

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 DAILY 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 DAILY LEADER** and not in any supplement thereof, for one (1) day, beginning with the issue of January 21, 2006 and ending with the issue of January 21, 2006.

And that the cost of publishing said notice is the sum of \$ 57.32 which sum has been (Paid) as Court Costs.


Subscribed and sworn to before me this 24th day of January 2006


Debbie Schilling

Notary Public, Lea County, New Mexico

My Commission Expires June 22, 2006

BEFORE THE OIL CONSERVATION DIVISION

Santa Fe, New Mexico

Case No. 13645 Exhibit No. 3

Submitted by:

RUBICON OIL & GAS, L.L.C.

Hearing Date: January 5, 2006

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 February 16, 2006, 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 February 6, 2006. 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 13645:

Application of Rubicon Oil & Gas, L.L.C. for approval of a Unit Agreement, Lea County, New Mexico. Applicant seeks approval of the Hightower State Exploratory Unit from the surface to the base of the Devonian formation in an area comprising 2,080 acres of State of New Mexico lands in Sections 15, 22, 23, and 27 in Township 12 South, Range 33 East, NMPM, which is located approximately 8 miles south of Caprock, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 18th day of January 2006.

STATE OF NEW MEXICO
OIL CONSERVATION
DIVISION

Mark E. Feamire, P.E.,
Director

Published in the Lovington
Leader January 21, 2006.