

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

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

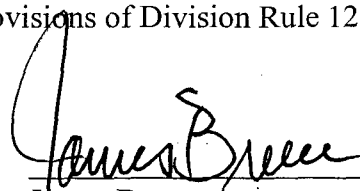
Case No. 13,925

**AFFIDAVIT OF NOTICE**

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

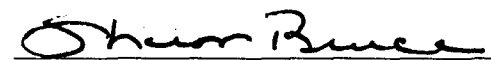
James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Cimarex Energy Co.
3. Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the application filed herein.
4. Notice of the application was provided to the interest owners, at their correct addresses, by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Exhibit A.
5. Applicant has complied with the notice provisions of Division Rule 1210.

  
James Bruce

SUBSCRIBED AND SWORN TO before me this 20<sup>th</sup> day of June, 2007 by James Bruce.

My Commission Expires: 3/14/09

  
Notary Public

Oil Conservation Division  
Case No. \_\_\_\_\_  
Exhibit No. 5A

**JAMES BRUCE**  
ATTORNEY AT LAW

POST OFFICE BOX 1056  
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213  
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)  
(505) 660-6612 (Cell)  
(505) 982-2151 (Fax)

jamesbruc@aol.com

May 31, 2007

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Stephens & Johnson Operating Co.  
P.O. Box 2249  
Wichita Falls, Texas 76307

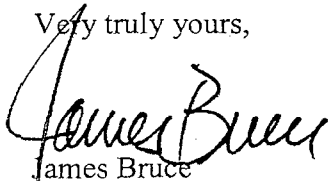
Saber Resources, LLC  
Suite 950  
400 West Illinois  
Midland, Texas 79701

Ladies and gentlemen:

Enclosed is a copy of an application for a non-standard unit, filed with the New Mexico Oil Conservation Division by Cimarex Energy Co., regarding the W $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 31, Township 14 South, Range 38 East, N.M.P.M., Lea County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Thursday, June 21, 2007, at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an offset operator, you have the right to enter an appearance and participate in the case. Failure to appear will preclude you from contesting this matter at a later date.

You are required to notify (in writing) the Division, and the undersigned, by Thursday, June 14, 2007 if you intend to participate in the hearing.

Very truly yours,



James Bruce

Attorney for Cimarex Energy Co.

EXHIBIT A

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only, No Insurance Coverage Provided)  
 For delivery information, visit our website at www.usps.com.

**WICHITA FALLS TX 76307**

Postage	\$	\$0.41
Certified Fee		\$2.65
Return Receipt Fee (Endorsement Required)		\$2.15
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.21

Postmark: JUN 2 2007  
 19 JUN 02 2007  
 102595-02-M-1540

Sent to: Stephens & Johnson Operating Co.  
 Street, Apt. No.: P.O. Box 2249  
 City, State, ZIP+4: Wichita Falls, Texas 76307

PS Form 3811, August 2005 See Reverse for Instructions

7006 3450 0001 4326 8775

**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:

Stephens & Johnson Operating Co.  
 P.O. Box 2249  
 Wichita Falls, Texas 76307

2. Article Number  
 (Transfer from service label) 7006 3450 0001 4326 8775

PS Form 3811, February 2004 Domestic Return Receipt *Quick - Permut* 102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *x Diana Walker* ☐ Agent ☐ Addressee

B. Received by (Printed Name) *DIANA WALKER* ☐ Agent ☐ Addressee

C. Date of Delivery *JUN 5 2007*

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

**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:

Saber Resources, LLC  
 Suite 950  
 400 West Illinois  
 Midland, Texas 79701

2. Article Number  
 (Transfer from service label) 7006 3450 0001 4326 6450

PS Form 3811, February 2004 Domestic Return Receipt *Quick - Permut* 102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *x A. Smith* ☐ Agent ☐ Addressee

B. Received by (Printed Name) *A. Smith* ☐ Agent ☐ Addressee

C. Date of Delivery *6-1-07*

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™**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only, No Insurance Coverage Provided)  
 For delivery information, visit our website at www.usps.com.

**MIDLAND TX 79701**

Postage	\$	\$0.41
Certified Fee		\$2.65
Return Receipt Fee (Endorsement Required)		\$2.15
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.21

Postmark: JUN 2 2007  
 19 JUN 02 2007  
 102595-02-M-1540

Sent to: Saber Resources, LLC  
 Suite 950  
 Street, Apt. No.: 400 West Illinois  
 City, State, ZIP+4: Midland, Texas 79701

PS Form 3811, August 2005 See Reverse for Instructions

0549 9264 7000 054E 9002