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

APPLICATION OF XTO ENERGY, INC. FOR A NON-STANDARD SPACING AND PRORATION UNIT, AND COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

CASE NOS. 15206, 15207, 15208, AND 15209

AFFIDAVIT

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

Michael H. Feldewert, attorney in fact and authorized representative of XTO Energy, Inc., the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Applications has been provided under the notice letters and proof of receipts attached hereto.

Michael H. Feldewert

SUBSCRIBED AND SWORN to before me this 1st day of October 2014 by Michael H.

Feldewert.



ar Public

BEFORE THE OIL CONVERSATION
DIVISION
Santa Fe, New Mexico
Exhibit No. 12
Submitted by: XTO ENERGY, INC.
Hearing Date: October 1, 2014

XTO ENERGY INC. PERLA VERDE 31 STATE 1H WELL

POOLED PARTIES:

Apache Corporation 303 Veterans Airpark Lane Suite 300 Midland, TX 79704

Leslie Hendrix Wood, husband Lee F. Wood, Jr. Four W Properties, LLC P.O. Box 11364 Midland, TX 79702

BTA 692 Ltd. 104 South Pecos Midland, TX 79701 Patricia Penrose Schieffer Testamentary Trust Bank of America, N.A. Agent P.O. Box 2546 Fort Worth, Texas 76113

Kristen Lee Hendrix Hayes fka Kristen Lee Hendrix Miller P.O. Box 3040 Midland, TX 79702 JM Zacahary, wife Lola 307 West 7th Street Suite 1910 Fort Worth, TX 76113

Karmen Hendreix Bryant fka Karment Marie Hendrix P.O. Box 3040 Midland, TX 79702

OFFSETS:

CHEVRON USA, INC. P.O. Box 1635 Houston, TX 77252

MACK ENERGY/CHASE OIL P.O. Box 960 Artesia, NM 88211

Cimarex Energy Co. of Colorado 1700 Lincoln Street Suite 1800 Denver, CO 80203 COG OPERATING LLC 1 Concho Center 600 W. Illinois Ave. Midland, TX 79701

Tandem Energy Corporation 2700 Post Oak Boulevard, Suite 1000 Houston, TX 77056

XTO ENERGY, INC. 810 Houston Street Ft. Worth, TX 67102

Featherstone Development Corp. P.O. Box 429 Roswell, NM 88202

RUBICON OIL & GAS II LP 508 Wall Street, Suite 500 Midland, TX 79701



September 12, 2014

VIA CERTIFIED MAIL CERTIFIED RECEIPT REQUESTED

TO: POOLED PARTIES

Re: Application of XTO Energy, Inc. for a non-standard spacing and

proration unit, and compulsory pooling, Lea County, New Mexico.

Perla Verde 31 State 1H Well

Dear Sir or Madam:

This letter is to advise you that XTO Energy, Inc., has filed the enclosed amended application with the New Mexico Oil Conservation Division. This application will be set for hearing before a Division Examiner at 8:15 a.m. on October 2, 2014. 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 19.15.4.13.B to file a Prehearing 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.

If you have any questions about this matter please contact Keith Sawyer, at (817) 885-2905 or Keith_Sawyer@xtoenergy.com.

Sincerely,

Michael H. Feldewert

ATTORNEY FOR XTO ENERGY, INC.

Sphille a. Serror



September 12, 2014

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

TO: OFFSETTING LESSEES AND OPERATORS

Application of XTO Energy, Inc. for a non-standard spacing and RE: proration unit, and compulsory pooling, Lea County, New Mexico. Perla Verde 31 State 1H Well

This letter is to advise you that XTO Energy, Inc. has filed the enclosed amended application with the New Mexico Oil Conservation Division. Your interests are not being pooled under this application. You are receiving notice of this application because of the request for the proposed non-standard spacing and proration unit and due to the proposed unorthodox well location.

This application has been set for hearing before a Division Examiner at 8:15 AM on October 2, 2014. 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 19.15.4.13.B to file a Pre-Hearing Statement with the Oil Conservation Division's Santa Fe office, four days in advance of a scheduled hearing, but at least on the Thursday preceding the hearing. This statement must 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.

