

AFFIDAVIT OF PUBLICATION

State of New Mexico,  
County of Lea.

I, KATHI BEARDEN

PUBLISHER

of the Hobbs News-Sun, a news-  
paper published at Hobbs, New  
Mexico, do solemnly swear that  
the clipping attached hereto was  
published in the regular and entire  
issue of said paper, and not a sup-  
plement thereof for a period

of 1 issue(s).  
Beginning with the issue dated  
JULY 30, 2008  
and ending with the issue dated  
JULY 30, 2008

*Kathi Bearden*  
PUBLISHER

Sworn and subscribed to before

me this 30th day of  
JULY 2008

*[Signature]*  
Notary Public.

My Commission expires  
February 07, 2009  
(Seal)



OFFICIAL SEAL  
DORA MONTZ  
NOTARY PUBLIC  
STATE OF NEW MEXICO

My Commission Expires: \_\_\_\_\_

This newspaper is duly qualified to  
publish legal notices or advertise-  
ments within the meaning of  
Section 3, Chapter 167, Laws of  
1937, and payment of fees for said  
publication has been made.

LEGAL  
JULY 30, 2008

NOTICE

To: Ann Childers, Elizabeth Brown Bennett, and E.P. Childers, or their heirs or devisees: Cimarex Energy Co. has filed an application with the New Mexico Oil Conservation Division seeking an order approving a non-standard oil spacing and proration unit (project area) comprised of the E/2NE/4 of Section 17, Township 15 South, Range 36 East, NMPM, Lea County, New Mexico, to form a non-standard 80-acre oil spacing and proration unit (project area) for any and all formations or pools developed on 40-acre spacing within that vertical extent, including the Caudill-Permo Upper Penn Pool, and pooling all mineral interests in the Wolfcamp formation underlying the non-standard unit. The unit is to be dedicated to the Caudill West "17" Fee Well No. 2, a horizontal well to be drilled at a surface location 2300 feet from the north line and 500 feet from the east line, with a terminus 400 feet from the north line and 400 feet from the east line, of Section 17. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision; designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The application is scheduled to be heard at 8:15 a.m. on Thursday, August 21, 2008 at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an interest owner in the well unit, 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. The attorney for applicant is James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504. The unit is located approximately 4-1/2 miles north-northeast of Lovington, New Mexico.  
#24283

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

01101711      00013764  
JAMES BRUCE, ATTORNEY AT LAW  
P.O. BOX 1056  
SANTA FE, NM 87504