# DOYLE HARTMAN

Oil Operator 3811 TURTLE CREEK BLVD., SUITE 200 DALLAS, TEXAS 75219

> (214) 520-1800 (214) 520-0811 FAX

Via FedEx

June 6, 1997

Mr. Pete Martinez
Oil/Gas and Minerals Division
New Mexico State Land Office
310 Old Santa Fe Trail (87501)
P.O. Box 1148

Santa Fe, NM 87504-1148

Re: Payment of <u>Sub-Market</u> Oil Prices Myers Langlie Mattix Unit Lea County, New Mexico

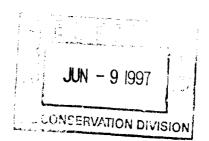
Dear Mr. Martinez:

Reference is made to our telephone conversation this week wherein you called with certain questions concerning our recent correspondence pertaining to the OXY USA, Inc.-operated Myers Langlie Mattix Unit (MLMU) situated in T-23-S and T-24-S, R-36-E and R-37-E, Lea County, New Mexico.

From our conversation this week, it is obvious that the State Land Office makes a concerted effort to ensure that the State of New Mexico, at all times, receives its fair and equitable share of oil and gas reserves and revenues produced from New Mexico waterflood units. In this regard, please find enclosed herewith a series of letters concerning the payment to us, of sub-market oil prices, for our share of MLMU oil production.

From a careful review of the herein enclosed correspondence, it is highly apparent that the operators of the MLMU, while exerting unilateral control over the marketing of MLMU oil production, have not ensured that MLMU interest owners are paid the "prevailing market price" for MLMU oil production, as is required of the unit operator by the MLMU Unit Agreement.

Since we are not familiar with the MLMU oil pricing that has been received by the State of New Mexico, for its share of MLMU oil production, we are making available to you the herein enclosed correspondence so that the State Land Office will be alerted to the fact that not all MLMU interest



Mr. Pete Martinez
Oil/Gas and Minerals Division
New Mexico State Land Office
June 6, 1997
Page 2

owners have received the "prevailing market price" for their share of MLMU oil production. We believe, that if carefully reviewed, the herein enclosed correspondence (documenting the payment of sub-market MLMU oil prices to MLMU interest owners) is self-explanatory, however, if you do have any questions, please feel free to contact us.

Very truly yours,

DOYLE HARTMAN, Oil Operator

Doyle Hartman

enclosures

rcp/rjr wpdocs\corresp.dh\nmocd3ml.mu

cc: Ray B. Powell
Commissioner of Public Lands
New Mexico State Land Office
310 Old Santa Fe Trail (87501)
P.O. Box 1148
Santa Fe, NM 87504-1148

Jami Bailey, Director Oil/Gas and Minerals Division New Mexico State Land Office 310 Old Santa Fe Trail (87501) P.O. Box 1148 Santa Fe, NM 87504-1148

Maurice Lierz, Director Royalty Management Division New Mexico State Land Office 310 Old Santa Fe Trail (87501) P.O. Box 1148 Santa Fe, NM 87504-1148 Mr. Pete Martinez
Oil/Gas and Minerals Division
New Mexico State Land Office
June 6, 1997
Page 3

MMS
Royalty Management Program
Denver Federal Center, Bldg. 85, Room 212A (80225)
P.O. Box 17110, MS 3300
Denver, CO 80217

State of New Mexico
Taxation and Revenue Department
1200 St. Francis Dr. (87505)
P.O. Box 2308
Santa Fe, NM 87504-2308

William J. LeMay, Director New Mexico Oil Conservation Division 2040 S. Pacheco Santa Fe, NM 87505

Rand Carroll, Division Attorney New Mexico Oil Conservation Division 2040 S. Pacheco Santa Fe, NM 87505

David R. Catanach, Engineer New Mexico Oil Conservation Division 2040 S. Pacheco Santa Fe, NM 87505

Armando Lopez
Asst. Dist. Manager, Minerals
United States Geological Survey
Bureau of Land Management
1717 W. Second
Roswell, NM 88201

Dr. Ray R. Irani, Chairman and CEO Occidental Petroleum Corporation 10889 Wilshire Blvd. Los Angeles, CA 90024 Mr. Pete Martinez
Oil/Gas and Minerals Division
New Mexico State Land Office
June 6, 1997
Page 4

Dr. Dale R. Laurance President and Senior Operating Officer Occidental Petroleum Corporation 10889 Wilshire Blvd. Los Angeles, CA 90024

Donald P. Debrier, Executive V.P. and Senior General Counsel Occidental Petroleum Corporation 10889 Wilshire Blvd.

Los Angeles, CA 90024

James A. Davidson 214 W. Texas, Suite 710 Midland, TX 79701

DOYLE HARTMAN, Oil Operator (Midland)

Linda Land Don Mashburn Sheila Potts Steve Hartman Cindy Brooks

# DOYLE HARTMAN

Oil Operator 3811 TURTLE CREEK BLVD., SUITE 730 DALLAS, TEXAS 75219

> (214) 520-1800 (214) 520-0811 FAX

# Via Facsimile (915) 682-9719 and Certified Mail

August 3, 1995

Enron Oil Trading and Transportation Company 5805 East Highway 80 (79701)
P.O. Box 1660
Midland, TX 79702

Attn: John Glidewell

Area Manager, COA, West Texas and New Mexico

Re: Myers Langlie Mattix Unit

Lea County, New Mexico

# Gentlemen:

On August 6, 1991, Enron Oil Trading and Transportation Company issued corrected Division Order Contracts to Doyle Hartman, Oil Operator corresponding to certain Texaco-operated Myers Langlie Mattix Unit tracts described on the list attached hereto. However, it was brought to my attention today that, notwithstanding Enron's corrected 1991 Division Order Contracts, the production month of March, 1993 was the last month for which we have received payment from Enron for crude oil production corresponding to the Myers Langlie Mattix Unit.

Under paragraph 8, of Enron's 1991 Division Order Contracts between Doyle Hartman, as Seller, and Enron, as Purchaser, the seller is obligated to:

"...give you thirty (30) days prior notice before cancelling or discontinuing any or all of the oil sales being made, or to be made, by each of the hereunder..."

At no time subsequent to our execution of Enron's corrected 1991 Division Order Contracts have we given notice to Enron of our intention to discontinue crude oil sales to Enron and, at no time have we received written notice from Enron of its decision to discontinue such purchases, although, subsequent to March, 1993, we have received some revenue disbursements from Oxy USA, Inc. as

to certain undocumented amounts of MLMU production. Contrary to New Mexico Statute 70-2-18, for almost 2-1/2 years, neither Enron nor the operators of the Myers Langlie Mattix Unit have furnished us with an appropriate accounting of our share of crude oil sales from the subject MLMU tracts and therefore, we ask that you immediately inform us by what legal authority has Enron taken it upon itself to discontinue accounting to us for our rightful portion of crude oil proceeds from the MLMU?

Also, being that Enron has ceased to properly account to us for our share of crude oil production from the subject MLMU tracts, you are respectfully requested to promptly furnish us with monthly crude run statements for the MLMU for the period of time of March, 1991 to the present, which requested statements should include the following unit production and revenue data:

- 1. Gross MLMU Production
- 2. Oil Gravity
- 3. Oil Price
- 4. Gross Unit Oil Value
- 5. State Production Tax
- 6. Net Unit Oil Value

Once we have been furnished with the requested data, we will then be in a better position to independently determine how much money has been improperly withheld from us.

Concerning the considerable disruption to our MLMU oil revenues that was experienced by us in 1991, we are enclosing a copy of Enron's letter to us dated August 15, 1991, wherein Enron pledged its future assistance to prevent such a recurrence. Today, after reviewing Enron's August 15, 1991 letter (copy enclosed), we are amazed that Enron has allowed another serious disruption to occur corresponding to our MLMU oil revenues. Therefore, your prompt attention to this matter is again respectfully requested.

