

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

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

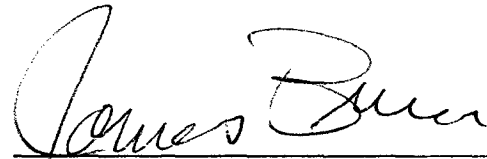
Case No. 13,449

AFFIDAVIT REGARDING NOTICE

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

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 stated 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 certified mail. 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.

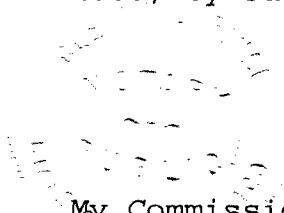


James Bruce

SUBSCRIBED AND SWORN TO before me this 16th day of March, 2005, by James Bruce.



Notary Public



My Commission Expires:
12-6-08

OIL CONSERVATION DIVISION
CASE NUMBER
EXHIBIT NUMBER 5

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)
(505) 660-6612 (Cell)
(505) 982-2151 (Fax)

jamesbruc@aol.com

February 23, 2005

Certified Mail - Return Receipt Requested

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Chi Energy, Inc., regarding the N½ of Section 25, Township 19 South, Range 29 East, N.M.P.M., Eddy County, New Mexico. This application is scheduled to be heard at 8:15 a.m. on Thursday, March 17, 2005 at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an interest owner in the well unit, you have the right to appear at the hearing and present evidence. Failure to appear at the hearing will preclude you from contesting this matter at a later date.

You are required to notify the Division, and the undersigned, by Friday, March 11, 2005, if you intend to enter an appearance and participate in the case.

Very truly yours,


James Bruce

Attorney for Chi Energy, Inc.



EXHIBIT A

Dominion Oklahoma Texas Exploration
& Production, Inc.
Suite 600
14000 Quail Springs Parkway
Oklahoma City, Oklahoma 73134-2600

Attention: Gary Southerland
Land Department

International Oil & Gas Corporation
Three Greenspoint Plaza
11th Floor
233 Benmar Drive
Houston, Texas

Howard C. Warren
Address unknown

Bivens Energy Corp.
4925 Greenville Avenue
Dallas, Texas 75206

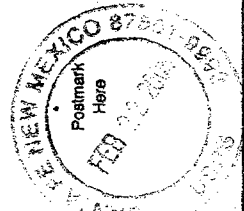
Hal S. Dean
Suite 1230
550 West Texas
Midland, Texas 79701

Daniel A. McNabb
P.O. Box 2115
Colorado Springs, Colorado 80917

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To
Daniel A. McNabb
P.O. Box 2115
Colorado Springs, Colorado 80917
City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

7004 1160 0002 5646 4468

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Dominion Oklahoma Texas Exploration & Production, Inc.
Suite 600
14000 Quail Springs Parkway
Oklahoma City, Oklahoma 73134-2600

2. Article Number

(Transfer from service label)

PS Form 3811, August 2001

7004 1160 0002 5646 4444

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- Signature Agent
- Received by (Printed Name) David A. McNabb
- Date of Delivery 2/22/06

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type
- Certified Mail
 - Registered
 - Insured Mail
 - Express Mail
 - Return Receipt for Merchandise
 - C.O.D.
 - Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Daniel A. McNabb
P.O. Box 2115
Colorado Springs, Colorado 80917

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.
- Restricted Delivery? (Extra Fee) Yes

2. Article Number

(Transfer from service label)

PS Form 3811, August 2001

7004 1160 0002 5646 4468

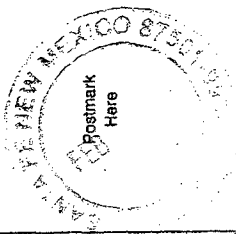
Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- Signature Agent
- Received by (Printed Name) DAVID A. McNabb
- Date of Delivery 2/22/06

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:



Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To

Dominion Oklahoma Texas Exploration & Production, Inc.
Suite 600
14000 Quail Springs Parkway
Oklahoma City, Oklahoma 73134-2600

PS Form 3800, June 2002 See Reverse for Instructions

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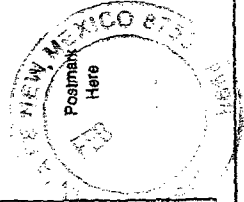
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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To
 Hal S. Dean
 Suite 1230
 550 West Texas
 Midland, Texas 79701
 City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bivens Energy Corp.
 4925 Greenville Avenue
 Dallas, Texas 75206

2. Article Number

(Transfer from service label)

PS Form 3811, August 2001

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Hal S. Dean
 Suite 1230
 550 West Texas
 Midland, Texas 79701

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 B. Received by (Printed Name) Address
 Date of Delivery

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

(Transfer from service label)

PS Form 3811, August 2001

Domestic Return Receipt

102885-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 B. Received by (Printed Name) Address
 Date of Delivery

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes

7004 1160 0002 5646 4420

Domestic Return Receipt

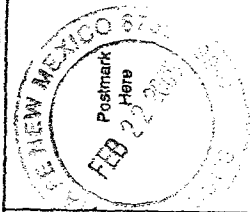
102885-02-M-1540

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To
 Bivens Energy Corp.
 4925 Greenville Avenue
 Dallas, Texas 75206
 Street, Apt. No.,
 or PO Box No.
 City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
 B. Received by (Printed Name) C. Date of Delivery

3. Signature of delivery address different from item 1? Yes
 No
 YES: Enter delivery address below.

4. Restricted Delivery? (Extra Fee) Yes

5. Services Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail G.O.D.

Article Number
 (Transfer from serv/ces label)
 PS Form 3811, August 2001

7004 1160 0002 5646 4437
 Domestic Return Receipt *Chis-Pace*

102586-02-M-1540

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
 International Oil & Gas Corporation
 Three Greenspoint Plaza
 11th Floor
 213 Benmar Drive
 Houston, Texas

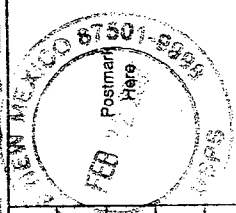
2. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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 4. Attach this card to the back of the mailpiece or on the front if space permits.

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OFFICIAL USE

Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	



Sent To International Oil & Gas Corporation
 Three Greenspoint Plaza
 Street, Apt. No.: 11th Floor
 or PO Box No. 213 Benmar Drive
 City, State, ZIP+4 Houston, Texas

PS Form 3800, June 2002 See Reverse for Instructions.

2004 1160 0002 5646 4437