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

IN THE MATTER OF THE APPLICATION OF APPROACH OPERATING LLC FOR AN UNORTHODOX WELL LOCATION AND NON-STANDARD OIL SPACING AND PRORATION UNIT, RIO ARRIBA COUNTY, NEW MEXICO

Case No. 14576

AFFIDAVIT

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

J. SCOTT HALL, attorney and authorized representative of Approach Operating, LLC, the Applicant herein, being first duly sworn, upon oath, states that the notice provisions of Rule 19.15.4.12 of the New Mexico Oil Conservation Division have been complied with, that Applicant has caused to be conducted a good faith diligent effort to find the correct addresses of all interested persons entitled to receive notice, as shown by Exhibit "A" attached hereto, and that pursuant to Rule 19.15.4.12, notice has been given at the correct addresses or last known addresses provided by such rule.

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J. SCOTT HALL

SUBSCRIBED AND SWORN to before me this 27 day of April, 2011. Notary Public 1-11-15 xpires: **EXHIBIT 3**

EXHIBIT A

Mary Ellen Burns Gonzales 2806 Calle Campeon Santa Fe, NM 87505

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Patricia Ann Burns Hickam 5036 Arroyo Chamisa NE Albuquerque, NM 87111

Estate of Lucy Esquibel, Pete A. Esquibel, Arturo E. Esquibel and Alfredo Esquibel Sr. 632 Statecoach Road SE Albuguerque, NM 87132 Robert J. and Lucia A. Montoya P.O. Box 244 Tierra Amarilla, NM 87575

Arturo E. Esquibel, II 632 Stagecoach Road SE Albuquerque, NM 87132

Alfredo Esquibel 5105 Pebble Road NW Albuquerque, NM 87114

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NOTICE LETTERS SENT ON APRIL 8, 2011 MONTANO NO. 1

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| <u>Letter Addressed To</u> : | Post Card <u>Returned</u> | <u>Undeliverable</u> |
|--|------------------------------|----------------------|
| Mary Ellen Burns Gonzales 2806 Calle Campeon Santa Fe, NM 87505 | Х | |
| Patricia Ann Burns Hickam 5036 Arroyo Chamisa NE Albuquerque, NM 87111 | | Х |
| Estate of Lucy Esquibel, Pete A. Esquibel, Arturo E. Esquibel and Alfredo Esquibel Sr. 632 Stagecoach Road SE Albuquerque, NM 87132 | Х | |
| Robert J. and Lucia A. Montoya P.O. Box 244 Tierra Amarilla, NM 87575 | Х | |
| Arturo E. Esquibel, II 632 Stagecoach Road SE Albuquerque, NM 87132 | Х | |
| Alfredo Esquibel 5105 Pebble Road NW Albuquerque, NM 87114 | х | |