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

Case No. 14317

EXHIBIT

В

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

APPLICATION OF ENERVEST OPERATING LLC TO AMEND THE UNIT AGREEMENT AND THE UNIT OPERATING AGREEMENT FOR THE WEST LOCO HILLS GRAYBURG NO. 4 SAND UNIT, AND FOR STATUTORY UNITIZATION, EDDY COUNTY, NEW MEXICO.

Case No. 14,317

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 Enervest Operating LLC

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. Attached as Exhibit A is a listing of the record title owners of state and federal leases in the unit area. Notice of the application was provided to the record title owners, at their last known addresses, by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Exhibit B.

5. Applicant has complied with the notice provisions of Division Rules.

mes Bruce

SUBSCRIBED AND SWORN TO before me this ^{11th} day of May, 2009 by James Bruce.

My Commission Expires:

Notary Public

Oil Conservation Division Case No. Exhibit No.

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)

jamesbruc@aol.com

April 20, 2009

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application for amendment of the Unit Agreement for the West Loco Hills Grayburg No. 4 Sand Unit, and for statutory unitization, filed with the New Mexico Oil Conservation Division by Enervest Operating LLC.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, May 14, 2009, in Porter Hall at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as a record title owner of a lease within the unit area you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting this matter at a later date. Please note that you are being notified only as a "record title owner," and not as a working or royalty interest owner.

A party appearing in a Division case is required by Division Rules to file a Pre-Hearing Statement no later than Thursday, May 7, 2009. This statement must be filed with the Division's Santa Fe office at the above address, and with the attorney for Enervest Operating LLC, and should include: The names of the party and its attorney; a concise statement of the case; the names of the 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 need to be resolved prior to the hearing.

Very truly yours,

James Bruce

Attorney for Enervest Operating LLC

EXHIBIT A

Audrey Aston Bean Charles A. Aston III Valerie Aston Kobal Ellen Aston Paull Rogers Aston P.O. Box 1090 Roswell, New Mexico 88202

Aston Family Limited Partnership Lincoln Aston Estate P.O. Box 830308 Dallas, Texas 75283

Aston Partnership 8150 North Central Expressway Dallas, Texas 75206

Harvey E. Yates Company P.O. Box 1933 Roswell, New Mexico 88202

Attention: Melissa Randle

Jalapeno Corporation P.O. Box 1608 Albuquerque, New Mexico 87103

Yates Petroleum Corporation Yates Drilling Company Abo Petroleum Corporation John A. Yates Sacramento Partners L.P. Trust Q 105 South Fourth Street Artesia, New Mexico 88210

Sharbro Oil, Ltd. Co. P.O. Box 840 Artesia, New Mexico 88211

Paul Slayton P.O. Box 2035 Roswell, New Mexico 88202 Yates Energy Corporation P.O. Box 2323 Roswell, New Mexico 88202

Pathfinder Exploration Company 4306 Crestgate Midland, Texas 79707

William P. Dooley Estate Florence M. Dooley P.O. Box G Artesia, New Mexico 88211

H.L. Brinson P.O. Box 314 Midland, Texas 79702

Mary D. Duggan Gladys A. Duggan Shirley N. Duggan 10031 Cedar Creek Houston, Texas 77042

Chisos Ltd. 670 Dona Ana Road SW Deming, New Mexico 88030

ratified

Edge Petroleum Exploration Company Suite 2000 1301 Travis Houston, Texas 77002

Attention: R. Keith Turner

Fred Brainard Estate Clyde Guy P.O. Box 368 Artesia, New Mexico 88211

Charles E. Nearburg P.O. Box 823085 Dallas, Texas 75382 Pure Energy Group Inc. Suite 220 153 Treeline Drive San Antonio, Texas 78209

