

AFFIDAVIT OF NOTICE

Before me, the undersigned authority, on this day personally appeared DAVID K. BROOKS, well known to me to be a credible person, and after being duly sworn, did solemnly declare upon his oath as follows:

"My name is David K. Brooks. I am employed by the Energy, Minerals and Natural Resources Department of the State of New Mexico as Assistant General Counsel.

"I am attorney of record for the New Mexico Oil Conservation Division, as Applicant, in Case No. 12824, Application of the New Mexico Oil Conservation Division for an Order Requiring Cecil Lee's Company to Properly Plug Two (2) Wells, Imposing Civil Penalties for Failure to Comply, Authorizing the Division to Plug Said Wells and Ordering a Forfeiture of Applicable Plugging Bond, Lea County, New Mexico.

"On January 31, 2002, I prepared a letter to each of the respondents named in Case No. 12824. Attachment A to this Affidavit is a true copy of the letter that I prepared. I then caused a copy of Attachment A to be mailed to each of said respondents, namely, the operator, Cecil Lee Overcast d/b/a/ Cecil Lee's Company, and the surety, Westchester Fire Insurance Company, at the addresses indicated on Attachment A, by Certified Mail, Return Receipt Requested. A copy of the Application filed with the Division in Case No. 12824 was enclosed with each letter.

The notification letter sent to Westchester Fire Insurance Company was duly delivered, as evidenced by copy of certified mail receipt stamped by the United States Postal Service, and return receipt signed by Luis B(?), attached hereto as Attachment B.

The notification letter sent to Cecil Lee Overcast d/b/a/ Cecil Lee's Company was duly posted, as evidenced by copy of certified mail receipt stamped by the United States Postal Service, also copied on Attachment B. However, neither the return receipt nor the original envelope has been returned to the Oil Conservation Division.

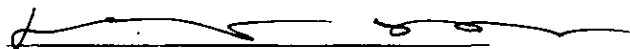
Further Affiant sayeth not.



David K. Brooks

BEFORE EXAMINER STOGNER	
OIL CONSERVATION DIVISION	
<u>02D</u>	EXHIBIT NO. <u>1</u>
CASE NO.	<u>12824</u>

Subscribed and sworn to in the City of Santa Fe, County of Santa Fe, State of New Mexico, this 20th day of February, 2002. Witness my hand and seal of office.



Notary Public
State of New Mexico

[SEAL]

My commission expires 2/18, 2003



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor
Betty Rivera
Cabinet Secretary

February 20, 2002

Lori Wrotenbery
Director
Oil Conservation Division

Cecil Lee Overcast d/b/a
Cecil Lee's Company
P.O.Box 306
Tatum, NM 88267

Westchester Fire Insurance Company
c/o Universal Bonding
518 Stuyvesant Ave.
Lyndhurst, NJ 07071

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Re: Case No. 12824: Application of the New Mexico Oil Conservation Division for an Order Requiring Cecil Lee's Company to Properly Plug Two (2) Wells, Imposing Civil Penalties for Failure to Comply, Authorizing the Division to Plug Said Wells and Ordering a Forfeiture of Applicable Plugging Bond.

Westchester Fire Insurance Company Bond No. 610-031501-1

Ladies and Gentlemen:

You are hereby notified that the New Mexico Oil Conservation Division has filed the referenced Application, a copy of which is enclosed herewith, seeking an Order requiring Cecil Lee's Company or his surety to properly plug and abandon two (2) wells located in Lea County, New Mexico, specifically identified in said application.

A hearing on this Application will take place before a Division hearing officer on Thursday, February 21, 2002, at 8:15 a.m., in the Division Hearing Room, First Floor, 1220 South St. Francis Drive in Santa Fe, New Mexico. At that hearing you will have an opportunity to show cause, if any there be, why an order should not be entered as requested in the Application.

The referenced surety bond no. 610-031501-1 was cancelled as to future liability effective December 26, 1984. However it remains in effect with respect to any property or wells acquired, started or drilled prior to that date.

Attachment A

Inquiries concerning this application may be directed to the undersigned in the Santa Fe office of the Division at (505)-476-3450.

Very truly yours,

David K. Brooks
Assistant General Counsel

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

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

Sent To Cecil Lee Overcast dba
 Cecil Lee's Company
 Street, Apt. No., or PO Box No. P.O. Box 306
 City, State, ZIP+4 Tatum, NM 88267

PS Form 3800, January 2001 Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

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

Sent To Westchester Fire Insurance Co.
 Street, Apt. No., or PO Box No. c/o Universal Bonding
 City, State, ZIP+4 518 Stuyvesant Avenue
 Lyndhurst, NJ 07071

PS Form 3800, January 2001 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:

Westchester Fire Insurance Co.
 c/o Universal Bonding
 518 Stuyvesant Avenue
 Lyndhurst, NJ 07071

2.

PS

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* ☐ Agent ☐ Addressee

B. Received by (Printed Name) *Luis Bermudez* C. Date of Delivery *2/4/02*

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

102595-01-M-2509

Attachment B