

**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)

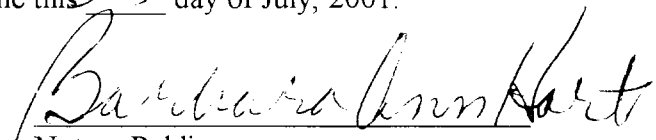
) ss.

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 28th 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^{LLP} ●
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) 988-4421
FACSIMILE (505) 983-6043

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

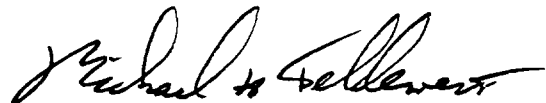
**Re: Application of Exco Resources, Inc. for Compulsory Pooling,
Chavez County, New Mexico; Rose Federal Well No. 16**

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.

7000 0600 0024 3129 3856

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

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

PS Form 3800, February 2000

See Reverse for Instructions

7000 0600 0024 3129 3825

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

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

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:

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

2. Article Number (Copy from service label)

7000 0600 0024 3129 3825

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

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

2. Article Number (Copy from service label)

7000 0600 0024 3129 3856

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

A. Received by (Please Print Clearly)	B. Date of Delivery
<i>A. CATE</i>	<i>7/9/01</i>
C. Signature	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
<i>[Signature]</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
D. Is delivery address different from item 1? If YES, enter delivery address below:	

3. Service Type	<input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured Mail	<input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee)	<input type="checkbox"/> Yes <input type="checkbox"/> 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