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

APPLICATION OF CHI ENERGY, INC. FOR STATUTORY UNITIZATION, EDDY COUNTY, NEW MEXICO.

Case No. 14,354

AFFIDAVIT OF NOTICE

COUNTY OF SANTA FE)
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 Chi Energy, Inc.
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 11th day of November, 2009 by James Bruce.
My Commission Expires: 3/14/13 Notary Public
Oil Conservation Division

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

October 8, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: All interest owners in the Benson Delaware Unit

Ladies and gentlemen:

Enclosed is a copy of an <u>amended</u> application for statutory unitization of the Benson Delaware Unit, filed with the New Mexico Oil Conservation Division by Chi Energy, Inc.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, October 29, 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 this matter at a later date.

A party appearing in a Division case is required by Division Rule to file a Pre-Hearing Statement no later than Thursday, October 22, 2009. This statement must be filed with the Division's Santa Fe office at the above address, and with the attorney for Chi Energy, Inc., 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.

Very truly yours,

diffes Diuce

Attorney for Chi Energy, Inc.

EXHIBIT_

EXHIBIT A

Department of the Interior Minerals Management Service P. O. Box 5760 Denver, Colorado 80217

Crescent Porter Hale Foundation c/o Ballard Exploration Company 1021 Main Street, Suite 2310 Houston, Texas 77002

Curtis and Edna Anderson 3807 SCR 1135 Midland, Texas 79706

Murchison Oil & Gas, Inc. P.O. Box 841670 Dallas, Texas 75284

Gene Shumate P.O. Box 2473 Midland, Texas 79702

Ken Seligman 616 5th Street Graham, Texas 76450

Gene Davis 27 South Monroe Street Denver, Colorado 80209

Wade S. Anderson 3807 SCR 1135 Midland, Texas 79706 Brazos Limited Partnership P.O. Box 911 Breckenridge, Texas 76424

Gary Green P.O. Box 1799 Midland, Texas 79702

McCombs Energy, Ltd. 5599 San Felipe, Suite 1200 Houston, Texas 77056

Pocahontas Oil Co., Inc. P.O. Box 60476 Midland, Texas 79711

Rio Lobo Resources 2006 North "H" Midland, Texas 79705

David Shatzer P.O. Box 1799 Midland, Texas 79702

Westbrook Energy, Inc. 1507 Princeton Midland, Texas 79701

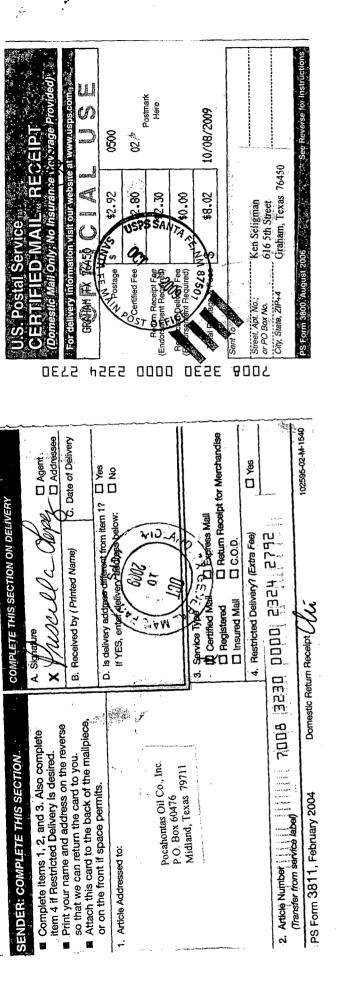
Allan C. Anderson 10412 Ashmont Drive Frisco, Texas 75035

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Frisco, Texas 75035	Conductive
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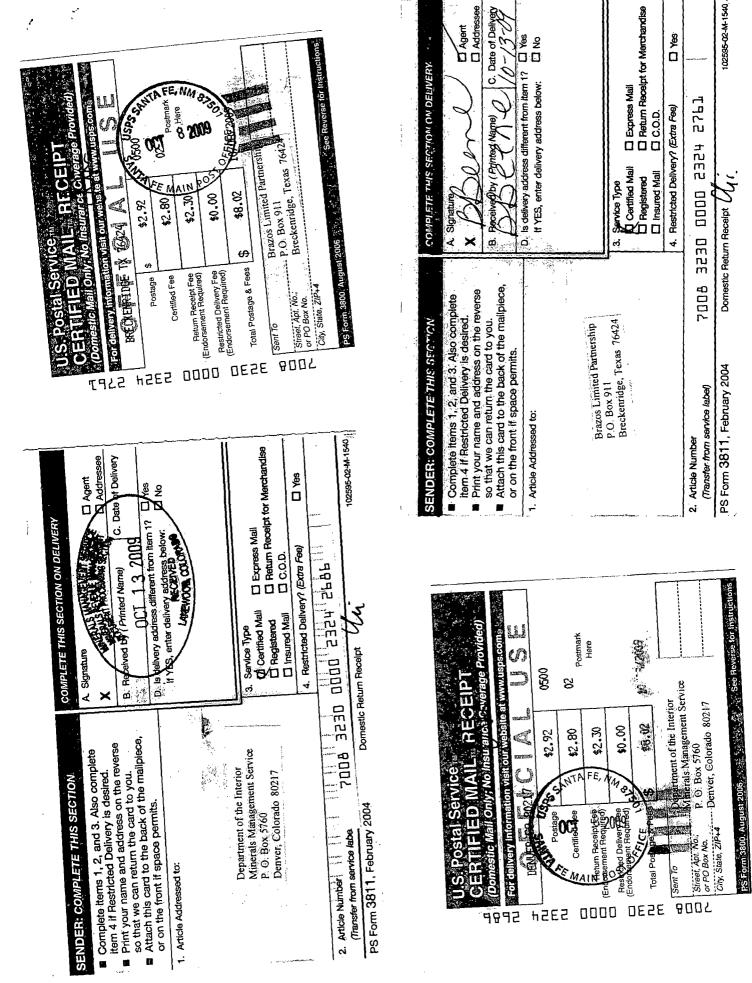


