

NMOCDCase No.: 13,736
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 |

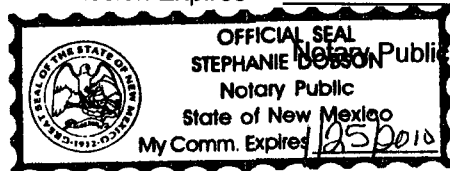
That the cost of publication is \$83.64
and that payment thereof has been made and will be
assessed as court costs.

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 E/2 of Section 12, Township 17 South, Range 24 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 Wolfcamp formation. Said units are to be dedicated to Applicant's proposed 1724 Ross Well No. 121 drilled from a surface location 660' from the South line and 1880' from the East line to a bottom hole location 660' from the North line and 1880' from the East line of said Section 12. This Application is brought pursuant to the provisions of 19.15.14.1207 A.(1)(b) NMAC. Applicant has been unable to locate Jacqueline Baldwin (address unknown) who is an interest owner of the operating rights referenced above.

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 6 miles northwest of Artesia, New Mexico. This application will be set for hearing before a Division Examiner on June

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

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