Yours very truly,

DOYLE HARTMAN, Oil Operator

Doyle Hartman

enclosures

Enron Oil Trading and Transportation Company August 3, 1995 Page 3

rcp wpdocs\corresp.dh\enron-ml.mu -

cc: Bill Harvey, Division Order Analyst
EOTT
1300 Post Oak Blvd., Suite 2700 (77056)
P.O. Box 4666
Houston, TX 77210-4666
Via Facsimile (713) 993-5821and Certified Mail

Doyle Hartman, Oil Operator Effective Division Order Status as of 8/2/95 Myers Langlie Mattix Waterflood Unit Lea County, New Mexico

Current DHOO EM.R.I.	0.8254999	0.7629996	0.7630001	0.8255001	0.1379999	0.8379999	0.8379999	0.9629999	0.8250000	0.9599220		0.8203126	0.8512835
DROO Carrent N.R.L.	0.0036612	0.0004219	0.0083573	0.0058762	0.0009220	0.0009076	0.0013660	0.0116386	0.0009003	0.0019647	0.0000249	0.0054069	0.0414496
Stripper Royalty Rate Reduction Credit (1)	0.0003903	0.0000489	0.0009639	0.0006264	0.0000968	0.0000953	0.0001434	0.0010635		0.0002762			0.0037048
DROO Enri	0.7375000	0.6750000	0.6750000	0.7375000	0.7500000	0.750000	0.7500000	0.8750000	0.8250000	0.8250000		0.#203126	0.7751960
DROO Uni N.R.1	0.0032709	0.0003751	0.0073934	0.0052498	0.0008252	0.0008123	0.0012226	0.0105751	0.0009003	0.0016886	0.0000249	0,0054069	0.0377449
DHOO UM OMU	0.0044351	0.0005556	0.0109532	0.0071183	0.0011002	0.0010830	0.0016301	0.0120858	0.0010913	0.0020467		0.0065912	0.0486907
MLMU Trad P.E.	0.0249538	0.0015631	0.0306133	0.0200252 0.0200252	0.0030952	0.0030468	0.0091715	0.0339996	0.0102337	0.0102337	0.0210707	0.0185423	
DHOO Trad	0.131079	0.239941	0,239941	0.262158	0.266602	0.266602	0.133301	0.311035	0.087979	0.165000	0.001180	0.291595	
DB00 Trad	0.1777344	0.3554688	0.3554688	0.3554688	0.3554688	0.3554688	0.1777344	0,3554688	0.1066406	0.200000	0.0000000	0.3554688	
Sabsoquen Discontinuance Notice	80 N	Nose	None	Noos	None	None	None	None	None	Noon	None	None	
Effective	16/1/9	9/1/86	9/1/86	9/1/86	3/1/91	3/1/91	3/1/91	3/1/91	3/1/91	3/1/91	3/1/91	12/1/90	
नुष्य व	16/1/6	98757/6	98/97/6	9/25/86	16/9/1	8/6/91	16/9/1	16/5/8	8/6/91	16/9/8	8/6/91	2/25/91	
Type	W.L RRC	W.L.	W.I. RRC	W.L. RRC	W.L R.R.C	W.I RRC	W.L. RRC	W.I.	W.L	W.L RRC	M.L	W.1.	
Federal Lease No.	LC 060824	LC 060825 (a)	LC 060825 (a)	LC 060825 (a)	LC 060825 (b)	LC 060125 (b)	LC 065722	NM 7488	NM 0321613	NM 0321613			
Tad	19	70	21	22	23	7	22	ጸ	29	53	63	72	
Dirtsion Order Contract No.	43871	5521748	5521748	5521748	43871	43871	43871	43871	43871	43871	43871	3050700	Total

Royalty rate reduction credit is equal to 0.125 - 0.037 or 0.088 of 8.08 hs s to above referenced Federal leases;
 i.e., as to Tract 19, RRC = 0.1777344 x 0.088 x 0.0249538 = 0.0003903.

# ENRON

# Oil Trading & Transportation Company

West Texas Office P. O. Box 10607 Midland, TX 79702 (915) 682-3761

August 15, 1991

Doyle Hartman P. O. Box 10426 Midland, Texas 79702

Attention: Mr. Bryan Jones

Land Manager

RE: Myers Langlie Mattix Unit

In reference to your letters dated August 6 and August 12, you stated that Enron received a copy of the C-104 from the New Mexico Oil Conservation Department. This is incorrect. Enron received a PL-107 from Texas New Mexico Pipeline based on information provided to them by the C-104 from the NMOCD. The purchaser (Enron) does not receive a copy of the C-104 from the NMOCD. A copy is provided to the transporter (Texas-New Mexico Pipeline) by the NMOCD.

The problems with the Division Orders which were brought to my attention on August 5, 1991 by Carolyn Sebastian have been resolved and the changes reflect that Texaco is the current operator of this Unit. Said Division Orders will be executed by Doyle Hartman and returned to Enron.

It is further understood that Enron will release money held in suspense for Doyle Hartman by a special check that will be hand delivered today (8-15-91), and that Enron will continue to purchase Doyle Hartman's interest in this unit.

If there are any further problems, questions or correspondence relative to this lease or any other lease in which Enron is involved please call me and I will do everything I can to see that the situation is handled as expediently as possible.

Sincerely yours,

John Glidewell District Manager

Crude Oil Acquisitions

'AUG 1 5 1991

Certified Mail Receipt
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

-	Sent to JOHN GLIDEWE	ELL
	ENRON	
1	Street & No. P.O. BOX 1660	İ
L		
- 1	P.O., State & ZIP Code	2002
L	MIDLAND, TX 797	/02
	Postage X	\$ .78
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ءِ آ	TOTAL Postage & Fees	\$2.98
PS Form 3800, June 1990	Postmark or Date MLMU	
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Fold at line over top of envelope to the right of the return address.

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Put you from the da and cl	and 4. ur address in the "RETURN TO" Space on the re eing returned to you. The return receipt fee will pi	verse side. Failure to do this will prevent this card rovide you the name of the person delivered to and ervices are available. Consult postmaster for fees e's address.  2.   Restricted Delivery (Extra charge)
	ticle Addressed to: JOHN GLIDEWELL	4. Article Number P 894 880 896
	ENRON P.O. BOX 1660 MIDLAND, TX 79702	Type of Service:  ☐ Registered ☐ Insured  XX Certified ☐ COD ☐ Express Mail XX Return Receipt for Merchandise
		Always obtain signature of addressee or agent and <u>DATE DELIVERED</u> .
X 6, Si X 3	gnature — Addressee gnature — Agent	8. Addressee's Address (ONLY if requested and fee paid) MLMU
7. D	ite of Delivery	rcp

Certified Mail Receipt
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

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	Street & No. P.O. BOX 4666		
	P.O., State & ZIP Code HOUSTON, TX 772	10-4666	
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<b>Ö</b>	6. Signature – Agent		
	7. Date of Delivery	rcp	

# DOYLE HARTMAN Oil Operator 500 N. Main P.O. Box 10426 MIDLAND, TEXAS 79702 (915) 684-4011 Office / 682-7616 Fax

# FAX COVER SHEET

To:	
NAME O. P. SIL: 1. 20	DATE AND TIME OF TRANSMISSION
COMPANY SUSPENDENCE	8-3-95 FAX NUMBER
COMPANY Enron	682-9719
From:	
Doyle Hartman	
Reference.	
SUBJECT MLMUL	
MILINUL	
intended solely for the use of the indivi- reader of this message is not the intended responsible for delivering it to the intend- that any dissemination, distribution, copy communication is strictly prohibited. If error, please notify the sender immedia facsimile to the sender at the above ac Service.  Message:	recipient, or the employee or agent ed recipient, you are hereby notified ying, or unauthorized use of this you have received this facsimile in ately by telephone, and return the

DOYLE HARTMAN Oil Operator 500 N. Main P.O. Box 10426 MIDLAND, TEXAS 79702 (915) 684-4011 Office / 682-7616 Fax

# FAX COVER SHEET

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Bill Harvey, D.O. analyst	FAX NUMBER	/		
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Doyle Wartman.				
Reference:				
MLMU				
responsible for delivering it to the intended recipie that any dissemination, distribution, copying, or communication is strictly prohibited. If you have	unauthorized	i use	of	this
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# EOTT EN\_RGY Operating Limited . artnership

P.O. BOX 1660 5805 E. BUSINESS 20 MIDLAND, TEXAS 79702 August 8, 1995 (915) 682-8251

Certified Mail Return Receipt Requested Mr. Doyle Hartman
Oil Operator
P. O. Box 10426
Midland, TX 79702

Re: Myers Langlie Mattix Unit in Lea County, New Mexico

Dear Mr. Hartman:

I am in receipt of your letter dated August 3, 1995, addressed to Enron Oil Trading & Transportation Company. Effective January 1, 1993, Enron Oil Trading & Transportation Company changed its name to EOTT Energy Corp. ("EOTT"). Please be advised that EOTT has not been the purchaser of crude oil from the tracts listed on the schedule attached to your letter since March 31, 1993. Effective April 1, 1993, CITGO became the purchaser of production from said tracts.

Since EOTT has not purchased production from your tracts since March, 1993, EOTT does not possess the accounting information requested in your letter, and EOTT has no duty to provide such accounting. You should contact Oxy USA, Inc., and/or CITGO to obtain the information requested in your letter.

Enclosed is copy of a letter from Texaco Trading and Transportation Inc., to Texas-New Mexico Pipeline Company. This letter was EOTT's first notice that it was no longer the purchaser of production from your tracts.

You said in your letter that you were "amazed that Enron has allowed another serious disruption to occur corresponding to our MLMU oil revenues." Obviously, EOTT does not control the disbursement of proceeds of production that EOTT does not purchase. Likewise, EOTT's division order does not require EOTT to provide you with notice that it is no longer buying production from your tracts when the marketer of that production (Oxy USA, Inc.) unilaterally commences selling such production to another purchaser.

