#### **CASE NO. 24381**

# APPLICATION OF MEWBOURNE OIL COMPANY FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO

#### EXHIBITS - Part II

- 4. Affidavit of Mailing
  - 4-A: Notice Letter and Return Receipts
  - 4-B: Certified Return Spreadsheet
- 5. Affidavit of Publication
- 6. Application and Proposed Notice

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

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

Case No. 24381

#### SELF-AFFIRMED STATEMENT OF NOTICE

COUNTY OF SANTA FE	)
	) ss.
STATE OF NEW MEXICO	)

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 addresses, by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Exhibit 4-A.
  - 5. Applicant has complied with the notice provisions of Division Rules.

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: 1/0

James Bruce

EXHIBIT L

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 11, 2024

#### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

EXHIBIT 4. A

Ladies and gentlemen:

Mewbourne Oil Company has filed an application with the Oil Conservation Division (Case No. 24381) seeking an order pooling all uncommitted mineral interest owners in the Bone Spring formation underlying a non-standard horizontal spacing unit comprised of the W/2 of Section 25 and the W/2 of Section 24, Township 18 South, Range 32 East, N.M.P.M., Lea County, New Mexico. Applicant proposes to drill the following wells to depths sufficient to test the Bone Spring formation:

- (a) the Kings Landing 25/24 Fed. Com. Well Nos. 511H, with a first take point in the SW/4SW/4 of Section 25 and a last take point in the NW/4NW/4 of Section 24; and
- (b) the Kings Landing 25/24 Fed. Com. Well Nos. 531H, with a first take point in the SE/4SW/4 of Section 25 and a last take point in the NE/4NW/4 of Section 24.

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.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, May 2, 2024. The hearing may be attended (a) in person in Pecos Hall of the Wendell Chino Building, 1<sup>st</sup> Floor, 1220 South St. Francis Drive, Santa Fe New Mexico 87505, or (b) via the WebEx virtual meeting platform. To view the hearing docket and to determine how to participate in an electronic hearing, go to <a href="https://www.emnrd.nm.gov/ocd/hearing-info/">https://www.emnrd.nm.gov/ocd/hearing-info/</a>, or contact Sheila Apodaca at <a href="https://www.emnrd.nm.gov">Sheila</a>. Apodaca@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 <u>ocd.hearings@emnrd.nm.gov</u>, 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 attorney for applicant, James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504, <u>jamesbruc@aol.com</u>.

Very truly yours,

James Bruce

Attorney for Mewbourne Oil Company

#### EXHIBIT A

BTA OIL PRODUCERS LLC 104 SOUTH PECOS STREET MIDLAND, TX 79701

V-F PETROLEUM INC PO BOX 1889 MIDLAND, TX 79702

PBEX LLC PO BOX 10886 MIDLAND, TX 79702

GAHR ENERGY COMPANY PO BOX 1889 MIDLAND, TX 79702

CONOCOPHILLIPS COMPANY BURLINGTON RESOURCES OIL & GAS COMPANY 600 W. ILLINOIS AVE MIDLAND, TX 79701

J.M. GAHR PO BOX 1889 MIDLAND, TX 79702

GARDENIA INVESTMENTS LTD PO BOX 101621 FORT WORTH, TX 76109

S. RHETT GIST 1601 STOREY AVE MIDLAND, TX 79701

SKEECO, L.P. 101 W PARK AVE ST MARYS, KS 66536

M.C. AND J.M. GAHR (JT W RT SURV) PO BOX 1889 MIDLAND, TX 79702

MATADOR RESOURCES COMPANY 5400 LBJ FREEWAY SUITE 1500 DALLAS, TX 75240 ESTATE OF SHIRLEY B. WYNN 4925 GREENVILLE AVE SUITE 900 DALLAS, TX 75206

