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. 14,466

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 8th day of May, 2010 by James Bruce.
My Commission Expires: 3/14/13 Notary Public

Oil Conservation Division

Case No. _______Exhibit 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

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 and compulsory pooling, filed with the New Mexico Oil Conservation Division by Cimarex Energy Co., regarding the S½S½ 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, 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, April 22, 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,

ames Bruce

Attorney for Cimarex Energy Co.

EXHIBIT _

EXHIBIT A

Pear Resources Attention: Alan Byars P.O. Box 11044 Midland, Texas 79702

Fuel Products, Inc. Attention: Thomas M. Beall P.O. Box 3098 Midland, Texas 79702

Hyde Oil and Gas Corporation Attention: Blair Hamburg Suite 1018 6300 Ridglea Place Fort Worth, Texas 76116

MGT Partners I, L.P.
Merit Management Partners I, L.P.
Merit Energy Partners III, L.P.
Merit Energy Partners D-III, L.P.
c/o Merit Energy Partners GP, LLC
Attention: Chris Heavner
Suite 500
13727 Noel Road
Dallas, Texas 75240

Michael J. Moncrief 2008 Trust A Attention: Jerry Goodwin, CPA Suite 1030 777 Taylor Street Fort Worth, Texas 76102

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

Robert W. Kent P.O. Box 131524 Houston, Texas 77219

Janice Shelton Crebbs, Trustee 3769 North Camino Leamaria Tucson, Arizona 85716 Nortex Corporation Suite 3100 1415 Louisiana Houston, Texas 77002

Grace K. Bankhead and Bankhead Administrative Accounting Trust 4201 Potomac Dallas, Texas 75205

102595-02-M-1540 C Return Receipt for Merchandise All Agent C. Date of Delivery Se √es Se Ses 운 ロ ion visit our website at www.usps.com_® Postmark COMPLETE THIS SECTION ON DELIVERY D. Is delivery address different from Item 1? **4**13 Here If YES, enter delivery address below: Express Mail 4. Restricted Delivery? (Extra Fee) 0.00 Insurance Covera CERTIFIED MAIL... RECEII B. Received by (Punted Name) 8539 3606 Certified Mail
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Insured Mail U.S. Postal Service m Domestic Return Receipt A. Signature Domestic Mail Only; No 0005 For delivery informat Postage | Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) 2820 Attach this card to the back of the mailpiece. ■ Print your name and address on the reverse and 3. Also complete Michael J. Moncrief 2008 Trust A Ecution: Jerry Goodwin, CPA 7009 Complete nems 1, ... and 3 New Court so that we can return the card to you. 9098 PE28 2000 Fort Worth, Texas 76102 0585 PLETE (THIS SECT or on the front if space permits. PS Form 3817, February 2004 777 Taylor Street Transfer from service Is 1. Article Addressed to: Complete items § 2 □ □ 2. Article Number is delivery address different from Item 17 ON ON DELIVERY If YES, enter delivery address below COMPLETE THIS SECT Service Type

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Registered e Provided) For delivery information visit our website at www.usps.com Postmark Here A. Signarum MAIL FEGE Janice Shelton Crebbs, Trustee 3769 North Camino Leamaria Street, Apt. W. Tucson, Arizona 85716 Attach this card to the back of the mailpiece, Print your name and address on the reverse. Complete Items 11. and 3. Also complete tem, 4. If Restricted Delivery is desired. City, State, ZIP+4 U.S. Postal Servicem so that we can return the card to you. ENDER: COMPLETE THIS SECTION Janice Shelton Crebbs, Trustee PS Form 3800, August 2006 or on the front if space permits. Total Postage & Fees Restricted Delivery Fee (Endorsement Required) Return Receipt Fee (Endorsement Required) Postage Certified Fee 5 4 or PO Box No. 1. Article Addressed to: P005 0585 5000 **LESB** 92SE

Total Postage Michael J. Moncrief 2008 Trust A Attention: Jerry Goodwin, CPA Sired, Api. Ne Fort Worth, Texas 76102 777 Taylor Street Suite 1030 P.S. Form 3800, August 2006 City, State, ZIP+4 Sent To

(Transfer from service label)

2. Article Number

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Tucson, Arizona 85716

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Restricted Delivery? (Extra Fee)

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PS Form 3811, February 2004

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Midland, Texas. 79702 Item 4 If Restricted Delivery is desired. PS Form 3811, February 2004 (Transfer from service label) ■ Complete items 1,2 1. Article Addressed to: 2. Article Number See Reverse for Instructions For delivery information visit our website at www.usps.come Postmank Here Gerii ilediwai 🚾 regelpie Houston, Texas 77219 P.O. Box 131524 Robert W. Kent PS Form 3800, August 2006 ᠐ Total Postage & Fees Restricted Delivery Fee (Endorsement Regulred) Return Receipt Fee (Endorsement Required) Postage Certified Fee Street, Apt. No.: or PO Box No. City, State, ZIP+4 Sent To

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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 22, 2010

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Linn Energy Holdings, LLC

Suite 5100 600 Travis Street Houston, Texas 77002

Ladies and gentlemen:

Enclosed are copies of four applications for a non-standard unit and compulsory pooling, filed with the New Mexico Oil Conservation Division by Cimarex Energy Co., regarding the S½S½, N½S½, S½N½, and N½N½ of Section 35, Township 19 South, Range 34 East, N.M.P.M., Lea County, New Mexico.

These matters are scheduled for hearing at 8:15 a.m. on Thursday, May 13, 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 these applications, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting these matters 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, May 6, 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.

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: D. Is delivery address different from item 1? Yes	HIS SECTIONS	SÉNDER: COMPLETE THIS SECT	LETE THIS SECTION ON DELIVERY.
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