

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

**APPLICATION OF CIMAREX ENERGY CO.
FOR COMPULSORY POOLING, LEA COUNTY,
NEW MEXICO.**

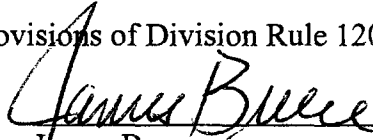
Case No. 13,496

AFFIDAVIT OF NOTICE

COUNTY OF SANTA FE)
) ss.
STATE OF NEW MEXICO)

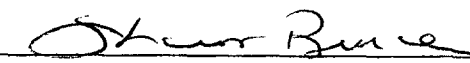
James Bruce, being duly sworn upon his oath, deposes and states:

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., and have personal knowledge of the matters stated herein.
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 locatable 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. Notice of the application was provided to the unlocatable interest owners by publication. The affidavit of publication from the Hobbs Daily News-Sun is attached hereto as Exhibit B.
6. Applicant has complied with the notice provisions of Division Rule 1207.


James Bruce

SUBSCRIBED AND SWORN TO before me this 27th day of May, 2005 by James Bruce.

My Commission Expires:
3/14/09


Notary Public

OIL CONSERVATION DIVISION
CASE NUMBER
EXHIBIT NUMBER 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)

jamesbruc@aol.com

May 12, 2005

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Cimarex Energy Co., regarding the SE¼NW¼ of Section 21, Township 15 South, Range 36 East, N.M.P.M., Lea County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Thursday, June 2, 2005, 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 Friday, May 27, 2005 if you intend to participate in the hearing.

Very truly yours,

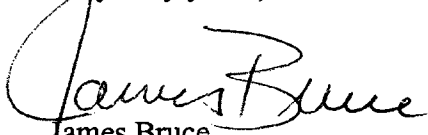

James Bruce
Attorney for Cimarex Energy Co.



EXHIBIT A

Ronald Dal Alexander
1915 E Water Ave
Lovington, NM 88260

Carlos Dean Alexander
a/k/a Carloss Dean Alexander
2806 Alexander Rd
Lovington, NM 88260

Occidental Permian, Ltd.
6 Desta Drive, Suite 6000
Midland, TX 79710

Betty Atkins
7107 S. Hudson Circle
Littleton, CO 80121

Dr. James Obed Baker
9337 Redondo Drive
Dallas, TX 75218-3645

Bruce W. Crockett &
Andrea Crockett
1611 S. Jackson Drive
Roswell, NM 88302-6033

Bernadine R. Glenn
10-D Town Park Lane
Charleston, SC 29412

Nugent Family Operating Co.
Mr. Rod Nugent
P O Box 10185
Amarillo, TX 79116

Randall Pettigrew
5331 Dana Leigh
Houston, TX 77066-1603

Richard Pettigrew
2812 Pinewood Dr.
League City, TX 77573

Charles B. Read
P.O. Box 1518
Roswell, NM 88202

James L. Shelton, Trustee of the
Pauline M. Reeser, Revocable Living Trust
3501 Marsh Road
Deland, FL 32724

June D. Speight
P.O. Box 1687
Lovington, NM 88260

Fred T. Schooler, dec'd
P.O. Box 843
Midland, Texas 79702-0843

The Frost National Bank & Mary Ann Swierc,
Co-Trustees of the Imogene and Harold Herndon
Charitable Trust u/w/o Imogene A. Herndon
P.O. Box 1600
San Antonio, TX 78296

The Frost National Bank & Mary Ann Swierc,
Co-Trustees of the Imogene and Harold Herndon
Charitable Trust u/w/o Harold D. Herndon
P.O. Box 1600
San Antonio, TX 78296

Margaret Wygocki
721 Robins Road
Lansing, Michigan 42917-2022

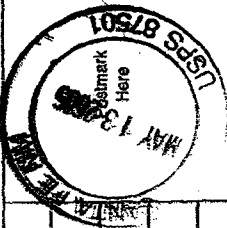
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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To
Charles B. Read
P.O. Box 1518
Roswell, NM 88202
City, State, ZIP+4

