

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

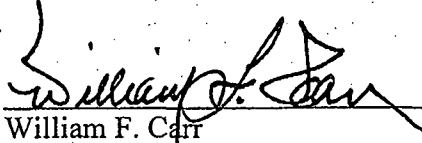
APPLICATION OF DAVID H. ARRINGTON  
OIL & GAS INC. FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.

CASE NO. 14497

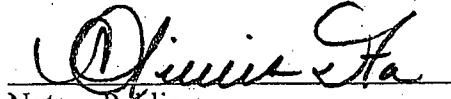
AFFIDAVIT

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

William F. Carr, attorney in fact and authorized representative of David H. Arrington Oil & Gas, Inc, the Applicant herein, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.

  
William F. Carr

SUBSCRIBED AND SWORN to before me this 1st day of September 2010 by William F. Carr.

  
Notary Public

My Commission Expires: 3-10-12

HOLLAND & HART <sup>LLP</sup>



Ocean Munds-Dry  
omundsdry@hollandhart.com

May 25, 2010

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

**TO AFFECTED INTEREST OWNERS**

Re: Application of David H. Arrington Oil & Gas, Inc. for compulsory pooling, Lea County, New Mexico.

This letter is to advise you that David H. Arrington Oil & Gas, Inc. has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests from the surface to the base of the Morrow formation in certain spacing and proration units in the S/2 of Section 26, Township 15 South, Range 34 East, N.M.P.M., Lea County, New Mexico. Said pooled unit is to be dedicated to Arrington's Green Eyed Squealy Worm Well No. 1 to be re-entered 1974 feet from the South line and 1129 feet from the East line of said Section 26.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on June 24, 2010. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. 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 Pre-hearing Statement four days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address and should 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.

Sincerely,

*Ocean Munds-Dry*

Ocean Munds-Dry  
ATTORNEY DAVID H. ARRINGTON  
OIL & GAS, INC.

Holland & Hart <sup>LLP</sup>

Phone [505] 988-4421 Fax [505] 983-6043 [www.hollandhart.com](http://www.hollandhart.com)

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. ☏

**EXHIBIT A**

**APPLICATION OF  
DAVID H. ARRINGTON OIL & GAS, INC.  
FOR COMPULSORY POOLING  
S/2 SECTION 26, TOWNSHIP 15 SOUTH, RANGE 34 EAST, N.M.P.M.  
LEA COUNTY, NEW MEXICO.**

Bank of America, N.A.  
Trustee of the Gay Crabb Karger Trust  
PO Box 830308  
Dallas, Texas 75283

Bank of America, N.A.  
Trustee of the Lawrence E.  
Karger A Trust  
PO Box 830308  
Dallas, Texas 75283

Bank of America, N.A.  
Trustee of the Billy Easley Trust  
PO Box 830308  
Dallas, Texas 75283

H-D Mineral Properties, a Partnership  
PO Box 3061  
Midland, Texas 79702

Don C. Dennis, Trustee of the  
J.M. Dennis Trust  
PO Box 1738  
Lubbock, Texas 79408

Don C. Dennis, as his separate property  
PO Box 1738  
Lubbock, Texas 79408

Heirs or devisees of Baron Duff  
Dennis (Jessie A. Dennis, sole heir)  
231 Middlebury  
San Antonio, Texas 78127

JoAnn DeNitto, as her separate property  
30 Crockett Circle  
Levelland, Texas 79336

Angela McAlpin, Personal  
Representative of the Estate of G.T.  
McAlpin, deceased  
665 Lincoln Court  
Grand Junction, CO 81503

Lora McAlpin Trust c/o Robert McAlpin  
1405 E. Washington Ave  
Navasota, Texas 77868-3240

Sandra Lee Ponder Joy, as her sole  
and separate property  
17421 E. State Highway 22  
Cranfills Gap, Texas 76637

Western Commerce Bank  
Trustee of the Frances J Freeman  
Revocable Living Trust u/t/a dated  
9/1/92  
PO Box 1627  
Lovington, NM 88260

The Sewand Family Trust  
c/o Legal Awareness New Mexico  
3901 George NE  
Suite G-1  
Albuquerque, NM 87110

Winston Partners, LTD  
c/o Sargent Management  
4800 First Bank Place  
Minneapolis, Minnesota 55402

Marshall & Winston, Inc.  
PO Box 50880  
Midland, Texas 79710

7006 2760 0001 6379 3759

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 Return Receipt Fee (Endorsement Required) 2.15  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 5.06

Bank of America, N.A.  
 Trustee of the Gay Crabb K  
 Trust  
 PO Box 830308  
 Dallas, Texas 75283

**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:

Bank of America, N.A.  
 Trustee of the Gay Crabb Karger  
 Trust  
 PO Box 830308  
 Dallas, Texas 75283

2. Article Number  
 (Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature [Signature] ☐ Agent ☐ Addressee  
 B. Received by (Printed Name) [Name] C. Date of Delivery [Date]  
 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

7006 2760 0001 6379 3759

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

7006 2760 0001 6379 3766

**U.S. Postal Service™**  
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Postage \$ 61  
 Certified Fee 2.30  
 Return Receipt Fee (Endorsement Required) 2.15  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 5.06

Bank of America, N.A.  
 Trustee of the Lawrence E.  
 Karger A Trust  
 PO Box 830308  
 Dallas, Texas 75283

- 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:

Bank of America, N.A.  
 Trustee of the Lawrence E.  
 Karger A Trust  
 PO Box 830308  
 Dallas, Texas 75283

A. Signature [Signature] ☐ Agent ☐ Addressee  
 B. Received by (Printed Name) [Name] C. Date of Delivery [Date]  
 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)

**U.S. Postal Service™**  
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**OFFICIAL**

Postage \$ 61  
 Certified Fee 2.30  
 Return Receipt Fee (Endorsement Required) 2.15  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 5.06

Bank of America, N.A.  
 Trustee of the Billy Easley Trust  
 PO Box 830308  
 Dallas, Texas 75283

**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:

Bank of America, N.A.  
 Trustee of the Billy Easley Trust  
 PO Box 830308  
 Dallas, Texas 75283

2. Article Number  
 (Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature [Signature] ☐ Agent ☐ Addressee  
 B. Received by (Printed Name) [Name] C. Date of Delivery [Date]  
 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

7006 2760 0001 6379 3773

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

7006 2760 0001 6379 3773

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Postage	\$ .61
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.06

Sen  
H-D Mineral Properties  
Partnership  
PO Box 3061  
Midland, Texas 79702  
PS

**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:

H-D Mineral Properties, a  
Partnership  
PO Box 3061  
Midland, Texas 79702

2. Article Number  
(Transfer from service label)

7006 2760 0001 6379 3780

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
X *Victor Rymal* ☒ Agent ☐ Addressee  
B. Received by (Printed Name)  
*Victor Rymal* C. Date of Delivery  
*6-1-10*  
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

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Postage	\$ .61
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.06

Don C. Dennis,  
As his separate property  
PO Box 1738  
Lubbock, Texas 79408

**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:

Don C. Dennis,  
As his separate property  
PO Box 1738  
Lubbock, Texas 79408

2. Article Number  
(Transfer from service label)

7006 2760 0001 6379 3797

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
X *Don C. Dennis* ☐ Agent ☐ Addressee  
B. Received by (Printed Name)  
*Don C. Dennis* C. Date of Delivery  
*6-2-0*  
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

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Postage	\$ .61
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.06

Don C. Dennis, Trustee of  
J.M. Dennis Trust  
PO Box 1738  
Lubbock, Texas 79408

- 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:

Don C. Dennis, Trustee of the  
J.M. Dennis Trust  
PO Box 1738  
Lubbock, Texas 79408

