

Exh. #3

BEFORE THE  
OIL CONSERVATION DIVISION  
NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

APPLICATION OF YATES PETROLEUM  
CORPORATION FOR AMENDMENT OF THE  
SPECIAL POOL RULES AND REGULATIONS  
FOR THE NORTH DAGGER DRAW-UPPER  
PENNSYLVANIAN POOL AND FOR THE  
CANCELLATION OF OVERPRODUCTION,  
EDDY COUNTY NEW MEXICO.

CASE NO. 11525

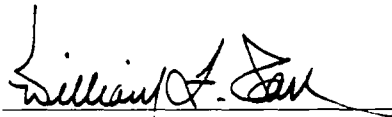
APPLICATION OF YATES PETROLEUM  
CORPORATION FOR AMENDMENT OF THE  
SPECIAL POOL RULES AND REGULATIONS  
FOR THE SOUTH DAGGER DRAW-UPPER  
PENNSYLVANIAN POOL AND FOR THE  
CANCELLATION OF OVERPRODUCTION,  
EDDY COUNTY NEW MEXICO.

CASE NO. 11526


AFFIDAVIT

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

William F. Carr, attorney in fact and authorized representative of Yates Petroleum Corporation, the Applicant herein, being first duly sworn, upon oath, states that notice has been given to all interested persons entitled to receive notice of this application under Oil Conservation Division rules, and that notice has been given at the addresses shown on Exhibit "A" attached hereto.

  
William F. Carr

SUBSCRIBED AND SWORN to before me this 1st day of May, 1996.

  
Notary Public

My Commission Expires: August 19, 1999

## **EXHIBIT A**

Lodewick Energy, Inc.  
2518 Lockheed Drive  
Midland, TX 79701-3956

John W. Lodewick  
3305 Wentwood  
Dallas, TX 75225

Laura Patricia Lodewick  
511 Newell  
Dallas, TX 75223

Richard B. Lodewick  
2516 Lockheed Drive  
Midland, TX 79701-3956

S. P. Yates  
105 South Fourth Street  
Artesia, NM 88210

Donna Frost and Leon Binkley  
Per. Reps. of the Estate of  
Kathleen Cone  
Post Office Drawer 1509  
Lovington, NM 88260

Clifford Cone  
Post Office Box 1629  
Lovington, NM 88260-1629

Michael Harrison Moore  
Post Office Box 10908  
Midland, TX 79702

Richard L. Moore  
Post Office Box 10908  
Midland, TX 79702

Louis Dreyfus Gas  
Lock Box 850181  
Oklahoma City, OK 73185-0181

Yates Petroleum Corporation  
105 South Fourth Street  
Artesia, NM 88210

OXY USA, Inc.  
Post Office Box 845541  
Dallas, TX 75284-5541

Marathon Oil Company  
Post Office Box 890882  
Dallas, TX 75388-0882

Kenneth G. Cone  
Post Office Box 11310  
Midland, TX 79702

Tom R. Cone  
Post Office Box 778  
Jay, OK 74348

Cathie Cone McCown, SSP  
Post Office Box 658  
Dripping Springs, TX 76620-0858

**BEFORE THE  
OIL CONSERVATION DIVISION**  
Santa Fe, New Mexico

**AFFIDAVIT,  
Page 2**

Case Nos. 11525 and 11526 (Consolidated)  
Exhibit No. 3

Submitted by: Yates Petroleum Corporation

Charles H. Coll  
Post Office Box 1818  
Roswell, NM 88202-1818

James N. Coll  
Post Office Box 1818  
Roswell, NM 88202-1818

Jon F. Coll, II, SSP  
5602 Spring Moon Street  
San Antonio, TX 78247-1950

Max W. Coll, II  
Rt. 9, Box 72F  
Santa Fe, NM 87505

Kimberly Stewart Blanton, SSP  
Post Office Box 53  
Noble, OK 73068

Christopher Dale Coll, SSP  
30 Marquette Ct.  
Clayton, CA 94517-1026

Kenneth James Coll  
4920 Greenbush Ave.  
Sherman Oaks, CA 91423-2007

Michael T. Coll, a single man  
3030 N. 14th St., Apt. 107  
Phoenix, AZ 85014-5628

Richard Keith Coll, SSP  
Post Office Box 1552  
Hawthorne, NV 89415

S. P. Johnson, III  
Post Office Box 1713  
Roswell, NM 88202-1713

PJC Limited Partnership  
Post Office Box 1713  
Roswell, NM 88201

Jon F. Coll  
Post Office Box 1818  
Roswell, NM 88202-1818

Marshall & Winston, Inc.  
Post Office Box 50880  
Midland, TX 79710-0880

DC Trust, Marilyn Cone,  
Trustee  
Post Office Box 93355  
Lubbock, TX 79413

Peggy A. Yates Estate  
105 South Fourth Street  
Artesia, NM 88210

John A. Yates  
105 South Fourth Street  
Artesia, NM 88210

Dekalb Energy Company  
1400 Quail Springs Pkwy, #600  
Oklahoma City, OK 73134-2600

