

Affidavit of Publication

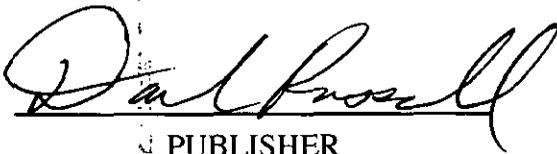
State of New Mexico,
County of Lea.

I, DANIEL RUSSELL
PUBLISHER

of the Hobbs News-Sun, a
newspaper published at Hobbs, New
Mexico, do solemnly swear that the
clipping attached hereto was
published in the regular and entire
issue of said newspaper, and not a
supplement thereof for a period

of 1 issue(s).

Beginning with the issue dated
April 26, 2013
and ending with the issue dated
April 26, 2013



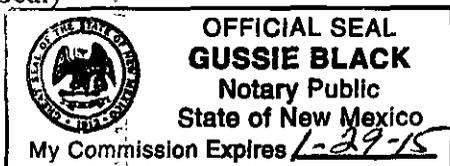
PUBLISHER

Sworn and subscribed to before me
this 30th day of
April, 2013



Notary Public

My commission expires
January 29, 2015
(Seal)



This newspaper is duly qualified to
publish legal notices or
advertisements within the meaning of
Section 3, Chapter 167, Laws of
1937 and payment of fees for said
publication has been made.

LEGAL	LEGAL
Legal Notice April 26, 2013	
NOTICE	
To the following entities, individuals, their heirs, personal representative, trustees, successors or assigns: Jack Case; Wright Petroleum Ltd.; William Goffe, Harold Goldberg; May Energy Partners, Ltd.	
Sundown Energy LP has filed an application with the New Mexico Oil Conservation Division as follows: Case No. 14982: Application of Sundown Energy LP for Statutory Unitization, Lea County, New Mexico. Applicant seeks an order for the consolidation by statutory unitization of all mineral interests in the San Andres formation, West Arkansas Junction San Andres Pool (2503) for the Bobbi State Waterflood Unit. The Unit Area of the Bobbi State Waterflood Unit is comprised of approximately 1,120 acres of state land in Lea County, described as follows:	
<u>Township 18 South, Range 36 East, NMPM</u> Section 20: All Section 29: N/2 Section 28: NW/4	
Among the matters to be considered at the hearing will be the necessity of unit operations; designation of the unit operator; designation of the horizontal and vertical limits of the unit area; the determination of the fair, reasonable and equitable allocation of production and costs of production, including capital investment, to each of the various tracts in the unit area, the determination of credits and charges to be made among the working interest owners in the unit area for their investment in wells and equipment; a non-consent penalty for risk to be charged against carried working interests in the unit; and such other matters as may be appropriate. The proposed unit is located approximately 2 and <u> </u> miles north of Lakewood, New Mexico.	
This Application will be set for hearing before a Division Examiner on May 16, 2013, at 8:15 a.m. at the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico. You are not required to attend this hearing, but as an owner of an interest that may be affected, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging this application at a later time. If you intend to attend the hearing and present testimony or evidence, you must enter your appearance and serve the Division, counsel for the Applicant and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 19.15.4.13.	
For further information, contact the applicant's attorney, J. Scott Hall, Montgomery & Andrews, P.A., 325 Paseo de Peralta, Santa Fe, New Mexico 87501 (505) 982-3873.	
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SANTA FE., NM 87504-2307

NMOCD CASE NO. 14982
NMOCD CASE NO. 14983
May 16, 2013
Exhibit No. 5