

AFFIDAVIT OF PUBLICATION

State of New Mexico,  
County of Lea.

I, KATHI BEARDEN

PUBLISHER

of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, do solemnly swear that the clipping attached hereto was published once a week in the regular and entire issue of said paper, and not a supplement thereof for a period.

of 1 weeks.

Beginning with the issue dated

December 11 2007

and ending with the issue dated

December 11 2007

*Kathi Bearden*

PUBLISHER

Sworn and subscribed to before

me this 11th day of

December 2007

*Dora Montz*

Notary Public.

My Commission expires  
February 07, 2009  
(Seal)



OFFICIAL SEAL  
DORA MONTZ  
NOTARY PUBLIC  
STATE OF NEW MEXICO  
My Commission Expires: \_\_\_\_\_

This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937, and payment of fees for said publication has been made.

LEGAL NOTICE  
December 11, 2007

NOTICE

To: Virginia Fulton Gausa, Frank Lilley, Gayle Fulton Lilley, Jessie L. Wissler (agent), Frank Free, Henrietta B. Schenck, Sophie B. Schenck, Thomas F. McMahon, Dan Wicker and wife Alice Wicker, Jean Morris and husband Orville Morris, Betty Tieche and husband M.L. Tieche, B.P. Wicker, Jr. and wife Kay Wicker, James Wicker, John Millard Wicker, Mary S. William, Rose Berger, Vanda Dale Byars Watkins, Dorothy A. Davis, Stewart Mott Davis, James O'Brien and Robert E. O'Brien, as Trustees u/w/o F.W. Doyle, Marjorie M. Olds, Elaine Wolf and husband James Wolf, Hollis G. Gerrish, Maurice Krasner, Bernard Krasner, Ralph H. Coburn, Eugene F. Arnold, R. E. Carter, Helen Pape, C. H. Stevenson, Jennie Spack, T.D. Fussell, Nannie Allen Edwards, Aubrey Eugene Edwards, Marie A. Gass, Al McInnis, Natalie Swan Baron Abbot, Elizabeth Y. Northrup, Willie Frances Lilley, Annie Abell, Byron Abell, Marrion E. Dushane, Fred A. Dushane, Jason P. Phelps, Mary E. Phelps, Elizabeth Fulton, Zilpha S. Todd, John W. Rheinhardt, Jennie E. Rheinhardt, Joshua F. Cockey, Ruth E. Cockey, and A.W. Hasselburg, or their heirs or devisees: Cimarex Energy Co. has filed an application with the New Mexico Oil Conservation Division seeking an order approving a non-standard oil spacing and proration unit (project area) comprised of the W/2SW/4 of Section 6, Township 15 South, Range 38 East, NMPM, to form a non-standard 80-acre oil spacing and proration unit (project area) for any and all formations or pools developed on 40-acre spacing within that vertical extent, including the Denton-Wolfcamp Pool, and pooling all mineral interests in the Wolfcamp formation underlying the non-standard unit. The unit is to be dedicated to the Humboldt 6 State Com. Well No. 1, a horizontal well to be drilled at a surface location 430 feet from the south and west lines of Section 6, with a terminus 2310 feet from the south line and 430 feet from the west line of Section 6. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The application is scheduled to be heard at 8:15 a.m. on Thursday, January 10, 2008 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. The attorney for applicant is James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504. The unit is located approximately 4-1/2 miles south-east of Prairieview, New Mexico.  
#23696

Oil Conservation Division  
Case No. \_\_\_\_\_  
Exhibit No. 5

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JAMES BRUCE, ATTORNEY AT LAW  
P.O. BOX 1056  
SANTA FE, NM 87504