

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

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

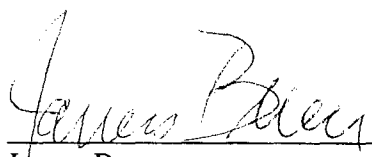
Case No. 14,581

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. of Colorado.
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 5th day of January, 2011 by James Bruce.

My Commission Expires: 3/14/13


Notary Public

Oil Conservation Division
Case No. 5
Exhibit No. 5

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

November 24, 2010

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

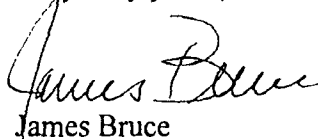
Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Cimarex Energy Co. of Colorado, regarding the W½W½ of Section 32, Township 18 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, December 16, 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, December 9, 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. of Colorado

EXHIBIT A

EXHIBIT A

Chesapeake Permian, L.P.
Chesapeake Exploration LLC
P.O. Box 18496
Oklahoma City, Oklahoma 73154-0496

Larchmont Resources, L.L.C.
P.O. Box 18496
Oklahoma City, Oklahoma 73154-0496

Bonefish LLC
P.O. Box 57180
Albuquerque, New Mexico 87187

William C. Scalia
1590 S.E. Ballantrae Court
Port St. Lucie, Florida 34952

Mariner Energy, Inc.
Edge Petroleum Exploration Company
Suite 2000
2000 West Sam Houston Parkway South
Houston, Texas 77042

Nearburg Exploration Company, L.L.C.
Building 2, Suite 120
3300 North A Street
Midland, Texas 79705

On behalf of itself and:

Leesburg Investments, Ltd.
Holsum, Inc.
Gretchen Nearburg
Roy G. Niederhoffer
AAR Ltd. Partnership
R-N Ltd. Partnership
LJS Resources, LLC
Wright Family Trust
John Barr III
Tristan Barr
JB III Partners
LDH Holdings, LLC
Duane A. Davis

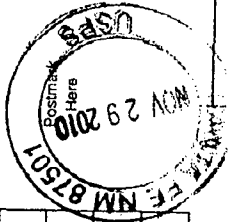
Dean A. Horning
Robert G. Shelton
Duke W. Roush
Herbert R. Willis
Clyde P. Finlay II
Nearburg Producing Company

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
 Bonfish LLC
 Street, Apt. No. P.O. Box 57180
 or PO Box No. Albuquerque, New Mexico 87187
 City, State, Zip+4



PS Form 3800, August 2006 See Reverse for Instructions

5620 4894 1000 0050 8002

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
 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:

Nearburg Exploration Company, L.L.C.
 Building 2, Suite 120
 3300 North A Street
 Midland, Texas 79705

3. Service Type
☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail
☐ Return Receipt for Merchandise
☐ C.O.D.
 4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

2. Article Number (Transfer from service label) 7008 0500 0001 4684 0764

PS Form 3811, February 2004

Domestic Return Receipt

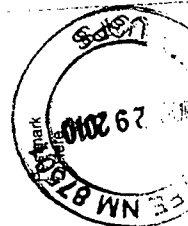
OK WS 32-1 102595-02-M-1540

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OFFICIAL USE

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

Sent To
 Nearburg Exploration Company, L.L.C.
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 Street, Apt. No. 3300 North A Street
 or PO Box No. Midland, Texas 79705
 City, State, Zip+4



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Bonfish LLC
 P.O. Box 57180
 Albuquerque, New Mexico 87187

3. Service Type
☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail
☐ Return Receipt for Merchandise
☐ C.O.D.
 4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

2. Article Number (Transfer from service label) 7008 0500 0001 4684 0795

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

OK WS 32-1