

**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 SOUTHWESTERN, INC. REQUIRING
OPERATOR TO INCREASE THE AMOUNT OF FINANCIAL ASSURANCE
FOR ONE WELL TO MEET CURRENT REQUIREMENTS, FINDING THAT
THE OPERATOR IS IN VIOLATION OF 19.15.1.40.A(2) NMAC BASED ON ITS
FAILURE TO TAKE THE CORRECTIVE ACTION REQUIRED UNDER
ORDER NO. R-12909, AND FORMALLY ASSESSING A PENALTY UNDER
ORDER NO. R-12909, LEA COUNTY, NEW MEXICO.**

CASE NO. 14135

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 June 12, 2008 hearing in the above-captioned case was mailed to the following addresses for Southwestern Inc. by certified mail, return receipt requested, at least 20 days prior to the hearing date, with a copy of the application:


Southwestern, Inc.
1304 W. Broadway Place
Hobbs, NM 88240

Southwestern, Inc.
P.O. Box 658
Dripping Springs, TX 78620

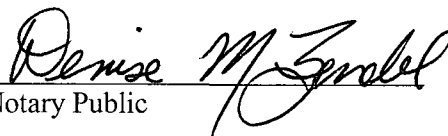
A copy of the notice is attached as Exhibit A. Copies of the green return receipt cards are attached as Exhibit B.

2. In response to the notice sent to the address in Dripping Springs, Texas, the Oil Conservation Division received a letter from Cathie McCown indicating that all of Southwestern Inc. stock was sold in 2000, and that Mr. Glen Houston is the attorney for the owner of Southwestern, Inc. A copy of Ms. McCown's letter is attached as Exhibit C. According to the New Mexico Bar Directory, Mr. Houston's address is 1304 W. Broadway Place, Hobbs, NM 88240: the address of record for Southwestern, Inc.

3. Notice of the June 12, 2008 hearing was published on May 17, 2008 in The Lovington Leader, a newspaper of general circulation in Lea County. The affidavit of publication from The Lovington Leader is attached as Exhibit D.


Gail MacQuesten

SUBSCRIBED AND SWORN to before me this 06 day of June 2008.


Notary Public

My Commission Expires:
01-09-2012