Very truly yours,

John Glidewell Area Manager

cc: Bill Harvey
Walter Zimmerman

DOYLE HASTMAN OIL OPERATOR OIL OPERATOR

AUG 1 0 1995

EOTT ENERGY CORP.

FORM NO. 105-817 (3/94)



Paul E Fowler Division Manager Texas-New Mexico Division Texaco Trading and Transportation Inc

Two Greenspoint Placa Suite 600 16825 Northchase Boule, and Houston TX 77060 5089 713 875 9311

June 2, 1993

Mr. E. H. Gripp Texas-New Mexico Pipeline Company P. O. Box 60028 San Angelo, Texas 76906

Re:

Myers Langlie Mattix Unit Lea County, New Mexico

Operated by Texaco Exploration and Production Inc.

Effective April 1, 1993, Oxy USA Inc. designates CITGO as purchaser of interests recently acquired and previously purchased by Enron in the subject unit.

This change affects approximately 1967 BPD which should be run for CITGO's account on Texas-New Mexico Pipeline. The attached exhibit details the changes in purchaser percentages. Please update your records to reflect this change.

Should you have any questions, please contact Jason Staker at (713) 874-2350.

Very truly yours,

Paul E. Fowler

PEF/JS

Attachments

cc: Frank Burek

John Glidewell - Enron

Harry Rathermel

Tom Savage

Bennett Shelton - CITGO

Bob Wyatt

# TEXACO EXPLORATION AND PRODUCTION INC. - UNIT OPERATOR MYERS LANGLIE MATTIX UNIT TRACT ALLOCATION PERCENTAGE LEA COUNTY, NEW MEXICO

# PLDP #0055-2174-0000 -- TTTI LEASE #81635 EFFECTIVE APRIL 1, 1993

GATHERER: TEXAS/NEW MEXICO PIPELINE

		TRACT	AMERADA		77.00	-3324
SUB	TRACT	ALLOCATION	HESS	спсо	ENRON	TTTI
302	1	1.22311		1.22311	Division 1	TTTI
Ť	2	0.59021		0.59021	<u>-</u>	<del></del>
	3	4.16521		4.16521	<del>-</del>	
<del>i</del>	6	0.64225		0.64225 !		
1	7	1.073861		1.07386 :	<u>-</u>	
<del></del> i	8	0.36086 i		0.360861	i	
1	10	2.14022		2.14022		
i	11 1	0.33405 1		0.33405		
ĺ	12	2.07257		2.07257		
	13	1.66580		1.6658	i	
2178	14	1.54385 !				1.543
2179 !	15	4.11596 !		1		4.115
Ī	16	0.409451		0.40945 !		
Ī	17 !	1.19564		1.19564		
$\overline{}$	18	0.33599		0.33599		
2192	19	2.49538		2.49538		
8020	20	0.15631			i	0.156
8021	21	3.08133		1		3.081
8022	22	2.002521				2.002
2189	23	0.30952		0,30952	<u>;</u>	
2190	24	0.30468		(0,30468)		
2191	25	0.91715		0.91715	<u> </u>	
	26 i	3.39996		(3.39996)		
	27	2.63684		2.63684		
	28	2.19345		2.19345		
	29	1.02337		1.02337	1	
i	30	5.63333	5,63333		ii	
	31	0.59616		:	0.596161	
8032	32	1.22538 !			<u></u>	1.225
	33 I	2.41311!		2.41311 !		_
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3035	35 l	0.08931 !		<u> </u>	<u></u>	0.089
2180	36	0.33124	<u></u> _i			0.331
3037	37	0.76162 i				0.761
3038	38	0.15657		<u> </u>		0.156
3039	39	0.94333		1		0.943
<u>3040  </u>	40	2.69658				2.696
3041	41	0.39002		!	1	0.3900
3042	42	0.27833	<u> </u>			0.278
	43	0.26781		0.26781		
	44	1.29114				1.291
	45	0.02187		0.02187		
	46	0.45346		0.45346		
	47	0.06561		0.06561	<u> </u>	
3048	48	0.04581				0.0458
	49	3.29505		3.29505		
	50	1.33259		1.33259		
	51	0.18398		0.18398		
	52	0.67176		i		0.6717

# TEXACO EXPLORATION AND PRODUCTION INC. - UNIT OPERATOR MYERS LANGLIE MATTIX UNIT TRACT ALLOCATION PERCENTAGE LEA COUNTY, NEW MEXICO PLDP #0055-2174-0000 -- TTTI LEASE #81635

**EFFECTIVE APRIL 1, 1993** 

GATHERER: TEXAS/NEW MEXICO PIPELINE

				PURCHASERS.	. Francisco	- 190 mg
		TRACT	AMERADA		1	
SUB	TRACT	ALLOCATION	HESS	CITGO	ENRON	TTTI
	53	0.31075				0.31075
	54	0.26871		0.26871	1	
	55	0.23648				0.23648
[i	56	1.15151		0.44081	ļ	0.71070
	57	1.37678				1.37678
[ [	58 j	0.85761		0.85761	-	
	59	1.43644		1.43644	1	
2181	60	1.38687		ļ		1.38687
2182	61	1.10778		1	i	1.10778
2183	62	2.09278		0.03269		2.06009
	63	2.10707!		2.10707		
	64	1.50062 i		1.500621	·	
8065	65	1.91167	!	0.12695		1.78472
	· 66	4.41344		4.41344 i		
	68	3.85760			Ī	3.85760
8069	69	2.34135				2.34135
	70	0.27581		0.27581	Ī	
	71	0.29746		0.29746		
	72	1.85423		1.85423	i i	
	73	0.59021	0.29510	0.29511 أ		
	74	1.06063		1.06063		
8075	75 i	0.50868	<u> </u>			0.50868
<u></u>	76	0.75123		0.75123		
8077	77	0.18322				0.18322
	79	0.38667		0.38667		
	80 l	0.71139	:	0.71139	!	
8081 İ	81	0.91263		0.04225 [		0.87038
TOTAL	s ·	100.00000	5.92843	54.38217	0.59616	39.09324

prepared by JTS on June 2, 1993

DOYLE HARTMAN

Oil Operator 3811 TURTLE CREEK BLVD., SUITE 730 DALLAS, TEXAS 75219

> (214) 520-1800 (214) 520-0811 FAX

# Via Fax (713) 646-4305 and U.S. Mail

August 11, 1995

Scurlock Permian Corporation 333 Clay Street, Suite 2900 (77002) P.O. Box 4648 Houston, TX 77210-4648

Attn: John Keffer

Manager Crude Oil Trading

Re:

Designation of Scurlock Permian as DHOO's Crude Oil Purchaser

Myers Langlie Mattix Unit Lea County, New Mexico

# Gentlemen:

Reference is made to our phone conversation yesterday that ended at 4:25 p.m., wherein I requested that Scurlock Permian Corporation immediately become the designated purchaser of Doyle Hartman, Oil Operator's 4.145% net revenue share of crude oil production from the OXY USA, Inc.-operated Myers Langlie Mattix Unit waterflood project located in Lea County, New Mexico. From a review of our letter to Enron Oil Trading and Transportiaon Company (Enron) of August 3, 1995 (copy enclosed), and Enron's reply letter of August 8, 1995 (copy enclosed), as well as my telephone conversation with you yesterday, it should be apparent that starting with the production month of April, 1993, a portion of Doyle Hartman, Oil Operator's Myers Langlie Mattix Unit crude oil has been improperly controlled by OXY USA, Inc. (OXY), without OXY having authority from Doyle Hartman, Oil Operator to take our share of such Myers Langlie Mattix Unit oil production.

In April, 1993, at the time that OXY took improper control of a portion of our Myers Langlie Mattix Unit crude oil production, OXY was not operator of the Myers Langlie Mattix Unit and most certainly was not owner of Hartman's Myers Langlie Mattix Unit oil production. In addition, in mid-1993, Doyle Hartman was involved in negotiations with OXY concerning the trade to OXY of our 4.86% Myers Langlie Mattix Unit leasehold interest in exchange for OXY assigning to us its 160-acre State "N" Eumont lease consisting of the SW/4 Section 2, T-21-S, R-36-E, Lea County,

New Mexico, which negotiations verify that OXY, in 1993, was very aware of our 4.86% Myers Langlie Mattix Unit leasehold ownership. During the subject 1993 trade negotiations, OXY's representatives indicated to our landman, Mr. Alan Smith, that OXY was highly desirous of acquiring our 4.86% Myers Langlie Mattix Unit working interest. However, in late 1993, just prior to OXY acquiring Texaco's Myers Langlie Mattix Unit interest, OXY changed its position as to the acquisition of our Myers Langlie Mattix Unit interest and it is now obvious that OXY decided not to acquire our Myers Langlie Mattix Unit interest because it was obtaining operations of the Myers Langlie Mattix Unit by acquiring Texaco's interest Myers Langlie Mattix Unit interest and also possibly because OXY saw no further economic advantage to holding record title to our 4.86% Myers Langlie Mattix Unit leasehold interest since it had been able, without our permission, to control our Myers Langlie Mattix Unit crude oil production without owning record title.

