BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF CONCHO RESOURCES INC. FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO. **Case No. 12674**

AFFIDAVIT REGARDING NOTICE

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

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 set forth herein.

2. I am an attorney for Applicant.

3. Applicant 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 A.

5. Applicant has complied with the notice provisions of Division Rule 1207.

James Bruce

SUBSCRIBED AND SWORN TO before me this 8th day of August, 2001, by James Bruce.

Notary Public

My Commission Expires:
3/14/01

OIL CONSERVATION DIVISION

CASE NUMBER _____

EXHIBIT 5

JAMES BRUCE
ATTORNEY AT LAW

POST OFFICE BOX 1056
SANTA FE, NEW MEXICO 87504

3304 CAMINO LISA
HYDE PARK ESTATES
SANTA FE, NEW MEXICO 87501

(505) 982-2043
(505) 982-2151 (FAX)

May 3, 2001

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Caroline Howell Lee
P.O. Box 7427
Jackson Hole, Wyoming 83002

Virginia Collier Howell
2524 Long Avenue
Beaumont, Texas 77702

Charles A. Howell, Jr.
2524 Long Avenue
Beaumont, Texas 77702

Ladies and Gentlemen:

Enclosed is an application for compulsory pooling, filed with the New Mexico Oil Conservation Division by Concho Resources, Inc., regarding the S½ of Section 32, Township 18 South, Range 24 East, N.M.P.M., Eddy County, New Mexico. This matter has been set for hearing at 8:15 a.m. on Thursday, May 31, 2001 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 hearing. Failure to appear at the hearing will preclude you from contesting this matter at a later date.

Very truly yours,

James Bruce

James Bruce

Attorney for Concho Resources, Inc.

cc: Robert Wade w/encl.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 1670 0012 3768 6127

Postage	$ .55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 3.95

Postmark Here

Sent To: Robert Wade
Street, Apt. No., or PO Box: 650 North 9th Street
City, State, ZIP+4: Beaumont, Texas 77002

PS Form 3800, ... See Reverse for Instructions

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:

Virginia Collier Howell
2524 Long Avenue
Beaumont, Texas 77702

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly): Lizzie Hall — B. Date of Delivery: 5/7

C. Signature: x Lizzie Howell — ☐ Agent ☐ Addressee

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

2. Article Number (Copy from service label) 7000 0600 0024 3122 7660

PS Form 3811, July 1999 — Domestic Return Receipt — 102595-00-M-0952

CONCHO

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:

Robert Wade
650 North 9th Street
Beaumont, Texas 77002

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly): — B. Date of Delivery: 5-7-01

C. Signature: x [signature] — ☐ Agent ☐ Addressee

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

2. Article Number (Copy from service label) 7000 1670 0012 3768 6127

PS Form 3811, July 1999 — Domestic Return Receipt — 102595-00 M-0952

CONCA

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0600 0024 3122 7660

Postage	$ 0.55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 3.95

Postmark Here: SANTA FE NM 87501 — 3 — 2001 — USPS

Recipient's Name (Please Print Clearly) (to be completed by mailer): Virginia Collier Howell
Street, Apt. No., or PO Box: 2524 Long Avenue
City, State, ZIP+4: Beaumont, Texas 77702

PS Form 3800, February 2000 ... See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0600 0024 3122 7677

Postage	$ .55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 3.95

SANTA FE NM 87501 MAY 3 2001 USPS Postmark Here

Recipient's Name (Please Print Clearly) (to be completed by mailer)
Caroline Howell Lee
Street, Apt. No.; or
P.O. Box 7427
Jackson Hole, Wyoming 83002
City, State, ZIP+4

PS Form 3800, February 2000 — See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, & 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:

Charles A. Howell, Jr.
2524 Long Avenue
Beaumont, Texas 77702

COMPLETE THIS SECTION ON DELIVERY

A. Received by *(Please Print Clearly)* Lizzie Howell — B. Date of Delivery 5/7

C. Signature
X Lizzie Howell ☐ Agent ☐ Addressee

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

2. Article Number *(Copy from service label)*
7000 0600 0024 3122 7684

PS Form 3811, July 1999 — Domestic Return Receipt — 102595-00-M-0952

CONCH

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, & 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:

Caroline Howell Lee
P.O. Box 7427
Jackson Hole, Wyoming 83002

COMPLETE THIS SECTION ON DELIVERY

A. Received by *(Please Print Clearly)* — B. Date of Delivery 5-8-01

C. Signature
X Caroline Howell Lee ☐ Agent ☑ Addressee

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

2. Article Number *(Copy from service label)*
7000 0600 0024 3122 7677

PS Form 3811, July 1999 — Domestic Return Receipt — CONCH — 102595-00-M-0952

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0600 0024 3122 7684

Postage	$ .55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 3.95

SANTA FE NM 87501 MAY 3 2001 USPS Postmark Here

Recipient's Name (Please Print Clearly) (to be completed by mailer)
Charles A. Howell, Jr.
Street, Apt. No.; or PO
2524 Long Avenue
City, State, ZIP+4
Beaumont, Texas 77702

PS Form 3800, February 2000 — See Reverse for Instructions