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

APPLICATION OF OGX RESOURCES LLC FOR APPROVAL OF A NON-STANDARD OIL SPACING AND PRORATION UNIT AND **COMPULSORY POOLING, LEA COUNTY,** NEW MEXICO.

Case No. 14,661 (reopened)

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.

I am an attorney for OGX Resources LLC. 2.

OGX Resources LLC has conducted a good faith, diligent effort to find the names 3. and correct addresses of the interest owners entitled to receive notice of the application filed herein.

Notice of the application was provided to the interest owner, at her correct 4 address, by certified mail. Copies of the notice letter and certified return receipt are attached hereto as Exhibit 1.

Applicant has complied with the notice provisions of Division Rules NMAC 5. 19.15.4.9 and 19.15.4.12.C.

James Bruce

SUBSCRIBED AND SWORN TO before me this <u>14th</u> day of September, 2011 by James Bruce.

My Commission Expires: 3/14/13

Notary Public

Oil Conservation Division Exhibit No.

JAMES BRUCE

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

August 11, 2011

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is an application for compulsory pooling and a non-standard unit, filed with the New Mexico Oil Conservation Division by OGX Resources LLC, regarding 1 and 2 of Section 31 and Lots 2-4 of Section 30, Township 26 South, Range 29 East, N.M.P.M., Eddy County, New Mexico.

This matter is re-scheduled for hearing at 8:15 a.m. on Thursday, September 1, 2011, 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 the application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting this 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 25, 2011. 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.

EXHIBIT

Very truly yours,

James Bruce

Attorney for OGX Resources LLC

EXHIBIT A

Jo Beth Colvin Ware 3605 Grandview Plainview, Texas 79072

l

. t . . .

66.9	U.S. Postal Service TM CERTIFIED MAIL TM RECEIPT (Domestic Mail Only; No Insurance Contrage Provided)			
<u>п</u>				
۔ ۲	() Sur Pro	ICIAL USE		
5861	Postage	\$		
m	Certified Fee	SANTA FE, NA		
	Return Receipt Fee (Endorsement Required)	AUG 1 2 2011		
₽	Restricted Delivery Fee (Endorsement Required)	AUG 1 2 2011		
1140	Total Postage & Fees	\$		
9	Sent To	Jo Beth Colvin Ware 3605 Grandview		
	Street, Apt. No.; or PO Box No.	Plainview, Texas 79072		
	Cily, State, ZIP+4			
	PS Form 3800, August 2	006 See Reverse for Instructions		

SENDER: COMPLETE THIS S	SECTION	COMPLETE THIS SECTION ON DELIVERY A. Signature	
 Complete items 1, 2, and 3, item 4 if Restricted Delivery i Print your name and address so that we can return the car Attach this card to the back or on the front if space perm 	s desired. on the reverse d to you. of the mailpiece,		
1. Article Addressed to:			
Jo Beth Colvin Ware 3605 Grandview Plainview, Texas 79072		Service Type A Certified Mail □ Express Mail Begistered □ Beturn Beceipt for Merchandis	
		Registered Return Receipt for Merchandise Insured Mail C.O.D.	
		4. Restricted Delivery? (Extra Fee)	
· · · · · · · · · · · · · · · · · · ·		0003 5861 6699	
2. Article Number (Transfer from service label)	7008 1140		