

RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE¼SW¼, S½SW¼, and W½SE¼ of Section 1, NE¼NE¼ and S½NE¼ of Section 11, and NW¼ and N½SW¼ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 5th day of October, 2009.

Chi Energy, Inc., f/b/o Chi Royalty Pool

Name: John W. Qualls

By: *John W. Qualls*

Title: Vice President

Oil Conservation Division

Case No.

Exhibit No. 5

STATE OF TEXAS §

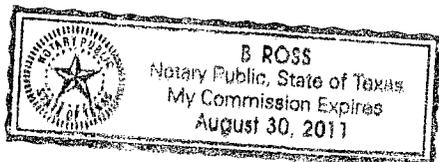
§

COUNTY OF MIDLAND §

The foregoing instrument was acknowledged before me, a Notary Public, on the 5th day of October, 2009, by John W. Qualls, Vice President of Chi Energy, Inc., f/b/o Chi Royalty Pool a Texas corporation, on behalf of the corporation

My commission expires: 08-30-2011

B. Ross
Notary Public

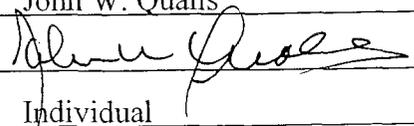


RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, and NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 5th day of October, 2009.

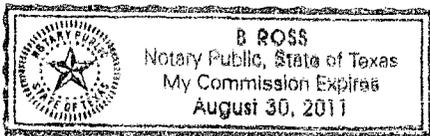
Name: John W. Qualls
By: 
Title: Individual

STATE OF TEXAS §
 §
COUNTY OF MIDLAND §

The foregoing instrument was acknowledged before me, a Notary Public, on the 5th day of October, 2009, by John W. Qualls.

My commission expires: 08-30-2011


Notary Public



RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, and NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 5th day of October, 2009.

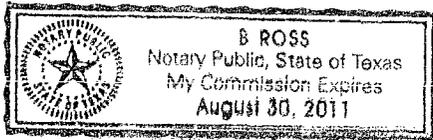
Name: Dave Shatzer
By: *Dave Shatzer*
Title: Individual

STATE OF TEXAS §
 §
COUNTY OF MIDLAND §

The foregoing instrument was acknowledged before me, a Notary Public, on the 5th day of October, 2009, by Dave Shatzer.

My commission expires: 08-30-2011

B. Ross
Notary Public

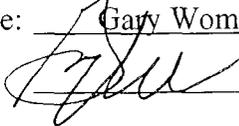


RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, and NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 5th day of October, 2009.

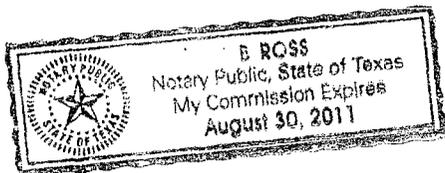
Name: Westbrook Energy, Inc.
Gary Womack
By: 
Title: President

STATE OF TEXAS §
 §
COUNTY OF MIDLAND §

The foregoing instrument was acknowledged before me, a Notary Public, on the 5th day of October, 2009, by Gary Womack, President of Westbrook Energy, Inc., a Texas corporation, on behalf of the corporation

My commission expires: 08-30-2011


Notary Public



RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE¹/₄SW¹/₄, S¹/₂SW¹/₄, and W¹/₂SE¹/₄ of Section 1, NE¹/₄NE¹/₄ and S¹/₂NE¹/₄ of Section 11, and NW¹/₄ and N¹/₂SW¹/₄ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 19th day of October, 2009.

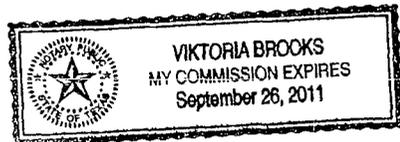
Name: Jessica Seligman
By: Jessica Seligman
Title: Individual

STATE OF TEXAS §
 §
COUNTY OF YOUNG §

The foregoing instrument was acknowledged before me, a Notary Public, on the 19th day of October, 2009, by Jessica Seligman

My commission expires: SEPT 26 2011

VIKTORIA BROOKS
Notary Public



RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, and NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 23 day of October, 2009.

