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. 14,483

AFFIDAVIT OF NOTICE

AFFIDAVII 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 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 the day of June, 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

May 20, 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 S½NE¼ of Section 8 and the S½N½ of Section 9, 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, June 10, 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, Juane 3, 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 A

EXHIBIT A

Edward L. Shea Trust/Estate Peter L. Shea Trust/Estate c/o John Walsh Bryan Cave, LLP Suite 3501 1290 Avenue of the Americas New York, New York 10104

Sigyn Lund 1052 Montgomery Road Altamonte Springs, Florida 32714

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

O'Neill Properties, Ltd. Clare Lundbeck Fraser P.O. Box 2840 Midland, Texas 79702

Triangle Royalty LP P.O. Box 904 Midland, Texas 79702

•	SENDER: COMPLETE THIS SECTION Complete items 1,, and 3. Also complete	COMPL	ETE THIS SECTION ON DELIVERY
	item 4 lf.Restricted Delivery is desired. Print your name and address on the reverse	AB.	+ O WINE RADIN
	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.	B/ Piece	eived by Printed Name) C. Denne Dell'ery
	Article Addressed to:	Control of the contro	Hivery address different from Item 1? U Yes S, enter delivery address below: USP
	E.Q.		
	Triangle Royalty LP P.O. Box 904	Negari printe	
	Midland, Texas 79702	□ R	ertified Mail
	2. Article Number	4. Restr	ricted Delivery? (Extra Fee) Yes
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	O'Neill Properties, Ltd.		1
	Clare Lundbeck Frascr P.O. Box 2840		
	Midland, Texas. 79702	# # # 0	3. Service Type
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			☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes
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	or on the front if space permits:		D. Is delivery address A Ann. Ford Item UNU Yes
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			USPS
	Mitchell Minerals, LLC P.O. Box 488		
	Henryetta, Oklahoma 14431		3 Service Type [D. Certified Mail DExpress Mail
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Complete items 1,, 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 mailplece, or on the front if space permits:	A. Signature A. Signature A. Signature C. Date of Delivery
Article Addressed to: Edward L. Shea Trust/Estate Peter L. Shea Trust/Estate c/o John Walsh	D. Is delivery address different from item 1?
Bryan Cave, LLP Suite 3501 1290 Avenue of the Americas New York, New York 10104	3. Service Type
Article Number 7008 0500	0001 4594 0854
	Stationary V
SENDER: COMPLE THIS SECTION Complete items 1, and 3 Also complete item 4 if Restricted Delivery is desired.	COMPLETE THIS SECTION ON DELIVERY A Signature
SENDER: COMPLETE THIS SECTION:	COMPLETE THIS SECTION ON DELIVERY A. Signature Address
SENDER: COMPLETINIS SECTION © Complete items 1, _, 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. Attacts his card to the back of the malipiece, — or districted permits.	COMPLETE THIS SECTION ON DELIVERY A. Signature A. Signature B. Received by (Frintel Name) C. Date of Delivery D. Is delivery address different from item 17.

Domestic Return Receipt