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

APPLICATION OF SYNERGY OPERATING, LLC FOR COMPULSORY POOLING, SAN JUAN COUNTY, NEW MEXICO.

) ss.

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

COUNTY OF SANTA FE

STATE OF NEW MEXICO)

Case No. 13,486

AFFIDAVIT OF NOTICE

1. 2. knowledge of	I am over the age of 18, and have personal knowledge of the matters stated herein. I am an attorney for Magnum Hunter Production, Inc., and have personal the matters stated herein.
3.	Applicant has conducted a good faith, diligent effort to find the names and correct he interest owners entitled to receive notice of the application filed herein.
4. correct addres attached heret	Notice of the application was provided to the locatable interest owners, at their sses, by certified mail. Copies of the notice letter and certified return receipts are to as Exhibits A and B.
5. SUBS	Applicant has complied with the notice provisions of Division Rule 1207. Auto Division Rule 1207.
My Commiss	Notary Public OIL CONSERVATION DATISTUN CASE NUMBER Sywryy 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) (5050 982-2151 (Fax)

jamesbruc@aol.com

April 14, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Earnest Smith and Edwin Smith 40758 Jasper Drive Kingsbury, California 93631

June Walmsley Estate c/o Jerry T. Walmsley 801 West Paradise Road Spokane, Washington 99224

June Walmsley Estate c/o Jana Nelson 4003 East Broadway Spokane, Washington 99202

Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Synergy Operating, LLC, regarding the W½ of Section 8, Township 29 North, Range 11 West, N.M.P.M., San Juan County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Thursday, May 5, 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, April 29, 2005 if you intend to participate in the hearing.



Very truly yours,

James Bruce

Actomey for Synergy Operating, LLC

cc: Bill Eden
Douglas, Eden, Phillips, Debugger & Stander
Suite 909
422 West Riverside
Spokane, Washington 99201

COMPLETE THIS SECTION ON DELIVERY	Inted Native) C. Date of Delivery	D. is delivery address different from item 1? LJ Yes If YES, enter delivery address below: □ No	☐ Express Mail ☐ Return Receipt for Merchandise ☐ C.O.D.	y) (Extra Fee) 🗖 Yes	OhBh	102595-02-N-1540
COMPLETE THIS S	A Signature X M	D. is delivery address	3. Service Type: IC Certified Mail C Registered Insured Mail	4. Restricted Delivery? (Extra Fee)	7004 1160 0002 5646 484C	urn Receipt Sure
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SENDER: COMPLETE THIS SECTION	Complete Items 1, Ad 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 malipiece, or gn the front if space permits.	1. Add is Addressed to:	Earnest Smith and Rdwin Smith 40758 Jasper Drive Kingsbury, California 93631		2. Article Number (Transfer from service lawn	PS Form 3811, February 2004

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SENDER: COMPLET THIS SECTION	Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. Phit your mane and address on the reverse so that we can return the card to you. Attach this dark to the back of the mailpiece, down the front if space permits.	Pr. Article Activessed to: Bill Eden Douglas, Eden, Phillips, Debugger & Stander	Riverside Washington 99201	2. Article Number 7004 1.150	PS form 3811, August 2001

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1. Article Addressed to:	id to:			D. Is deliver If YES, e	y address o	D. is defilvery address different from Item 1? Tyes If YES, enter delivery address below:	m.12 (%)
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				4. Restrict	od Delivery	4. Restricted Delivery? (Extra Fee)	□ Yes
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PS Form 3811, February 2004. Demestic Return Receipt Systemy

102595-02-M-1540

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) (5050 982-2151 (Fax)

jamesbruc@aol.com

May 26, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Earnest Smith and
Edwin Smith
40758 Jasper Drive
Kingsbury, California 93631

June Walmsley Estate c/o Jerry T. Walmsley 801 West Paradise Road Spokane, Washington 99224

June Walmsley Estate c/o Jana Nelson 4003 East Broadway Spokane, Washington 99202

Joseph C. Robbins 2136 Lakeshore Drive Chapel Hill, North Carolina 27514

Ladies and gentlemen:

Enclosed is a copy of an amended application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Synergy Operating, LLC, regarding the W½ of Section 8, Township 29 North, Range 11 West, N.M.P.M., San Juan County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Thursday, June 16, 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, June 10, 2005 if you intend to participate in the hearing.

