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

IN THE MATTER OF THE APPLICATION OF HARVEY E. YATES COMPANY FOR A NON-STANDARD GAS SPACING AND PRORATION UNIT AND AN UNORTHODOX GAS WELL LOCATION EDDY COUNTY, NEW MEXICO.

CASE NO. 12473

AFFIDAVIT

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

William F. Carr, attorney in fact and authorized representative of Harvey E. Yates Company, the applicant herein, being first duly sworn, upon oath, states that notice has been given to all interested parties 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.

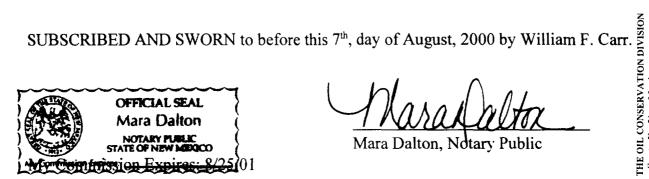


EXHIBIT A

Harvey E. Yates Company Jalapeno Corporation Cibola Energy Corporation P.O. Box 1933 Post Office Box 1668 P.O. Box 1668 Roswell, NM 88202 Albuquerque, NM 87103 Albuquerque, NM 87103 Bank of America, Trustee Grant M. Smith Mary Ann Morrison Tom P. Stephens Estate Trust P.O. Box 5581 6000 Montano Plaza Drive, NW P.O. Box 2546 Albuquerque, NM 87120 Hobbs, NM 88241 Fort Worth, TX 76113 Charles Albert Aston, Jr. Est. Trust Lincoln Aston Estate Trust Charles Albert Aston, Jr. c/o Nationsbank, Agent c/o Mineral Resources c/o Charles Albert Aston, III P.O. Box 830308 P.O. Box 515792 704 Parkview Dallas, TX 75283 Dallas, TX 75251 Round Rock, TX 78681 Glen David Miller Sharbro Oil Ltd. Company Atlantic Richfield Co. P.O. Box 840 711 West Alameda P.O. Box 2819 Artesia, NM 88211 Roswell, NM 88201 Dallas, TX 75221 Bank of America, Trustee for the Yates Energy Corporation Grant M. Smith John Lucas Agency 500 North Main 1112 Rancho Road P.O. Box 2546 Roswell, NM 88201 Roswell, NM 88201 Fort Worth, TX 76113 Aston Family Ltd. Partnership Read & Stevens, Inc. EOG Resources, Inc. R.R. Aston P.O. Box 2267 P.O. Box 1518 P.O. Box 1090 Roswell, NM 88202 Midland, TX 79702 Roswell, NM 88202 William P. Dooley Estate John A. Yates Estate of Martin Yates, Jr. c/o Paula Dooley, P.R. 105 South Fourth Street 105 South Fourth Street 1006 South Second Street Artesia, NM 88210 Artesia, NM 88210 Artesia, NM 88210 Martin Yates III Lillie M. Yates Estate S.P. Yates 105 South Fourth Street 105 South Fourth Street 105 South Fourth Street Artesia, NM 88210 Artesia, NM 88210 Artesia, NM 88210 Harvey E. Yates as Trustee for James H. Yates and Samuel M. Yates Drilling Corporation Yates Petroleum Corporation

105 South Fourth Street

Artesia, NM 88210

Yates

P. O. Box 1933 Roswell, NM 88202

105 South Fourth

Artesia, NM 88210

Devon Energy Production Company, L.P. Suite 1500, 20 North Broadway Oklahoma City, Oklahoma 73102

Pogo Producing Company Post Office Box 10340 Midland, TX 79702

Spiral, Inc. Post Office Box 1933 Roswell, NM 88202

no addresses for: Mary C. Emmons; Hilary and Donald S. Bush Sempra Energy Production Company 8235 Douglas Avenue, Suite 525 Dallas, TX 75225

Bank of America, N.A. Agent for Charles A. Aston III Post Office Box 830308 Dallas, TX 75283-0308

Explorers Petroleum Corp. P. O. Box 1933 Roswell, NM 88202 Bureau of Land Management 2909 West Second Street Roswell, New Mexico 88201

Aston Partnership c/o Minerals Resources, Inc. Attn: Gail Cotton P. O. Box 515792 Dallas, TX 75251

