

**STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION**

**APPLICATION OF OGX RESOURCES LLC  
FOR APPROVAL OF A NON-STANDARD OIL  
SPACING AND PRORATION UNIT AND  
COMPULSORY POOLING, LEA COUNTY,  
NEW MEXICO.**

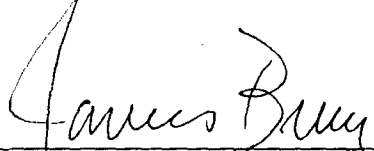
**Case No. 14,639**

**AFFIDAVIT OF NOTICE**

COUNTY OF SANTA FE     )  
                                      ) ss.  
STATE OF NEW MEXICO    )

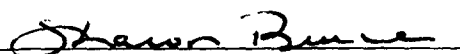
James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for OGX Resources LLC.
3. OGX Resources LLC has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the application filed herein.
4. Notice of the application was provided to the interest owners, at their correct addresses, by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Exhibit 1.
5. Applicant has complied with the notice provisions of Division Rules NMAC 19.15.4.9 and 19.15.4.12.C.

  
James Bruce

SUBSCRIBED AND SWORN TO before me this 27<sup>th</sup> day of April, 2011 by James Bruce.

My Commission Expires: 3/14/13

  
Notary Public

Oil Conservation Division  
Case No. 14639  
Exhibit No. 5

**JAMES BRUCE**  
ATTORNEY AT LAW

POST OFFICE BOX 1056  
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213  
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)  
(505) 660-6612 (Cell)  
(505) 982-2151 (Fax)

[jamesbruc@aol.com](mailto:jamesbruc@aol.com)

April 7, 2011

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is an application for compulsory pooling and a non-standard unit, filed with the New Mexico Oil Conservation Division by OGX Resources LLC, regarding the E½E½ of Section 24, Township 26 South, Range 28 East, N.M.P.M., Eddy County, New Mexico.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, April 28, 2011, in Porter Hall at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by the application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting this matter at a later date.

A party appearing in a Division case is required by Division Rules to file a Pre-Hearing Statement no later than Thursday, April 21, 2011. This statement must be filed with the Division's Santa Fe office at the above address, and should include: The names of the party and its attorney; a concise statement of the case; the names of the witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned.

Very truly yours,



James Bruce

Attorney for OGX Resources LLC

EXHIBIT 1

EXHIBIT A

COG Operating LLC  
Concho Oil & Gas LLC  
2208 West Main Street  
Artesia, New Mexico 88210

Mitchel E. Cheney  
P.O. Box 570083  
Houston, Texas 77257

Christina Speidel Fowlkes  
Christopher C. Fowlkes  
404 Glenosa  
El Paso, Texas 79928

Frank Blow Fowlkes  
316 Granda Avenue  
El Paso, Texas 79912

Janet Renee Fowlkes Murrey  
P.O. Box 23416  
Waco, Texas 76702

Trey Fowlkes  
P.O. Box 23416  
Waco, Texas 76702

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Janet Renee Fowlkes Murrey  
P.O. Box 23416  
Waco, Texas 76702

2. Article Number

(Transfer from service label)

7010 3090 0000 2343 1669

PS Form 3811, February 2004

Domestic Return Receipt

OGX 11-24

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☒ Agent☐ Addressee

B. Received by (Printed Name)

J. Fowlkes

C. Date of Delivery

4-18-11

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☒ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Christina Speidel Fowlkes  
Christopher C. Fowlkes  
404 Glenosa  
El Paso, Texas 79928

2. Article Number

(Transfer from service label)

7010 3090 0000 2343 1645

PS Form 3811, February 2004

Domestic Return Receipt

OGX 11-24

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

Chris Fowlkes

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

COG Operating LLC  
Concho Oil & Gas LLC  
2208 West Main Street  
Artesia, New Mexico 88210

2. Article Number

(Transfer from service label)

7010 3090 0000 2343 1621

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

Jamie Forlines

C. Date of Delivery

4-11-11

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mitchel E. Cheney  
P.O. Box 570083  
Houston, Texas 77257

2. Article Number

(Transfer from service label)

7010 3090 0000 2343 1638

PS Form 3811, February 2004

Domestic Return Receipt

OGC M-24

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Mitch Cheney*☐ Agent☒ Addressee

B. Received by (Printed Name)

Mitch Cheney

C. Date of Delivery

4-19-2011

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Trey Fowlkes  
P.O. Box 23416  
Waco, Texas 76702

2. Article Number

(Transfer from service label)

7010 3090 0000 2343 1676

PS Form 3811, February 2004

Domestic Return Receipt

OGC M-24

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Trey Fowlkes*☒ Agent☒ Addressee

B. Received by (Printed Name)

Trey Fowlkes

C. Date of Delivery

4-18-11

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Frank Blow Fowlkes  
316 Granda Avenue  
El Paso, Texas 79912

2. Article Number

(Transfer from service label)

7010 3090 0000 2343 1652

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Frank Fowlkes*☐ Agent☒ Addressee

B. Received by (Printed Name)

Frank Fowlkes

C. Date of Delivery

4-11-11

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes