

COLLINS & WARE, INC.

303 WEST WALL AVENUE, SUITE 2200

MIDLAND, TEXAS 79701

(915) 687-3435

February 22, 1994

BTA Oil Producers
104 South Pecos
Midland, Texas 79701

ATTN: C. Robert Crawford

RE: Waiver of Protest
Unorthodox Location
Lea County, New Mexico

Gentlemen:

Collins & Ware, Inc. proposes to drill a well at an off pattern location in the N1/2SW1/4 of Section 10, Township 17 South, Range 37 East, Lea County, New Mexico, said location being 2,100' FSL & 1,500' FWL of said Section 10. The well is to be drilled to a depth of 11,700 feet or to a depth sufficient to test the Strawn formation.

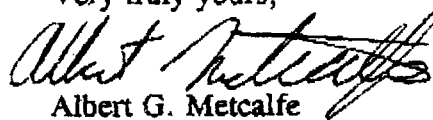
The records of Lea County, reflect that BTA Oil Producers owns a leasehold interest in the NW1/4 of Section 10, which is offsetting acreage to the above described drillsite tract belonging to Collins & Ware, Inc..

It is hereby requested that BTA Oil Producers, by its execution of this letter in the space provided below, waive its right to protest the application by Collins & Ware, Inc. for a Unorthodox Location for the drilling of the above described well.

If you are agreeable to the above requested waiver, please so indicate by executing one (1) copy of this letter and return it to the offices of Collins & Ware, Inc. at your earliest convenience.

BEFORE THE
OIL CONSERVATION DIVISION
Santa Fe, New Mexico

Very truly yours,



Albert G. Metcalfe
Landman

Case No. 10941 Exhibit No. 4Submitted by: Collins & Ware, Inc.Hearing Date: March 17, 1994

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The undersigned hereby waives all right to protest that Unorthodox Location Application before the New Mexico Oil Conservation Department by Collins & Ware, Inc. for that well location, being 2,100' FSL & 1,500' FWL of Section 10, Township 17 South, Range 37 East, Lea County, New Mexico.

BTA OIL PRODUCERS

By: C. Robert Crawford
Name: C. Robert Crawford
Title: Land/Legal Manager
Date: February 28, 1994