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

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
MICHAEL H. FELDEWERT
TANYA M. TRUJILLO

JACK M CAMPBELL 1916-1999 JEFFERSON PLACE
SUITE L - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 988-4421
FACSIMILE: (505) 983-6043
E-MAIL. law@westofpecos.com

July 20, 2000

CERTIFIED MAIL RETURN RECEIPT REQUESTED

TO ALL AFFECTED PARTIES:

Re: Application of Harvey E. Yates Company for a non-standard gas spacing and proration unit and an unorthodox gas well location, Eddy County, New Mexico

Ladies and Gentlemen:

This letter is to advise you that Harvey E. Yates Company has filed the enclosed application with the New Mexico Oil Conservation Division seeking approval of a non-standard gas spacing and proration unit comprised of the N/2 equivalent of Section 7, Township 20 South, Range 27 East, NMPM, Eddy County, New Mexico. Harvey E. Yates Company also seeks authority to drill its proposed Turner Federal "7" Deep Well No. 1 to test the Morrow formation, McMillan0Morrow Gas Pool at an unorthodox gas well location 1980 feet from the North line and 660 feet from the West line of said Section 7.

This application has been set for hearing before a Division Examiner on August 10, 2000. 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.

July 20, 2000 Page 2

Parties appearing in cases are required by Division Rule 1208.B to file a Prehearing Statement three days in advance of a scheduled hearing. This statement must 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.

Very truly yours,

William F. Carr

Attorney for Harvey E. Yates Company

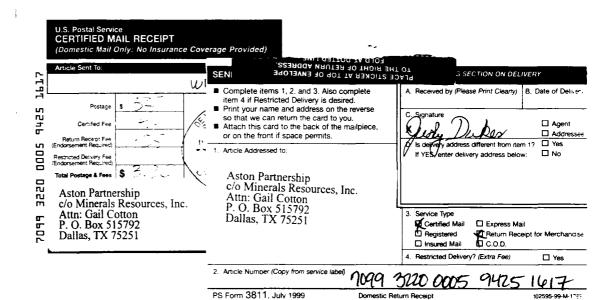
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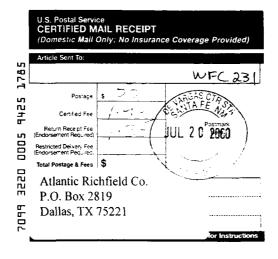
Enclosures

