CASE NO. 23488

APPLICATION OF MEWBOURNE OIL COMPANY FOR COMPULSORY POOLING, ETC., EDDY COUNTY, NEW MEXICO

EXHIBITS

- 1. Application and Proposed Notice
- 2. Landman's Affidavit
- 3. Affidavit of Notice
- 4. Certified Notice Spreadsheet

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF MEWBOURNE OIL COMPANY FOR COMPULSORY POOLING, A NON-STANDARD SPACING AND PRORATION UNIT, AND APPROVAL OF OVERLAPPING WELL UNITS, EDDY COUNTY, NEW MEXICO.

Case No. 23488

APPLICATION

Mewbourne Oil Company applies for an order pooling all uncommitted mineral interest owners in the Bone Spring formation underlying an 1820.97-acre non-standard horizontal spacing unit comprised of Lots 1-4, E/2W/2, and E/2 (all) of Section 31, Lots 1-4, N/2, and N/2S/2 (all) of Section 32, and Lots 1-4, N/2, and N/2S/2 (all) of Section 33, Township 18 South, Range 29 East, NMPM. Eddy County, New Mexico, and approving the non-standard unit and overlapping well units, and in support thereof, states:

- 1. Applicant is an interest owner in Sections 31-33, and has the right to drill a well or wells thereon.
 - 2. Applicant proposes to drill the following wells:
 - (a) the Pavo Macho 31/33 B3DA Fed. Com. Well No. 2H, with a first take point in Lot 1 of Section 31 and a last take point in the NE/4NE/4 of Section 33;
 - (b) the Pavo Macho 31/33 B3EH Fed. Com. Well No. 2H, with a first take point in Lot 2 of Section 31 and a last take point in the SE/4NE/4 of Section 33;
 - (c) the Pavo Macho 31/33 B3LI Fed.Com. Well No. 2H, with a first take point in Lot 3 of Section 31 and a last take point in the NE/4SE/4, of Section 33; and
 - (d) the Pavo Macho 31/33 B3MP Fed. Com. Well No. 2H, with a first take point in Lot 4 of Section 31 and a last take point in the SE/4SE/4, of Section 33.
- 3. Applicant has in good faith sought to obtain the voluntary joinder of all other mineral interest owners in the Bone Spring formation in Sections 31-33 for the purposes set forth herein.

EXHIBIT

- 4. Although applicant has in good faith sought to obtain voluntary agreements from all uncommitted mineral interest owners to participate in the drilling of the wells or to otherwise commit their interests to the wells, certain interest owners have failed or refused to join in dedicating their interests. Therefore, applicant seeks an order pooling all uncommitted mineral interest owners in the Bone Spring formation underlying Sections 31-33, pursuant to NMSA 1978 §70-2-17. Applicant also requests approval of the non-standard unit.
- 5. Applicant further requests approval of the proposed well unit overlapping the well units for the following wells:

Well Name	Well Unit	Operator
Pavo Macho 31/32 B2DA Fed. Com. Well No. 1H	N/2N/2 §31 & N/2N/2 §32	Applicant
Well Name	Well Unit	Operator
Pavo Macho 31/32 B2EH Fed. Com. Well No. 1H	S/2N/2 §31 & S/2N/2 §32	Applicant
Well Name	Well Unit	Operator
Pavo Macho 31 B2LI Fed. Com. Well No. 1H	N/2S/2 §31	Applicant
Well Name	Well Unit	Operator
Pavo Macho 31 B2MP Fed. Com. Well No. 1H	S/2S/2 §31	Applicant
Well Name	Well Unit	Operator
Palmillo State Well No. 2	W/2SE/4 §32	Cimarex
Well Name	Well Unit	Operator
Palmillo State Com. Well No. 4	W/2SW/4 §32	Cimarex

6. The pooling of all uncommitted mineral interest owners in the Bone Spring underlying Sections 31-33, approval of the non-standard unit, and approval of the overlapping well units, will prevent the drilling of unnecessary wells, prevent waste, and protect correlative rights.

WHEREFORE, applicant requests that, after notice and hearing, the Division enter its order:

A. Pooling all uncommitted mineral interest owners in the Bone Spring formation underlying Sections 31-33, approving the non-standard unit, and approving the overlapping well units;

- B. Designating applicant as operator of the wells;
- C. Considering the cost of drilling, completing, testing, and equipping the wells, and allocating the cost among the wells' working interest owners;
- D. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedure; and
- E. Setting a 200% charge for the risk involved in drilling, completing, testing, and equipping the well in the event a working interest owner elects not to participate in the well.

