



Sent Via Certified Mail  
Receipt #: 91-7199-9991-7033-2216-2370

May 13, 2015

James R. Malott Jr.  
910 S. Craycroft  
Tucson, AZ. 87511

RE: Ratification of Communitization Agreement  
Branex-COG Fed Com 18H  
S2S2 of Section 9 and SWSW of Section 10, T16S-R28E  
Lea County, New Mexico

Mr. Malott:

In accordance with the drilling of the captioned well, enclosed herewith is a copy of the Communitization Agreement which has been executed by COG Operating LLC as Operator. This agreement communitizes United States Leases NMNM 0315712, NMNM 0315713, and NMLC 0064150, insofar as they cover the S2S2 of Section 9, and the SWSW of T17S-R32E, as to the Yeso formation.

Also enclosed herewith are two (2) Ratification and Joinder of Communitization Agreement(s) which have been prepared for execution by you, as an overriding royalty interest owner.

Please secure execution of both originals of this ratification and return one (1) to our office for further handling. A recorded copy of the ratification will be forwarded to you when available.

Should you have any questions, please feel free to contact me at 432-688-6601. Your prompt attention to this request is greatly appreciated.

Very truly yours;

COG Operating LLC

Joseph Scott  
Landman

BEFORE THE OIL CONVERSION  
DIVISION

Santa Fe, New Mexico

Exhibit No. 5

Submitted by: COG OPERATING LLC

Hearing Date: June 25, 2015