Clifford Cone P.O. Box 1629 Lovington, New Mexico 88260

Douglas Cone P.O. Box 64244 Lubbock, Texas 79464

Kenneth Cone P.O. Box 11310 Midland, Texas 79702

Tom R. Cone P.O. Box 778 Jay, Oklahoma 74346

Cathie Cone McCown P.O. Box 658 Dripping Springs, Texas 78620

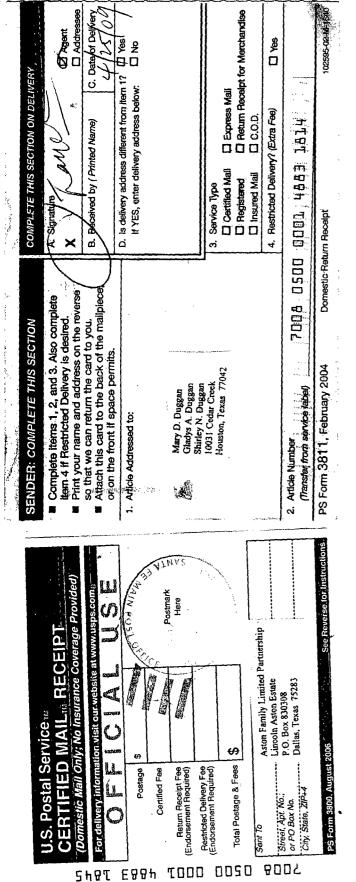
Fair Oil, Ltd. N. Fair Trust P.O. Box 689 Tyler, Texas 75710

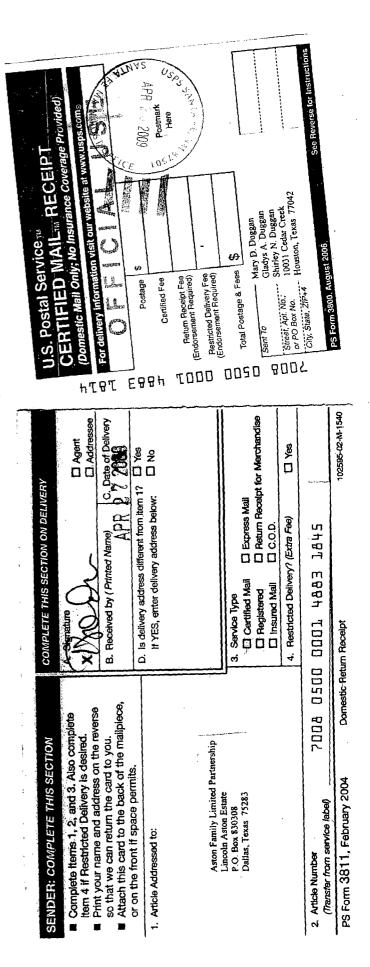
O.H. Randel P.O. Box 239 Artesia, New Mexico 88211

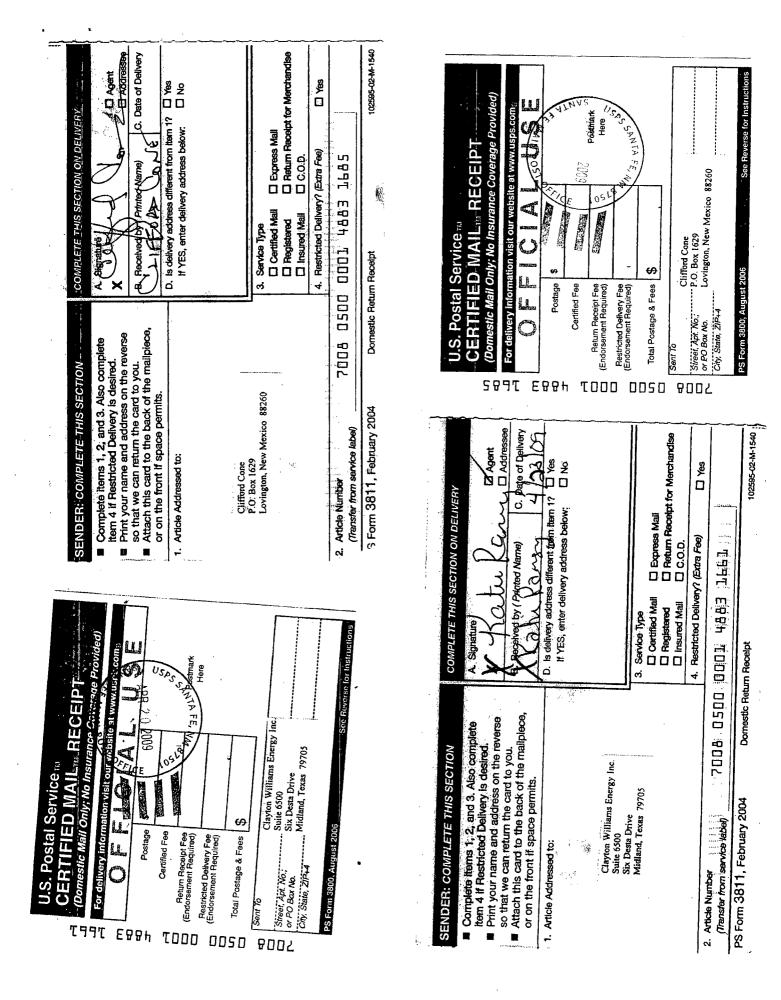
V.S. Welch P.O. Box 1343 Midland, Texas 79702

