

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

**APPLICATION OF APACHE CORPORATION FOR
AN EXCEPTION TO DIVISION ORDER NOS. R-9922-E
AND R-12121 TO PERMIT A THIRD WELL ON A WELL
UNIT, EDDY COUNTY, NEW MEXICO.**

Case No. 14,176

AFFIDAVIT OF NOTICE

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

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

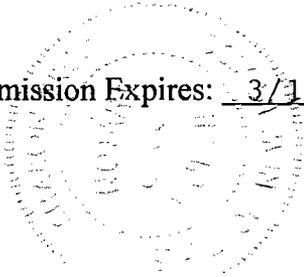
1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Apache Corporation.
3. Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the application filed 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 1210.


James Bruce

SUBSCRIBED AND SWORN TO before me this 20th day of August, 2008 by James Bruce.

My Commission Expires: 3/14/09


Notary Public



Oil Conservation Division
Case No. _____
Exhibit No. 4

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)
(505) 660-6612 (Cell)
(505) 982-2151 (Fax)

jamesbruce@aol.com

July 31, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application to allow an additional well in a well unit, filed with the New Mexico Oil Conservation Division by Apache Corporation, regarding a well in the W½ of Section 36, Township 21 South, Range 23 East, N.M.P.M., Eddy County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Wednesday, August 21, 2008, at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an offset operator to or interest owner in the 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 (in writing) the Division, and the undersigned, by Thursday, August 14, 2008 if you intend to participate in the hearing.

Very truly yours,



James Bruce

Attorney for Apache Corporation

EXHIBIT A

EXHIBIT A

Marathon Oil Company
P.O. Box 3487
Houston, TX 77253-3487

Yates Petroleum
105 S. Fourth Street
Artesia, NM 88210

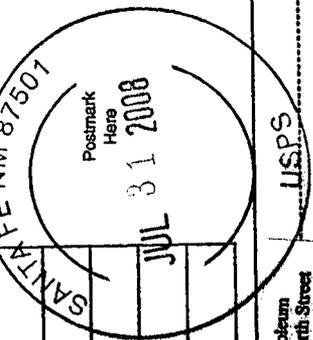
OXY USA WTP Limited Partnership
OXY Permian Ltd.
P.O. Box 4294
Houston, TX 77210-4294

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$
 Certified Fee
 Return Receipt Fee (Endorsement Required)
 Restricted Delivery Fee (Endorsement Required)
 Total Postage & Fees \$



Sent To
 Yves Probenum
 105 S. Fourth Street
 Artesia, NM 88210
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7520 8726 7000 0546 9002

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, 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:

OXY USA WFF Limited Partnership
 OXY Permalite Ltd.
 P.O. Box 4294
 Houston, TX 77210-4294

2. Article Number
(Transfer from service label)

7006 3450 0001 4318 0244
 Domestic Return Receipt
 PS Form 3811, February 2004

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 B. Received by (Printed Name)
 C. Date of Delivery
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below: Yes No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, 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:

Yves Probenum
 105 S. Fourth Street
 Artesia, NM 88210

2. Article Number
(Transfer from service label)

7006 3450 0001 4318 0251
 Domestic Return Receipt
 PS Form 3811, February 2004

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 B. Received by (Printed Name)
 C. Date of Delivery
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below: Yes No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

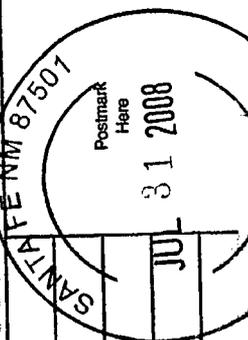
4. Restricted Delivery? (Extra Fee) Yes

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$
 Certified Fee
 Return Receipt Fee (Endorsement Required)
 Restricted Delivery Fee (Endorsement Required)
 Total Postage & Fees \$



Sent To
 OXY USA WFF Limited Partnership
 OXY Permalite Ltd.
 P.O. Box 4294
 Houston, TX 77210-4294
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

5720 8726 7000 0546 9002

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:

Marathon Oil Company
P.O. Box 3487
Houston, TX 77253-3487

COMPLETE THIS SECTION ON DELIVERY

A. Signature **GEE** Agent Addressee

B. Received by (Printed Name) **AGB** C. Date of Delivery **4/2/08**

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

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 3450 0001 4318 0268**

PS Form 3811, February 2004

Domestic Return Receipt

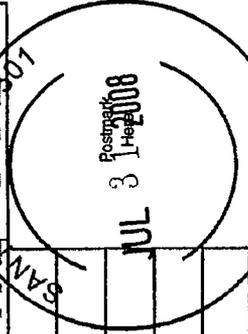
102595-02-AM-1540

**U.S. Postal Service
CERTIFIED MAIL - RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

OFFICIAL RECEIPT

Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	



Sent To **Marathon Oil Company**
P.O. Box 3487
Houston, TX 77253-3487

Street, Apt. No., or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006. See Reverse for Instructions.

8920 8764 1000 054E 9002