

AFFIDAVIT OF PUBLICATION

COUNTY OF CHAVES
STATE OF NEW MEXICO

I, Fran Saunders,
Legals Clerk

Of the Roswell Daily Record, a daily newspaper published at Roswell, New Mexico, do solemnly swear that the clipping hereto attached was published in the regular and entire issue of said paper and not in a supplement thereof for a period of:

one time

beginning with the issue dated

April 6th 2005

and ending with the issue dated

April 6th 2005

Fran Saunders
Clerk

Sworn and subscribed to before me

This 7th Day of April 2005

Marylon L. Shipper
Notary Public

My Commission expires
July 25, 2006

(SEAL)

Publish April 6, 2005

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 April 21, 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 April 11, 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 13476

Application of Yates Petroleum Corporation for approval of a Unit Agreement, Chaves and Lea County, New Mexico. Applicant seeks approval of the Chicken Little State Exploratory Unit from the surface to the base of the Mississippian formation in an area comprising 3323.16 acres of State of New Mexico and Fee lands in Sections 24, 25, 35, and 36 Township 10 South, Range 31 East, NMPM and Irregular Section 4, Irregular Section 5, and Irregular Section 6 of Township 11 South, Range 32 East, NMPM which is located approximately 36 miles north of Maljamar, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 31st day of March 2005.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

Mark E. Fesmire, P.E., Director

BEFORE THE OIL CONSERVATION DIVISION

Santa Fe, New Mexico

Case No. 13476 Exhibit No. 3

Submitted by:

Yates Petroleum Corporation

Hearing Date: April 21, 2005

STATE OF NEW MEXICO

COUNTY OF LEA

Sworn Affidavit of Publication

)
) ss.
)

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 Legal Notice 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 April 5, 2005 and ending with the issue of April 5, 2005.

And that the cost of publishing said notice is the sum of \$53.48 Court Costs. which sum has been (Paid) as

Joyce Clemens
Subscribed and sworn to before me this 14th day of April 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

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Published in the Lovington Daily Leader April 5, 2005.
STATE OF NEW MEXICO
OIL CONSERVATION DIVISION
Mark E. Fesmire, P.E., Director