James T. Jennings  
Post Office Box 1180  
Roswell, NM 88210

Tierra Oil Company  
Post Office Box 700968  
San Antonio, TX 78270-0968

Panhandle Royalty Company  
5400 N.W. Grand Blvd..  
Suite 210  
Oklahoma City, OK 73112

Kerr-McGee Corporation  
Post Office Box 25421  
Oklahoma City, OK 73125-0421

Roy G. Barton, Jr.  
Post Office Box 976  
Hobbs, NM 88240

Richard Lyons Moore and  
Michael Harrison Moore, as Co-Trustees  
UWO Stephen Scott Moore, dec.d.  
Post Office Box 10908  
Midland, TX 79702

Conoco Inc.  
10 Desta Drive West  
Midland, TX 79705

Mewbourne Oil Co.  
Post Office Box 7698  
Tyler, TX 75711-7698

Nearburg Producing Co.  
Post Office Box 823085  
Dallas, TX 75382-3085

Southwest Royalties, Inc.  
Post Office Box 970613  
Dallas, TX 75937-0613

Texaco Exploration and  
Production Inc.  
Post Office Box 3900  
Midland, TX 79702-3900

McKay Producing Co.  
Post Office Box 2014  
Roswell, NM 88201

Santa Fe Energy  
550 West Texas, Suite 1330  
Midland, TX 79701

Marathon Oil Co.  
Post Office Box 552  
Midland, TX 79702

CAMPBELL, CARR & BERGE, P.A.

LAWYERS

MICHAEL B. CAMPBELL  
WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN

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SUITE 1110 NORTH GUADALUPE  
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SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE (505) 988-4421  
TELECOPIER (505) 983-6043

April 11, 1996

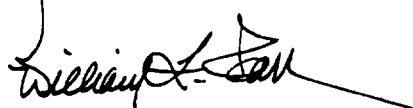
**TO: ALL OPERATORS OF WELLS AND UNLEASED MINERAL OWNERS WITHIN THE BOUNDARIES OF THE SOUTH DAGGER DRAW-UPPER PENNSYLVANIAN ASSOCIATED POOL AND ALL OPERATORS OF UPPER PENNSYLVANIAN WELLS WITHIN ONE MILE OF SUCH BOUNDARIES.**

This letter is to advise you that Yates Petroleum Corporation has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order amending the Special Pool Rules and Regulations for the South Dagger Draw-Upper Pennsylvanian Associated Pool to provide for a special depth bracket allowable of 8000 barrels of oil per day for each 320-acre proration unit. Yates is also seeking the cancellation of all overproduction in this pool on the date the requested depth bracket allowable becomes effective.

This application has been set for hearing before an Examiner of the Oil Conservation Division on May 2, 1996. You are not required to attend this hearing, but as the owner of an interest that may be affected by this application, you may appear at the hearing and present testimony. Failure to appear at that time or otherwise become a party of record in this case will preclude you from challenging this matter at a later date.

Parties appearing in cases before the Division have been requested to file a Pre-Hearing Statement substantially in the form prescribed by the Division (Oil Conservation Division Memorandum 2-90). Pre-hearing Statements should be filed by 4:00 o'clock P.M. on the Friday before a scheduled hearing.

Very truly yours,



**WILLIAM F. CARR  
ATTORNEY FOR YATES OIL CORPORATION**

enclosure  
WFC:msf

CAMPBELL, CARR, BERGE  
& SHERIDAN, P.A.  
LAWYERS

MICHAEL B. CAMPBELL  
WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN

MICHAEL H. FELDEWERT  
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POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE (505) 988-4421  
TELECOPIER (505) 983-6043

April 11, 1996

**TO: ALL OPERATORS OF WELLS AND UNLEASED MINERAL OWNERS WITHIN  
THE BOUNDARIES OF THE NORTH DAGGER DRAW-UPPER  
PENNSYLVANIAN ASSOCIATED POOL AND ALL OPERATORS OF UPPER  
PENNSYLVANIAN WELLS WITHIN ONE MILE OF SUCH BOUNDARIES.**

This letter is to advise you that Yates Petroleum Corporation has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order amending the Special Pool Rules and Regulations for the North Dagger Draw-Upper Pennsylvanian Pool to provide for a special depth bracket allowable of 4000 barrels of oil per day for each 160-acre proration unit. Yates is also seeking the cancellation of all overproduction in this pool on the date the requested depth bracket allowable becomes effective.

This application has been set for hearing before an Examiner of the Oil Conservation Division on May 2, 1996. You are not required to attend this hearing, but as the owner of an interest that may be affected by this application, you may appear at the hearing and present testimony. Failure to appear at that time or otherwise become a party of record in this case will preclude you from challenging this matter at a later date.

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Very truly yours,



**WILLIAM F. CARR  
ATTORNEY FOR YATES OIL CORPORATION**