Respectfully submitted,

James Bruce

Post Office Box 1056

Santa Fe, New Mexico 87504

(505) 982-2043

Attorney for Mewbourne Oil Company

Application of Mewbourne Oil Company for compulsory pooling, a non-standard spacing and proration unit, and approval of overlapping well units, Eddy County, New Mexico. Mewbourne Oil Company seeks an order pooling all uncommitted mineral interest owners in the Bone Spring formation underlying an 1820.97-acre non-standard horizontal spacing unit comprised of lots 1-4, E/2W/2, and E/2 (all) of Section 31, Lots 1-4, N/2, and N/2S/2 (all) of Section 32, and Lots 1-4, N/2, and N/2S/2 (all) of Section 33, Township 18 South, Range 29 East, NMPM. The unit will be dedicated to:

- (a) the Pavo Macho 31/33 B3DA Fed. Com. Well No. 2H, with a first take point in Lot 1 of Section 31 and a last take point in the NE/4NE/4 of Section 33;
- (b) the Pavo Macho 31/33 B3EH Fed. Com. Well No. 2H, with a first take point in Lot 2 of Section 31 and a last take point in the SE/4NE/4 of Section 33;
- (c) the Pavo Macho 31/33 B3LI Fed. Well No. 1H, with a first take point in Lot 3 of Section 31 and a last take point in the NE/4SE/4, of Section 33; and
- (d) the Pavo Macho 31/33 B3MP Fed. Com. Well No. 1H, with a first take point in Lot 4 of Section 31 and a last take point in the SE/4SE/4, of Section 33.

Also to be considered will be the cost of drilling, completing, testing, and equipping the wells and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the wellS, and a 200% charge for the risk involved in drilling, completing, testing, and equipping the wellS. Applicant also requests approval of the proposed well unit overlapping the well units for the following wells:

Well Name	Well Unit	Operator
Pavo Macho 31/32 B2DA Fed. Com. Well No. 1H	N/2N/2 §31 & N/2N/2 §32	Applicant
Well Name	Well Unit	Operator
Pavo Macho 31/32 B2EH Fed. Com. Well No. 1H	S/2N/2 §31 & S/2N/2 §32	Applicant
Well Name	Well Unit	Operator
Pavo Macho 31 B2LI Fed. Com. Well No. 1H	N/2S/2 §31	Applicant
Well Name	Well Unit	Operator
Pavo Macho 31 BMP Fed. Com. Well No. 1H	S/2S/2 §31	Applicant
Well Name	Well Unit	Operator
Palmillo State Well No. 2	W/2SE/4 §32	Cimarex
Well Name	Well Unit	Operator
Palmillo State Com. Well No. 4	W/2SW/4 §32	Cimarex

The unit is located approximately 11 miles southwest of Loco Hills, New Mexico.

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

IN THE MATTER OF THE HEARING CALLED BY THE OIL CONSERVATION DIVISION FOR THE PURPOSE OF CONSIDERING:

APPLICATIONS OF MEWBOURNE OIL COMPANY FOR COMPULSORY POOLING, APPROVING A NON-STANDARD SPACING AND PRORATION UNIT, AND APPROVAL OF OVERLAPPING WELL UNITS, EDDY COUNTY, NEW MEXICO.

Case Nos. 23488

SELF-AFFIRMED STATEMENT OF TYLER JOLLY

COUNTY OF MIDLAND)
) ss
STATE OF TEXAS)

Tyler Jolly deposes and states:

- 1. I am a landman for Mewbourne Oil Company ("Mewbourne"), and have personal knowledge of the matters stated herein. I have been qualified by the Division as an expert petroleum landman.
- 2. Pursuant to Division Rules, the following information is submitted in support of the compulsory pooling application:
- 3. In this case Mewbourne originally sought an order pooling all uncommitted mineral interest owners in the Bone Spring formation underlying an 1820.97-acre non-standard horizontal spacing unit comprised of lots 1-4, E/2W/2, and E/2 (all) of Section 31, Lots 1-4, N/2, and N/2S/2 (all) of Section 32, and Lots 1-4, N/2, and N/2S/2 (all) of Section 33, Township 18 South, Range 29 East, NMPM. The unit will be dedicated to:
 - (a) the Pavo Macho 31/33 B3DA Fed. Com. Well No. 2H, with a first take point in Lot 1 of Section 31 and a last take point in the NE/4NE/4 of Section 33;
 - (b) the Pavo Macho 31/33 B3EH Fed. Com. Well No. 2H, with a first take point in Lot 2 of Section 31 and a last take point in the SE/4NE/4 of Section 33;
 - (c) the Pavo Macho 31/33 B3LI Fed. Well No. 1H, with a first take point in Lot 3 of Section 31 and a last take point in the NE/4SE/4, of Section 33; and

