

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

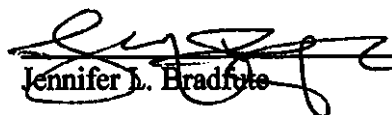
**APPLICATION OF CIMAREX  
ENERGY CO. FOR A NON-STANDARD  
OIL SPACING AND PRORATION UNIT  
AND COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 15560**


**AFFIDAVIT**

STATE OF NEW MEXICO            )  
  ) ss.  
COUNTY OF BERNALILLO        )

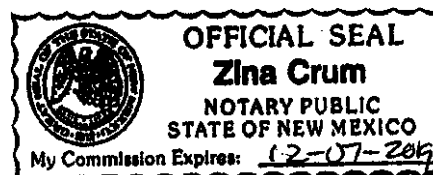
Jennifer L. Bradfute, attorney in fact and authorized representative of Cimarex Energy Co., the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Application was provided under the notice letter and proof of receipt attached hereto.

  
\_\_\_\_\_  
Jennifer L. Bradfute

SUBSCRIBED AND SWORN to before me this 25 day of October, 2016 by Jennifer L. Bradfute.

  
\_\_\_\_\_  
Notary Public

My commission expires: 12-07-2019



**EXHIBIT**

**5**



MODRALL SPERLING

L A W Y E R S

October 3, 2016

**VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Jennifer L. Bradfute  
505.848.1845  
Fax: 505.848.1882  
jlb@modrall.com

**Re: In The Matter of the Application of Cimarex Energy Co. for  
a Non-Standard Oil Spacing and Proration Unit and  
Compulsory Pooling in Eddy County, New Mexico.**

**Case No. 15560**


**TO: OFFSETS LISTED ON EXHIBIT A:**

This letter is to advise you that Cimarex Energy Co. has filed the enclosed application with the New Mexico Oil Conservation Division seeking a non-standard spacing and proration unit and compulsory pooling, Eddy County, New Mexico for the development of it Cottonberry 20 Federal Com 4H well.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on October 27, 2016. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Office located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. As a party who may be affected by this application, we are notifying you of your right to appear at the hearing and participate in this case, including the right to present evidence either in support of or in opposition to the application. Failure to appear at the hearing may preclude you from any involvement in this case at a later date.

Pursuant to Division Rule 1208.B, you are further notified that if you desire to appear in this case, then you are requested to file a Pre-Hearing Statement with the Division not later than 5:00 PM on Thursday, October 20, 2016, with a copy delivered to the undersigned.

Sincerely,

  
Jennifer L. Bradfute  
Attorney for Cimarex Energy  
Co.

Modrall Sperling  
Roehl Harris & Sisk P.A.

Bank of America Centre  
500 Fourth Street NW  
Suite 1000  
Albuquerque,  
New Mexico 87102

PO Box 2168  
Albuquerque,  
New Mexico 87103-2168

Tel: 505.848.1800  
www.modrall.com



MODRALL SPERLING

L A W Y E R S

October 3, 2016

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Jennifer L. Bradfute  
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Fax: 505.848.1882  
jlb@modrall.com

**Re: In The Matter of the Application of Cimarex Energy Co. for  
a Non-Standard Oil Spacing and Proration Unit and  
Compulsory Pooling in Eddy County, New Mexico.**

**Case No. 15560**

**TO: POOLED PARTIES LISTED ON EXHIBIT A:**

This letter is to advise you that Cimarex Energy Co. has filed the enclosed application with the New Mexico Oil Conservation Division seeking a non-standard spacing and proration unit and compulsory pooling, Eddy County, New Mexico for the development of it Cottonberry 20 Federal Com 4H well.

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Sincerely,

Jennifer L. Bradfute  
*Attorney for Cimarex Energy  
Co.*

Modrall Sperling  
Rochi Harris & Siak P.A.

