OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF YATES PETROLEUM CORPORATION FOR AN UNORTHODOX WELL LOCATION, CHAVES COUNTY, NEW MEXICO

CASE NO. 9329

WAIVER AND CONSENT

COMES NOW the undersigned, acknowledges receipt of a copy of the Application of Yates Petroleum Corporation for an Unorthodox Well Location, for the Witz "VN" State No. 2 Well, Chaves County, New Mexico, waives notice pursuant to Rule 1207 of the New Mexico Oil Conservation Division, and consents to the proposed unorthodox location. MYCO INDUSTRIES, INC.

ABO PETROLEUM CORPORATION
YATES DRILLING COMPANY

Randy G. Patterson, Attorney-in-Fact

YATES PETROLEUM CORPORATION
Case No. 9329
3/16/88 Examiner Hearing
Exhibit No. 3

BEFORE THE OIL CONSERVATION DIVISION OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF YATES PETROLEUM CORPORATION FOR AN UNORTHODOX WELL LOCATION, CHAVES COUNTY, NEW MEXICO

CASE NO. 9329

AFFIDAVIT OF MAILING

STATE OF NEW MEXICO)

: ss.
COUNTY OF EDDY)

PATTI WIER, being first duly sworn, upon oath, states that the notice provisions of Rule 1207 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, and that pursuant to Rule 1207, notice has been given at the correct addresses as provided by such rule.

In support hereof, affiant states that true copies of the Application of Yates Petroleum Corporation for an Unorthodox Well Location, Chaves County, New Mexico, were mailed in accordance with Rule 1207, to any operator of a spacing unit or owner of an undrilled lease which adjoins the Applicant's spacing unit on one or more of the two sides or the single corner closest to the proposed well, in securely sealed, certified mail, return

receipt requested, postage prepaid envelopes, addressed to the following named parties:

Elk Oil Company P. O. Box 310 Roswell, New Mexico 88201

Verda Vista Energy Company P. O. Box 310 Roswell, New Mexico 88201

Enron Oil and Gas Company P. O. Box 2267 Midland, Texas 79702

on the 18th day of February, 1988, as reflected by the copies of the letters transmitting such copies of the application and the return receipts executed on behalf of the addressees, attached hereto.

Patti Wier

SUBSCRIBED AND SWORN TO before me this 18th day of February, 1988.

My commission expires:

Notary Public

DICKERSON, FISK & VANDIVER

SEVENTH & MAHONE / SUITE E ARTESIA, NEW MEXICO 88210 (505) 746-9841

CHAD DICKERSON
JOHN FISK
DAVID R. VANDIVER
REBECCA REESE DICKERSON

February 18, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Elk Oil Company
P. O. Box 310
Roswell, New Mexico 88201

Re: Witz "VN" State No. 2 Well

Township 9 South, Range 26 East, NMPM

Section 26: E/2 Chaves County, New Mexico

Gentlemen:

Enclosed, please find a copy of the Application of Yates Petroleum Corporation for an Unorthodox Well Location, Chaves County, New Mexico.

Hearing is scheduled before the New Mexico Oil Conservation Division, in Santa Fe, New Mexico, on March 16, 1988.

Please contact the undersigned if you have any questions regarding this application.

Sincerely yours,

DICKERSON, FISK & VANDIVER

ickerson

Chad Dickerson

CD:pvw Enclosure

cc: Ms. Janet Richardson

Ms. Leslie Bentz

DICKERSON, FISK & VANDIVER

SEVENTH & MAHONE / SUITE E ARTESIA, NEW MEXICO 88210 (505) 746-9841

CHAD DICKERSON
JOHN FISK
DAVID R. VANDIVER
REBECCA REESE DICKERSON

February 18, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Verda Vista Energy Company P. O. Box 310 Roswell, New Mexico 88201

Re: Witz "VN" State No. 2 Well

Township 9 South, Range 26 East, NMPM

Section 26: E/2 Chaves County, New Mexico

Gentlemen:

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Please contact the undersigned if you have any questions regarding this application.

