

TAP ROCK OPERATING, LLC

523 PARK POINT DRIVE, SUITE 200 - GOLDEN, COLORADO 80401

MICHAEL RODRIGUEZ – ATTORNEY  
MDRODRIGUEZ@TAPRK.COM

May 10, 2022

**VIA ONLINE FILING**

Adrienne Sandoval  
Oil Conservation Division  
New Mexico Department of Energy,  
Minerals and Natural Resources  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

**Re: Tap Rock Operating, LLC**  
**Request for Administrative Approval of Unorthodox Well Location**

Cypress 33 Fed Com 242H well  
W/2 of Section 33, Township 23 South,  
Range 29 East, Eddy County, New Mexico  
Purple Sage; Wolfcamp (Gas) pool [98220]  
API No. 30-015-47863

Dear Ms. Sandoval:

Tap Rock Operating, LLC (OGRID No. 372043), pursuant to Division Rules 19.15.16.15(C)(6) and 19.15.15.13(C) – (D) NMAC and applicable rules governing acreage and well location requirements for the Purple Sage; Wolfcamp (Gas) pool [98220], seeks administrative approval of an unorthodox well location for its Cypress 33 Fed Com 242H well (API No. 30-015-47863) (“Well”), in a 320-acre, more or less, horizontal spacing unit underlying the W/2 of Section 33, Township 23 South, Range 29 East, N.M.P.M., Eddy County, New Mexico.

The proposed surface and bottom hole locations and first and last take points are as follows:

|                       |                            |               |
|-----------------------|----------------------------|---------------|
| Surface location:     | 226 FNL, 1314 FWL (Unit D) | S33-T23S-R29E |
| First take point:     | 100 FNL, 2145 FWL (Unit D) | S33-T23S-R29E |
| Last take point:      | 100 FSL, 2145 FWL (Unit N) | S33-T23S-R29E |
| Bottom hole location: | 30 FSL, 2145 FWL (Unit N)  | S33-T23S-R29E |

Since this acreage is governed by the Division’s statewide rules, the completed interval for this well will be unorthodox because the first and last take points are closer (100 feet instead of 330 feet) than the standard offsets to the northern and southern boundaries of the spacing unit – thus encroaching on (1) the SW/4 of Section 28, Township 23 South, Range 29 East, and (2) the NW/4 of Section 4, Township 24 South, Range 29 East. Approval of the unorthodox, completed interval will increase the well’s effective lateral length by 460 feet, thereby increasing ultimate recovery of reserves and preventing waste of natural resources.

**Exhibit A** is a Form C-102 with attached plats showing the first take point of the proposed Well encroaches on the spacing unit/tracts to the north in the SW/4 of Section 28 and showing the last take point of the well encroaches on the spacing unit/tracts to the south in the NW/4 of Section 4.

**Exhibit B** is a plat for the W/2 of Section 33, the SW/4 of Section 28, and the NW/4 of Section 4 that shows the proposed Well in relation to adjoining spacing unit/tracts to the north and south. XTO Energy, Inc. is the operator of wells in the affected spacing unit to the north and OXY USA Inc. is the operator of the wells in the affected spacing unit to the south. Additionally, the United States owns the mineral estate or a part thereof in the affected spacing units. Accordingly, the “affected persons”<sup>1</sup> are XTO Energy, Inc., OXY USA Inc., and the United States Bureau of Land Management. **Exhibit C** contains waivers from XTO Energy, Inc. and OXY USA Inc. Therefore, notice only needs to be provided to the United States Bureau of Land Management.

**Exhibit D** is a listing of all affected persons and includes tracking information demonstrating that each of the affected persons has either executed a waiver or was sent a copy of this application with all attachments by certified mail advising that any objections must be filed in writing with the Division within 20 days from the date the Division receives the application. The following are the affected parties:

| Type                              | Affected Party                                | Location(s)                | Notice Required?      |
|-----------------------------------|---|----------------------------|-----------------------|
| Operator/<br>Working Interest     | XTO Energy, Inc.                              | SW/4 of Section 28         | No – executed waiver. |
| Operator/<br>Working Interest     | OXY USA Inc.                                  | NW/4 of Section 4          | No – executed waiver. |
| Federal/State<br>Mineral Interest | United States<br>Bureau of Land<br>Management | SW/4,<br>NW/4 of Section 4 | Yes.                  |

Your attention to this matter is appreciated.

Sincerely,

/s/ Michael Rodriguez  
Michael Rodriguez  
ATTORNEY FOR  
TAP ROCK OPERATING, LLC

---

<sup>1</sup> See NMAC §§ 19.15.2.7.A(8) and 19.15.4.12.A(2)(a).

NSL - 8361

Revised March 23, 2017

|                    |               |           |                        |
|--------------------|---------------|-----------|------------------------|
| RECEIVED: 05/11/22 | REVIEWER: LRL | TYPE: NSL | APP NO: pLEL2213858069 |
|--------------------|---------------|-----------|------------------------|

ABOVE THIS TABLE FOR OCD DIVISION USE ONLY

NEW MEXICO OIL CONSERVATION DIVISION  
 - Geological & Engineering Bureau -  
 1220 South St. Francis Drive, Santa Fe, NM 87505



## ADMINISTRATIVE APPLICATION CHECKLIST

THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE

Applicant: Tap Rock Operating, LLC OGRID Number: 372043  
 Well Name: Cypress 33 Fed Com 242H API: 30-015-47863  
 Pool: Purple Sage; Wolfcamp (Gas) pool Pool Code: 98220

SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED BELOW

## 1) TYPE OF APPLICATION: Check those which apply for [A]

A. Location - Spacing Unit - Simultaneous Dedication

☒ NSL☐ NSP (PROJECT AREA)☐ NSP (PRORATION UNIT)☐ SD

B. Check one only for [ I ] or [ II ]

[ I ] Commingling - Storage - Measurement

☐ DHC☐ CTB☐ PLC☐ PC☐ OLS☐ OLM

[ II ] Injection - Disposal - Pressure Increase - Enhanced Oil Recovery

☐ WFX☐ PMX☐ SWD☐ IPI☐ EOR☐ PPR

## 2) NOTIFICATION REQUIRED TO: Check those which apply.

A. ☒ Offset operators or lease holdersB. ☐ Royalty, overriding royalty owners, revenue ownersC. ☐ Application requires published noticeD. ☐ Notification and/or concurrent approval by SLOE. ☒ Notification and/or concurrent approval by BLMF. ☐ Surface ownerG. ☒ For all of the above, proof of notification or publication is attached, and/or,H. ☐ No notice required

## FOR OCD ONLY

☐ Notice Complete☐ Application  
Content  
Complete

3) CERTIFICATION: I hereby certify that the information submitted with this application for administrative approval is **accurate** and **complete** to the best of my knowledge. I also understand that **no action** will be taken on this application until the required information and notifications are submitted to the Division.

Note: Statement must be completed by an individual with managerial and/or supervisory capacity.

