

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

IN THE MATTER OF THE HEARING  
CALLED BY THE OIL CONSERVATION  
DIVISION FOR THE PURPOSE OF  
CONSIDERING:

APPLICATION OF BTA OIL PRODUCERS,  
LLC FOR AUTHORIZATION TO INJECT  
PRODUCED WATER INTO THE  
DELAWARE (UPPER BRUSHY CANYON)  
FORMATION UNDERLYING SE/4 OF  
SECTION 2, TOWNSHIP 20 SOUTH, RANGE  
33 EAST, LEA COUNTY.

CASE NO. 14835

AFFIDAVIT

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

Adam G. Rankin, attorney in fact and authorized representative of BTA Oil Producers, LLC, the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Application was provided under the notice letter and proof of receipt attached hereto.

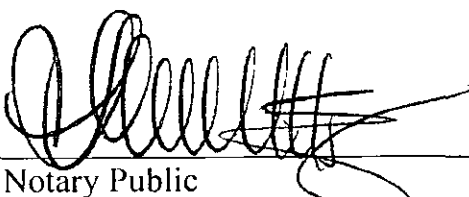
  
Adam G. Rankin

SUBSCRIBED AND SWORN to before me this 20th day of March 2013 by

Adam G. Rankin.



OFFICIAL SEAL  
LISAMARIE ORTIZ  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 01/14/15

  
Notary Public

BEFORE THE OIL CONSERVATION DIVISION  
Santa Fe, New Mexico  
Exhibit No. 3  
Submitted by:  
**BTA OIL PRODUCERS, LLC**  
Hearing Date: March 21, 2013



March 1, 2013

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**TO AFFECTED INTEREST OWNERS**

**Re: Application of BTA Oil Producers, LLC, for authorization to inject produced water into the Delaware (upper Brushy Canyon) Formation underlying SE/4 of Section 2, Township 20 South, Range 33 East, Lea County.**

This letter is to advise you that the above referenced application has been set for hearing before a Division Examiner on March 21, 2013. Enclosed please find the February 9th letter to the Division referencing this C-108 Application, which was previously provided to you by BTA Oil Producers.

The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 19.15.4.13.B to file a Pre-hearing Statement four days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address and should include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

If you have any questions regarding the application please contact, Pam Inskeep with BTA Oil Producers at (432) 682-3753.

Sincerely,

Michael H. Feldewert  
ATTORNEY FOR BTA OIL PRODUCERS LLC

**EXHIBIT A**  
**BTA OIL PRODUCERS, LLC**

Three Rivers Operating Co., LLC  
1122 S. Capital of Texas Hwy,  
Suite 325  
Austin, Texas 78746

Nearburg Producing Company  
3300 N. A Street, Bldg. 2  
Suite 120  
Midland, Texas 79707

Endurance Resources LLC  
15455 Dallas Parkway,  
Suite 600  
Addison, Texas 75234

New Mexico State Land Office  
Post Office Box 1148  
Santa Fe, New Mexico 87504

7006 2760 0001 6376 0331

|  |         |
|--|---------|
| U.S. Postal Service™   |         |
| <b>CERTIFIED MAIL RECEIPT</b>  |         |
| (Domestic Mail Only; No Insurance Coverage Provided)   |         |
| For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>         |         |
| <b>OFFICIAL MAIL</b>   |         |
| Postage  | \$ 66   |
| Certified Fee  | 3.10    |
| Return Receipt Fee (Endorsement Required)  | 2.55    |
| Restricted Delivery Fee (Endorsement Required)   |         |
| Total Postage & Fees   | \$ 6.31 |
| Postmark Here<br>MAR 1 2013  |         |
| Three Rivers Operating Co., LLC<br>1122 S. Capital of Texas Hwy,<br>Suite 325<br>Austin, Texas 78746 |         |
| PS Form 3800, August 2006 See Reverse for Instructions   |         |

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|---|--|--|--|
| SENDER - COMPLETE THIS SECTION  |  | PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE   |  |
| 1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.<br>2. Print your name and address on the reverse so that we can return the card to you.<br>3. Attach this card to the back of the mailpiece, or on the front if space permits. |  | A. Signature <i>Gene Allison</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee<br>B. Received by (Printed Name) <i>Gene Allison</i> C. Date of Delivery <i>3/4/13</i><br>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>If YES, enter delivery address below:                       |  |
| 1. Article Addressed to:<br>Three Rivers Operating Co., LLC<br>1122 S. Capital of Texas Hwy,<br>Suite 325<br>Austin, Texas 78746  |  | 3. Service Type<br><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail<br><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise<br><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.<br>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes |  |
| 2. Article Number<br>(Transfer from service label)  |  | 7006 2760 0001 6376 0331   |  |
| PS Form 3811, February 2004   |  | Domestic Return Receipt 102595-02-M-1540   |  |

7006 2760 0001 6376 0324

|  |         |
|--|---------|
| U.S. Postal Service™   |         |
| <b>CERTIFIED MAIL RECEIPT</b>  |         |
| (Domestic Mail Only; No Insurance Coverage Provided)   |         |
| For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a> |         |
| <b>OFFICIAL MAIL</b>   |         |
| Postage  | \$ 69   |
| Certified Fee  | 3.10    |
| Return Receipt Fee (Endorsement Required)  | 2.55    |
| Restricted Delivery Fee (Endorsement Required)   |         |
| Total Postage & Fees   | \$ 6.31 |
| Postmark Here<br>MAR 1 2013  |         |
| Nearburg Producing Company<br>3300 N. A Street, Bldg. 2<br>Suite 120<br>Midland, Texas 79707 |         |
| PS Form 3800, August 2006 See Reverse for Instructions                                       |         |

|   |  |  |  |
|---|--|--|--|
| SENDER - COMPLETE THIS SECTION  |  | PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE   |  |
| 1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.<br>2. Print your name and address on the reverse so that we can return the card to you.<br>3. Attach this card to the back of the mailpiece, or on the front if space permits. |  | A. Signature <i>Gene Allison</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee<br>B. Received by (Printed Name) <i>Gene Allison</i> C. Date of Delivery <i>3-4-13</i><br>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>If YES, enter delivery address below:                       |  |
| 1. Article Addressed to:<br>Nearburg Producing Company<br>3300 N. A Street, Bldg. 2<br>Suite 120<br>Midland, Texas 79707  |  | 3. Service Type<br><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail<br><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise<br><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.<br>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes |  |
| 2. Article Number<br>(Transfer from service label)  |  | 7006 2760 0001 6376 0324   |  |
| PS Form 3811, February 2004   |  | Domestic Return Receipt 102595-02-M-1540   |  |

27ED 92E9 1000 0922 9002

2. Article Number  
(Transfer from service label) 7006 2760 0001 6376 0317

PS Form 3811 February 2004 Domestic Return Receipt 102595-02-M-1540

0000 9239 1000 0922 9002

2. Article Number  
(Transfer from service label) 7006 2760 0001 6376 0300

PS Form 3811, February 2004 Domestic Return Receipt 02595-02-M-1540