

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

**IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION DIVISION FOR
THE PURPOSE OF CONSIDERING:**

**APPLICATION OF CIMAREX ENERGY CO.
FOR A NON-STANDARD OIL SPACING AND
PRORATION UNIT AND FOR COMPULSORY
POOLING, EDDY COUNTY, NEW MEXICO.**

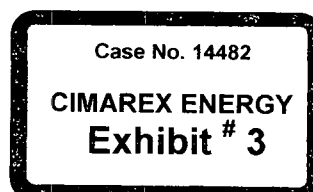
Case No. 14482

AFFIDAVIT OF NOTICE TO OFFSET OPERATORS AND INTEREST OWNERS

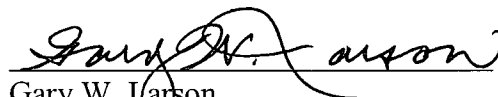
COUNTY OF SANTA FE)
) ss.
STATE OF NEW MEXICO)

Gary W. Larson, 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 counsel for Cimarex Energy Co. ("Cimarex").
3. Cimarex has conducted a good faith, diligent effort to find the names and correct addresses of the offset operators and working interest owners entitled to receive notice of the application filed by Cimarex.
4. Notice of the application and the hearing in this case was provided to the offset operators and interest owners, at their correct addresses, by certified mail. A list of the offset operators and interest owners, a copy of the notice letter that I sent to each offset operator and interest owner, and certified mail return receipts are attached hereto as Exhibit A.



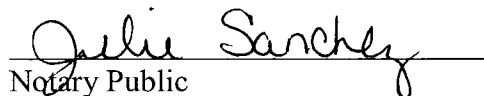
5. Cimarex has complied with the notice requirements of 19.15.4.9 and 19.15.4.12.C
NMAC.



Gary W. Larson

SUBSCRIBED AND SWORN TO before me this 9th day of June, 2010 by Gary W.
Larson.

My Commission Expires: 12/5/11



Notary Public

Case No. 14482

PENNY PINCHER NO. 4

OFFSET OPERATORS OR WORKING INTEREST OWNERS

SW¼SE¼ § 16

- Marbob Energy Corporation (notified as pooled party)

SE¼SE¼ § 16

- Marbob Energy Corporation (notified as pooled party)

SW¼SW¼ § 15

- ABO Petroleum Corporation
P.O. Box 900
Artesia, NM 88211
- Myco Industries, Inc.
P.O. Box 840
Artesia, NM 88211
- Yates Drilling Company
105 S. 4th St.
Artesia, NM 88210
- Yates Petroleum Corporation
105 S. 4th St.
Artesia, NM 88210

NW¼NW¼ § 22

- Tandem Energy Corporation
11490 Westheimer Rd., Ste. 1000
Houston, TX 77077
- Chase Oil Corporation
P.O. Box 1787
Artesia, NM 88211

Exhibit

A

- Devon Energy Production Company, LP
20 N. Broadway #1500
Oklahoma City, OK 73102
- Khody Land & Mineral Company
3817 NW Expressway, Ste. 950
Oklahoma City, OK 73112
- Marbob Energy Corporation (notified as pooled party)
- Shackelford Oil Company
P.O. Box 10665
Midland, TX 79702

SW¼NW¼ § 22

- Tandem Energy Corporation
- Chase Oil Corporation
- Devon Energy Production Company, LP
- Khody Land & Mineral Company
- Marbob Energy Corporation (notified as pooled party)
- Shackelford Oil Company

NW¼SW¼ § 22

- Lynx Petroleum Consultants, Inc. (notified as pooled party)

SW¼SW¼ § 22

- Lynx Petroleum Consultants, Inc. (notified as pooled party)

NW¼NW¼ § 27

- Lynx Petroleum Consultants, Inc. (notified as pooled party)
- Marbob Energy Corporation (notified as pooled party)

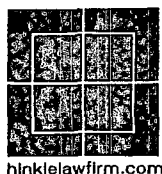
- Southwest Royalties, Inc.
6 Desta Drive #2100
Midland, TX 79705

NE¼NE¼ § 28

- Devon Energy Production Company, LP

NW¼NE¼ § 28

- Devon Energy Production Company, LP



HINKLE, HENSLEY, SHANOR & MARTIN, L.L.P.

ATTORNEYS AT LAW

218 MONTEZUMA

SANTA FE, NEW MEXICO 87501

505-982-4554 (FAX) 505-982-8623

WRITER:

Gary W. Larson,
Partner

glarson@hinklelawfirm.com

May 20, 2010

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

ABO Petroleum Corporation
P.O. Box 900
Artesia, NM 88211

Dear Madam/Sir:

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. ("Cimarex"), regarding the E/2 E/2 of Section 21, Township 19 South, Range 31 East, N.M.P.M., Eddy County, New Mexico. This matter is scheduled for hearing at 8:15 a.m. on Thursday, June 10, 2010, at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. **The Division requires Cimarex to notify offset operators or working interest owners of the non-standard unit portion of the application, and you offset the well unit proposed by Cimarex.** The well's location is orthodox.

As an offset operator, 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, June 3, 2010 if you intend to participate in the hearing.

