

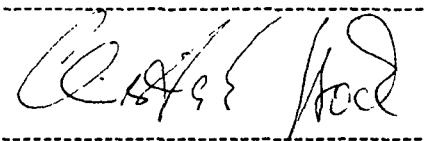
AFFIDAVIT OF PUBLICATION
STATE OF NEW MEXICO

I, Christina E. Stock
Legals Clerk

Of the Roswell Daily Record, a daily
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Mexico do solemnly swear that the
clipping hereto attached was published
in the regular and entire issue of said
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for a period of:

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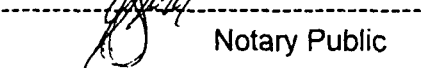
January 6, 2009



Clerk

Sworn and subscribed to before me

this 7th day of January, 2010


Notary Public

My Commission expires
June 13, 2010

(SEAL)

Publish January 6, 2010

NOTICE

To: H.N. Smith, Ethel Smith, Olive Bond, and Richard Brina, or their heirs or devisees. Cimarron Energy Company filed an application with the New Mexico Oil Conservation Division seeking an order approving a non-standard oil spacing and proration unit (project area) at the Algodonito formation beneath of the W2E2 of Section 18, Township 34 South, Range 31 East, NMPM, Chaves County, New Mexico, to form a non-standard 160-acre oil spacing and proration unit (project area) and pooling the mineral interests in the Algodonito formation underlying the non-standard unit. The unit is to be dedicated to the Franklin 18 Fee Well No. 3, a horizontal well to be drilled at a surface location 330 feet from the north line and 2270 feet from the east line, with a terminus 330 feet from the south line and 2270 feet from the east line of Section 18. 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 Cimarron Energy Co. of Colorado as operator of the well, and a 200% charge for the fee involved in drilling and completing the well. The application is scheduled to be heard at 9:15 a.m. on Thursday, January 21, 2010 at the Division's offices at 1226 South San Francisco Drive, Santa Fe, New Mexico 87505. As an interested party 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 14 miles north-northeast of Loco Hills, New Mexico.

Oil Conservation Division

Case No. 14415

Exhibit No. 5A