

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF BURK ROYALTY COMPANY
FOR APPROVAL OF A WATERFLOOD PROJECT
AND TO QUALIFY THE PROJECT FOR THE
RECOVERED OIL TAX RATE PURSUANT TO
THE ENHANCED OIL RECOVERY ACT, LEA
COUNTY, NEW MEXICO.

Case No. 12,262

AFFIDAVIT REGARDING NOTICE

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

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

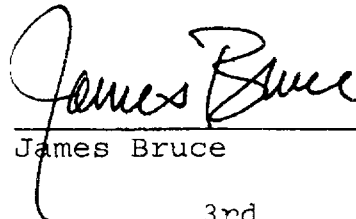
1. I am over the age of 18, and have personal knowledge of the matters stated herein.

2. I am an attorney for Applicant.

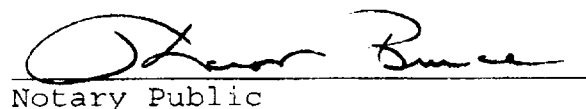
3. Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the Application filed herein.

4. Notice of the Application was provided to the interest owners at their correct addresses by mailing them, by certified mail, copies of the Application. 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 and Form C-108.


James Bruce

SUBSCRIBED AND SWORN TO before me this 3rd day of October, 1999, by James Bruce.


Notary Public

My Commission Expires:
3/14/2001

NEW MEXICO
OIL CONSERVATION DIVISION

EXHIBIT 8

CASE NO.

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

3304 CAMINO LISA
SANTA FE, NEW MEXICO 87501

(505) 982-2043
(505) 982-2151 (FAX)

September 16, 1999

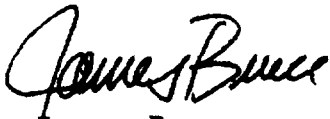
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and Gentlemen:

Enclosed is a copy of an application for a waterflood project, etc., filed with the New Mexico Oil Conservation Division by Burk Royalty Co., regarding the NE¼ of Section 35, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. The application will be heard at 8:15 a.m. on Thursday, October 7, 1999, at the Division's offices at 2040 South Pacheco Street, Santa Fe, New Mexico 87505. As an offset interest owner or surface owner, you have the right to appear at the hearing and participate in the case. Failure to appear at the hearing will preclude you from contesting this matter at a later date.

Very truly yours,


James Bruce
Attorney for Burk Royalty Co.

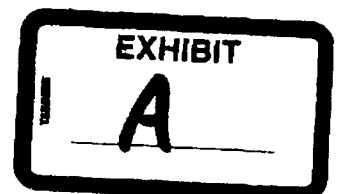


EXHIBIT A

Dan & Ron Berry
P.O. Box 67
Eunice, New Mexico 88231

Altura Energy Ltd.
P.O. Box 4294
Houston, Texas 77210

Attention: Jerry D. West

Shell Western E & P Inc.
P.O. Box 576
Houston, Texas 77001

Nearburg Producing Company
Building 2, Suite 120
3300 North "A" Street
Midland, Texas 79705

Attention: Robert G. Shelton

Phillips Petroleum Company
4001 Penbrook Street
Odessa, Texas 79762

BTA Oil Producers
104 South Pecos
Midland, Texas 79701

Z 193 735 121

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

PS Form 3800, April 1995

SENDER:
 Complete items 1 and/or 2 for additional services.
 Complete items 3, 4a, and 4b.
 Print your name and address on the reverse of this form so that we can return this card to you.
 Attach this form to the front of the mailpiece, or on the back if space does not permit.
 Write "Return Receipt Requested" on the mailpiece below the article number.
 The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Sent to: Shell Western E & P Inc.
 Street: P.O. Box 576
 Houston, Texas 77001
 Post Office, State, & ZIP Code

Postage: \$ 1.21
 Certified Fee: 1.40
 Special Delivery Fee
 Restricted Delivery Fee
 Return Receipt Showing to Whom & Date Delivered: 1.25
 Return Receipt Showing to Whom, Date, & Addressee's Address
 TOTAL Postage & Fees: \$ 3.86
 Postmark or Date

4a. Article Number: 2 193 735 121
 4b. Service Type:
☐ Registered
☐ Express Mail
☒ Return Receipt for Merchandise
☐ COD
 7. Date of Delivery
 8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)
 Signature: X D. B. Bennett
 6. Signature: (Addressee or Agent)

Thank you for using Return Receipt Service.

