

NOTICE OF PUBLICATION

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

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 May 3, 2005 and ending with the issue of May 3, 2005.

And that the cost of publishing said notice is the sum of \$ 143.56 which sum has been (Paid) as Court Costs.

Joyce Clemens (Signature)

Subscribed and sworn to before me this 16th day of May 2005.

Debbie Schilling (Signature)

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

BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico Case No. 13479 Exhibit No. 10 Submitted by: DOMINION EXPLORATION & PRODUCTION, INC. Hearing Date: May 19, 2005

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 May 19, 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, 1-800-658-1779 by May 9, 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 13479:

Amended Application of Dominion Exploration & Production, Inc. for an exemption from the provisions of Division Rule 310.A, Chaves, Eddy and Lea Counties, New Mexico. Applicant in the above-styled cause seeks an exemption to the provisions of Division Rule 310.A which provides that fire walls required by this rule shall form a reservoir having a capacity one-third larger than the capacity of enclosed tank or tanks or instead authorize the firewalls around forty-five facilities to permit each facility to be operated in compliance with the requirements established by the Environment Protection Agency for such facilities. These facilities are located at various sites Chaves, Eddy and Lea Counties, New Mexico as follows:

Chaves County:

R&S Federal #1 Tank Battery - Unit L, Section 17, Township 15 South, Range 28 East R&S State Tank Battery - Unit D, Section 17, Township 15 South, Range 28 East

Eddy County:

- Abby Federal #5 - Unit P, Section 28, Township 28 South, Range 28 East
Aoudad Federal Central Tank Battery - Unit A, Section 33, Township 22 South, Range 26 East
Artesia 21 State #2 Tank Battery - Unit H, Section 21, Township 18 South, Range 2 East
Barbados State #1- Unit I, Section 32, Township 22 South, Range 26 East
Big Eddy #117 SWD - Unit M, Section 25, Township 22 South, Range 28 East
Dall Federal #1 Tank Battery - Unit K, Section 33, Township 22 South, Range 28 East
Durango 10 Federal #1- Unit P, Section 10, Township 17 South, Range 29 East
EV State #1 Tank Battery - Unit A, Section 32, Township 22 South, Range 26 East
Geronimo 34-1Y - Unit E, Section 34, Township 17 South, Range 28 East
Geronimo 34-2 - Unit H, Section 34, Township 17 South, Range 28 East
Geronimo 36 State Com 1- Unit C, Section 36, Township 17 South, Range 28 East
Happy Valley Federal Com 1 Tank Battery - Unit K, Section 28, Township 22 South, Range 26 East
J. A. Tamarillo Federal Com #1 Tank Battery - Unit L, Section 27, Township 22 South, Range 26 East
Loco Hills 4 Federal Com #1- Unit G, Section 4, Township 18 South, Range 28 East
Loco Hills 4 Federal Com #4 - Unit A, Section 4, Township 18 South, Range 29 East
Pinnacle State #1 Tank Battery - Unit L, Section 38, Township 22 South, Range 2 East
Ram EWE Federal #4 Tank Battery - Unit J, Section 33, Township 22 South, Range 26 East
Rio Cinco State 1- Unit D, Section 28, Township 17 South, Range 28 East
Saragosa 16 State Com #1- Unit C, Section 16, Township 23 South, Range 26 East
Saragosa 16 State Com #2 - Unit C, Section 16, Township 23 South, Range 26 East
Saragosa 17 State Com #1- Unit D, Section 17, Township 23 South, Range 26 East
Saragosa 17 State Com #3 - Unit L, Section 17, Township 23 South, Range 26 East
Sheep Draw #2 Tank Battery - Unit C, Section 33, Township 22 South, Range 26 East
Sheep Draw Federal 28-1 Tank Battery - Unit N, Section 28, Township 22 South, Range 26 East
Sheep Draw Federal 28-13 Tank Battery - Unit L, Section 28, Township 22 South, Range 26 East
Turkey Track 11-4 Tank Battery - Unit F, Section 11, Township 19 South, Range 2 East