EXHIBIT 2

- (d) the Pavo Macho 31/33 B3MP Fed. Com. Well No. 1H, with a first take point in Lot 4 of Section 31 and a last take point in the SE/4SE/4, of Section 33.
- 4. Mewbourne has reached voluntary agreements with all interest owners. Therefore, Mewbourne requests that the compulsory pooling portion of the application be dismissed.
- 5. Mewbourne still seeks approval of an 1820.97-acre non-standard horizontal spacing unit in the bone Spring formation (Palmillo; Bone Spring, East [Pool Code 49553]) comprised of the lands described in Paragraph 3 above. A plat of the lands is marked as Attachment A.

The non-standard unit will allow Mewbourne to minimize surface use and centralize equipment and facilities for the wells. This will reduce well costs and improve economics for the wells.

6. All offsetting tracts in the Bone Spring formation are operated. Attachment B shows all of the tracts or well units, and identifies the operator of each tract or well unit. All operators have been notified of this request, and no one has objected.

Notice was also given separately to the Bureau of Land Management and Commissioner of Public Lands, who own mineral interests in offsetting lands.

7. Mewbourne also requests approval for the proposed non-standard well unit to overlap the well units for the following wells:

Well Name	Well Unit	Operator
Pavo Macho 31/32 B2DA Fed. Com. Well No. 1H	N/2N/2 §31 & N/2N/2 §32	Mewbourne
Well Name	Well Unit	Operator
Pavo Macho 31/32 B2EH Fed. Com. Well No. 1H	S/2N/2 §31 & S/2N/2 §32	Mewbourne
Well Name	Well Unit	Operator
Pavo Macho 31 B2LI Fed. Com. Well No. 1H	N/2S/2 §31	Mewbourne
Well Name	Well Unit	Operator
Pavo Macho 31 BMP Fed. Com. Well No. 1H	S/2S/2 §31	Mewbourne
Well Name	Well Unit	Operator
Palmillo State Well No. 2	W/2SE/4 §32	Cimarex
Well Name	Well Unit	Operator
Palmillo State Com. Well No. 4	W/2SW/4 §32	Cimarex

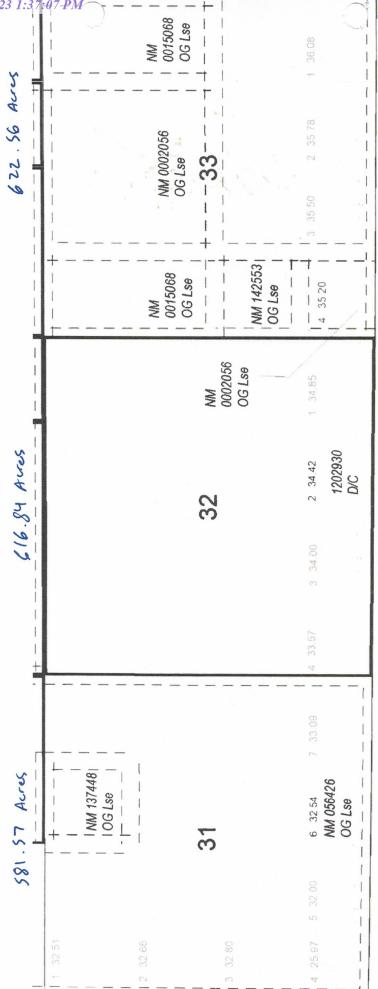
[&]quot;Cimarex" actually refers to Cimarex Energy Co. of Colorado. It was given notice of the application and has not objected.

8. The attachments to this affidavit were prepared by me or under my supervision, or compiled from company business records.

9. The granting of this application is in the interests of conservation and the prevention of waste.

I understand that this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in paragraphs 1 through 9 above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date handwritten next to my signature below.

Date: 5/16/23



Total Aus - 1820.97 Aus



Released to Imaging: 5/16/2023 1:46:02 PM

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

APPLICATION OF MEWBOURNE OIL COMPANY FOR COMPULSORY POOLING, A NON-STANDARD SPACING AND PRORATION UNIT, AND APPROVAL OF OVERLAPPING WELL UNITS, EDDY COUNTY, NEW MEXICO.

