

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF PRIMERO OPERATING, INC.
FOR AN EXCEPTION TO DIVISION RULE
104.C.(3), CHAVES COUNTY, NEW MEXICO.

Case No. 13411

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 set forth 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 owner at its correct address by certified mail. Copies of the notice letter and certified return receipt are attached hereto as Exhibit A.

5. Applicant has complied with the notice provisions of Division Rule 1207.



James Bruce

SUBSCRIBED AND SWORN TO before me this 1st day of February, 2005, by James Bruce.


Notary Public

My Commission Expires:

3/14/05

OIL CONSERVATION DIVISION

CASE NUMBER

EXHIBIT NUMBER

7

JAMES BRUCE
ATTORNEY AT LAW

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jamesbruce@aol.com

January 13, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Energen Resources Corporation
Building 4, Suite 100
3300 North A Street
Midland, Texas 79705

Ladies and gentlemen:

Primero Operating, Inc. has filed an application with the New Mexico Oil Conservation Division requesting an exception to Division Rule 104.D(3) in order to simultaneously dedicate production in the West Cato-San Andres Gas Pool in the NE¼ of Section 7, Township 8 South, Range 30 East, NMPM, Chaves County, New Mexico. The well unit will be simultaneously dedicated to (i) the C.L. O'Brien Well No. 1, located 660 feet from the north and east lines of Section 7, and (ii) the C.L. O'Brien Well No. 2, located 1980 feet from the north line and 660 feet from the east line of Section 7. Applicant requests approval to produce both wells concurrently. This matter will be heard at 8:15 a.m. on Thursday, February 3, 2005 at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an offset operator, 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.

You are required to notify the Division, and the undersigned, by Friday, January 28, 2005, if you intend to enter an appearance and participate in the case.

Very truly yours,


James Bruce

Attorney for Primero Operating, Inc.

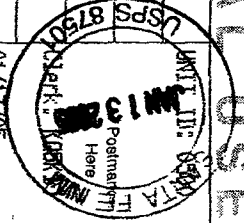


U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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OFFICIAL USE
 FORM 3800, 08-2005

Postage	\$ 0.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42



Sent To

Street Address
 or PO Box No.
 City, State, ZIP+4

Emergen Resources Corporation
 Building 4, Suite 100
 3300 North A Street
 Midland, Texas 79705

PS Form 3800, June 2002

See Reverse for Instructions

7004 1160 0005 8659 9168



Track/Confirm - Intranet Item Inquiry - Domestic

Item: 7004 1160 0005 8659 9168

Date/Time Mailed: 01/13/2005 15:23

Destination	ZIP Code: 88202	City: ROSWELL	State: NM
Origin	ZIP Code: 87501	City: SANTA FE	State: NM

Class: First Class

Anticipated Delivery Date: 01/15/2005

Weight: lb: 0 oz: 1

Special Services	Associated Labels	Amount
CERTIFIED MAIL	7004 1160 0005 8659 9168	\$2.30
RETURN RECEIPT		\$1.75

Event	Date	Time	Location	Scanner ID
NOTICE LEFT	01/18/2005	12:54	MIDLAND TX 79705	M435837
			Request Delivery Record	
DELIVERED	01/18/2005	12:26	MIDLAND TX 79705	M435837
			Request Delivery Record	
			View Delivery Signature and Address	
ACCEPT OR PICKUP	01/13/2005	15:23	SANTA FE NM 87501	

Enter Request Type and Item Number:

Quick Search ☒Extensive Search ☐[Explanation of Quick and Extensive Searches](#)

Item Number:

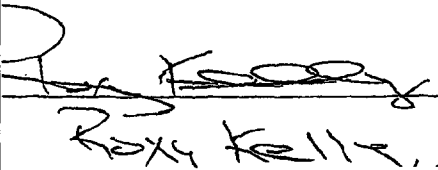
Submit

Inquire on multiple items.Go to the Product Tracking System Home Page.



Track/Confirm - Intranet Item Inquiry
Item Number: 7004 1160 0005 8659 9168

This item was delivered on 01/18/2005 at 12:26.

Delivery Section	
Signature:	 Roxanne Kelly
Address:	3300 N. A. #4-100

Enter Request Type and Item Number:	
Quick Search <input checked="" type="radio"/>	Extensive Search <input type="radio"/>
Explanation of Quick and Extensive Searches	
Item Number:	<input type="text"/>
	<input type="button" value="Submit"/>

Inquire on multiple items.

Go to the Product Tracking System Home Page.