

AFFIDAVIT OF PUBLICATION

State of New Mexico,
County of Lea.

I, KATHI BEARDEN

Publisher

of the Hobbs News-Sun, a
newspaper published at
Hobbs, New Mexico, do solemnly
swear that the clipping attached
hereto was published once a
week in the regular and entire
issue of said paper, and not a
supplement thereof for a period.

of 1
_____ weeks.

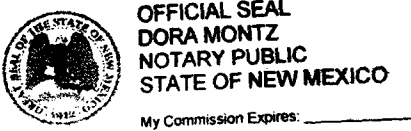
Beginning with the issue dated
November 29 2006
and ending with the issue dated
November 29 2006

Kathi Bearden
Publisher

Sworn and subscribed to before
me this 29th day of

November 2006
[Signature]
Notary Public.

My Commission expires
February 07, 2009
(Seal)



This newspaper is duly qualified
to publish legal notices or adver-
tisements within the meaning of
Section 3, Chapter 167, Laws of
1937, and payment of fees for
said publication has been made.

LEGAL NOTICE
November 29, 2006

To: Judith A. Bench a/k/a Judith A. Moseley Bench and De-
borah Bench a/k/a Deborah Smith: Pride Energy Company
has filed an application with the New Mexico Oil Conserva-
tion Division (Case No. 13,825), seeking an order pooling
all mineral interests from the surface to the base of the Per-
mo Pennsylvanian formation underlying the following descri-
bed acreage in Section 9, Township 11 South, Range 33
East, NMPM, Lea County, New Mexico: The N/2NE/4 to
form a standard 80 acre oil spacing and proration unit for all
formations developed on 80 acre spacing within that vertical
extent, including the North Bagley-Permo Pennsylvanian
Pool and the NE/4NE/4 to form a standard 40-acre oil
spacing and proration unit for all formations developed on
40 acre spacing within that vertical extent. The units will be
dedicated to the plugged and abandoned Bagley Well No.
1, located 560 feet from the north and east lines of Section
9, which will be re-entered to test the North Bagley-Permo
Pennsylvanian Pool. In the event the re-entry of the Bagley
Well No. 1 is not successful, the units will be dedicated to
the Bagley Well No. 3, to be drilled at an orthodox location
in the N. NE. of Section 9 to test the North Bagley-Permo
Pennsylvanian Pool. Also to be considered will be the cost
of re-entering or drilling and completing the well and the al-
location 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 in-
volved in re-entering or drilling and completing the well.
The application is scheduled to be heard at 8:15 a.m. on
Wednesday, December 13, 2006 at the Division's offices at
1220 South St. Francis Drive, Santa Fe, New Mexico
87505. As an interest owner in the well unit you have the
right to enter an appearance and participate in the case.
Failure to appear will preclude you from contesting this mat-
ter at a later date. The units are located approximately 5-
1/2 miles east-southeast of Caprock, New Mexico.
#22805

Oil Conservation Division
Case No. 13,824+13,825
Exhibit No. 5

01101711000 02590133
JAMES BRUCE
P.O. BOX 1056
SANTA FE, NM 87504