If you have any questions about this matter please contact Keith Sawyer, at (817) 885-2905 or Keith Sawyer@xtoenergy.com.

Sincerely,

Michael H. Feldewert
ATTORNEY FOR XTO ENERGY, INC.

Satrille assert

U.S. Postal Service CERTIFIED MAIL RECEIPT 5205 MHF/XTO PERLA VERDE 1H .25 Postage Certified Fee 1000 Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) 2760 Total Postage & Fees Apache Corporation 7006 303 Veterans Airpark Lane Suite 300 Street, A or PO B City, Sta Midland, TX 79704

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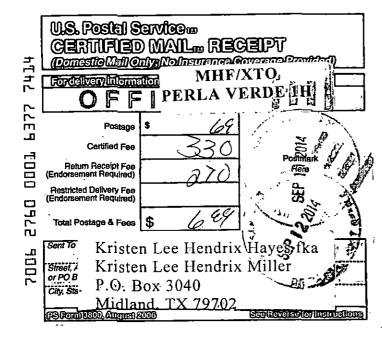
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 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: 	A Signature X Suc la Plat Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 17 Yes If YES, enter delivery address below:
Apache Corporation 303 Veterans Airpark Lane Suite 300 Midland, TX 79704	3. Service Type Certified Mail
2. Article Number	
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PS Form 3811, February 2004 Domestic Ret	urn Receipt 102595-02-M-1540
SENDER: COMPLETE: THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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.	A. Signature X
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Ratricia Penrose Schieffer Eestamentary Trust Bank of America, N.A. Agent	
P.O. Box 2546 Fort Worth, Texas 76113	3. Service Type D Certified Mail Express Mail Registered Return Receipt for Merchandise C.O.D.
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Leslie Hendrix-Wood, husband Lee F. Wood, Jr. Four W Properties, LLC	
P.O. Box 11364 Midland, TX 79702	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchandise
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Kristen Lee Hendrix Hayes fka Kristen Lee Hendrix Miller	
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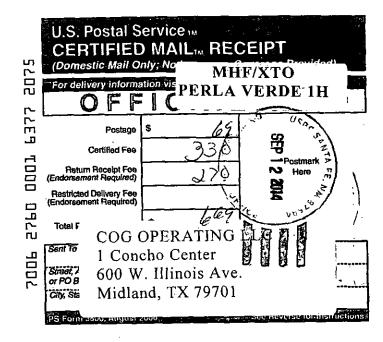
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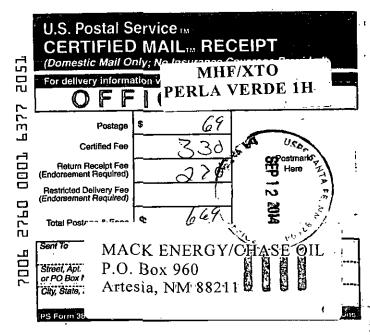
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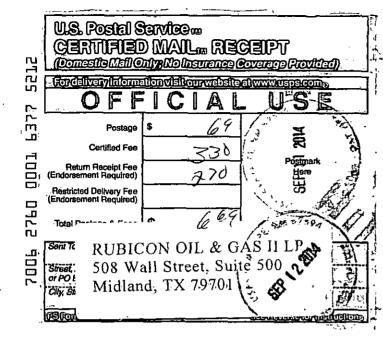
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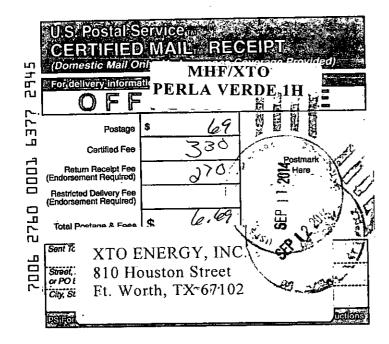
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Cimarex Energy Co. of Colorado 1:700 Lincoln Street Suite 1800	If YES, enter delivery address below: No	
Cimarex Energy Co. of Colorado 1:700 Lincoln Street Suite 1800	If YES, enter delivery address below: No No Service Type Certified Mail Express Mail	
Cimarex Energy Co. of Colorado 1700 Lincoln Street Suite 1800 Denver,:CO 80203	If YES, enter delivery address below: No A: Service Type Certified Mail	
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Cimarex Energy Co. of Colorado 1700 Lincoln Street Suite 1800 Denver, CO 80203	If YES, enter delivery address below: No A: Service Type Certified Mail Registered Receipt for Merchan Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes	ndise