Moreover, from a review of the summary of Hartman MLMU revenues by purchaser, enclosed herewith, it is also apparent, that since 1993, OXY has failed to pay Doyle Hartman, Oil Operator, and our various royalty owners, a competitive oil price that includes a crude oil price bonus although such price bonuses have been paid in the Permian Basin for approximately the past two years. For this reason, we want to ensure that Scurlock Permian will be paying a competitive oil price as to our Myers Langlie Mattix Unit crude oil production including the payment of a price bonus.

In the event that OXY improperly refuses to allow Scurlock Permian to be designated as Doyle Hartman's official Myers Langlie Mattix Unit crude oil purchaser, you are to inform OXY that, for the following reasons, Scurlock Permian will be purchasing Doyle Hartman, Oil Operator's Myers Langlie Mattix Unit crude oil:

- In April 1993, OXY improperly took control of our Myers Langlie Mattix Unit crude oil without possessing proper authority or record ownership and OXY has no legal authority to attempt to specify which entity is designated as Doyle Hartman, Oil Operator's oil purchaser for the MLMU.
- 2) OXY has failed to pay Doyle Hartman, Oil Operator and our royalty owners a competitive oil price including a crude oil price bonus although such bonuses, for some time, have been common in the Permian Basin, which failure by OXY to pay such bonus renders the ongoing operations of the Myers Langlie Mattix Unit even more non-commercial and further cements

the October 1, 1993 contractual termination of the Myers Langlie Mattix Unit agreement due to the failure of the Myers Langlie Mattix Unit to produce oil in quantities sufficient to yield revenues in excess of operating expenses.

Yours very truly,

DOYLE HARTMAN, Oil Operator

Doyle Hartman

enclosures (3)

rep
wpdocs/corresp.dh/scurlock.mlm

cc: Minerals Management Service
Royalty Management Program
Reports and Payments Division
P.O. Box 17110
Denver, CO 80217-0110

John Glidewell, Area Manager
COA, West Texas and New Mexico
EOTT ENERGY Operating Limited Partnership
5805 E. Business 20
P.O. Box 1660
Midland, TX 79702
Via Certified Mail. Return Receipt Requested

Paul E. Fowler, Division Manager Texaco Trading and Transportation Inc. 16825 Northchase Blvd., Suite 600 Houston, TX 77060-6986

> R.W. Lanning, Land Department Texaco Exploration and Production Inc. 500 North Loraine (79701) P.O. Box 3109 Midland, TX 79702

Herb Whitney, Manager of Operations CITGO Petroleum Corporation P.O. Box 3758 Tulsa, OK 74102 Via Certified Mail, Return Receipt Requested

Bennett Shelton, Senior Field Representative CITGO Petroleum Corporation 1031 Andrews Hwy.
Midland, TX 79701
Via Certified Mail, Return Receipt Requested

Patty Burchett, Marketing Representative OXY USA, Inc.
P.O. Box 300
Tulsa, OK 74102
Via Certified Mail, Return Receipt Requested

Charles Pollard, Operations Engineering Supervisor OXY USA, Inc. 6 Desta Drive, Suite 6000 (79705)
P.O. Box 50250
Midland, TX 79710-0250
Hand Delivered

Jon Thoma, Acquisitions and Divestitures OXY USA, Inc.
6 Desta Drive, Suite 6000 (79705)
P.O. Box 50250
Midland, TX 79710-0250
Hand Delivered

Ed Behm, Manager of Engineering OXY USA, Inc. 6 Desta Drive, Suite 6000 (79705) P.O. Box 50250 Midland, TX 79710-0250 Hand Delivered

T. Kent Wooley, Senior Landman OXY USA, Inc. 6 Desta Drive, Suite 6000 (79705) P.O. Box 50250 Midland, TX 79710-0250 Hand Delivered

J.E. Gallegos, Esq. Gallegos Law Firm 460 St. Michaels Drive, Building 300 Santa Fe, NM 87505

James A. Davidson P.O. Box 494 Midland, TX 79702

## TABLE OF ENCLOSURES

- 1. Doyle Hartman, Oil Operator letter dated August 3, 1995 to John Glidewell, Area Manager of Enron Oil Trading and Transportation Company (Enron) together with Doyle Hartman, Oil Operator Effective Division Order Status Table corresponding to the Myers Langlie Mattix Waterflood Unit, Lea County, New Mexico and copy of Enron letter dated August 15, 1991 from John Glidewell to Doyle Hartman confirming Enron as the officially designated purchaser of a portion of Doyle Hartman's MLMU crude oil production.
- 2. EOTT ENERGY Operating Limited Partnership (Enron) letter reply dated August 8, 1995 from John Glidewell to Doyle Hartman together with Texaco Trading and Transportation Inc. letter dated June 2, 1993 from Paul E. Fowler to Mr. E.H. Gripp of Texas-New Mexico Pipeline Company and Texaco Exploration and Production Inc. Myers Langlie Mattix Unit Tract Allocation Percentage Table, Effective April 1, 1993 wherein EOTT, in its August 8, 1995 letter, indicated that OXY (and not Enron) was responsible for Hartman's MLMU oil production being controlled by OXY.
- 3. Doyle Hartman Summary Table of Hartman MLMU Revenue by Purchaser, for period of January 1992 thru June 1995, showing that as early as April, 1993, OXY took control of a portion of Doyle Hartman, Oil Operator's MLMU oil production revenues just after OXY acquired Sirgo's non-operating MLMU working interest ownership.

Exercise agreement

OXY USA INC.



T. Kent Woolley, CPL Senior Landman Western Ragion (915) 685-5906 FAX: (915) 685-5754

Day NY

February 10, 1994

Box 50250, Midland, TX 79710

Doyle Hartman P. O. Box 10426 Midland, Texas 79702

RE:

Notice of Successor Operator Myers Langlie Mattix Unit Lea County, New Mexico

Dear Mr. Hartman:

Effective December 1, 1993, Texaco Exploration and Production Inc. (TEPI) resigned as operator of the Myers Langlie Mattix Unit and subsequently assigned its working interest to OXY USA Inc.

By letter of November 30, 1993, TEPI requested the working interest owners to elect a successor operator.

OXY USA Inc. has balloted the working interest owners in accordance with Section 8 of the Unit Agreement and presently has approval of 91.65755% of said working interest owners. The Unit Agreement only requires three or more working interest owners with an aggregate voting interest of 65% for approval.

This letter serves as official notification that OXY USA Inc. has assumed the duties and responsibilities of unit operator.

The Commissioner of Public Lands of the State of New Mexico, the Oil Conservation Division of the State of New Mexico and the Bureau of Land Management have been notified of said successor unit operator.

Yours truly,

OXY USA Inc.

T. Kent Woolley, Senior Landman

FEB 11 1994

# **CITGO Petroleum Corporation**



P.O. Box 3758 Tulsa OK 74102-3758

July 20, 1995

Doyle Hartman Attention: Carolyn Sebastian P.O. Box 10426 Midland, TX 79702

RE: 3050700-026 - Myers Langlie Mattix Unit, Tr. 26

Dear Carolyn:

In reviewing our Suspense Ledger, we find that interests credited to Doyle Hartman are in suspense due to unsigned division orders. Accordingly, please find enclosed our Division Orders for your execution and return to us.

For your information, effective April 1, 1993, we began paying Minerals Management Service a reduced royalty of .0370000. The remainder was divided among the remaining working interest owners. I have included a worksheet that sets out the Gross Working Interest for your records. Also effective April 1, 1993, CITGO began remitting 100% of the proceeds. Prior to April 1, 1993, we were remitting only 50% of the proceeds from this lease. We are currently holding \$32,831.50 in suspense for the royalty and working interests from April 1993 through June 1995.

Please contact me at the number below if you require additional information.

