

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

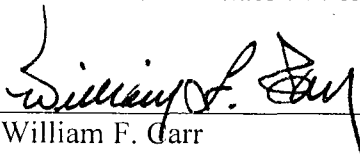
APPLICATION OF ARMSTRONG ENERGY  
CORPORATION FOR AMENDMENT OF  
DIVISION ORDER NO. R-13183 TO REMOVE  
THE REQUIREMENT FOR THE PLUGGING  
AND ABANDONMENT OF THE FEDERAL "A"  
WELL NO. 1, CHAVES COUNTY, NEW MEXICO.

CASE NO. 14403

AFFIDAVIT

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

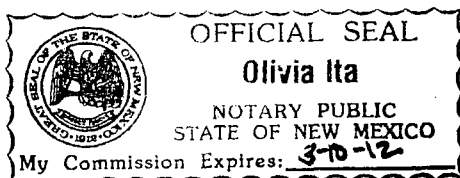
William F. Carr, attorney in fact and authorized representative of Armstrong Energy Corporation, the Applicant herein, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.

  
\_\_\_\_\_  
William F. Carr

SUBSCRIBED AND SWORN to before me this 2nd day of December 2009 by William F. Carr.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 3-10-12



BEFORE THE OIL CONSERVATION DIVISION  
Santa Fe, New Mexico  
Case No. 14403     Exhibit No. 3  
Submitted by:  
ARMSTRONG ENERGY CORPORATION  
Hearing Date: December 3, 2009

**EXHIBIT A**

**NOTICE LIST**

**SURFACE OWNERS AND**  
**LEASEHOLD OPERATORS**  
**ARMSTRONG ENERGY CORPORATION**  
**ROUND TANK QUEEN WATERFLOOD PROJECT**  
**CHAVES COUNTY, NEW MEXICO**

**SURFACE OWNER**

Turkey Track Ranch  
Post Office Box 153  
Artesia, New Mexico 88211

**LEASEHOLD OPERATORS**

[1/2 MILE RADIUS]

Chase Oil Corporation  
Post Office Box 860  
Artesia, New Mexico 88210

Slash Exploration Limited Partnership  
c/o Armstrong Energy Corporation  
Post Office Box 1973  
Roswell, New Mexico 88202-1973

Lobos Energy Partners, LLC  
3817 NW Expressway #950  
Oklahoma city, Oklahoma 73112

Marshall & Winston, Inc.  
Post Office Box 50880  
Midland, Texas 79710

**HOLLAND & HART** LLP



**William F. Carr**  
wcarr@hollandhart.com

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**TO: ALL AFFECTED INTEREST OWNERS IN THE ROUND TANK-QUEEN WATERFLOOD UNIT AREA.**

**Re:** Application of Armstrong Energy Corporation for amendment of Division Order No. R-13183 to remove the requirement for the plugging and abandonment of the Federal "A" Well No. 1, Chaves County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that Armstrong Energy Corporation has filed the enclosed application with the New Mexico Oil Conservation Division seeking amendment of Division Order No. R-13183 to remove the requirement for the plugging and abandonment of the Federal "A" Well No. 1. A copy of this application is enclosed for your information.

This application has been set for hearing before a Division Examiner at 8:15 AM on December 3, 2009. The hearing will be held in Porter Hall, in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing but, as the 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 challenging this matter at a later date.

Parties appearing in cases are required by Division Rule 1208.B to file a Pre-Hearing Statement with the Oil Conservation Division's Santa Fe office located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505, three days in advance of a scheduled hearing. This statement must include: the names of the parties and their attorneys; a concise statement of the case; the names of all 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 are to be resolved prior to the hearing.

Very truly yours,

William F. Carr  
Attorney for Armstrong Energy Corporation

cc: Bruce Stubbs, Armstrong Energy Corporation  
Oil Conservation Division District Office - Artesia

**Holland & Hart** LLP

Phone [505] 988-4421 Fax [505] 983-6043 [www.hollandhart.com](http://www.hollandhart.com)

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C.

