

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

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST C & D MANAGEMENT COMPANY D/B/A FREEDOM VENTURES COMPANY, FINDING THAT THE OPERATOR KNOWINGLY AND WILLFULLY VIOLATED 19.15.13.1115 NMAC AND 19.15.4.201 NMAC; ASSESSING PENALTIES; REQUIRING OPERATOR TO BRING SAID WELLS INTO COMPLIANCE WITH 19.15.13.1115 NMAC AND 19.15.4.201 NMAC BY A DATE CERTAIN; AND IN THE EVENT OF NON-COMPLIANCE, DECLARING THE WELLS ABANDONED AND AUTHORIZING THE DIVISION TO PLUG THE WELLS AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCE, EDDY COUNTY, NEW MEXICO

CASE NO. 14055

AFFIDAVIT OF NOTICE AND PUBLICATION

In accordance with Division Rule 1227.D [19.15.14.1227.D NMAC] and Rule 1210 [19.15.14.1210 NMAC] I hereby certify:

1. Notice of the January 24, 2008 hearing in the above-captioned case was mailed to the following by certified mail, return receipt requested, at least 20 days prior to the hearing date, with a copy of the application:

C & D Management Company d/b/a Freedom Ventures Company
Attn: Christopher Jeffries
513 Don Lyle Road
Edmonton, KY 42129
Email: kyoilman2000@yahoo.com
Certified Mail No.: 7001 1940 0004 7922 8725
(notice was also sent via email to kyoilman2000@yahoo.com and fax at 267-821-8544)

South Central Bank of Barren Co., Inc.,
Attn: Sue H. Young, Vice-President
P.O. Box 667
Glasgow, KY 42142-0667.
Certified Mail No. 7001 1940 0004 7922 8732

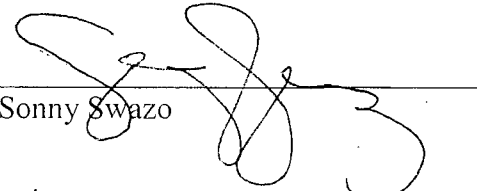
First National Bank of Artesia
Attn: Michael A. Hendricks, Senior Vice-President
303 West Main
Artesia, NM 88210
Certified Mail No. 7002 2030 0006 2712 9360

40-A
2. Exhibit ~~1A~~ to this affidavit is a copy of the notice, with a copy of the certified mail return receipts for the notices mailed to the above identified parties. Anthony Jeffries signed for C & D Management Company d/b/a Freedom Ventures Company and Phillip Lawson signed for First National Bank of Artesia. The receipt for South Central Bank of Barren Co., Inc., is unsigned. However, Exhibit ~~1B~~ ^{40-B}, which is from the United States Postal Service's Track and Confirm website for certified mail, shows that the notice was delivered on January 7, 2008, in Glasgow, Kentucky 42142.


40-C
3. Exhibit ~~1C~~ is a copy of the email notice to C & D Management Company d/b/a Freedom Ventures Company.

40-D
4. Exhibit ~~1D~~ is a copy of the fax transaction report for the notice that was faxed to C & D Management Company d/b/a Freedom Ventures Company.

5. Notice of the January 10, 2008 hearing was published in Artesia Daily Press, a newspaper of general circulation in Eddy County. The affidavit of publication from Artesia Daily Press is attached as Exhibit ~~1E~~.
40-E


Sonny Swazo

SUBSCRIBED AND SWORN to before me this 23rd day of January 2008.


Sally Martinez
Notary Public

My Commission Expires:

3-24-2010