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, EDDY COUNTY, NEW MEXICO.

Case No. 14,418

OCC Case No. 14418

AFFIDAVIT OF NOTICE
COUNTY OF SANTA FE)
) ss. 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. Cuto July James Bruce
SUBSCRIBED AND SWORN TO before me this _{2nd} day of February, 2010 by James Bruce.
My Commission Expires: 3/14/13 Notary Public

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

December 31, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling and a non-standard spacing and proration unit, filed with the New Mexico Oil Conservation Division by Cimarex Energy Co., regarding the W½W½ 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, January 21, 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 Division Rules to file a Pre-Hearing Statement no later than Thursday, January 14, 2010. 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,

ames Bruce

Attorney for Cimarex Energy Co.

EXHIBIT

EXHIBIT A

Lynx Petroleum Consultants, Inc. P.O. Box 1208 Hobbs, New Mexico 88211

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

OXY USA Inc. 5 Greenway Plaza, Ste. 110 Houston, Texas 77046

BMT O&G NM, L.L.C. Thru Line O&G NM, L.L.C. Keystone O&G NM, L.L.C. SRBI O&G NM, L.L.C. LMBI O&G NM, L.L.C. 201 Main Street, Ste. 2900 Fort Worth, Texas 76102

Marbob Energy Corp. P. O. Box 227 Artesia, New Mexico 88211

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

Ben Alexander P. O. Box 1331 Hobbs, New Mexico 88241

Seven Rivers, Inc. P. O. Box 1598 Carlsbad, New Mexico 88221

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

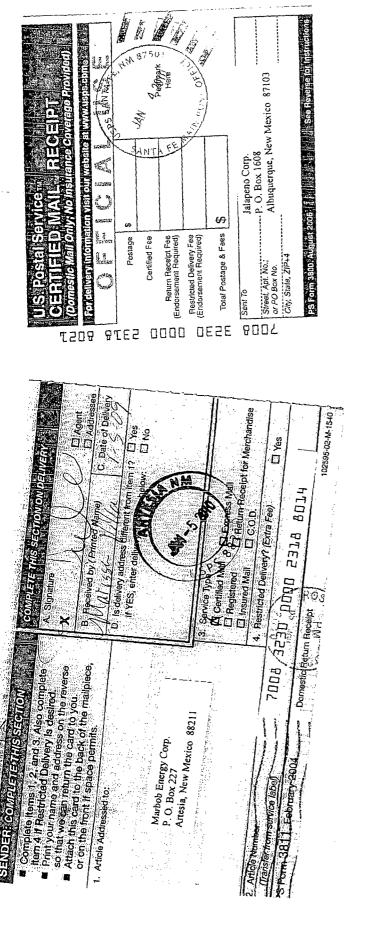
Fonay Oil & Gas 5333 Baggett Hobbs, New Mexico 88242

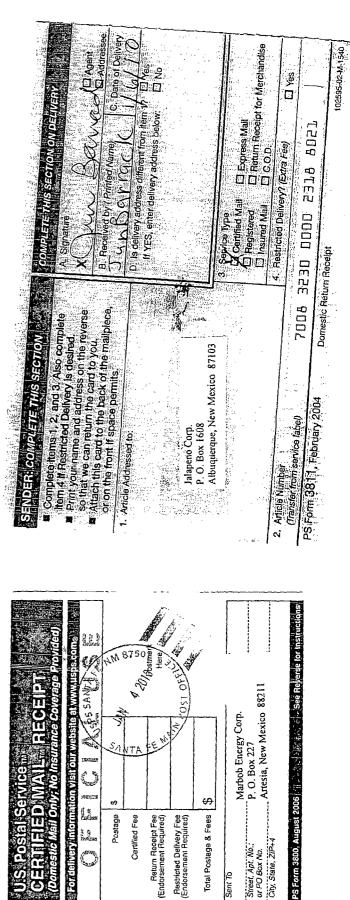
E.G.L. Resources, Inc. P. O. Box 10886 Midland, Texas 79702

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 1979 Hobbs, New Mexico 88241





Artesia, New Mexico 88211 Marbob Energy Corp.