Case No. 23488

	SELF-AFFIRMED	STATEMENT	OF NOTICE
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COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss)

James Bruce 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 Mewbourne Oil Company.
- 3. Mewbourne Oil Company 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 last known address, by certified mail. Copies of the notice letters and certified return receipts are attached hereto as AttachmentSs A and B.
 - 5. Applicant has complied with the notice provisions of Division Rules.
- 6. I understand that this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in paragraphs 1 through 5 above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date handwritten next to my signature below.

Date: 5/16/23

James Bruce

ехнівіт З

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

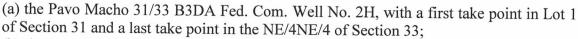
April 13, 2023

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application for compulsory pooling, a non-standard spacing unit, filed with the New Mexico Oil Conservation Division by Mewbourne Oil Company (Case No. 23488). In this case Applicant seeks an order pooling all uncommitted mineral interest owners in the Bone Spring formation underlying an 1820.97-acre non-standard horizontal spacing unit comprised of lots 1-4, E/2W/2, and E/2 (all) of Section 31, Lots 1-4, N/2, and N/2S/2 (all) of Section 32, and Lots 1-4, N/2, and N/2S/2 (all) of Section 33, Township 18 South, Range 29 East, NMPM. The unit will be dedicated to:



(b) the Pavo Macho 31/33 B3EH Fed. Com. Well No. 2H, with a first take point in Lot 2 of Section 31 and a last take point in the SE/4NE/4 of Section 33;

(c) the Pavo Macho 31/33 B3LI Fed. Well No. 1H, with a first take point in Lot 3 of Section 31 and a last take point in the NE/4SE/4, of Section 33; and

(d) the Pavo Macho 31/33 B3MP Fed. Com. Well No. 1H, with a first take point in Lot 4 of Section 31 and a last take point in the SE/4SE/4, of Section 33.

Also to be considered will be the cost of drilling, completing, testing, and equipping the wells and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the wells, and a 200% charge for the risk involved in drilling, completing, testing, and equipping the well. Applicant also requests approval of the non-standard unit, and the proposed well unit overlapping the well units for the following wells:

Well NameWell UnitOperatorPavo Macho 31/32 B2DA Fed. Com. Well No. 1HN/2N/2 §31 & N/2N/2 §32Applicant



Well Name	Well Unit	Operator
Pavo Macho 31/32 B2EH Fed. Com. Well No. 1H	S/2N/2 §31 & S/2N/2 §32	Applicant
Well Name	Well Unit	Operator
Pavo Macho 31 B2LI Fed. Com. Well No. 1H	N/2S/2 §31	Applicant
Well Name	Well Unit	Operator
Pavo Macho 31 BMP Fed. Com. Well No. 1H	S/2S/2 §31	Applicant
Well Name	Well Unit	Operator
Palmillo State Well No. 2	W/2SE/4 §32	Cimarex
Well Name	Well Unit	Operator
Palmillo State Com. Well No. 4	W/2SW/4 §32	Cimarex

Also to be considered will be the designation of applicant as operator of the wells. YOU ARE NOT BEING POOLED. YOU ARE BEING NOTIFIED OF THE NON-STANDARD UNIT AND/OR THE OVERLAPPING WELL UNITS.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, May 4 2023. During the current circumstances, state buildings are closed to the public and the hearing will be conducted remotely. To view the hearing docket and to determine how to participate in an electronic hearing, go to https://www.emnrd.nm.gov/ocd/hearing-info/, or contact Marlene Salvidrez at Marlene.Salvidrez@emnrd.nm.gov. You are not required to attend this hearing, but as an owner of an interest who 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 five business days before the hearing date. This statement may be filed online with the Division at ocd.hearings@emnrd.nm.gov, and should include: The name of the party and his or her attorney; a concise statement of the case; the name(s) of the witness(es) the party will call to testify at the hearing; the approximate time the party will need to present his or her 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,

Attorney for Mewbourne Oil Company

EXHIBIT

A

Cimarex Energy Co. of Colorado 600 N. Marienfeld Street, Suite 600 Midland, TX 79701

