CASE NO. 23820

APPLICATION OF MEWBOURNE OIL COMPANY TO AMEND ORDER NO. R-22328 FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

EXHIBIT LIST

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

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

APPLICATION OF MEWBOURNE OIL COMPANY TO AMEND ORDER NO. R-22328, EDDY COUNTY, NEW MEXICO.

Case No. 23820

SELF-AFFIRMED STATEMENT OF BRAXTON BLANDFORD

Braxton Blandford 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. I am familiar with the application filed by Mewbourne in the above case. Pursuant to Division rules the following information is submitted in support of the applications.
- 3. No opposition is expected because the affected interest owners have been notified regarding amending the subject order, and have not objected or entered an appearance.
- 4. Order No. R-22328, issued on October 28, 2022, pooled uncommitted mineral interest owners in the Bone Spring formation underlying a horizontal spacing unit comprised of the S/2SW/4 of Section 28 and the S/2S/2 of Section 29, Township 20 South, Range 27 East, N.M.P.M., Eddy County, New Mexico, for the purpose of drilling the Pinta 28/29 B3NM Fed. Com. Well No. 1H. A copy of the order is submitted as Attachment A.
- 5. In this case Mewbourne seeks an order amending Order No. R-22328 to extend the well commencement deadlines one year, to October 28, 2024. Although the operator submitted an APD to the Bureau of Land Management in early 2023, the APD has not yet been approved. Applicant cannot commence the well without an approved APD and the assignment of an API No. Thus good cause exists for Applicant's request for an extension.
 - 6. Mewbourne still plans on drilling the well when the APD is approved.
- 7. Mewbourne requests that the deadline to commence the drilling of the subject wells be extended for one year, from October 28, 2023 to October 28, 2024.
 - 8. Mewbourne is in good standing under the Division's Rules.
 - 9. The granting of this application will prevent waste and protect correlative rights.

EXHIBIT

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.

10/3/2023

Date

Braxton Blandford

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

IN THE MATTER OF APPLICATION FOR COMPULSORY POOLING SUBMITTED BY MEWBOURNE OIL COMPANY

CASE NO. 22672 ORDER NO. R-22328

ORDER

The Director of the New Mexico Oil Conservation Division ("OCD"), having heard this matter through a Hearing Examiner on July 7, 2022, and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

FINDINGS OF FACT

- 1. Mewbourne Oil Company ("Operator") submitted an application ("Application") to compulsory pool the uncommitted oil and gas interests within the spacing unit ("Unit") described in Exhibit A. The Unit is expected to be a standard horizontal spacing unit. 19.15.16.15(B) NMAC. Operator seeks to be designated the operator of the Unit.
- 2. Operator will dedicate the well(s) described in Exhibit A ("Well(s)") to the Unit.
- 3. Operator proposes the supervision and risk charges for the Well(s) described in Exhibit A.
- 4. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice was given.
- 5. The Application was heard by the Hearing Examiner on the date specified above, during which Operator presented evidence through affidavits in support of the Application. No other party presented evidence at the hearing.

CONCLUSIONS OF LAW

- 6. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
- 7. Operator is the owner of an oil and gas working interest within the Unit.
- 8. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.
- OCD satisfied the notice requirements for the hearing as required by 19.15.4.9
 NMAC.
- 10. Operator has the right to drill the Well(s) to a common source of supply at the

- depth(s) and location(s) in the Unit described in Exhibit A.
- 11. The Unit contains separately owned uncommitted interests in oil and gas minerals.
- 12. Some of the owners of the uncommitted interests have not agreed to commit their interests to the Unit.
- 13. The pooling of uncommitted interests in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.
- 14. This Order affords to the owner of an uncommitted interest the opportunity to produce his just and equitable share of the oil or gas in the pool.