Singerely,

√aren Goodmon

Division Order Analyst

(918) 495-4230

/keg

D DOYLE HARTMAN OIL OPERATOR

JUL 26 1995

# MYERS LANGLIE MATTIX UNIT, TR. 26

		NET WI		GROSS WI
13	DOYLE HARTMAN	0.4375000	1	0.5000000
-	HENDRIX	0.2143750		0.2450000
•	KLEIN	0.2143750		0.2450000
-	WESTBROOK	0.0087500		
·	WESTEROOK	0.0007000	•	0.070000
		0.8750000		1.0000000
1)	DOYLE HARTMAN	0.3110350	1	0.3554686
	LARRY NERMYR	0.0068360	1	0.0078126
{	JAMES BURR	0.0034180	1	0.0039063
3{	JAMES DAVIDSON	0.1093750	1	0.1250000
{	JACK FLETCHER	0.0034180	1	0.0039063
(	RUTH SUTTON	0.0034180	1	0.0039063
		0.4375000		0.5000000
4) 2)	MYERS	0.3750000	1	0.5000000
7, 2,	PLUS ORRI BURDENS	0.0625000	3	0.5000000
		0.0020000	Ū	
4) 3)	MYEPS	0.1196290	1	0.1367189
4)	OXY	0.5330082	1	0.6367189
•	PLUS ORRI BURDENS	0.0241208		
		NET INTEREST		GROSS WI
379120	DOYLE HARTMAN	0.1555175	1	0.3554685
379120	DOYLE HARTMAN	0.1555175	1	SUSPENSE
883555	TEXACO EXPLORATION &	0.0068360	1	0.0078125
999927	OXY USA INC	0.5330082	1	0.6367190
		0.8508792		0.0000000
379120	DOYLE HARTMAN	0.0312812	2	SUSPENSE
607336	MINERALS MANAGEMENT	0,0370000	2	
	TEXACO EXPLORATION &	0.0006876	2	
	OXY USA INC	0.0560312	2	
000021		0.0000012	_	
		0.1250000		
483260	KIRK RANCH TRUST	0.0144736	3	OXY BURDENS
	RUTTER AND WILBANKS C	0.0096472		OXY BURDENS
		0.0241208		

Page 1



August 16, 1995

Mr. Randy Adamson Texas New Mexico Pipeline Company Post Office Box 60028 San Angelo, TX 76906

RE: MYERS LANGLIE-MATTIX UNIT

LEA COUNTY, NEW MEXICO

VIA FAX: 915/947-9012

Dear Randy:

Effective September 1, 1995, Doyle Hartman Oil operator will take-in-kind his interest in the reference unit. Mr. Hartman has designated Scurlock Permian Corporation as their purchaser.

We request that effective September 1 please amend your records to reflect the purchaser's percentage as follows:

Amerada Hess	5.92843%
CITGO	38.45216%
Enron	0.59616%
Texaco TTI	37.11869%
Chevron	12.56396%
Chinook	1.19564%
Scurlock Permian	4.14496%

100.00000%

Thank you for your cooperation in this matter. If more information is needed please let me know.

Very truly yours,

Frank B. Bowen

c:

Mr. Doyle Hartman

Mr. John Keffer -SPC

Mr. Gary Moore - TTTI

Mr. Bennett Shelton - CITGO

DOYLE HASTMAN OIL OPERATOR

AUG 1 8 1995

# **DOYLE HARTMAN**

Oil Operator 3811 TURTLE CREEK BLVD., SUITE 200 DALLAS, TEXAS 75219

> (214) 520-1800 (214) 520-0811 FAX

# CERTIFIED MAIL, RETURN RECEIPT REQUESTED

April 26, 1996

Texaco Exploration and Production Inc. 500 N. Loraine P.O. Box 3109

Midland, TX 79702

Attn: Ronald W. Lanning

Land Department

Re: Deficient Oil Price

Myers Langlie Mattix Unit Lea County, New Mexico **OXY USA Inc** 

6 Desta Drive, Suite 6000

P.O. Box 50250

Midland, TX 79710-0250

Attn: T. Kent Wooley

Senior Landman

Gentlemen:

Reference is made to the 4.869% working interest and the 4.145% net revenue interest owned by Doyle Hartman in the Myers Langlie Mattix Unit (MLMU) located in T-23-S and T-24-S, R-36-E and R-37-E, Lea County, New Mexico. Reference is also made to the working interest owned by James A. Davidson in the MLMU.

Paragraph 16 (Allocation of Unitized Substances) of the MLMU Unit Agreement in part reads as follows:

"... Unit Operator, in order to avoid curtailing Unit operations, may sell or otherwise dispose of such production to itself or to others on a day-to-day basis at not less than the prevailing market price in the area for like production, and the account of such Working Interest Owner shall be charged therewith as having received such production....(emphasis added)"

Although oil purchasers had previously been designated (and executed division orders were in place) corresponding to MLMU oil production owned by Doyle Hartman and James A. Davidson, starting

no later than 1991, Texaco and/or OXY, for reasons known only to them, caused (or allowed to be caused) the following <u>unsolicited</u> changes in oil purchasers for Hartman's and Davidson's net MLMU oil production:

<u>Date</u>

Unsolicited
Purchaser Changes

March 1991

Permian to Enron Sun (Oryx) to Enron

**April 1993** 

Enron to OXY

February 1994

Texaco to OXY

While realizing that Texaco and OXY, for operational reasons, may have had the right from time to time to make purchaser changes corresponding to MLMU oil production, both operators, by unilaterally exercising such rights as provided to the operator under Paragraph 16 of the Unit Agreement, also had a clear <u>obligation</u> to ensure that affected unit working interest owners received an oil price "...not less than the prevailing <u>market price</u>... (emphasis added)".

Notwithstanding the foregoing duty on the part of the MLMU operator, we have now confirmed that prior to September 1, 1995, Doyle Hartman was paid an oil price substantially less that the prevailing market price and that James A. Davidson is still receiving such lower price. Therefore, we hereby place Texaco and OXY on notice that we request that a prompt and full accounting be performed as to our MLMU oil runs and pricing dating at least back to January, 1991. It is our position that Texaco and Oxy (as unit operators) have a final responsibility for ensuring that we are compensated for all price differences between the price paid and the true value of our oil as determined in the usual and ordinary course of trade and competition between sellers and buyers that are equally free to bargain. Obviously, it shall also be expected that corresponding adjustments be made for all royalty owners (including the United States of America) under our various MLMU tracts and as to all production taxes for the applicable leases and production period.

Yours very truly,

DOYLE HARTMAN, Oil Operator

Doyle Hartman

# enclosures (3)

rep
wpdocs/corresp.dh/tex&oxy.mlm

cc: Minerals Management Service Royalty Management Program P.O. Box 17110 Denver, CO 80217-0110

State of New Mexico
Taxation and Revenue Department
1200 St. Francis Drive (87505)
P.O. Box 2308
Santa Fe, NM 87504-2308

Charles Osina, Manager of Revenue Texaco Exploration and Production Inc. 1111 Bagby Houston, TX 77002-2543

Paul E. Fowler, Division Manager Texaco Trading and Transportation Inc. 16825 Northchase Blvd., Suite 600 Houston, TX 77060-6986

Texaco Trading and Transportation, Inc. 4800 Fournace Avenue (77401-2325)
P.O. Box 5080
Bellaire, TX 77024-5080

Patty Burchett, Marketing Representative OXY USA Inc P.O. Box 300 Tulsa, OK 74102

> Herb Whitney, Manager of Crude Oil Operations CITGO Petroleum Corporation P.O. Box 3758 Tulsa, OK 74102

Bennett Shelton, Senior Field Representative CITGO Petroleum Corporation 1031 Andrews Hwy.

Midland, TX 79701

Sirgo Operating, Inc. 3300 N. A Street, Bldg. 1, Suite 110 (79705) P.O. Box 3531 Midland, TX 79702

Brian M. Sirgo P.O. Box 7454 Midland, TX 79708 463-27-4918

M.A. Sirgo, III P.O. Box 3805 Midland, TX 79702

John Glidewell, Area Manager, COA, West Texas and New Mexico Enron Oil Trading and Transportation Company 5805 East Highway 80 (79701) P.O. Box 1660 Midland, TX 79702

James V. Derrick, Jr.
Senior Vice President and General Counsel
Enron Corporation
1400 Smith Street (77002)
P.O. Box 1188
Houston, TX 77251-1188

Bill Harvey, Division Order Analyst EOTT 1330 Post Oak Blvd., Suite 2700 (77056) P.O. Box 4666 Houston, TX 77210-4666

EOTT Energy Operating Limited Partnership 1330 Post Oak Boulevard, Suite 2700 (77056) P.O. Box 4666 Houston, TX 77210-4666

Attn: Steve Myers, Vice President, COA and Trading Douglas P. Huth, Vice President, Operations John Ogden, Director, Crude Oil Administration Joyce Ng, Manager, Contract Administration

John Keffer, Manager Crude Oil Trading Scurlock Permian Corporation 333 Clay Street, Suite 2900 (77002) P.O. Box 4648 Houston, TX 77210-4648

Jack Bartels, Director of Marketing Scurlock Permian Corporation 3705 E. Hwy. 158 (79701) P.O. Box 3119 Midland, TX 79702

Sun Refining and Marketing Company 907 South Detroit (74120) P.O. Box 2039 Tulsa, OK 74102-2039 Attn: John McWhorter, V.P. and Director

Attn: John McWhorter, V.P. and Director of Domestic Crude Linda Buckman, Contracts and Division Orders

