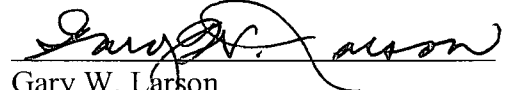




5. Cimarex has complied with the notice requirements of 19.15.4.9 and 19.15.4.12.C  
NMAC.

  
Gary W. Larson

SUBSCRIBED AND SWORN TO before me this 9<sup>th</sup> day of June, 2010 by Gary W.  
Larson.

My Commission Expires: 12/5/11

  
Notary Public

**PENNY PINCHER NO. 4 – MINERAL INTEREST OWNERS**

Lynx Petroleum Consultants, Inc.  
P.O. Box 1708  
Hobbs, New Mexico 88241

Harvey E. Yates Co  
P.O. Box 1933  
Roswell, New Mexico 88202

Jalapeno Corp.  
P.O. Box 1608  
Albuquerque, New Mexico 87103

Ben Alexander  
4002 16<sup>th</sup> St. #4315  
Lubbock, TX 79416

Yates Energy Corp.  
P.O. Box 2323  
Roswell, New Mexico 88202

Powder Horn Investments, LLC  
P.O. Box 2503  
Hobbs, New Mexico 88241

TNK, Inc.  
P.O. Box 1500  
Hobbs, New Mexico 88241

DASCO Energy Corp.  
c/o American State Bank Trust Dept.  
P.O. Box 1401  
Lubbock, Texas 79408

Watson Truck & Supply, Inc.  
P.O. Box 10  
Hobbs, New Mexico 88241

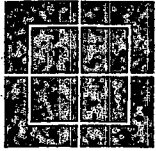
Fonay Oil & Gas  
5333 Baggett  
Hobbs, New Mexico 88242



Kent Gabel  
Sudan Feedyard  
1 Hwy Mile of Sudan East  
Sudan, Texas 79371

McVay Drilling Co.  
P.O. Box 924  
Hobbs, New Mexico 88241

Larry R. Scott  
P.O. Box 1708  
Hobbs, New Mexico 88241



hinklelawfirm.com

**HINKLE, HENSLEY, SHANOR & MARTIN, L.L.P.**

ATTORNEYS AT LAW  
218 MONTEZUMA  
SANTA FE, NEW MEXICO 87501  
505-982-4554 (FAX) 505-982-8623

WRITER:

Gary W. Larson,  
Partner  
glarson@hinklelawfirm.com

May 11, 2010

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Larry R. Scott  
P.O. Box 1708  
Hobbs, NM 88241

Re: Cimarex Energy Co. OCD Application

Dear Madam/Sir:

Enclosed please find a copy of an application for compulsory pooling and a non-standard 160-acre spacing and proration unit, filed with the New Mexico Oil Conservation Division (“the Division”) by Cimarex Energy Co., regarding the E/2 E/2 of Section 21, Township 19 South, Range 31 East, N.M.P.M., Eddy County, New Mexico.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, June 10, 2010, 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 the Division’s Rules to file a Prehearing Statement no later than Thursday, June 3, 2010. This statement must be filed with the Division’s Santa Fe office at the above-address, and should include: the name 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 an identification of any procedural matters that need to be resolved prior to the hearing. This Prehearing Statement must also be provided to the undersigned.

Thank you for your attention to this matter.

Sincerely,

Gary W. Larson

GWL/js  
Encl.

PO BOX 10  
ROSWELL, NEW MEXICO 88202  
(575) 622-6510  
FAX (575) 623-9332

PO BOX 3580  
MIDLAND, TEXAS 79702  
(432) 683-4691  
FAX (432) 683-6518

PO BOX 2068  
SANTA FE, NEW MEXICO 87504  
(505) 982-4554  
FAX (505) 982-8623

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Harvey E. Yates Co.  
 P.O. Box 1933  
 Roswell, NM 88202

2. Article Number

7005 1820 0006 3433 4820

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
*Harvey E. Yates*  Addressee
- B. Received by (Printed Name)  Date of Delivery  
*Harvey E. Yates* *5-17-10*
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below  No

3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

**U.S. Postal Service™**

**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .60
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Sent To

Harvey E. Yates Co.

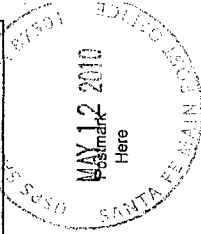
Street, Apt. No., or PO Box No.

P.O. Box 1933

City, State, ZIP+4

Roswell, NM 88202

PS Form 3800, June 2002 See Reverse for Instructions



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jalapeno Corp.  
 P.O. Box 1608  
 Albuquerque, NM 87103

2. Article Number

7005 1820 0006 3433 8736

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
*Jim Barbach*  Addressee
- B. Received by (Printed Name)  Date of Delivery  
*Jim Barbach* *5/14/10*
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

**U.S. Postal Service™**

**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Sent To

Jalapeno Corp.

