



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 3, 2010

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Larry R. Scott
P.O. Box 1708
Hobbs, NM 88241

Re: Cimarex Energy Co. OCD Application

Dear Madam/Sir:

Enclosed please find a copy of an application for compulsory pooling and a non-standard 160-acre spacing and proration unit, filed with the New Mexico Oil Conservation Division (“the Division”) by Cimarex Energy Co., regarding the E/2 W/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, 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 the Division’s Rules to file a Prehearing Statement no later than Thursday, June 3, 2010. This statement must be filed with the Division’s Santa Fe office at the above-address, and should include: the name 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 an identification of any procedural matters that need to be resolved prior to the hearing. This Prehearing Statement must also be provided to the undersigned.

Thank you for your attention to this matter.

Sincerely,

Gary W. Larson

GWL/js
Encl.

Case No. 14480

CIMAREX ENERGY
Exhibit # 5

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:

Watson Truck + Supply
P.O. Box 10
Hobbs, NM 88241

2. Article Number

(Transfer from service label)

7005 1820 0006 3433 6015

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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 ☐ 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:

Fonay Oil + Gas
5333 Baggett
Hobbs, NM 88242

2. Article Number

(Transfer from service label)

7005 1820 0006 3433 6008

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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 ☐ No

**U.S. Postal Service™
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OFFICIAL USE

Postage	\$ 1.61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Sent To

Watson Truck + Supply
P.O. Box 10
Hobbs, NM 88241

PS Form 3800, June 2002 See Reverse for Instructions

**U.S. Postal Service™
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OFFICIAL USE

Postage	\$ 1.61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Sent To

Fonay Oil + Gas
5333 Baggett
Hobbs, NM 88242

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:

Kent Gabel
Sudan Feedyard
1 Hwy Mile of Sudan East
Sudan, TX 79371

2. Article Number

(Transfer from service label)

7005 1820 0006 3433 6046

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) Kent Gabel C. Date of Delivery 5-5-10
- D. Is delivery address different from item 1? ☒ Yes ☐ No
If YES, enter delivery address below:

P.O. Box 9

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:

Powder Horn Investments
P.O. Box 2503
Hobbs, NM 88241

2. Article Number

(Transfer from service label)

7005 1820 0006 3433 8767

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) Kent Gabel C. Date of Delivery 5-5-10
- 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

U.S. Postal Service™
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OFFICIAL USE

Postage \$ 1.61
Certified Fee 2.20
Return Receipt Fee (Endorsement Required) 2.20
Restricted Delivery Fee (Endorsement Required) \$5.71
Total Postage & Fees

Postmark Here

Sent To Kent Gabel

Street, Apt. No., or PO Box No. 1 Hwy Mile of Sudan East
City, State, ZIP+4 Sudan TX 79371

PS Form 3800, June 2002

See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information, visit our website at www.usps.com

OFFICIAL USE

Postage \$ 1.61
Certified Fee 2.20
Return Receipt Fee (Endorsement Required) 2.20
Restricted Delivery Fee (Endorsement Required) \$5.71
Total Postage & Fees

Postmark Here

Sent To

Powder Horn Investments
Street, Apt. No., or PO Box No. P.O. Box 2503
City, State, ZIP+4 Hobbs, NM 88241

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:

TNK, Inc.
P.O. Box 1500
Hobbs, NM 88241

2. Article Number

(Transfer from service label)

7005 1820 0006 3433 6039

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☐ Agent
Marissa Garcia ☐ Addressee
- B. Received by (Printed Name) ☐ Date of Delivery
Marissa Garcia ☐ 8/5/04
- 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:

DASCO Energy Corp.
c/o American State
Bank Trust Dept.
P.O. Box 1401
Lubbock, TX 79408

2. Article Number

(Transfer from service label)

7005 1820 0006 3433 6022

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☐ Agent
Marissa Garcia ☐ Addressee
- B. Received by (Printed Name) ☐ Date of Delivery
Marissa Garcia ☐ 8/5/04
- 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

CERTIFIED MAIL RECEIPT

(Domestic Mail Only, No Insurance Coverage Provided)

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

OFFICIAL USE

Postage	\$.61
Certified Fee	2.78
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Sent To

TNK, Inc.