BRC

PS Form 3811, December 1994 BRC

PS Form 3800, April 1995

SENDER:
 Complete items 1 and/or 2 for additional services.
 Complete items 3, 4a, and 4b.
 Print your name and address on the reverse of this form so that we can return this card to you.
 Attach this form to the front of the mailpiece, or on the back if space does not permit.
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Postage: \$ 1.21
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 TOTAL Postage & Fees: \$ 3.86
 Postmark or Date

4a. Article Number: 2 193 735 121
 4b. Service Type:
☐ Registered
☐ Express Mail
☒ Return Receipt for Merchandise
☐ COD
 7. Date of Delivery
 8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)
 Signature: X D. B. Bennett
 6. Signature: (Addressee or Agent)

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

Complete items 1 and/or 2 for additional services.

Complete items 3, 4a, and 4b.
Print your name and address on the reverse of this form so that we can return this card to you.

Attach this form to the front of the mailpiece, or on the back if space does not permit.

Write "Return Receipt Requested" on the mailpiece below the article number.
The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Dan & Ron Berry
 P.O. Box 67
 Eunice, New Mexico 88231

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

Signature: X Dan & Ron Berry

PS Form 3811, December 1994 BRC

102595-98-B-0229 Domestic Return Receipt

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
 Consult postmaster for fee.

4a. Article Number

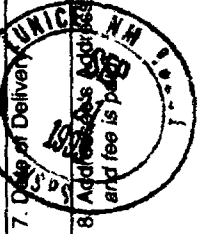
2 193 735 049

4b. Service Type

- ☐ Registered
☐ Express Mail
☒ Return Receipt for Merchandise
☐ COD

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)



Thank you for using Return Receipt Service.

Z 193 735 049

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

PS Form 3800, April 1995

SENDER:
 Complete items 1 and/or 2 for additional services.
 Complete items 3, 4a, and 4b.
 Print your name and address on the reverse of this form so that we can return this card to you.
 Attach this form to the front of the mailpiece, or on the back if space does not permit.
 Write "Return Receipt Requested" on the mailpiece below the article number.
 The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Sent to: Dan & Ron Berry
 Street: P.O. Box 67
 Eunice, New Mexico 88231
 Post Office, State, & ZIP Code

Postage: \$ 1.21
 Certified Fee: 1.40
 Special Delivery Fee
 Restricted Delivery Fee
 Return Receipt Showing to Whom & Date Delivered: 1.25
 Return Receipt Showing to Whom, Date, & Addressee's Address
 TOTAL Postage & Fees: \$ 3.86
 Postmark or Date

4a. Article Number
 4b. Service Type:
☐ Registered
☐ Express Mail
☒ Return Receipt for Merchandise
☐ COD
 7. Date of Delivery
 8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)
 Signature: X Dan & Ron Berry
 6. Signature: (Addressee or Agent)

Thank you for using Return Receipt Service.

BRC

PS Form 3811, December 1994 BRC

PS Form 3800, April 1995

DRC

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to: Altura Energy Ltd.

P.O. Box 4294

Houston, Texas 77210

Attention: Jerry D. West

Postage	\$ 1.21
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.86
Postmark or Date	

Z 211 159 697

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Phillips Petroleum Company
4001 Penbrook Street
Odessa, Texas 79762

4a. Article Number

2 193 735 038

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

9-20-99

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *J. Jones*

PS Form 3811, December 1994

BAC

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Altura Energy Ltd.
P.O. Box 4294
Houston, Texas 77210
Attention: Jerry D. West

4a. Article Number

2 211 159 697

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

SEP 20 1999

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *J. Jones*

PS Form 3811, December 1994

BAC

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 193 735 038

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to: Phillips Petroleum Company

4001 Penbrook Street

Odessa, Texas 79762

Post Office, State, & ZIP Code

Postage	\$ 1.21
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.86
Postmark or Date	

PS Form 3800, April 1995

DRC

102595-98-B-0229

Domestic Return Receipt