

Nearburg Exploration Company, L.L.C.

Exploration and Production
3300 North "A" Street
Building 2, Suite 120
Midland, Texas 79705
915 686 8235
Fax 915 686-7806

February 27, 1997

CERTIFIED MAIL Z 740 465 788
RETURN RECEIPT REQUESTED

New Tex Oil Company
P. O. Box 297
Hobbs, New Mexico 88240

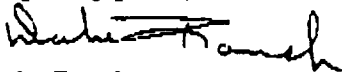
Re: **OFFSET OPERATOR WAIVER**
Application for Nearburg Exploration Company, L.L.C.
for approval of an unorthodox gas well location and
compulsory pooling for its Aztec "14" Federal Com.
Well No. 1, 2180 feet from West line and 1980 feet from
North line (Unit F) Section 14, T21S, R32E
Lea County, New Mexico

Dear Mr. Brunson:

Nearburg Exploration Company, L.L.C. plans to drill its Aztec "14" Federal Com. Well No. 1 at an unorthodox gas well location 2180 feet from West line and 1980 feet from North line (Unit F) Section 14, T21S, R32E to be dedicated to a 320-acre gas spacing unit consisting of the W/2 of Section 14. This location is unorthodox and therefore we have applied to the New Mexico Oil Conservation Division for an exception which has been docketed for hearing on March 20, 1997.

Our information is that New Tex Oil Company is the offset operator towards whom this location encroaches. If you have no objection to this unorthodox gas well location, please signify your approval by signing one copy of this letter in the space provided below and returning it to me.

Very truly yours,



Duke Roush
Consulting Landman

DR/sc

The undersigned hereby
WAIVES OBJECTION to this application.

Company: NEW TEX OIL COMPANY
By: Kel Roush
Title: PRESIDENT
Date: 3/18/97

BEFORE THE
OIL CONSERVATION DIVISION
Case No. 11747 Exhibit No. 4
Submitted By:
Nearburg Exploration Co.
Hearing Date: March 20, 1997