Bank of America Centre  
500 Fourth Street NW  
Suite 1000  
Albuquerque,  
New Mexico 87102

PO Box 2168  
Albuquerque,  
New Mexico 87103-2168

Tel: 505.848.1800  
www.modrall.com

**EXHIBIT A**  
**CIMAREX ENERGY CO. NOTICE LIST**

**Parties to be pooled:**

Realeza Del Spear, LP/ Trabajo Del Spear, LP..... 1.333333%  
Attn: Shane Spear  
P.O. Box 1684  
Midland, Texas 79702

Klipstine & Hanratty, ..... 0.136688%  
A Law Partnership  
Attn: James Klipstine, Jr.  
917 Green Acres Dr  
Hobbs, NM 88240-4531

Mary Jo Dickerson .....0.061204%

RR1 Box 846  
Lovington, NM 88260

Virginia Lee Davis .....0.035625%  
P.O. Box 1065  
Carlsbad, NM 88221

Clarence W. Ervin and wife, Mary I. Ervin ..... 0.02093%  
4016 Jones Street  
Carlsbad, NM 88220

Kirby, Ratliff, Manning & Greak, ..... 0.003618%  
A Texas Professional Corporation  
Attn: Nolan Greak  
8008 Slide Road, Suite 30  
Lubbock, Texas 79424-2828

Nevill Manning ..... 0.003445%  
2112 Indiana Ave  
Lubbock, Texas 79410



MODRALL SPERLING

L A W Y E R S

Jennifer L. Bradfute  
505.848.1845  
Fax: 505.848.1882  
jlb@modrall.com

September 26, 2016

Florene Davidson  
NM Oil Conservation Division  
1220 S. St. Francis Drive  
Santa Fe, NM 87505

**Re: APPLICATION OF CIMAREX ENERGY CO. FOR A NON-  
STANDARD OIL SPACING AND PRORATION UNIT AND  
COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO**

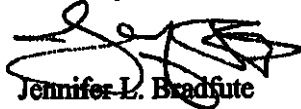
Dear Ms. Davidson:

Enclosed please find three copies of the following:

1. Application

Thank you for your assistance. Please contact me if you have any questions.

Sincerely,



Jennifer L. Bradfute

JLB/zc  
Enclosure

Modrall Sperling  
Rochi Harris & Sisk  
P.A.

Bank of America  
Centre  
500 Fourth Street  
NW  
Suite 1000  
Albuquerque,  
New Mexico 87102

PO Box 2168  
Albuquerque,  
New Mexico  
87103-2168

Tel. 505.848.1800

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

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

CASE NO. \_\_\_\_\_

**APPLICATION**

Cimarex Energy Co. ("Cimarex"), OGRID Number 215099, through its undersigned attorneys, hereby makes an application to the Oil Conservation Division pursuant to the provisions of NMSA (1978), Section 70-2-17, for an order: (1) creating a non-standard 160-acre, more or less, oil spacing and proration unit in the Bone Spring formation, comprised of the E/2 E/2 of Section 20, Township 25 South, Range 27 East, NMPM, Eddy County, New Mexico; and, (2) pooling all mineral interests in the Bone Spring formation underlying this proposed non-standard spacing and proration unit. In support of this application, Cimarex states as follows:

1. Cimarex is an interest owner in the subject lands and has a right to drill a well thereon.
2. Cimarex seeks to dedicate the E/2 E/2 of Section 20 to the proposed well to form a non-standard 160-acre, more or less, oil spacing and proration unit (the "project area").
3. Cimarex proposes to drill the Cottonberry 20 Federal Com 4H well to a depth sufficient to test the Bone Spring formation. This well is a horizontal well with a surface location 330 feet from the North line, 700 feet from the East line of Section 20, Township 25

South, Range 27 East, and a terminus 330 feet from the South line, 660 feet from the East line of Section 20, Township 25 South, Range 27 East.

4. This well is a wildcat well and there are no special pool rules that apply. The producing interval that Cimarex seeks to drill will comply with the statewide 330 foot setback requirements.

5. Cimarex sought, but has been unable to obtain a voluntary agreement from all interest owners in the Bone Spring formation underlying the proposed project area to participate in the drilling of the well or to otherwise commit their interests to the well.

6. Approval of the non-standard unit and the pooling of all interests in the Bone Spring formation underlying the proposed project area will prevent the drilling of unnecessary wells, prevent waste and protect correlative rights.