ORDER

- 15. The uncommitted interests in the Unit are pooled as set forth in Exhibit A.
- 16. The Unit shall be dedicated to the Well(s) set forth in Exhibit A.
- 17. Operator is designated as operator of the Unit and the Well(s).
- 18. If the location of a well will be unorthodox under the spacing rules in effect at the time of completion, Operator shall obtain the OCD's approval for a non-standard location in accordance with 19.15.16.15(C) NMAC.
- 19. The Operator shall commence drilling the Well(s) within one year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well.
- 20. This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by amending this Order for good cause shown.
- 21. The infill well requirements in 19.15.13.9 NMAC through 19.15.13.12 NMAC shall be applicable.
- 22. Operator shall submit each owner of an uncommitted working interest in the pool ("Pooled Working Interest") an itemized schedule of estimated costs to drill, complete, and equip the well ("Estimated Well Costs").
- 23. No later than thirty (30) days after Operator submits the Estimated Well Costs, the owner of a Pooled Working Interest shall elect whether to pay its share of the Estimated Well Costs or its share of the actual costs to drill, complete and equip the well ("Actual Well Costs") out of production from the well. An owner of a Pooled Working Interest who elects to pay its share of the Estimated Well Costs shall render payment to Operator no later than thirty (30) days after the expiration of the election period, and shall be liable for operating costs, but not risk charges, for the

CASE NO. 22672 ORDER NO. R-22328

Page 2 of 7

- well. An owner of a Pooled Working Interest who fails to pay its share of the Estimated Well Costs or who elects to pay its share of the Actual Well Costs out of production from the well shall be considered to be a "Non-Consenting Pooled Working Interest."
- 24. No later than one hundred eighty (180) days after Operator submits a Form C-105 for a well, Operator shall submit to each owner of a Pooled Working Interest an itemized schedule of the Actual Well Costs. The Actual Well Costs shall be considered to be the Reasonable Well Costs unless an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Reasonable Well Costs after public notice and hearing.
- No later than sixty (60) days after the expiration of the period to file a written objection to the Actual Well Costs or OCD's order determining the Reasonable Well Costs, whichever is later, each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs shall pay to Operator its share of the Reasonable Well Costs that exceed the Estimated Well Costs, or Operator shall pay to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs its share of the Estimated Well Costs that exceed the Reasonable Well Costs.
- 26. The reasonable charges for supervision to drill and produce a well ("Supervision Charges") shall not exceed the rates specified in Exhibit A, provided however that the rates shall be adjusted annually pursuant to the COPAS form entitled "Accounting Procedure-Joint Operations."
- 27. No later than within ninety (90) days after Operator submits a Form C-105 for a well, Operator shall submit to each owner of a Pooled Working Interest an itemized schedule of the reasonable charges for operating and maintaining the well ("Operating Charges"), provided however that Operating Charges shall not include the Reasonable Well Costs or Supervision Charges. The Operating Charges shall be considered final unless an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Operating Charges after public notice and hearing.
- 28. Operator may withhold the following costs and charges from the share of production due to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs: (a) the proportionate share of the Supervision Charges; and (b) the proportionate share of the Operating Charges.
- 29. Operator may withhold the following costs and charges from the share of production due to each owner of a Non-Consenting Pooled Working Interest: (a) the proportionate share of the Reasonable Well Costs; (b) the proportionate share

- of the Supervision and Operating Charges; and (c) the percentage of the Reasonable Well Costs specified as the charge for risk described in Exhibit A.
- 30. Operator shall distribute a proportionate share of the costs and charges withheld pursuant to paragraph 29 to each Pooled Working Interest that paid its share of the Estimated Well Costs.
- 31. Each year on the anniversary of this Order, and no later than ninety (90) days after each payout, Operator shall provide to each owner of a Non-Consenting Pooled Working Interest a schedule of the revenue attributable to a well and the Supervision and Operating Costs charged against that revenue.
- 32. Any cost or charge that is paid out of production shall be withheld only from the share due to an owner of a Pooled Working Interest. No cost or charge shall be withheld from the share due to an owner of a royalty interests. For the purpose of this Order, an unleased mineral interest shall consist of a seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest.
- 33. Except as provided above, Operator shall hold the revenue attributable to a well that is not disbursed for any reason for the account of the person(s) entitled to the revenue as provided in the Oil and Gas Proceeds Payment Act, NMSA 1978, Sections 70-10-1 et seq., and relinquish such revenue as provided in the Uniform Unclaimed Property Act, NMSA 1978, Sections 7-8A-1 et seq.
- 34. The Unit shall terminate if (a) the owners of all Pooled Working Interests reach a voluntary agreement; or (b) the well(s) drilled on the Unit are plugged and abandoned in accordance with the applicable rules. Operator shall inform OCD no later than thirty (30) days after such occurrence.
- 35. OCD retains jurisdiction of this matter for the entry of such orders as may be deemed necessary.