PS Form 3800, June 2002
See Reverse for Instructions



7005 0390 0001 6037 9347

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:

Nugent Family Operating Co.
Mr. Rod Nugent
P.O. Box 10185
Amarillo, TX 79116

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

7005 0390 0001 6037 9316

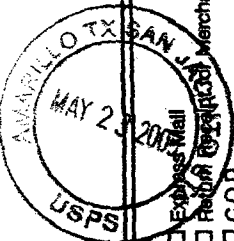
Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature [Signature] ☒ Agent ☐ Addressee
B. Received by (Printed Name) R. M. Nugent C. Date of Delivery MAY 23 2004
D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No



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:

Charles B. Read
P.O. Box 1518
Roswell, NM 88202

COMPLETE THIS SECTION ON DELIVERY

A. Signature [Signature] ☒ Agent ☐ Addressee
B. Received by (Printed Name) Lidia S. Read C. Date of Delivery 5-16-05
D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

7005 0390 0001 6037 9347

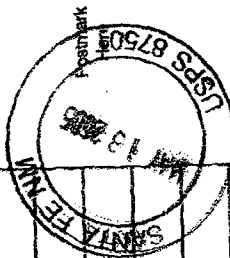
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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To
Nugent Family Operating Co.
Mr. Rod Nugent
P.O. Box 10185
Amarillo, TX 79116
City, State, ZIP+4

PS Form 3800, June 2002
See Reverse for Instructions



7005 0390 0001 6037 9316

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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

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

Ronald Dal Alexander
1913 E Water Ave
Lovington, NM 88260

PS Form 3811, June 2002 See Reverse for Instructions

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:

James L. Shelton, Trustee of the
Pauline M. Reeser, Revocable Living Trust
3301 Marsh Road
Deland, FL 32724

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

7005 0390 0001 6037 9354

Domestic Return Receipt

102595-02-M-1840

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ Agent
☐ Addressee

B. Received by (Printed Name)
J. Shelton 3-16-03

C. Date of Delivery
3-16-03

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

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:

Ronald Dal Alexander
1913 E Water Ave
Lovington, NM 88260

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

7005 0390 0001 6037 9224

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
☒ Agent
☐ Addressee

B. Received by (Printed Name)
James L. Shelton 3-16-03

C. Date of Delivery
3-16-03

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

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

James L. Shelton, Trustee of the
Pauline M. Reeser, Revocable Living Trust
3301 Marsh Road
Deland, FL 32724

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

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

James L. Shelton, Trustee of the
Pauline M. Reeser, Revocable Living Trust
3301 Marsh Road
Deland, FL 32724

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Postage \$
Certified Fee
Return Receipt Fee
(Endorsement Required)
Restricted Delivery Fee
(Endorsement Required)
Total Postage & Fees \$

Sent To

Altura Energy, Ltd.
c/o Occidental Petroleum, Ltd.
6 Delta Drive, Suite 6000
Midland, TX 79710
City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

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:

Altura Energy, Ltd.
c/o Occidental Petroleum, Ltd.
6 Delta Drive, Suite 6000
Midland, TX 79710

2. Article Number
(Transfer from service label)

7005 0390 0001 6037 9248

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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:

Margaret Wysocki
721 Robins Road
Lansing, Michigan 42917-2022

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ Agent ☐ Addressee
- B. Received by (Printed Name) Angela Wysocki C. Date of Delivery 5/16/05
- D. Is delivery address different from item 1? ☐ Yes ☐ No
- If YES, enter delivery address below:

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Restricted Delivery? (Extra Fee) ☐ Yes

7005 0390 0001 6037 9248

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Margaret Wysocki ☐ Agent ☒ Addressee
- B. Received by (Printed Name) Margaret Wysocki C. Date of Delivery 5-16-05
- D. Is delivery address different from item 1? ☐ Yes ☐ No
- If YES, enter delivery address below:

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Restricted Delivery? (Extra Fee) ☐ Yes

7005 0390 0001 6037 9408

Domestic Return Receipt

102595-02-M-1540

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Postage \$
Certified Fee
Return Receipt Fee
(Endorsement Required)
Restricted Delivery Fee
(Endorsement Required)
Total Postage & Fees \$