7. Notice of this application is being given in accordance with Division rules as shown on Exhibit A.

WHEREFORE, Cimarex Energy Co. requests this application be set for hearing before an Examiner of the Oil Conservation Division on October 27, 2016, and after notice and hearing as required by law, the Division enter its order:

A. Creating a non-standard oil spacing and proration unit ("project area") in the Bone Spring formation comprised of E/2 E/2 of Section 20, Township 25 South, Range 27 East, NMPM, Eddy County, New Mexico;

B. Pooling all mineral interests in the Bone Spring formation underlying this non-standard spacing and proration unit/project area;

C. Designating Cimarex as operator of this unit and the well to be drilled thereon;

D. Authorizing Cimarex to recover its costs of drilling, equipping and completing this well;

E. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedure; and

F. Setting a 200% charge for the risk involved in drilling and completing the well in the event a working interest owner elects not to participate in the well.

Respectfully submitted,

MODRALL, SPERLING, ROEHL, HARRIS  
& SISK, P.A.

By: 

Earl E. DeBrinc, Jr.

Jennifer Bradfute

Post Office Box 2168

Bank of America Centre

500 Fourth Street NW, Suite 1000

Albuquerque, New Mexico 87103-2168

Telephone: 505.848.1800

*Attorneys for Applicant*



**EXHIBIT A**  
**CIMAREX ENERGY CO. NOTICE LIST**

**Parties to be pooled:**

Realeza Del Spear, LP/ Trabajo Del Spear, LP ..... 1.333333%  
Attn: Shane Spear  
P.O. Box 1684  
Midland, Texas 79702

Klipstine & Hanratty, ..... 0.136688%  
A Law Partnership  
Attn: James Klipstine, Jr.  
917 Green Acres Dr  
Hobbs, NM 88240-4531

Mary Jo Dickerson ..... 0.061204%  
RR1 Box 846  
Lovington, NM 88260

Virginia Lee Davis ..... 0.035625%  
P.O. Box 1065  
Carlsbad, NM 88221

Clarence W. Ervin and wife, Mary I. Ervin ..... 0.02093%  
4016 Jones Street  
Carlsbad, NM 88220

Kirby, Ratliff, Manning & Greak, ..... 0.003618%  
A Texas Professional Corporation  
Attn: Nolan Greak  
8008 Slide Road, Suite 30  
Lubbock, Texas 79424-2828

Nevill Manning ..... 0.003445%  
2112 Indiana Ave  
Lubbock, Texas 79410

Offsets

Chevron USA, Inc.  
Attn: Permitting Team  
6301 Deauville Blvd.  
Midland, TX 79706

Yates Petroleum Corporation  
105 S 4<sup>th</sup> Street  
Artesia, NM 88210

OXY USA Inc.  
P.O. Box 4294  
Houston, Texas 77210

**CASE NO. \_\_\_\_\_: Application of Cimarex Energy Company of Colorado for a non-standard spacing and proration unit and compulsory pooling, Eddy County, New Mexico.** Applicant seeks an order from the Division: (1) creating a non-standard 160-acre, more or less, oil spacing and proration unit in the Bone Spring formation, comprised of the E/2 E/2 of Section 20, Township 25 South, Range 27 East, NMPM, Eddy County, New Mexico, and (2) pooling all mineral interests in the Bone Spring formation underlying this proposed non-standard spacing and proration unit. This proposed non-standard spacing and proration unit will be the project area for the Cottonberry 20 Federal Com 4H, to be horizontally drilled. The producing area for this well will be 330 feet from the project area boundary. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Cimarex as operator of the well, and a 200% charge for risk involved in drilling said well. Said area is located approximately 27.4 miles south of Carlsbad New Mexico.

