

Exhibit 5



OXY U.S.A. Inc. Application for non-standard spacing and proration unit and compulsory pooling Section 26-T23S-R30E, Eddy County, New Mexico	
Description	Case number 15006 Hearing date: June 27, 2013
Well Proposal; AFE; & Certified Mail Verification	Exhibit prepared by: Christopher J. Canon



OXY USA Inc.
Subsidiary of Occidental Petroleum Corporation

5 Greenway Plaza, Suite 110, Houston TX 77046-0506
PO Box 27767, Houston TX 77227-7767

Chris Canon, Land Negotiator Sr.
Office: 713.388-6228
Fax: 713.865.1277
E-mail: Christopher_Canon@oxy.com

March 28, 2013

VIA CERTIFIED MAIL – ARTICLE NUMBER 7002 2030 0000 4250 7095

ConocoPhillips Company
Attn: Tom Scarbrough
600 N Dairy Ashford St.
Houston, TX 77079-1100

Re: Well Proposal – FNR "26" Federal #4H
SHL – 690' FSL & 373' FWL
BHL – 690' FSL & 330' FEL
Section 26-T23S-R30E
Eddy County, New Mexico

Pursuant to the Joint Operating Agreement dated August 25, 1998, by and between Pogo Producing Company, as Operator, and Phillips Petroleum Company, as Non-Operator, and as required under Section 19.15.13.9 and Section 19.15.13.10 of the New Mexico Administrative Code, OXY USA Inc. (hereinafter "OXY"), as successor in interest to Pogo Producing Company, proposes the following well.

OXY proposes the drilling of the FNR "26" Federal #4H well on an approximate spud date of June 10, 2013. The FNR "26" Federal #4H will be drilled at the referenced surface location to its terminus at the referenced bottom hole location in Section 26, Township 23 South, Range 30 East, Eddy County, New Mexico. The directional well will be drilled to an approximate vertical depth of 7,725' and to an approximate measured depth of 13,000' to evaluate the Delaware formation. OXY's enclosed AFE provides pertinent details for the proposed operation and the estimated costs to drill and complete the well. The ownership under the Operating Agreement is OXY 50.00% and ConocoPhillips Company 50.00%.

Please execute, date and return one copy of this letter and the enclosed AFE within 30 days, or at your earliest convenience, to indicate your election to participate in drilling, completing and equipping the FNR "26" Federal #4H well.

If you have any questions concerning this proposal, please let me know. Your favorable consideration and early reply will be appreciated.

Thank you.

Best regards,

OXY USA Inc.


Chris Canon

Attachment

ConocoPhillips Company elects to:

_____ participate in the drilling of the FNR "26" Federal #4H

_____ non-consent the drilling of the FNR "26" Federal #4H

By: _____

Title: _____

AUTHORIZATION FOR EXPENDITURE

Project Name: FNR 26 federal # 4 H

Lease/Unit: Sand Dunes

Operator: OXY USA Inc.

Formation: Delaware

Location: 690' FSL & 373' FWL Section 28, T23S, R30E (surface location)

690' FSL & 338' FEL Section 28, T23S, R30E (bottom hole location)