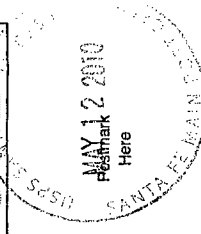
Street, Apt. No., or PO Box No.

P.O. Box 1608

City, State, ZIP+4

Albuquerque, NM 87103

PS Form 3800, June 2002 See Reverse for Instructions



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Powder Horn Investments, LLC  
 P.O. Box 2503  
 Hobbs, NM 88241

2. Article Number

(Transfer from service label)

7005 1820 0006 3433 5834

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
 Addressee
- B. Received by (Printed Name)  
 Lynx Petroleum Consultants
- C. Date of Delivery  
 MAY 17 2010

D. Is delivery address different from item 1?  Yes  No

If YES, enter delivery address below:

3. Service Type
- Certified Mail
  - Registered
  - Insured Mail
  - Express Mail
  - Return Receipt for Merchandise
  - C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

**U.S. Postal Service**

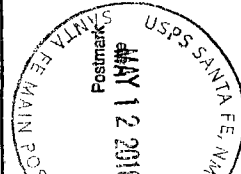
**CERTIFIED MAIL RECEIPT**

(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.71</b>



Sent To

*Powder Horn Investments*  
 Street, Apt. No., P.O. Box 2503  
 City, State, ZIP+4 Hobbs, NM 88241

PS Form 3800, June 2002 See Reverse for Instructions

7005 1820 0006 3433 5834

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Lynx Petroleum Consultants, Inc.  
 P.O. Box 1708  
 Hobbs, NM 88241

2. Article Number

(Transfer from service label)

7005 1820 0006 3433 8743

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
 Addressee
- B. Received by (Printed Name)  
 Lynx Petroleum Consultants
- C. Date of Delivery  
 MAY 17 2010

D. Is delivery address different from item 1?  Yes  No

If YES, enter delivery address below:

3. Service Type
- Certified Mail
  - Registered
  - Insured Mail
  - Express Mail
  - Return Receipt for Merchandise
  - C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

**U.S. Postal Service**

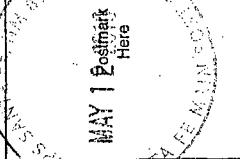
**CERTIFIED MAIL RECEIPT**

(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.71</b>



Sent To

*Lynx Petroleum Consultants*  
 Street, Apt. No., P.O. Box 1708  
 City, State, ZIP+4 Hobbs, NM 88241

PS Form 3800, June 2002 See Reverse for Instructions

7005 1820 0006 3433 8743

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ben Alexander  
 4002 16th St.  
 #4315  
 Lubbock, TX 79416

2. Article Number  
 (Transfer from service label)

7008 0500 0001 4599 1597

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
 Addressee
- B. Received by (Printed Name)  Addressee
- C. Date of Delivery  Agent
- 2/21/04 Ben Alexander 5-24-10

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

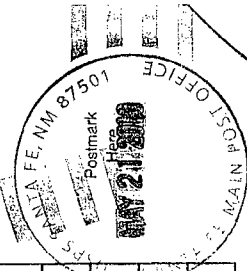
4. Restricted Delivery? (Extra Fee)  Yes

**U.S. Postal Service™  
 CERTIFIED MAIL RECEIPT  
 (Domestic Mail Only. No Insurance Coverage Provided)**

For delivery information, visit our website at www.usps.com.

**OFFICIAL USE**

#4 Postage \$ .61  
 Certified Fee 2.70  
 Return Receipt Fee (Endorsement Required) 2.40  
 Restricted Delivery Fee (Endorsement Required) \$5.71  
 Total Postage & Fees



Sent To

Ben Alexander  
 Street, Apt. No., or PO Box No. 4002 16th #4315  
 City, State, ZIP+4 Lubbock, TX 79416

PS Form 3800, August 2006

2557 6557 7000 0050 9002

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Yates Energy Corp.  
 P.O. Box 2323  
 Roswell, NM 88202

2. Article Number  
 (Transfer from service label)

7005 1820 0006 3493 8675

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

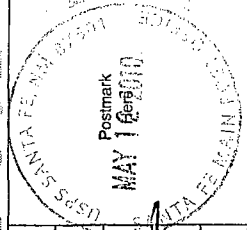
- A. Signature  Agent  
 Addressee
- B. Received by (Printed Name)  Agent
- C. Date of Delivery  Addressee
- Cynthia Caldwell 5-17-10

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes



**U.S. Postal Service™  
 CERTIFIED MAIL RECEIPT  
 (Domestic Mail Only. No Insurance Coverage Provided)**

For delivery information, visit our website at www.usps.com.