05/09/2022

Date

Michael Rodriguez

Print or Type Name

720-772-5092

Phone Number

Michael Rodriguez  
 Signature

mdrodriguez@taprk.com

e-mail Address

**Exhibit A**

District I  
1625 N. French Dr., Hobbs, NM 88240  
Phone: (575) 393-6161 Fax: (575) 393-0720  
District II  
811 S. First St., Artesia, NM 88210  
Phone: (575) 748-1283 Fax: (575) 748-9720  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
Phone: (505) 334-6178 Fax: (505) 334-6170  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM 87505  
Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico  
Energy, Minerals & Natural Resources  
Department  
OIL CONSERVATION DIVISION  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

FORM C-102

Revised August 1, 2011

Submit one copy to appropriate

District Office

☐ AMENDED REPORT
**WELL LOCATION AND ACREAGE DEDICATION PLAT**

|  |   |  |
|--|---|--|
| <sup>1</sup> API Number<br><b>30-015-47863</b> | <sup>2</sup> Pool Code<br><b>98220</b>                        | <sup>3</sup> Pool Name<br><b>Purple Sage Wolfcamp; Gas</b> |
| <sup>4</sup> Property Code                     | <sup>5</sup> Property Name<br><b>CYPRESS 33 FED COM</b>       | <sup>6</sup> Well Number<br><b>242H</b>                    |
| <sup>7</sup> OGRID No.<br><b>372043</b>        | <sup>8</sup> Operator Name<br><b>TAP ROCK OPERATING, LLC.</b> | <sup>9</sup> Elevation<br><b>3006'</b>                     |

<sup>10</sup>Surface Location

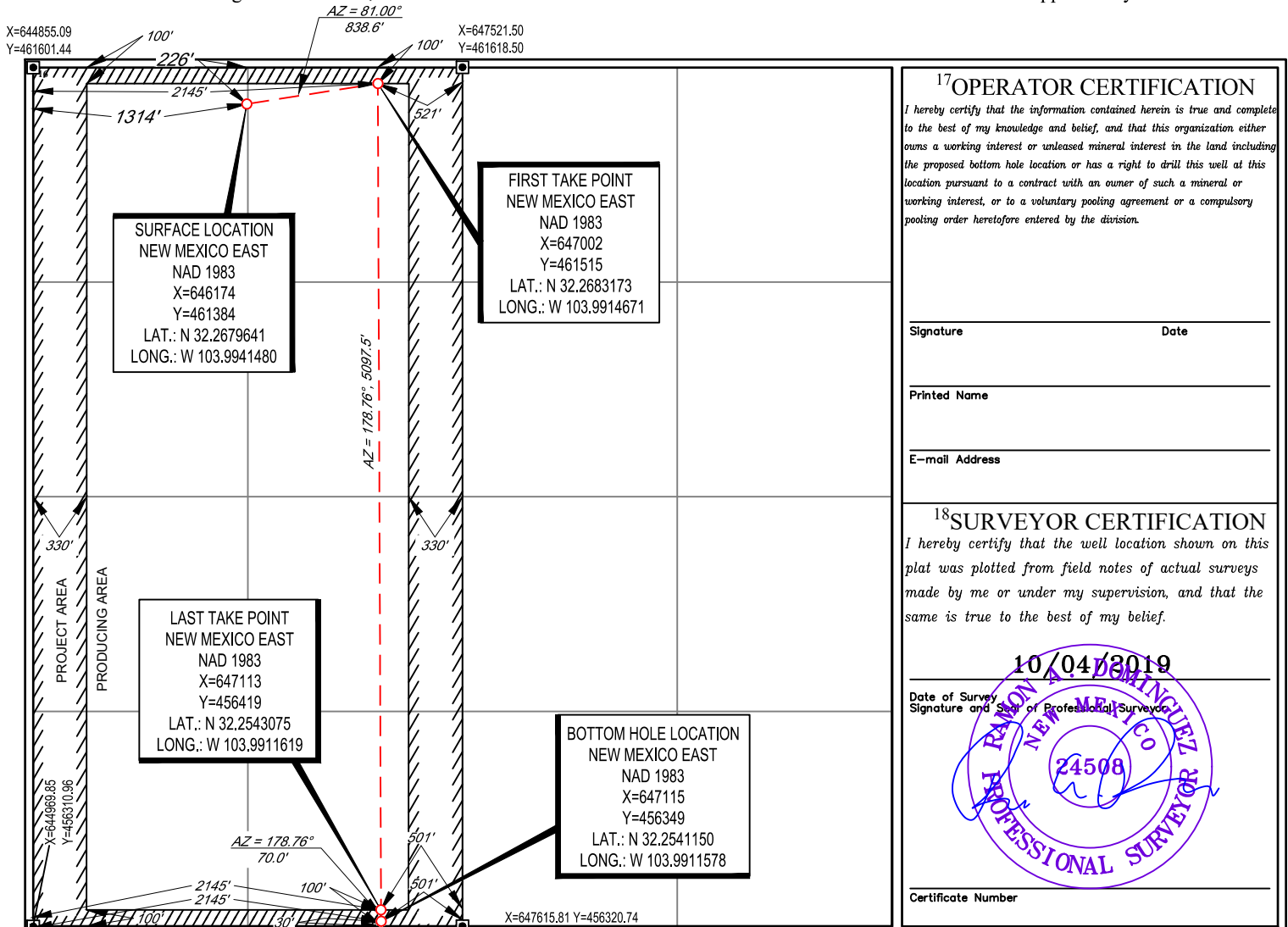
| UL or lot no. | Section   | Township    | Range       | Lot Idn  | Feet from the | North/South line | Feet from the | East/West line | County      |
|---------------|-----------|-------------|-------------|----------|---------------|------------------|---------------|----------------|-------------|
| <b>D</b>      | <b>33</b> | <b>23-S</b> | <b>29-E</b> | <b>-</b> | <b>226'</b>   | <b>NORTH</b>     | <b>1314'</b>  | <b>WEST</b>    | <b>EDDY</b> |

<sup>11</sup>Bottom Hole Location If Different From Surface

| UL or lot no. | Section   | Township    | Range       | Lot Idn  | Feet from the | North/South line | Feet from the | East/West line | County      |
|---------------|-----------|-------------|-------------|----------|---------------|------------------|---------------|----------------|-------------|
| <b>N</b>      | <b>33</b> | <b>23-S</b> | <b>29-E</b> | <b>-</b> | <b>30'</b>    | <b>SOUTH</b>     | <b>2145'</b>  | <b>WEST</b>    | <b>EDDY</b> |