David R. Smith, Regional Manager
Sun Company, Inc. (R & M)
Atrium Center, Suite 400
1100 W. Louisiana
Midland, TX 79701

> James A. Davidson 214 W. Texas, Suite 710 Midland, TX 79701

Michael Condon Gallegos Law Firm 460 St. Michaels Drive, Building 300 Santa Fe, NM 87505

Doyle Hartman, Oil Operator Carolyn M. Sebastian, Landman Jefferson D. Massey, Controller Don L. Mashburn, Engineer Steve Hartman, Engineer Cindy Brooks, Engineering Tech Sheila Potts, Geologist

MEDNOSK tas barbastan and tas barbastan and tas barbastan and as barbastan bastan and as barbastan barban and and table Sour Myers Langlie Mattix Unit Crude Oit Arices vs West 1 W Tr Sr (\$750), MLMU Ou (\$750) BZF M M M U

# Example of Unsolicited Purchaser Changes DHOO Working Interest Myers Langlie Mattix Unit January 1992 thru March 1996

	NET	7.378.58	7,767.92	8,602 06	8,787.48	9 175 55	A 078 55	2000	8/706'9	8,881.88	8,921.07	9 968 19	8 KBO 64		7,821.45	7,786.39	7,564.67	8,320.13	7,461.23	6.876.22	A 600 A	6 063 63	20,440	200	3,732.74	6,286 85	5,257.91	4,534.62	4,560.60	4,232 08	4,534.69	4 906 96	6,009.60	5 923 92	384 00	6.818.00	7 962 12	2 780 79	7 986 59	7 527 42	8 277 85	8 145.26	8,683.95	8,722.34	9,064,11	7,759.59	7,332.01	9,439.96	10,245.31	9,341.49	9,050,66	10,982.66	10,590.64	9,033.56	200	396,174.45	
	TAXES	629 29	662.47	733.62	749.44	782.45	765 77	2 20	62.53	757.25	761.99	851 44	737.60	3 2 2	90.80	865.08	646.15	710.68	637.30	587.34	11. 17.	646.03	216.37	20.00	493.11	531.24	444.16	383.08	385.28	357 53	383.12	414.51	524.23	500.43	A30 30	47.5	670 84	720.87	67.2	624.20	697 44	606 28	731.64	734.86	763.68	653.76	617.75	785.34	863.58	787.40	762.89	925.73	892.69	761.44		33,595.02	
TOTAL	PRICE	15.04	15.24	15.27	16.67	17.43		3	28.20	17.76	18.33	18.14	7 4	5	15.03	15.49	16.49	16.71	16.61	16.24	, ,	2	3 2	9 ;	13.71	1	13 85	10.79	11.19	11 11	11.23	12.82	14.70	15.85	3	8 3	200	,	14.65	3 55	14.78	ž. ž.	15.27	16.59	16.39	15.17	13.93	14.57	16.15	15.29	15.87	17.08	16.91	16.80	2	15.50	
	GROSS	A 007 87	8 430 39	9 335 68	9.536.92	000	2,447.0	3,147	9,716.07	9,639.13	9,683,06	10 819 63	20.000	9,043.55	8,489.51	8,451.45	8,210.62	9,000	8.098.53	7 483 56	20.00	8 17 /	0,000,0	7 190	6,285,85	6,820.09	5,702.07	4,917.70	4 945.88	4,589.61	4,917.81	5.321.47	6 533 83	S 424 35	200	7 363 00	90 000	0.000	9,000	8 1E1 E2	9 07 5 70	8 831 54	9.415.59	9 457 22	97 758 6	8,413.35	7,949.76	10,235.30	11,106.89	10,128.89	9,813.55	11,908.39	11,483.33	9,795.00	14,333.10	429,769.48	
	VOLUME	530.88	553 01	611 21	571.97	571.22	27 173	211.47	533.92	542.72	528.39	50C 48		2 3	536.13	545.73	496.00	540.57	487.43	450 FR			2.6	460.30	458.47	472.31	437.09	455.97	442.15	413.10	438.01	414.93	444.46	405.23	200	400 60	00.00	01.619	8 8	201.00	07 700	3, 12, 13, 13, 13, 13, 13, 13, 13, 13, 13, 13	77 919	570.04	599 45	564.52	570.77	702.71	687.86	662.28	618.49	697.28	678.89	583.11	3	27,724.15	
	NET																																																10,245.31	9,341.49	900006	10,962.68	10,590.64	9,033.56	1,3/3.1/	70,617.49	
AN 3	TAXES																																																963.58	787.40	762.89	925.73	892.69	761.44	8	5,953.72	
SCURLOCK PERMIAN "	PRICE																																																16.15	15.29	15.87	17.08	16.91	16.80	19.19	16.75	
SCURI	GROSS																																																11,106,89	10,128,89	9.813.55	11,906.39	11.463.33	9,795.00	12,333.16	78,571.21	
	VOLUME																																																587.86	662.28	618.49	697.28	678.89	583.11	642.72	4,570.67	-
İ	NET																		70 470 6		1,312.73	875.B4	1,692.97	1,689,88	1,620,13	1,760,76	1,472.45	1272 54	1 248 19	2 943 16	3 152 AG	2,410.24		4,179.34	4,119.70	4,439.65	7	5,536.06	6,105.30	5,554.92	2733.00	5,755.63	4,000,0		200	205.76	2000	20407							İ	112,060,32	
	TAXES																		177 18		3	160.23	3.4	144.35	138.39	148.73	124.37	107 49	105 44	248 64	5 5	2000	2000	0.805	748.0	375.05	, c no	1466.44	514.40	468.02	80.50	26.53	100	140.08	8 8	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	5 8	400 58								9.777.86	
οχ	PRICE																		10.61	9	10.4	15.52	14.15	14.33	13.80	12.54	13.14	10.89	11 01	11 11	11.23	3	70.7	7 17	20.02	6.36	8	13.92	14.27	5.65	1365	14.78	9 5	12.21	9	, t	13.63	2 2								14.49	ŀ
	GROSS																		37 136 4	2,450	2,0/6,13	2,036.07	1,837.57	1,834,23	1,758.52	1,909.49	1,596.82	1 380 03	135363	3 191 80	3 419 22	3,413.47	3,036.42	26000	4.46/ /1	4,614.70	5,142.10	6,002,50	6,619.70	6,022.94	5,6/4,62	6,240.56	0,140,36	20,000	0,0/0,0	2 646	5 577 57	R 184 65								121,538,28	
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1) The only purchaser change made by DHOO was a change to Sourfock Permian as oil purchaser effective September 1, 1995.

BOOK 312 PAGE 368

Working Interest Owners in all Tracts meeting the requirements of naragraphs

(a) and (b) have voted in favor of the qualification of such Tract and
acceptance of the indemnity agreement.

For the purpose of this paragraph (c), a Working Interest Owner's "voting interest" shall be equal to the ratio (expressed in percent) which its aggregate Phase II Participation in all Tracts qualifying under paragraphs (a) and (b) bears to the total Phase II Participation of all Working Interest Owners in all Tracts qualifying under paragraphs (a) and (b). Upon the qualification of a Tract, the Unit Participation which would have been attributed to the nonsubscribing owners of the Working Interest in such Tract, had they become parties to this agreement and the Unit Operating Agreement, shall be attributed to the Working Interest Owners in such Tract who have become parties to the indemnity agreement, in proportion to their respective Working Interests in the Tract.

Substances produced and saved (less, save and except any part of such Unitized Substances used in conformity with good operating practices on unitized land for drilling, operating, camp and other production or development purposes and for pressure maintenance in accordance with a plan of operation approved by the Supervisor and the Commissioner, or unavoidably lost) shall be apportioned among and allocated to the qualified Tracts in accordance with the respective Tract Participations effective hereunder during the respective periods such Unitized Substances were produced, as set forth in the schedule of participation in Exhibit C. The amount of Unitized Substances so allocated to each tract, and only that amount (regardless of whether it be more or less than the amount of the actual production of Unitized Substances stances from the well or wells, if any, on such Tract), shall, for all intents, uses and purposes, be deemed to have been produced from such Tract.

The Unitized Substances ellocated to each such Tract shall be distributed among, or accounted for to, the parties executing, consenting to or ratifying this agreement and entitled to share in the production from such Tract in the same manner, in the same proportions, and upon the same conditions, as they would have participated and shared in the production from such Tracts, or in the proceeds thereof, had this agreement not been entered into, and with the same legal force and effect.

No Tract qualified for participation under this agreement shall be subsequently excluded from participation hereunder on account of deplation of Unitized Substances from said Tract.

If the Working Interest and/or the Royalty Interest in any Tract is divided with respect to separate parcels or portions of such Tract and owned severally by different persons, the Unitized Substances allocated to such Tract shall, in the absence of a recordable instrument executed by the owners of such interest, furnished to Unit Operator and fixing the divisions of ownership, be divided among the owners of interest in such parcels or portions in proportion to the number of surface acres in each parcel or portion.

The Unitized Substances allocated to each Tract shall be delivered in kind to the parties entitled thereto by virtue of the ownership of ail and gas rights therein or by purchase from such owners. Each of the parties entitled thereto shall have the continuing right to receive such production in kind at a common point within the Unit Area and to sell or dispose of the same as it sees fit. Each such party shall have the right to construct, maintain and operate all necessary facilities for that purpose within the Unit Area, provided the same are so constructed, maintained and operated as not to interfere with operations carried on pursuant hereto. Subject to Section 18, Royalty Settlement, hereof, any extra expenditure incurred by Unit Operator by reason of the delivery in kind of any portion of the Unitized Substances shall be borne by the party receiving the same in kind. In the event any Working Interest Owner shall fail to take or otherwise adequately dispose of its proportionate share of the production from the Unitized Formation currently as and when produced, Unit Operator, in order to avoid curtailing Unit operations, may sell or otherwise dispose of such production to itself or to others on a day-to-day basis at not less than the prevailing market price in the area for like production, and the account of such Working Interest Owner shall be charged therewith as having received such production. The net proceeds, if any, of the Unitized Substances so disposed of by Unit Operator shall be paid to the Working Interest Owner of the Tract or Tracts concerned or to a party designated in writing by such Working Interest Owner. Notwithstanding the foregoing, Unit Operator shall not make a male into interstate commerce of any Working Interest Owner's share of gas production without first giving such Working Interest Owner sixty (60) days notice of such intended sale.

Any party receiving in kind or separately disposing of all or any part of the Unitized Substances allocated to any Tract, or receiving the proceeds therefrom if the same is sold or purchased by Unit Operator, shall be responsible for the payment of all Royalty due under the lease or leases covering said Tract, and each such party shall hold each other party hereto harmless against all claims, demands and causes of action for Royalty due under the lease or leases covering said Tract.

SECTION 17. BALANCING OF PRODUCTION. Unit Operator shall make a proper and timely gauge of all lesse and other tanks located on each committed Tract in order to ascertain the amount of merchantable oil in such tanks, above the pipeline connection, on the effective date hereof. All such oil which is a part of the prior allowable of the well or wells from which the same was produced shall be and remain the property of the Owners entitled thereto as if this agreement had not been entered into and such Owners shall promptly remove same. Any such oil not so removed may be sold by the Unit Operator for the account of such Owners, subject to payment of all Royalties due under the terms and provisions of the applicable lease or lesses and other contracts. All oil which is in excess of the prior allowable for the well or wells from which the same was produced shall be regarded and treated the same as Unitized Substances produced after the effective date hereof. If, as of the offective date hereof, any Tract of unitized land is overproduced with respect to the allowable of the well or wells on that Tract and if the amount of such over-production has been sold or otherwise disposed of, such over-production shall be regarded and included as a part of the Unitized Substances produced after the effective date hereof, and the amount thereof charged to such Tract as having been delivered to the parties entitled to Unitized Substances allocated to such Tract.

SECTION 18. ROYALTY SETTLEMENT. The State of New Hexico and the United States of America and all Royalty Owners who, under an existing contract, are entitled to take in kind a share of the Unitized Substances produced from any Tract unitized hereunder, shall hereafter be entitled to take in kind their share of the Unitized Substances allocated to such



Robort D. Hunt Asset Team Laader OXY USA INC.
Box 50250, Midland, TX 79710

Phone (915) 685-5744 FAX: (915) 685-5888

May 7, 1996

Doyle Hartman 200 Turtle Creek Center 3811 Turtle Creek Boulevard Dallas, Texas 75219-4421

James A. Davidson P. O. Box 494 Midland, Texas 79702

#### Gentlemen:

In response to your letter of April 26, 1996, addressed to both OXY USA and Texaco, as both you and Mr. Davidson are fully aware, OXY USA is contractually bound to CITGO Petroleum Corporation for the oil which it sells from the Myers Langlie Unit.

All working interest owners have been, and still are, free to sell their share of production from the unit. OXY has been doing so (since it assumed operatorship on January 1, 1994) only as an accommodation to certain working interest owners, but certainly not in fulfillment of some 'obligation' or 'duty' under the Unit Agreement. In fact, the clear obligation of OXY under Paragraph 16 of the Unit Agreement is to deliver the oil 'in kind' to the working interest owners for them to sell or dispose of as they choose. It is only when such owners 'fail the take' (or to put it another way, fail to fulfill their obligation to take) that OXY sells such production.

OXY USA does not benefit in any way from such sale, nor do we make the choice to sell the share production of the other working interest owners. Such owners make the choice on their own as to how they will sell their share of production.

I am aware that you are currently selling your share of the production from the unit and Mr. Davidson is certainly free to do so.

In any event, OXY USA respectfully declines to accept the position you take as set forth in your April 26, 1996 letter.

Yours truly,

OXY USA Inc.

Robert D. Hunt Asset Team Leader

Leverth Stunk

JCL/bic

An Occidental Oil and Gas company

## **DOYLE HARTMAN**

Oil Operator 500 NORTH MAIN P.O. BOX 10426 MIDLAND, TEXAS 79702

(915) 684-4011 (915) 682-7616 FAX

## Via Facsimile (915) 685-5888 and U.S. Mail

April 3, 1997

Robert D. Hunt, Asset Team Leader OXY USA, Inc.
Box 50250
Midland, Texas 79710

Re: Myers Langlie Mattix Unit

Lea County, New Mexico

Dear Mr. Hunt:

Reference is made to your letter dated May 7, 1996 (copy enclosed), wherein you stated:

"...OXY USA is contractually bound to CITGO Petroleum Corporation for the oil which it sells from the Myers Langlie Unit (emphasis added)..."

In consideration of the fact, that prior to September 1995, Doyle Hartman's share of MLMU oil production was marketed by OXY USA to Citgo Petroleum Corporation, please forward a complete and accurate copy of any and all applicable oil purchase-related contracts and agreements between OXY USA and Citgo Petroleum Corporation, so that we will be in possession of full documentation as to how and why, prior to September, 1995, OXY USA and Citgo Petroleum Corporation priced our MLMU oil production.

In this regard, we are enclosing the following additional documents:

- 1) Letter dated August 8, 1995 from John Glidewell, EOTT Energy Corp. to Doyle Hartman, Oil Operator.
- 2) Letter dated June 2, 1993 from Paul E. Fowler, Texaco Trading and Transportation, Inc. to Mr. E.H. Gripp, Texas-New Mexico Pipeline Company.
- 3) Texaco Exploration and Production Inc. Myers Langlie Mattix Unit Tract Allocation Percentage Table Effective April 1, 1993.

Robert D. Hunt, Asset Team Leader OXY USA, Inc. April 3, 1997 Page 2

4) Letter dated August 16, 1995 from Frank B. Bowen, OXY USA to Mr. Randy Adamson, Texas-New Mexico Pipeline Company.

Your prompt reply is respectfully requested.

Yours very truly,

DOYLE HARTMAN, Oil Operator

Xinda Land

Linda Land Controller

enclosures (5)

cc: John Glidewell, District Manager Crude Oil Acquisitions EOTT 1011 S. Goode St. Midland, TX 79701

> Bill Harvey, Division Order Analyst EOTT 1300 Post Oak Blvd., Suite 2700 (77056) P.O. Box 4666 Houston, TX 77210-4666

Paul E. Fowler, Division Manager Texaco Trading & Transportation 16825 Northchase Blvd., Ste. 600 Houston, TX 77060-6086

Bennett Shelton, Sr. Field Rep. Citgo Petroleum Corporation 1031 Andrews Hwy. Midland, TX 79701 Robert D. Hunt, Asset Team Leader OXY USA, Inc. April 3, 1997 Page 3

> Tom Savage Texaco Trading & Transportation 16825 Northchase Blvd., Ste. 600 Houston, TX 77060-6086

Walter Zimmerman EOTT 1011 S. Goode St. Midland, TX 79701

Gary L. Moore, Crude Oil Representative Texaco Trading and Transportation P.O. Box 60628 Midland, TX 79711

Frank B. Bowen, Crude Oil Sales OXY USA, Inc. P.O. Box 300 Tulsa, OK 74102-0300

## **MMS**

Royalty Management Program P.O. Box 17110, MS 3300 Denver, CO 80217

Ray B. Powell, Commissioner of Public Lands New Mexico State Land Office P.O. Box 1147 Santa Fe, NM 87504

State of New Mexico
Taxation and Revenue Department
P.O. Box 2308
Santa Fe, NM 87504-2308

James A. Davidson 214 W. Texas, Suite 710 Midland, TX 79701 Robert D. Hunt, Asset Team Leader OXY USA, Inc. April 3, 1997 Page 4

Doyle Hartman, Oil Operator, Dallas

Doyle Hartman, Oil Operator, Midland Cindy Brooks Steve Hartman





Robert D. Hunt Amet Team Leader Phone (915) 685-5744 FAX: (915) 685-5888

May 7, 1996

Doyle Hartman 200 Turtle Creek Center 3811 Turtle Creek Boulevard Dallas, Texas 75219-4421

James A. Davidson P. O. Box 494 Midland, Texas 79702

#### Gentlemen:

In response to your letter of April 26, 1996, addressed to both OXY USA and Texaco, as both you and Mr. Davidson are fully aware, OXY USA is contractually bound to CITGO Petroleum Corporation for the oil which it sells from the Myers Langlie Unit.

All working interest owners have been, and still are, free to sell their share of production from the unit. OXY has been doing so (since it assumed operatorship on January 1, 1994) only as an accommodation to certain working interest owners, but certainly not in fulfillment of some 'obligation' or 'duty' under the Unit Agreement. In fact, the clear obligation of OXY under Paragraph 16 of the Unit Agreement is to deliver the oil 'in kind' to the working interest owners for them to sell or dispose of as they choose. It is only when such owners 'fail the take' (or to put it another way, fail to fulfill their obligation to take) that OXY sells such production.

OXY USA does not benefit in any way from such sale, nor do we make the choice to sell the share production of the other working interest owners. Such owners make the choice on their own as to how they will sell their share of production.

I am aware that you are currently selling your share of the production from the unit and Mr. Davidson is certainly free to do so.

In any event, OXY USA respectfully declines to accept the position you take as set forth in your April 26, 1996 letter.

Yours truly,

OXY USA Inc.

Robert D. Hunt Asset Team Leader

Robert W. Hunk

JCL/bic

An Occidental Oil and Gas company

## $EOTT\,EN$ , RGY Operating Limitea , artnership

P.O. BOX 1660 5805 E. BUSINESS 20 MIDLAND, TEXAS 79702 August 8, 1995 (915) 682-8251

Certified Mail Return Receipt Requested Mr. Doyle Hartman Oil Operator P. O. Box 10426 Midland, TX 79702

Re: Myers Langlie Mattix Unit in Lea County, New Mexico

Dear Mr. Hartman:

I am in receipt of your letter dated August 3, 1995, addressed to Enron Oil Trading & Transportation Company. Effective January 1, 1993, Enron Oil Trading & Transportation Company changed its name to EOTT Energy Corp. ("EOTT"). Please be advised that EOTT has not been the purchaser of crude oil from the tracts listed on the schedule attached to your letter since March 31, 1993. Effective April 1, 1993, CITGO became the purchaser of production from said tracts.

Since EOTT has not purchased production from your tracts since March, 1993, EOTT does not possess the accounting information requested in your letter, and EOTT has no duty to provide such accounting. You should contact Oxy USA, Inc., and/or CITGO to obtain the information requested in your letter.

Enclosed is copy of a letter from Texaco Trading and Transportation Inc., to Texas-New Mexico Pipeline Company. This letter was EOTT's first notice that it was no longer the purchaser of production from your tracts.

You said in your letter that you were "amazed that Enron has allowed another serious disruption to occur corresponding to our MLMU oil revenues." Obviously, EOTT does not control the disbursement of proceeds of production that EOTT does not purchase. Likewise, EOTT's division order does not require EOTT to provide you with notice that it is no longer buying production from your tracts when the marketer of that production (Oxy USA, Inc.) unilaterally commences selling such production to another purchaser.

Very truly yours,

John Glidewell Area Manager

cc: Bill Harvey

Walter Zimmerman

AUG 1 0 1995

EOTT ENERGY CORP.

FORM NO. 105-817 (3-74)



Paul E Fowler
Jivis on Manager
Texas-New Medica Givision

Texaco Trading and Transportation Inc

Two Greenspoint Plana Soite 660 16925 Northchase Boundard Houston TX 77960 5089 713 875 9311

## June 2, 1993

Mr. E. H. Gripp
Texas-New Mexico Pipeline Company
P. O. Box 60028
San Angelo, Texas 76906

Re:

Myers Langlie Mattix Unit

Lea County, New Mexico

Operated by Texaco Exploration and Production Inc.

Effective April 1, 1993, Oxy USA Inc. designates CITGO as purchaser of interests recently acquired and previously purchased by Enron in the subject unit.

This change affects approximately 1967 BPD which should be run for CITGO's account on Texas-New Mexico Pipeline. The attached exhibit details the changes in purchaser percentages. Please update your records to reflect this change.

Should you have any questions, please contact Jason Staker at (713) 874-2350.

Very truly yours,

Paul E. Fowler

PEF/JS

Attachments

cc: Frank Burek

John Glidewell - Enron

Harry Rathermel

Tom Savage

Bennett Shelton - CITGO

Bob Wyatt

# TEXACO EXPLORATION AND PRODUCTION INC. - UNIT OPERATOR MYERS LANGLIE MATTIX UNIT TRACT ALLOCATION PERCENTAGE LEA COUNTY, NEW MEXICO PLDP #0055-2174-0000 -- TTTI LEASE #81635 EFFECTIVE APRIL 1, 1993

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## TEXACO EXPLORATION AND PRODUCTION INC. - UNIT OPERATOR MYERS LANGLIE MATTIX UNIT TRACT ALLOCATION PERCENTAGE LEA COUNTY, NEW MEXICO PLDP #0055-2174-0000 -- TTTI LEASE #81635

EFFECTIVE APRIL 1, 1993

GATHERER: TEXASINEW MEXICO PIPELINE

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1	53	0.310751	j	- l		0.31075
	54	0.26871		0.26871	<u> </u>	
	55	0.23648		1		0.23648
ĺ	56	1.151511	!	0.44081		0.71070
	57	1.37678	1	i		1.376781
1	58	0.85761	J	0.85761	1	
	59	1.436441	1	1.43644	í	
2181	60 1	1.386871		!		1.38687
2182	61	1.10778	1	1	i	1.10778
21831	62 1	2.092781	1	0.03269 i		2.06009
1	63	2.107071		2.10707		
	64	1.50062 i		1.50062 [	·	
8065	65	1.911671		0.12695		1.78472
	66	4.41344	<u>_</u> _ <u>_</u>	4.413441		
	68 <u></u> 1	3.85760	l	1	1	3.85760
8069	69	2.34135	<u> </u>	<u> </u>	1	2.34135
i	70l	0.27581		0.27581		
	71	0.29746		0.297461		
	72 1	1.85423		1.85423 [	<u>i</u> _	
	73	0.59021!	0.29510	0.295111	1	
	74	1.06063	1	1.06063 (		
8075	75	0.50868	1			0.50868
	76	0.75123		0.751231		
8077	77	0.183221			1	0.18322
	79	0.386671		0.38667		
1	80	0.711391	:	0.71139 [	!	
8081	81	0.91263		0.04225 1		0.87038
TOTAL	<u>s ·                                    </u>	100.000001	5.92843	54.38217	0.59616	39.09324

prepared by JTS on June 2, 1993



August 16, 1995

Mr. Randy Adamson
Texas New Mexico Pipeline Company
Post Office Box 60028
San Angelo, TX 76906

RE: MYERS LANGLIE-MATTIX UNIT

LEA COUNTY, NEW MEXICO

VIA FAX: 915/944-2721

Dear Randy:

Effective September 1, 1995, Doyle Hartman Oil operator will take-in-kind his interest in the reference unit. Mr. Hartman has designated Scurlock Permian Corporation as their purchaser.

We request that effective September 1 please amend your records to reflect the purchaser's percentage as follows:

Amerada Hess	5.92843%
CITGO	38.45216%
Epron	0.59616%
Texaco TTI	37.11859%
Chevron	12.56396%
Chinook	1.19564%
Scurlock Permian	4.14496%

100.00000%

Thank you for your cooperation in this matter. If more information is needed please let me know.

Very truly yours,

Frank B. Bowen

Mr. Doyle Hartman

Mr. John Keffer -SPC

Mr. Gary Moore - TTTI

Mr. Bennett Shelton - CITGO

Oil Operator
500 N. Main
P.O. Box 10426
MIDLAND, TEXAS 79702
(915) 684-4011 Office / 682-7616 Fax

## FAX COVER SHEET

	To:					
	Pobert D. Hunt  COMPANY  Oky U.S.A. Inc.	DATE AND TIME OF TRANSMISSION  4-3-97  FAX NUMBER				
	From:	(915) 485-5888				
	Linda Lond, Controller Reference:					
	Myers Longlie Mattix Une	t				
	The information contained in this facsing intended solely for the use of the individual reader of this message is not the intended responsible for delivering it to the intended that any dissemination, distribution, copying communication is strictly prohibited. If you error, please notify the sender immediate facsimile to the sender at the above add Service.	recipient, or the employee or agent direcipient, you are hereby notified ng, or unauthorized use of this ou have received this facsimile in ely by telephone, and return the				
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