cc: Melissa Randle

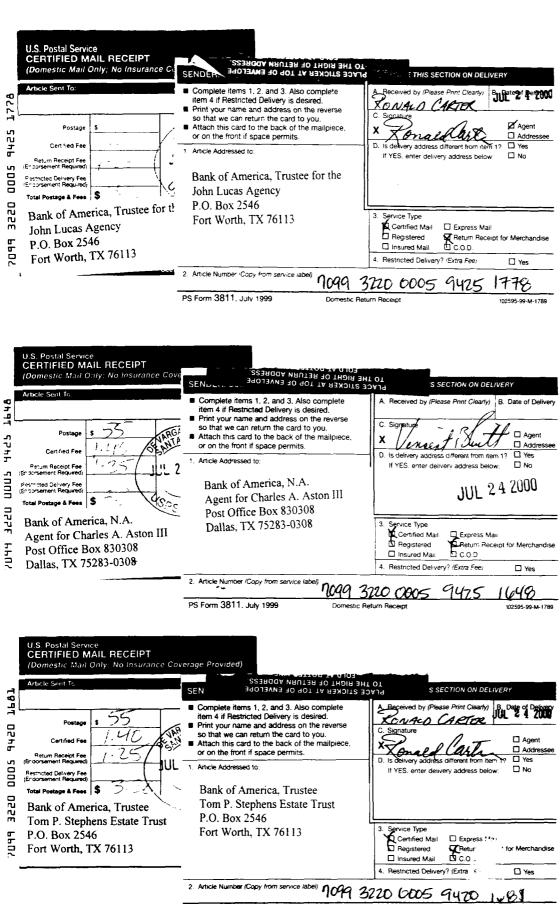
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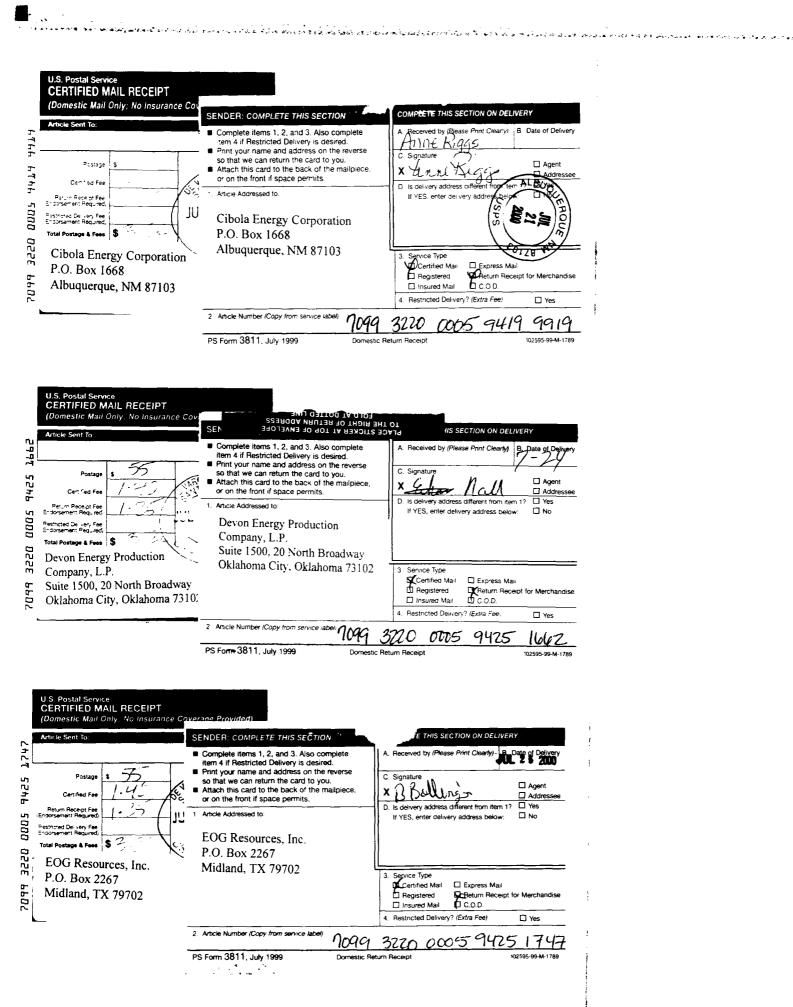
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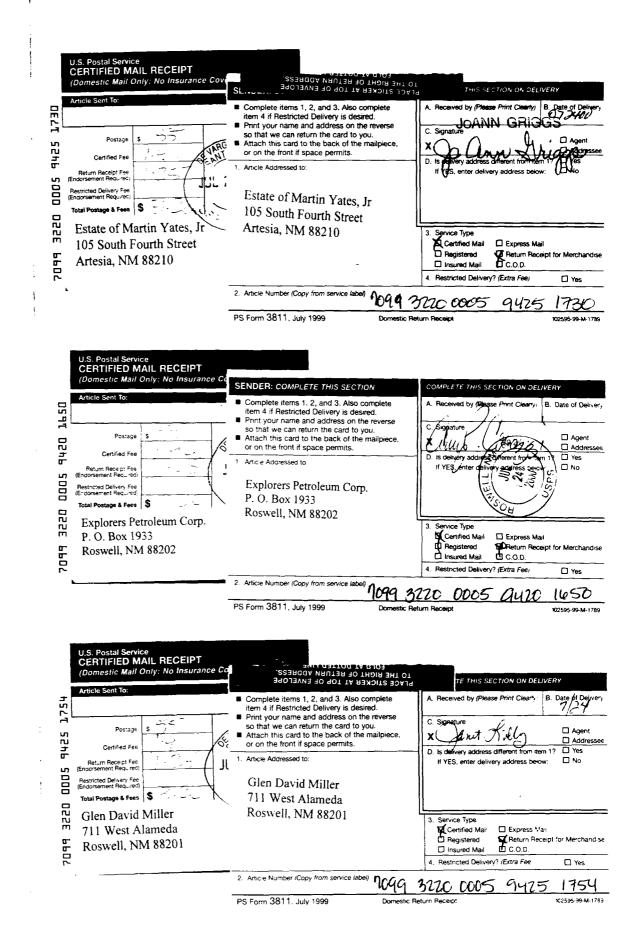
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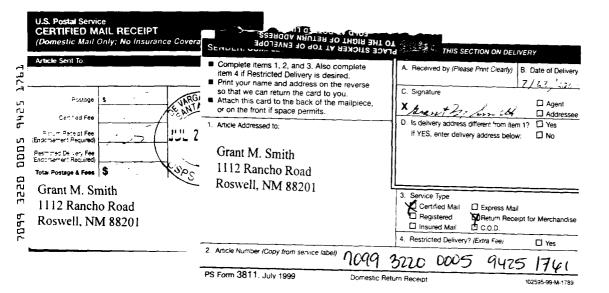
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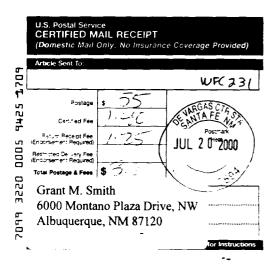