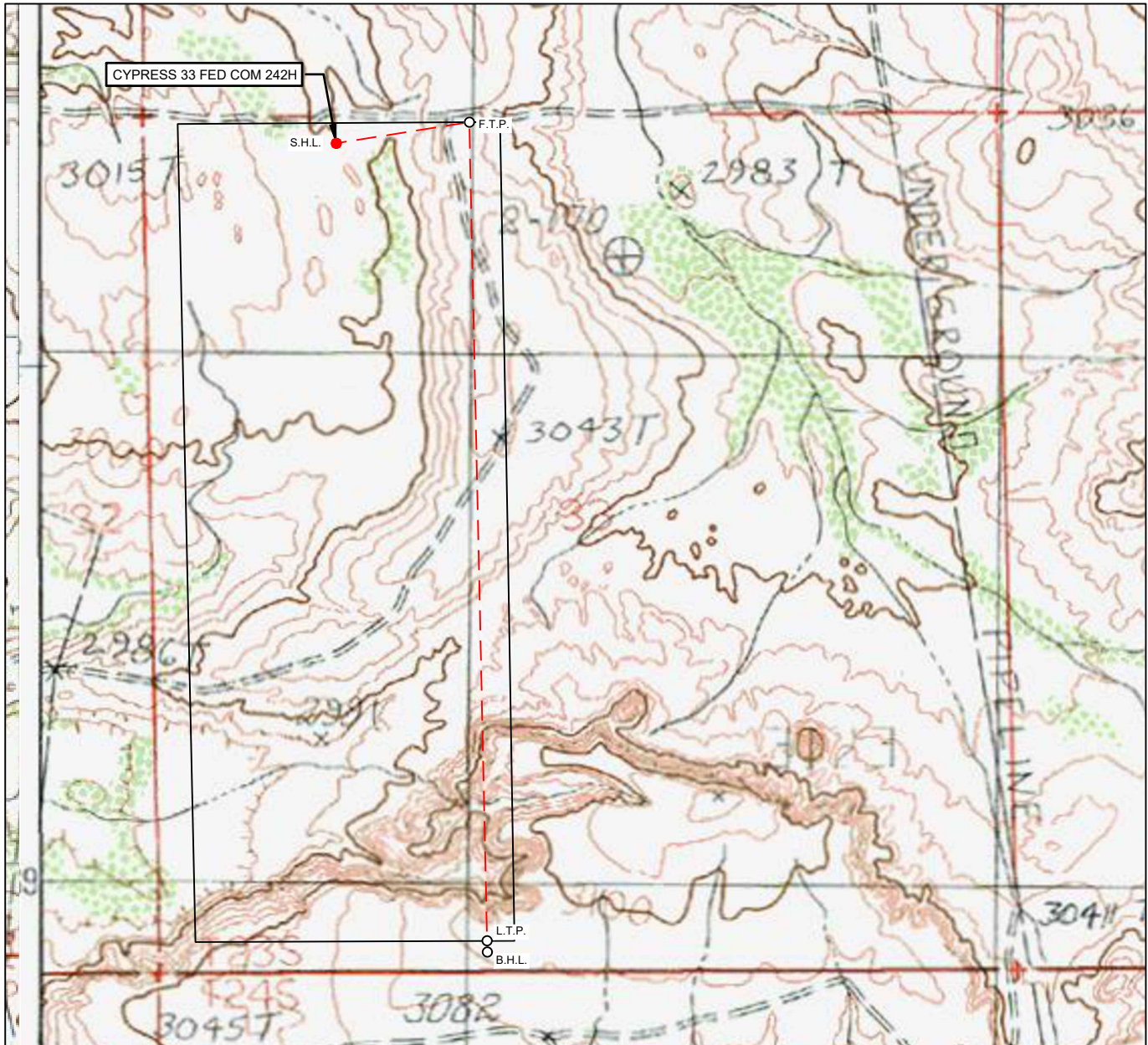
|  |                               |                                  |                         |
|--|-------------------------------|----------------------------------|-------------------------|
| <sup>12</sup> Dedicated Acres<br><b>320.00</b> | <sup>13</sup> Joint or Infill | <sup>14</sup> Consolidation Code | <sup>15</sup> Order No. |
|--|-------------------------------|----------------------------------|-------------------------|

No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.





## LOCATION &amp; ELEVATION VERIFICATION MAP

LEASE NAME & WELL NO.: CYPRESS 33 FED COM 242H

SECTION 33 TWP 23-S RGE 29-E SURVEY N.M.P.M.  
 COUNTY EDDY STATE NM ELEVATION 3006'  
 DESCRIPTION 226' FNL & 1314' FWL

LATITUDE N 32.2679641 LONGITUDE W 103.9941480

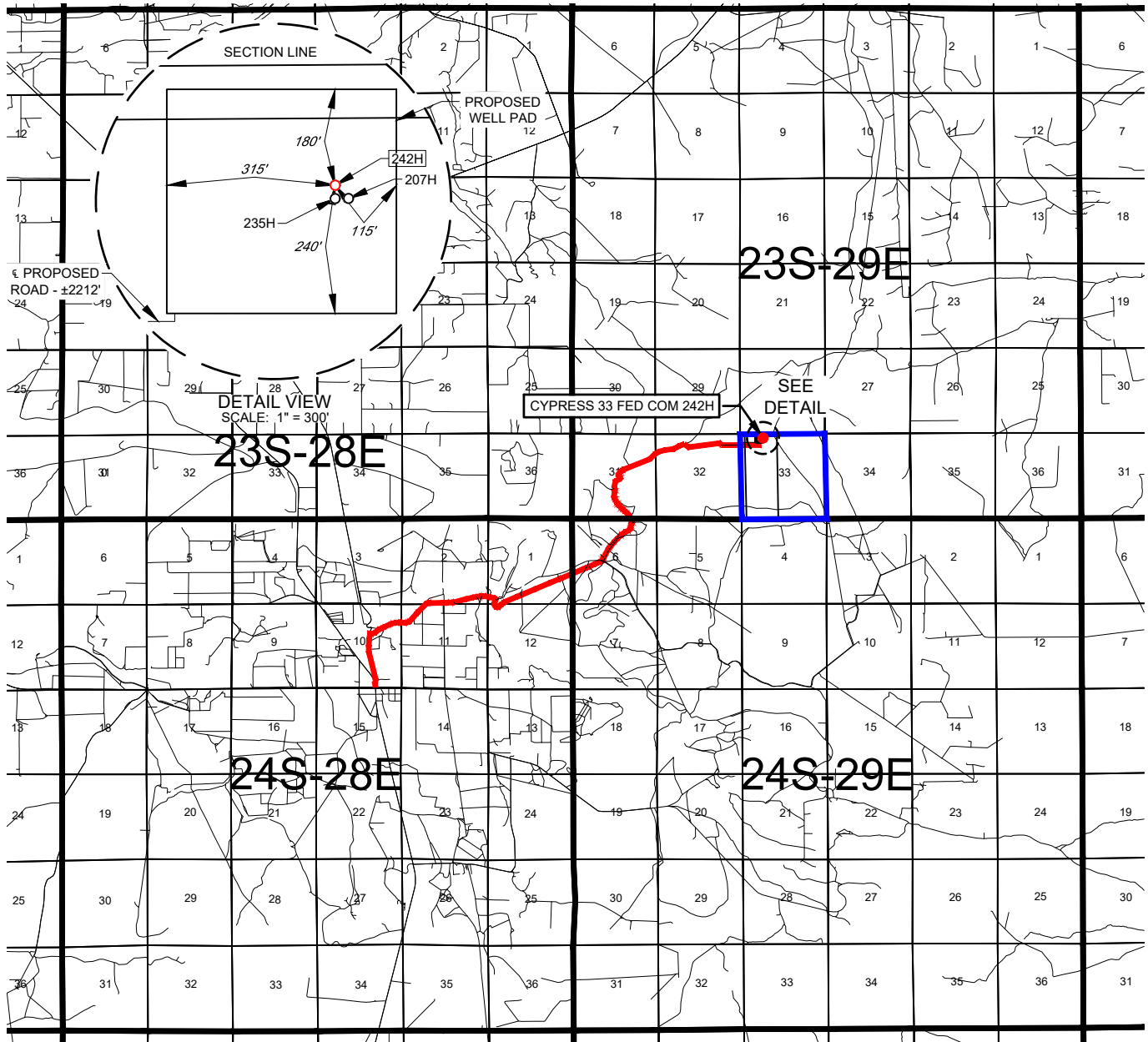
SCALE: 1" = 1000'  
 0' 500' 1000'

THIS EASEMENT/SERVITUDE LOCATION SHOWN HEREON HAS BEEN SURVEYED ON THE GROUND UNDER MY SUPERVISION AND PREPARED ACCORDING TO THE EVIDENCE FOUND AT THE TIME OF SURVEY, AND DATA PROVIDED BY TAP ROCK OPERATING, LLC. THIS CERTIFICATION IS MADE AND LIMITED TO THOSE PERSONS OR ENTITIES SHOWN ON THE FACE OF THIS PLAT AND IS NON-TRANSFERABLE. THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY.

ALL BEARINGS, DISTANCES, AND COORDINATE VALUES CONTAINED HEREON ARE GRID BASED UPON THE NEW MEXICO COORDINATE SYSTEM OF 1983, EAST ZONE, U.S. SURVEY FEET.