COG Operating LLC 600 W. Illinois Ave. Midland, TX 79701

OXY USA WTP Limited Partnership 5 Greenway Plaza, Suite 110 Houston, Texas 77046

U.S. Postal Service" CERTIFIED MAIL® RECEIPT B Domestic Mail Only	For delivery information, visit our website at www.usps.cc Cortified Mail Fee Cortified Mail Fee Cortified Mail Fees (check box, add fee as appropriate) Extra Services & Fees (check box, add fee as appropriate) Cortified Mail Fees (check box, add fee as appropriate) Cortif	Sent To Midland, TX 79701 Street, Suite 600 Mariental Street, Suite 600 Midland, TX 79701 Street and Apt. No., or PO Box No. City, State, ZIP+4* PS Form 3800, April 2015 PSN 7530-02-000-8047 See Reverse for	
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17 33	□ Collect on Delivery □ Collect on Delivery □ Signature Confirmation □

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| Return Receipt (hestronic) \$
| Certified Mail Restricted Delivery \$
| Adult Signature Restricted Delivery \$
| Adult Signature Restricted Delivery \$

TOOO

COG Operating LLC 600 W. Illinois Ave. Midland, TX 79701

Street and Apt. No., d

TOOL

Total Postage and Fees

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PS Form 3800, April 2015 PSN

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JAMES BRUCE ATTORNEY AT LAW

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

jamesbruc@aol.com

April 13, 2023

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To: Persons on Exhibit A

Ladies and gentlemen:



Enclosed is a copy of an application for compulsory pooling, a non-standard spacing unit, *etc.* filed with the New Mexico Oil Conservation Division by Mewbourne Oil Company (Case No. 23488). In this case Applicant seeks an order pooling all uncommitted mineral interest owners in the Bone Spring formation underlying an 1820.97-acre non-standard horizontal spacing unit comprised of lots 1-4, E/2W/2, and E/2 (all) of Section 31, Lots 1-4, N/2, and N/2S/2 (all) of Section 32, and Lots 1-4, N/2, and N/2S/2 (all) of Section 33, Township 18 South, Range 29 East, NMPM. The unit will be dedicated to:

- (a) the Pavo Macho 31/33 B3DA Fed. Com. Well No. 2H, with a first take point in Lot 1 of Section 31 and a last take point in the NE/4NE/4 of Section 33;
- (b) the Pavo Macho 31/33 B3EH Fed. Com. Well No. 2H, with a first take point in Lot 2 of Section 31 and a last take point in the SE/4NE/4 of Section 33;
- (c) the Pavo Macho 31/33 B3LI Fed. Well No. 1H, with a first take point in Lot 3 of Section 31 and a last take point in the NE/4SE/4, of Section 33; and
- (d) the Pavo Macho 31/33 B3MP Fed. Com. Well No. 1H, with a first take point in Lot 4 of Section 31 and a last take point in the SE/4SE/4, of Section 33.

Applicant is also requesting approval of a non-standard spacing and proration unit in the Bone Spring formation. THE BLM AND COMMISSIONER ARE BEING NOTIFIED ONLY AS TO THE NON-STANDARD UNIT PORTION OF THIS APPLICATION, AS REQUIRED BY DIVISION RULES. Also to be considered will be the .designation of applicant as operator of the wells.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, May 4, 2023. During the current circumstances, state buildings are closed to the public and the hearing will be conducted remotely. To view the hearing docket and to determine how to participate in an electronic

hearing, go to https://www.emnrd.nm.gov/ocd/hearing-info/, or contact Marlene Salvidrez at Marlene.Salvidrez@emnrd.nm.gov. You are not required to attend this hearing, but as an owner of an interest who 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 five business days before the hearing date. This statement may be filed online with the Division at ocd.hearings@emnrd.nm.gov, and should include: The name of the party and his or her attorney; a concise statement of the case; the name(s) of the witness(es) the party will call to testify at the hearing; the approximate time the party will need to present his or her 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 Plusce

Attorney for Mewbourne Oil Company

EXHIBIT A

Bureau of Land Management 620 East Greene Carlsbad, New Mexico 88220

Oil, Gas and Minerals Division Commissioner of Public Lands 310 Old Santa Fe Trail Santa Fe, New Mexico 87501 Postmark Here

bsite at www.usps.com®

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PS Form 3800, April 2015 PSN 7530-02-000-9047

CASE NO. 23488

STATUS OF CERTIFIED NOTICE

INTEREST OWNER	MAILING DATE	RECEIPT DATE	CARD RETURNED
Cimarex Energy Co. of Colorado	4/13/23	4/20/23	Yes
COG Operating LLC	44	4/21/23	Yes
OXY USA WTP Limited Partnership		4/26/23	Yes
Bureau of Land Management	"	4/24/23	Yes
Commissioner of Public Lands	u	Unknown	Yes

EXHIBIT A