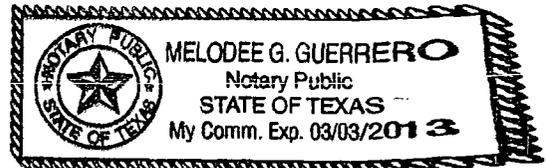
Name: Ken Seligman
By: Ken Seligman
Title: Individual

STATE OF TEXAS §
 §
COUNTY OF YOUNG §

The foregoing instrument was acknowledged before me, a Notary Public, on the 23rd day of October, 2009, by Ken Seligman

My commission expires: 03-03-2013

Melodee G. Guerrero
Notary Public



RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, and NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 5th day of October, 2009.

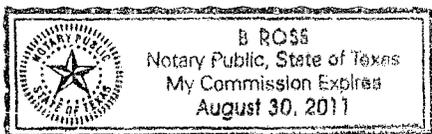
Name: Gene Shumate
By: *Gene Shumate*
Title: Individual

STATE OF TEXAS §
 §
COUNTY OF MIDLAND §

The foregoing instrument was acknowledged before me, a Notary Public, on the 5th day of October, 2009, by Gene Shumate.

My commission expires: 08-30-2011

B. Ross
Notary Public



RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, and NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 2012 day of October, 2009.

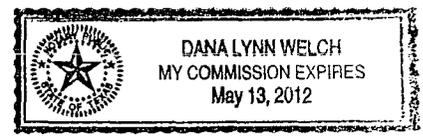
Rio Lobo Resources
Name: Audrey Wolf
By: *Audrey Wolf*
Title: Owner

STATE OF TEXAS §
 §
COUNTY OF STEPHENS §

The foregoing instrument was acknowledged before me, a Notary Public, on the 2012 day of October, 2009, by Audrey Wolf, Owner of Rio Lobo Resources.

My commission expires: May 13, 2012

Dana Lynn Welch
Notary Public

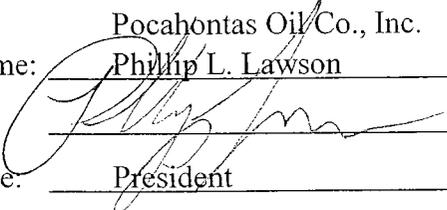


RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, and NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

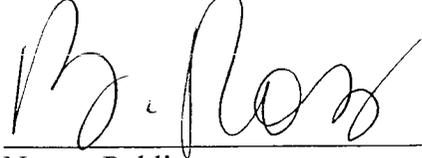
Executed this 5th day of October, 2009.

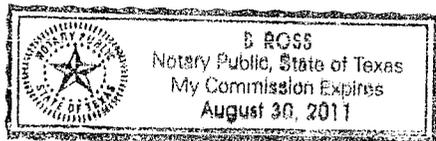
Name: Pocahontas Oil Co., Inc.
Phillip L. Lawson
By: 
Title: President

STATE OF TEXAS §
 §
COUNTY OF MIDLAND §

The foregoing instrument was acknowledged before me, a Notary Public, on the 5th day of October, 2009, by Phillip L. Lawson, President of Pocahontas Oil Co., Inc., a Texas corporation, on behalf of said corporation.

My commission expires: 08-30-2011


Notary Public



RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, and NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 6th day of October, 2009.

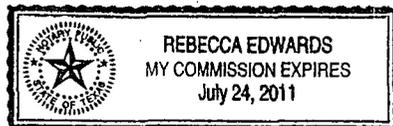
Murchison Oil & Gas, Inc.
Name: Michael S. Daugherty
By: *Michael S. Daugherty*
Title: President

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

The foregoing instrument was acknowledged before me, a Notary Public, on the 6th day of October, 2009, by Michael S. Daugherty, President of Murchison Oil & Gas, Inc., an Oklahoma corporation, on behalf of said corporation.