**CIMAREX APPLICATION NOTICE**  
**COTTONBERRY 20 FED COM 4H**  
**MAILED: OCT 3, 2016**

<b>PARTIES</b>	<b>CERTIFIED RECEIPT NO.</b>
Realeza Del Spear, LP/ Trabajo Del Spear, LP Attn: Shane Spear P.O. Box 1684 Midland, Texas 79702	7015-0640-0001-5408-8193
Klipstine & Hanratty Attn: James Klipstine, Jr. 917 Green Acres Dr Hobbs, NM 88240-4531	7015-0640-0001-5408-8209
Mary Jo Dickerson RRI Box 846 Lovington, NM 88260	7015-0640-0001-5408-8216
Virginia Lee Davis P.O. Box 1065 Carlsbad, NM 88221	7015-0640-0001-5408-8223
Clarence W. Ervin and Mary I. Ervin 4016 Jones Street Carlsbad, NM 88220	7015-0640-0001-5408-8230
Kirby, Ratliff, Manning & Greak, Attn: Nolan Greak 8008 Slide Road, Suite 30 Lubbock, Texas 79424-2828	7015-0640-0001-5408-8247
Nevill Manning 2112 Indiana Ave Lubbock, Texas 79410	7075-0640-0001-5408-8254
Chevron USA, Inc. Attn: Permitting Team 6301 Deauville Blvd. Midland, TX 79706	7015-0640-0001-5408-8261
Yates Petroleum Corporation 105 S 4th Street Artesia, NM 88210	7015-0640-0001-5408-8278
OXY USA Inc. P.O. Box 4294 Houston, Texas 77210	7015-0640-0001-5408-8285

Y:\dox\client\82762\0128\INDEX\W2801052.DOCX









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Nevill Manning  
2112 Indiana Ave  
Lubbock, Texas 79410

2. Article Number (Indicate from service label)

7015 0640 0001 5408 8254

3. Article Description (Indicate from label)

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Jennifer L. Bradfute  
MODRALL SPERLING LAW FIRM  
P.O. Box 2168  
Albuquerque, NM 87103

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Lubbock, Texas 79410

Albuquerque NM 87103

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<p>3. Article Addressed to:</p> <p><b>Kirby, Ratliff, Manning &amp; Greak, Attn: Nolan Greak 8008 Slide Road, Suite 30 Lubbock, Texas 79424-2828</b></p>		<p>4. Delivery address different from above? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>5. Registered delivery? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>6. Service type:</p> <p><input type="checkbox"/> Registered Mail <input type="checkbox"/> Registered Mail Restricted</p> <p><input type="checkbox"/> Registered Mail Restricted <input type="checkbox"/> Registered Mail Restricted</p> <p><input type="checkbox"/> Registered Mail Restricted <input type="checkbox"/> Registered Mail Restricted</p>		<p>7. Registered delivery? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

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**Jennifer L. Bradfute  
MODRALL SPERLING LAW FIRM  
P.O. Box 2168  
Albuquerque, NM 87103**

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**Kirby, Ratliff, Manning & Greak,  
Attn: Nolan Greak  
8008 Slide Road, Suite 30  
Lubbock, Texas 79424-2828**

**7015 0640 0001 5408 8247**

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Cottonberry 28284 H

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P.O. Box 4294  
Houston, Texas 77210

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Jennifer L. Bradfute  
MODRALL SPERLING LAW FIRM  
P.O. Box 2168  
Albuquerque, NM 87103

10/14



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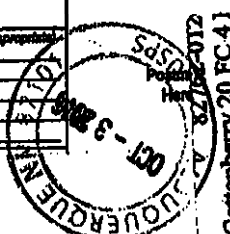
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- ☐ Return Receipt (hardcopy)
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- ☐ Adult Signature Restricted Delivery

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P.O. Box 4294  
Houston, Texas 77210



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<p>Complete items 1, 2, and 3. Also complete item 4 if you are using a return receipt.</p> <p>1. Item # <b>82762-0128</b></p> <p>2. From <b>Cottonberry 20 FC 4 H</b></p> <p>3. To <b>Realeza Del Spear, LP/ Trabajo Del Spear, LP Attn: Shane Spear P.O. Box 1684 Midland, Texas 79702</b></p> <p>4. Article Number (Required for service issue)</p>		<p>5. Delivery Point <b>7015 0640 0001 5408 8193</b></p> <p>6. Delivery Point (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>7. Return Receipt for Merchandise <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>8. Return Receipt for Restricted Delivery <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>9. Article Number (Required for service issue)</p> <p>10. Return Receipt for Merchandise (Required for service issue)</p>		<p>11. Return Receipt for Restricted Delivery (Required for service issue)</p>	

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MODRALL SPERLING LAW FIRM  
P.O. Box 2168  
Albuquerque, NM 87103

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Extra Services & Fees (check box and add to postage)

