

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

**APPLICATION OF HAYES LAND &
PRODUCTION, LP TO APPROVE A
NON-STANDARD 80-ACRE OIL SPACING
AND PRORATION UNIT OR AN 80-ACRE
PROJECT AREA, OR IN THE ALTERNATIVE
TO RESCIND DIVISION ORDER NO. R-12459,
EDDY COUNTY, NEW MEXICO.**

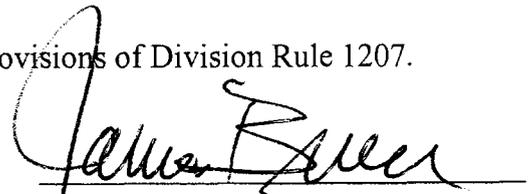
Case No. 13778

AFFIDAVIT OF NOTICE

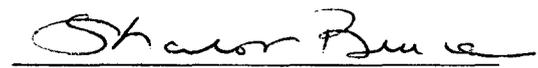
COUNTY OF SANTA FE)
) ss.
STATE OF NEW MEXICO)

James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Hayes Land & Production, LP, and have personal knowledge of the matters stated herein.
3. Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the application filed herein.
4. Notice of the application was provided to the interest owners, at their correct addresses, by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Exhibit A.
5. Applicant has complied with the notice provisions of Division Rule 1207.


James Bruce

SUBSCRIBED AND SWORN TO before me this 14th day of September, 2006 by James Bruce.


Notary Public

My Commission Expires:

3/14/09

Oil Conservation Division
Case No. 13778
Exhibit No. 3

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

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jamesbruce@aol.com

August 24, 2006

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

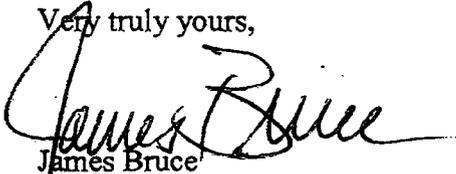
To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application to approve a non-standard 80-acre oil spacing and proration unit or an 80-acre project area, or in the alternative to rescind Division Order No. R-12459, filed with the New Mexico Oil Conservation Division by Hayes Land & Production, LP. **This matter has been scheduled for hearing at 8:15 a.m. on Thursday, September 14, 2006** at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an interest owner in the proposed 80-acre unit, you have the right to enter an appearance and participate in the case. Failure to appear will preclude you from contesting this matter at a later date.

You are required to notify the Division, and the undersigned, by Thursday, September 7, 2006 if you intend to enter an appearance and participate in the case.

Very truly yours,


James Bruce

Attorney for Hayes Land & Production, LP

EXHIBIT A

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Francis Oil Company
P.O. Box 21468
Tulsa, Oklahoma 74121

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
 Addressee
- B. Received by (Printed Name) *Stanley Allen* C. Date of Delivery *Aug 25 2000*
- D. Is delivery address different from item 1? Yes
if YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7006 0100 0005 5780 6461