My commission expires: 7-24-11

Rebecca Edwards
Notary Public



RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, and NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 2 day of October, 2009.

Name: McCombs Energy, LLC
Ricky Haikin
By: *[Signature]*
Title: Vice President

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The foregoing instrument was acknowledged before me, a Notary Public, on the 2 day of October, 2009, by Ricky Haikin, Vice President of McCombs Energy, LLC, a **limited** liability company, on behalf of the limited liability company.

My commission expires: 12/29/09

[Signature]
Notary Public



RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, and NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 2 day of October, 2009.

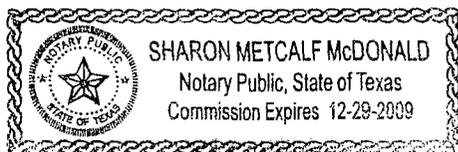
Name: McCombs Energy, Ltd.
Ricky Haikin
By: *Ricky Haikin*
Title: Vice President

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The foregoing instrument was acknowledged before me, a Notary Public, on the 2 day of October, 2009, by Ricky Haikin, Vice President of McCombs Energy, Ltd., a limited partnership, on behalf of the limited partnership.

My commission expires: 12/29/09

Sharon M. McDonald
Notary Public



RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, and NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

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Executed this 5th day of October, 2009.

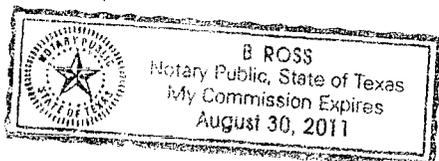
Name: Gary Green
By: *Gary Green*
Title: Individual

STATE OF TEXAS §
 §
COUNTY OF STEPHENS §

The foregoing instrument was acknowledged before me, a Notary Public, on the 5th day of October, 2009, by Gary Green.

My commission expires: 08-30-2011

B. Ross
Notary Public



RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11, and NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 5th day of October, 2009.

BRAZOS LIMITED PARTNERSHIP
By: Breck Operating Corp.

Name: General Partner
By: [Signature]
Title: President

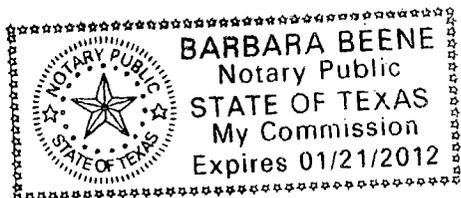
APPROVED
AS TO FORM
AS TO CONTENT
LH [Signature]
AS TO INTEREST
ADMINISTRATIVE
[Signature]

STATE OF TEXAS §
 §
COUNTY OF STEPHENS §

The foregoing instrument was acknowledged before me, a Notary Public, on the 6th day of October, 2009, by John H. Connally, President of Breck Operating Corp., a Texas corporation acting in its capacity as General Partner of **BRAZOS LIMITED PARTNERSHIP**, a Texas limited Partnership, on behalf of said partnership.

My commission expires: 1-21-2012

[Signature]
Notary Public



RATIFICATION OF UNIT OPERATING AGREEMENT

The undersigned owner of a working interest in the unit area for the Benson Delaware Unit, comprising the NE¼SW¼, S½SW¼, and W½SE¼ of Section 1, NE¼NE¼ and S½NE¼ of Section 11, and NW¼ and N½SW¼ of Section 12, Township 19 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, consents to the inclusion of (his/her/its) interest in the unit area, and expressly ratifies, approves, and adopts the Unit Operating Agreement for the Benson Delaware Unit.

This instrument shall be binding upon the undersigned and (his/her/its) successors and assigns.

Executed this 5th day of October, 2009.

Name: Chi Energy, Inc.
John W. Qualls
By: 
Title: Vice President

STATE OF TEXAS §
 §
COUNTY OF MIDLAND §

The foregoing instrument was acknowledged before me, a Notary Public, on the 5th day of October, 2009, by John W. Qualls, Vice President of Chi Energy, Inc., a Texas corporation, on behalf of the corporation

My commission expires: 08-30-2011


Notary Public

