

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, LEA COUNTY,
NEW MEXICO.

Case No. 14,469

AFFIDAVIT OF NOTICE

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

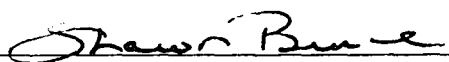
James Bruce, being duly sworn upon his oath, deposes and states:

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 offset operators or working interest owners entitled to receive notice of the application filed herein.
4. 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.


James Bruce

SUBSCRIBED AND SWORN TO before me this 8th day of May, 2010 by James Bruce.

My Commission Expires: 3/14/13


Notary Public

Oil Conservation Division
Case No. 4
Exhibit No. 4

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

April 8, 2010

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 the N½N½ of Section 35, Township 19 South, Range 34 East, N.M.P.M., Lea County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Thursday, April 29, 2010, at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. **The Division requires applicant to notify offset operators or working interest owners of the non-standard unit portion of the application, and you offset the above well unit.** As an offset operator or working interest owner, 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, April 22, 2010 if you intend to participate in the hearing.

Very truly yours,



James Bruce

Attorney for Cimarex Energy Co.

EXHIBIT

A

EXHIBIT A

Merit Energy Company, LLC
Suite 500
13727 Noel Road
Dallas, Texas 75240

Armstrong Energy Corporation
P.O. Box 1973
Roswell, New Mexico 88202

Rubicon Oil & Gas II, LP
Suite 500
508 West Wall
Midland, Texas 79701

Sundown Energy
Suite 2000
13455 Noel Road
Dallas, Texas 75240-6604

Canaan Resources, LLC
Suite 1000
211 North Robinson
Oklahoma City, Oklahoma 73102

U.S. Postal Service[™]
CERTIFIED MAIL[™] RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com
MD 17071 CALUSE

Postage	\$	\$0.61	0500
Certified Fee		\$2.80	03
Return Receipt Fee (Endorsement Required)		\$2.30	
Restricted Delivery Fee (Endorsement Required)		\$0.00	
Total Postage & Fees	\$	\$5.71	04/09/2010

Sent To: Rubicon Oil & Gas II, LP
 Suite 500
 508 West Wall
 Midland, Texas 79701
 Street, Apt. No.:
 or PO Box No.:
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

0042 61E2 0000 0E2E 8002

SENDER: COMPLETE THIS SECTION

- Complete items 1-2. J. 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:

Merit Energy Company, LLC
 Suite 500
 13727 Noel Road
 Dallas, Texas 75240

2. Article Number
 (Transfer from service label)

7008 3230 0000 2319 2387

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) ☐ Date of Delivery
 C. 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. J. 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:

Rubicon Oil & Gas II, LP
 Suite 500
 508 West Wall
 Midland, Texas 79701

COMPLETE THIS SECTION ON DELIVERY

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

2. Article Number
 (Transfer from service label)

7008 3230 0000 2319 2400

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service[™]
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For delivery information, visit our website at www.usps.com
TX 75240 CALUSE

Postage	\$	\$0.61	0500
Certified Fee		\$2.80	03
Return Receipt Fee (Endorsement Required)		\$2.30	
Restricted Delivery Fee (Endorsement Required)		\$0.00	
Total Postage & Fees	\$	\$5.71	04/09/2010

Sent To: Merit Energy Company, LLC
 Suite 500
 Street, Apt. No.:
 or PO Box No.:
 City, State, ZIP+4: Dallas, Texas 75240

PS Form 3800, August 2006 See Reverse for Instructions

0042 61E2 0000 0E2E 8002

U.S. Postal ServiceTM
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OFFICIAL USE

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

Total Post: Canaan Resources, LLC
 Suite 1000

Sent To: 211 North Robinson
 Oklahoma City, Oklahoma 73102
 Street, Apt. or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

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:

Canaan Resources, LLC
 Suite 1000
 211 North Robinson
 Oklahoma City, Oklahoma 73102

2. Article Number
 (Transfer from service label)

7009 2820 0002 8539 2159

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

Cx 35-6

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:

Sundown Energy
 Suite 2000
 13455 Noel Road
 Dallas, Texas 75240-6604

2. Article Number
 (Transfer from serv)

7009 2820 0002 8539 2142

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

Cx 35-6

COMPLETE THIS SECTION ON DELIVERY

- A. Signature *[Signature]*
- B. Received by (Printed Name) *CLARA RYAN*
- C. Date of Delivery *4/12*
- D. Is delivery address different from item 1? ☐ Yes ☒ No
 If YES, enter delivery address below:

- 3. Service Type
☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ C.O.D.
- 4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
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OFFICIAL USE

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

Sent To: Sundown Energy
 Suite 2000
 Street, Apt. No., or PO Box No. 13455 Noel Road
 City, State, ZIP+4 Dallas, Texas 75240-6604

PS Form 3800, August 2006

See Reverse for Instructions

US Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com
ROSWELL NM 88202

Postage	\$	\$0.61	0500
Certified Fee		\$2.80	03
Return Receipt Fee (Endorsement Required)		\$2.30	
Restricted Delivery Fee (Endorsement Required)		\$0.00	
Total Postage & Fees	\$	\$5.71	04/09/2010

Sent To
 Armstrong Energy Corporation
 Street, Apt. No.: P.O. Box 1973
 or PO Box No. Roswell, New Mexico 88202
 City, State, Zip+4

PS Form 3800, August 2006 See Reverse for Instructions

7008 3230 0000 2319 2394

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:

Armstrong Energy Corporation
 P.O. Box 1973
 Roswell, New Mexico 88202

COMPLETE THIS SECTION ON DELIVERY

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

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 7008 3230 0000 2319 2394

(Transfer from service label)
 PS Form 3811, February 2004 Domestic Return Receipt **35-7 a**

102595-02-M-1540