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Ft. Worth, TX 67102	3. Service Type D. Certified Mail D. Registered D. Return Recei D. Insured Mail D. C.O.D.	pt for Merchandise
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XTO ENERGY INC. PERLA VERDE 31 STATE 2H WELL

POOLED PARTIES:

Apache Corporation 303 Veterans Airpark Lane Suite 300 Midland, TX 79704

Leslie Hendrix Wood, husband Lee F. Wood, Jr. Four W Properties, LLC P.O. Box 11364 Midland, TX 79702 Patricia Penrose Schieffer Testamentary Trust Bank of America, N.A. Agent P.O. Box 2546 Fort Worth, Texas 76113

Kristen Lee Hendrix Hayes fka Kristen Lee Hendrix Miller P.O. Box 3040 Midland, TX 79702 JM Zacahary, wife Lola 307 West 7th Street Suite 1910 Fort Worth, TX 76113

Karmen Hendreix Bryant fka Karment Marie Hendrix P.O. Box 3040 Midland, TX 79702

OFFSETS:

CHEVRON USA, INC. P.O. Box 1635 Houston, TX 77252

COG OPERATING LLC 1 Concho Center 600 W. Illinois Ave. Midland, TX 79701

XTO ENERGY, INC. 810 Houston Street Ft. Worth, TX 67102

Cimarex Energy Co. of Colorado 1700 Lincoln Street Suite 1800 Denver, CO 80203

MACK ENERGY/CHASE OIL P.O. Box 960 Artesia, NM 88211 Featherstone Development Corp. P.O. Box 429 Roswell, NM 88202

Tandem Energy Corporation 2700 Post Oak Boulevard, Suite 1000 Houston, TX 77056



September 12, 2014

<u>VIA CERTIFIED MAIL</u> CERTIFIED RECEIPT REQUESTED

TO: POOLED PARTIES

Re: Application of XTO Energy, Inc. for a non-standard spacing and proration unit, and compulsory pooling, Lea County, New Mexico.

Perla Verde 31 State 2H Well

Dear Sir or Madam:

This letter is to advise you that XTO Energy, Inc., has filed the enclosed amended application with the New Mexico Oil Conservation Division. This application will be set for hearing before a Division Examiner at 8:15 a.m. on October 2, 2014. 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.

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If you have any questions about this matter please contact Keith Sawyer, at (817) 885-2905 or Keith Sawyer@xtoenergy.com.

Sincerely,

Michael H. Feldewert



September 12, 2014

<u>VIA CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

TO: OFFSETTING LESSEES AND OPERATORS

RE: Application of XTO Energy, Inc. for a non-standard spacing and proration unit, and compulsory pooling, Lea County, New Mexico.

Perla Verde 31 State 2H Well

This letter is to advise you that XTO Energy, Inc. has filed the enclosed amended application with the New Mexico Oil Conservation Division. Your interests are not being pooled under this application. You are receiving notice of this application because of the request for the proposed non-standard spacing and proration unit and due to the proposed unorthodox well location.

