

BEFORE THE

COLLINS + WARE CASE NO. 5

OIL CONSERVATION DIVISION

10804

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

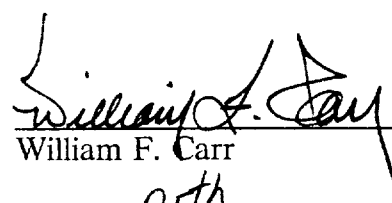
IN THE MATTER OF THE APPLICATION
OF COLLINS & WARE, INC., FOR
SPECIAL POOL RULES, EDDY COUNTY,
NEW MEXICO.

CASE NO. 10804

AFFIDAVIT

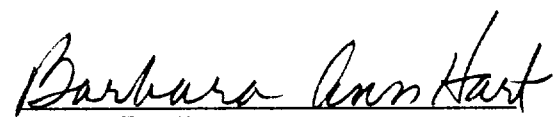
STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

William F. Carr, attorney in fact and authorized representative of Collins & Ware, Inc., the Applicant herein, being first duly sworn, upon oath, states that in accordance with the notice provisions of Rule 1207 of the New Mexico Oil Conservation Division the Applicant has attempted to find the correct addresses of all interested persons entitled to receive notice of this application and that notice has been given at the addresses shown on Exhibit "A" attached hereto as provided in Rule 1207.



William F. Carr

SUBSCRIBED AND SWORN to before me this 25th day of August, 1993.



Notary Public

My Commission Expires:
March 28, 1996

EXHIBIT A

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

Texaco Exploration and Production, Inc.
Post Office Box 3109
Midland, Texas 79702

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
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JACK M. CAMPBELL
OF COUNSEL

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

August 5, 1993

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

Re: Application of Collins & Ware, Inc. for Special Pool Rules for the Happy Valley-Delaware Pool, Eddy County, New Mexico

Gentlemen:

This letter is to advise you that Collins & Ware, Inc., has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order promulgating Special Pool Rules and Regulations for the Happy Valley-Delaware Pool including a 10,000 to 1 Gas/Oil Ratio and a special oil allowable of 160 barrels of oil per day.

This application has been set for hearing before an Examiner of the Oil Conservation Division on August 26, 1993. You are not required to attend the hearing, but as the owner of an interest that may be affected by this application, you may appear at the hearing and present testimony. Failure to appear at that time or otherwise become a party of record will preclude you from challenging this application at a later date.

Parties appearing in cases before the Division have been requested to file a Pre-hearing Statement substantially in the form prescribed by the Division (Oil Conservation Division Memorandum 2-90). Pre-hearing 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 COLLINS & WARE, INC.

WFC:mlh
Enclosure

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
LAWYERS

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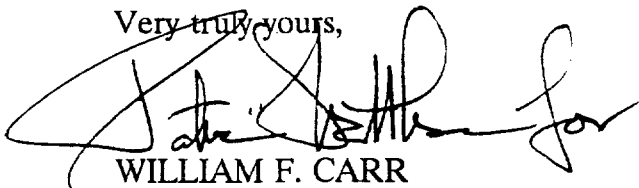
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Very truly yours,



WILLIAM F. CARR
ATTORNEY FOR COLLINS & WARE, INC.
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Enclosure