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. 14,966

AFFIDAVIT OF NOTICE

| COUNTY OF SANTA FE) |
|---|
| 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 applications filed herein. |
| 4. Notice of the applications 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 Rules NMAC 19.15.4.9 and 19.15.4.12.C. |
| James Bruce SUBSCRIBED AND SWORN TO before me this day of April, 2013 by James |
| Bruce. OFFICIAL SEAL KERRIE C. ALLEN |
| My Commission Expires. State of New Mexico My Commission Expires 10 - 22 - 13 Notary Public |

Oil Conservation Division Case No. Exhibit No.

Notary Rublic

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)

iamesbruc@aol.com

February 28, 2013

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling and a non-standard spacing and proration unit, filed with the New Mexico Oil Conservation Division by Cimarex Energy Co., regarding the N½NE¼ of Section 8 and the N½N½ of Section 9, 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, March 21, 2013, in Porter Hall at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting the matter at a later date.

A party appearing in a Division case is required by Division Rules to file a Pre-Hearing Statement no later than Thursday, March 14, 2013. This statement must be filed with the Division's Santa Fe office at the above address, and should include: The names of the party and its attorney; a concise statement of the case; the names of the witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned.

Very truly yours,

lames Bruce

Attorney for Cimarex Energy Co.

EXHIBIT A

EXHIBIT A

Sigyn Lund c/o Hilmer H. Graham Apartment 307 110-55 72nd Street Forrest Hills, New York 11375

Clare Fraser 133 64th Street New York, New York 10021

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| | 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. | A. Signature X. J. | | |
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