

BEFORE THE  
OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

IN THE MATTER OF THE APPLICATION  
OF HARVEY E. YATES COMPANY FOR  
COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.

CASE NO. 10315

AFFIDAVIT

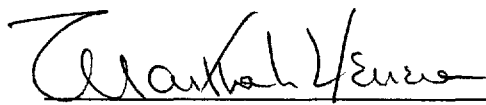
STATE OF NEW MEXICO     )  
  )ss.  
COUNTY OF SANTA FE     )

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|--|
| DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES |
| OIL CONSERVATION DIVISION                            |
| HARVEY E. YATES COMPANY                              |
| CASE NO. 10315                                       |

WILLIAM F. CARR, attorney in fact and authorized representative of Harvey E. Yates Company, the Applicant herein, being first duly sworn, upon oath, states that the notice provisions of Rule 1207 of the New Mexico Oil Conservation Division have been complied with, that Applicant has caused to be conducted a good faith diligent effort to find the correct addresses of all interested persons entitled to receive notice as shown by Exhibit "A" attached hereto, and that pursuant to Rule 1207, notice has been given at the correct addresses provided by such rule.

  
WILLIAM F. CARR

SUBSCRIBED AND SWORN to before me this 29th day of May, 1991.

  
Notary Public

My Commission Expires:

August 19, 1991

**EXHIBIT A**

Edgar J. Braun  
907 Keeler Avenue  
Berkeley, California 94708

CAMPBELL & BLACK, P.A.  
LAWYERS

JACK M. CAMPBELL  
BRUCE D. BLACK  
MICHAEL B. CAMPBELL  
WILLIAM F. CARR  
BRADFORD C. BERGE  
MARK F. SHERIDAN  
WILLIAM P. SLATTERY  
ANNIE-LAURIE COOGAN

JEFFERSON PLACE  
SUITE 1 - 110 NORTH GUADALUPE  
POST OFFICE BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
TELEPHONE: (505) 988-4421  
TELECOPIER: (505) 983-6043

May 3, 1991

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Edgar J. Braun  
907 Keeler Avenue  
Berkeley, California 94708

Re: Application of Harvey E. Yates Company for Compulsory Pooling, Lea  
County, New Mexico

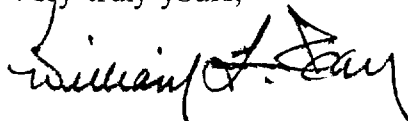
Dear Mr. Braun:

This letter is to advise you that Harvey E. Yates Company has filed the enclosed application with the New Mexico Oil Conservation Division seeking the force pooling of all mineral interests in the SW/4 NW/4 of Section 32, Township 18 South, Range 33 East, N.M.P.M., Lea County, New Mexico. Harvey E. Yates Company proposes to dedicate the referenced pooled acreage to its Atlantic 32 State Well No. 2 to be located at an orthodox location in said Section 32 in the Queen formation.

This application has been set for hearing before a Division Examiner on May 30, 1991. You are not required to attend this hearing, but as an owner of an interest that may be subject to pooling, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases have been requested by the Division (Memorandum 2-90) to file a Prehearing Statement substantially in the form prescribed by the Division. Prehearing 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 HARVEY E. YATES COMPANY  
WFC:mlh  
Enc.

CAMPBELL & BLACK, P.A.  
 LAWYERS  
 POST OFFICE BOX 2208  
 SANTA FE, NEW MEXICO 87504-2208

Postage and Fees  
 Add to the postage  
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 meter stamp. Do not  
 place in this envelope  
 any other matter.

P-106 677 934

**CERTIFIED**  
 P-106 677 934  
**MAIL**

|   |    |
|---|----|
| To<br><b>Edgar J. Braun</b>                                   |    |
| Street and No.<br><b>907 Keeler Avenue</b>                    |    |
| P.O., State and ZIP Code<br><b>Berkeley, CA 94708</b>         |    |
| Postage   | \$ |
| Certified Fee   |    |
| Special Delivery Fee  |    |
| Restricted Delivery Fee                                       |    |
| Return Receipt showing to whom and Date Delivered             |    |
| Return Receipt showing to whom, Date, and Address of Delivery |    |
| TOTAL Postage and Fees  | \$ |
| Postmark, or Date<br><br><b>May 3, 1991</b>                   |    |

PS Form 3800 JUN 1985

Edgar J. Braun  
 907 Keeler Avenue  
 Berkeley, California 94708

Name  
 1st Notice **MAY 28**  
 2nd Notice

~~RECEIVED~~

NRV  
 588  
 5/6  
 5-15  
 5-21 Ret.



WE MEET  
 THE  
 CHALLENGE