STATE OF NEW MEXICO NSERVATION DIVISION ADRIENNE SANDOVAL

Date: 10/28/2022

CASE NO. 22672 **ORDER NO. R-22328**

DIRECTOR AES/jag

Exhibit A

ALL INFORMATION IN THE APPLICA	TION MUST BE SUPPORTED BY SIGNED AFFIDAVITS		
Case:	22672		
Date:	July 5, 2022		
Applicant	Mewbourne Oil Company		
Designated Operator & OGRID			
(affiliation if applicable)	Mewbourne Oil Company/OGRID No.14744		
Applicant's Counsel:	James Bruce		
Case Title:	Application of Mewbourne Oil Company for Compulsory Pooling, Eddy County, New Mexico		
Entries of Appearance/Intervenors:			
Well Family	Pinta Bone Spring well		
Formation/Pool			
Formation Name(s) or Vertical Extent:	Bone Spring Formation		
Primary Product (Oil or Gas):	Oil		
Pooling this vertical extent:	Entire Bone Spring formation		
Pool Name and Pool Code:	Avalar; Bone Spring (oil (00 (0de 96381)		
Well Location Setback Rules:	Statewide rules and current-horizontal well rules		
Spacing Unit Size:	Quarter-quarter sections/40 acres		
Spacing Unit			
Type (Horizontal/Vertical)	Horizontal		
Size (Acres)	240 acres		
Building Blocks:			
Orientation:	West - East		
Description: TRS/County	S/2S/2 §29 and S/2SW/4 §28-20S-27E, NMPM, Eddy County		
Standard Horizontal Well Spacing Unit (Y/N), If No, describe	Yes		
Other Situations			
Depth Severance: Y/N. If yes, description	No /		
Proximity Tracts: If yes, description	No EXHIBIT		
Proximity Defining Well: if yes, description			
Applicant's Ownership in Each Tract	Exhibit 2-A		
Well(s)			
Name & API (if assigned), surface and bottom hole location, footages, completion target, orientation, completion status (standard or nonstandard)	Pinta 28/29 B3NM Fed. Com. Well No. 1H API No. 30-015-Pending SHL: 970 FSL & 2540 FWL §28 BHL: 440 FSL & 100 FWL §29 FTP: 440 FSL & 2540 FWL §28 LTP: 440 FSL & 100 FWL §29 Third Bone Spring/TVD 8170 feet/MD 15662 feet		

