

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

CASE #: 14312

EXHIBIT

**16**

LEGAL NOTICE  
NOTICE OF HEARING

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

10003, A-34-07S-35E;  
State BA #002, 30-041-  
20048, H-34-07S-35E.  
The Archer #001 and  
#002 and the Sieber #001  
wells are located approxi-  
mately 5 miles Northwest  
of Milnesand, in  
Roosevelt County. The  
Brown 51 #001 and #002  
are located approximately  
15 miles East of  
Crossroads in Lea  
County. The Line State  
#001 is located approxi-  
mately 15 miles East of  
Milnesand in Roosevelt  
County. The State BA  
#001 and #002 are local-  
ed approximately 5 miles  
Northeast of Milnesand in  
Roosevelt County.

The State of New Mexico  
through its Oil  
Conservation Division  
hereby gives notice pur-  
suant to law and the Rules  
and Regulations of the  
Division of the following  
public hearing to be held  
at 8:15 A.M. on June 25,  
2009 in the Oil  
Conservation Division  
Hearing Room at 1220  
South St. Francis Drive,  
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, amplifi-  
er, qualified sign language  
interpreter, or any other  
form of auxiliary aid or  
service to attend or partic-  
ipate in the hearing,  
please contact Florene  
Davidson at 505-476-  
3458 or through the New  
Mexico Relay Network, 1-  
800-659-1779 by June 15,  
2009. 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 need-  
ed.

Given under the Seal of  
the State of New Mexico  
Oil Conservation  
Commission at Santa Fe,  
New Mexico on this 27th  
day of May 2009.

STATE OF NEW MEXICO  
OIL CONSERVATION  
DIVISION  
Mark E. Fesmire, P. E.  
Division Director  
S E A L

Published in the  
Lovington Leader May  
28, 2009.

OK  
Jed

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 descrip-  
tions herein refer to the  
New Mexico Principal  
Meridian whether or not  
so stated.)

CASE 14312: Application  
of the New Mexico Oil  
Conservation Division for  
a Compliance Order  
against Orbit Petroleum,  
Inc. The Applicant seeks  
an order finding that the  
operator is in violation of  
19.15.7.24 NMAC,  
19.15.8.9 NMAC, and  
19.15.25 NMAC, requiring  
operator to properly plug  
and abandon all the wells  
it operates in New Mexico  
by a date certain, and in  
the event of non-compli-  
ance authorizing the divi-  
sion to plug and abandon  
the wells and forfeit the  
applicable financial assur-  
ance. The affected wells  
are: Archer #001, 30-041-  
20787, K-17-07S-34E;  
Archer #002, 30-042-  
20798, L-17-07S-34E;  
Brown 51 #001, 30-025-  
07061, D-19-09S-38E;  
Brown 51 #002, 30-025-  
21703, F-19-09S-38E;  
Line State #001, 30-041-  
20451, 2-16-08S-38E;  
Sieber #001, 30-041-  
20791, C-17-07S-34E;  
State BA #001, 30-041-

RECEIVED OCD  
JUN 19 P 2:21

### 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  
LEADER**, a daily newspaper of general paid circulation pub-  
lished 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 here-  
inafter 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 LOV-  
INGTON LEADER** and not in any supplement thereof, for  
one (1) day, beginning with the issue of  
May 28, 2009 and ending with the issue  
of May 28, 2009.

And that the cost of publishing said notice is the sum of  
\$ 81.74 which sum has been (Paid) as  
Court Costs.

Joyce Clemens  
Subscribed and sworn to before me this 18<sup>th</sup> day of  
June 2009  
Debbie Schilling  
Debbie Schilling  
Notary Public, Lea County, New Mexico  
My Commission Expires June 22, 2010

**Before the OCD  
Case 14312  
Orbit Petroleum, Inc.  
OCD Exhibit 16**