

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

**APPLICATION OF CIMAREX ENERGY CO. FOR
A NON-STANDARD OIL SPACING AND PRORATION
UNIT AND COMPULSORY POOLING, CHAVES COUNTY,
NEW MEXICO.**

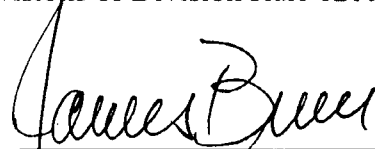
Case No. 14,254

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.
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 1210.

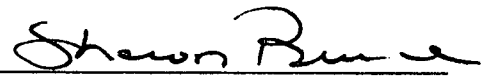


James Bruce

SUBSCRIBED AND SWORN TO before me this 6th day of January, 2009 by James Bruce.

My Commission Expires:

3/14/09


Notary Public

Oil Conservation Division
Case No. 5
Exhibit No. 5

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)

jamesbruce@aol.com

November 12, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Chesapeake Exploration Limited Partnership
Chesapeake Energy Corporation
P.O. Box 18496
Oklahoma City, Oklahoma 73154-0496

COG Oil & Gas, LP
COG Operating, LLC
Suite 1300
550 West Texas
Midland, Texas 79701

Ladies and gentlemen:

Enclosed is a copy of an application for a non-standard unit and compulsory pooling, filed with the New Mexico Oil Conservation Division by Cimarex Energy Co., regarding the S $\frac{1}{2}$ S $\frac{1}{2}$ of Section 10, Township 15 South, Range 31 East, N.M.P.M., Chaves County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Thursday, December 4, 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.

You are required to notify (in writing) the Division, and the undersigned, by Wednesday, November 26, 2008 if you intend to participate in the hearing.

Very truly yours,


James Bruce

Attorney for Cimarex Energy Co.

EXHIBIT

A

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:

Chesapeake Exploration Limited Partnership
 Chesapeake Energy Corporation
 P.O. Box 18496
 Oklahoma City, Oklahoma 73154-0496

2. Article Number

(Transfer from service label)

7008 0500 0001 4522 3131

PS Form 3811, February 2004

102595-02-M-1540

Conix Art 10-2

COMPLETE THIS SECTION ON DELIVERY:

- A. Signature Agent
 Addressee
- B. Received by (Printed Name)
- C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- Certified Mail
 - Registered
 - Insured Mail
 - Express Mail
 - Return Receipt for Merchandise
 - C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

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Sent to
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 or PO Box No.
 City, State, ZIP+4

COG Oil & Gas, LP
 COG Operating, LLC
 Suite 1300
 550 West Texas
 Midland, Texas 79701

PS Form 3800, August 2006 See Reverse for Instructions

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Sent to
 Street, Apt. No.,
 or PO Box No.
 City, State, ZIP+4

Chesapeake Exploration Limited Partnership
 Chesapeake Energy Corporation
 P.O. Box 18496
 Oklahoma City, Oklahoma 73154-0496

PS Form 3800, August 2006 See Reverse for Instructions

4522 3131 0001 0500 2254 7008

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1. Article Addressed to:

COG Oil & Gas, LP
 COG Operating, LLC
 Suite 1300
 550 West Texas
 Midland, Texas 79701

Article Number

(Transfer from service label)

7008 0500 0001 4522 3124

Form 3811, February 2004

Domestic Return Receipt

Conix - Art 10-2

COMPLETE THIS SECTION ON DELIVERY:

- A. Signature Agent
 Addressee
- B. Received by (Printed Name)
- C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- Certified Mail
 - Registered
 - Insured Mail
 - Express Mail
 - Return Receipt for Merchandise
 - C.O.D.

4. Restricted Delivery? (Extra Fee) Yes