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Hoffschied W. G.C. Ris 3047-2022-2744-57-4M Points	See above Page 18 of 2
Completion Target (Formation, TVD and MD)	See above
AFE Capex and Operating Costs	
Drilling Supervision/Month \$	\$8000
Production Supervision/Month \$	\$800
Justification for Supervision Costs	Exhibit 2, page 2
Requested Risk Cha648	Cost + 200%/Exhibit 2, page 2
Notice of Hearing	COST / ZOO/N/ EARTH A) PAGE 1
Proposed Notice of Hearing	Exhibit 1
Proof of Mailed Notice of Hearing (20	LXHOR I
days before hearing)	Exhibit 4
Proof of Published Notice of Hearing (10	EXHIBIT 4
days before hearing)	Exhibit 5
Ownership Determination	LAMBICO
Land Ownership Schematic of the	
Spacing Unit	Exhibit 2-B
Tract List (including lease numbers and	EXHIBIT 2-B
owners)	Eubikit 2 B
Pooled Parties (including ownership	Exhibit 2-B
-	Full-like 2 B
Unlocatable Parties to be Pooled	Exhibit 2-B
Ownership Depth Severance (including percentage above & below)	News
Joinder	None
Sample Copy of Proposal Letter	Exhibit 2-C
List of Interest Owners (i.e. Exhibit A of	EXHIDIT 2-C
JOA)	Exhibit 2-B
Chronology of Contact with Non-Joined Working Interests	Exhibit 2-C
Overhead Rates In Proposal Letter	EXHIBIT 2-C
Cost Estimate to Drill and Complete	Exhibit 2-C
Cost Estimate to Equip Well	
Cost Estimate for Production Facilities	Exhibit 2-C
Geology	Exhibit 2-C
Summary (including special	
considerations)	Evilibit 2
	Exhibit 3
Spacing Unit Schematic Gunbarrel/Lateral Trajectory Schematic	Exhibits 2-A and 3-A
Well Orientation (with rationale)	Exhibit 3-C
Target Formation	Laydown/Exhibit 3
HSU Cross Section	Bone Spring
Depth Severance Discussion	Exhibit 3-C
	Not Applicable
Forms, Figures and Tables	E14120A
C-102	Exhibit 2-A
Tracts	Exhibit 2-B
Summary of Interests, Unit Recapitulation (Tracts)	Exhibit 2-B

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G Stretisted to a RSP i Mad (Charled hills of a still	Exhibits 2-A and 3-A	Page 19 of 2
Well Bore Location Map	Exhibits 2-A and 3-A	
Structure Contour Map - Subsea Depth	Exhibit 3-A	
Cross Section Location Map (including wells)	Exhibits 3-B and 3-C	
Cross Section (including Landing Zone)	Exhibit 3-C	
Additional Information		
CERTIFICATION: I hereby certify that the information provided in this checklist is complete and accurate.		
Printed Name (Attorney or Party Representative):	James Bruce	
Signed Name (Attorney or Party Representative):	July 5, 2022	
Date:	July 5, 2022	

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COUNTY OF SANTA FE)

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

APPLICATIONS OF MEWBOURNE OIL COMPANY TO AMEND ORDER NO. R-22328 FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

Case No. 23820

SELF-AFFIRMED	STATEMENT	OF	NOTICI	T

STATE OF N	NEW MEXICO)
James	s 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. names and co filed herein.	Mewbourne Oil Company has conducted a good faith, diligent effort to find the orrect addresses of the interest owners entitled to receive notice of the application
4. addresses, by hereto as Exh	Notice of the application was provided to the interest owners, at their last known certified mail. Copies of the notice letter and certified return receipts are attached ibit 2-A.
5.	Applicant has complied with the notice provisions of Division Rules.
case. I affirm under penalty	erstand that this Self-Affirmed Statement will be used as written testimony in this that my testimony in paragraphs 1 through 5 above is true and correct and is made of perjury under the laws of the State of New Mexico. My testimony is made as of written next to my signature below. James Bruce

EXHIBIT 7

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

August September 13, 2023

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is a copy of an application, filed with the New Mexico Oil Conservation Division by Mewbourne Oil Company (Case No. 23820), seeking an order amending Order No. R-22328 to extend the well commencement deadline one year, to October 28, 2024. Order No. R-22328 (dated October 28, 2022) pooled uncommitted mineral interest owners in the Bone Spring formation underlying a horizontal spacing unit comprised of the S/2SW/4 of Section 28 and the S/2S/2 of Section 29, Township 20 South, Range 27 East, NMPM. The unit will be dedicated to the Pinta 28/29 B3NM Fed. Com. Well No. 1H

This matter is scheduled for hearing at 8:15 a.m. on Thursday, October 5, 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 2'A