County, State: Eddy County, New Mexico



	1	2	3	4	5	6
	Moving	Re-entry	Drilling &	PSA	Production	Completion &
	7.3 days	Preparation	Evaluation	0.0 days	casing	Facilities
		0.0 days	23.6 days		2.9 days	14.0 days
Location / Mobilization / Rig Move	\$ 431,696	\$ -	\$ 37,282	\$ -	\$ 4,670	\$ -
Location & Roads + Maintenance	\$ 130,000	\$ -	\$ -	\$ -	\$ -	\$ -
Mobilization & Demobilization	\$ 11,361	\$ -	\$ 37,282	\$ -	\$ 4,670	\$ -
Rig Move	\$ 280,335	\$ -	\$ -	\$ -	\$ -	\$ -
Services & equipment rentals	\$ 76,840	\$ -	\$ 1,631,684	\$ -	\$ 148,877	\$ 3,284,800
Rig Work	\$ 8,296	\$ -	\$ 636,832	\$ -	\$ 77,948	\$ 83,000
Camp & Catering	\$ 1,450	\$ -	\$ 4,758	\$ -	\$ 683	\$ -
Directional Drilling & LWD	\$ -	\$ -	\$ 239,060	\$ -	\$ 10,800	\$ -
Drilling & Completion Fluids	\$ 36,488	\$ -	\$ 286,585	\$ -	\$ 36,604	\$ -
Cementing	\$ -	\$ -	\$ 155,000	\$ -	\$ -	\$ -
Electric Logging	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ 15,000
Sub Sea	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fishing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Mud Logging	\$ -	\$ -	\$ 16,688	\$ -	\$ 1,050	\$ -
Formation Testing and Coring	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 60,000
Wire line & Back line	\$ -	\$ -	\$ 7,500	\$ -	\$ -	\$ -
Perforating	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Stimulation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,330,000
HES & Industrial waste handling	\$ 238	\$ -	\$ 22,602	\$ -	\$ 2,771	\$ -
Miscellaneous Services	\$ 9,196	\$ -	\$ 95,926	\$ -	\$ 7,481	\$ 390,000
Rental Downhole Equipment & Tools	\$ 6,349	\$ -	\$ 37,223	\$ -	\$ 2,494	\$ -
Rental Surface Equipment & Tools	\$ 14,663	\$ -	\$ 58,290	\$ -	\$ 7,146	\$ 60,000
Misc Incidentals & Contingency	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 220,000
Hydrotest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Facilities (labor, rentals)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 416,000
Facilities (equipment, materials)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 670,000
Consumables	\$ 106,709	\$ -	\$ 236,290	\$ -	\$ 258,877	\$ 206,800
Oil, Greases, Scrapers, HO's	\$ -	\$ -	\$ 47,800	\$ -	\$ -	\$ -
Fuel & Lubricants	\$ 31,175	\$ -	\$ 102,304	\$ -	\$ 12,642	\$ -
Utilities: Electricity, Water & Sewers & Trash	\$ 7,721	\$ -	\$ 25,338	\$ -	\$ 3,105	\$ -
Miscellaneous supplies	\$ 1,813	\$ -	\$ 14,948	\$ -	\$ 729	\$ -
Casing & accessories	\$ -	\$ -	\$ 105,300	\$ -	\$ 242,500	\$ -
Tubing & accessories	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,000
Artificial Lift Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 160,000
Hookup & instrumentation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Wellhead & X-mas tree	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 10,000
Labor	\$ 21,769	\$ -	\$ 71,575	\$ -	\$ 8,780	\$ 25,000
Direct Supervision	\$ 21,769	\$ -	\$ 71,575	\$ -	\$ 8,780	\$ 25,000
Logistics, Insurance & Tax	\$ 49,823	\$ -	\$ 125,142	\$ -	\$ 23,817	\$ 25,000
Equipment Transportation Charges	\$ 15,175	\$ -	\$ 16,654	\$ -	\$ 2,042	\$ 5,000
Land Vehicles	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Watercrafts	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Aircrafts	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Communications & IT	\$ 1,704	\$ -	\$ 5,601	\$ -	\$ 686	\$ -
Insurance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Tax	\$ 32,144	\$ -	\$ 102,897	\$ -	\$ 21,000	\$ 30,000
TOTAL	\$ 676,016	\$ -	\$ 2,180,943	\$ -	\$ 442,591	\$ 3,918,800

WORKING INTEREST OWNER APPROVAL

Company Name:

Signature:

Title:

Date:

Total Dry Hole cost (1+2+3+4):	\$ 2,538,891
Total Producer cost (1+2+3+5):	\$ 3,276,793
Total Completed Well cost (1+2+3+4+5):	\$ 6,797,733
Drilling Op. Targeted Cost:	\$ 1,691,307

NOTICE TO NONOPERATOR: Costs shown on this form are estimates only. Non Operators should not consider these estimates as establishing any limit on the monies which will be required to perform the proposed operation.

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:

ConocoPhillips Company
Attn: Tom Scarbrough
600 N Dairy Ashford St.
Houston, TX 77079-1100

2. Article Number

(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* ☐ Agent
X ☐ Addressee

B. Received by (Printed Name) *CHAD B* C. Date of Delivery *4/2/13*

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

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

7002 2030 0000 4250 7095

UNITED STATES POSTAL SERVICE

HOUSTON TX 770

02 APR 2013 PM 4 1



• Sender: Please print your name, address, and ZIP+4 in this box •

OXY USA Inc.
ATTN: Chris Canon, 29.115
PO Box 27570
Houston, TX 77227-7570

04/02

