

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. 14,507

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


Case No. 14,508

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 applications filed herein.
4. Notice of the applications was provided to the interest owners, at their correct addresses, by certified mail. Copies of the notice letters and certified return receipts are attached hereto as Exhibits A and B.
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 15<sup>th</sup> day of September, 2010 by  
James Bruce.

My Commission Expires: 3/14/13

  
Notary Public

Oil Conservation Division  
Case No. 8  
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](mailto:jamesbruc@aol.com)

August 12, 2010

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

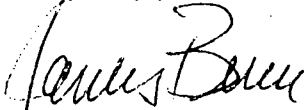
Ladies and gentlemen:

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 W½E½ of Section 3, 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, September 2, 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, August 26, 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.

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

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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  
City, State, ZIP+4

PS Form 3800, August 2006  
See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

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1. Article Addressed to:

Sigyn Lund  
1052 Montgomery Road  
Altamonte Springs, Florida 32714

2. Article Number  
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1. Article Addressed to:

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

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature	<input checked="" type="checkbox"/> Agent	<input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If YES, enter delivery address below:		

3. Service Type	<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
	<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
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4. Restricted Delivery? (Extra Fee)	<input type="checkbox"/> Yes	

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B. Received by (Printed Name)	C. Date of Delivery	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If YES, enter delivery address below:		

3. Service Type	<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
	<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
	<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee)	<input type="checkbox"/> Yes	

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1052 Montgomery Road  
Altamonte Springs, Florida 32714  
City, State, ZIP+4

PS Form 3800, August 2006  
See Reverse for Instructions

**JAMES BRUCE**  
ATTORNEY AT LAW

POST OFFICE BOX 1056  
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213  
SANTA FE, NEW MEXICO 87501

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[jamesbruc@aol.com](mailto:jamesbruc@aol.com)

August 26, 2010

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

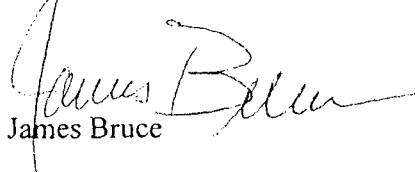
Ladies and gentlemen:

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This matter is scheduled for hearing at 8:15 a.m. on Thursday, September 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.

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Very truly yours,



James Bruce

Attorney for Cimarex Energy Co.

EXHIBIT A

Clare Lundbeck Fraser  
133 East 64th Street  
New York, New York 10021

Don & Sally Kidwell  
4208 Fairwood Drive  
Midland, Texas 79707

**SENDER: COMPLETE THIS SECTION**

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1. Article Addressed to:

Clare Lundbeck Fraser  
133 East 64th Street  
New York, New York 10021

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☒ Addressee

B. Received by (Printed Name)

OSCAR CARRERO

C. Date of Delivery

8-30

D. Is delivery address different from item 1? ☐ YesIf 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

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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

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(505) 660-6612 (Cell)  
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[jamesbruc@aol.com](mailto:jamesbruc@aol.com)

August 12, 2010

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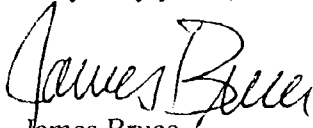
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Very truly yours,

  
James Bruce

Attorney for Cimarex Energy Co.

EXHIBIT



EXHIBIT A

Jerry Hooper  
P.O. Box 2086  
Midland, Texas 79702

Jerry L. Hooper, Trustee of the Jerry L.  
Hooper and Margaret A. Hooper Living  
Trust U/A dated March 5, 2009  
P.O. Box 2086  
Midland, Texas 79702

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

Attention: Justin Zerkle

7007 3020 0001 2489 4759

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Sent To Chesapeake Exploration, LLC P.O. Box 18496 Oklahoma City, Oklahoma 73154-0496	
PS Form 3800, August 2006	
See Reverse for Instructions	

<b>SENDER: COMPLETE THIS SECTION</b>	<b>COMPLETE THIS SECTION ON DELIVERY</b>
<ul style="list-style-type: none"><li>Complete items 1, 2, &amp; 3. Also complete item 4 if Restricted Delivery is desired.</li><li>Print your name and address on the reverse so that we can return the card to you.</li><li>Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	A. Signature <b>X</b> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to:  Chesapeake Exploration, LLC P.O. Box 18496 Oklahoma City, Oklahoma 73154-0496	B. Received by (Printed Name) C. Date of Delivery <b>RECEIVED</b> <b>AUG 16 2010</b> <b>MAILROOM 18</b>
2. Article Number (Transfer from service label) <b>7007 3020 0001 2489 4759</b>	D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> Yes <input type="checkbox"/> No
PS Form 3811, February 2004	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.
Domestic Return Receipt	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
102595-02-M-1540	<b>Box 3-4</b>

JAMES BRUCE  
ATTORNEY AT LAW

POST OFFICE BOX 1056  
SANTA FE, NEW MEXICO 87504

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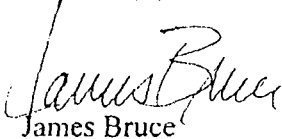
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Very truly yours,

  
James Bruce

Attorney for Cimarex Energy Co.

EXHIBIT A

Jerry Hooper  
Apartment 508A  
67 Brees  
San Antonio, Texas 78209

**SENDER: COMPLETE THIS SECTION**

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1. Article Addressed to:

Jerry Hooper  
Apartment 508A  
67 Brees  
San Antonio, Texas 78209

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent ☐ Addressee  
*X* *Jerry Hooper*  
B. Received by (Printed Name) C. Date of Delivery  
8/31/2010  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

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## 4. Restricted Delivery? (Extra Fee)

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