

STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION

**APPLICATION OF DEVON ENERGY PRODUCTION  
COMPANY, L.P. FOR APPROVAL OF A NON-STANDARD  
OIL SPACING AND PRORATION UNIT AND  
COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.**

Case No. 14,458

**AFFIDAVIT OF NOTICE**

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

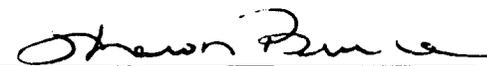
James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Devon Energy Production Company, L.P.
3. Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the offset operators or working interest owners entitled to receive notice of the application filed herein.
4. Notice of the application was provided to the operators or working interest owners, at their correct addresses, by certified mail. 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 Rules.

  
\_\_\_\_\_  
James Bruce

SUBSCRIBED AND SWORN TO before me this 14<sup>th</sup> day of April, 2010 by James Bruce.

My Commission Expires: 3/14/13

  
\_\_\_\_\_  
Notary Public

Oil Conservation Division  
Case No. 9  
Exhibit No. \_\_\_\_\_

**JAMES BRUCE**  
ATTORNEY AT LAW

POST OFFICE BOX 1056  
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213  
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)  
(505) 660-6612 (Cell)  
(505) 982-2151 (Fax)

[jamesbruc@aol.com](mailto:jamesbruc@aol.com)

March 25, 2010

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application for a non-standard unit, *etc.*, filed with the New Mexico Oil Conservation Division by Devon Energy Production Company, L.P., regarding the N $\frac{1}{2}$ N $\frac{1}{2}$  of Section 5, Township 17 South, Range 28 East, N.M.P.M., Eddy County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Thursday, April 15, 2010, at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. **The Division requires applicant to notify offset operators or working interest owners of the non-standard unit portion of the application, and you offset the above well unit.** As an offset operator, you have the right to enter an appearance and participate in the case. Failure to appear will preclude you from contesting this matter at a later date.

You are required to notify (in writing) the Division, and the undersigned, by Thursday, April 8, 2010 if you intend to participate in the hearing.

Very truly yours,

  
James Bruce

Attorney for Devon Energy Production Company, L.P.

EXHIBIT

A

EXHIBIT A

Harvey E. Yates Company  
P.O. Box 1933  
Roswell, NM 88202-1933

Yates Energy Corp.  
P.O. Box 2323  
Roswell, NM 88202-2323

Cibola Energy Corp.  
Jalapeno Corp.  
P.O. Box 1688  
Albuquerque, NM 871023

Margaret J. Gates, Trustee of the  
John W. Gates and Jean M. Gates  
Revocable Trust  
706 West Grand Avenue  
Artesia, NM 88210

Robert B. Gates and wife  
Nada S. Gates  
P.O. Box 81119  
Midland, TX 79708-1119

Yates Petroleum Corporation  
105 South Fourth Street  
Artesia, New Mexico 88210

Mewbourne Oil Company  
Suite 1020  
500 West Texas  
Midland, Texas 79701

Chi Operating, Inc.  
P.O. Box 1799  
Midland, Texas 79702

Nadel and Gussman HEYCO, LLC  
Suite 508  
601 North Marienfeld  
Midland, Texas 79701

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Harvey E. Yates Company  
P.O. Box 1933  
Roswell, NM 88202-1933

2. Article Number

7009 2820 0002 8539 3378

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  Addressee
- B. Received by (Printed Name) Dale Peberly C. Date of Delivery 3/29/10
- D. Is delivery address different from item 1?  Yes  No
- If YES, enter delivery address below:

3. Service Type  Certified Mail  Express Mail  Return Receipt for Merchandise
- Registered  Insured Mail  C.O.D.
4. Restricted Delivery? (Extra Fee)  Yes  No

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	

Postmark Here

Sent To Yates Energy Corp.

P.O. Box 2323

Street, Apt. No., Roswell, NM 88202-2323

or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2005 See Reverse for Instructions

7009 2820 0002 8539 3378

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	

Postmark Here

Sent To Harvey E. Yates Company

P.O. Box 1933

Street, Apt. No., Roswell, NM 88202-1933

or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2005 See Reverse for Instructions

7009 2820 0002 8539 3378

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Yates Energy Corp.  
P.O. Box 2323  
Roswell, NM 88202-2323

2. Article Number

(Transfer from service label)

7009 2820 0002 8539 3361

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  Addressee
- B. Received by (Printed Name) Dale Peberly C. Date of Delivery 3-26-10
- D. Is delivery address different from item 1?  Yes  No
- If YES, enter delivery address below:

3. Service Type  Certified Mail  Express Mail  Return Receipt for Merchandise
- Registered  Insured Mail  C.O.D.
4. Restricted Delivery? (Extra Fee)  Yes  No

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cibola Energy Corp.  
Jalapeno Corp.  
P.O. Box 1688  
Albuquerque, NM 871023

2. Article Number  
(Transfer from service label)

7009 2820 0002 8539 3354

PS Form 3811, February 2004

Domestic Return Receipt

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Return Receipt Fee (Endorsement Required)  
Restricted Delivery Fee (Endorsement Required)  
Total Postage & Fees \$

Sent To Cibola Energy Corp.  
Jalapeno Corp.  
P.O. Box 1688  
Albuquerque, NM 871023

PS Form 3800, August 2006

See Reverse for Instructions

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature *John Bates*  Agent  Addressee
- B. Received by (Printed Name) *John Bates* C. Date of Delivery *3/26/10*
- D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below.