Lobos Energy Partners, LLC Suite 950 3817 NW Expressway Oklahoma City, Oklahoma 73112 Clayton Williams Energy Inc. Suite 6500 Six Desta Drive Midland, Texas 79705

ConocoPhillips Company P.O. Box 2197 Houston, TX 77252







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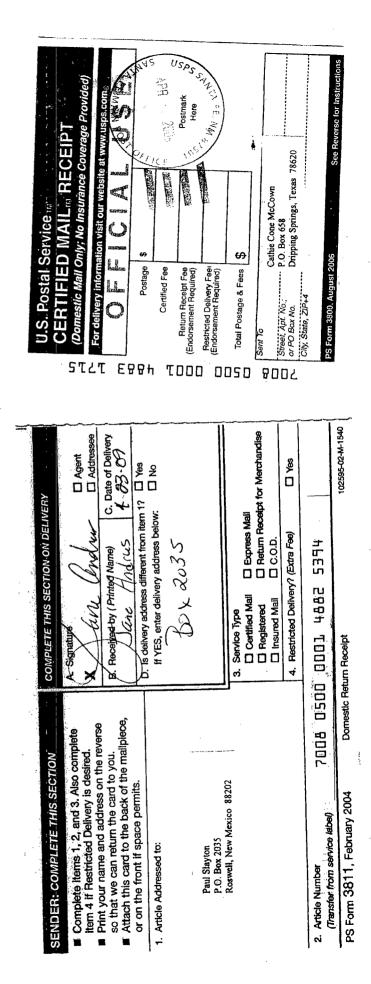
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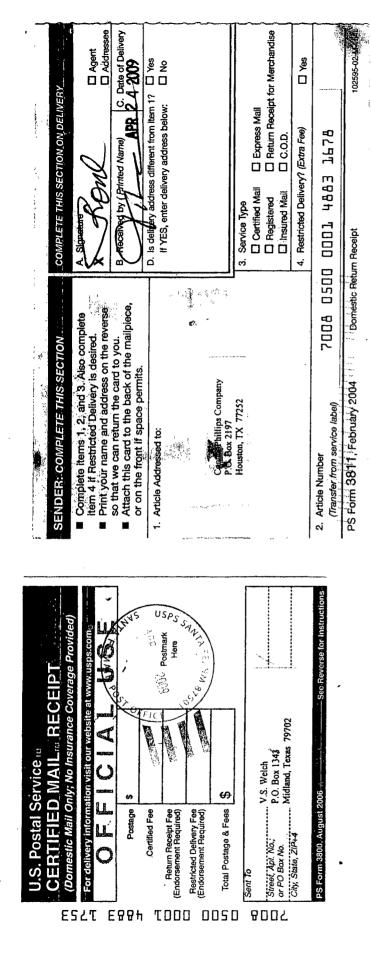
