

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

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2009 JUL -9 P 3: 37

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST C & D MANAGEMENT COMPANY D/B/A FREEDOM VENTURES COMPANY, FINDING THAT THE OPERATOR KNOWINGLY AND WILLFULLY VIOLATED 19.15.13.1115 NMAC AND 19.15.4.201 NMAC; ASSESSING PENALTIES; REQUIRING OPERATOR TO BRING SAID WELLS INTO COMPLIANCE WITH 19.15.13.1115 NMAC AND 19.15.4.201 NMAC BY A DATE CERTAIN; AND IN THE EVENT OF NON-COMPLIANCE, DECLARING THE WELLS ABANDONED AND AUTHORIZING THE DIVISION TO PLUG THE WELLS AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCE, EDDY COUNTY, NEW MEXICO

CASE NO. 14055
DE NOVO
RE-OPENED

AFFIDAVIT OF NOTICE AND PUBLICATION

In accordance with Division Rule 19.15.5.10.D NMAC and Rule 19.15.4.12 NMAC I hereby certify:

1. Notice of the April 9, 2009 hearing in the above-captioned case was mailed to the following by certified mail, return receipt requested, at least 20 days prior to the hearing date, with a copy of the application:

C&D Management Company d/b/a Freedom Ventures Company
4801 Lang NE, Suite 110
Albuquerque, NM 87109

Certified Mail No.: 7002 0510 0003 5125 2508

Ernest L. Padilla
Attorney for C&D Management Company d/b/a Freedom Ventures Company
P.O. Box 2523
Santa Fe, NM 87504-2523

Certified Mail No.: 7002 0510 0003 5125 2492

South Central Bank of Barren Co., Inc.
P.O. Box 667
Glasgow, KY 42142-0667

Re: Letter of Credit 180

Certified Mail No.: 7002 0510 0003 5125 2485

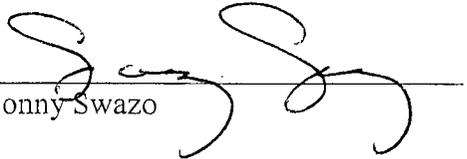
The First National Bank
303 West Main
Artesia, NM 88210

Re: Letter of Credit 203556-71

Certified Mail No.: 7002 0510 0003 5125 2478

2. Exhibit 41-A to this affidavit is a copy of the notice, with a copy of the certified mail return receipts for the notices mailed to the above identified parties. Ruby Pollo signed for C & D Management Company d/b/a Freedom Ventures Company. Ernest Padilla signed for Ernest Padilla, attorney for C & D Management Company d/b/a Freedom Ventures Company. Phillip Lawson signed for The First National Bank of Artesia. Larry Alexander signed for South Central Bank of Barren Co., Inc.

3. Notice of the April 9, 2009 hearing was published in Artesia Daily Press, a newspaper of general circulation in Eddy County. The affidavit of publication from Artesia Daily Press is attached as Exhibit 41-B.



Sonny Swazo

SUBSCRIBED AND SWORN to before me this 9th day of July 2009.



Notary Public

My Commission Expires:

01-09-2012