Sincerely yours,

DICKERSON, FISK & VANDIVER

Chad Dickerson

Chad Dickerson

CD:pvw Enclosure

cc: Ms. Janet Richardson

Ms. Leslie Bentz

DICKERSON, FISK & VANDIVER

SEVENTH & MAHONE / SUITE E ARTESIA, NEW MEXICO 88210 (505) 746-9841

CHAD DICKERSON
JOHN FISK
DAVID R. VANDIVER
REBECCA REESE DICKERSON

February 18, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Enron Oil and Gas Company P. O. Box 2267 Midland, Texas 79702

Re: Witz "VN" State No. 2 Well

Township 9 South, Range 26 East, NMPM

Section 26: E/2 Chaves County, New Mexico

Gentlemen:

Enclosed, please find a copy of the Application of Yates Petroleum Corporation for an Unorthodox Well Location, Chaves County, New Mexico.

Hearing is scheduled before the New Mexico Oil Conservation Division, in Santa Fe, New Mexico, on March 16, 1988.

Please contact the undersigned if you have any questions regarding this application.

Sincerely yours,

DICKERSON, FISK & VANDIVER

Chad Dickerson

CD:pvw Enclosure

cc: Ms. Janet Richardson
Ms. Leslie Bentz

RECEIPT FOR CERTIFIED MAIL 5 2 0 6.00 P 728

NO INSURANCE COVERAGE PROVIDED NOT FOR INTERNATIONAL MAIL

(See Reverse)

EIK oil co.	
Preet and No Box 310	
Roswell, NM 88201	1
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Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom. Date, and Address of Delivery	
TOTAL Postage and Fees S	
Postmark or Date	

PS Form 3800, June 1985

RECEIPT FOR CERTIFIED MAIL NO INSURANCE COVERAGE PROVIDED NOT FOR INTERNATIONAL MAIL 527 009 רח הם

(See Reverse)

Sento Enron Oil and Gas Co.

P. O. Box 2267

Street and No.

P.O., State and ZIP Code

79702

TX

Midland

Certified Fee Postage

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED NOT FOR INTERNATIONAL MAIL

(See Reverse)

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Return Receipt showing to whom and Date Delivered

Restricted Delivery Fee Special Delivery Fee

Return Receipt showing to whom. Date, and Address of Delivery Postmark or Date PS Form 3800, June 1985

TOTAL Postage and Fees

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	agent and DATE DELIVERED.
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Form 3811, Feb. 1986	DOMESTIC RETURN RECE
SENDER: Complete items 1 and 2 when additional serv	rices are desired, and complete items 3 and
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postmaster for fees and check box(es) for additional servic 1. Show to whom delivered, date, and addresses's additional services.	
3. Article Addressed to:	4. Article Number
Wanda Winka Daamaa Gamaaa	P 728 600 5
Verda Vista Energy Company P. O. Box 310	Type of Service:
Roswell, New Mexico 88201	Registered Insured COD
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	agent and DATE DELIVERED.
5. Signature - Addressee	8. Addressee's Address (ONLY if requested and fee paid)
	requested what fee pulls
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m 3811 Feb. 1986 DOMESTIC RETURN RECEIPT

DEFORE THE OIL CONSERVATION DIVISION OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF YATES PETROLEUM CORPORATION FOR AN UNORTHODOX WELL LOCATION, CHAVES COUNTY, NEW MEXICO

CASE NO. 9329

AFFIDAVIT OF MAILING

STATE OF NEW MEXICO)

: ss.
COUNTY OF EDDY)

PATTI WIER, being first duly sworn, upon oath, states that the notice provisions of Rule 1207 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, and that pursuant to Rule 1207, notice has been given at the correct addresses as provided by such rule.

In support hereof, affiant states that true copies of the letter amending the Application of Yates Petroleum Corporation for an Unorthodox Well Location, Chaves County, New Mexico, were mailed in accordance with Rule 1207, to any operator of a spacing unit or owner of an undrilled lease which adjoins the Applicant's spacing unit on one or more of the two sides or the single corner closest to the proposed well, in securely sealed,

YATES PETROLEUM CORPORATION
Case No. 9329
3/16/88 Examiner Hearing
Exhibit No. 5

certified mail, return receipt requested, postage prepaid envelopes, addressed to the following named parties:

Elk Oil Company
P. O. Box 310
Roswell, New Mexico 88201

Verda Vista Energy Company P. O. Box 310 Roswell, New Mexico 88201

Enron Oil and Gas Company P. O. Box 2267 Midland, Texas 79702

on the 33rd day of February, 1988, as reflected by the copy of such letter and the return receipts executed on behalf of the addressees, attached hereto.

