

NMOC Case No.: 13,735
JUNE 22, 2006
LCX ENERGY, LLC
EXHIBIT NO. 5

Affidavit of Publication

State of New Mexico,
County of Eddy, ss.

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

That she is HR/Administrative Assistant 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 31	2006
_____	2006
_____	2006
_____	2006

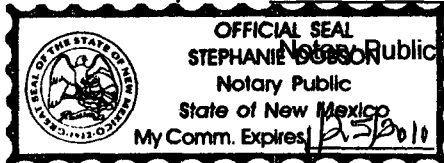
That the cost of publication is \$99.86
and that payment thereof has been made and will be
assessed as court costs.

April Hernandez

Subscribed and sworn to before me this

31 day of May, 2006
Stephanie Gibson

My commission Expires on _____



May 31, 2006

LCX Energy, LLC has made application to the New Mexico Oil Conservation Division for relief in the following matter: Case

Application of LCX Energy, LLC For Compulsory Pooling, Eddy County, New Mexico. Applicant seeks an order pooling all mineral interests from the surface to the base of the Wolfcamp formation underlying the S/2 of Section 14, Township 16 South, Range 25 East, NMPM, Eddy County, New Mexico, to form a standard 320-acre gas spacing and proration unit for any and all formations and or pools developed on 320-acres, including but not necessarily limited to the Cottonwood Creek/Wolfcamp formation. Said units are to be dedicated to Applicant's proposed 1625 Sallee No. 141 Well drilled from a surface and bottom hole location 760' from the South line and 660' from the West line of said Section 14. This Application is brought pursuant to the provisions of 19.15.14.1210 A.(1)(b) NMAC. Applicant has been unable to locate the following owners of the operating rights referenced above. The last known address for each of the owners of the interests to be pooled is:

Sharon Ann Roady Isenhardt
(Address unknown)

Stephen Curtis Roady Isenhardt
(Address unknown)

Ellen Stone Roady
1004 West Main St.
Rogersville, TN 37857

Lori Ellen Roady Carey
1335 North Placentia,
Apt. 90
Fullerton, CA 92631

Jeffrey David Roady
c/o Tom Brush
5838 Cerritos Ave.
Long Beach, CA 90805

Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, the actual operating costs and charges for supervision, designation of applicant as operator and a charge for risk involved in drilling the well. The lands that are the subject of the application are located approximately 1.5 miles west of Artesia, New Mexico. This application will be set for hearing before a Division Examiner on June 22, 2006, at the New Mexico Oil Conservation Division, 1220 South St. Francis Dr., Santa Fe, New Mexico. Any owner of an interest that may be affected may appear and present testimony. Failure to appear at that time and become a party of record will preclude such party from challenging this application at a later time.

For further information, contact the applicant's attorney, J. Scott Hall, Miller Stratvert, P.A., 150 Washington Ave., Suite 300, Santa Fe, New Mexico 87501, (505) 989-9614.

EXHIBIT

A

MILLER STRATVERT

PROFESSIONAL ASSOCIATION

Ranne B. Miller
Alice T. Lorenz
Stephen M. Williams
Stephan M. Vidmar
Seth V. Bingham
Timothy R. Briggs
Rudolph Lucero
Deborah A. Solove
Gary L. Gordon
Lawrence R. White
Virginia Anderman
Marte D. Lightstone
J. Scott Hall*
Thomas R. Mack

Thomas M. Domme
Ruth O. Pregoner
Jeffrey E. Jones
James J. Widland
Bradley D. Tepper**
Robin A. Goble
James R. Wood
Dana M. Kyle
Kirk R. Allen
Ruth Fuess
H. Brook Laskey
Paula G. Maynes
M. Dylan O'Reilly
Jennifer D. Hall

Todd A. Schwarz
Nell Graham Sale
Scott P. Hatcher
Ann M. Conway
Randall J. McDonald
Robert H. Clark
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Kelsey D. Green
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Somer K. Chyz
Joseph L. Romero

Kelly A. Stone
Deron B. Knoner
Patricia A. Bradley
T. Aaron Garrett
Amy P. Hauser
Rebecca M. Alves

Of Counsel

William K. Stratvert
James B. Collins
Sharon P. Gross
Robert D. Taichert

Reply to Santa Fe

150 Washington Ave., Suite 300
Santa Fe, NM 87501

Mailing Address:
P.O. Box 1986
Santa Fe, NM 87504-1986

Telephone: (505) 989-9614
Facsimile: (505) 989-9857

Writer's Direct E-Mail:
shall@mstlaw.com

* Board Certified Specialist: Natural Resources - Oil & Gas Law
** Board Certified Specialist: Real Estate Law

May 22, 2006

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Lori Ellen Roady Carey
1335 North Placentia, Apt. 90
Fullerton, CA 92631

Re: NMOCD Case No. _____; Application of LCX Energy, LLC for Compulsory Pooling,
Eddy County, New Mexico

Dear Ms. Carey:

This will advise that LCX Energy, LLC has filed an Application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests from the surface to the base of the Wolfcamp formation underlying the S/2 of Section 14, Township 16 South, Range 25 East, NMPM, Eddy County, New Mexico. These lands are to be dedicated to Applicant's proposed 1625 Sallee No. 141 Well. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision, designation of LCX Energy, LLC or its designee as operator of the well and a charge for risk involved in drilling said well. A copy of the application is enclosed.

