

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

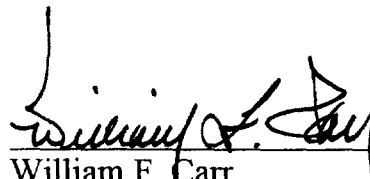
APPLICATION OF YATES PETROLEUM
CORPORATION FOR AN UNORTHODOX GAS
WELL LOCATION FOR BOTH SHALLOW AND
DEEP GAS PRODUCTION UNDERLYING THE W/2
AND NW/4 OF SECTION 11, TOWNSHIP 8 SOUTH,
RANGE 26, EAST, NMPM, CHAVES COUNTY,
NEW MEXICO.

CASE NO. 12832

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 19th day of February 2002.



Notary Public

My Commission Expires:

August 23, 2005

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Case No. 12832 Exhibit No. 5
Submitted by:
YATES PETROLEUM CORPORATION
Hearing Date: March 7, 2002

EXHIBIT A

**Yates Petroleum Corporation
Unorthodox Gas Well Location for Both Shallow and Deep Gas Production
Underlying the W/2 and NW/4 of Section 11, Township 8 South,
Range 26 East, NMPM, Chaves County, New Mexico**

Mr. Roxy Burkfield
c/o Robert C. Armijo, Esq.
Civerolo, Gralow & Hill, PA
P. O. Box 877
Albuquerque, NM 87103-0887

Bryan Solsbery & Dean
Solsbery, Jr.
c/o Lynn Slade
Modrall, Sperling, Roehl, Harris
& Sisk, PA
Bank of America Centre, Suite
2000
Albuquerque, NM 87103-2165

Pecos River Operating, Inc.
550 W. Texas Avenue, Suite 720
Midland, TX 79701

Ms. Roxy Burkfield
1207 Camino Road
Roswell, NM 88203

Bryan Solsbery
4408 Oxford
El Paso, TX 79903

Mr. Dean Solsbery, Jr.
E. Wadenholm (A.D. Solbery)
Prasgardsvagen 16-1 tr
15161 Sodertalje
Sweden

HOLLAND & HART^{LLP}
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE
CHEYENNE • JACKSON HOLE
SALT LAKE CITY • SANTA FE
WASHINGTON, D.C.

P.O. BOX 2208
SANTA FE, NEW MEXICO 87504-2208
110 NORTH GUADALUPE, SUITE 1
SANTA FE, NEW MEXICO 87501-6525

TELEPHONE (505) 988-4421
FACSIMILE (505) 983-6043

William F. Carr

wcarr@hollandhart.com

February 14, 2002

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO: AFFECTED INTEREST OWNERS:

Re: Application of Yates Petroleum Corporation for an unorthodox gas well location for both shallow and deep gas production underlying the W/2 and NW/4 of Section 11, Township 8 South, Range 26 East, NMPM, Chaves County, New Mexico.

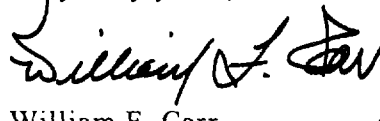
Ladies and Gentlemen:

This letter is to advise you that Yates Petroleum Corporation has filed an application with the New Mexico Oil Conservation Division seeking approval of an unorthodox gas well location for its Pay "Ayy" Federal Com Well No. 1 to be drilled 660 feet from the North line and 330 feet from the West line in Unit D of Section 11, Township 8 South, Range 26 East, NMPM, Chaves County, New Mexico to test any and all formations from the surface to the base of the Granite Wash or basement formation. The W/2 of Section 11 will be dedicated to the well in the Wolfcamp and older formations and the NW/4 will be dedicated to the well in all formations developed on 160-acre spacing which includes the Abo formation, Pecos Slope-Abo Gas Pool.

This application has been set for hearing before a Division Examiner on March 7, 2002. 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.

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,

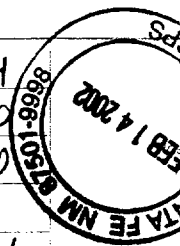


William F. Carr
ATTORNEY FOR YATES PETROLEUM
CORPORATION

WFC:keh

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

Postage	\$.34
Certified Fee	2.10
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.94



Sent To
Ms. Roxy Burkfield
1207 Camino Road
Roswell, NM 88203
WFC YATES PAY

PS Form 3800, 1

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:

Ms. Roxy Burkfield
1207 Camino Road
Roswell, NM 88203

2. Article Number (Copy from service label)

7001 1140 0002 5600 4878

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X  ☐ Agent
☐ Addressee

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

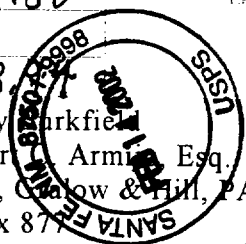
3. Service Type

☒ 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)

