

Affidavit of Publication

NO. 18520

STATE OF NEW MEXICO

County of Eddy:

Gary D. Scott being duly

sworn, says: That he is the Publisher of The Artesia Daily Press, a daily newspaper of general circulation, published in English at Artesia, said county and county and state, and that the here to attached

Legal Notice

was published in a regular and entire issue of the said Artesia Daily Press, a daily newspaper duly qualified for that purpose within the meaning of Chapter 167 of the 1937 Session Laws of the state of New Mexico for 1 consecutive weeks/days on the same

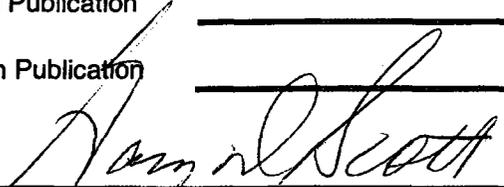
day as follows:

First Publication July 2 2004

Second Publication _____

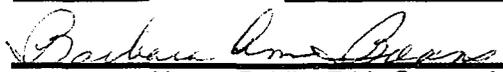
Third Publication _____

Fourth Publication _____



Subscribed and sworn to before me this

12th Day July 2004



Notary Public, Eddy County, New Mexico

My Commission expires September 23, 2007

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Case No. 13302 Exhibit No. 5
Submitted by:
HEC Petroleum, Inc.
Hearing Date: July 22, 2004

Copy of Public

LEGAL NOTICE

OIL CONSERVATION DIVISION
SANTA FE, NEW MEXICO

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on July 22, 2004, in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact: Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by July 19, 2004. Public documents including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed.

STATE OF NEW MEXICO TO:

All named parties and persons having any right, title, interest or claim in the following cases and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

CASE 13302: Application of HEC Petroleum, Inc. for compulsory pooling, Eddy County, New Mexico. Applicant in the above-styled cause seeks an order pooling all uncommitted mineral interests in all formations from the surface to the base of the Pennsylvanian formation in the E/2 of Section 7, Township 22 South, Range 27 East, N.M.P.M. to form a standard 320-acre gas spacing and proration unit for all formations and/or pools developed on 320-acres within that vertical extent, which includes but is not necessarily limited to the Carlsbad Morrow Gas Pool. Said unit is to be dedicated to applicant's proposed Douglas Com. Well No. 2 to be drilled at a standard bottom hole gas well location in SE/4 (Unit P) of said Section 7, at a point 990 feet from the north line and 990 feet from the west line to a depth sufficient to test the Morrow formation. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well and a charge for risk involved in drilling said well. Said area is located approximately 1 mile south of Carlsbad, New Mexico. Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 30th day of June 2004.

STATE OF NEW MEXICO

OIL CONSERVATION DIVISION

Mark E. Fesmire, P.E., Director

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STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT