

Affidavit of Publication

State of New Mexico,
County of Eddy, ss.

April Hernandez, being first duly sworn,
on oath says:

That she is HR Manager of the Carlsbad Current-Argus, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

January 22 2008

That the cost of publication is \$ 59.68 that Payment Thereof has been made and will be assessed as court costs.

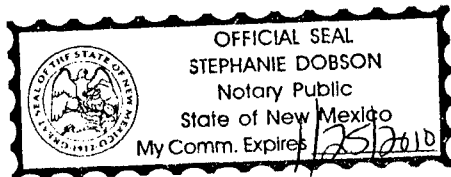
April Hernandez

Subscribed and sworn to before me this

22 day of January, 2008
Stephanie Dobson

My commission Expires on 1/25/2010

Notary Public



January 22, 2008
NOTICE
To: Balwick Limited Partnership, Devon Energy Production Company, L.P. has filed an application with the New Mexico Oil Conservation Division seeking an exception to NMAC 19.15.5.303.A to authorize the surface commingling of production from the Red Lake Queen-Grayburg-San Andres Pool and Red Lake Glorieto-Yaso Pool originating from its wells located on Federal Lease NM 7717 covering the NE/4SW/4 of Section 4 and Federal Lease LC 061783.A covering the SE/4 of Section 4 in Township 18 South, Range 27 East, N.M.P.M. Applicant also seeks an exception to the metering requirements of N.M.A.C. 19.15.5.303.B(4)(a) to authorize the allocation of production from these diversely-owned wells on the basis of periodic well tests. All production from these wells is to be stored at the Windfort "4" Tank Battery located in the NE/4SE/4 of Section 4. The application is scheduled to be heard at 8:15 a.m. on Thursday, February 7, 2007 at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an interest owner in the wells you have the right to enter an appearance and participate in the case. Failure to appear will preclude you from contesting this matter at a later date. The attorney for applicant is James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504. The leases and wells are located approximately 6-1/2 miles East of Atoka, New Mexico.

Oil Conservation Division
Case No. 5
Exhibit No. 5