1400 EVERMAN PARKWAY, Ste. 146 • FT. WORTH, TEXAS 76140  
 TELEPHONE: (817) 744-7512 • FAX (817) 744-7554  
 2903 NORTH BIG SPRING • MIDLAND, TEXAS 79705  
 TELEPHONE: (432) 682-1653 OR (800) 767-1653 • FAX (432) 682-1743  
 WWW.TOPOGRAPHIC.COM

EXHIBIT 2  
VICINITY MAP

LEASE NAME &amp; WELL NO.: CYPRESS 33 FED COM 242H

SECTION 33 TWP 23-S RGE 29-E SURVEY N.M.P.M.  
 COUNTY EDDY STATE NM  
 DESCRIPTION 226' FNL & 1314' FWL

## DISTANCE &amp; DIRECTION

FROM INT. OF US-285, & NM-720, HEAD NORTH ON US-285 E ±295 FEET,  
 THENCE NORTH (RIGHT) ON ONSUREZ RD. ±0.6 MILES, THENCE EAST (RIGHT)  
 ON BRAMBLE RD. ±1.1 MILES, THENCE CONTINUING ON HARROUN RD. ± 2.0  
 MILES, THENCE NORTH (LEFT) ON A LEASE RD. ±2.9 MILES, THENCE SOUTH  
 (RIGHT) ON A LEASE RD. ±200 FEET, THENCE EAST (LEFT) ON PROPOSED RD.  
 ±2212 FEET, A POINT ±384 FEET SOUTHWEST OF THE LOCATION.

THIS EASEMENT/SERVITUDE LOCATION SHOWN HEREON HAS BEEN SURVEYED ON THE GROUND UNDER MY  
 SUPERVISION AND PREPARED ACCORDING TO THE EVIDENCE FOUND AT THE TIME OF SURVEY, AND DATA  
 PROVIDED BY TAP ROCK OPERATING, LLC. THIS CERTIFICATION IS MADE AND LIMITED TO THOSE PERSONS OR  
 ENTITIES SHOWN ON THE FACE OF THIS PLAT AND IS NON-TRANSFERABLE. THIS SURVEY IS CERTIFIED FOR THIS  
 TRANSACTION ONLY.

ALL BEARINGS, DISTANCES, AND COORDINATE VALUES CONTAINED HEREON ARE GRID BASED UPON THE NEW  
 MEXICO COORDINATE SYSTEM OF 1983, EAST ZONE, U.S. SURVEY FEET.



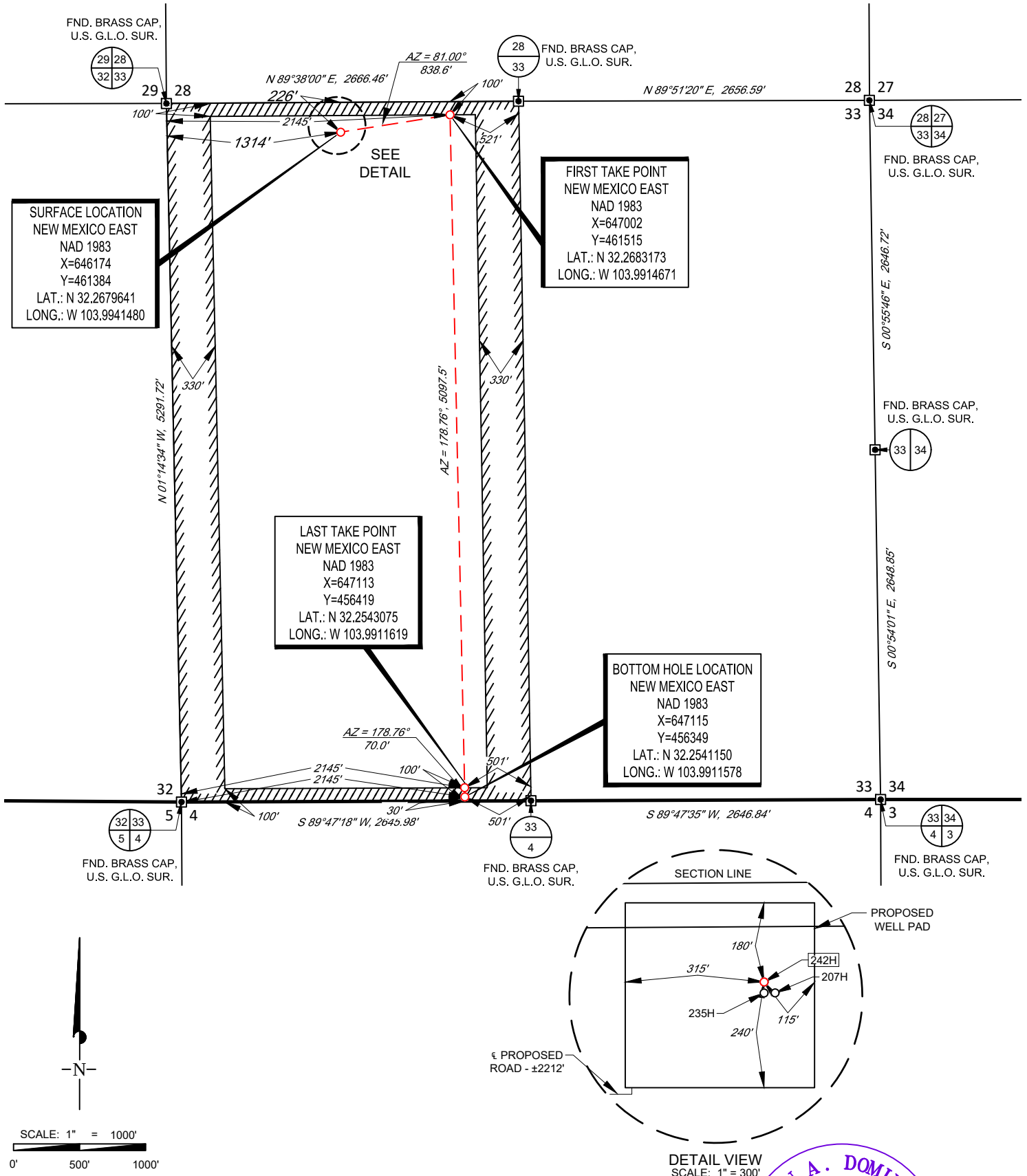
SCALE: 1" = 10000'  
 0' 5000' 10000'



1400 EVERMAN PARKWAY, Ste. 146 • FT. WORTH, TEXAS 76140  
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 2903 NORTH BIG SPRING • MIDLAND, TEXAS 79705  
 TELEPHONE: (432) 682-1653 OR (800) 767-1653 • FAX (432) 682-1743  
 WWW.TOPOGRAPHIC.COM

TAP  
ROCK  
EXHIBIT 2A

SECTION 33, TOWNSHIP 23-S, RANGE 29-E, N.M.P.M.  
EDDY COUNTY, NEW MEXICO

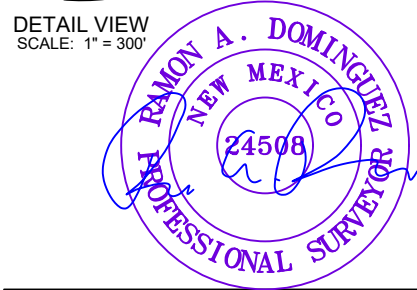


LEASE NAME & WELL NO.: CYPRESS 33 FED COM 242H

SECTION 33 TWP 23-S RGE 29-E SURVEY N.M.P.M.  
COUNTY EDDY STATE NM  
DESCRIPTION 226' FNL & 1314' FWL

DISTANCE & DIRECTION  
FROM INT. OF US-285, & NM-720, HEAD NORTH ON US-285 E ±295 FEET,  
THENCE NORTH (RIGHT) ON ONSUREZ RD. ±0.6 MILES, THENCE EAST (RIGHT)  
ON BRAMBLE RD. ±1.1 MILES, THENCE CONTINUING ON HARROUN RD. ± 2.0  
MILES, THENCE NORTH (LEFT) ON A LEASE RD. ±2.9 MILES, THENCE SOUTH  
(RIGHT) ON A LEASE RD. ±200 FEET, THENCE EAST (LEFT) ON PROPOSED RD.  
±2212 FEET, A POINT ±384 FEET SOUTHWEST OF THE LOCATION.

