

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

**APPLICATION OF CIMAREX ENERGY CO.
FOR COMPULSORY POOLING AND TWO
NON-STANDARD GAS SPACING AND PRORATION
UNITS, LEA COUNTY, NEW MEXICO.**

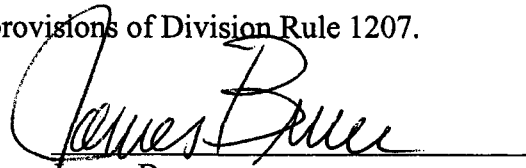
Case No. 13,517

AFFIDAVIT OF NOTICE

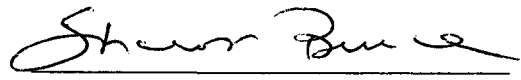
COUNTY OF SANTA FE)
) ss.
STATE OF NEW MEXICO)

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., and have personal knowledge of the matters stated herein.
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 Rule 1207.


James Bruce

SUBSCRIBED AND SWORN TO before me this 27th day of June, 2005 by James Bruce.


Notary Public

My Commission Expires:
3/14/09

NMOCD CASE NO. 13517
JUNE 30, 2005
CIMAREX ENERGY CO.
EXHIBIT NO. 5

ON

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

June 8, 2005

Devon Energy Production Company, L.P.
Devon Louisiana Corporation
P.O. Box 108838
Oklahoma City, Oklahoma 73101

Fidelity Exploration & Production Company
Suite 4600
1700 Lincoln Street
Denver, Colorado 80203

Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Cimarex Energy Co., regarding the N½ of Section 7, Township 21 South, Range 27 East, N.M.P.M., Eddy County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Thursday, June 30, 2005, at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an interest owner in the well unit, you have the right to enter an appearance and participate in the case. Failure to appear will preclude you from contesting this matter at a later date.

You are required to notify (in writing) the Division, and the undersigned, by Friday, June 24, 2005 if you intend to participate in the hearing.

Very truly yours,


James Bruce

Attorney for Cimarex Energy Co.



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

OFFICIAL USE

Postage	\$ 0.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42

Sent To
 Devon Energy Production Company, L.P.
 Devon Louisiana Corporation
 P.O. Box 108838
 Oklahoma City, Oklahoma 73101
 City, State, ZIP+4

UNIT 171 0500
 JUN 11 2004
 CLERK: KXCIT
 JUN 11 2004
 JUN 11 2004

PS Form 3811, June 2002 See Reverse for Instructions

0644 6794 1000 0682 4002

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:
 Fidelity Exploration & Production Company
 Suite 4600
 1700 Lincoln Street
 Denver, Colorado 80203

2. Article Number
 (Transfer from service label)
 7004 2890 0001 4619 4483

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ Paper ☐ Agent ☐ Addressee

B. Received by (Printed Name)
 C. Date of Delivery
 6/11/04

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

Domestic Return Receipt CK - Colton

102595-02-M-1540

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 Devon Louisiana Corporation
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 Oklahoma City, Oklahoma 73101
 City, State, ZIP+4

2. Article Number
 (Transfer from service label)
 7004 2890 0001 4619 4483

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ Hartfield ☐ Agent ☐ Addressee

B. Received by (Printed Name)
 C. Date of Delivery
 JUN 11 2004

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

Domestic Return Receipt CK - Colton

102595-02-M-1540