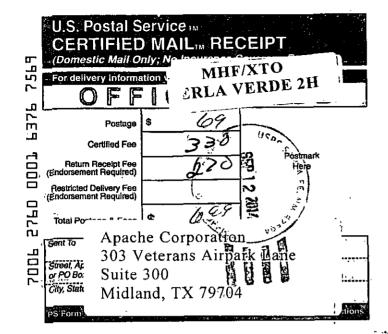
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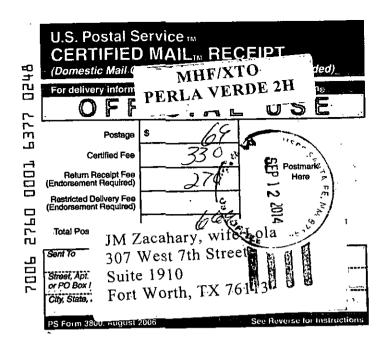
Michael H. Feldewert



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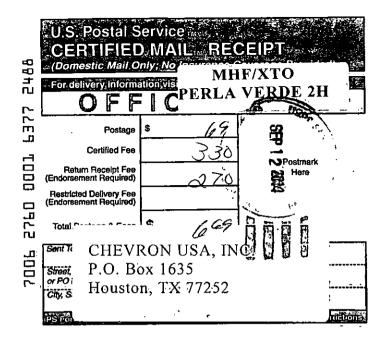
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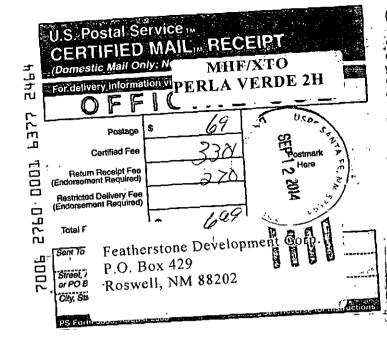
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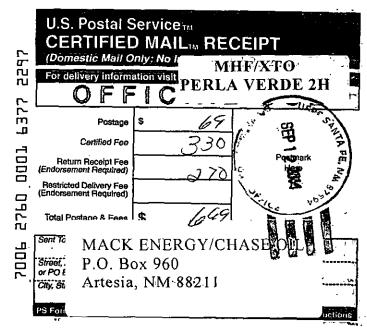
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Roswell, NM 88202	3. Service Type Certified Mail
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102595-02-M-1540

PS Form 3811, February 2004



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XTO ENERGY INC. PERLA VERDE 31 STATE 3H WELL

POOLED PARTIES:

Apache Corporation 303 Veterans Airpark Lane Suite 300 Midland, TX 79704

Leslie Hendrix Wood, husband Lee F. Wood, Jr. Four W Properties, LLC P.O. Box 11364 Midland, TX 79702

BTA 692 Ltd. 104 South Pecos Midland, TX 79701 Patricia Penrose Schieffer Testamentary Trust Bank of America, N.A. Agent P.O. Box 2546 Fort Worth, Texas 76113

Kristen Lee Hendrix Hayes fka Kristen Lee Hendrix Miller P.O. Box 3040 Midland, TX 79702 JM Zacahary, wife Lola 307 West 7th Street Suite 1910 Fort Worth, TX 76113

Karmen Hendreix Bryant fka Karment Marie Hendrix P.O. Box 3040 Midland, TX 79702

OFFSETS:

CHEVRON USA, INC. P.O. Box 1635 Houston, TX 77252

MACK ENERGY/CHASE OIL P.O. Box 960 Artesia, NM 88211 COG OPERATING LLC 1 Concho Center 600 W. Illinois Ave. Midland, TX 79701

Tandem Energy Corporation 2700 Post Oak Boulevard, Suite 1000 Houston, TX 77056 Featherstone Development Corp. P.O. Box 429 Roswell, NM 88202

XTO ENERGY, INC. 810 Houston Street Ft. Worth, TX 67102



September 12, 2014

VIA CERTIFIED MAIL CERTIFIED RECEIPT REQUESTED

TO: POOLED PARTIES

Re: Application of XTO Energy, Inc. for a non-standard spacing and

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Perla Verde 31 State 3H Well

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Michael H. Feldewert



September 12, 2014

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Sincerely,

Michael H. Feldewert



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P.O. Box 2546 Fort Worth, Texas 76113	3. Service Type D Certified Mail D Registered D Return Receipt for Merchandise D Insured Mail D C.O.D.
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Kristen Lee Hendrix Hayes fka Kristen Lee Hendrix Miller P.O. Box 3040 Midland, TX 79702	3. Service Type Certified Mail
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PS Form 3811, February 2004 Domestic Ref SENDER: COMPLETE THIS SECTION Complete item's 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.	COMPLETE THIS SECTION ON DELIVERY A. Signature X Address
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Domestic Return Receipt