ALL BEARINGS, DISTANCES, AND COORDINATE VALUES CONTAINED HEREON ARE GRID  
BASED UPON THE NEW MEXICO COORDINATE SYSTEM OF 1983, EAST ZONE, U.S. SURVEY  
FEET.  
THIS EASEMENT/SERVITUDE LOCATION SHOWN HEREON HAS BEEN SURVEYED ON THE GROUND  
UNDER MY SUPERVISION AND PREPARED ACCORDING TO THE EVIDENCE FOUND AT THE TIME OF  
SURVEY, AND DATA PROVIDED BY TAP ROCK OPERATING, LLC THIS CERTIFICATION IS MADE AND  
LIMITED TO THOSE PERSONS OR ENTITIES SHOWN ON THE FACE OF THIS PLAT AND IS  
NON-TRANSFERABLE. THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY.



Ramon A. Dominguez, P.S. No. 24508  
February 15, 2022

**TOPOGRAPHIC**  
LOYALTY INNOVATION LEGACY  
1400 EVERMAN PARKWAY, Ste. 146 • FT. WORTH, TEXAS 76140  
TELEPHONE: (817) 744-7512 • FAX (817) 744-7554  
2903 NORTH BIG SPRING • MIDLAND, TEXAS 79705  
TELEPHONE: (432) 682-1653 OR (800) 767-1653 • FAX (432) 682-1743  
WWW.TOPOGRAPHIC.COM



## EXHIBIT 2B



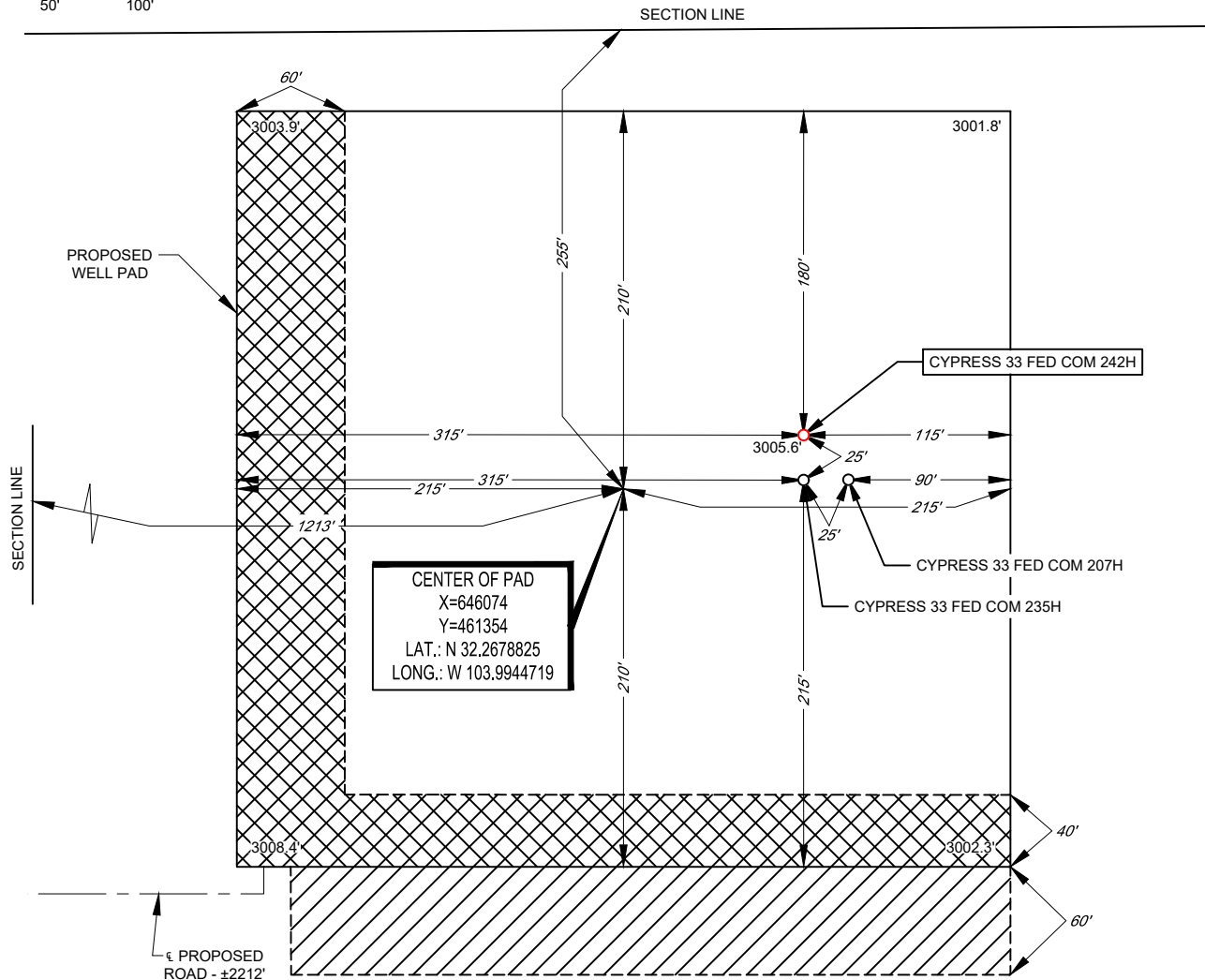
SECTION 33, TOWNSHIP 23-S, RANGE 29-E, N.M.P.M.  
EDDY COUNTY, NEW MEXICO

DETAIL VIEW  
SCALE: 1" = 100'

## LEGEND

|  |               |
|--|---------------|
|  | SECTION LINE  |
|  | PROPOSED ROAD |
|  | TOPSOIL       |
|  | RECLAMATION   |

SCALE: 1" = 100'  
0' 50' 100'



LEASE NAME & WELL NO.: CYPRESS 33 FED COM 242H

242H LATITUDE N 32.2679641 242H LONGITUDE W 103.9941480

CENTER OF PAD IS 255' FNL & 1213' FWL



Ramon A. Dominguez, P.S. No. 24508

February 15, 2022

ALL BEARINGS, DISTANCES, AND COORDINATE VALUES CONTAINED HEREON ARE GRID BASED UPON THE NEW MEXICO COORDINATE SYSTEM OF 1983, EAST ZONE, U.S. SURVEY FEET. ELEVATIONS USED ARE NAVD88, OBTAINED THROUGH AN OPUS SOLUTION.