EXHIBIT A

COG Operating, LLC 600 W Illinois Ave Midland, TX 79701-9808 Attn: Baylor Mitchell

OXY USA WTP Limited Partnership 5 Greenway Plaza, Suite 110 Houston, TX 77046 Attn: Jonathan Gonzales

SEP Permian, LLC 9655 Katy Freeway, Suite 500 Houston, TX 77024 Attn: Drew Oldis

Kathryn Sheats Johnson 100 W Seguin Ave De Leon, Texas 76444 Attn: Alice Ward

Lena Mae Ellis 4213 Homestead Circle San Angelo, Texas 76905-7312

Carol Mae Davis 7 Duncan Rd Pueblo, CO 81001-1647

Marie Cleveland George 417 East 1700 South Salt Lake City, Utah 84115 Attn: Esther Wardle

- Mary Christi Carter Daniels 43 NW Sandy Trail Ln Lawton, OK 73505-9557
- Carl Mack Carter 2360 E US Highway 190 San Saba, TX 76877-7729
- Shirley Hoyt Carole Sheats 1319 Academy Dr Arlington, Texas 76013-2312

Hettie Patton Davis
2851 Coldwater Ct
Midlothian, TX 76065

Edna Laura Criswell Blankenship PO Box 494 Levelland, TX 79336 Attn: Connie Martin

Mary Josephine Criswell Lee 4519 62nd St Lubbock, TX 79414-4530

John Claude Criswell 9139 CR 2472 Royce City, TX 75189 Attn: Don Criswell

Jesse Harold Criswell 7 Dellwood Lane Canyon, TX 79015 Attn: Jerry Criswell

The Heirs or Devisees of John C Moore 16 Benchley Dr Marlboro, NJ 07746-1785

NimTex Energy, LLC Box 999 Farwell, TX 79325 Attn: Nichols Thomas

Bobbie S Davis as sole devisee u/w/o Donald Carlos Davis 11231 Spring Pine St Apt 1214 San Antonio, TX 78249-2669

Velma Walters Moore 1148 FM 1383 Schulenburg, TX 78956 Attn: Patti Niesner

Billie Beth Moore 1148 FM 1383 Schulenburg, TX 78956 Attn: Patti Niesner

Scott Martin Carter 6711 84th Street Lubbock, TX 79424-4763

Herrit

O Nos

☐ Agent

5B36





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3. Service Type

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Signature Confirmation™
Signature Confirmation
Signature Confirmation

Restricted Delivery

D. Is delivery address different from item 17 If YES, enter delivery address below:

B. Received by (Printed Name)

C. Date of Delivery '□ Yes ONO

☐ Addressee ☐ Agent

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A Signature

COMPLETE THIS SECTION ON DELIVERY



Yes No





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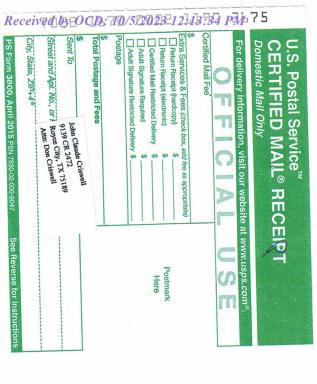
www.usps.com

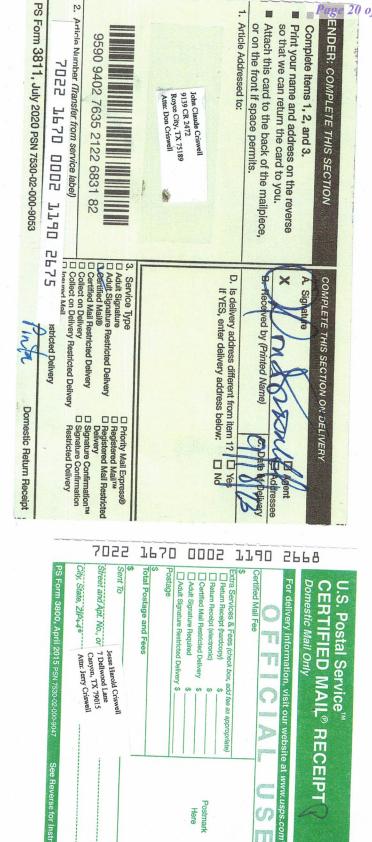
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Attach this card to the back of the mailpiece Print your name and address on the reverse

so that we can return the card to you.







