BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF CHI ENERGY, INC. FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

Case No. 11857

AFFIDAVIT REGARDING NOTICE

STATE OF NEW MEXICO) COUNTY OF SANTA FE) ss.
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 set forth herein.
2. I am an attorney for Applicant.
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 Application filed herein.
4. Notice of the Application was provided to the interest owners at their correct addresses by mailing each of them, by certified mail, a copy of the Application. Copies of the notice letter and certified return receipts are attached hereto as Exhibit A.
5. Applicant has complied with the notice provisions of Division Rule 1207. James Bruce
SUBSCRIBED AND SWORN TO before me this got day of October, 1997, by James Bruce.
Notary Public
My Commission Expires:
NEW MEXICO OIL CONSERVATION DIVISION
<u>Chi</u> EXHIBIT 5
CASE NO. 11857

JAMES BRUCE ATTORNEY AT LAW

POST OFFICE BOX 1056 SANTA FE, NEW MEXICO 87504

SUITE 8 612 OLD SANTA FE TRAIL SANTA FE, NEW MEXICO 87501

(505) 982-2043 (505) 982-2151 (FAX)

September 8, 1997

CERTIFIED MAIL RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Dear Sirs:

Enclosed is a copy of an application for compulsory pooling filed at the New Mexico Oil Conservation Division by Chi Energy, Inc. regarding the S% of Section 4, Township 17 South, Range 27 East, NMPM, Eddy County, New Mexico. Chi Energy's records indicate that you own an interest in the proposed well unit. This matter will be heard at 8:15 a.m. on Thursday, October 9, 1997 at the Division's offices at 2040 South Pacheco Street, Santa Fe, New Mexico. As an interest owner in the well unit, you have the right to enter an appearance and participate in the hearing. Failure to appear at that time will preclude you from contesting this matter at a later date.

Very truly yours,

James Bruce

Actorney for Chi Energy, Inc.



EXHIBIT A

Fina Oil & Chemical Company Suite 4400 6 Desta Drive Midland, Texas 79705

Yates Petroleum Corporation, et al. 105 South Fourth Street Artesia, New Mexico 88210

Burlington Resources Oil & Gas Company 3300 North "A" Street Midland, Texas 79705

Enron Oil & Gas Company P.O. Box 2267 Midland, Texas 79702

Santa Fe Energy Resources, Inc. Suite 1330 550 West Texas Midland, Texas 79701

on the reverse side?	SENDER: "Complete items 1 an "? for additional services. "Complete items 3, 4. 4b. "Print your name and attories on the reverse of this form so to card to you. "Attach this form to the front of the mailpiece, or on the back in permit. "Write "Return Receipt Requested" on the mailpiece below the "The Return Receipt will show to whom the article was delivered.	if epace does not sarticle number. red and the date	1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee.
N ADDRESS completed	Fina Oil & Chemical Co. 6 Desta Drive, Suite 4400 Midland, Texas 79705	4b. Service Register Express	Type ed DCertified Mail Insured ceipt for Merchandise COD
te your RETUR	5. Received By: (Print Name) 6. Signature:)(Addressee or Agent) X PS Form 3811, December 1994	and fee is	e's Address (Only if requested paid) Domestic Return Receipt
the reverse side?	SENDER: **Complete Items 1 ar	f space does not article number.	I air wish to receive the foll of services (for an extra fee): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee.
N ADDRESS completed on	3. Article Addressed to: Yates Petroleum Corp., et al. 105 South Fourth Street Artesia New Mexico 88210	4b. Service Registere Express	umber 1 285 236 Type ad
le your <u>RETUR</u>	5. Received By: (Print Name) JOANN GRIGGS 6. Signature: (Addressee or Agent) X O UNIX VIGAS PS Form (3811, December 1994	8. Addresses and fee is	b's Address (Only if requested paid) Domestic Return Receipt
on the reverse side	SENDER: "Complete items 1 an 2 for additional services. "Complete items 3, 4 14b. "Print your name and audress on the reverse of this form so the card to you. "Attach this form to the front of the mailpiece, or on the back if a permit. "Write "Return Receipt Requested" on the mailpiece below the a "The Return Receipt will show to whom the article was delivered delivered. 3. Article Addressed to:	epace does not article number. d and the date	•
AN ADDRESS	Burlington Resources Oil & Gas (3300 North "A" Street Midland TX 79705	Express N Return Rec 7. Date of Del 8. Addressee	taii Insured sept for Merchandise COD Sept for Merchandise COD
	6. Signature (Addresses or Agent) X Long C PS Form 3811, December 1994	and fee is p	Domestic Return Receipt

