

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

**APPLICATION OF EXCO RESOURCES, INC.  
FOR COMPULSORY POOLING, CHAVEZ COUNTY, NEW  
MEXICO; ROSE FEDERAL WELL NO. 16.**

**CASE NO. 12702**

**AFFIDAVIT**

STATE OF NEW MEXICO )

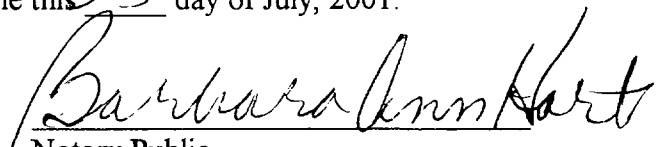
) ss.

COUNTY OF SANTA FE )

Michael H. Feldewert, attorney in fact and authorized representative of Exco Resources, Inc., applicant herein, being first duly sworn, upon oath, states that notice has been given to all interested persons entitled to receive notice of this application under Oil Conservation Division rules, and that notice has been given at the addresses shown on Exhibit "A" attached hereto.

  
Michael H. Feldewert

SUBSCRIBED AND SWORN to before me this 25<sup>th</sup> day of July, 2001.

  
Notary Public

My Commission Expires: 3/28/04

BEFORE THE OIL CONSERVATION DIVISION  
Santa Fe, New Mexico  
Case No. 12700/12701/12702 Exhibit No. 5  
Submitted by:  
Exco Resources, Inc.  
Hearing Date: July 26, 2001

**EXHIBIT A.**

**APPLICATION OF EXCO RESOURCES, INC. FOR COMPLUSORY POOLING  
CHAVEZ COUNTY, NEW MEXICO.**

Eland Energy, Inc.  
8150 North Central Expressway, Suite 400  
Dallas, TX 75206  
Attn. Mr. Kyle Wood

Providence Energy Corporation  
c/o Eland Energy, Inc.  
8150 North Central Expressway, Suite 400  
Dallas, TX 75206  
Attn. Mr. Kyle Wood

● HOLLAND & HART<sup>LLP</sup> ●  
and  
CAMPBELL & CARR

ATTORNEYS AT LAW

DENVER • ASPEN  
BOULDER • COLORADO SPRINGS  
DENVER TECH CENTER  
BILLINGS • BOISE • CASPER  
CHEYENNE • JACKSON HOLE  
SALT LAKE CITY • SANTA FE  
WASHINGTON, D.C.

P.O. BOX 2208  
SANTA FE, NEW MEXICO 87504-2208  
110 NORTH GUADALUPE, SUITE 1  
SANTA FE, NEW MEXICO 87501-6525

TELEPHONE (505) 968-4421  
FACSIMILE (505) 963-6043

Michael H. Feldewert

mfeldewert@hollandhart.com

July 5, 2001

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Eland Energy, Inc.  
8150 North Central Expressway, Suite 400  
Dallas, TX 75206  
Attn. Mr. Kyle Wood

Providence Energy Corporation  
c/o Eland Energy, Inc.  
8150 North Central Expressway, Suite 400  
Dallas, TX 75206  
Attn. Mr. Kyle Wood

**Re: Application of Exco Resources, Inc. for Compulsory Pooling,  
Chavez County, New Mexico; Rose Federal Well No. 16**

Ladies and Gentlemen:

This letter is to advise you that Exco Resources, Inc. has filed the enclosed application with the New Mexico Oil Conservation Division. This application has been set for hearing before a Division Examiner on July 26, 2001. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 1208.B to file a Prehearing Statement three days in advance of a scheduled hearing. This statement must include: the name of the party and its attorney; a concise statement of the case; the names of all 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 are to be resolved prior to the hearing.

Very truly yours,



Michael H. Feldewert

MHF/ras  
Enc.

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

Postage \$ .57  
Certified Fee 2.10  
Return Receipt Fee (Endorsement Required) 1.50  
Restricted Delivery Fee (Endorsement Required)  
Total Postage & Fees \$ 4.17

Postmark Here  
JUL 5 2001  
USPS

Eland Energy, Inc.  
8150 North Central Expressway, Suite 400  
Dallas, TX 75206  
Attn. Mr. Kyle Wood

PS Form 3800, February 2000

PLACE STICKER AT TOP OF ENVELOPE  
TO THE RIGHT OF RETURN ADDRESS.  
FOLD AT BOTTOM LINE

**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:

Eland Energy, Inc.  
8150 North Central Expressway, Suite 400  
Dallas, TX 75206  
Attn. Mr. Kyle Wood

A. Received by (Please Print Clearly) B. Date of Delivery  
7/9/01  
C. Signature  
X Agent  
X Addressee  
D. Is delivery address different from item 1? Yes No  
If YES, enter delivery address below:

3. Service Type  
X Certified Mail  
Registered  
Insured Mail  
Express Mail  
Return Receipt for Merchandise  
C.O.D.  
4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number (Copy from service label) 7000 0600 0024 3129 3856  
Domestic Return Receipt  
PS Form 3811, July 1999  
102595-99-M-1789

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

Postage \$ .57  
Certified Fee 2.10  
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Postmark Here  
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Providence Energy Corporation  
c/o Eland Energy, Inc.  
8150 North Central Expressway, Suite 400  
Dallas, TX 75206  
Attn. Mr. Kyle Wood

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Providence Energy Corporation  
c/o Eland Energy, Inc.  
8150 North Central Expressway, Suite 400  
Dallas, TX 75206  
Attn. Mr. Kyle Wood

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery  
A. GATE 7/9/01  
C. Signature  
X Agent  
X Addressee  
D. Is delivery address different from item 1? Yes No  
If YES, enter delivery address below:

3. Service Type  
X Certified Mail  
Registered  
Insured Mail  
Express Mail  
Return Receipt for Merchandise  
C.O.D.  
4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number (Copy from service label) 7000 0600 0024 3129 3824