- 3. Service Type  Certified Mail  Express Mail  Return Receipt for Merchandise  C.O.D.
- 4. Restricted Delivery? (Extra Fee)  Yes  No

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature *Margaret J. Gates*  Agent  Addressee
- B. Received by (Printed Name) *MARGARET J. GATES* C. Date of Delivery *3/26/10*
- D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below.

- 3. Service Type  Certified Mail  Express Mail  Return Receipt for Merchandise  C.O.D.
- 4. Restricted Delivery? (Extra Fee)  Yes  No

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature *Margaret J. Gates*  Agent  Addressee
- B. Received by (Printed Name) *MARGARET J. GATES* C. Date of Delivery *3/26/10*
- D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below.

- 3. Service Type  Certified Mail  Express Mail  Return Receipt for Merchandise  C.O.D.
- 4. Restricted Delivery? (Extra Fee)  Yes  No

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Certified Fee  
Return Receipt Fee (Endorsement Required)  
Restricted Delivery Fee (Endorsement Required)

Total Postage & Fee  
Sent To Margaret J. Gates, Trustee of the  
John W. Gates and Jean M. Gates  
Revocable Trust  
706 West Grand Avenue  
Artesia, NM 88210

PS Form 3800, August 2006

See Reverse for Instructions

2595 6558 2000 0282 6002

7009 2820 0002 8539 3354

PS Form 3811, February 2004

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Robert B. Gates and wife  
Nada S. Gates  
P.O. Box 81119  
Midland, TX 79708-1119

2. Article Number

7009 2250 0000 9271 6428

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  Addressee
- Robert B. Gates*
- B. Received by (Printed Name) C. Date of Delivery
- Robert B. Gates* *3-30-10*
- D. Is delivery address different from item 1?  Yes  No
- If YES, enter delivery address below:

3. Service Type
- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.
4. Restricted Delivery? (Extra Fee)  Yes

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	

Sent to Yates Petroleum Corporation  
105 South Fourth Street  
Artesia, New Mexico 88210  
or PO Box No.  
City, State, ZIP+4

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

Sent to Robert B. Gates and wife  
Nada S. Gates  
P.O. Box 81119  
Midland, TX 79708-1119  
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

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1. Article Addressed to:

Yates Petroleum Corporation  
105 South Fourth Street  
Artesia, New Mexico 88210

2. Article Number

7009 2250 0000 9271 6428

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  Addressee
- Robert B. Gates*
- B. Received by (Printed Name) C. Date of Delivery
- ROBERT B. GATES* *MAR 25 2010*
- D. Is delivery address different from item 1?  Yes  No
- If YES, enter delivery address below:

3. Service Type
- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.
4. Restricted Delivery? (Extra Fee)  Yes

Article Number

102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Newbourne Oil Company  
Suite 1020  
500 West Texas  
Midland, Texas 79701

2. Article Number  
(Transfer from service label) 7009 2250 0000 9271 6404

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102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- Signature  Agent  Addressee
- Received by (Printed Name) Chi Operating, Inc.
- Date of Delivery 4-7-10
- Is delivery address different from item 1?  Yes  No
- If YES, enter delivery address below:

- 3. Service Type
  - Certified Mail
  - Registered
  - Insured Mail
  - Express Mail
  - Return Receipt for Merchandise
  - C.O.D.
- 4. Restricted Delivery? (Extra Fee)  Yes  No

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



Sent to  
Chi Operating, Inc.  
Street, Apt. No., P.O. Box 1799  
or PO Box No. Midland, Texas 79702  
City, State, ZIP+4

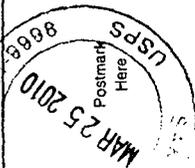
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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	



Sent to Newbourne Oil Company  
Suite 1020  
Street, Apt. No., 500 West Texas  
or PO Box No. Midland, Texas 79701  
City, State, ZIP, Midland, Texas 79701

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Chi Operating, Inc.  
P.O. Box 1799  
Midland, Texas 79702

2. Article Number  
(Transfer from service label) 7009 2250 0000 9271 4998

PS Form 3811, February 2004 Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- Signature  Agent  Addressee
- Received by (Printed Name) Chi Operating, Inc.
- Date of Delivery 4-7-10
- Is delivery address different from item 1?  Yes  No
- If YES, enter delivery address below:

- 3. Service Type
  - Certified Mail
  - Registered
  - Insured Mail
  - Express Mail
  - Return Receipt for Merchandise
  - C.O.D.
- 4. Restricted Delivery? (Extra Fee)  Yes  No

**SENDER: COMPLETE THIS SECTION**

1. Article Addressed to:  
 Nadel and Gussman HEYCO, LLC  
 Suite 508  
 601 North Marientfeld  
 Midland, Texas 79701

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: *Mandi Nadel*  Agent  Addressee  
 B. Received by (Printed Name): *Mandi Nadel* Date of Delivery: *3/30/10*  
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number: 7009 2250 0000 9271 4981  
 (Transfer from service label)  
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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	



Sent To: Nadel and Gussman HEYCO, LLC  
 Street, Apt. No.: Suite 508  
 or PO Box No.: 601 North Marientfeld  
 City, State, ZIP+4: Midland, Texas 79701

PS Form 3800, August 2006 See Reverse for Instructions

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