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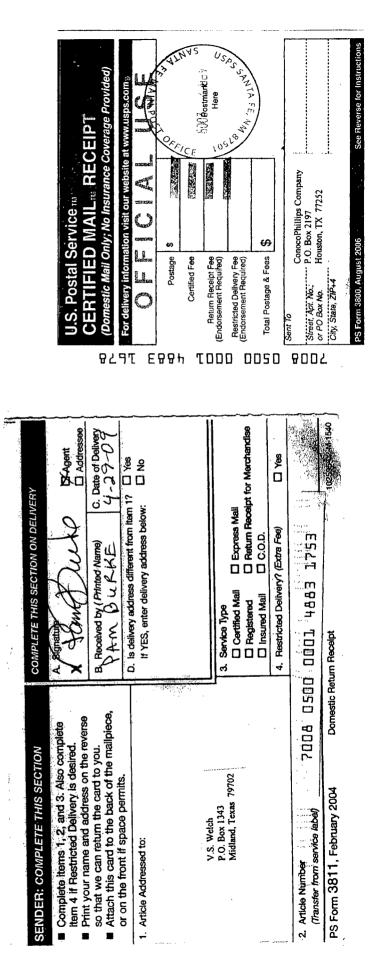
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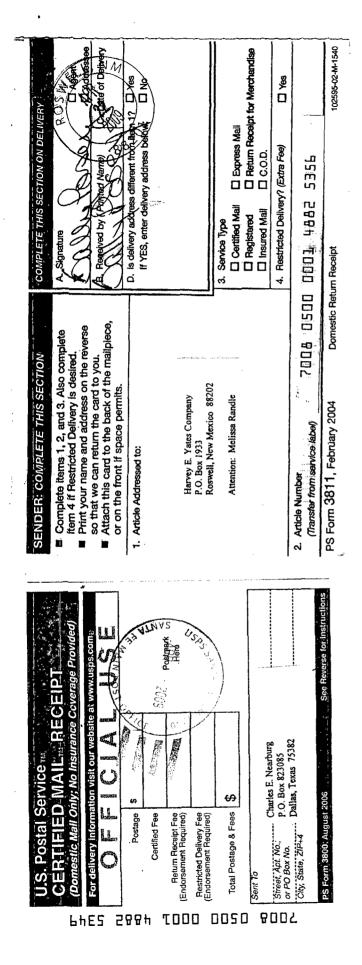
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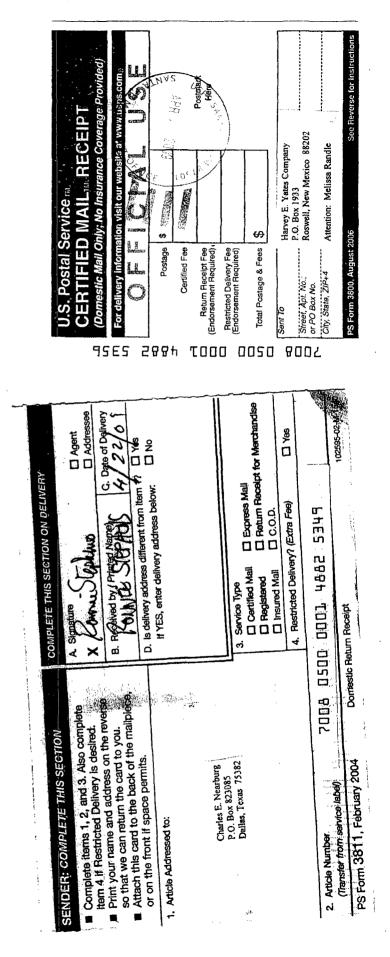
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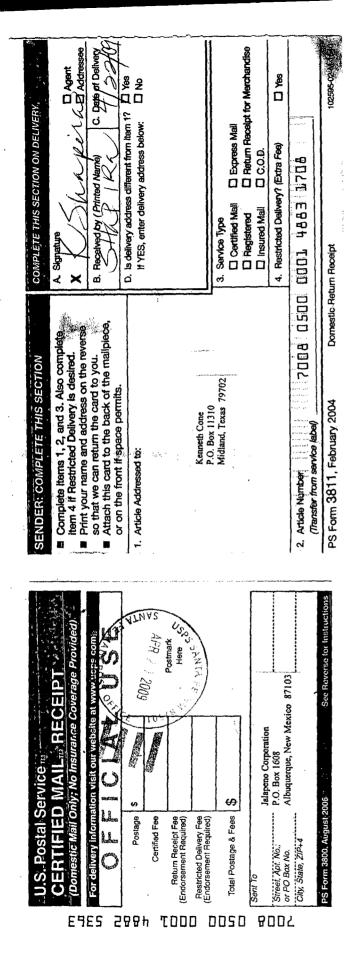