Harrod 7 State Com 1 - Unit A, Section 7, Township 16 South, Range 35 East  
 Gulf State Tank Battery - Unit C, Section 16, Township 22 South, Range 37 East  
 Sharp Nose Federal #1 Tank Battery - Unit J, Section 13, Township 20 South, Range 33 East  
 State ETA #3 Tank Battery - Unit H, Section 8, Township 19 South, Range 35 East  
 State ETA #4 Tank Battery - Unit C, Section 8, Township 16 South, Range 35 East  
 Toro State 16-1 - Unit M, Section 16, Township 19 South, Range 35 East  
 Toro 21 Com 1 - Tank Battery - Unit H, Section 21, Township 19 South, Range 35 East  
 Toro 22 State Com #2 - Unit N, Section 22, Township 19 South, Range 35 East  
 Toro 22 State Com #3 - Unit K, Section 22, Township 19 South, Range 35 East  
 Toro 22 State Com #4 - Unit F, Section 22 South, Range 19 South, Range 35 East  
 Toro 27 State Com #1 - Unit K, Section 27, Township 19 South, Range 35 East  
 Toro 27 State Com #2 - Unit E, Section 27, Township 19 South, Range 35 East  
 Toro 27 State Com #5 - Unit G, Section 27, Township 19 South, Range 35 East  
 Toro 27 State Com #6 - Unit D, Section 27, Township 19 South, Range 35 East  
 Toro State 33-1 Tank Battery - Unit G, Section 33, Township 19 South, Range 35 East  
 Vivian Tank Battery - Unit F, Section 30, Township 22 South, Range 33 East

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 29th day of April 2005.

STATE OF NEW MEXICO  
 OIL CONSERVATION DIVISION

Mark E. Fesmire, P.E.,  
 Director

Published in the Lovington Daily Leader May 3, 2005.

# Affidavit of Publication

# Copy of P

NO. 18852

STATE OF NEW MEXICO

County of Eddy:

Gary D. Scott being duly

sworn, says: That he is the Publisher of The Artesia Daily Press, a daily newspaper of general circulation, published in English at Artesia, said county and county and state, and that the here to attached

### Legal Notice

was published in a regular and entire issue of the said Artesia Daily Press, a daily newspaper duly qualified for that purpose within the meaning of Chapter 167 of the 1937 Session Laws of the state of New Mexico for 1 consecutive week/days on the same

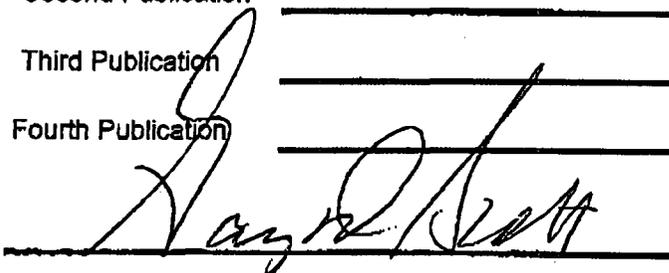
day as follows:

First Publication May 3 2005

Second Publication \_\_\_\_\_

Third Publication \_\_\_\_\_

Fourth Publication \_\_\_\_\_



Subscribed and sworn to before me this

9th Day May 2005

Barbara Ann Beano  
Notary Public, Eddy County, New Mexico

My Commission expires September 23, 2007

**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

ways required by this rule shall form a reservoir having a capacity one-third larger than the capacity of enclosed tank or tanks and instead authorize the firewalls around forty-five facilities to permit each facility to be operated in compliance with the requirements established by the Environmental Protection Agency for such facilities. These facilities are located at various sites in Chaves, Eddy and Lea Counties, New Mexico as follows:  
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R&S State Tank Battery - Unit D, Section 17, Township 15 South, Range 28 East;  
Abby Federal #5 - Unit P, Section 28, Township 26 South, Range 30 East  
Aoudad Federal Central Tank Battery - Unit A, Section 33, Township 22 South, Range 26 East  
Artesia 21 State #2 Tank Battery - Unit H, Section 21, Township 18 South, Range 28 East  
Barbados State #1, Unit I, Section 32, Township 22 South, Range 26 East  
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Toro 22 State Com #3 - Unit K, Section 22, Township 19 South, Range 35 East  
Toro 22 State Com #4 - Unit F, Section 22 South, Range 19 South, Range 35 East  
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Toro State 33-1 Tank Battery - Unit G, Section 33, Township 19 South, Range 35 East  
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Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 29th day of April 2005.  
**STATE OF NEW MEXICO**  
**OIL CONSERVATION DIVISION**  
Mark E. Fesmire, P.E., Director  
Published in the Artesia Daily Press, Artesia, N.M. May 3, 2005