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☐ Return Receipt (electronic)  
☐ Certified Mail Restricted Delivery  
☐ Adult Signature Required  
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Cottonberry 20 FC 4 H

Realeza Del Spear, LP/  
Trabajo Del Spear, LP  
Attn: Shane Spear  
P.O. Box 1684  
Midland, Texas 79702

7015 0640 0001 5408 8193





**MODRALL SPERLING**

Modrall Spierling  
Roehl Harris & Sisk, P.A.  
PO Box 2168  
Albuquerque, NM  
87103-2168

**CERTIFIED MAIL**

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10/03/2016  
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OCT 21 2016

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Mary Jo Dickerson  
RR1 Box 846  
Lovington, NM 88260

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Mary Jo Dickerson  
RR1 Box 846  
Lovington, NM 88260

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- ☒ Certified Mail® ☐ Priority Mail Express™
  - ☐ Registered ☒ Return Receipt for Merchandise
  - ☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

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Certified Mail Fee

- Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy)
  - ☐ Return Receipt (electronic)
  - ☐ Certified Mail Restricted Delivery
  - ☐ Adult Signature Required
  - ☐ Adult Signature Restricted Delivery

Postage

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Mary Jo Dickerson  
RR1 Box 846  
Lovington, NM 88260

7015 0640 0001 5408 8216

82762-012  
Cottonberry 20 FC 4

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SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input type="checkbox"/> Print your name and address on the reverse side. <div style="border: 1px solid black; padding: 5px; width: fit-content;"> 82762-0128  Cottonberry 20 FC 4 H </div>		A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>[Signature]</i> B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery <i>L. J. Klipstine</i> <i>10/06/10</i> C. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
1. Article Addressed to:  <div style="border: 1px solid black; padding: 5px;"> Klipstine &amp; Hanratty  Attn: James Klipstine, Jr.  917 Green Acres Dr  Hobbs, NM 88240-4531 </div>		3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered® <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail® <input type="checkbox"/> Collect on Delivery 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No	
2. Article Number (Transfer from service label) PS Form 3811, July 2010		7015 0640 0001 5408 8209 Domestic Return Receipt	

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☐ Adult Signature Required \$  
☐ Adult Signature Restricted Delivery \$  
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Total \$

Klipstine & Hanratty  
Attn: James Klipstine, Jr.  
917 Green Acres Dr  
Hobbs, NM 88240-4531

82762-0128  
Cottonberry 20 FC 4 H

PS Form 3800, April 2010 PSN 7530-02-000-9017



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>Complete items 1, 2, and 3. Also complete item 4 if applicable.</p> <p>Item: Cottonberry 20 FC 4 H</p> <p>1. Article Addressed to:</p> <p>Chevron USA, Inc. Attn: Permitting Team 6301 Deauville Blvd. Midland, TX 79706</p> <p>2. Article Number (Transfer from service label)</p>		<p>A. Signature: <i>Olivia B...</i></p> <p>B. Received by (Printed Name):</p> <p>C. Date of Delivery: 10/7/16</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type:  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>PS Form 3811, July 2018</p>		<p>Domestic Return Receipt</p>	

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☐ Adult Signature Restricted Delivery \$

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Chevron USA, Inc.  
Attn: Permitting Team  
6301 Deauville Blvd.  
Midland, TX 79706

PS Form 3800, April 2015 PSN 7530-02-000 9047 See Reverse for Instructions

Postmark: ALBUQUERQUE NM 3-103 OCT 3 2016

Cottonberry 20 FC 4 H



**SENDER: COMPLETE THIS SECTION**

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is required.

Print your name and address on the reverse half piece.

1. Addressed to:

Yates Petroleum Corporation  
105 S 4th Street  
Artesia, NM 88210

2. Article Number (Transfer from service label)

7015 0640 0001 5408 8278

PS Form 3811, July 2013 Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature (Print Name) 50 ☐ Agent ☐ Addressee

B. Received by (Printed Name) 50 C. Date of Delivery 10/5/16

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

3. Service Type ☒ Certified Mail® ☐ Priority Mail Express®  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

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07 OCT 2016 PM 1

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Jennifer L. Bradfute  
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Albuquerque, NM 87103