102595-02-M-1540

PS Form 3811, February 2004



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7006	Street Ai P.O. Box 1635 P.O. Box 1635 Houston, TX 77252	
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	A. Signature A. Signature A. Signature Addressee B. Received by (Phinted Name) D. Is delivery address different from item 1? If YES, enter delivery address below:
BTA 692 Ltd. 104 South Pecos Midland, TX 79701	3. Service Type Certified Mail Registered Respond No.D. Receipt for Merchandise Insured Mail C.O.D.
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(Domestic Mail Only; No Ins. MHF/XTO For delivery information visit operal VERDE 3H E E **L**377 Postage Certified Fee 1000 Return Receipt Fee (Endorsement Required) . Restricted Delivery Fee (Endorsement Required) 2760 Total " COG OPERATING LLC Ð Sent To 7006 1 Concho Center 600 W. Illinois Ave. or POI City, Si Midland, TX 79701

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600 W. Illinois Ave. Midland, TX 79701	3. Service Type Certifled Mail Express Mail Registered Return Receipt for Merchandise I Insured Mail C.O.D.
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Featherstone Development Corp. P.O. Box 429 Roswell, NM 88202	3. Service Type Certified Mail
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PS Form 3811, February 2004

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Ft. Worth, TX 67102	3. Service Type Certified Mall Registered Return Receipt for Merchandise
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PS Form 3811, February 2004 Domestic Re	turn Receipt 102595-02-M-1540

XTO ENERGY INC. PERLA VERDE 31 STATE 4H WELL

POOLED PARTIES:

Apache Corporation 303 Veterans Airpark Lane Suite 300 Midland, TX 79704

Leslie Hendrix Wood, husband Lee F. Wood, Jr. Four W Properties, LLC P.O. Box 11364 Midland, TX 79702 Patricia Penrose Schieffer Testamentary Trust Bank of America, N.A. Agent P.O. Box 2546 Fort Worth, Texas 76113

Kristen Lee Hendrix Hayes fka Kristen Lee Hendrix Miller P.O. Box 3040 Midland, TX 79702 JM Zacahary, wife Lola 307 West 7th Street Suite 1910 Fort Worth, TX 76113

Karmen Hendreix Bryant fka Karment Marie Hendrix P.O. Box 3040 Midland, TX 79702

OFFSETS:

CHEVRON USA, INC. P.O. Box 1635 Houston, TX 77252

New Mexico State Land Office Post Office Box 1148 Santa Fe, New Mexico 87504

COG OPERATING LLC 1 Concho Center 600 W. Illinois Ave. Midland, TX 79701 Cimarex Energy Co. of Colorado 1700 Lincoln Street Suite 1800 Denver, CO 80203

Bureau of Land Management 301 Dinosaur Trail Santa Fe, New Mexico 87508

XTO ENERGY, INC. 810 Houston Street Ft. Worth, TX 67102

Xeric Oil & Gas Corp. 14781 Memorial Drive Suite 175 Houston, Texas 77079

P.O. Box 429 Roswell, NM 88202



September 12, 2014

VIA CERTIFIED MAIL CERTIFIED RECEIPT REQUESTED

TO: POOLED PARTIES

Re: Application of XTO Energy, Inc. for a non-standard spacing and

proration unit, and compulsory pooling, Lea County, New Mexico.

Perla Verde 31 State 4H Well

Dear Sir or Madam:

This letter is to advise you that XTO Energy, Inc., has filed the enclosed amended application with the New Mexico Oil Conservation Division. This application will be set for hearing before a Division Examiner at 8:15 a.m. on October 2, 2014. 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 19.15.4.13.B to file a Prehearing 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.

If you have any questions about this matter please contact Keith Sawyer, at (817) 885-2905 or Keith_Sawyer@xtoenergy.com.

