

# Affidavit of Publication

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

Joyce Clemens being first duly sworn on oath deposes and says that she is Advertising Director of **THE LOVINGTON LEADER**, a daily 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, beginning with the issue of February 3, 2007 and ending with the issue of February 3, 2007.

And that the cost of publishing said notice is the sum of \$ 80.08 which sum has been (Paid) as Court Costs.

Joyce Clemens  
Subscribed and sworn to before me this 6<sup>th</sup> day of February, 2007  
Debbie Schilling  
Debbie Schilling  
Notary Public, Lea County, New Mexico  
My Commission Expires June 22, 2010

LEGAL NOTICE  
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 March 1, 2007, 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 February 19, 2007. 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.

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 NO. 13629: Reopened  
In the matter of Case 13629 being reopened pursuant to the provisions of Division Order No. R-12514, which order promulgated temporary special pool rules for the Sand Springs Permo Upper-Pennsylvanian Pool in Lea County, New Mexico, including provisions for 160-acre spacing units and designated well locations. Operators in the Sand Springs Permo Upper-Pennsylvanian Pool may appear and show cause why the temporary special pool rules established by this order should not be rescinded and the pool not be developed on statewide 40-acre spacing.

CASE NO. 13874: Application of the New Mexico Oil Conservation Division for a compliance order against BC & D Operating, Inc. The

Applicant seeks a compliance order requiring BC & D Operating, Inc. to return four inactive wells in Lea County, New Mexico, to compliance with 19.15.4.201 NMAC by a date certain, and authorizing the Division to plug the wells and forfeit the applicable financial assurance if the operator fails to meet the deadline set in the order. The affected wells are: Blankenship #001, API #30-025-07766, Unit Letter E, Section 12, Township 20 South, Range 38 East; Blankenship A #001, API #30-025-07769, Unit Letter L, Section 12, Township 20 South, Range 38 East; Peoples Security #001, API #30-025-07281, Unit Letter L, Section 23, Township 16 South, Range 38 East; and G.W. Shahan #002, API #30-025-11873, Unit Letter B, Section 33, Township 25 South, Range 37 East.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 31st day of January, 2007.

STATE OF NEW MEXICO  
OIL CONSERVATION  
DIVISION  
Mark E. Fesmire, P. E.  
Division Director

S E A L  
Published in the Lovington Leader February 3, 2007.

**BC & D Operating Inc.**  
Case 13874  
OCD Ex. No. 2