

Received
by OCD via USPS on 9/16/25 f
or Case No. 25566

September 4, 2025

Via Electronic Filing / Certified Mail

Oil Conservation Division
New Mexico Energy, Minerals & Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: Protest and Request for Continuance

Case No. 25566 – Application of Permian Resources Operating, LLC for Compulsory Pooling, Eddy County, NM

To Whom It May Concern:

We are mineral interest owners in the spacing unit identified in Case No. 25566. We received notice of the above-referenced Application of Permian Resources Operating, LLC (“Applicant”) seeking a Compulsory Pooling Order. This notice was the first communication we have received from the Applicant.

Despite the Applicant’s statement in its filing (¶4) that it has undertaken “diligent, good-faith efforts to obtain voluntary agreements,” no lease offers, proposals, or other communications were ever delivered to us prior to this pooling notice. The Applicant asserts repeated outreach, yet we can verify that we have not received any correspondence, whether by certified mail, email, or other reasonable means.

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 protest the Application as currently filed and request a continuance of the September 11, 2025 hearing to allow time for:

1. **Proof of Good-Faith Negotiation:** The Applicant should produce documentary evidence of any lease offers or attempts to contact us (including certified-mail receipts or affidavits of publication).
2. **Opportunity to Negotiate Voluntary Agreement:** As contemplated by NMSA 1978, Section 70-2-17 and OCD practice, we should be afforded a fair opportunity to review and negotiate a lease on reasonable terms before the extraordinary remedy of compulsory pooling is imposed.
3. **Clarification of Notice:** We request confirmation that all statutory and regulatory notice requirements (19.15.4.12 NMAC) were satisfied, including service by certified mail, return receipt requested.

Without actual evidence of good-faith efforts to secure voluntary agreement, the Application should not proceed. At a minimum, we request the Division continue this matter so the parties can engage in proper negotiation.

Respectfully submitted,

A handwritten signature in cursive script that reads "Katherine Kirkes". The signature is written in black ink and is positioned below the typed name.

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