2. Article Number  
(Transfer from service label)

7006 2760 0001 6379 6217

A. Signature  
X *Don C. Dennis* ☐ Addressee  
B. Received by (Printed Name)  
*Don C. Dennis* C. Date of Delivery  
*6-2-0*  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☒ No

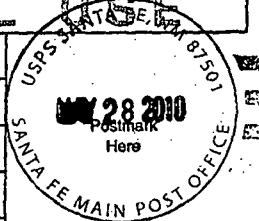
3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.  
4. Restricted Delivery? (Extra Fee) ☐ Yes

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Certified Fee	2.50
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.01</b>



*Returned*

JoAnn NeNitto, as his separate  
 property  
 30 Crockett Circle  
 Levelland, Texas 79336

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For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.01</b>

Angela McAlpin, Personal  
 Representative of the Estate of G.T.  
 McAlpin, deceased  
 665 Lincoln Court  
 Grand Junction, CO 81503

**SENDER: COMPLETE THIS SECTION**

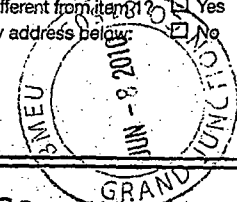
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Angela McAlpin, Personal  
 Representative of the Estate of G.T.  
 McAlpin, deceased  
 665 Lincoln Court  
 Grand Junction, CO 81503

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature *Robert Davidson* ☐ Agent ☐ Addressee
- B. Received by (Printed Name) *Robert Davidson* C. Date of Delivery *6-1-10*
- D. Is delivery address different from item 1? ☐ Yes ☒ No  
 If YES, enter delivery address below:



3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

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**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.01</b>

Lora McAlpin Trust c/o Robert  
 1405 E. Washington Ave  
 Navasota, Texas 77868-3240

**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:

Lora McAlpin Trust c/o Robert McAlpin  
 1405 E. Washington Ave  
 Navasota, Texas 77868-3240

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature *Sam Sanders* ☐ Agent ☐ Addressee
- B. Received by (Printed Name) *SAM SANDERS* C. Date of Delivery *6-1-10*
- D. Is delivery address different from item 1? ☐ Yes ☒ No  
 If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
 (Transfer from service label)

7006 2760 0001 6379 6156

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Postage	\$ .61
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.06

Sandra Lee Ponder Joy, as her separate property  
17421 E. State Highway 22  
Cranfills Gap, Texas 76637

**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:

Sandra Lee Ponder Joy, as her sole and separate property  
17421 E. State Highway 22  
Cranfills Gap, Texas 76637

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *[Signature]* ☐ Agent ☐ Addressee  
B. Received by (Printed Name) *Sandra Joy* C. Date of Delivery *6/2/10*

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

3. Service Type

- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☒ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.06

Western Commerce Bank  
Trustee of the Frances J Free  
Revocable Living Trust u/t/a  
PO Box 1627  
Lovington, NM 88260

2. Article Number

7006 2760 0001 6379 6163

**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:

Western Commerce Bank  
Trustee of the Frances J Free  
Revocable Living Trust u/t/a date 9/1/92  
PO Box 1627  
Lovington, NM 88260

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *[Signature]* ☐ Agent ☐ Addressee  
B. Received by (Printed Name) *[Name]* C. Date of Delivery *[Date]*

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

3. Service Type

- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☒ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.06

The Sewand Family Trust  
c/o Legal awareness New Mexico  
3901 George NE  
Suite G-1  
Albuquerque, NM 87110

2. Article Number

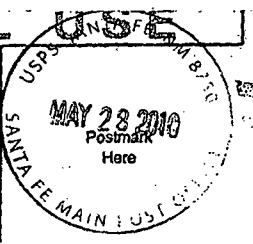
(Transfer from service label)