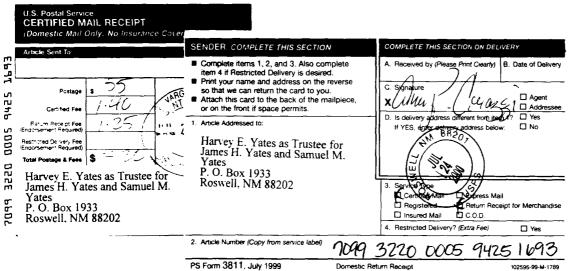
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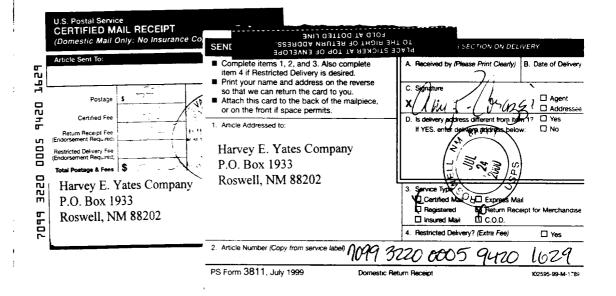


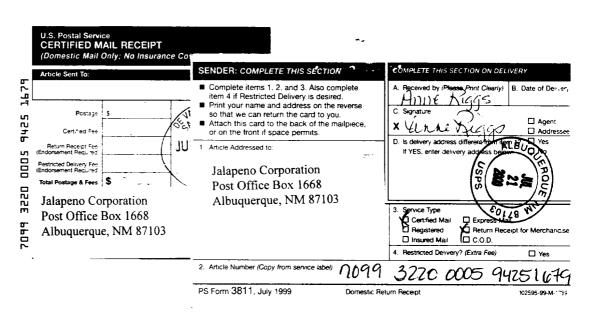


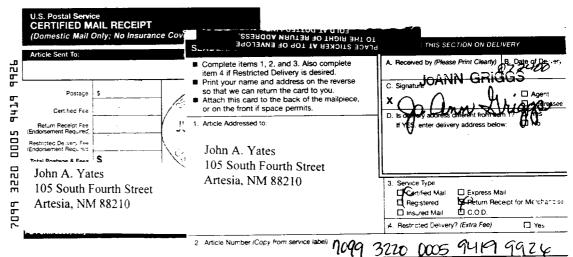
