

Affidavit of Publication

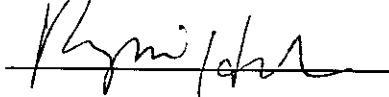
State of New Mexico,
County of Eddy, ss.

Rynni Henderson, being first duly
sworn, on oath says:

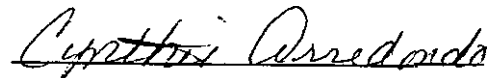
That she is the Publisher of the
Carlsbad Current-Argus, a
newspaper published daily at the
City of Carlsbad, in said county of
Eddy, state of New Mexico and of
general paid circulation in said
county; that the same is a duly
qualified newspaper under the laws
of the State wherein legal notices
and advertisements may be
published; that the printed notice
attached hereto was published in the
regular and entire edition of said
newspaper and not in supplement
thereof on the date as follows, to wit:

September 17 2015

That the cost of publication is
\$166.66 and that payment thereof
has been made and will be
assessed as court costs.

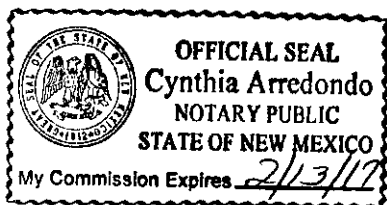


Subscribed and sworn to before me
this 21 day of September,
2015



My commission Expires
2/13/17

Notary Public



September 17, 2015

**STATE OF
NEW MEXICO
ENERGY, MINERALS
AND NATURAL
RESOURCES
DEPARTMENT
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 October 1, 2015, in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appoint 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 September 21, 2015. 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.)

To: Eleven Sands Exploration, Inc., their heirs or devisees; and all other affected parties.

Case No. 15389: Application of XTO Energy Inc. for a non-standard spacing and proration unit, and compulsory pooling, Eddy County, New Mexico. Applicant in the above-styled cause seeks an order (1) creating a non-standard, 239.47-acre spacing and proration unit comprised of the comprised of the E/2 E/2 of Section 6 of Township 25 South, Range 29 East and the E/2 SE/4 of Section 31, Township 24 South, Range 29 East, NMPM, Eddy County, New Mexico, and (2) pooling all mineral interests in the Bone Spring formation, Willow Lake; Bone Spring, Southeast (Pool Code 96217), underlying this acreage. Said non-standard unit is to be dedicated to applicant's proposed **Golden Corral 6 State No. 1H Well**, which will be horizontally drilled from a surface location in the SE/4 SE/4 of Section 6 (Unit P) to a bottom hole location in the NE/4 SE/4 (Unit I) of Section 31. The completed interval for this well will remain within the 330-foot standard offset required by the rules. 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 XTO Energy Inc. as operator of the well and a 200% charge for risk involved in drilling said well. Said area is located approximately 7 miles southeast of Malaga, New Mexico.

**STATE OF
NEW MEXICO
OIL CONSERVATION
DIVISION**

**David Catanach,
Division Director**

**BEFORE THE OIL CONSERVATION
DIVISION**

Santa Fe, New Mexico

Exhibit No. 5

Submitted by: **XTO ENERGY INC.**

Hearing Date: October 1, 2015