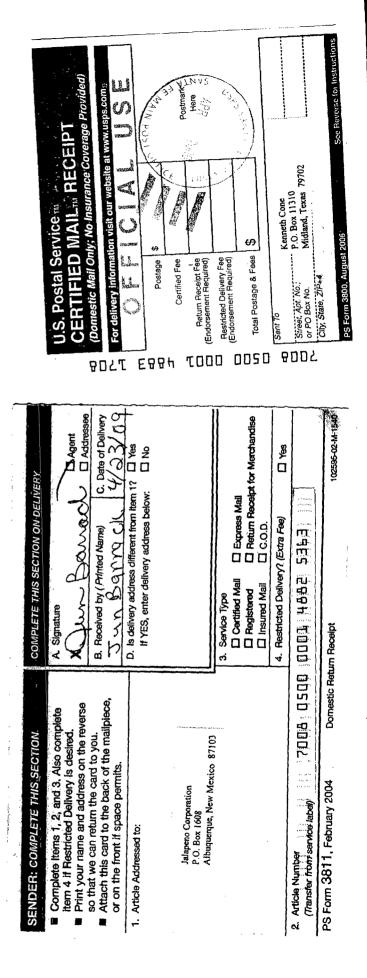




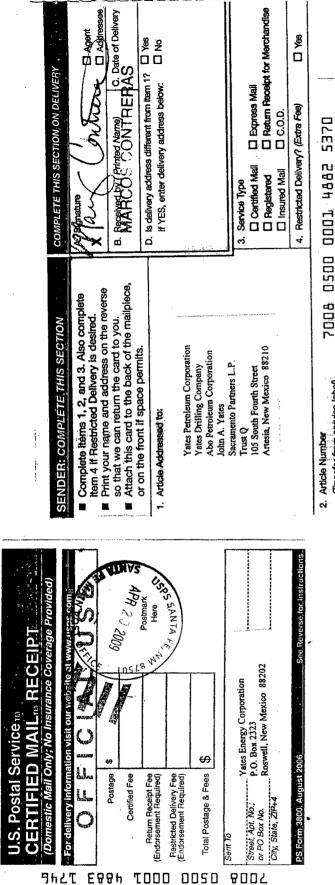


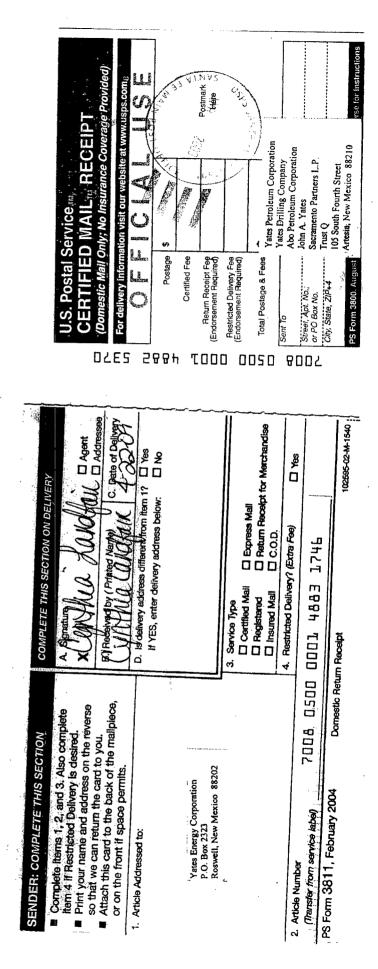






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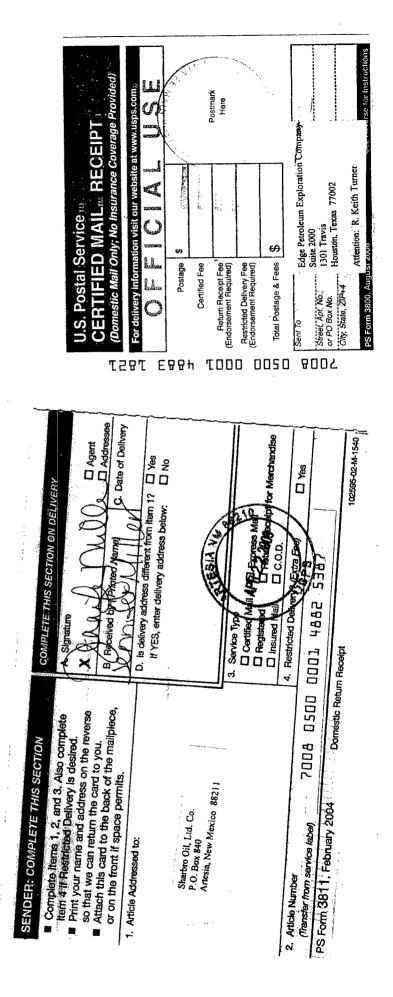
