

JAMES BRUCE
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RECEIVED

2009 FEB 6 PM 2 05

February 5, 2009

William Jones
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: Case No. 14264/Cimarex Energy Co.

Dear Will:

Enclosed are an original and one copy of the notice affidavit in this case (Exhibit 5). A copy is also being provided to the Court Reporter.

Very truly yours,



James Bruce

Attorney for Cimarex Energy Co.

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

APPLICATION OF CIMAREX ENERGY CO. FOR
A NON-STANDARD OIL SPACING AND PRORATION
UNIT, COMPULSORY POOLING, AND AN UNORTHODOX
OIL WELL LOCATION, LEA COUNTY, NEW MEXICO.


Case No. 14,264

AFFIDAVIT OF NOTICE

COUNTY OF SANTA FE)
) ss.
STATE OF NEW MEXICO)

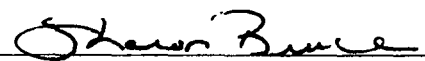
James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Cimarex Energy Co.
3. Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the offset owners entitled to receive notice of the application filed herein.
4. Notice of the application was provided to the interest owner, at its correct address, by certified mail. Copies of the notice letter and certified return receipt are attached hereto as Exhibit A.
5. Applicant has complied with the notice provisions of Division Rules.


James Bruce

SUBSCRIBED AND SWORN TO before me this 5th day of February, 2009 by James Bruce.

My Commission Expires: 3/14/09


Notary Public

Oil Conservation Division
Case No. _____
Exhibit No. 5

JAMES BRUCE
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January 15, 2009

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Americo Energy Resources LLC
Suite 100
7575 San Felipe Street
Houston, Texas 77063

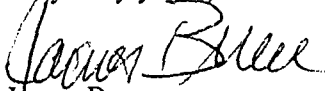
Ladies and gentlemen:

Enclosed is a copy of an application for, among other things, an unorthodox location, filed with the New Mexico Oil Conservation Division by Cimarex Energy Co., regarding a well in the W½NW¼ of Section 6, Township 15 South, Range 38 East, N.M.P.M., Lea County, New Mexico. The well is approximately 27 feet closer to your lease than allowed by Division rules.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, February 5, 2009, in Porter Hall at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting the matter at a later date.

A party appearing in a Division case is required by NMAC 19.15.4.10.B to file a Pre-Hearing Statement no later than Thursday, January 29, 2009. This statement must be filed with the Division's Santa Fe office at the above address, and should include: The names of the party and its attorney; a concise statement of the case; the names of the witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned.

Very truly yours,


James Bruce

Attorney for Cimarex Energy Co.

EXHIBIT

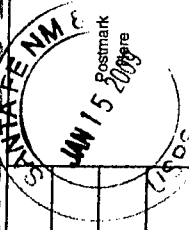
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U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

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



Sent To: Americo Energy Resources LLC
Street, Apt. No.: Suite 100
or PO Box No. 7575 San Felipe Street
City, State, ZIP+4 Houston, Texas 77063

PS Form 3800, August 2006 See Reverse for Instructions

0102 8254 1000 0050 8002

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:

Americo Energy Resources LLC
Suite 100
7575 San Felipe Street
Houston, Texas 77063

COMPLETE THIS SECTION ON DELIVERY

A. Signature: *A. Lister* ☒ Agent ☐ Addressee

B. Received by (Printed Name): *A. Lister* C. Date of Delivery: *1/20/07*

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 ☐ No

2. Article Number: 7008 0500 0001 4523 2010
(Transfer from service lab)

PS Form 3811, February 2004

Domestic Return Receipt

Cx - Howard

10259-101-1