7006 2760 0001 6379 6170

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540



*[Large handwritten signature]*

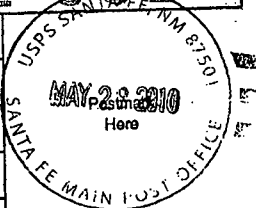
See Reverse for Instructions

**U.S. Postal Service™  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$5.06</b>



Winston Partners, LTD  
c/o Sargent Management  
4800 First Bank Place  
Minneapolis, Minnesota 55402

*Returned*

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

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$5.06</b>

**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:**

Marshall & Winston, Inc.  
PO Box 50880  
Midland, Texas 79710

**2. Article Number**  
(Transfer from service label)

7006 2760 0001 6379 6200

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *[Signature]* ☐ Agent ☐ Addressee  
B. Received by (Printed Name) *Susan Hays* C. Date of Delivery *6-1-10*  
D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

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™  
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**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$5.06</b>

- 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:**

Heirs or devisees of Baron Duff  
Dennis (Jessie A. Dennis, sole heir)  
231 Middlebury  
San Antonio, Texas 78127

**2. Article Number**  
(Transfer from service label)

7006 2760 0001 6379 3803

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

A. Signature *[Signature]* ☐ Agent ☐ Addressee  
B. Received by (Printed Name) *JESSIE A DENNIS* C. Date of Delivery *6/2/10*  
D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.  
4. Restricted Delivery? (Extra Fee) ☐ Yes

Heirs or devisees of Baron  
Dennis (Jessie A. Dennis,  
231 Middlebury  
San Antonio, Texas 78127



# Affidavit of Publication

STATE OF NEW MEXICO )

) ss.

COUNTY OF LEA )

Joyce Clemens being first duly sworn on oath deposes and says that she is Advertising Director of **THE LOVINGTON LEADER**, a daily newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled

Legal Notice

was published in a regular and entire issue of **THE LOVINGTON LEADER** and not in any supplement thereof, for one (1) day, beginning with the issue of June 3, 2010 and ending with the issue of June 3, 2010.

And that the cost of publishing said notice is the sum of \$ 92.70 which sum has been (Paid) as Court Costs.

Joyce Clemens

Subscribed and sworn to before me this 3<sup>rd</sup> day of June 2010

Debbie Schilling

Debbie Schilling

Notary Public, Lea County, New Mexico

My Commission Expires June 22, 2010

## LEGAL NOTICE NOTICE OF PUBLICATION

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

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on June 24, 2010 in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact: Florene Davidson at 505-476-3458 or through the New Mexico Relay Network 1-800-659-1779 by June 14, 2010. Public documents including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed.

STATE OF NEW MEXICO TO:  
All named parties and persons  
having any right, title, interest  
or claim in the following cases  
and notice to the public

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

### CASE 14497:

Application of David H. Arrington Oil & Gas Inc. for compulsory pooling, Lea County, New Mexico. Applicant in the above-styled cause seeks an order pooling all mineral interests from the surface to the base of the Morrow formation in the following described spacing unit located in the S/2 of Section 26, Township 15 South, Range 1 East, N.M.P.M., Lea County, New Mexico: the S/2 for all formations and/or pools developed on 320-acre spacing within this vertical extent including the North Eidsvold Morrow Gas Pool, the Undesignated North Hume Morrow Gas Pool and the Undesignated Grassland Austin Gas Pool; and the SE/4 for all formations and/or pools developed on 160-acre spacing within this vertical extent. Said unit is to be dedicated to its Green Eyed Squealy Worm Well No. 1 to be re-entered 1974 feet from the South line and 1129 feet from the East line of said Section 26. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of David Arrington Oil & Gas Inc. as operator of the well and a 200% charge for risk involved in drilling said well. Said area is located approximately 3 miles west of Lovington, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Division at Santa Fe, New Mexico on this 27th day of May 2010.

STATE OF NEW MEXICO OIL CONSERVATION DIVISION

Mark E. Fesmire, P.E., Director  
Published in the Lovington Leader June 3, 2010.