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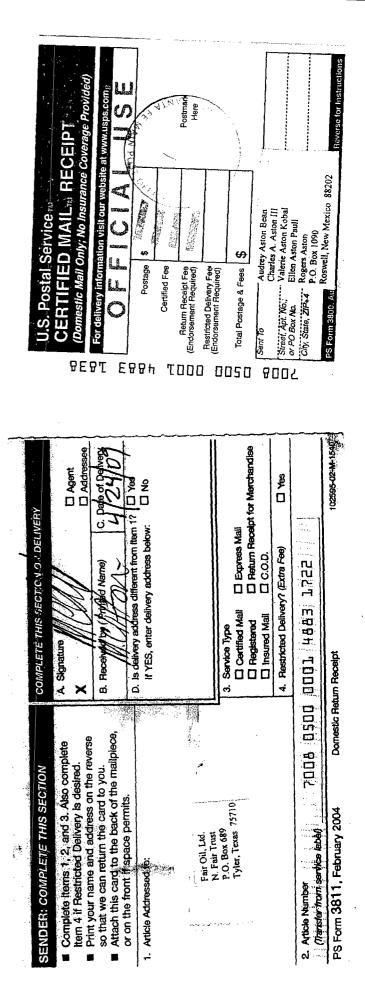
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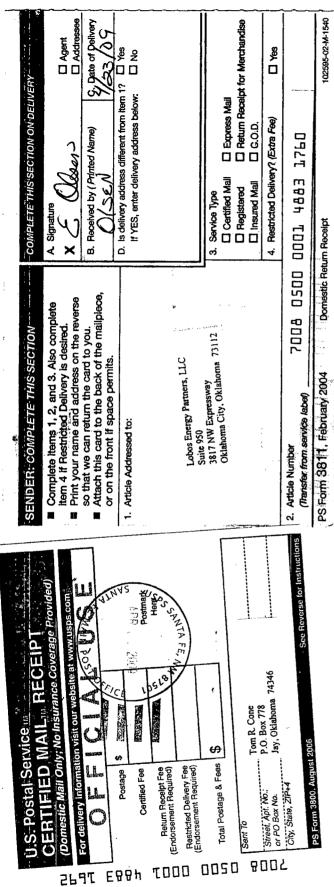
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