## **BEFORE THE** OIL CONSERVATION DIVISION **NEW MEXICO ENERGY, MINERALS AND** NATURAL RESOURCES DEPARTMENT

IN THE MATTER OF THE APPLICATION OF YATES PETROLEUM CORPORATION FOR NON-STANDARD SPACING AND PRORATION UNITS, CHAVES COUNTY, **NEW MEXICO.** 

**CASE NO. 13968** 

### **AFFIDAVIT**

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

William F. Carr, attorney in fact and authorized representative of Yates Petroleum Corporation, the Applicant herein, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.

SUBSCRIBED AND SWORN to before me this 22 day of 2007 by William

> OFFICIAL SEAL Olivia Ita

> > NOTARY PUBLIC

F. Carr.

STATE OF NEW MEXICO My Commission En

Notary Public



Ocean Munds-Dry omundsdry@hollandhart.com

July 10, 2007

### <u>CERTIFIED MAIL</u> RETURN RECIEPT REQUESTED

Re: Application of Yates Petroleum Corporation for non-standard spacing and proration units, Chaves County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that Yates Petroleum Corporation has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order creating non-standard spacing and proration units in irregular Section 36, Township 9 ½ South, Range 24 East, NMPM and irregular Section 1, Township 10 South, Range 24 East, NMPM, Chaves County, New Mexico. Said units will be dedicated to the Erma Com Well No. 3 to be drilled at a standard location 660 feet from the North line and 1980 feet from the West line of said Section 1.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on August 9, 2007. 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 1208.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.

Sincerely,

Ocean Munds-Dry

ATTORNEYS FOR
YATES PETROLEUM CORPORATION

Ocean Wlunds-12

# AFFIDAVIT OF PUBLICATION 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

July

16th

2007

and ending with the issue dated

July

16th

2007

Clerk

Sworn and subscribed to before me

this 19th

day of July

2007

Notary Public

My Commission expires

June 13, 2010

(SEAL)

Publish July 16, 2007

NOTICE OF PUBLICATION

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

he 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 August 9, 2007 in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appoint 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 auditiary 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, 1-800-859-1779 by July 30th, 2007. 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 Mendian whether or not so stated.)

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CASE 13968.

Application of Yates Petroleum Corporation for non-standard spacing and proration units, Chaves County, New Mexico. Applicant in the above-styled cause seeks an order creating a non-standard 184.63-acre spacing and proration unit, for all formations and/or pools developed on 160-acre spacing, comprised of Lota 3 and 4 of irregular Section 38, Township 9 \_\_, Range 24 East, NMPM and Lots 3 and 4 and S/2 NW/4 of irregular Section 1, Township 10 South, Range 24 East, NMPM; and a non-standard 52.06-acre spacing and proration unit, for all formations and/or pools developed on 40-acre spacing, comprised of Lot 3 of said Section 1. Yates proposes to dedicate these non-standard spacing units to its Erma Com Well No. 3 to be drilled at a standard location 680 feet from the North line and 1980 feet from the West line to an approximate depth of 4774 feet. These non-standard units are located approximately 12 miles northeast of Roswell, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 11th day of July 2007.

STATE OF NEW-MEXICO
OIL CONSERVATION DIVISION

Mark E. Fesmire, P.E., Director

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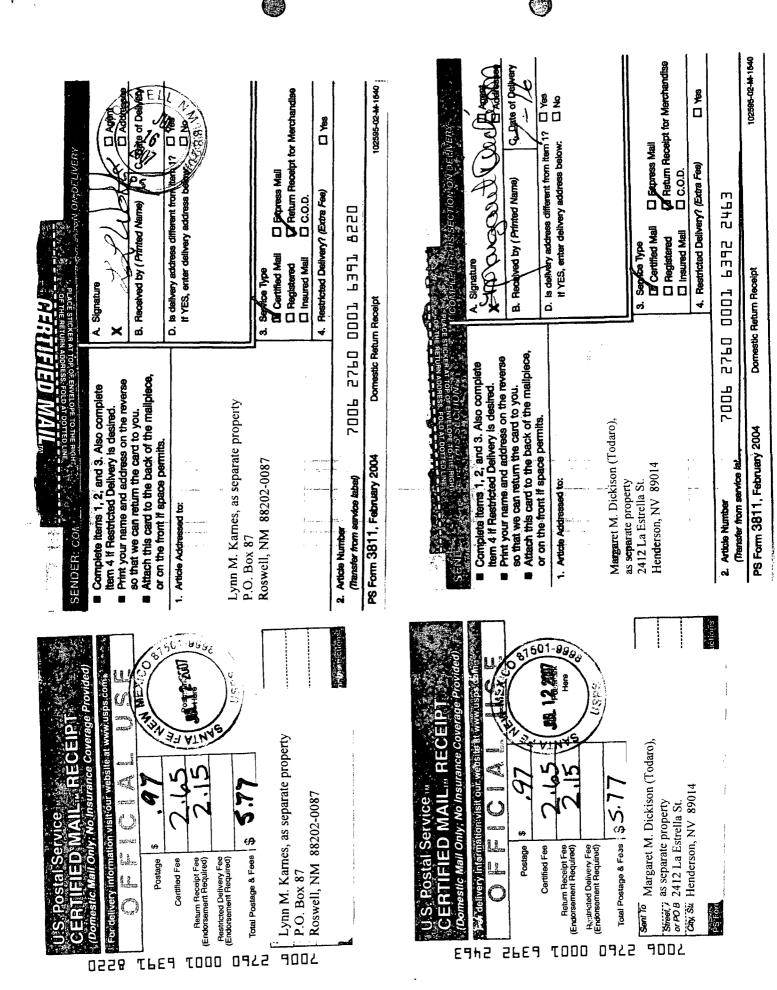
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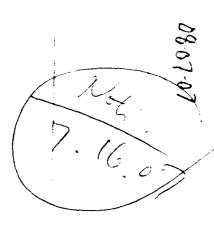
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Houston, TX 77042

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PO Box 2208 Santa Fe, NM - 87504-2208



c/o Bob Harp Dorothy Harp Ralph B. Harp, et ux. Houston, TX 77042 10011 Cedar Creek Dr

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