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

**CASE NO. 14361** 

EXHIBIT 3

## 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 COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

Case No. 14,361

### **AFFIDAVIT OF NOTICE**

COUNTY OF SANTA FE )
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 Rules NMAC 19.15.4.9 and 19.15.4.12.C.  James Bruce
SUBSCRIBED AND SWORN TO before me this 19th day of August, 2009 by James Bruce.
My Commission Expires: 3/14/13  Notary Public  Oil Conservation Division Case No. 0

Exhibit No. 2

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

July 28, 2009

#### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application for a non-standard unit and compulsory pooling, filed with the New Mexico Oil Conservation Division by Cimarex Energy Co., regarding the N½S½ of Section 34, Township 19 South, Range 34 East, N.M.P.M., Lea County, New Mexico.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, August 20, 2009, in Porter Hall at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting the matter at a later date.

A party appearing in a Division case is required by Division Rules to file a Pre-Hearing Statement no later than Thursday, August 13, 2009. This statement must be filed with the Division's Santa Fe office at the above address, and should include: The names of the party and its attorney; a concise statement of the case; the names of the witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned.

Very truly yours,

Jaµmes Bruce

Attorney for Cimarex Energy Co.

EXHIBIT A

#### **EXHIBIT A**

Pear Resources P.O. Box 11044 Midland, Texas 79702

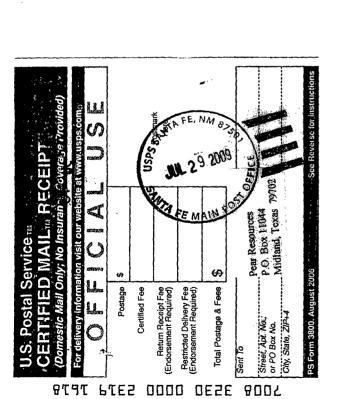
Fuel Products, Inc. P.O. Box 3098 Midland, Texas 79702

Michael J. Moncrief 2008 Trust A Attention: Jerry Goodwin, CPA Suite 1030 777 Taylor Street Fort Worth, Texas 76102

W.A. Moncrief, Jr. Trust Lee Wiley Moncrief Trust c/o U.S. Trust, Bank of America Attention: Janet Cunningham, CPL P.O. Box 2546 Fort Worth, Texas 76113

Hyde Oil and Gas Corporation Attention: Blair Hamburg Suite 1018 6300 Ridglea Place Fort Worth, Texas 76116

MGT Partners I, L.P., et al. Suite 500 13727 Noel Road Dallas, Texas 75240



☐ Agent☐ Addressee ☐ Addressee ☐ Date of Delivery 8 - 5 - 0 9	§ £	□ Express Mail     □ Return Receipt for Merchandise     □ C.O.D.     □ Kata Fee)    □ Yes		102595-02-M-1540
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