BARNES FAMILY PARTNERSHIP PO BOX 505 MIDLAND, TX 79702-0505

TTCZ PROPERTIES, LLC PO BOX 505 MIDLAND, TX 79702-0505

F PETROLEUM INC 1MARIENFELD PL #580 MIDLAND, TX 79701 erse for Instructions

U.S. Postal Service"	CERTIFIED MAIL® RECEIP I  Domestic Mail Only  Committee at www.usps.com®.		Certified Mail Fee	Postmark   Postmark	Street and Apt. No., or PC DALLAS, TX 75240	City, State, ZIP+4®	PS Form 3800, April 2010 Form 1000
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BARNES FAMILY PARTNERSHIP
PO BOX 505
Street and Apt. No., MIDLAND, TX 79702-0505

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Total Postage and Fees

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

City, State, ZIP+4

For delivery information, visit our website at www.usps.com°,

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U.S. Postal Service"

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Santa Fe, New Mexico 87504

P.O. Box 1056 James Bruce

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	PS Form 3800, April 2015 PSN 7530-02-000-9047	See Reverse for Instructions		

#### **CASE NO. 24381**

### STATUS OF CERTIFIED NOTICE

INTEREST OWNER	MAILING DATE	RECEIPT DATE	CARD RETURNED
BTA OIL PRODUCERS LLC	April 11, 2024	April 16, 2024	Yes
V-F PETROLEUM INC.	April 11, 2024	Not returned	No
PBEX LLC	April 11, 2024	April 14, 2024	Yes
GAHR ENERGY COMPANY	April 11, 2024	Not returned	No
CONOCOPHILLIPS COMPANY	April 11, 2024	April 16, 2024	Yes
BURLINGTON RESOURCES OIL & GAS COMPANY	April 11, 2024	April 16, 2024	Yes
J.M. GAHR	April 11, 2024	Not returned	No
GARDENIA INVESTMENTS LTD.	April 11, 2024	Not returned	No
S. RHETT GIST	April 11, 2024	April 18, 2024	Yes
SKEECO, L.P.	April 11, 2024	Not returned	No
M.C. AND J.M. GAHR	April 11, 2024	Not returned	No
MATADOR RESOURCES COMPANY	April 11, 2024	Unknown	Yes
SHIRLEY B. WYNN	April 11, 2024	Not returned	No
BARNES FAMILY PARTNERSHIP	April 11, 2024	April 18, 2024	Yes
TTCZ PROPERTIES, LLC	April 11, 2024	Not delivered	No
F PETROLEUM INC	April 11, 2024	Not delivered	No

EXHIBIT  $4 \cdot \beta$ 

## Affidavit of Publication

STATE OF NEW MEXICO COUNTY OF LEA

I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 1 issue(s).

Beginning with the issue dated
April 18, 2024
and ending with the issue dated
April 18, 2024.

Publisher

Sworn and subscribed to before me this 18th day of April 2024.

Business Manager

My commission expires

January 29 7027 STATE OF NEW MEXICO (Seal) NOTARY PUBLIC GUSSIE RUTH BLACK COMMISSION # 1087526 COMMISSION EXPIRES 01/29/2027

This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said publication has been made.

LEGAL

LEGAL

LEGAL

LEGAL NOTICE April 18, 2024

#### NOTICE

To: BTA OIL PRODUCERS LLC, V-F PETROLEUM INC. PBEX LLC. GAHR ENERGY COMPANY, CONOCOPHILLIPS COMPANY, BURLINGTON RESOURCES OIL & GAS COMPANY, J.M. GAHR, GARDENIA INVESTMENTS LTD., S. RHETT GIST, SKEECO, L.P., M.C. AND J.M. GAHR, MATADOR RESOURCES COMPANY, SHIRLEY B. WYNN, BARNES FAMILY PARTNERSHIP, TTCZ PROPERTIES, LLC, and F PETROLEUM INC., or your helis, devisees, successors, or assigns. Mewbourne Oil

Company has filed an application with the New Mexico Oil Conservation Division (Case No. 24381), requesting an order pooling all uncommitted interests in the Bone Spring formation underlying a non-standard horizontal spacing unit comprised of the W/2 of Section 25 and the W/2 of Section 24, Township 18 South, Range 32 East, N.M.P.M., Lea County, New Mexico. Applicant proposes to drill the following wells to depths sufficient to test the Bone Spring formation:

- (a) the Kings Landing 25/24 Fed. Com. Well Nos. 511H, with a first take point in the SW/4SW/4 of Section 25 and a last take point in the NW/4NW/4 of Section 24; and
- (b) the Kings Landing 25/24 Fed. Com. Well Nos. 531H, with a first take point in the SE/4SW/4 of Section 25 and a last take point in the NE/4NW/4 of Section 24.

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.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, May 2, 2024. The hearing may be attended (a) in person in Pecos Hall of the Wendell Chino Building, 1st Floor, 1220 South St. Francis Drive, Santa Fe New Mexico 87505, or (b) via the WebEx virtual meeting platform. 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 Sheila Apodaca at Sheila. Apodaca@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 attorney for applicant, James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504, jamesbruc@aol.com. The well unit is located approximately 9 miles south-southeast of Maljamar, New Mexico.

EXHIBIT

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JAMES BRUCE JAMES BRUCE, ATTORNEY AT LAW P.O. BOX 1056 SANTA FE, NM 87504

#### BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

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

Case No. 2438/

#### **APPLICATION**

Mewbourne Oil Company applies for an order pooling all uncommitted mineral interest owners in the Bone Spring formation underlying a non-standard horizontal spacing unit comprised of the W/2 of Section 25 and the W/2 of Section 24, Township 18 South, Range 32 East, N.M.P.M., Lea County, New Mexico, and in support thereof, states:

- 1. Applicant is an interest owner in the W/2 of Section 25 and the W/2 of Section 24 (containing 640 acres), and has the right to drill a well or wells thereon.
- 2. Applicant proposes to drill the following wells to depths sufficient to test the Bone Spring formation:
  - (a) the Kings Landing 25/24 Fed. Com. Well Nos. 511H, with a first take point in the SW/4SW/4 of Section 25 and a last take point in the NW/4NW/4 of Section 24; and
  - (b) the Kings Landing 25/24 Fed. Com. Well Nos. 513H, with a first take point in the SE/4SW/4 of Section 25 and a last take point in the NE/4NW/4 of Section 24.
- 3. Applicant has in good faith sought to obtain the voluntary joinder of all other mineral interest owners in the W/2 of Section 25 and the W/2 of Section 24 for the purposes set forth herein.
- 4. Although applicant attempted to obtain voluntary agreements from all 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

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Spring formation underlying the W/2 of Section 25 and the W/2 of Section 24, pursuant to NMSA 1978 §70-2-17.

- 5. The pooling of all uncommitted mineral interest owners in the Bone Spring formation underlying the W/2 of Section 25 and the W/2 of Section 24 will prevent the drilling of unnecessary wells, prevent waste, and protect correlative rights.
  - 6. Applicant is applying for administrative approval of the non-standard unit.

**WHEREFORE**, applicant requests that, after notice and hearing. The Division enters its order:

- A. Pooling all uncommitted mineral interest owners in the Bone Spring formation (Querecho Plains; Lower Bone Spring Pool/Pool Code 50510) underlying the W/2 of Section 25 and the W/2 of Section 24;
- B. Designating applicant as operator of the proposed 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 wells in the event a working interest owner elects not to participate in the wells.

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, Lea County, New Mexico. Mewbourne Oil Company seeks an order pooling all uncommitted mineral interest owners in the Bone Spring formation underlying a non-standard horizontal spacing unit comprised of the W/2 of Section 25 and the W/2 of Section 24, Township 18 South, Range 32 East, N.M.P.M., Lea County, New Mexico. Applicant proposes to drill the following wells to depths sufficient to test the Bone Spring formation:

- (a) the Kings Landing 25/24 Fed. Com. Well Nos. 511H, with a first take point in the SW/4SW/4 of Section 25 and a last take point in the NW/4NW/4 of Section 24; and
- (b) the Kings Landing 25/24 Fed. Com. Well Nos. 531H, with a first take point in the SE/4SW/4 of Section 25 and a last take point in the NE/4NW/4 of Section 24.

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. The well unit is located approximately 9 miles south-southeast of Maljamar, New Mexico.