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Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)  
☐ Return Receipt (electronic)  
☐ Certified Mail Restricted Delivery  
☐ Adult Signature Required  
☐ Adult Signature Restricted Delivery

Postmark Here

6.67

Yates Petroleum Corporation  
105 S 4th Street  
Artesia, NM 88210

PS Form 3800, April 2015 PSN 7530-02-000-9017 See Reverse for Instructions



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Complete Item # <u>8-1762-0128</u></p> <p>Print <u>Cottonberry 20 FC 4 H</u></p> <p>Attach <u>or on the front if space permits</u></p>		<p>A. Signature <u>[Signature]</u> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>2. Article Addressed to:</p> <p><b>Nevill Manning</b>  <b>2112 Indiana Ave</b>  <b>Lubbock, Texas 79410</b></p>		<p>B. Received by (Printed Name) <u>D. Kemp</u></p> <p>C. Date of Delivery <u>10/11/16</u></p> <p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No          If YES, enter delivery address below:</p>	
<p>3. Article Number (Transfer from service label) <u>7015 0640 0001 5408 8254</u></p>		<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail  <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery</p>	
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		<p>PS Form 3811, July 2013 Domestic Return Receipt</p>	

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**07 OCT 2016 PM 2:11**

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**Jennifer L. Bradfute**  
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**P.O. Box 2168**  
**Albuquerque, NM 87103**

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**OCT 11 2016**  
 By: [Signature]

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☐ Adult Signature Required  
☐ Adult Signature Restricted Delivery

Postage 6.60

**Albuquerque NM 87103**  
**OCT 11 2016**  
**USPS**

**Nevill Manning**  
**2112 Indiana Ave**  
**Lubbock, Texas 79410**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>Print your name and address on the reverse so that we can return the item to you.</p> <p>Attach or on</p> <p>1. Article</p> <p>2. Article Number (Transfer from service label)</p> <p>3. Article</p> <p>4. Article</p> <p>5. Article</p> <p>6. Article</p> <p>7. Article</p> <p>8. Article</p> <p>9. Article</p> <p>10. Article</p> <p>11. Article</p> <p>12. Article</p> <p>13. Article</p> <p>14. Article</p> <p>15. Article</p> <p>16. Article</p> <p>17. Article</p> <p>18. Article</p> <p>19. Article</p> <p>20. Article</p> <p>21. Article</p> <p>22. Article</p> <p>23. Article</p> <p>24. Article</p> <p>25. Article</p> <p>26. Article</p> <p>27. Article</p> <p>28. Article</p> <p>29. Article</p> <p>30. Article</p> <p>31. Article</p> <p>32. Article</p> <p>33. Article</p> <p>34. Article</p> <p>35. Article</p> <p>36. Article</p> <p>37. Article</p> <p>38. Article</p> <p>39. Article</p> <p>40. Article</p> <p>41. Article</p> <p>42. Article</p> <p>43. Article</p> <p>44. Article</p> <p>45. Article</p> <p>46. Article</p> <p>47. Article</p> <p>48. Article</p> <p>49. Article</p> <p>50. Article</p> <p>51. Article</p> <p>52. Article</p> <p>53. Article</p> <p>54. Article</p> <p>55. Article</p> <p>56. Article</p> <p>57. Article</p> <p>58. Article</p> <p>59. Article</p> <p>60. Article</p> <p>61. Article</p> <p>62. Article</p> <p>63. Article</p> <p>64. Article</p> <p>65. Article</p> <p>66. Article</p> <p>67. Article</p> <p>68. Article</p> <p>69. Article</p> <p>70. Article</p> <p>71. Article</p> <p>72. Article</p> <p>73. Article</p> <p>74. Article</p> <p>75. Article</p> <p>76. Article</p> <p>77. Article</p> <p>78. Article</p> <p>79. Article</p> <p>80. Article</p> <p>81. Article</p> <p>82. Article</p> <p>83. Article</p> <p>84. Article</p> <p>85. Article</p> <p>86. Article</p> <p>87. Article</p> <p>88. Article</p> <p>89. Article</p> <p>90. Article</p> <p>91. Article</p> <p>92. Article</p> <p>93. Article</p> <p>94. Article</p> <p>95. Article</p> <p>96. Article</p> <p>97. Article</p> <p>98. Article</p> <p>99. Article</p> <p>100. Article</p>		<p>A. Signature</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p> <p>E. Service Type</p> <p>F. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>Clarence W. Ervin and Mary I. Ervin 4016 Jones Street Carlsbad, NM 88220</p>		<p>7015 0640 0001 \$408 8230</p>	
<p>PS Form 3811, July 2013</p>		<p>Domestic Return Receipt</p>	

