

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF KERR-MCGEE OIL & GAS  
ONSHORE LLC FOR AN EXCEPTION TO THE  
SPECIAL RULES AND REGULATIONS OF THE  
INDIAN BASIN-UPPER PENNSYLVANIAN  
ASSOCIATED POOL, AND FOR SIMULTANEOUS  
DEDICATION, EDDY COUNTY, NEW MEXICO.

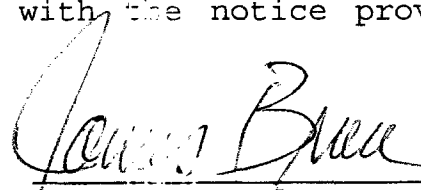
Case No. 13202

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 7th day of January, 2004, by James Bruce.

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

My Commission Expires:  
3/14/05

OIL CONSERVATION DIVISION  
CASE NUMBER  
EXHIBIT NUMBER 4

**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) 982-2151 (FAX)

jamesbruc@aol.com

December 18, 2003

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Ken Gray  
Land Department  
Devon Energy Production Company, L.P.  
P.O. Box 108838  
Oklahoma City, Oklahoma 73101-8838

Yates Petroleum Corporation  
105 South Fourth Street  
Artesia, New Mexico 88210

Marathon Oil Company  
P.O. Box 552  
Midland, Texas 79702

Ladies and gentlemen:

Enclosed is a copy of an application for an exception to the Special Rules and Regulations of the Indian Basin-Upper Pennsylvanian Associated Pool, filed with the New Mexico Oil Conservation Division by Kerr-McGee Oil & Gas Onshore LLC. This application is scheduled to be heard at 9:15 a.m. on Thursday, January 8, 2004 at the Division's offices (220 South St. Francis Drive, Santa Fe, New Mexico 87505). As an offset operator, 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 requested to notify the Division, and the undersigned, in writing by Friday, January 2, 2004, if you intend to enter an appearance and participate in the case.

Please note that you have previously waived objection to this application, but are being given notice of the hearing to comply with Division notice requirements.



Very truly yours,

A handwritten signature in cursive script that reads "James Bruce". The signature is written in dark ink and is positioned above the printed name.

James Bruce

Attorney for Kerr-McGee Oil & Gas Onshore LLC

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

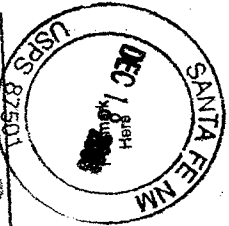
For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

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

Sent To  
 Yates Petroleum Corporation  
 105 South Fourth Street  
 Artesia, New Mexico 88210  
 City, State, Zip+4

PS Form 3811, August 2001 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:

Devon Energy Production Company, L.P.  
 P.O. Box 108838  
 Oklahoma City, Oklahoma 73101-8838

2. Article Number (Transfer from service label)  
 PS Form 3811, August 2001

7003 1010 0003 6980 5315

Domestic Return Receipt

K.M

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*X Handled*

B. Received by (Printed Name) C. Date of Delivery

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



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:

Yates Petroleum Corporation  
 105 South Fourth Street  
 Artesia, New Mexico 88210

A. Signature  Agent  Addressee  
*X Handled*

B. Received by (Printed Name) C. Date of Delivery

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

KATHY DONAGHE

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, August 2001

7003 1010 0003 6980 5308

Domestic Return Receipt

K.M

102595-02-M-1540

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

7003 1010 0003 6980 5315

Domestic Return Receipt

K.M

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*X Handled*

B. Received by (Printed Name) C. Date of Delivery

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

KATHY DONAGHE

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

4. Restricted Delivery? (Extra Fee)  Yes  No

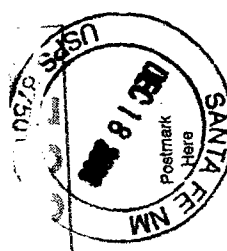
2. Article Number (Transfer from service label)  
 PS Form 3811, August 2001

7003 1010 0003 6980 5308

Domestic Return Receipt

K.M

102595-02-M-1540



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

Sent To  
 Devon Energy Production Company, L.P.  
 Street, Apt. No.; P.O. Box 108838  
 or PO Box No. Oklahoma City, Oklahoma 73101-8838  
 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:

Marathon Oil Company  
P. O. Box 552  
Midland, Texas 79702

2. Article Number  
(Transfer from service label)

PS Form 3811, August 2001

7003 1010 0003 6980 5292  
Domestic Return Receipt

Y.M

102505-02-M-15-00

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
X Steve Benson

B. Received by (Printed Name)  
STEVE BENSON

C. Date of Delivery  
12-19-07

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

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

4. Restricted Delivery? (Extra Fee)  Yes

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

For delivery information, visit [www.usps.com](http://www.usps.com) or call 1-800-375-8750

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  
Marathon Oil Company  
P. O. Box 552  
Midland, Texas 79702



PS Form 3800, June 2002

See Reverse for Instructions