Sincerely,

Michael H. Feldewert



September 12, 2014

<u>VIA CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

TO: OFFSETTING LESSEES AND OPERATORS

RE: Application of XTO Energy, Inc. for a non-standard spacing and proration unit, and compulsory pooling, Lea County, New Mexico. Perla Verde 31 State 4H Well

This letter is to advise you that XTO Energy, Inc. has filed the enclosed amended application with the New Mexico Oil Conservation Division. Your interests are not being pooled under this application. You are receiving notice of this application because of the request for the proposed non-standard spacing and proration unit and due to the proposed unorthodox well location.

This application has been set for hearing before a Division Examiner at 8:15 AM on October 2, 2014. 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 19.15.4.13.B to file a Pre-Hearing Statement with the Oil Conservation Division's Santa Fe office, four days in advance of a scheduled hearing, but at least on the Thursday preceding the hearing. This statement must 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.

If you have any questions about this matter please contact Keith Sawyer, at (817) 885-2905 or Keith_Sawyer@xtoenergy.com.

Sincerely.

Michael H. Feldewert



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P.O. Box 2546 Fort Worth, Texas 76113	3. Service Type Certified Mail
Fort Worth, Texas 76113	Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes

U.S. Postal Service 144 CERTIFIED MAIL RECEIPT (Domestic Mail Only; No. MHF/XTO ū For delivery information visi PERLA VERDE 4H 5377 Postage Certified Fee 0007 Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) 2760 JM Zacahary, wife Dola 7006 307 West 7th Street Siree or PC **Suite 1910** Chy, Fort Worth, TX 76113

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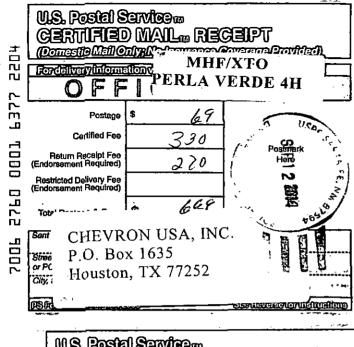
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Midland, TX 79702	3. Service Type
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102595-02-M-1540



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Total Cimarex Energy Co. of Colorado 1700 Lincoln Street Suite 1800	1 6377		330	
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CHEVRON USA, INC. P.O. Box 1635 Houston, TX 77252	3 Service Type
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	4. Restricted Delivery? (Extra Fee)
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SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.	COMPLETE THIS SECTION ON DELIVERY
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.	A. Signature X Alaway Addressee B. Received by (Printed Name) C. Date of Delivery
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: Cimarex Energy Co. of Colorado 1700 Lincoln Street	X Salaway Addressee
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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: Cimarex Energy Co. of Colorado 1700 Lincoln Street Suite 1800 Denver, CO 80203	B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No Service Type Certified Mall Registered Return Receipt for Merchandise Insured Mall C.O.D. 4. Restricted Delivery? (Extra Fee)
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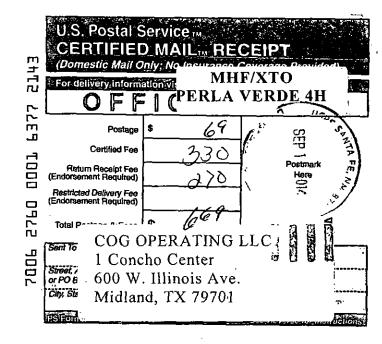
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Suite 175 Houston, Texas 77079	3. Service Type Certified Mall Registered Return Receipt for Merchandise C.O.D.
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1. Article Addressed to: Bureau of Land Management 301 Dinosaur Trail		
Santa Fe, New Mexico 87508	3. Service Type CALLO STREET Certified Mail Registered Return Receipt for Merchandise Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee)	
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Featherstone Development Corp.	D. is delivery address different from iteH/# DYes/ If YES, enter delivery address below 8 2 DANA	
Roswell, NM 88202	3. Service Type Certified Mail	
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Midland, TX 7.9701	3. Service Type Certified Mail	
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XTOENERGY, INC. 810 Houston Street	YES, enter delivery address below: No	
Ft. Worth, TX 67102	3. Service Type Certified Mail Registered Return Receipt for Merchandise Insured Mail Restricted Delivery? (Extra Fee)	
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