Patti Wier

SUBSCRIBED AND SWORN TO before me this 23td day of Feb-

ruary, 1988.

My commission expires:

Notary Public

February 23, 1988

Energy and Minerals Department Oil Conservation Division P. O. Box 2088 Santa Fe, New Mexico 87501

Attention: Mr. Michael Stogner

Re: Witz "VN" State No. 2 Well

Township 9 South, Range 26 East, NMPM Section 26: N/2 (660 FNL & 660 FEL)

Chaves County, New Mexico

Gentlemen:

The Application of Yates Petroleum Corporation for an Unorthodox Well Location for the above well originally requested dedication of the E/2 Section 26 as the spacing unit. The Applicant hereby requests that the Application be deemed amended to specify a N/2 spacing unit instead.

This matter has been set for hearing before an Examiner on March 16, 1988.

Thank you.

Sincerely yours,

DICKERSON, FISK & VANDIVER

- Lad Dickerson

Chad Dickerson

CD:pvw

cc: Ms. Janet Richardson

Ms. Leslie Bentz

cc (CM-RRR): Elk Oil Company

Verda Vista Energy Company Enron Oil and Gas Company

P 728 600 524 RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED NOT FOR INTERNATIONAL MAIL (See Reverse)

ĒTK Oil Co.	
Street and No. P. O. Box 310	
PO. State and ZIP Code Roswell, NM 882	201
Postage	s
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	S
Postmark or Date	

P 728 600 525 RECEIPT FOR CERTIFIED MAIL NO INSURANCE COVERAGE PROVIDED NOT FOR INTERNATIONAL MAIL

(See Reverse)

Verda Vista Ene	rgy Co.
P. O. Box 310	
P.O. State and ZIP Code ROSWELL, NM 88	201
Postage	S
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	<u> </u>

P 728 600 526

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED NOT FOR INTERNATIONAL MAIL (See Reverse)

	Sent to Enron Oil and Ga	s Co.						
	Street and No. P. O. Box 2267							
	P.O., State and ZIP Code Midland, TX 79702							
	Postage	\$						
10	Certified Fee							
	Special Delivery Fee							
	Restricted Delivery Fee							
	Return Receipt showing to whom and Date Delivered							
PS Form 3800, June 1985	Return Receipt showing to whom, Date, and Address of Delivery							
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3800	Postmark or Date							
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PS								

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3, Article Addressed to:	4. Article Number P 728 600 524
Elk Oil Company	Type of Service:
P. O. Box 310	Registered Insured
Reswell, New Mexico 88201	Certified COD
	Always obtain signature of addresses
	agent and DATE DELIVERED.
5. Signature — Addressee	8. Addressee's Address (ONLY if
	requested and fee paid)
6. Signeture - Agent	
X / 38	
7. Date of Delivery UZ	
2-25-88	1
5 Form 3811, Fpt d 986	DOMESTIC RETURN REC
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postmaster for fees and check box(es) for additional service	e(s) requested.
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3. Article Addressed to:	4. Article Number
	P 728 600 525
Verda Vista Energy Company	Type of Service:
P. O. Box 310	Registered Insured
Roswell, New Mexico 88201	Gertified U COD
	Always obtain signature of addressee
	agent and DATE DELIVERED.
5. Signature - Addressee	8. Addressee's Address (ONLY if
X	requested and fee paid)
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6 Form 3811, Feb. 1986	DOMESTIC RETURN REC
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Put your address in the "RETURN TO" space on the revencerd from being returned to you. The return receipt fee wild delivered to and the date of delivery. For additional fees the postmaster for fees and check box(es) for additional services. 1. Show to whom delivered, date, and addressee's add	provide you the name of the person e following services are available. Consule(s) requested. ess. 2. Restricted Delivery. 4. Article Number P 728 600 526 Type of Service: Registered COD
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Put your address in the "RETURN TO" space on the revencerd from being returned to you. The return receipt fee wild delivered to end the date of delivery. For additional fees the postmaster for fees and check box(es) for additional services. Show to whom delivered, date, and addressee's addressed to: Enron Oil and Gas Company P. O. Box 2267 Midland, Texas 79702	provide you the name of the person e following services are available. Consule(s) requested. ess. 2. Restricted Delivery.

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT