

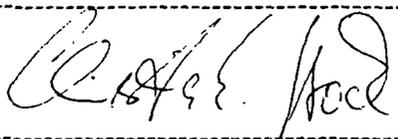
AFFIDAVIT OF PUBLICATION  
STATE OF NEW MEXICO

I, Christina E. Stock  
Legals Clerk

Of the Roswell Daily Record, a daily newspaper published at Roswell, New Mexico do solemnly swear that the clipping hereto attached was published in the regular and entire issue of said paper and not in a supplement thereof for a period of:

one time with the issue dated

January 6, 2009

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Clerk

Sworn and subscribed to before me

this 7th day of January, 2010

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Notary Public

My Commission expires  
June 13, 2010

(SEAL)

Publish January 6, 2010

NOTICE

To: H.N. Smith, Ethel Smith, Olive Bonds, and Richard Birnie, or their heirs or devisees. Canarex Energy Co. has filed an application with the New Mexico Oil Conservation Division seeking an order approving a non-standard oil spacing and proration unit (project area) in the Abo Wolfcamp formation, composed of the W2E2 of Section 18, Township 14 South, Range 31 East, NMPM, Chaves County, New Mexico. The unit is a non-standard 160-acre oil spacing and proration unit (project area) and is for mineral interests in the Abo Wolfcamp formation underlying the non-standard unit. The unit is to be dedicated to the Franklin 18 Fee Well No. 1, a horizontal well to be drilled at a surface location 330 feet from the north line and 2270 feet from the east line, with a terminus 330 feet from the south line and 2270 feet from the east line of Section 18. Also to be considered will be the lease, drilling and completing the well, and the allocation of the cost thereon, as well as actual operating costs and charges for supervision, designation of Canarex Energy Co. of Colorado as operator of the well, and a 200% charge for the test involved in drilling and completing the well. The application is scheduled to be heard at 10 a.m. on Thursday, January 21, 2010 at the Division's offices at 4225 Central Expressway, Santa Fe, New Mexico 87505. As an interest owner in the well unit, you have the right to enter an appearance and participate in the case. Failure to appear will preclude you from contesting this matter at a later date. The attorney for applicant is James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504. The unit is located approximately 14 miles north-northeast of Loco Hills, New Mexico.

Oil Conservation Division  
Case No. 14415  
Exhibit No. 5