## 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 AND COMPULSORY POOLING, CHAVES COUNTY, NEW MEXICO.

Case No. 14,371

## 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.
- Applicant has conducted a good faith, diligent effort to find the names and correct addresses of the offset operators or working interest owners entitled to receive notice of the application filed herein.
- Notice of the application was provided to the operators or working interest owners, at their correct addresses, by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Exhibit A.
  - 5. Applicant has complied with the notice provisions of Division Rules.

SUBSCRIBED AND SWORN TO before me this 1st day of September, 2009 by James Bruce.

My Commission Expires:

Notary Public

Oil Conservation Division

Case No.

JAMES BRUCE ATTORNEY AT LAW

POST OFFICE BOX 1056 SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213 SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone) (505) 660-6612 (Cell) (505) 982-2151 (Fax)

jamesbruc@aol.com

August 13, 2009

## CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application for a non-standard unit, etc., filed with the New Mexico Oil Conservation Division by Cimarex Energy Co., regarding S½N½ of Section 20, Township 15 South, Range 31 East, N.M.P.M., Chaves County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Thursday, September 3, 2009, at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. The Division requires applicant to notify offset operators of the non-standard unit portion of the application, and you offset the above well unit. The well location is orthodox. As an offset operator, 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.

You are required to notify (in writing) the Division, and the undersigned, by Thursday, August 27, 2009 if you intend to participate in the hearing.

Very truly yours,

James Bruce

Attorney for Cimarex Energy Co.

EXHIBIT A

## EXHIBIT A

Kevin O. Butler & Associates, Inc. P.O. Box 1171 Midland, Texas 79702

Mack Energy Corporation P.O. Box 960 Artesia, New Mexico 88211

SENDER: COMPLETE HIS SECTION  Complete Items 1, 2, 1d 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 malipiece, or or the item if space permits.	COMPLETE THIS SECTION ON DELIVERY  A. Signature  Addressee  C. Date of Delivery
1. Article Articles and to:  Mack Energy Corporation P.O. Box 960 Artesia, New Mexico 88211	De la delivery addises different from item 17 res enter the later addises different from item 17 res No
	3. Service Type:  Discrete Mail
2. Article Number (Transfer from service label) 7008 3230	0000 2324: 8848
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SENDER: COMPLETE TUS SECTION	COMPLETE THIS SECTION ON DELIVERY	
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 mallplece, or on the front if space permits.	A. Signature  X	
1. Article Addressed to:  Kevin O. Butler & Associates, Inc. P.O. Box 1171 Midland, Texas 79702	If YES, enter delivery address below:	
	3. Service Type Discretified Mail  Express Mail Registered  Return Receipt for Merchandise Insured Mail  C.O.D.	
2. Article Number	4. Restricted Delivery? (Extra Fee)	
PS Form 3811, February 2004 Domestid Retu	urn Receipt 4 (F20-) 102595-02-M-1540	