	<u> </u>		
SENDER: Complete items 1 and for additions Complete items 3, 4: 4b. Print your name and sources on the rev		s can return this	l also wish to receive the folk j services (for an extra ree):
card to you. #Attach this form to the front of the malip	lece, or on the back if spac	a does not	1. Addressee's Address
permit. **Write**Return Receipt Requested* on the	mailplace below the article	e number.	2. Restricted Delivery
The Return Receipt will show to whom t delivered.	the article was delivered an	d the date	Consult postmaster for fee.
3. Article Addressed to:		4a. Article No	
		P 551 28	85 238
Enron Oil & Gas Comp	pany	4b. Service 1	• •
P. O. Box 2267		Registere	
Midland Texas 793	702	Express I	
	İ		ceipt for Merchandise
		7. Date of De	SEP 1 1 1997
5. Received By: (Print Name)	!	8. Addressee and fee is	e's Address (Only if requested paid)
X - 3 J Sollv - 2 PS Form 3811, December 1984		2595-97-8-0179	Domestic Return Receipt
PS Form 3811, December 1984 SENDER: "Complete terms 1 and" for additional	10	2595-97-B-0179	Domestic Return Receipt
PS Form 3811, December 1964 SENDER: "Complete items 1 and" for additions "Complete items 3, 4a 4b. "Print your name and a as on the rev	10.		·
PS Form 3811, December 1964 SENDER: "Complete items 1 and" for additions "Complete items 3, 4a 4b. "Print your name and access on the record to you." "Attach this form to the front of the mails	services.	e can return this	t also wish to receive the folio / services (for an
SENDER: "Complete items 1 and" for additions "Complete items 3, 4a 4b. "Print your name and access on the record to you. "Attach this form to the front of the mailippermit. "Write" Return Receipt Requested" on the	services. verse of this form so that we bece, or on the back if spain mailpiece below the artic	e can return this be does not de number.	t also wish to receive the folic services (for an extra ree):
PS Form 3811, December 1964 SENDER: "Complete items 1 and" for additions "Complete items 3, 4a 4b. Print your name and a as on the recoard to you. "Attach this form to the front of the mailpornit.	services. verse of this form so that we bece, or on the back if spain mailpiece below the artic	e can return this be does not de number.	t also wish to receive the folic services (for an extra we): 1. □ Addressee's Address
SENDER: "Complete items 1 and" for additiona "Complete items 3, 4a 4b. "Print your name and a sas on the receard to you. "Attach this form to the front of the mailp parmit. "Write "Return Receipt Requested" on the "The Return Receipt will show to whom idelivered. 3. Article Addressed to:	services. verse of this form so that we see, or on the back if sparse mailpiece below the article was delivered and the article was delivered and the services.	e can return this be does not de number, ad the date	1 also wish to receive the folic services (for an extra ree): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee.
SENDER: "Complete items 1 and" for additions "Complete items 3, 4a 4b. "Print your name and a ass on the record to you. "Attach this form to the front of the mailpormit. "Write "Return Receipt Requested" on the "The Return Receipt will show to whom idelivered. 3. Article Addressed to: Santa Fe Energy Resou	services. verse of this form so that we rece, or on the back if spar emailpiece below the article was delivered article was delivered article.	e can return this be does not de number, ad the date	1 also wish to receive the folic services (for an extrame): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee. umber 285 239
SENDER: "Complete terms 1 and" for additiona "Complete items 3, 4a 4b. "Print your name and a sess on the receard to you. "Attach the form to the front of the mailippermit. "Withe "Return Receipt Requested" on the "The Return Receipt will show to whom delivered. 3. Article Addressed to: Santa Fe Energy Resources. 550 W. Texas; Suite 1	services. verse of this form so that we rece, or on the back if spar emailpiece below the article was delivered article was delivered article.	e can return this ce does not le number, dithe date	l also wish to receive the folic services (for an extra ree): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee. umber 285 239
