
 NM 87501

Sent to
 Chyron USA Incorporated
 11111 South Wilcrest
 Houston, TX 77099
 Street, Apt. No.:
 or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7006 3450 0001 4318 0213

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:

Marathon Oil Company
 P.O. Box 3487
 Houston, TX 77253-3487

2. Article Number:
 (Transfer from service label)
 PS Form 3811, February 2004

7006 3450 0001 4318 0237

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
- B. Received by (Printed Name) Delivery
- C. Date of Delivery Yes No
- D. Is delivery address different from item 1? If YES, enter delivery address below: Yes No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes No

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:

Chyron USA Incorporated
 11111 South Wilcrest
 Houston, TX 77099

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
- B. Received by (Printed Name) Delivery
- C. Date of Delivery Yes No
- D. Is delivery address different from item 1? If YES, enter delivery address below: Yes No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number:
 (Transfer from service label)
 PS Form 3811, February 2004

7006 3450 0001 4318 0213

Domestic Return Receipt

102595-02-M-1540

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 USE

Postage \$ _____
 Certified Fee _____
 Return Receipt Fee (Endorsement Required) _____
 Restricted Delivery Fee (Endorsement Required) _____
 Total Postage & Fees \$ _____

Postmark Here
 JUL 31 2008
 USPS

Sent to
 Marathon Oil Company
 P.O. Box 3487
 Houston, TX 77253-3487
 Street, Apt. No.:
 or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

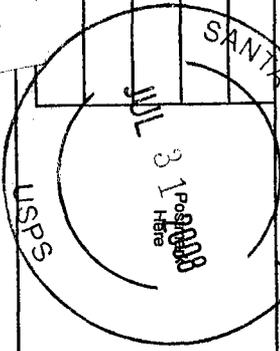
7006 3450 0001 4318 0237

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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

OFFICIAL USE

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



Sent To
 Street, Apt. No. or PO Box No.
 City, State, ZIP+4

Yates Petroleum
 105 S. Fourth Street
 Artesia, NM 88210

PS Form 3800, August 2006

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:

Yates Petroleum
 105 S. Fourth Street
 Artesia, NM 88210

COMPLETE THIS SECTION ON DELIVERY

- Signature Agent
- Received by (Printed Name) **Melissa Stewart**
- Date of Delivery **MELISSA STEWART**

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

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.
- Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) **7006 3450 0001 431A 0220**

PS Form 3811, February 2004

Domestic Return Receipt

AP-C

102595-02-M-1540

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:

OXY USA WTP Limited Partnership &
 OXY Permian Ltd.
 P.O. Box 4294
 Houston, TX 77210-4294

COMPLETE THIS SECTION ON DELIVERY

- Signature Agent
- Received by (Printed Name) **Melissa Stewart**
- Date of Delivery **MELISSA STEWART**

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

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.
- Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) **7006 3450 0001 431A 0220**

PS Form 3811, February 2004

Domestic Return Receipt

AP-C

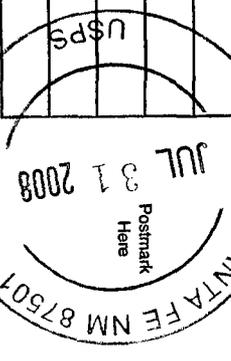
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OFFICIAL USE

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



Sent To
 Street, Apt. No. or PO Box No.
 City, State, ZIP+4

OXY USA WTP Limited Partnership
 OXY Permian Ltd.
 P.O. Box 4294
 Houston, TX 77210-4294

Form 3800, August 2006

See Reverse for Instructions