Postage	\$.34
Certified Fee	2.10
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.94



Sent To
Mr. Roxy Burkfield
c/o Robert C. Armijo, Esq.
Civerolo, Gralow & Hill, PA
P. O. Box 877
Albuquerque, NM 87103-0

PS Form 3800, 1

- 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.
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1. Article Addressed to:

Mr. Roxy Burkfield
c/o Robert C. Armijo, Esq.
Civerolo, Gralow & Hill, PA
P. O. Box 877
Albuquerque, NM 87103-0887

2. Article Number (Copy from service label)

7001 1140 0002 5600 4847

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

A. Received by (Please Print Clearly)

FRANK LAYNE 02/15/02

C. Signature

X  ☒ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ 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)

Postage	\$.34
Certified Fee	2.10
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.94



Sent To
Pecos River Operating, Inc.
550 W. Texas Avenue, Suite
Midland, TX 79701
WFC Yates Pay

PS Form 3800, 1

- 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:

Pecos River Operating, Inc.
550 W. Texas Avenue, Suite 720
Midland, TX 79701

2. Article Number (Copy from service label)

7001 1140 0002 5600 4861

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

A. Received by (Please Print Clearly)

2-20

C. Signature

X  ☐ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ 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)

Postage \$ 1.34
Certified Fee 2.10
Return Receipt Fee (Endorsement Required) 1.50
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 3.94

Sent To
Bryan Solsbery
4408 Oxford
El Paso, TX 79903
City, State, ZIP-
WFC/Yates Pay

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage)

WFC
YATES
PAY
Postage \$ 1.34
Certified Fee 2.10
Return Receipt Fee (Endorsement Required) 1.50
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$ 3.94

Sent To
Bryan Solsbery & Dean Solsb
c/o Lynn Slade
Modrall, Sperling, Roehl, Har
PA
Bank of America Centre, Suite
Albuquerque, NM 87103-216

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Bryan Solsbery
4408 Oxford
El Paso, TX 79903

2. Article Number (Copy from service label)

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature
X Marie Ann Gavigan ☐ Agent ☐ Addressee

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

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

7001 1140 0002 5600 4885

Domestic Return Receipt

102595-00-M-0952

- 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:

Bryan Solsbery & Dean Solsbery, Jr.
c/o Lynn Slade
Modrall, Sperling, Roehl, Harris & Sisk,
PA
Bank of America Centre, Suite 2000
Albuquerque, NM 87103-2165

2. Article Number (Copy from service label)

PS Form 3811, July 1999

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature
X Lynn Slade ☐ Agent ☐ Addressee

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

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

7001 1140 0002 5600 4854

Domestic Return Receipt

102595-00-M-0952

Orig. ID: SAFA
From: KATHERINE HAWKINS (505) 988-4421
HOLLAND & HART
110 NORTH GUADALUPE
SUITE 1
SANTA FE
NM 87501 (US)

FedEx.

NDR 30.55(h)

To: Mr. Dean Solsbery, Jr. 5059884421

**E. Wadenholm (A.D. Solbery)
Prasgardsvagen 16-1 tr
Sodertalje 15161 SWEDEN (SE)**

IRS/EIN:
SHIP DATE: 14FEB02
WEIGHT: 1 LBS

Description
Letter regarding Pay

Country Mfg.

CUSTOM VALUE: 0.00 USD
CARRIAGE VALUE: 0.00 USD

Ref: Yates / Pay
Signature: KATHERINE HAWKINS

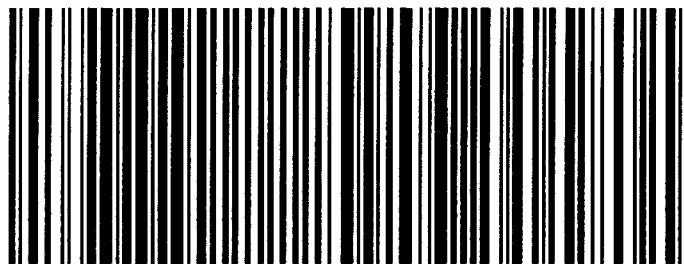
**BILL T/C: S 087108309
BILL D/T: S 087108309**

TRK # 7924 8891 5246 FORM 0430

FedEx IP ENVELOPE

15161 SE

A1



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2. Fold the printed page along the horizontal line.
3. Place 2 original labels (Consignee, Manifest/Billing) in the international shipping label pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Shipment Details

To print a copy of the shipment information for your records, please click "Shipment Details".

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