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

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

Case No. 14583

AFFIDAVIT OF MIKE WALLACE

COUNTY OF MIDLAND)
) ss.
STATE OF TEXAS)

Mike Wallace, 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 a landman for Cimarex Energy Co.

3. At the prior hearing in this matter it was stated that Daniels Energy Inc. had not committed its interest to the well, and had not been notified of the hearing. However, Daniels Energy Inc. has committed its interest, and there is no need to pool them.

4. In addition, the land exhibits had the surface location of the well in the SW¼SW¼, and the bottom hole location in the NW¼NW¼, of Section 32. The locations are just the opposite, with the surface location in the NW¼NW¼, and the bottom hole location in the SW¼SW¼, of Section 32.

5. Cimarex Energy Co. notified the uncommitted working interest owners of the change in surface and bottom hole locations.

Mike Wallace

SUBSCRIBED AND SWORN TO before me this 2nd day of February, 2011 by Mike Wallace.

My Commission Expires: September 26, 2012

Viviana M. Bush
Notary Public

VIVIANA M. BUSH
Notary Public, State of Texas
My Commission Expires
September 26, 2012

Oil Conservation Division
Case No. 13
Exhibit No. 13