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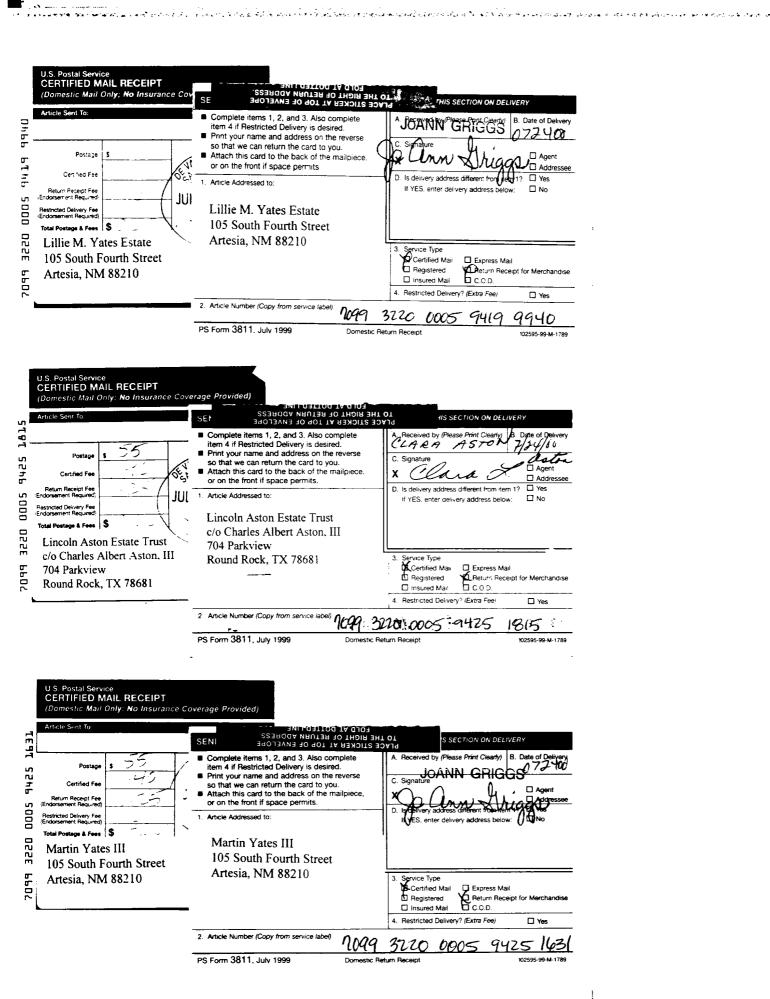












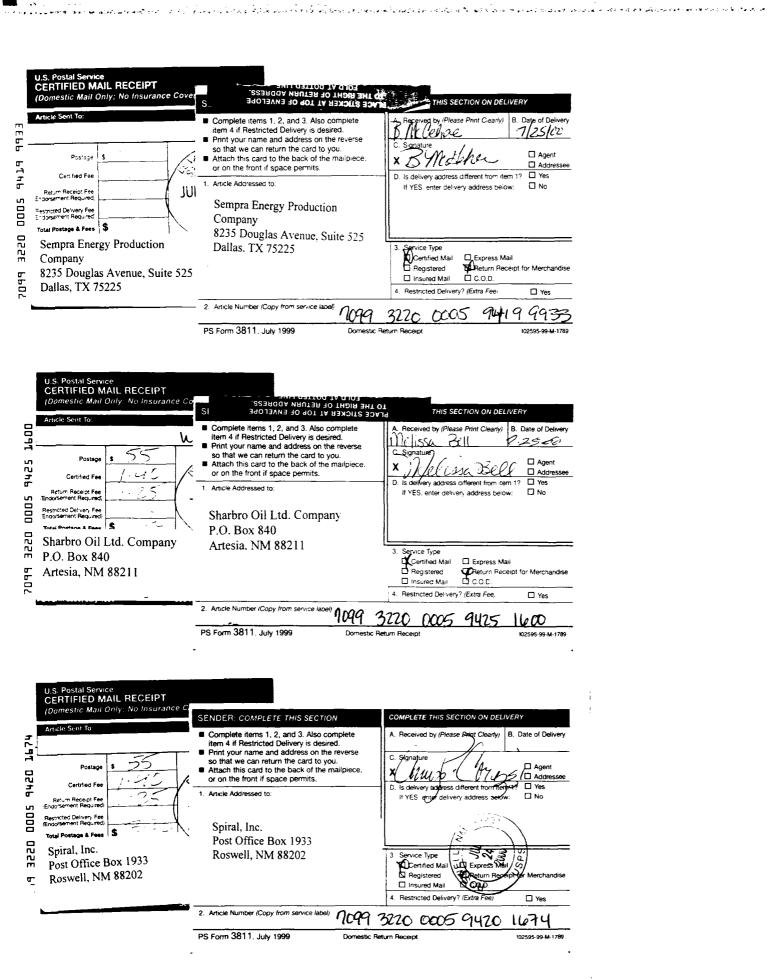
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