

EXHIBIT #5
AFFIDAVIT OF PUBLICATION

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Ad No. 55841

STATE OF NEW MEXICO
County of San Juan:

BOB WALLER, being duly sworn says: That he is the CLASSIFIED MANAGER of THE DAILY TIMES, a daily newspaper of general circulation published in English at Farmington, said county and state, and that the hereto attached Legal Notice was published in a regular and entire issue of the said DAILY TIMES, a daily newspaper duly qualified for the purpose within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico for publication and appeared in the Internet at The Daily Times web site on the following day(s):

Wednesday, October 24, 2007

And the cost of the publication is \$87.21

ON 11/5/07 BOB WALLER appeared before me, whom I know personally to be the person who signed the above document.

Wynell Corey
My Commission Expires November 17, 2008

COPY OF PUBLICATION

To: Ted M. White and his wife Mary Jean White, Judith Chandler, Lewis Chandler, Individually and as Trustee of the R. Lewis Chandler Trust, and their successors and assigns: Synergy Operating, 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 Pictured Cliffs formation underlying Lots 6-8, NE/4SW/4, and SE/4 (the S/2) of Section 10, Township 29 North, Range 12 West, NMPM, San Juan County, New Mexico, and in the following manner: The S/2 to form a standard 321.42 acre gas spacing and proration unit for all pools or formations developed on 320.00 acre spacing, including the Basin-Fruitland Coal Gas Pool, and Lots 6-8 and NE/4SW/4 (the SW/4) to form a nonstandard 161.42 acre gas spacing and proration unit for all pools or formations developed on 160 acre spacing, including the Fulcher Kutz-Pictured Cliffs Gas Pool. The units are to be dedicated to the Beck 29-12-10 Well No. 108, to be located at an orthodox location in the SW/4 of Section 10. Also to be considered will be the costs of drilling and completing the wells and the allocation of the costs thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the wells, and a 200% charge for the risk involved in drilling and completing the wells. The application is scheduled to be heard at 8:15 a.m. on November 29, 2007 at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. As an interest owner in the well units 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 units are located approximately one mile west of Farmington, New Mexico.

Legal No. 55841 published in The Daily Times, Farmington, New Mexico on Wednesday October 24, 2007

