

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

RECEIVED OGD
2011 JUL 25 A 9:23

IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION DIVISION FOR
THE PURPOSE OF CONSIDERING:

APPLICATION OF CINMAREX ENERGY CO.
FOR A NON-STANDARD OIL SPACING AND
PRORATION UNIT AND COMPULSORY POOLING,
CHAVES COUNTY, NEW MEXICO

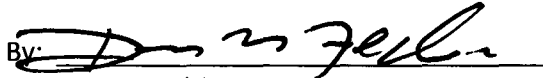
Case No. 14415 (Re-opened)
Order No. R-13287-A

**Notice to Cimarex Energy Co
Of Election to Participate in Unit Well**

By and through Counsel of Record, each of the heirs of H. N. Smith, deceased, being Robin E. Birnie, Allison L. Birnie, Cameron S. Birnie Jason Bond and Cindy Kochi, hereby elect, to the extent of their respective interests to participate in the unit well located in the W/2E/2 of Section 18 T15S, R31E, Chaves County, New Mexico, known as the Cimarex Franklin 18 Federal Com Well No. 3 (API no. 30-005 29139.

Dated this 25th day of July, 2011.

Respectfully submitted

By: 

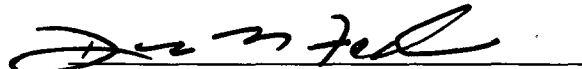
Don M. Fedric
Post Office Box 1837
Roswell, New Mexico 88202

William F. Carr
HOLLAND & HART LLP
Post Office Box 2208
Santa Fe, New Mexico 87504
Telephone (505)988-4421

ATTORNEYS FOR THE HEIRS OF H. N. SMITH
ROBIN E. BIRNIE, ALLISON L. BIRNIE, CAMERON S.
BIRNIE, CINDI KOCHI AND JASON BOND

CERTIFICATION

I certify that on this 25th day of July, 2011, I hand delivered a copy of this Notice to the office of opposing counsel of record, James Bruce.



Don M. Fedric