

From: KIRK KIRKES <kirrkirkes24@gmail.com>

Sent: Thursday, September 4, 2025 12:50 PM

To: Garcia, John, EMNRD <JohnA.Garcia@emnrd.nm.gov>; David.brooks@state.nm.us; dhardy@hardymclean.com; jmclean@hardymclean.com; jkennedy@hardymclean.com

Subject: [EXTERNAL] Subject: Case No. 25566 – Protest and Request for Continuance

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Dear Oil Conservation Division and Counsel for Permian Resources,

We are mineral interest owners in the unit covered by **Case No. 25566 (Application of Permian Resources Operating, LLC for Compulsory Pooling, Eddy County, NM)**.

We are writing to **protest and request a continuance** of the September 11, 2025 hearing.

This notice of compulsory pooling was the **first communication we have ever received from the Applicant**. Despite the Application's statement that "diligent, good-faith efforts" were made to obtain voluntary agreements, we have never received any lease offers, proposals, or correspondence from the company.

Also, we have been told that our mineral interests included in the forced pooling are currently under lease with another Oil Company. The last disbursement from OXY USA WTP LP for this mineral interest was 10-25-2014. It is our understanding that once a producing well becomes non-productive the current lease should be terminated allowing the mineral interest owners to have the opportunity to re-lease.

We respectfully ask the Division to continue the hearing to allow:

1. Proof from the Applicant of its good-faith efforts to contact us (including certified mail receipts or affidavits).
2. An opportunity for us to review and negotiate a voluntary lease agreement before being force pooled.

We appreciate the Division's attention and request confirmation that our protest is noted in the record.

Sincerely,

Katherine Kirkes

Manager, E Bar Z LLC (Formally Helen Marie Pickens Revocable Trust B)

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