

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.

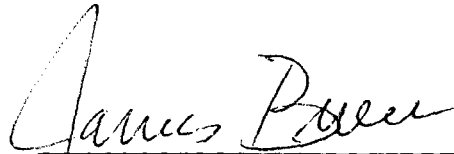
Case No. 14,444

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 interest owners entitled to receive notice of the application filed herein.
4. Notice of the application was provided to the 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 NMAC 19.15.4.9 and 19.15.4.12.C.


James Bruce

SUBSCRIBED AND SWORN TO before me this 16th day of March, 2010 by James Bruce.

My Commission Expires: 3/14/13


Notary Public

Oil Conservation Division
Case No. 3
Exhibit No. 3

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

February 24, 2010

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

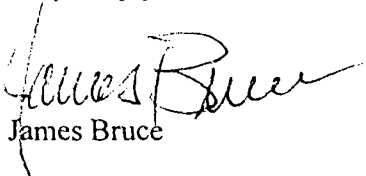
Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling and a non-standard spacing and proration unit, filed with the New Mexico Oil Conservation Division by Cimarex Energy Co., regarding the S½S½ of Section 19, 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, March 18, 2010, 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 Division Rules to file a Pre-Hearing Statement no later than Thursday, March 11, 2010. 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

A

EXHIBIT A

Wayne Bissett
P.O. Box 2101
Midland, Texas 79702

Mitchell Minerals, LLC
P.O. Box 488
Henryetta, Oklahoma 74437

Sigyn Lund
1052 Montgomery Road
Altamonte Springs, Florida 32714

Clare Lundbeck Fraser
133 East 64th Street
New York, New York 10021

Don Kidwell
4208 Fairwood Drive
Midland, Texas 79707

Douglas C. Koch
P.O. Box 540244
Houston, Texas 77254

Trustees of the Estate Peter L. Shea
Trustees of the Peter L. Shea Trust
Edwina S. Brokaw Millington
c/o John Walsh
Bryan Cave, LLP
Suite 3501
290 Avenue of the Americas
New York, New York 10104

Helene Singer
Heirs of Herman Singer
P.O. Box 1883
Santa Fe, New Mexico 87504

7009 2820 0002 8539 1947

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Clare Lundbeck Fraser
133 East 64th Street
New York, New York 10021

PS Form 3800, August 2006 See Reverse for Instructions

0661 6558 2000 0282 6002

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:

2. Article Number (Transfer from service label) 7009 2820 0002 8539 1947

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee
B. Received by (Printed Name) C. Date of Delivery 2-27-10
D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type ☐ Express Mail ☐ Certified Mail ☐ Return Receipt for Merchandise
☐ Registered ☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

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Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

Sigyn Lund
1052 Montgomery Road
Altamonte Springs, Florida 32714

PS Form 3800, August 2006 See Reverse for Instructions

7009 2820 0002 8539 1947

SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:

2. Article Number (Transfer from service label) 7009 2820 0002 8539 1930

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee
B. Received by (Printed Name) C. Date of Delivery 2-27
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

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:

Douglas C. Koch
P.O. Box 540244
Houston, Texas 77254

2. Article Number (Transfer from service label) 7009 2820 0002 8539 1916

PS Form 381-1, February 2004

Domestic Return Receipt: CX 42

102595-02 M-15-0

COMPLETE THIS SECTION ON DELIVERY

A. Signature X [Signature] B. Received by (Printed Name) DOUGLAS C. KOCH C. Date of Delivery FEB 24 2010 D. Is delivery address different from item 1? YES No If YES, enter delivery address below: 100 No

3. Service Type: ☒ Certified Mail ☐ Express Mail ☐ Return Receipt for Merchandise ☐ Registered ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

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

Sent To: Douglas C. Koch P.O. Box 540244 Houston, Texas 77254

Street, Apt. No., or PO Box No. City, State, ZIP+4

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Sent To: Douglas C. Koch P.O. Box 540244 Houston, Texas 77254

Street, Apt. No., or PO Box No. City, State, ZIP+4

See Reverse for Instructions

PS Form 3800, August 2005

102595-02 M-15-0

COMPLETE THIS SECTION ON DELIVERY

A. Signature X [Signature] B. Received by (Printed Name) DOUGLAS C. KOCH C. Date of Delivery FEB 24 2010 D. Is delivery address different from item 1? YES No If YES, enter delivery address below: 100 No