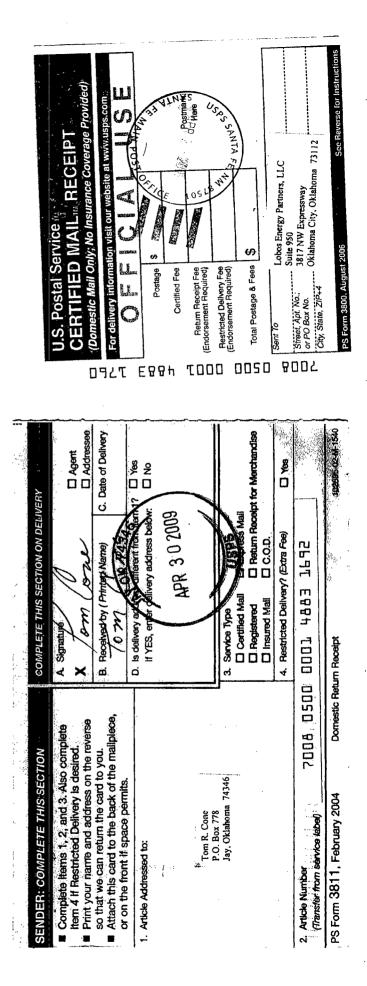
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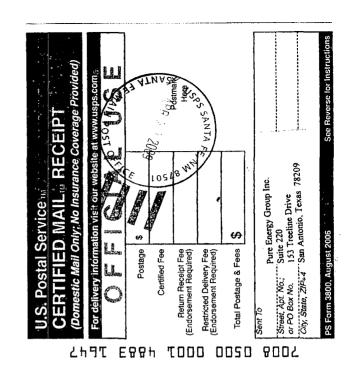
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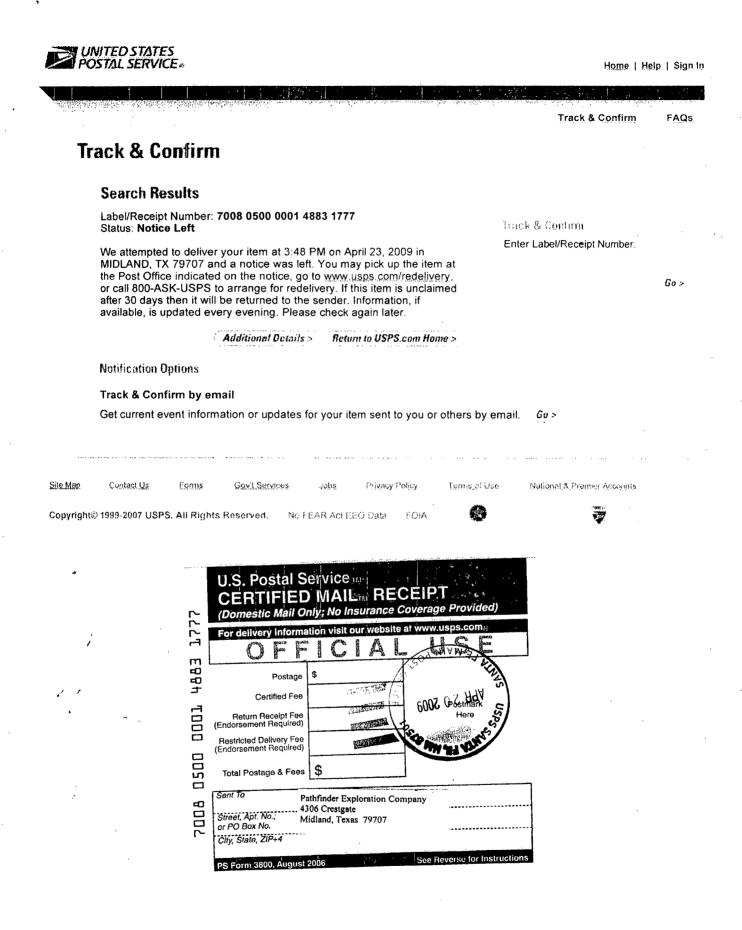