SENDER: "Complete terms 1 and" for additiona "Complete items 3, 4a 4b. "Print your name and a sess on the receard to you. "Attach the form to the front of the mailippermit. "Withe "Return Receipt Requested" on the "The Return Receipt will show to whom delivered. 3. Article Addressed to: Santa Fe Energy Resources. 550 W. Texas; Suite 1	services. verse of this form so that we rece, or on the back if spar emailpiece below the article was delivered article was delivered article.	e can return this be does not le number. In the date 4a. Article N P 551 2 4b. Service 1 Registere Express I	1 also wish to receive the folic services (for an extra ree): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee. umber 285 239 Type ad IZ Certified Mail Insured
SENDER: "Complete Items 1 and" for additiona "Complete Items 3, 4a 4b. "Print your name and a sess on the receard to you. "Attach the form to the front of the mailippermit. "Withe "Return Receipt Requested" on the "The Return Receipt will show to whom it delivered. 3. Article Addressed to: Santa Fe Energy Resources. 550 W. Texas; Suite 1	services. verse of this form so that we rece, or on the back if spar emailpiece below the article was delivered article was delivered article.	e can return this ce does not de number, de the date 4a. Article N P 551 2 4b. Service 1 Registere Express I	1 also wish to receive the folic services (for an extra ree): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee. umber 285 239 Type ed III Certified Mail Insured ceipt for Merchandise COD
SENDER: "Complete terms 1 and" for additiona "Complete items 3, 4a 4b. "Print your name and a sess on the receard to you. "Attach the form to the front of the mails permit. "Withe "Return Receipt Requested" on the "The Return Receipt will show to whom delivered. 3. Article Addressed to: Santa Fe Energy Resources of the session	services. verse of this form so that we rece, or on the back if spar emailpiece below the article was delivered article was delivered article.	e can return this ce does not le number. In the date 4a. Article N P 551 2 4b. Service 1 Registere Express I	1 also wish to receive the folic services (for an extra ree): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee. umber 285 239 Type ad III Certified Mail Insured ceipt for Merchandise COD
SENDER: "Complete terms 1 and" for additiona "Complete items 3, 4a 4b. "Print your name and a sess on the receard to you. "Attach the form to the front of the mails permit. "Withe "Return Receipt Requested" on the "The Return Receipt will show to whom delivered. 3. Article Addressed to: Santa Fe Energy Resources of the session	services. verse of this form so that we rece, or on the back if spar emailpiece below the article was delivered article was delivered article.	e can return this se does not de number, ad the date 4a. Article N P 551 2 4b. Service 1 Registere Express I 7. Date of Date	l also wish to receive the folic services (for an extra we): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee. umber 285 239 Type ed IZ Certified Mail Insured ceipt for Merchandise COD alivery -///
SENDER: "Complete items 1 and" for additional Scomplete items 3, 4a 4b. "Print your name and access on the record to you. "Attach the form to the front of the mailippermit. "Witte "Return Receipt Requested" on the The Return Receipt will show to whome delivered. 3. Article Addressed to: Santa Fe Energy Resources of W. Texas, Suite 1 Midland TX 79701	services. verse of this form so that we rece, or on the back if spar emailpiece below the article was delivered article was delivered article.	e can return this se does not de number, ad the date 4a. Article N P 551 2 4b. Service 1 Registere Express I Refurn Rec 7. Date of Da 8. Addresses	l also wish to receive the folic services (for an extra we): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee. umber 285 239 Type ed IZ Certified Mail Insured ceipt for Merchandise COD alivery -///