Sent To

Margaret Wysocki
721 Robins Road
Lansing, Michigan 42917-2022
City, State, ZIP+4

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7005 0390 0001 6037 9279

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	

Sent To
Betty Atkins
7107 S. Hudson Circle
Littleton, CO 80121
City, State, ZIP+4

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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:

Carlos Dean Alexander
c/o Carlos Dean Alexander
2806 Alexander Rd.
Lovington, NM 88260

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

7005 0390 0001 6037 9231

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Carlos Dean Alexander ☒ Agent ☐ Addressee

B. Received by (Printed Name) Carlos Dean Alexander ☒ Date of Delivery 6/15/04

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

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

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

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:

Betty Atkins
7107 S. Hudson Circle
Littleton, CO 80121

COMPLETE THIS SECTION ON DELIVERY

A. Signature Carlos Dean Alexander ☒ Agent ☐ Addressee

B. Received by (Printed Name) Carlos Dean Alexander ☒ Date of Delivery 6/15/04

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

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

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

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Domestic Return Receipt

102595-02-M-1540

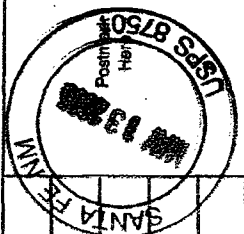
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	

Sent To
Carlos Dean Alexander
c/o Carlos Dean Alexander
2806 Alexander Rd.
Lovington, NM 88260
City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

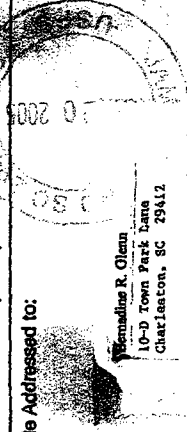


7005 0390 0001 6037 9231

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:



COMPLETE THIS SECTION ON DELIVERY

Signature: *Bernadine R. Olen*
 B. Received by (Printed Name): *Bernadine R. Olen*
 C. Date of Delivery: *5/20/05*
 D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ C.O.D.
- ☐ Express Mail
- ☐ Return Receipt for Merchandise

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
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102596-02-M-1510

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	



Sent To

Bernadine R. Olen
 Street, Apt. No.,
 or PO Box No.
 City, State, ZIP+4

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To

Dr. James Obed Baker
 9337 Redondo Drive
 Dallas, TX 75218-3645

Street, Apt. No.,
 or PO Box No.

City, State, ZIP+4

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To

The Frost National Bank & Mary Ann Swire,
 Co-Trustees of the Imogene and Harold Herndon
 Charitable Trust w/o Harold D. Herndon
 P.O. Box 1600
 San Antonio, TX 78296

Street, Apt. No.,
 or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

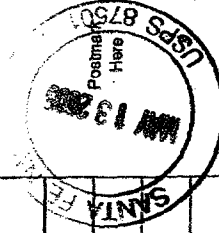
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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To

Bruce W. Crockett &
 Andrea Crockett
 Street, Apt. No.:
 or PO Box No. 8802-6033
 City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

2005 0390 0001 6037 9993



Track & Confirm

Current Status

You entered 7005 0390 0001 6037 9323

We attempted to deliver your item at 6:28 pm on May 16, 2005 in HOUSTON, TX 77066 and a notice was left. It can be redelivered or picked up at the Post Office. If the item is unclaimed, it will be returned to the sender. Information, if available, is updated every evening. Please check again later.

