BEFORE THE

OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

APPLICATION OF YATES PETROLEUM CORPORATION FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

CASE NO. 11806

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, being first duly sworn, upon oath, states that notice has been given to all interested persons entitled to receive notice of this application under Oil Conservation Division rules, and that notice has been given at the addresses shown on Exhibit "A" attached hereto.

William F. Carr

SUBSCRIBED AND SWORN to before me this 4 day of July, 1997.

Notary Public

My Commission Expires:

EXHIBIT A

George S. Emmons 17 N. Lancaster Lane Newton, PA 18940

Heirs of Laura and Roland Najar George E. Najar, Executor 3904 Allendale Calleyville, TX 76034

Robert R. Emmons Post Office Box 1836 Carlsbad, NM 88220

Enron Oil & Gas Company Post Office Box 2267 Midland, TX 79701 Attn: Patrick J. Tower

Sharon S. Emmons
Personal Representative of
the Estate of Charles R. Emmons
134 Nesmith Road
Abilene, TX 79602

BEFORE THE OIL CONSERVATION DIVISION

Santa Fe, New Mexico

AFFIDAVIT, Case No. 11806 Exhibit No. 4

Submitted by: Yates Petroleum Corporation

Hearing Date: July 10, 1997

AFFIDAVIT.
Page 2

CAMPBELL, CARR, BERGE 8 SHERIDAN, P.A.

LAWYERS

MICHAEL B CAMPBELL
WILL AM F CARR
BRADFORD C BERGE
MARK F SHERIDAN
MICHAEL H FELDEWERT
ANTHONY F MEDEIROS
PAUL R OWEN

JACK M CAMPBELL

OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208

FACSIMILE. (505) 988-4421 FACSIMILE. (505) 983-6043 E-MAIL. cobspa@ix.netcom.com

June 16, 1997

CERTIFIED MAIL RETURN RECEIPT REQUESTED

George S. Emmons 17 N. Lancaster Lane Newton, PA 18940

Re: Amended Application of Yates Petroleum Corporation for Compulsory Pooling,

Eddy County, New Mexico

Dear Mr. Emmons:

This letter is to advise you that Yates Petroleum Corporation has filed the enclosed amended application with the New Mexico Oil Conservation Division seeking the force pooling of certain mineral interests in all formations from 100 feet below the base of the Loco Hills Sand formation to the top of the Mississippian formation, in and under the W/2 of Section 1, Township 18 South, Range 29 East, N.M.P.M., Eddy County, New Mexico. Yates Petroleum Corporation proposes to dedicate the referenced pooled units to its Cerritos APT Federal Com Well No. 1, which will be drilled at a standard location 1980 feet from the North and West lines of said Section 1.

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Parties appearing in cases have been requested by the Division (Memorandum 2-90) to file a Prehearing Statement substantially in the form prescribed by the Division. Prehearing statements should be filed by 4:00 o'clock p.m. on the Friday before a scheduled hearing.

Very truly yours,

WILLIAM F. CARR

ATTORNEY FOR YATES PETROLEUM CORPORATION

WFC:mlh

Enc.

US Postal Service
Receipt for Certified Mail

George S. Emmons 17 N. Lancaster Lane Newton, PA 18940

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CAMPBELL, CARR, BERGE & SHERIDAN, PA

LAWYERS

M CHAEL B CAMPBELL
W LLIAM F CARR
BRAOFORD C BERGE
MARK F SHERIDAN
M CHAEL H FELDEWERT
ANTHONY F MEDEIROS
PAUL R OWEN
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SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
FACSIMILE (505) 983-6043
E-MAIL: COBSDA@IX.netcom.com

June 16, 1997

CERTIFIED MAIL RETURN RECEIPT REOUESTED

Heirs of Laura and Roland Najar George E. Najar, Executor 3904 Allendale Calleyville, TX 76034

Re: Amended Application of Yates Petroleum Corporation for Compulsory Pooling,

Eddy County, New Mexico

Dear Mr. Najar:

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Very truly yours,

WILLIAM F. CARR

ATTORNEY FOR YATES PETROLEUM CORPORATION

WFC:mlh

Enc.

US Postal Service
Receipt for Certified Mail
Heirs of Laura and Roland Najar George E. Najar, Executor 3904 Allendale Calleyville, TX 76034

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CAMPBELL, CARR, BERGE 8 SHERIDAN, P.A.

LAWYERS

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WILLIAM F CARR

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MICHAEL H FELDEWERT

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OF COUNSEL

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E-MAIL ccbspa@ix netcom.com

June 16, 1997

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Robert R. Emmons Post Office Box 1836 Carlsbad, NM 88220

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CAMPBELL, CARR, BERGE 8 SHERIDAN, P.A.

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FACSIMILE. (505) 983-6043

E-MAIL. ccbspa@ix.netcom.com

June 16, 1997

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Enron Oil & Gas Company Post Office Box 2267 Midland, TX 79701 Attn: Patrick J. Tower

Re: Amended Application of Yates Petroleum Corporation for Compulsory Pooling,

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WILLIAM F. CARR

ATTORNEY FOR YATES PETROLEUM CORPORATION

WFC:mlh

Enc.

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US Postal Service
Receipt for Certified Mail
Enron Oil & Gas Company
Post Office Box 2267
Midland, TX 79701

Attn: Patrick J. Tower

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Personal Representative of
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