

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

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE COMPLIANCE AND ENFORCEMENT MANAGER, FOR AN ORDER AUTHORIZING THE DIVISION TO RECOGNIZE AN OPERATOR OF RECORD FOR WELLS CURRENTLY OPERATED BY YESO ENERGY, INC.; LEA, EDDY AND CHAVES COUNTIES, NEW MEXICO.

CASE NO. 14547

AFFIDAVIT OF NOTICE AND PUBLICATION

In accordance with 19.15.4.12 NMAC and 19.15.4.9.B.3 NMAC I hereby certify:

1. Notice of the October 7, 2010 hearing setting in the above-captioned case was mailed on August 24, 2010 to the following by certified mail, return receipt requested, at least 20 days prior to the hearing date, with a copy of the application, a copy of the order setting the case before the Oil Conservation Commission for October 7, 2010, and the rules regarding pre-hearing statements, exhibits, motions for continuance and the conduct of adjudicatory hearings:

Yeso Energy, Inc.

P.O. Box 2248

Roswell, NM 88202-00248

Cert. Mail No.: 7008 3230 0000 2318 8502

Return Receipt Received

Chica Energy LLC

3003 McPherson Road

Roswell, NM 88201

Cert. Mail No.: 7008 3230 0000 2318 8519

Returned to Sender/

Unable to Forward

Judah Oil LLC

Case 14547

Affidavit of Notice and Publication

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Before the OCC

Case 14472

Case 14547

OCD Exhibit 1

P.O. Box 568
Artesia, NM 88210
Cert. Mail No.: 7008 3230 0000 2318 8526

Return Receipt Received

Scott Hall
Montgomery & Andrews, P.A
P.O. Box 2307
Santa Fe, NM 87504
Attorney for COG
Cert. Mail No.: 7008 3230 0000 2318 8533

Return Receipt Received

James Bruce
P.O. Box 1056
Santa Fe, NM 87504
Attorney for Yeso and Chica
Cert. Mail No.: 7008 3230 0000 2318 8540

Return Receipt Received

BLM Carlsbad Field Office
Attn: Jim Stovall, Field Manager
620 E. Greene St.
Carlsbad, NM 88220
Cert. Mail No.: 7008 3230 0000 2318 8557

Return Receipt Received

2. **Exhibit A** is a copy of the August 24, 2010 hearing notice with attachments.

3. The Oil Conservation Division (OCD) received return receipt cards for all the letters identified above, except for the letter sent to Chica Energy LLC, which the postal service returned marked « Return to Sender No Such Number Unable to Forward. » Copies of the return receipt cards and the returned envelope are attached as **Exhibit B**.

4. The address used for the August 24, 2010 mailing to Chica Energy LLC is the address listed for that company and for that company's registered agent on the Public Regulation Commission website. A copy of that web page is attached as **Exhibit C**.

5. Because the OCD had not been able to notice Chica Energy LLC by mail, on August 27, 2010 I sent an electronic copy of the August 24, 2010 notice by e-mail to Julie Hodges of Chica, using the e-mail address she had used in prior electronic correspondence: seasons_jewels@yahoo.com. A copy of my e-mail is attached as **Exhibit D**. I did not receive a notice of rejection.

6. The OCD learned that one of the wells at issue in the above-captioned case is subject to the jurisdiction of the Roswell Field Office of the BLM. The OCD also called Ms. Julie Hodges to obtain a new address for Chica Energy LLC. Notice of the October 7, 2010 hearing setting in the above-captioned case was mailed on September 9, 2010 to the following by certified mail, return receipt requested, at least 20 days prior to the hearing date, with a copy of the application, a copy of the order setting the case before the Oil Conservation Commission for October 7, 2010, and the rules regarding pre-hearing statements, exhibits, motions for continuance and the conduct of adjudicatory hearings:

Chica Energy LLC
3301 McPherson Road
Roswell, NM 88201
Cert. Mail No.: 7002 0510 0003 5125 1617

Roswell Field Office
Bureau of Land Management
2909 W. Second Street
Roswell, NM 88201-2019
Cert. Mail No.: 7002 0510 0003 5125 1624

Return Receipt Received

7. **Exhibit E** is a copy of the September 9 notice, with attachments.

8. The OCD received a return receipt card for the letter sent to the Roswell Field Office of the BLM. The OCD has not received any information on the letter mailed to Chica Energy LLC. **Exhibit F** is a copy of the notice, with copies of the certified mail return receipt from the Roswell Field Office of the BLM.

9. The OCD received a notice filed by Attorney James Bruce, withdrawing as attorney for Yeso Energy, Inc and Chica Energy, LLC in Case No. 14,472, a related case. Mr. Bruce has not entered an appearance in Case 14547. **Exhibit G** is a copy of the notice.

10. The OCD received a letter from Yeso Energy Inc., requesting that Yeso be allowed to withdraw from Case 14472 and Case 14547. **Exhibit H** is a copy of the letter.

11. Also after the pre-hearing conference, the OCD received a letter from Chica Energy LLC, stating that Chica did not want to be a party in either Case 14472 or Case 14547. **Exhibit I** is a copy of the letter.

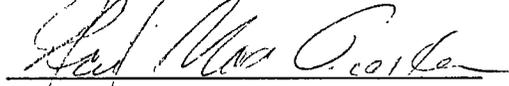
12. Notice of the October 7, 2010 hearing setting in the above-captioned case was published as follows :

- Artesia Daily Press

September 10, 2010

- Roswell Daily Record September 11, 2010
- Lovington Daily Leader September 11, 2010

13. The affidavits of publication are attached as **Exhibit J**.



Gail MacQuesten

SUBSCRIBED AND SWORN to before me this 26th day of October 2010.



Notary Public

My Commission Expires: 01-09-12