[Shipment Details >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

Notification Options

[Track & Confirm by email](#)

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Preserving the Trust

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent To	
Street, Apt. No., or PO Box No.	Randall Pettigrew 5331 Dana Leigh Houston, TX 77066-1603
City, State, ZIP+4	
PS Form 3800, June 2002	
See Reverse for Instructions	



Track & Confirm

Current Status

You entered 7005 0390 0001 6037 9385

Your item was delivered at 7:30 am on May 16, 2005 in SAN ANTONIO, TX 78296.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email [What is this?](#)

[Go >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

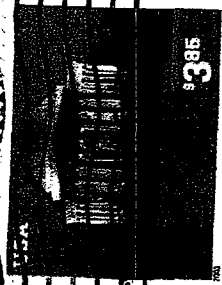
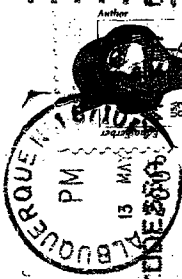
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Preserving the Trust

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Sent To The Frost National Bank & Mary Ann Swiere, Co-Trustees of the Imogene and Harold Herndon Charitable Trust w/w/o Imogene A. Herndon P.O. Box 1600 San Antonio, TX 78296	
PS Form 3800, June 2002 See Reverse for Instructions	

CERTIFIED MAIL

JAMES BRUCE
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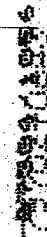
**ATTEMPTED
DELIVERY
NOT KNOWN**

7005 0390 0001 6037 9378

Fred T. Schooler, dec'd
P.O. Box 843
Midland, Texas 79702-0843

516

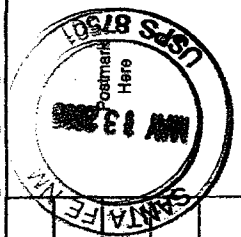
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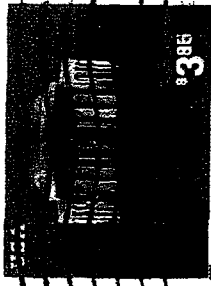
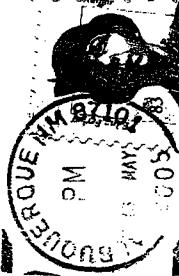
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1ST NOTICE
2ND NOTICE
RETURN

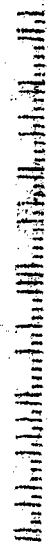
Richard Pettigrew
2812 Pinewood Dr.
League City, TX 77573

Richard Pettigrew
5/11/05



MAY 13 2005
1ST NOTICE
2ND NOTICE
RETURNED

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2812 Pinewood Dr.
League City, TX 77573
City, State, ZIP+4

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AFFIDAVIT OF PUBLICATION

State of New Mexico,
County of Lea.

I, KATHI BEARDEN

Publisher

of the Hobbs News-Sun, a
newspaper published at
Hobbs, New Mexico, do solemnly
swear that the clipping attached
hereto was published once a
week in the regular and entire
issue of said paper, and not a
supplement thereof for a period.

of _____ 1 _____

_____ weeks.

Beginning with the issue dated

May 14 2005

and ending with the issue dated

May 14 2005

Kathi Bearden

Publisher

Sworn and subscribed to before

me this 16th _____ day of

May 2005

Dora Montz

Notary Public.

My Commission expires
February 07, 2009
(Seal)



OFFICIAL SEAL
DORA MONTZ
NOTARY PUBLIC
STATE OF NEW MEXICO

My Commission Expires: _____

This newspaper is duly qualified
to publish legal notices or adver-
tisements within the meaning of
Section 3, Chapter 167, Laws of
1937, and payment of fees for
said publication has been made.

LEGAL NOTICE

May 14, 2005

NOTICE

To: Bernadine R. Glenn, heirs or devisees of James Obed Baker and Fred T. Schooler, and other mineral interest owners in the land described below: Cimarex Energy Co. 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 Permian-Upper Pennsylvanian formation underlying the SE4NW4 of Section 21, Township 15 South, Range 36 East, NMPM, Lea County, New Mexico, to form a standard 40-acre oil spacing and proration unit. The unit is to be dedicated to the Gaudill South 21" Fee Well No. 1, to be located at an orthodox oil well location. 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 risk involved in drilling and completing the well. The application is scheduled to be heard at 8:15 a.m. on Thursday, June 2, 2005 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 unit is located approximately 5 miles north-northeast of Lovington, New Mexico. #21516

OIL CONSERVATION DIVISION

CASE NUM

EXHIBIT N



01101711000

67530353

James Bruce

P.O. Box 1056

SANTA FE, NM 87504