

# Affidavit of Publication

OK  
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STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF LEA )

Joyce Clemens being first duly sworn on oath deposes and says that she is Advertising Manager of THE LOVINGTON LEADER, a thrice a week newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled Legal Notice was published in a regular and entire issue of THE LOVINGTON LEADER and not in any supplement thereof, for one (1) day(s), beginning with the issue of May 3, 2014 and ending with the issue of May 3, 2014.

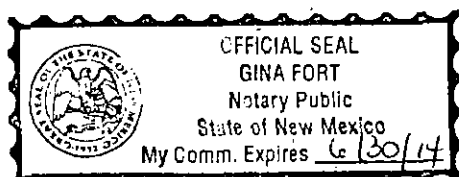
And that the cost of publishing said notice is the sum of \$ 83.16 which sum has been (Paid) as Court Costs.

*Joyce Clemens*

Joyce Clemens, Advertising Manager  
Subscribed and sworn to before me this 8th day of May, 2014.

*Gina Fort*

Gina Fort  
Notary Public, Lea County, New Mexico  
My Commission Expires June 30, 2014



LEGAL NOTICE  
NOTICE OF HEARING  
STATE OF NEW MEXICO  
ENERGY, MINERALS  
AND NATURAL  
RESOURCES DEPART-  
MENT  
OIL & CONSERVATION  
DIVISION  
SANTA FE, NEW MEXICO  
CO  
The State of New Mexico  
through its Oil  
Conservation Division  
hereby gives notice pur-  
suant to law and the Rules  
and Regulations of the  
Division of the following  
public hearing to be held  
at 8:15 A.M. on May 29,  
2014, in the Oil  
Conservation Division  
Hearing Room at 1220  
South St. Francis Drive,  
Santa Fe, New Mexico,  
before an examiner duly  
appointed for the hearing.  
If you are an individual  
with a disability who is in  
need of a reader, amplifi-  
er, qualified sign language  
interpreter, or any other  
form of auxiliary aid or  
service to attend or partic-  
ipate in the hearing,  
please contact Florene  
Davidson at 505-476-  
3458 or through the New  
Mexico Relay Network at  
800-659-1779 by May 19,  
2014. Public documents  
including the agenda and  
minutes can be provided  
in various accessible  
forms. Please contact  
Florene Davidson if a  
summary or other type of  
accessible form is need-  
ed. A party who plans on  
using projection equip-  
ment at a hearing must  
contact Florene Davidson  
seven (7) business days  
prior to the hearing  
requesting the use of the  
projection equipment.  
Wireless internet is avail-  
able; however, the party  
must provide its own lap-  
top computer. STATE OF  
NEW MEXICO TO: All  
named parties and per-  
sons having any right,  
title, interest or claim in  
the following cases and  
notice to the public.  
(NOTE: All land descrip-  
tions herein refer to the  
New Mexico Principal  
Meridian, whether or not  
so stated.) CASE 15138:  
Application of the New  
Mexico Oil Conservation  
Division for a Compliance  
Order against Platinum  
Exploration, Inc. The  
Applicant seeks an Order  
finding that Operator is in  
violation of Division Rule  
19-15.25.8 NMAC as to  
one well requiring opera-  
tor to bring the well into  
compliance with Division  
Rule 19-15.25.8 NMAC by  
a date certain and autho-  
rizing the Division to plug  
said well in the event of  
non-compliance. The  
affected well is Rose  
Eaves #1 located in Lea  
County, New Mexico, sec-  
tion, township and range  
N 35 16S 38E, API No.  
30-025-07290. CASE  
15139: Application of the  
New Mexico Oil  
Conservation Division for  
a Compliance Order  
against Kirby Exploration  
Co. of Texas. The  
Applicant seeks an Order  
finding that Operator is in  
violation of Division Rule  
19-15.25.8 NMAC as to  
one well requiring opera-  
tor to bring the well into  
compliance with Division  
Rule 19-15.25.8 NMAC by  
a date certain and autho-  
rizing the Division to plug  
said well in the event of  
non-compliance. The  
affected well is GG Travis  
#1 located in Lea County,  
New Mexico, section,  
township and range, T 21  
23S 37E, API No. 30-025-  
10820. Given under the  
Seal of the State of New  
Mexico, Oil Conservation  
Commission at Santa Fe,  
New Mexico on this 30th  
of April, 2014.  
STATE OF NEW MEXICO  
OIL & CONSERVATION  
DIVISION  
Jami Bailey, Division  
Director  
S. E. A. L. A.

Exhibit 5

Published in the  
Lovington Leader, May,  
2014

State of New Mexico  
Energy, Minerals and Natural Resources Department

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**Susana Martinez**  
Governor

**David Martin**  
Cabinet Secretary

**Brett F. Woods, Ph.D.**  
Deputy Cabinet Secretary

**Jami Bailey, Division Director**  
Oil Conservation Division



April 30, 2014

**Via email: leader@leaco.net**

Lovington Daily Leader  
P.O. Drawer 1717  
Lovington, New Mexico 88260

**Attention: Legal Department**

**Re: Notice of Publication - Case Nos. 15138 and 15139**

Dear Legal Department:

Please publish the attached notice one time immediately on receipt of this request. Please proofread carefully, as any error in a land description or in a key word or phrase can invalidate the entire notice.

Immediately upon completion of publication, please send the following to this office:

- 1. Publisher's affidavit in duplicate.**
- 2. Statement of cost (also in duplicate).**
- 3. Certified invoices for prompt payment.**

We should have these immediately after publication in order that the legal notice will be available for the hearing which it advertises, and also so that there will be no delay in your receiving payment.

**Please publish the notice as soon as possible.**

Sincerely,

Theresa Duran-Saenz

Attachment

**NOTICE OF HEARING  
STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION  
SANTA FE, NEW MEXICO**

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on **May 29, 2014**, in the Oil Conservation Division Hearing Room at 1220 South St. Francis Drive, Santa Fe, New Mexico, before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by **May 19, 2014**. Public documents, including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed. A party who plans on using projection equipment at a hearing must contact Florene Davidson seven (7) business days prior to the hearing requesting the use of the projection equipment. Wireless internet is available; however, the party must provide its own laptop computer. **STATE OF NEW MEXICO TO: All named parties and persons having any right, title, interest or claim in the following cases and notice to the public.** (NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.) ***CASE 15138: Application of the New Mexico Oil Conservation Division for a Compliance Order against Platinum Exploration, Inc.*** The Applicant seeks an Order finding that Operator is in violation of Division Rule 19.15.25.8 NMAC as to one well, requiring operator to bring the well into compliance with Division Rule 19.15.25.8 NMAC by a date certain, and authorizing the Division to plug said well in the event of non-compliance. The affected well is Rose Eaves #1, located in Lea County, New Mexico, section, township and range, N-35-16S-38E, API No. 30-025-07290. ***CASE 15139: Application of the New Mexico Oil Conservation Division for a Compliance Order against Kirby Exploration Co. of Texas.*** The Applicant seeks an Order finding that Operator is in violation of Division Rule 19.15.25.8 NMAC as to one well, requiring operator to bring the well into compliance with Division Rule 19.15.25.8 NMAC by a date certain, and authorizing the Division to plug said well in the event of non-compliance. The affected well is GG Travis #1, located in Lea County, New Mexico, section, township and range, I-21-23S-37E, API No. 30-025-10820. Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 30th of April, 2014.

STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION  
Jami Bailey, Division Director  
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