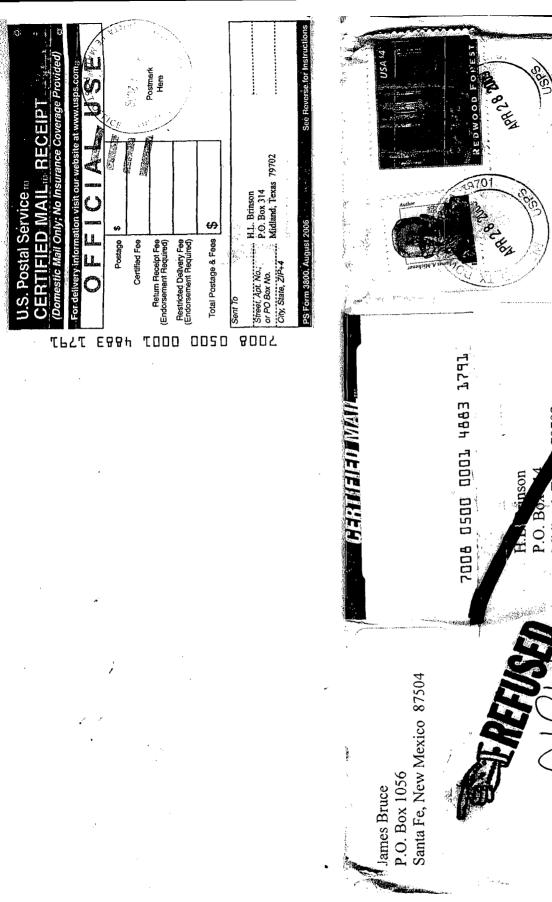
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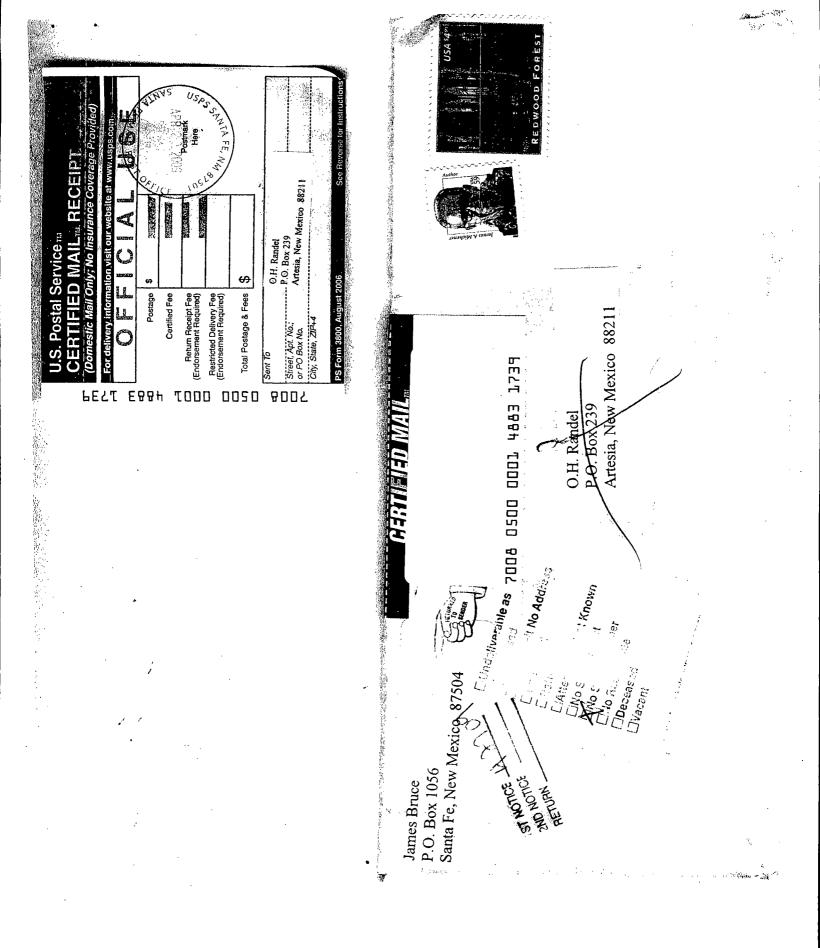
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