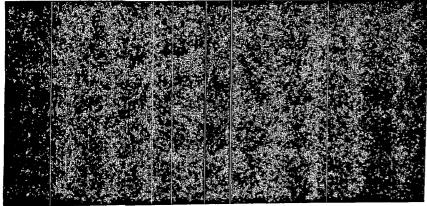
## STATE OF NEW MEXICO ENERGY, MINERALS AND NATRUAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION

CASE #: 14312

**EXHIBIT 16** 



## **Affidavit of Publication**

STATE OF NEW MEXICO ) ss.
COUNTY OF LEA )

Joyce Clemens being first duly sworn on oath deposes and says that she is Advertisting Director of **THE LOVINGTON LEADER**, a daily newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled

was published in a regular and entire issue of THE LOVINGTON LEADER and not in any supplement thereof, for

The (1) day, beginning with the issue of

May 38, 2009 and ending with the issue

of May 28, 2009.

And that the cost of publishing said notice is the sum of \$\\ \81.74 \qquad \text{which sum has been (Paid) as Court Costs.}

Subscribed and sworn to before me this 18th day of

Debbie Schilling

Notary Public, Lea County, New Mexico My Commission Expires June 22, 2010 LEGAL NOTICE NOTICE OF HEARING

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

The State of New Mexico its C. Division Conservation hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on June 25 2009 in the Oil Conservation Division Hearing Room at 1220 South St. Francis Drive, Santa Fe, New Mexico, before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by June 15, 2009. Public documents, including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is need-

STATE OF NEW MEXICO TO: All named parties and persons having any right, title, interest or claim in the following cases and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

CASE 14312: Application of the New Mexico Oil Conservation Division for Compliance Order against Orbit Petroleum, Inc. The Applicant seeks an order finding that the operator is in violation of NMAC, 19.15.8.9 NMAC, and 19.15.25 NMAC, requiring operator to properly plug and abandon all the wells it operates in New Mexico by a date certain, and in the event of non-compliance authorizing the division to plug and abandon the wells and forfeit the applicable financial assurance. The affected wells are: Archer #001, 30-041-K-17-07S-34E; 20787, #002, 30-042-L-17-07S-34E; 20798. Brown 51 #001, 30-025-D-19-09S-38E; Brown 51 #002, 30-025-21703, F-19-09S-38E; Line State #001, 30-041-20451, 2-16-08S-38E; Sieber #001, 30-041-C-17-07S-34E State BA #001, 30-041-

10003, A-34-07S-35E; State BA #002, 30-041 20048, H-34-07S-The Archer #001 H-34-07S-35E. and #002 and the Sieber #001 wells are located approximately 5 miles Northwest of Milnesand, in Roosevelt County The Brown 51 #001 and #002 are located approximately East miles Lea Crossroads in County. The Line State #001 is located approximately 15 miles East of Milnesand in Roosevelt County. The State BA #001 and #002 are located approximately 5 miles Northeast of Milnesand in Roosevelt County.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 27th day of May 2009.

STATE OF NEW MEXICO OIL CONSERVATION DIVISION Mark E. Fesmire, P. E. Division Director S E A L

Published in the Lovington Leader May 28, 2009.

OK

RECEIVED OCL

Before the OCD Case 14312 Orbit Petroleum, Inc. OCD Exhibit16