Very truly yours,

Gary W. Larson

GWL/js

PO BOX 10
ROSWELL, NEW MEXICO 88202
(575) 622-6510
FAX (575) 623-9332

PO BOX 3580
MIDLAND, TEXAS 79702
(432) 683-4691
FAX (432) 683-6518

PO BOX 2068
SANTA FE, NEW MEXICO 87504
(505) 982-4554
FAX (505) 982-8623

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:

Khody Land & Mineral
3817 NW Expressway
#950
Oklahoma City, OK 73112

2. Article
(From)

PS Form

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

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

C. D/Sed

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:

Shackelford Oil Co.
P.O. Box 10665
Midland, TX 79702

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

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

C. D/Sed

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

2. Article Number
(Transfer from service label) 7005 1820 0006 3433 8606

PS Form 3811, February 2004

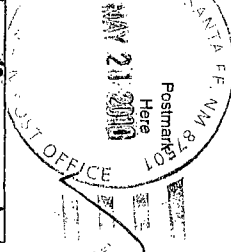
Domestic Return Receipt

102595-02-M-1540

**US Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)**

For delivery information visit our website at www.usps.com

Postage	\$ 1.61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71



Sent To
Street, Apt. No.
or PO Box No.
City, State, ZIP+4
Khody Land & Mineral
3817 NW Expressway #950
OKC OK 73112

PS Form 3800, June 2002 See Reverse for Instructions

**US Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)**

For delivery information visit our website at www.usps.com

Postage	\$ 1.61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71



Sent To
Street, Apt. No.
or PO Box No.
City, State, ZIP+4
Shackelford Oil Co.
P.O. Box 10665
Midland, TX 79702

PS Form 3800, June 2002 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:

Tandem Energy
11490 Westheimer
#1000
Houston, TX 77077

2. Article Number
(Transfer from service label)
PS Form 3811, February 2004

7005 1820 0006 3433 5957

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Kathy Donaghe

☐ Agent
☐ Addressee

B. Received by (Printed Name)

Kathy Donaghe

C. Date of Delivery
5/24/10

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

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:

Chase Oil Corp.
P.O. Box 1787
Artesia, NM
88211

2. Article Number
(Transfer from service label)

7005 1820 0006 3433 5940

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Kathy Donaghe

☐ Agent
☐ Addressee

B. Received by (Printed Name)

KATHY DONAGHE 5-24-10

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

**U.S. Postal Service
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OFFICIAL USE

Postage	\$ 1.61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Postmark
Here
MAY 27 2010

Sent To
Tandem Energy
Street, Apt. No.,
or PO Box No. 11490 Westheimer #1000
City, State, ZIP+4 Houston, TX 77077
PS Form 3800, June 2002 See Reverse for Instructions

**U.S. Postal Service™
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Postmark
Here
MAY 21 2010

Sent To
Chase Oil Corp.
Street, Apt. No.,
or PO Box No. P.O. Box 1787
City, State, ZIP+4 Artesia, NM 88211
PS Form 3800, June 2002 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:

Yates Drilling Co.
105 4th St.
Artesia, NM
88210

COMPLETE THIS SECTION ON DELIVERY

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

2. Article Number

7008 0500 0001 4599 1559

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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:

Yates Petroleum
105 4th St.
Artesia, NM
88210

COMPLETE THIS SECTION ON DELIVERY

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

2. Article Number

7008 0500 0001 4599 1556

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

7008 0500 0001 4599 1559

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OFFICIAL USE

Postage \$ 1.61

Certified Fee 2.70

Return Receipt Fee 2.40

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$5.71

Sent To Yates Drilling Co.
Street, Apt. No. or PO Box No. 105 4th
City, State, ZIP+4 Artesia NM 88210

Postmark Here MAY 21 2010

7008 0500 0001 4599 1556

**US Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)**

OFFICIAL USE

Postage \$ 1.61

Certified Fee 2.70

Return Receipt Fee 2.40

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$5.71

Sent To Yates Petro Corp.
Street, Apt. No. or PO Box No. 105 4th
City, State, ZIP+4 Artesia, NM 88210

Postmark Here MAY 21 2010

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:

ABO Petroleum
P.O. Box 900
Artesia, NM
88211

COMPLETE THIS SECTION ON DELIVERY

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

7005 1820 0006 3433 8637

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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:

Myco Industries
P.O. Box 840
Artesia, NM
88211

COMPLETE THIS SECTION ON DELIVERY

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

7008 0500 0001 4599 1542

PS Form 3811, February 2004

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Postage	\$1.61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.71

Sent To

ABO Petroleum
P.O. Box 900
Artesia, NM 88211

PS Form 3800, June 2002

See Reverse for Instructions

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OFFICIAL USE

Postage	\$1.61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.40
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.71

Sent To

Myco Industries
P.O. Box 840
Artesia, NM 88211

PS Form 3800, August 2005

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:

Southwest Royalties
6 Desta #2100
Midland, TX
79705

2. Article Number:
(Transfer from service label)

7005 1820 0006 3433 8613

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Kathy Stark

☐ Agent

B. Received By (Printed Name)

Kathy Stark

C. Date of Delivery

5/24/10

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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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage

\$ 1.61

Certified Fee

2.70

Return Receipt Fee (Endorsement Required)

2.40

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees

\$ 5.71

Sent To

SW Royalties

Street, Apt. No., or PO Box No.

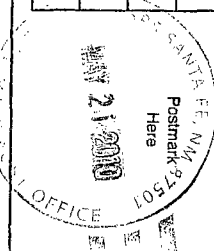
6 Desta #2100

City, State, ZIP+4

Midland, TX 79705

PS Form 3800, June 2002

See Reverse for Instructions



U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage

\$ 1.61

Certified Fee

2.70

Return Receipt Fee (Endorsement Required)

2.40

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees

\$ 5.71

Sent To

Devon Energy

Street, Apt. No., or PO Box No.

20 N Broadway #1500

City, State, ZIP+4

OKC, OK 73102

PS Form 3800, June 2002

See Reverse for Instructions



7005 1820 0006 3433 5964

7005 1820 0006 3433 8613