

HOLLAND & HART LLP



Ocean Munds-Dry

Associate

omundsdry@hollandhart.com

February 8, 2005

**HAND DELIVERY**

Mr. Mark Fesmire, Director  
Oil Conservation Division  
New Mexico Department of Energy,  
Minerals and Natural Resources  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

2005 FEB 8 PM 2 43

**Re: Case No. 13404: Application of Yates Petroleum Corporation  
for approval of the Faron State Exploratory Unit, Lea County,  
New Mexico.**

Dear Mr. Fesmire:

Enclosed is an amended legal advertisement for Case No. 13404, application of Yates Petroleum Corporation for approval of the Faron State Exploratory Unit, Lea County, New Mexico. Yates Petroleum Corporation requests that this matter be re-opened and re-advertised for the March 3, 2005 Examiner Hearing docket.

Very truly yours,

*Ocean Munds-Dry*  
Ocean Munds-Dry

Enclosures

cc: Mr. Robert Bullock  
Yates Petroleum Corporation  
105 South Fourth Street  
Artesia, New Mexico 88210-2118

Holland & Hart LLP

Phone [505] 988-4421 Fax [505] 983-6043 [www.hollandhart.com](http://www.hollandhart.com)

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

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# Affidavit of Publication

STATE OF NEW MEXICO )

) ss.

COUNTY OF LEA )

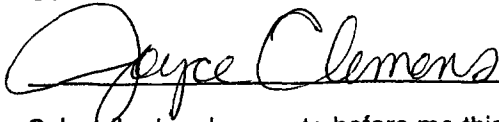
Joyce Clemens being first duly sworn on oath deposes and says that she is Advertising Director of **THE LOVINGTON DAILY LEADER**, a daily newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled

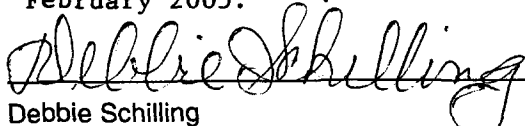
Notice Of Publication

was published in a regular and entire issue of **THE LOVINGTON DAILY LEADER** and not in any supplement thereof, for one (1) day, beginning with the issue of February 4, 2005 and ending with the issue of February 4, 2005.

And that the cost of publishing said notice is the sum of \$ 47.38 which sum has been (Paid) as Court Costs.



Subscribed and sworn to before me this 22nd day of February 2005.



Debbie Schilling  
Notary Public, Lea County, New Mexico  
My Commission Expires June 22, 2006

LEGAL NOTICE  
NOTICE OF  
PUBLICATION

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

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on March 3, 2005, in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact: Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by February 21, 2005. Public documents including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed.

STATE OF NEW MEXICO  
TO:  
All named parties and persons having any right, title, interest or claim in the following cases and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

**CASE 13404**  
(Readvertised)

Application of Yates Petroleum Corporation for approval of a Unit Agreement, Lea County, New Mexico. Applicant seeks approval of the Faron State Exploratory Unit from the surface to the top of the Mississippian formation in an area comprising 6400.00 acres of State of New Mexico lands in Section 32 Township 8 South, Range 32 East, NMPM and Sections 3, 4, 5, 6, 8, 9, 10, 16, and 17, Township 9 South, Range 32 East, NMPM which is located approximately 10 miles northeast of Caprock, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 3rd day of February 2005.

STATE OF NEW MEXICO  
OIL CONSERVATION  
DIVISION

Mark E. Fesmire, P.E.,  
Director

Published in the Lovington Daily Leader February 4, 2005.