P. O. Box 227

Street, Apt. No.; or PO Box No. City, State, ZIP+4

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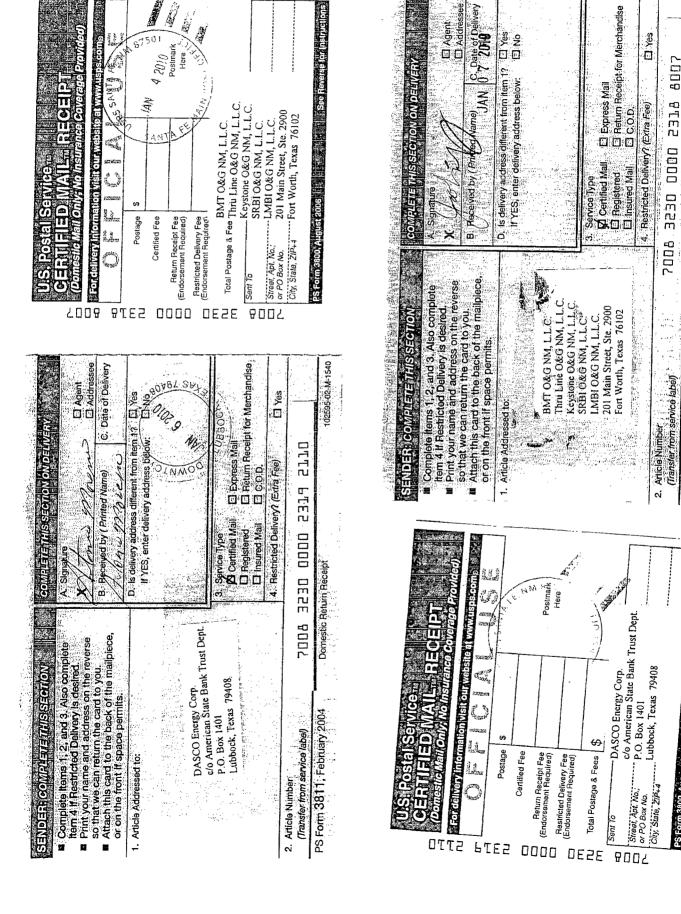
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Seven Rivers, Inc.

Total Postage & Fees

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

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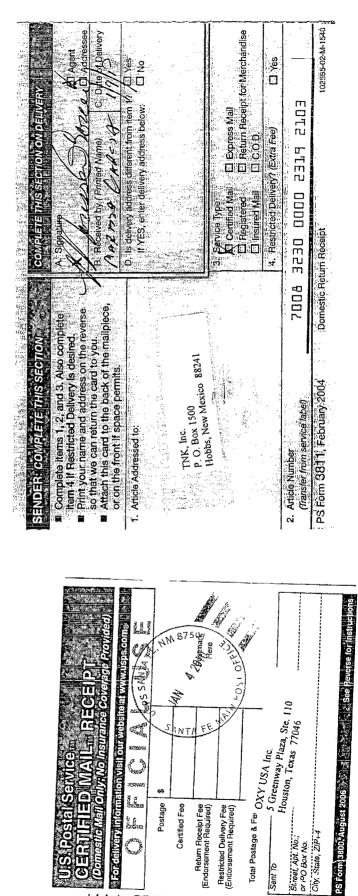
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PS Form 3811, February 2004

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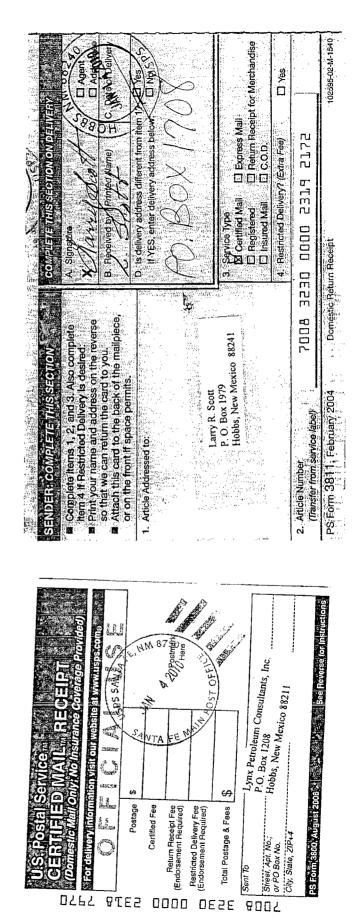
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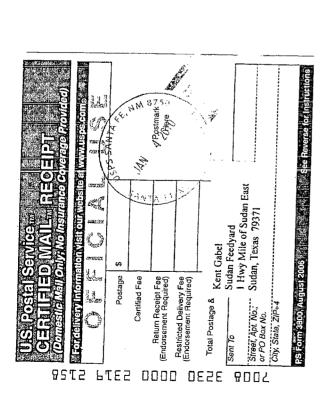
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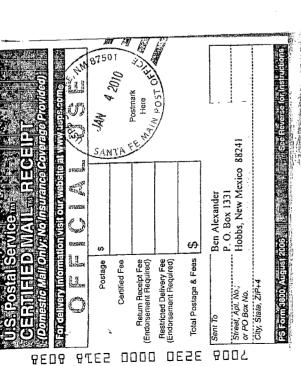
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