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

P.O. Box 1500

City, State, ZIP+4

Hobbs, NM 88241

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	\$.61
Certified Fee	2.78
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Sent To

DASCO Energy (Am. St. Bldg)

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

P.O. Box 1401

City, State, ZIP+4

Lubbock, TX 79408

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 \$ 2.70

Certified Fee 2.20

Return Receipt Fee (Endorsement Required)

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$ 5.71

Postmark Here

Sent To Jalapeno Corp
P.O. Box 1608
Albuquerque, NM 87103

Street, Apt. No., or PO Box No.
 City, State, ZIP

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 \$ 2.70

Certified Fee 2.20

Return Receipt Fee (Endorsement Required)

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$ 5.71

Postmark Here

Sent To Ben Alexander
4002 16th St #4315
Lubbock, TX 79416

Street, Apt. No., or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

COMPLETE THIS SECTION ON DELIVERY

A. Signature Ben Alexander ☒ Agent ☐ Addressee

B. Received by (Printed Name) San Barrack C. Date of Delivery 5/5/10

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 ☐ No

1. Article Addressed to:

Jalapeno Corp.
P.O. Box 1608
Albuquerque, NM 87103

2. Article Number (Transfer from service label) 7005 1820 0006 3433 8798

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Ben Alexander ☒ Agent ☐ Addressee

B. Received by (Printed Name) Ben Alexander 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 ☐ No

1. Article Addressed to:

Ben Alexander
4002 16th St.
#4315
Lubbock, TX 79416

2. Article Number (Transfer from service label) 7008 0500 0001 4599 1580

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 Energy Corp.
P.O. Box 2323
Roswell, NM 88202

2. Article Number

(Transfer from service label)

7005 1820 0006 3433 8774

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature *Lynx Petroleum Consultants* ☒ Agent ☐ Addressee

B. Received by *Lynx Petroleum Consultants* (Printed Name) ☒ Date of Delivery *5-5-16*

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:

Lynx Petroleum Consultants
P.O. Box 1708
Hobbs, NM 88211

2. Article Number

(Transfer from service label)

7005 1820 0006 3433 5971

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature *Lynx Petroleum Consultants* ☒ Agent ☐ Addressee

B. Received by *Lynx Petroleum Consultants* (Printed Name) ☒ Date of Delivery *5-5-16*

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

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OFFICIAL USE

Postage	\$ 1.61
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Sent To

Yates Energy
P.O. Box 2323
Roswell, NM 88202

PS Form 3800, June 2002

See Reverse for Instructions

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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)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Sent To

Lynx Petroleum Consultants
P.O. Box 1708
Hobbs, 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:

Harvey E. Yates Co.
P.O. Box 1933
Roswell, NM 88202

2. Article Number

(Transfer from service label)

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:

OXY USA, Inc.
5 Greenway Plaza
Ste. 110
Houston, TX 77046

2. Article Number

(Transfer from service label)

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
- D. If YES, enter delivery address below:

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ C.O.D.
- ☐ Restricted Delivery? (Extra Fee)

4. Restricted Delivery? (Extra Fee)

☐ Yes

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
- D. If YES, enter delivery address below:

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ C.O.D.
- ☐ Restricted Delivery? (Extra Fee)

4. Restricted Delivery? (Extra Fee)

☐ Yes

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OFFICIAL USE

Postage	\$ 1.61
Certified Fee	2.78
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.51

Sent To

Harvey E. Yates Co.
P.O. Box 1933
Roswell, NM 88202

PS Form 3800, June 2002

See Reverse for Instructions

U.S. Postal ServiceTM
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.61
Certified Fee	2.78
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.71

Sent To

OXY USA
5 Greenway Plaza #110
Houston, TX 77046

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:

Larry R. Scott
P.O. Box 1708
Hobbs, NM
88241

2. Article Number

(Transfer from service label)

7005 1820 0006 3433 6060

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ Agent
Larry R. Scott
- B. Received by (Printed Name) ☐ Addressee
L. Scott
- 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

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:

McVay Drilling Co.
P.O. Box 924
Hobbs, NM
88241

2. Article Number

(Transfer from service label)

7005 1820 0006 3433 6053

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ Agent
Bligh Kenneth
- B. Received by (Printed Name) ☐ Addressee
Bligh Kenneth
- 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

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OFFICIAL USE

Postage	\$ 1.61
Certified Fee	2.76
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.51

Sent To *Larry R. Scott*
Street, Apt. No., or PO Box No. *P.O. Box 1708*
City, State, ZIP+4 *Hobbs, NM 88241*

PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal ServiceTM
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.61
Certified Fee	2.76
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.51

Sent To *McVay Drilling*
Street, Apt. No., or PO Box No. *P.O. Box 924*
City, State, ZIP+4 *Hobbs, NM 88241*

PS Form 3800, June 2002 See Reverse for Instructions