THIS PROPOSED PAD SITE LOCATION SHOWN HEREON HAS BEEN SURVEYED ON THE GROUND UNDER MY SUPERVISION AND PREPARED ACCORDING TO THE EVIDENCE FOUND AT THE TIME OF SURVEY, AND DATA PROVIDED BY TAP ROCK OPERATING, LLC. ONLY THE DATA SHOWN ABOVE IS BEING CERTIFIED TO, ALL OTHER INFORMATION WAS INTENTIONALLY OMITTED. THIS PLAT IS ONLY INTENDED TO BE USED FOR A PERMIT AND IS NOT A BOUNDARY SURVEY. THIS CERTIFICATION IS MADE AND LIMITED TO THOSE PERSONS OR ENTITIES SHOWN ON THE FACE OF THIS PLAT AND IS NON-TRANSFERABLE. THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY.

ORIGINAL DOCUMENT SIZE: 8.5" X 11"



1400 EVERMAN PARKWAY, Ste. 146 • FT. WORTH, TEXAS 76140  
TELEPHONE: (817) 744-7512 • FAX (817) 744-7554  
2903 NORTH BIG SPRING • MIDLAND, TEXAS 79705  
TELEPHONE: (432) 682-1653 OR (800) 767-1653 • FAX (432) 682-1743  
WWW.TOPOGRAPHIC.COM



# Exhibit C

**From:** [Salinas, C R](#)  
**To:** [Matt Phillips](#)  
**Subject:** [EXTERNAL] RE: Tap Rock Cypress 33 W/2 Wells - NSL Waiver  
**Date:** Monday, March 7, 2022 3:10:49 PM  
**Attachments:** [image001.png](#)

---

[EXTERNAL] This email originated from outside your organization. Do not trust links or attachments.

Matt,  
XTO is agreeable to your request. Send over any documents pertaining to such (if needed) and we will execute.

Thanks and let me know if you have any questions.

C.R. Salinas  
Sr. Landman – Delaware Basin (Poker Lake)  
Land Dept. Loc. 115  
22777 Springwoods Village Parkway  
Spring, TX 77389  
O: 832-625-4370  
C: 720-879-4706  
[carlos.salinas@exxonmobil.com](mailto:carlos.salinas@exxonmobil.com)

---

**From:** Matt Phillips [mailto:[mphillips@taprk.com](mailto:mphillips@taprk.com)]  
**Sent:** Monday, March 7, 2022 4:03 PM  
**To:** Salinas, C R <[carlos.salinas@exxonmobil.com](mailto:carlos.salinas@exxonmobil.com)>  
**Subject:** Tap Rock Cypress 33 W/2 Wells - NSL Waiver

**External Email - Think Before You Click**

CR,

Pursuant to our prior telephone conversation, please allow this email to serve as notice that Tap Rock Operating, LLC intends to drill the following Wolfcamp wells at non-standard locations (100' setbacks for the FTP) encroaching on the SW/4 Section 28, Township 23 South, Range 29 East, Eddy County, New Mexico:

- Cypress 33 Fed Com #205H, #207H, #231H, #235H, #242H, #245H

We plan to spud the wells on March 31, 2022. If XTO is amenable to granting Tap Rock waivers for the above, we are willing to grant a reciprocal waiver for heel/toe encroachments of similar nature in the future.

Thank you,

**Matthew C. Phillips**  
Land Manager  
Direct: (720) 459-3724  
Cell: (432) 553-3272  
[mphillips@taprk.com](mailto:mphillips@taprk.com)



**From:** [Van Liew, Peter R](#)  
**To:** [Matt Phillips](#)  
**Subject:** [EXTERNAL] RE: Tap Rock Cypress 33 Wells - NSL Waiver  
**Date:** Friday, October 29, 2021 12:05:55 PM  
**Attachments:** [image001.png](#)

---

**[EXTERNAL] This email originated from outside your organization. Do not trust links or attachments.**

Matt,

Oxy is amenable to granting to waive any right to protest these NSLs so long as we receive a reciprocal waiver for our Heads development in Section 4. Feel free to confirm via email and let me know if you need anything else related to this request.

Sincerely,

**Peter R. Van Liew, RPL**

Senior Land Negotiator  
Occidental Petroleum Corporation  
5 Greenway Plaza, Suite 110  
Houston, Texas 77046  
713.985.6972 (o)  
832.627.6880 (c)

CONFIDENTIALITY NOTICE

The information in this e-mail may be confidential and/or privileged. This e-mail is intended for review only by the individual or organization named above. If you are not the intended recipient, you are hereby notified that any review, dissemination or copying of this e-mail or the information contained herein and in its attachments, if any, is prohibited. If you have received this e-mail in error, please immediately notify the sender by return e-mail and delete this e-mail from your system.

---

**From:** Matt Phillips <[mphillips@taprk.com](mailto:mphillips@taprk.com)>  
**Sent:** Friday, October 29, 2021 12:00 PM  
**To:** Van Liew, Peter R <[Peter\\_VanLiew@oxy.com](mailto:Peter_VanLiew@oxy.com)>  
**Subject:** [EXTERNAL] Tap Rock Cypress 33 Wells - NSL Waiver

**WARNING - This message is from an EXTERNAL SENDER - be CAUTIOUS,  
particularly with links and attachments.**

---

Peter,

Pursuant to our conversation this morning, please allow this email to serve as notice that Tap Rock Operating, LLC intends to drill the following wells at non-standard locations (100' setbacks for FTP and LTP) encroaching on the SW/4 & W/2SE/4 Section 28, T23S, R29E and N/2 Section 4, T24S, R29E:

- E/2 Section 33 (Northern and Southern encroachment): Cypress 33 Fed Com #206H, #246H, #233H, #243H, #213H
- E/2 Section 33 (Southern encroachment): Cypress 33 Fed Com #208H, #214H, #234H, #244H
- W/2 Section 33 (Northern and Southern encroachment): Cypress 33 Fed Com #205H, #207H, #211H, #212H, #231H, #232H, #235H, #241H, #245H, #242H

We plan to spud the E/2 wells starting in December of 2021 and the W/2 wells in April of 2022. If OXY is amenable to granting Tap Rock waivers for the above, we are willing to grant same for any upcoming OXY Heads development and will confirm via email upon request.

Thank you,

**Matthew C. Phillips**

Land Manager

Direct: (720) 459-3724

Cell: (432) 553-3272

[mphillips@taprk.com](mailto:mphillips@taprk.com)





# Exhibit D

## Cypress 33 Fed Com #205H, #207H, #231H, #235H, #242H, #245H Notice List

XTO Holdings, LLC  
22777 Springwoods Village Parkway  
Spring, TX 77389

OXY USA, Inc.  
5 Greenway Plaza, Suite 110  
Houston, TX 77046

OXY Y-1 Company  
P.O. Box 27570  
Houston, TX 77227

|  |                                  |
|--|----------------------------------|
| United States Bureau of Land Management<br>620 E Greene Street<br>Carlsbad, NM 88220 | Tracking #: 70220410000290643325 |
|--|----------------------------------|

|   |                                  |
|---|----------------------------------|
| United States Bureau of Land Management<br>301 Dinosaur Trail<br>Santa Fe, NM 87508 | Tracking #: 70220410000290643332 |
|---|----------------------------------|

TAP ROCK OPERATING, LLC  
MICHAEL RODRIGUEZ – ATTORNEY  
MDRODRIGUEZ@TAPRK.COM

523 PARK POINT DRIVE, SUITE 200 - GOLDEN, COLORADO 80401



May 10, 2022

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

**TO: ALL AFFECTED PARTIES**

**Re:** Tap Rock Operating, LLC  
Request for Administrative Approval of Unorthodox Well Locations for the following wells located in W/2 of Section 33, Township 23 South, Range 29 East, Eddy County, New Mexico, Purple Sage; Wolfcamp (Gas) pool [98220]:

|                              |                      |
|------------------------------|----------------------|
| Cypress 33 Fed Com 205H well | API No. 30-015-48295 |
| Cypress 33 Fed Com 207H well | API No. 30-015-48297 |
| Cypress 33 Fed Com 231H well | API No. 30-015-47871 |
| Cypress 33 Fed Com 235H well | API No. 30-015-47864 |
| Cypress 33 Fed Com 242H well | API No. 30-015-47863 |
| Cypress 33 Fed Com 245H well | API No. 30-015-47869 |

To whom it may concern:

Enclosed is a copy of the above-referenced applications which were filed with the New Mexico Oil Conservation Division on this date. Any objection to any of these applications must be filed in writing within twenty days from this date with the applicant and the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico, 87505. If no objection is received within this twenty-day period, these applications may be approved administratively by the Division.

