

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

CASE #: 14305

EXHIBIT 3

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:

March 10 2009

That the cost of publication is **\$69.94** and that payment thereof has been made and will be assessed as court costs.

Kathy McCarroll

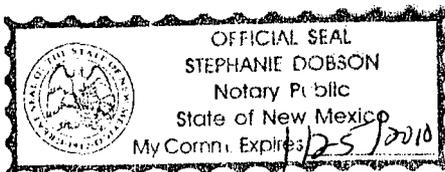
- Subscribed and sworn to before me this

13 day of March 2009

Stephanie Dobson

My commission Expires on 1/25/2010

Notary Public



March 10, 2009
NOTICE
To: Cline Oil and Gas Company; Devon Energy Production Company. It is hereby notified that an application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests from the surface to the base of the Upper Pennsylvanian formation underlying the following described acreage in Section 13, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico, and in the following manner: The NW/4 to form a standard 320-acre gas spacing and proration unit for any and all formations or pools developed on 320-acre spacing with in that vertical extent; and the NW/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. The units are to be dedicated to the Craft Well No. 1, to be re-entered at a location 1980 feet from the north line and 660 feet from the west line of Section 13. Also to be considered will be the cost of re-entering 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 re-entering and completing the well. The application is scheduled to be heard at 8:15 a.m. on Thursday, April 16, 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 1059, Santa Fe, New Mexico 87504. The units are located approximately 2 miles east southeast of Malaga, New Mexico.

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