Very truly yours,

James Bruce

Attorney for Synergy Operating, LLC

cc: Bill Eden

Douglas, Eden, Phillips, Debugger & Stander

Suite 909

422 West Riverside

Spokane, Washington 99201

102595-02-M-1540 Return Receipt for Merchandise Addressee Date of Delivery 81601-8888 See Reverse for Instruction Kes. SON METERS % □ 8 0 (Domestic Mail Only; No Insurance ('s) erage Provided) For delivery information visit our website at www usps.com. 5d87 COMPLETE THIS SECTION ON DELIVERY D. Is delivery address different from item 1? If YES, enter delivery address below: C Express Mail CERTIFIED MAIL, RECEIPT 4551 4. Restricted Delivery? (Extra Fee) N. □ C.O.D. ATMAS B. Received by (Printed Name) Mueran Earnest Smith and
Bdwin Smith
40738 Jasper Drive
Kingsbury, California 93631 4619 Certified Mail 201105 ☐ insured Mail J.S. Postal Service Seryice Type 0007 A. Signature Domestic Return Receipt 2870 Postage Total Postage & Fese Certified Fee Return Receipt Fee (Endorsement Required) Restricted Dalivery Fee (Endorsement Required) Street, Apt. No.; City, State, 21P+4 or PO Box No. 7004 Attach this card to the back of the mailplece, Sent To Print your name and address on the reverse ■ Complete items 1, 2, ..., d 3. Also complete item 4 if Restricted Delivery is desired. HIS SECTION so that we can return the card to you. 6T94 DOOT 0685 4002 T55h Kingsbury, California 93631 on the front if space permits. PS Form 3811, February 2004 40758 Jasper Drive (Transfer from service label) ☐ Agent ☐ Addressee 102595-02-M-1540 ☐ Return Receipt for Merchandise Date of Delivery SENDER: COMPLETE Article Addressed to: § 8 □ □ Yes 2. Article Number ONIDELIVERY D. Is delivery address different from item 1? If YES, enter delivery address below: Express Mal Robbics 4520 4. Restricted Delivery? (Extra Fee) □ C.O.D. Received by (Printed Name) 4619 Lower IX COMPLETE THIS SECTION Service Type

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Registered ☐ Insured Mail See Reverse for Instructions 0007 501-8888 Joseph A. Signeth Domestic Return Receipt MEN WENCO MAY 26 205 For delivery information visit our website at www.usps.com. Hare 2890 oil Joseph C. Robbins
2136 Lakestore Drive
Chapel Hill, North Carolina 27514 Domestic Mail Only; No Insurance Coverage I Gernicied Mair, Regelpi 7004 Attach this card to the back of the mailpiece, Print your name and address on the reverse Complete items 1, 2, ..., d 3. Also complete Joseph C. Robbins
2136 Lakeshor Drive
2136 Lakeshor Drive
Chapel Hill, North Caroline item 4 if Restricted Delivery is desired, so that we can return the card to you. U.S. Postal Service or on the front if space permits. PS Form 3811, February 2004 4) ວຣ Form ສຸສຕຄູ່ June 2002 (Transfer from service label) Total Postage & Fees Return Paceipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Postage Certified Fee SENDER: COMPLETE City, State, ZIP44 Article Addressed to: Street, Apt. No.; or PO Box No. Article Number Sent To 2840 000J 4002 **LT** 9 h 025h

102595-02-M-1540 ☐ Addressee ☐ Return Receipt for Merchandise C. Date of Delivery 5/28/05 ☐ Agent 501-9996 § § □ □ □ Yes (Domestic Mail Only: No Insurance Carerije Provided)
For delivery information visit our website at www.usps.com. EXEN MEXICO MAY 26 2005 Here O HOW DELIVERS D. Is delivery address different from item 1? 2890 0001 4619 4544 100 If YES, enter delivery address below: ☐ Express Mail unette Van Duke CERTIFIED MAIL RECEIP Restricted Delivery? (Extra Fee) C.O.D. Spokane, Washington 99202 B. Radelved by (Printed Name) 21 Moranh A NTHA June Walmsley Estate c/o Jana Nelson 4003 East Broadway COMPLETE THIS SE Certified Mail ☐ Insured Mail J.S. Postal Service ☐ Registered Sepvice Type C A. Signature Domestic Return Receipt 4 LI. PS Form 3800, June 200 Certified Fee Total Postage & Fees Postage Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) L City, State, ZIP+4 7004 Street, Apt. No.; or PO Box No. Attach this card to the back of the mailpiece, Sent To Print your name and address on the reverse Complete items 1, ∠, a...(3. Also complete SENDER: COMPLETE THIS SECTION tem 4 If Restricted Delivery is desired. so that we can return the card to you. 4002 0685 מממד 629h June Walmaley Batales 00 Jerry T. Walmaley 801 West Paradize Road Spokane, Washington 99224 or or the front if space permits. PS Form 3811, February 2004 A Addressee (Transfer from service label) 1025S5-02-M-1540 ☐ Return Receipt for Merchandlse C. Date of Delivery Marin 5-31-05 dressed to: Yes Ó 2. Artícle Number COMPLETE THIS SECTION ON DELIVERY ☐ Express Mail 2890 0001 4619 4537 4. Restricted Delivery? (Extra Fee) CO.D. B. Received by (Printed Name) Domestic Return Receipt Synargy 12 ☑ Certified Mail ☐ Insured Mail Septice Type A. Signature 501-888 See Reverse for Instructio Postmark of Here Here Domestic Mail Only; No Insurance Corerige Frovided) 101 for delivery information visit our website at www.usps.com. SdSn CERTIFIED MAIL." RECEIPT 7004 Attach this card to the back of the malipiece, Print your name and address on the reverse clo Jerry T. Waltusley 801 West Paradise Road Spokanc, Washington 99224 ■ Complete Items 1, 2, ∠... J 3. Also complete June Walmsley Estate HIS SECTION Item 4 if Restricted Delivery is desired. so that we can return the card to you. Spokane, Washington 99202 4003 East Broadway June Walmstey Estate U.S. Postal Service or on the front if space permits. PS Form 3811, February 2004 (Transfer from service label) ()) SENDER: COMPLETE Total Postage & Fees Postage Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endonsement Required) Certified Fee 1. Article Addressed to: PS Form 3800, June City, State, ZIP+4 Street, Apt. No.: or PO Box No. 2. Article Number 4002 6T9h COOD 0285 hhSh

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