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☐ Certified Mail Restricted Delivery

☐ Adult Signature Required

☐ Adult Signature Restricted Delivery

Postage 6.67

Clarence W. Ervin and  
Mary I. Ervin  
4016 Jones Street  
Carlsbad, NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-1047

See Reverse for Instructions



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<input checked="" type="checkbox"/> Complete Items 1, 2, and 3 <input checked="" type="checkbox"/> 82762-0128 <input checked="" type="checkbox"/> Cottonberry 20 FC 4 H <input type="checkbox"/> Reverse <input type="checkbox"/> For use mailpiece, if space permits.		A. Signature <i>x Andrew S</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: <div style="border: 1px solid black; padding: 5px; margin: 5px;">             Kirby, Ratliff, Manning &amp; Greak,              Attn: Nolan Greak              8008 Slide Road, Suite 30              Lubbock, Texas 79424-2828           </div>		B. Received by (Printed Name) <i>Michelle Spearman</i>	
2. Article Number (Transfer from service label)		C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:	
3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, July 2013		Domestic Return Receipt	

UNITED STATES POSTAL SERVICE  
 LUBBOCK, TX 79401  
 07 OCT 2016 PM 2:11  
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 USPS  
 Permit No. 9440

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☐ Return Receipt (hardcopy)  
☐ Return Receipt (electronic)  
☐ Certified Mail Restricted Delivery  
☐ Adult Signature Required  
☐ Adult Signature Restricted Delivery  
 Postage  
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Kirby, Ratliff, Manning & Greak,  
 Attn: Nolan Greak  
 8008 Slide Road, Suite 30  
 Lubbock, Texas 79424-2828

82762-0128  
 Cottonberry 20 FC 4 H

Form 3800, April 2013 PSN 7530-02-000-9047 See Reverse for Instructions



**SENDER: COMPLETE THIS SECTION**

Complete item label with item number, date, and time.  
 Attach to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 OXY USA Inc.  
 P.O. Box 4294  
 Houston, Texas 77210

2. Article Number  
 (Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 Received by (Printed Name)  
 Date of Delivery  
 D. Is delivery address different from item 1? ☐ Yes ☐ No  
 If YES, enter delivery address below

3. Service Type  
☒ Certified Mail® ☐ Priority Mail Express™  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

7015 0640 0001 5408 8285

RS Form 3811, July 2013 Domestic Return Receipt

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10/14

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☐ Certified Mail Restricted Delivery  
☐ Adult Signature Required  
☐ Adult Signature Restricted Delivery

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OXY USA Inc.  
 P.O. Box 4294  
 Houston, Texas 77210

7015 0640 0001 5408 8285

Albuquerque, NM  
 OCT 17 2016  
 Cottonberry 20 FC 41



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Complete items 1, 2, and 3. Also complete item 4.</p> <p>Item 1: <b>Cottonberry 20 FC 4H</b></p> <p>Item 2: <b>Realeza Del Spear, LP/ Trabajo Del Spear, LP Attn: Shane Spear P.O. Box 1684 Midland, Texas 79702</b></p> <p>Item 3: <b>Article Addressed to:</b></p>		<p>A. Signature: <b>X N Spear</b></p> <p>B. Received by (Printed Name): <b>N Spear</b></p> <p>C. Date of Delivery: <b>10/17/16</b></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>2. Article Number (Transfer from service label): <b>7015 0640 0001 5408 8193</b></p>		<p>3. Service Type:</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p>	
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>		<p>5. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

PS Form 3811, July 2013 Domestic Return Receipt

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☐ Certified Mail Restricted Delivery  
☐ Adult Signature Required  
☐ Adult Signature Restricted Delivery



Postmark Here

Realeza Del Spear, LP/  
Trabajo Del Spear, LP  
Attn: Shane Spear  
P.O. Box 1684  
Midland, Texas 79702

