

**PAUL BACA PROFESSIONAL COURT REPORTERS**

# **OIL CONSERVATION**

# **EXHIBIT 1**

**CASE NO. 14164**

500 FOURTH STREET, NW SUITE 105, ALBUQUEQRUE, NM 87102

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

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST PARRISH, H. DWAYNE AND RHONDA K., FINDING OPERATOR IN VIOLATION OF RULE 19.15.4.201 NMAC AS TO ELEVEN WELLS; RULE 19.15.9.703 NMAC AS TO TWO WELLS; REQUIRING OPERATOR TO COME INTO COMPLIANCE BY A DATE CERTAIN; AND AUTHORIZING THE DIVISION TO PLUG THE THIRTEEN WELLS PURSUANT TO NMSA, 1978, SECTION 70-2-12(B) AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCE IF OPERATOR FAILS TO COMPLY; EDDY COUNTY, NEW MEXICO.

CASE NO. 14164

AFFIDAVIT OF NOTICE AND PUBLICATION

In accordance with Division Rule 1227.D [19.15.14.1227.D NMAC] and Rule 1210 [19.15.14.1210 NMAC] I hereby certify:

I. Notice of the August 21, 2008 hearing in the above-captioned case was mailed on August 1, 2008 to the following by certified mail, return receipt requested, at least 20 days prior to the hearing date, with a copy of the application:

Parrish, H. Dwane and Rhonda K.  
1306 S. 9<sup>th</sup> St.  
Artesia, NM 88210  
Certified Mail No.: 7002 0510 0003 5125 2287

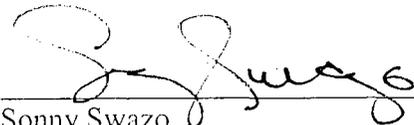
Western Bank  
P.O. Drawer 500  
Artesia, NM 88211-0500  
Certified Mail No.: 7002 0510 0003 5125 2270

Lexon Insurance Company  
P.O. Box 98  
Louisville, KY 40201  
Certified Mail No.: 7002 0510 0003 5125 2263

Lexon Insurance Company  
10002 Shelbyville Rd., Suite 100  
Louisville, KY 40223  
Certified Mail No.: 7002 0510 0003 5125 2256

2. Attachment A is a copy of the notice and the certified return receipts for the notices mailed to Parrish, H. Dwane and Rhonda K.; Western Bank; and Lexon Insurance Company. Rhonda Parrish signed the receipt for Parrish, H. Dwane and Rhonda K.; Lisa Torres signed the receipt for Western Bank; and Alice Huntsman signed the receipt for Lexon Insurance Company. Attachment A also includes a copy of the notice that was sent to an alternative address for Lexon Insurance Company. That notice was returned unclaimed.

3. Notice of the August 21, 2008 hearing was published on July 29, 2008 in the Artesia Daily Press, a newspaper of general circulation in Eddy County, New Mexico. A copy of the Affidavit of Publication is attached to this affidavit as Exhibit B.

  
\_\_\_\_\_  
Sonny Swazo

SUBSCRIBED AND SWORN to before me this 12th day of September 2008.

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

My Commission Expires: 01-09-2012