**OFFICIAL USE**

Postage \$ .61  
 Certified Fee 2.70  
 Return Receipt Fee (Endorsement Required) 2.40  
 Restricted Delivery Fee (Endorsement Required) \$ 5.71  
 Total Postage & Fees

Sent To

Yates Energy Corp.  
 Street, Apt. No., or PO Box No. P.O. Box 2323  
 City, State, ZIP+4 Roswell, NM 88202

PS Form 3800, August 2006

5298 6557 7000 0050 9002





**SENDER - COMPLETE THIS SECTION**

- 1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 2. Print your name and address on the reverse so that we can return the card to you.
- 3. Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

McVay Drilling Co.  
P.O. Box 924  
Hobbs, NM 88241

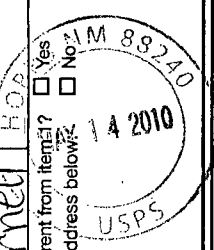
2. Article Number  
(Transfer from service) 7005 1820 0006 3433 6091

PS Form 3811, February 2004 Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  Addressee  
*Shaugh Kenell*
- B. Received by (Printed Name)  Agent  Addressee  
*Shaugh Kenell*
- C. Date of Delivery  
*HOA*
- D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:



- 3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

- 4. Restricted Delivery? (Extra Fee)  Yes

U.S. Postal Service™  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only - No Insurance Coverage Provided)  
For delivery information visit our website at www.usps.com

**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Sent To  
 Street, Apt. No., or PO Box No. *McVay Drilling Co. P.O. Box 924*  
 City, State, ZIP+4 *Hobbs NM 88241*  
 PS Form 3800, June 2002 See Reverse for Instructions

7609 8848 9000 0297 5002

**SENDER - COMPLETE THIS SECTION**

- 1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 2. Print your name and address on the reverse so that we can return the card to you.
- 3. Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TNK, Inc.  
P.O. Box 1500  
Hobbs, NM 88241

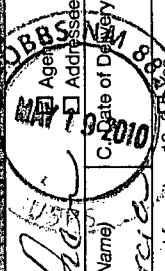
2. Article Number  
(Transfer from service) 7005 1820 0006 3433 6152

PS Form 3811, February 2004 Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  Addressee  
*Mavis Garcia*
- B. Received by (Printed Name)  Agent  Addressee  
*Mavis Garcia*
- C. Date of Delivery  
*HOA*
- D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:



- 3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

- 4. Restricted Delivery? (Extra Fee)  Yes

U.S. Postal Service™  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only - No Insurance Coverage Provided)  
For delivery information visit our website at www.usps.com

**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Sent To  
 Street, Apt. No., or PO Box No. *TNK, Inc. P.O. Box 1500*  
 City, State, ZIP+4 *Hobbs NM 88241*  
 PS Form 3800, June 2002 See Reverse for Instructions

2579 8848 9000 0297 5002

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Fonay Oil & Gas  
5333 Baggett  
Hobbs, NM 88242

2. Article Number  
(Transfer from service label) 7005 1620 0006 3433 6121

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
*Kent Gabel*  Addressee
- B. Received by (Printed Name)  Date of Delivery  
*Kent Gabel*  Yes  No



- D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:  Yes  No

3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

**U.S. Postal Service™**

**CERTIFIED MAIL™ RECEIPT**  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71



Sent To

Fonay Oil + Gas  
Street, Apt. No., or PO Box No. 5333 Baggett  
City, State, ZIP+4 Hobbs, NM 88242

PS Form 3800, June 2002 See Reverse for Instructions

7005 1620 0006 3433 6121

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kent Gabel  
Sudan Feedyard  
1 Hwy Mile of Sudan East  
Sudan, TX 79371

2. Article Number  
(Transfer from service label) 7005 1620 0006 3433 6114

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
*Kent Gabel*  Addressee
- B. Received by (Printed Name)  Date of Delivery  
*Kent Gabel*  Yes  No

- D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

PO Box 9

3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

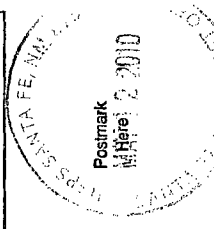
**U.S. Postal Service™**

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(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71



Sent To

Kent Gabel  
Street, Apt. No., or PO Box No. Sudan Feedyard  
City, State, ZIP+4 Sudan, TX 79371

PS Form 3800, June 2002 See Reverse for Instructions

7005 1620 0006 3433 6114

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Larry R. Scott  
 P.O. Box 1708  
 Hobbs, NM 88241

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  
*Larry R. Scott*  
 BBS NM Agent
- B. Received by (Printed Name) *Larry R. Scott* Date of Delivery *MAY 2 2010*
- D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address: *SPS*

3. Service Type

- Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

2. Article Number  
 (Transfer from service label)

7005 1820 0006 3433 6084

PS Form 3811, February 2004

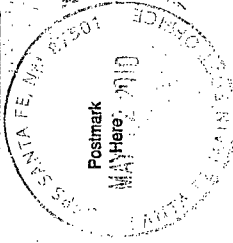
Domestic Return Receipt

102595-02-M-1540

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only - No Insurance Coverage Provided)  
 For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.71</b>



Sent To *Larry R. Scott*  
 Street, Apt. No., or PO Box No. *P.O. Box 1708*  
 City, State, ZIP+4 *Hobbs, NM 88241*

PS Form 3811, June 2002 See Reverse for Instructions

7005 1820 0006 3433 6084