Cottonberry 20 FC 4H

7015 0640 0001 5408 8193





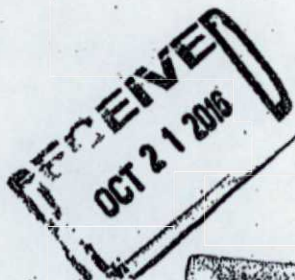
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Roehl Harris & Sisk, P.A.  
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Albuquerque, NM  
87103-2168

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7015 0640 0001 5408 8216

Hasler  
10/03/2016  
US POSTAGE



NSW

Mary Jo Dickerson  
RR1 Box 846  
Lovington, NM 88260

NO SUCH  
NUMBER

**SENDER: COMPLETE THIS SECTION**

- ☒ Complete Items 1, 2, and 3
- ☒ Item 1: Cottonberry 20 FC 4 H
- ☒ Print so the
- ☒ Attach

1. Article Addressed to:

Mary Jo Dickerson  
RR1 Box 846  
Lovington, NM 88260

2. Article Number  
(Transfer from service label)

7015 0640 0001 5408 8216

PS Form 3811, July 2013

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature ☒ Agent ☒ Addressee  
**X**
- 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

3. Service Type  
☒ Certified Mail® ☐ Priority Mail Express™  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

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- ☐ Return Receipt (hardcopy)
  - ☐ Return Receipt (electronic)
  - ☐ Certified Mail Restricted Delivery
  - ☐ Adult Signature Required
  - ☐ Adult Signature Restricted Delivery

Postage

6.67

Mary Jo Dickerson  
RR1 Box 846  
Lovington, NM 88260



Cottonberry 20 FC 4

For instructions



**Affidavit of Publication**

State of New Mexico,  
County of Eddy, ss.

**Danny Fletcher**, being first duly  
sworn, on oath says:

That he is the Publisher 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:

October 13 2016

That the cost of publication is **\$95.49**  
and that payment thereof has been  
made and will be assessed as court  
costs.

Subscribed and sworn to before me  
this 14 day of October, 2016

*Cynthia Arredondo*

My commission Expires 2/3/17

Notary Public



October 13, 2016

CASE No. 15560: No-  
tice to all affected  
parties, as well as the  
heirs and devisees of  
Realiza Del Spear, LP,  
Trabajo Del Spear, LP,  
Kilpatrick & Hammett,  
Mary Jo Dickerson,  
Virginia Lee Davis,  
Clarence W. Ervin and  
wife, Mary Ervin,  
Kirby Ratliff, Man-  
ning & Gress, Nevill  
Marining, Chevron  
USA, Inc., Yates Pe-  
troleum Corporation,  
OXY USA Inc.: Appli-  
cation of Cimarex En-  
ergy Co. for a non-  
standard oil spacing  
and proration unit  
and compulsory pool-  
ing, Eddy County,  
New Mexico. The  
State of New Mexico,  
through its Oil Conser-  
vation Division, here-  
by gives notice that  
the Division will con-  
duct a public hearing  
at 8:15 a.m. on Octo-  
ber 27, 2016, to con-  
sider this application.  
Applicant seeks an or-  
der from the Division:  
(1) creating a non-  
standard 160-acre  
more or less oil spac-  
ing and proration unit  
in the Bone Spring for-  
mation, comprised of  
the E/21E/2 of Section  
20, Township 25  
South, Range 27 East,  
NMPM, Eddy County,  
New Mexico; and (2)  
pooling all mineral in-  
terests in the Bone  
Spring formation un-  
derlying this proposed  
non-standard spacing  
and proration unit.  
This proposed non-  
standard spacing and  
proration unit will be  
the project area for  
the Cottonberry 20  
Federal Com 4H to be  
horizontally drilled.  
The producing area  
for this well will be or-  
thodox. Also to be  
considered will be the  
cost of drilling and  
completing said well,  
the allocation of these  
costs as well as the  
actual operating costs  
and charges for super-  
vision, designation of  
Cimarex Energy Co. as  
operator of the well,  
and a 200% charge  
for risk involved in  
drilling said well. Said  
area is located ap-  
proximately 27.4  
miles south of  
Carlsbad New Mexico.