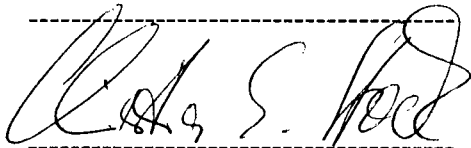
AFFIDAVIT OF PUBLICATION  
STATE OF NEW MEXICO

I, Christina E. Stock  
Legals Clerk

Of the Roswell Daily Record, a daily newspaper published at Roswell, New Mexico do solemnly swear that the clipping hereto attached was published in the regular and entire issue of said paper and not in a supplement thereof for a period of:

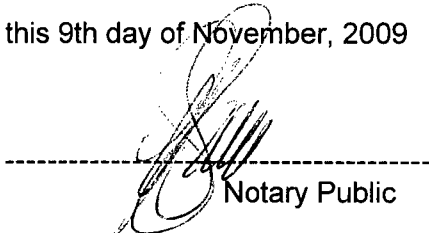
one time with the issue dated

November 7, 2009



Clerk

Sworn and subscribed to before me  
this 9th day of November, 2009



Notary Public

My Commission expires  
June 13, 2010

(SEAL)

Publish November 7, 2009

NOTICE OF PUBLICATION

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

The State of New Mexico through its Oil Conservation Division 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 December 3, 2009, in the Oil Conservation Division Hearing Room at 1220 South St. Francis, 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 November 23, 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 needed.

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 NO. 14403

Application of Armstrong Energy Corporation for amendment of Division Order No. R-13183 to remove the requirement for the plugging and abandonment of the Federal "A" Well No. 1, Chaves County, New Mexico. Applicant in the above-styled cause, seeks amendment of Division Order No. R-13183 to remove the requirement for the plugging and abandonment of the Federal "A" Well No. 1, located 2310 feet from the South line and 330 feet from the West line of Section 29, Township 15 South, Range 29 East, NMPM, Chaves County, New Mexico. Said well is located approximately 13 miles northwest of Loco Hills, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Division at Santa Fe, New Mexico on this 4th day of November, 2009.

STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION

Mark E. Fesmire, P.E., Director

7006 2760 0001 6379 1915

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Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.71</b>

Turkey Track Ranch  
Post Office Box 153  
Artesia, New Mexico 882

**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:

Turkey Track Ranch  
Post Office Box 153  
Artesia, New Mexico 88211

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: X Leann Herring ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

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

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PS Form 3811, February 2004

Domestic Return Receipt

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Chase Oil Corporation  
Post Office Box 860  
Artesia, New Mexico 88210

A. Signature: Kathy Donaghe ☐ Agent ☐ Addressee

B. Received by (Printed Name) KATHY DONAGHE C. Date of Delivery

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

2. Article Number  
(Transfer from service label)

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PS Form 3811, February 2004

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7006 2760 0001 6393 4381

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Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.71</b>

Chase Oil Corporation  
Post Office Box 860  
Artesia, New Mexico

2. Article Number  
(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

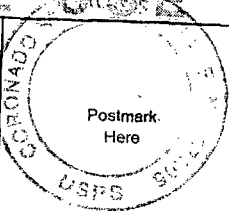
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Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.71</b>



Slash Exploration Limited  
Partnership  
c/o Armstrong Energy Corporation  
Post Office Box 1973  
Roswell, New Mexico 88202-1973

or instructions

7006 2760 0001 6393 4404

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Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>5.71</b>

Lobos Energy Partners, LLC  
 3817 NW Expressway # 950  
 Oklahoma City, Oklahoma

**SENDER: COMPLETE THIS SECTION**

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- 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:

Lobos Energy Partners, LLC  
 3817 NW Expressway # 950  
 Oklahoma City, Oklahoma

2. Article Number  
 (Transfer from service label)

7006 2760 0001 6393 4404

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Eloise Olson* ☐ Agent ☐ Addressee

B. Received by (Printed Name) *E OLSEN* C. Date of Delivery *11/9/09*

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>5.71</b>

Postmark  
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Marshall & Winston, Inc.  
 Post Office Box 50880  
 Midland, Texas 79710

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- 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:

Marshall & Winston, Inc.  
 Post Office Box 50880  
 Midland, Texas 79710

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Susan Hays* ☐ Agent ☐ Addressee

B. Received by (Printed Name) *Susan Hays* C. Date of Delivery *11-9-09*

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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