If you have any questions about these applications, please contact the following:

Matt Phillips  
Tap Rock Operating, LLC  
(720) 459-3724  
mphillips@taprk.com

Sincerely,

/s/ Michael Rodriguez  
Michael Rodriguez  
ATTORNEY FOR  
TAP ROCK OPERATING, LLC

# Exhibit C

**From:** [Salinas, C R](#)  
**To:** [Matt Phillips](#)  
**Subject:** [EXTERNAL] RE: Tap Rock Cypress 33 W/2 Wells - NSL Waiver  
**Date:** Monday, March 7, 2022 3:10:49 PM  
**Attachments:** [image001.png](#)

---

[EXTERNAL] This email originated from outside your organization. Do not trust links or attachments.

Matt,  
XTO is agreeable to your request. Send over any documents pertaining to such (if needed) and we will execute.

Thanks and let me know if you have any questions.

C.R. Salinas  
Sr. Landman – Delaware Basin (Poker Lake)  
Land Dept. Loc. 115  
22777 Springwoods Village Parkway  
Spring, TX 77389  
O: 832-625-4370  
C: 720-879-4706  
[carlos.salinas@exxonmobil.com](mailto:carlos.salinas@exxonmobil.com)

---

**From:** Matt Phillips [mailto:[mphillips@taprk.com](mailto:mphillips@taprk.com)]  
**Sent:** Monday, March 7, 2022 4:03 PM  
**To:** Salinas, C R <[carlos.salinas@exxonmobil.com](mailto:carlos.salinas@exxonmobil.com)>  
**Subject:** Tap Rock Cypress 33 W/2 Wells - NSL Waiver

**External Email - Think Before You Click**

CR,

Pursuant to our prior telephone conversation, please allow this email to serve as notice that Tap Rock Operating, LLC intends to drill the following Wolfcamp wells at non-standard locations (100' setbacks for the FTP) encroaching on the SW/4 Section 28, Township 23 South, Range 29 East, Eddy County, New Mexico:

- Cypress 33 Fed Com #205H, #207H, #231H, #235H, #242H, #245H

We plan to spud the wells on March 31, 2022. If XTO is amenable to granting Tap Rock waivers for the above, we are willing to grant a reciprocal waiver for heel/toe encroachments of similar nature in the future.

Thank you,

**Matthew C. Phillips**  
Land Manager  
Direct: (720) 459-3724  
Cell: (432) 553-3272  
[mphillips@taprk.com](mailto:mphillips@taprk.com)





**From:** [Van Liew, Peter R](#)  
**To:** [Matt Phillips](#)  
**Subject:** [EXTERNAL] RE: Tap Rock Cypress 33 Wells - NSL Waiver  
**Date:** Friday, October 29, 2021 12:05:55 PM  
**Attachments:** [image001.png](#)

---

[EXTERNAL] This email originated from outside your organization. Do not trust links or attachments.

Matt,

Oxy is amenable to granting to waive any right to protest these NSLs so long as we receive a reciprocal waiver for our Heads development in Section 4. Feel free to confirm via email and let me know if you need anything else related to this request.

Sincerely,

**Peter R. Van Liew, RPL**

Senior Land Negotiator  
Occidental Petroleum Corporation  
5 Greenway Plaza, Suite 110  
Houston, Texas 77046  
713.985.6972 (o)  
832.627.6880 (c)

CONFIDENTIALITY NOTICE

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**From:** Matt Phillips <[mphillips@taprk.com](mailto:mphillips@taprk.com)>  
**Sent:** Friday, October 29, 2021 12:00 PM  
**To:** Van Liew, Peter R <[Peter\\_VanLiew@oxy.com](mailto:Peter_VanLiew@oxy.com)>  
**Subject:** [EXTERNAL] Tap Rock Cypress 33 Wells - NSL Waiver

**WARNING - This message is from an EXTERNAL SENDER - be CAUTIOUS,  
particularly with links and attachments.**

---

Peter,

Pursuant to our conversation this morning, please allow this email to serve as notice that Tap Rock Operating, LLC intends to drill the following wells at non-standard locations (100' setbacks for FTP and LTP) encroaching on the SW/4 & W/2SE/4 Section 28, T23S, R29E and N/2 Section 4, T24S, R29E:

- E/2 Section 33 (Northern and Southern encroachment): Cypress 33 Fed Com #206H, #246H, #233H, #243H, #213H
- E/2 Section 33 (Southern encroachment): Cypress 33 Fed Com #208H, #214H, #234H, #244H
- W/2 Section 33 (Northern and Southern encroachment): Cypress 33 Fed Com #205H, #207H, #211H, #212H, #231H, #232H, #235H, #241H, #245H, #242H

We plan to spud the E/2 wells starting in December of 2021 and the W/2 wells in April of 2022. If OXY is amenable to granting Tap Rock waivers for the above, we are willing to grant same for any upcoming OXY Heads development and will confirm via email upon request.

Thank you,

**Matthew C. Phillips**

Land Manager

Direct: (720) 459-3724

Cell: (432) 553-3272

[mphillips@taprk.com](mailto:mphillips@taprk.com)



# Exhibit D

## Cypress 33 Fed Com #205H, #207H, #231H, #235H, #242H, #245H Notice List

XTO Holdings, LLC  
22777 Springwoods Village Parkway  
Spring, TX 77389

OXY USA, Inc.  
5 Greenway Plaza, Suite 110  
Houston, TX 77046

OXY Y-1 Company  
P.O. Box 27570  
Houston, TX 77227

|  |                                  |
|--|----------------------------------|
| United States Bureau of Land Management<br>620 E Greene Street<br>Carlsbad, NM 88220 | Tracking #: 70220410000290643325 |
|--|----------------------------------|

|   |                                  |
|---|----------------------------------|
| United States Bureau of Land Management<br>301 Dinosaur Trail<br>Santa Fe, NM 87508 | Tracking #: 70220410000290643332 |
|---|----------------------------------|

TAP ROCK OPERATING, LLC  
MICHAEL RODRIGUEZ – ATTORNEY  
MDRODRIGUEZ@TAPRK.COM

523 PARK POINT DRIVE, SUITE 200 - GOLDEN, COLORADO 80401



May 10, 2022

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

**TO: ALL AFFECTED PARTIES**

**Re:** Tap Rock Operating, LLC  
Request for Administrative Approval of Unorthodox Well Locations for the following wells located in W/2 of Section 33, Township 23 South, Range 29 East, Eddy County, New Mexico, Purple Sage; Wolfcamp (Gas) pool [98220]:

|                              |                      |
|------------------------------|----------------------|
| Cypress 33 Fed Com 205H well | API No. 30-015-48295 |
| Cypress 33 Fed Com 207H well | API No. 30-015-48297 |
| Cypress 33 Fed Com 231H well | API No. 30-015-47871 |
| Cypress 33 Fed Com 235H well | API No. 30-015-47864 |
| Cypress 33 Fed Com 242H well | API No. 30-015-47863 |
| Cypress 33 Fed Com 245H well | API No. 30-015-47869 |

To whom it may concern:

Enclosed is a copy of the above-referenced applications which were filed with the New Mexico Oil Conservation Division on this date. Any objection to any of these applications must be filed in writing within twenty days from this date with the applicant and the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico, 87505. If no objection is received within this twenty-day period, these applications may be approved administratively by the Division.

