

**Affidavit of Publication**

State of New Mexico,  
County of Eddy, ss.

**Kathy McCarroll**, being first duly sworn,  
on oath says:

That she is the Classified Supervisor of the Carlsbad Current-Argus, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

May 4 \_\_\_\_\_ 2012

That the cost of publication is **\$149.30** and that payment thereof has been made and will be assessed as court costs.

Kathy McCarroll

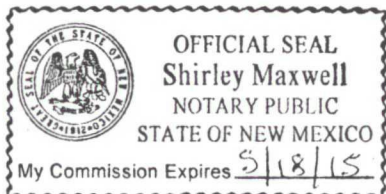
Subscribed and sworn to before me this

11th day of May, 2012

Shirley Maxwell

My commission Expires on May 18, 2015

Notary Public



May 4, 2012

**NOTICE**

To: Thomas R. Fifer, Donald F. Bertholf, and Carol Clark, or your heirs, devisees, or successors; Cimarex Energy Co. has filed two applications with the New Mexico Oil Conservation Division, seeking orders pooling all mineral interests from the surface to the base of the Glorieta-Yeso formation in the following acreage:

(i) The NE/4SE/4 of Sec-

tion 1, Township 19 South, Range 25 East, NMPM, to form a standard 40 acre spacing and proration unit for any and all formations or pools developed on 40-acre spacing within that vertical extent. The unit will be dedicated to the Nebraska 1 Fee Well No. 1, to be drilled at an orthodox location; and

(ii) The SE/4SE/4 of Section 1, Township 19 South, Range 25 East, NMPM, to form a standard 40 acre spacing and proration unit for any and all formations or pools developed on 40-acre spacing within that vertical extent. The unit will be dedicated to the Nebraska 1 Fee Well No. 3, to be drilled at an orthodox location.

Also to be considered will be the cost of drilling and completing the wells and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of Cimarex Energy Co. of Colorado as operator of the wells, and a 200% charge for the risk involved in drilling and completing the wells. The applications are scheduled to be heard at 8:15 a.m. on Thursday, May 24, 2012 at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an interest owner in the well units, you have the right to enter an appearance and participate in the cases. Failure to appear will preclude you from contesting these matters at a later date. The attorney for applicant is James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504. The units are located approximately 6 miles south-southwest of Atoka, New Mexico.

Oil Conservation Division

Case No. 4

Exhibit No. 4