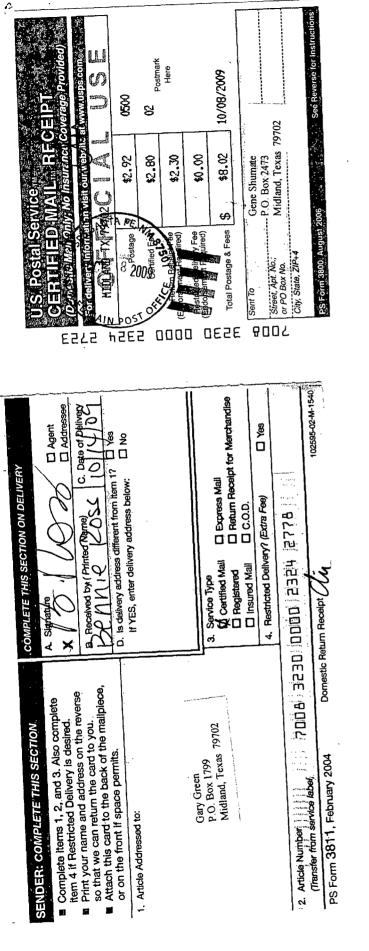
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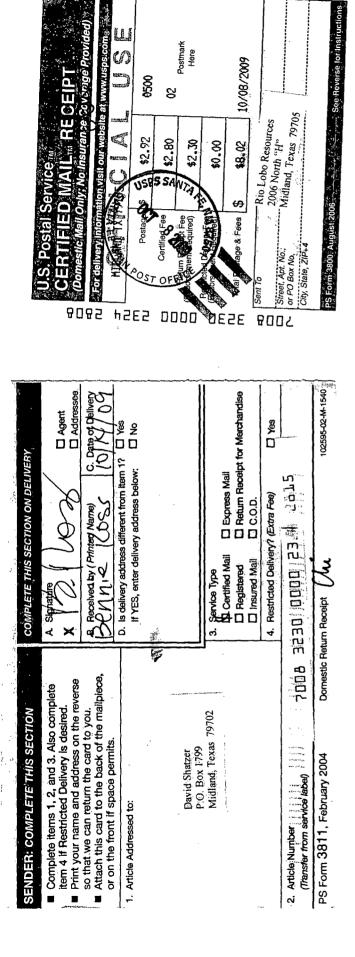
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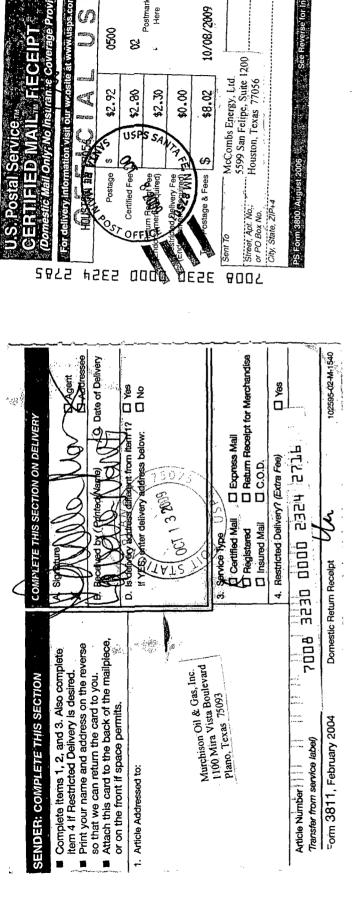
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Class: First-Class Mail® Service(s): Certified Mail™ Return Receipt

Status: Delivered

Your item was delivered at 3:02 PM on November 9, 2009 in DENVER, CO 80209.

Detailed Results:

- Delivered, November 09, 2009, 3:02 pm, DENVER, CO 80209
- Notice Left, October 10, 2009, 2:14 pm, DENVER, CO 80209
- Acceptance, October 08, 2009, 1:26 pm, SANTA FE, NM 87501

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