3. Service Type: ☒ Certified Mail ☐ Express Mail ☐ Return Receipt for Merchandise ☐ Registered ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

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Sent To: Helene Singer Heirs of Herman Singer P.O. Box 1883 Santa Fe, New Mexico 87504

Street, Apt. No., or PO Box No. City, State, ZIP+4

See Reverse for Instructions

PS Form 3800, August 2005

102595-02 M-15-0

COMPLETE THIS SECTION ON DELIVERY

A. Signature X [Signature] B. Received by (Printed Name) HELENE C. SINGER C. Date of Delivery FEB 25 2010 D. Is delivery address different from item 1? YES No If YES, enter delivery address below: 100 No

3. Service Type: ☒ Certified Mail ☐ Express Mail ☐ Return Receipt for Merchandise ☐ Registered ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

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1. Article Addressed to:

Helene Singer
Heirs of Herman Singer
P.O. Box 1883
Santa Fe, New Mexico 87504

2. Article Number (Transfer from service label) 7009 2820 0002 8539 2050

PS Form 381-1, February 2004

Domestic Return Receipt: CX 42

102595-02 M-15-0

COMPLETE THIS SECTION ON DELIVERY

A. Signature X [Signature] B. Received by (Printed Name) HELENE C. SINGER C. Date of Delivery FEB 25 2010 D. Is delivery address different from item 1? YES No If YES, enter delivery address below: 100 No

3. Service Type: ☒ Certified Mail ☐ Express Mail ☐ Return Receipt for Merchandise ☐ Registered ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

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 Restricted Delivery Fee
 Total Postage & Fees \$

Sent To: Wayne Bissett
 Street, Apt. No.: P.O. Box 2101
 or PO Box No. Midland, Texas 79702
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7009 2820 0002 8539 1954

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:

Mitchell Minerals, LLC
 P.O. Box 488
 Henryetta, Oklahoma 74437

COMPLETE THIS SECTION ON DELIVERY

A. Signature: *Wayne Bissett*
 B. Received by (Printed Name): *Wayne Bissett*
 C. Date of Delivery: *01 2010*
 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.
☐ Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

2. Article Number
 (Transfer from service label) 7009 2820 0002 8539 1954

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Sent To: Mitchell Minerals, LLC
 Street, Apt. No.: P.O. Box 488
 or PO Box No. Henryetta, Oklahoma 74437
 City, State, ZIP+4

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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:

Wayne Bissett
 P.O. Box 2101
 Midland, Texas 79702

COMPLETE THIS SECTION ON DELIVERY

A. Signature: *Wayne Bissett*
 B. Received by (Printed Name): *Wayne Bissett*
 C. Date of Delivery: *01 2010*
 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.
☐ Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

2. Article Number
 (Transfer from service label) 7009 2820 0002 8539 1954

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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:

Don Kidwell
4208 Fairwood Drive
Midland, Texas 79707

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent
Don Kidwell ☐ Addressee
B. Received by (Printed Name) C. Date of Delivery
Don Kidwell
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

7009 2820 0002 8539 1923

2. Article Number
(Transfer from service label)

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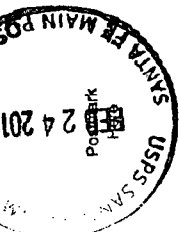
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4208 Fairwood Drive
Midland, Texas 79707
Street Apt. No. PO Box No. City, State, ZIP+4

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 Status: Delivered

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Enter Label/Receipt Number.

Your item was delivered at 5:49 AM on March 3, 2010 in NEW YORK, NY 10019.

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Detailed Results:

- Delivered, March 03, 2010, 5:49 am, NEW YORK, NY 10019
- Forwarded, February 27, 2010, 10:15 am, NEW YORK, NY
- Undeliverable as Addressed, February 27, 2010, 10:14 am, NEW YORK, NY 10014
- Arrival at Unit, February 27, 2010, 6:57 am, NEW YORK, NY 10014

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 (Endorsement Required) Trustees of the Peter L. Shea Trust
 Edwina S. Brokaw Millington
 c/o John Walsh
 Bryan Cave, LLP
 Suite 3501
 290 Avenue of the Americas
 New York, New York 10104

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