

**Affidavit of Publication**

State of New Mexico,  
County of Eddy, ss.

**Kathy McCarroll**, being first duly sworn,  
on oath says:

That she is the Classified Supervisor of the Carlsbad Current-Argus, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

January 7, 2009  
NOTICE  
To: Badger Energy, Inc., Amity Oil Company, Inc., Anadarko Petroleum Corporation, Dorchester Motion Pictures Limited Partnership, Pioneer Natural Resources USA, Inc., Brad D. Bassore, and Amax Oil & Gas, Inc. or their successors: Devon Energy Production Company, L.P. has filed an application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests from the surface to the base of the Morrow formation underlying the following described acreage: In Section 15, Township 19 South, Range 31 East, NMPM, and in the following manner: The E/2 to form a standard 320-acre gas spacing and proration unit for any and all formations or pools developed on 320-acre spacing within that vertical extent; the SE/4 to form a standard 160-acre oil or gas spacing and proration unit for any and all formations or pools developed on 160-acre spacing within that vertical extent including the Un- designated Lusk Strawn Pool; and the NW/4SE/4 to form a standard 40-acre oil spacing and proration unit for any and all formations or pools developed on 40-acre spacing within that vertical extent. The units are to be dedicated to the Acme #15 Fed. Com. Well No. 1 to be drilled at an orthodox location in the NW/4SE/4 of Section 15. 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 risks involved in drilling and completing the well. The application is scheduled to be heard at 8:15 a.m. on Thursday, January 22, 2009 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 units are located approximately 12 miles south east of Loco Hills, New Mexico.

January 7 2009

That the cost of publication is \$81.26 that Payment Thereof has been made and will be assessed as court costs.

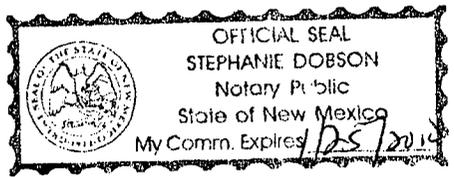
*Kathy McCarroll*

Subscribed and sworn to before me this

13<sup>th</sup> day of January, 2009  
*Stephanie Dobson*

My commission Expires on 1/25/2010

Notary Public



Oil Conservation Division  
Case No. 7  
Exhibit No. 1