If you have any questions about these applications, please contact the following:

Matt Phillips  
Tap Rock Operating, LLC  
(720) 459-3724  
mphillips@taprk.com

Sincerely,

/s/ Michael Rodriguez  
Michael Rodriguez  
ATTORNEY FOR  
TAP ROCK OPERATING, LLC



TAP ROCK OPERATING

523 PARK POINT DRIVE, SUITE 200 - GOLDEN, COLORADO 80401

CONNER WOOD

VICE PRESIDENT ASSETS

CWOOD@TAPRK.COM



May 2, 2022

Adrienne Sandoval, Director  
Oil Conservation Division  
New Mexico Department of Energy  
Minerals and Natural Resources  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

**RE: Non-Standard Location Request**  
**Cypress 33 Fed Com # 205H, #207H, #231H, #235H, #242H, #245H (the "Wells")**

Dear Ms. Sandoval:

Tap Rock Operating, LLC ("Tap Rock") hereby requests administrative approval of a non-standard location for each of the Wells referenced above by decreasing first and last take points from 330 feet to 100 feet from the horizontal plane outer boundary. The Wells are located in the Purple Sage – Wolfcamp Gas Pool (Pool Code 98220). It is Tap Rock's responsibility as a prudent operator to maximize lateral length and to minimize reserves left in the ground. Decreasing the last take points will increase the Wells effective lateral length by 460 feet thereby increasing ultimate recovery of reserves and thereby preventing waste of natural resources.

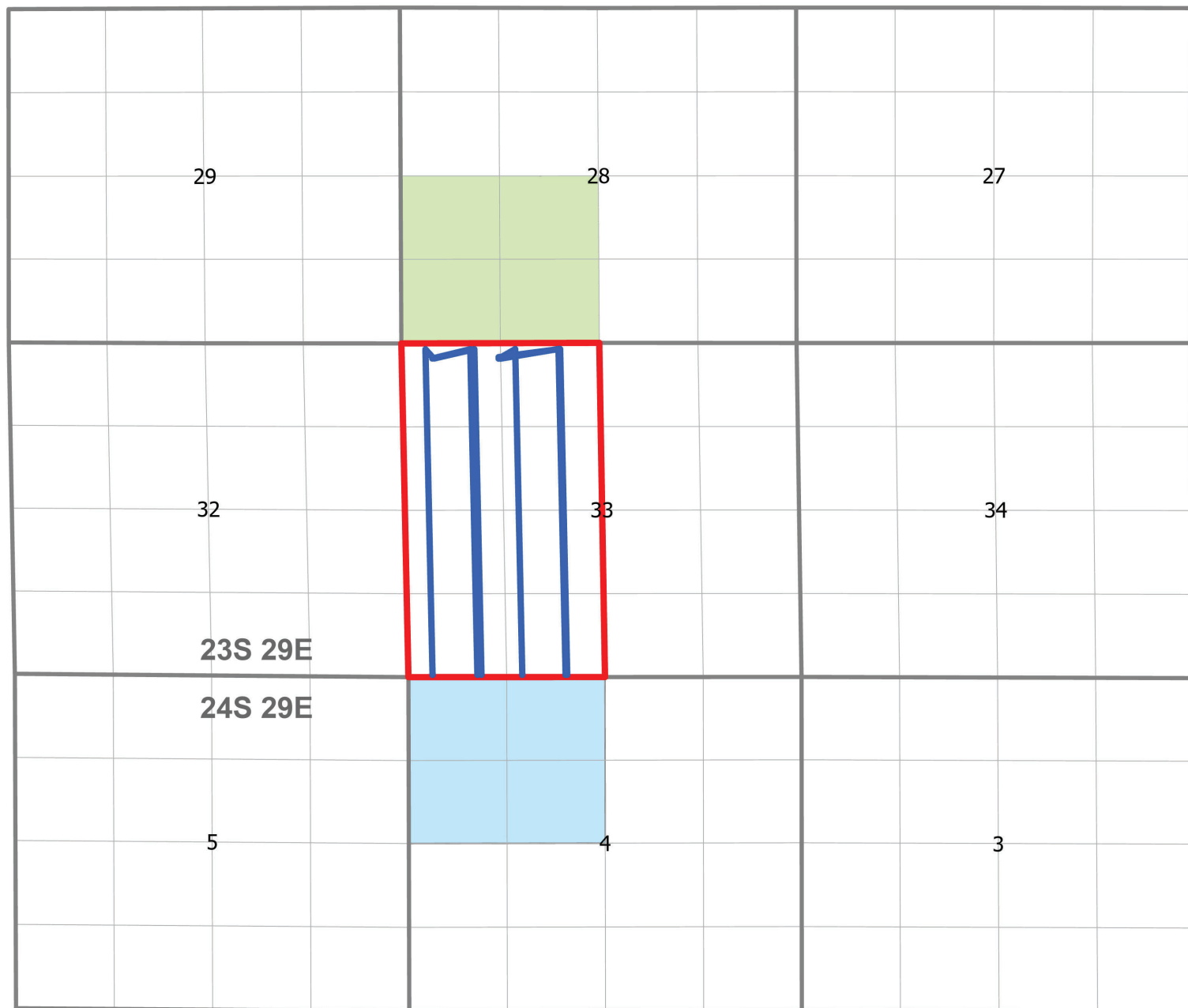
Sincerely,





**TAP ROCK OPERATING, LLC**

A handwritten signature in black ink, appearing to read "Conner Wood", written over a horizontal line.

Conner Wood  
Vice President Assets

# Exhibit B



-  Cypress 33 W2 Unit
-  Oxy USA, Inc. Operated
-  XTO Energy, Inc. Operated
-  Cypress 33 Wellbores

**District I**

1625 N. French Dr., Hobbs, NM 88240  
Phone:(575) 393-6161 Fax:(575) 393-0720

**District II**

811 S. First St., Artesia, NM 88210  
Phone:(575) 748-1283 Fax:(575) 748-9720

**District III**

1000 Rio Brazos Rd., Aztec, NM 87410  
Phone:(505) 334-6178 Fax:(505) 334-6170

**District IV**

1220 S. St Francis Dr., Santa Fe, NM 87505  
Phone:(505) 476-3470 Fax:(505) 476-3462

**State of New Mexico**  
**Energy, Minerals and Natural Resources**  
**Oil Conservation Division**  
**1220 S. St Francis Dr.**  
**Santa Fe, NM 87505**

CONDITIONS

Action 106196

**CONDITIONS**

|  |  |
|--|--|
| Operator:<br>TAP ROCK OPERATING, LLC<br>523 Park Point Drive<br>Golden, CO 80401 | OGRID:<br>372043                                     |
|  | Action Number:<br>106196                             |
|  | Action Type:<br>[UF-NSL] Non-Standard Location (NSL) |

**CONDITIONS**

|            |  |                |
|------------|--|----------------|
| Created By | Condition  | Condition Date |
| Ilowe      | NSL-8361 is approved. The order can be reviewed at the OCD Imaging web site: <a href="https://ocdimage.emnrd.nm.gov/imaging/AEOrderCriteria.aspx">https://ocdimage.emnrd.nm.gov/imaging/AEOrderCriteria.aspx</a> | 5/18/2022      |