

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

September 4 2007

and ending with the issue dated

September 4 2007

Kathi Bearden

Publisher

Sworn and subscribed to before

me this 4th day of

September 2007

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

September 4, 2007

To: Virginia Fulton Gaussa, Frank Lilley, Gayle Lilley, Jessie L. Wissler (agent), Frank Free, Henrietta B. Schenck, Thomas F. McMahon, Dan Wicker and wife Alice Wicker, Jean Morris and husband Orville Morris, Clay Allen Cureton, Betty Tieche and husband M.L. Tieche, B.P. Wicker, Jr. and wife Kay Wicker, James Wicker, John Millard Wicker, Mary S. William, Rose Berger, Vanda Dale Byars, Dorothy A. Davis, Stewart Mott Davis, James O'Brien and Robert E. O'Brien, as Trustees u/w/o F.W. Doyle, Marjorie M. Olds, Loleita Fay Patterson, Elaine Wolf and husband James Wolf, Hollis G. Gerrish, Maurice and Bernard Krasner, Ralph H. Coburn, Eugene F. Arnold, R. E. Carter, Helen Pape, C. H. Stevenson, Jennie Spack, and T.D. Fussell. Cimarex Energy Co. has filed an application with the New Mexico Oil Conservation Division seeking an order approving a non-standard oil spacing and proration unit (project area) comprised of Lot 4 and the SW/4NW/4 (the W/2NW/4) of Section 6, Township 15 South, Range 38 East, NMPM, to form a non-standard 80.04-acre oil spacing and proration unit (project area) for any and all formations or pools developed on 40-acre spacing within that vertical extent, including the Denton-Wolfcamp Pool, and pooling all mineral interests in the Wolfcamp formation underlying the non-standard unit. The unit is to be dedicated to the Harvard 6 Fee Well No. 2, a horizontal well to be drilled at a surface location 430 feet from the north line and west lines of Section 6, with a terminus at an orthodox bottom hole location in the SW/4NW/4 of Section 6. 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, September 20, 2007 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 attorney for applicant is James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504. The unit is located approximately 4 1/2 miles southeast of Prairieview, New Mexico.

#23497

Oil Conservation Division
Case No. _____
Exhibit No. 5

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JAMES BRUCE, ATTORNEY AT LAW
P.O. BOX 1056
SANTA FE, NM 87504