This application will be set for hearing before a Division Examiner at 8:15 a.m. on June 22, 2006, at the New Mexico Oil Conservation Division, 1220 South St. Francis Dr., 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.

Very truly yours,

MILLER STRATVERT P.A.


J. Scott Hall

JSH/glb
Enclosure

LAW OFFICES

ALBUQUERQUE
(505) 842-1950

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Lori Ellen Rody Carey
 1335 North Placentia, Apt. 90
 Fullerton, CA 92631

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** Board Certified Specialist: Real Estate Law

May 22, 2006

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Ellen Stone Roady
1004 West Main Street
Rogersville, TN 37857

Re: NMOCD Case No. _____; Application of LCX Energy, LLC for Compulsory Pooling,
Eddy County, New Mexico

Dear Ms. Roady:

This will advise that LCX Energy, LLC has filed an Application with the New Mexico Oil Conservation Division seeking an order pooling all mineral interests from the surface to the base of the Wolfcamp formation underlying the S/2 of Section 14, Township 16 South, Range 25 East, NMPM, Eddy County, New Mexico. These lands are to be dedicated to Applicant's proposed 1625 Sallee No. 141 Well. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision, designation of LCX Energy, LLC or its designee as operator of the well and a charge for risk involved in drilling said well. A copy of the application is enclosed.

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J. Scott Hall

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Ellen Stone Roady
1004 West Main Street
Rogersville, TN 37857

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MILLER STRATVERT

LAW OFFICES

150 WASHINGTON AVE., SUITE 300
P.O. BOX 1986 (87504-1986)
SANTA FE, NM 87501



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RETURN RECEIPT REQUESTED

CERTIFIED MAIL

Ellen Stone Roady
1004 West Main Street
Rogersville, TN 37857

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- ☐ No Such Street
- ☐ No Such Number
- ☐ No Receipts
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- ☐ Vacant

MILLER STRATVERT

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May 22, 2006

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Jeffrey David Roady
c/o Tom Brush
5838 Cerritos Ave.
Long Beach, CA 90805

Re: NMOCD Case No. _____; Application of LCX Energy, LLC for Compulsory Pooling,
Eddy County, New Mexico

Dear Mr. Roady:

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J. Scott Hall

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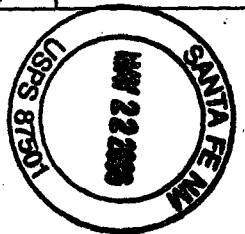
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c/o Tom Brush
5838 Cerritos Ave.
Long Beach, CA 90805

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	B. Received by (Printed Name) C. Date of Delivery
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES enter delivery address below:
	3. Service Type <input checked="" type="checkbox"/> Certified
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STATE OF NEW MEXICO
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES
OIL CONSERVATION DIVISION

IN THE MATTER OF THE
APPLICATION OF LCX ENERGY, LLC
FOR COMPULSORY POOLING
EDDY COUNTY, NEW MEXICO

CASE NO. _____

2006 MAY 19 PM 4:05

APPLICATION

LCX ENERGY, LLC, by its undersigned attorneys, Miller, Stratvert P.A., (J. Scott Hall) hereby makes application pursuant to NMSA 1978 Section 70-2-17 (1995) for an order pooling all interests in all formations developed on a 320-acre basis, including the Wolfcamp formation, underlying the S/2 of Section 14, Township 16 South, Range 25 East, NMPM, Eddy County, New Mexico, to form a standard 320-acre spacing and proration unit. Applicant would show the Division:

1. Applicant owns certain working interests in and under the S/2 of Section 14, and has the right to drill thereon.
2. Applicant proposes to dedicate the above-referenced pooled unit to its 1625 Sallee No. 141 Well to be drilled from a surface location 760' from the South line and 660' from the West line to a bottom hole location 760' from the South line and 660' from the East line to a depth sufficient to test the Wolfcamp formation underlying the S/2 of Section 14, Township 16 South, Range 25 East, NMPM, Eddy County, New Mexico.
3. Applicant has been unable to obtain leases or voluntary agreement for pooling or farmout from certain other interest owners in the above-referenced formations underlying the S/2 of said Section 14.

4. In order to permit the Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, the mineral interests should be pooled and Applicant should be designated operator of the well.

5. The pooling of interests and approval of the unorthodox well location will afford the Applicant the opportunity to produce its just and equitable share of hydrocarbons underlying the spacing unit, will avoid the drilling of unnecessary wells, will prevent waste and will protect correlative rights.

WHEREFORE Applicant requests that this Application be set for hearing before a duly appointed examiner of the Oil Conservation Division on June 22, 2006 and that after notice and hearing as required by law, the Division enter its Order approving the unorthodox well location and pooling the lands, including provisions for Applicant to recover its costs of drilling, equipping and completing the well, its costs of supervision while drilling and after completion, including overhead charges and providing for adjustments to such rates in accordance with accepted COPAS accounting procedures, and imposing a 200% risk factor for the risk assumed by the Applicant in drilling, completing and equipping the well, and making such other and further provisions as maybe proper in the premises.

MILLER STRATVERT P.A.

By:



J. Scott Hall
Attorneys for LCX Energy, LLC
Post Office Box 1986
Santa Fe, New Mexico 87504-1986
(505) 989-9614