

**STATE OF NEW MEXICO
DEPARTMENT OF ENERGY,
MINERALS AND NATURAL
RESOURCES
OIL CONSERVATION DIVISION**

Case No. 14316

EXHIBIT

5

Affidavit of Publication

State of New Mexico,
County of Eddy, ss.

Kathy McCarroll, being first duly sworn,
on oath says:

That she is the Classified Supervisor 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:

May 17 _____ 2009

That the cost of publication is **\$75.93** and that payment thereof has been made and will be assessed as court costs.

Kathy McCarroll

Subscribed and sworn to before me this

20th day of May, 2009
Stephanie Dobson

My commission Expires on 1/25/2010

Notary Public



May 17, 2009
NOTICE
To: Mary Chambers Resource's Limited Partnership has filed an application with the New Mexico Oil Conservation Division seeking an order approving a non-standard oil spacing and proration unit (project area) comprised of Lot 1, NE 1/4 NW 1/4, and N 2NE 1/4 (the N 2W 2 equivalent) of Section 31, Township 16 South, Range 28 East, NMPM, to form a non-standard 162.68-acre oil spacing and proration unit (project area) for any and all formations or pools developed on 40-acre spacing within that vertical extent and pooling all mineral interests in the Wolfcamp formation (Dog Canyon Wolfcamp Pool) underlying the non-standard unit. The unit is to be dedicated to the Lucky Wolf 31 Fed. Comp. Well No. 1, a horizontal well to be drilled at a surface location 330 feet from the north line and 150 feet from the west line of Section 31. The well will penetrate the Wolfcamp formation at an orthodox location 330 feet from the north line and 330 feet from the east line of Section 31. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The application is scheduled to be heard at 8:15 a.m. on Tuesday, June 2, 2009 at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an interested owner in the unit, 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 unit is located approximately 11 miles east-northeast of Artesia, New Mexico.