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Page 20 of 28



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Complete items 1, 2, and 3. 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.	A. Signature A. Signature A Agent D Addressee B. Reserviced by (Printed Name) C Date of Delivery
1. Article Addressed to:	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
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	City, State, ZIP+4 PS Form 3800, April 2015 PSN 7530-02-000-9047	See Reverse for Instructions

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7022	Sent To Shirley Hoyt Carole Sheats 1319 Academy Dr Arlington, Texas 76013-2312 City, State, ZIP+4*	
	PS Form 3800, April 2015 PSN 7530-02-000-9047	See Reverse for Instructions

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CASE NO. 23820

STATUS OF CERTIFIED NOTICE

INTEREST OWNER	MAILING DATE	RECEIPT DATE	CARD RETUR	NED
COG Operating LLC	9/13/23	9/19/23	Yes	
OXY USA WTP Limited Partnership	9/13/23	9/19/23	Yes	
SEP Permian LLC	9/13/23	9/19/23	Yes	
Kathryn Sheats Johnson	9/13/23	9/19/23	Yes	
Lena Mae Ellis	9/13/23	Not Returned	No	
Carol Mae Davis	9/13/23	Not Returned	No	
Marie Cleveland George	9/13/23	Unknown	Yes	
Edna Laura Criswell Blankenship	9/13/23	9/19/23	Yes	
Mary Josephine Criswell Lee	9/13/23	Unknown	Yes	
John Claude Criswell	9/13/23	9/19/23	Yes	
Jesse Harold Criswell	9/13/23	Unknown	Yes	
John C. Moore	9/13/23	Unknown	Yes	
NimTex Energy LLC	9/13/23	9/19/23	Yes	
Bobbie S. Davis and Donald Carlos Davis	9/13/23	Not Returned	No	W
Velma Waters Moore	9/13/23	Unknown	Yes	BIT
Billie Beth Moore	9/13/23	Unknown	Yes	EXHIBIT
Scott Martin Carter	9/13/23	Not Returned	No	,

Mary Christi Carter Daniels	9/13/23	Unknown	Yes
Carl Mack Carter	9/13/23	9/19/23	Yes
Shirley Hoyt Carole Sheats	9/13/23	Not Returned	No
Hettie Patton Davis	9/13/23	Not Returned	No

Carlsbad Current Argus.

Affidavit of Publication Ad # 0005827783 This is not an invoice

JAMES BRUCE ATTORNEY AT LAW POBOX 1056

SANTA FE, NM 87504

I, a legal clerk of the Carlsbad Current Argus, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof in editions dated as follows:

09/20/2023

muhum

Legal Clerk

Subscribed and sworn before me this September 20,

2023:

State of WI, County of Brown

NOTARY PUBLIC

My commission expires

NOTICE

To: COG Operating LLC, OXY USA WTP Limited Partnership, SEP Permian LLC, Kathryn Sheats Johnson, Lena Mae Ellis, Carol Mae Davis, Marie Cleveland George, Edna Laura Carol Mae Davis, Marie Cleveland George, Edna Laura Criswell Blankenship, Mary Josephine Criswell Lee, John Claude Criswell, Jesse Harold Criswell, John C. Moore, NimTex Energy LLC, Bobbie S. Davis, Donald Carlos Davis, Velma Waters Moore, Billie Beth Moore, Scott Martin Carter, Mary Christi Carter Daniels, Carl Mack Carter, Shirley Hoyt Carole Sheats, and Hettie Patton Davis, or your heirs, devisees, successors, or assigns: Mewbourne Oil Company has filed an application with the New Mexico Oil Conservation Division (Case No. 23820) seeking an order amending Order No. R-22328 to extend the well commencement deadline one year, to October 28, 2024. Order No. R-22328 (dated October 28, 2022) pooled uncommitted mineral interest owners in the Bone Spring formation underlying a horizontal spacing unit comprised of the S/2S/2 of Section 29, Township 20 South, Range 27 East, NMPM, Eddy County, New Mexico. The unit will be dedicated to the Pinta 28/29 B3NM Fed. Com. Well No. 1H. The order requires the commencement of drilling within one year der requires the commencement of drilling within one year of the date of the order unless the operator obtains an extension by amendment of the order for good cause shown. tension by amendment of the order for good cause shown. Applicant requests a one year extension because an Application for Permit to Drill for the well has not yet been approved. This matter is scheduled for hearing at 8:15 a.m. on Thursday, October 5, 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-e-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 conclude: 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 attorney for applicant is James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504, jamesbruc@aol.com. The unit is located approximately 8-1/2 miles southeast of Lakewood, New Mexico. #5827783, Current Argus, September 20, 2023

KATHLEEN ALLEN Notary Public State of Wisconsin

Ad # 0005827783 PO #: 23820 # of Affidavits1

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EXHIBIT \downarrow

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF MEWBOURNE OIL COMPANY TO AMEND ORDER NO. R-22328, EDDY COUNTY, NEW MEXICO.

Case No. 23820

APPLICATION

Mewbourne Oil Company applies for an order amending Order No. R-22328 to extend the well commencement deadline, and in support thereof states:

- 1. Order No. R-22328 (entered in Case No. 22672) pooled all uncommitted mineral interest owners in the Bone Spring formation underlying a horizontal spacing unit comprised of the S/2SW/4 of Section 28 and the S/2S/2 of Section 29, Township 20 South, Range 27 East, NMPM, Eddy County, New Mexico.
- 2. Applicant proposes to drill the Pinta 28/29 B3NM Fed. Com. Well No. 1H, a horizontal well with a first take point in the SE/4SW/4 of Section 28 and a last take point in the SW/4SW/4 of Section 29. Order No. R-22328 designated applicant as operator of the well.
- 3. The case was heard on July 7, 2022 and Order No. R-22328 was entered on October 28, 2022. Paragraph 19 of the order requires the operator to commence the well within one year of the date of issuance. Paragraph 20 of the order provides that the order will terminate if the well is not timely commenced, unless the operator "obtains an extension by amending this Order for good cause shown."
- 4. Applicant has the subject well on its drilling schedule. Although the operator (applicant) submitted an APD to the Bureau of Land Management early some time ago, the APD has not yet been approved. Applicant cannot commence the well without an approved APD and

EXHIBIT 5

the assignment of an API No. by the Division. Thus good cause exists for Applicant's request for a second extension.

5. Applicant requests an extension of the well commencement deadline to October 28, 2024.

WHEREFORE, applicant requests that, after notice and hearing, the Division enter its order amending Order No. R-22328 to extend the well commencement deadline to October 28, 2024.

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 to amend order No. R-22328 for compulsory pooling, Eddy County, New Mexico. Mewbourne Oil Company seeks an order amending Order No. R-22328 to extend the well commencement deadline one year, to October 28, 2024. Order No. R-22328 (dated October 28, 2022) pooled uncommitted mineral interest owners in the Bone Spring formation underlying a horizontal spacing unit comprised of the S/2SW/4 of Section 28 and the S/2S/2 of Section 29, Township 20 South, Range 27 East, NMPM. The unit will be dedicated to the Pinta 28/29 B3NM Fed. Com. Well No. 1H. The order requires the commencement of drilling within one year of the date of the order unless the operator obtains an extension by amendment of the order for good cause shown. Applicant requests a one year extension because an APD for the well has not yet been approved. The unit is located approximately 8-1/2 miles southeast of Lakewood, New Mexico.