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

IN THE MATTER AND CONSIDERATION OF:

AMENDED APPLICATION OF ALPHA ENERGY PARTNERS, LLC, FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

> OCD CASE NO. 25166 OCC CASE NO. 25694 ORDER NO. 23961

AMENDED APPLICATION OF ALPHA ENERGY PARTNERS II, LLC, FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

> OCD CASE NO. 25495 OCC CASE NO. 25696 ORDER NO. 23977

AMENDED APPLICATION OF ALPHA ENERGY PARTNERS II, LLC, FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

> OCD CASE NO. 25496 OCC CASE NO. 25695 ORDER NO. 23989

MOTION REQUESTING AN EVIDENTIARY HEARING TO DETERMINE WHETHER THE SAIK #001 WELL SHOULD BE PLUGGED

Alpha Energy Partners, II, LLC, and affiliate AEP II Operating, LLC (collectively "Alpha"), through its undersigned attorneys, submits to the Oil Conservation Commission ("Commission" or "OCC") this Motion ("Motion") Requesting an Evidentiary Hearing to Determine Whether the Saik #001 Well Should be Plugged in the above-referenced cases now before the Commission ("Subject Cases"). In support of its Motion, Alpha provides the following:

I. Relevant Procedural History and Background:

1. At the Status Conference held before the Commission on November 13, 2025, the OCC Counsel indicated there are ongoing concerns with the Saik #001 Well (API No. 30-015-20971) ("Saik Well") as evidenced by the Letter of Violation dated March 2, 2017 ("NOV Letter")

and offered as an option to the Commission that it use the opportunity of the Subject Cases to pull back the "scab" surrounding the Saik Well and finally address festering regulatory issues—including whether the Saik Well should now be plugged. *See* Transcript for Subject Cases, dated November 13, 2025, (not yet posted).

- 2. The Saik Well began ceasing production from 2008 to 2009 and reported zero production from 2010 through 2024. Due to the prolonged lack of production, the Division placed the well on inactive status and issued the NOV Letter (attached hereto as Exhibit 1), requiring the operator to (1) restore the well to production; (2) apply for temporary abandonment under 19.15.25.13 NMAC; or (3) plug and abandon the well. The corrective-action was due by June 5, 2017—more than eight (8) years ago. No corrective action was taken for the Saik Well. AER filed a Form C-145 with the Division on January 7, 2025—long after the NOV deadline had expired—thereby assuming all liabilities of an already non-producing well with longstanding compliance deficiencies. *See* AER's Form C-145 attached hereto as Exhibit 2.
- 3. Because all production from the Saik Well had ceased by 2010, the sales meter on the Saik Well—the only meter that would measure production from the well if it produced any oil or gas, was disconnected in March 2010, confirming that no production had been—nor could have been—reported after March 2010, and shown to be absent from the wellsite. *See* Emails between Alpha and Enterprise stating when the meter was disconnected, attached hereto as Exhibit 3; *see also* photos taken by Alpha's Landman, attached hereto as Exhibit 4, showing no meter on the well at the location where the meter would have been located if present and the operation of the well completely locked down; Alpha Landman's self-affirmed statement authenticating the photos of the Saik Well and the Emails, attached as Exhibit 5. Moreover, the only pipeline that was capable of collecting production from the Saik Well had been capped and deactivated on August 12, 2025. *See id.*

- 4. Despite the physical inability of the Saik Well to produce or measure hydrocarbons, AER reported 1 MCF of gas every month in 2025, including September and October 2025, after the gathering line had been capped and deactivated. Production reporting in New Mexico operates on an honor system, requiring the operator to report amounts in good faith because the Division does not check and confirm production from the well itself. With no meter available on the Saik Well to measure production, it is not possible for AER to have reported in good faith 1 MCF of production per month through 2025, and certainly it is not possible to have reported in good faith 1 MCF for the months of September and October in 2025 when the pipeline for collecting production itself had been capped. Alpha therefore respectfully requests the Commission to examine these issues during the current proceedings.
- 5. The Commission stated at the November 13, 2025, status conference that it remains undecided whether to grant a stay and/or defer these matters to district court. Consequently, Alpha respectfully provides this Motion and recently discovered evidence to assist the Commission with its decisions for the protection of correlative rights, prevention of waste, and to support EMNRD's mission of ensuring that "abandoned wells are properly plugged and that the land is responsibly restored...." See EMNRD's 2024 Annual Report, OCD's Mission Statement, p. 55.
 - II. Given the Clear Evidence that the Saik Well was Incapable of Measuring and Producing Oil and Gas during 2025, the Commission Should Hold a Hearing to Address the Long-festering Problems Associated with This Non-Producing Well and Unit and Determine Whether It Should be Plugged.
- 6. As stated above, the Saik Well has shown no legitimate production since 2010. AER nevertheless self-reported 1 MCF per month throughout 2025. *See* Exhibit 6, attached hereto. Given that (1) no meter existed; and (2) the pipeline was capped in August 2025, there is no visible basis for AER's reports, and thus they appear to be **fabricated**. Alpha therefore respectfully requests that

the Commission determine—through sworn testimony and evidence—whether AER's production reports constitute fraudulent misrepresentations.

- 7. The common-law elements of fraud include: (1) a misrepresentation of fact; (2) known by the maker to be false; (3) made with the intent to deceive and to induce the other party to act in reliance; and (4) actually relied on by the other party to his or her detriment. Eoff v. Forrest, 1990-NMSC-033, ¶ 11 (citations omitted). In the present cases, AER represented to the Division and Commission that the Saik Well has been producing 1 MCF per month of gas in 2025. The condition of the well indicates that any reporting of production in 2025 is a misrepresentation of fact and is known by AER to be false. Furthermore, AER's misrepresentation was made with the intent to deceive the Division and Commission and to induce the Division to identify the Saik Well as active in 2025 instead of inactive and to induce the Division that AER had a right to produce the well instead of plugging it. In addition, AER misrepresentation was made with the intent to induce the Commission to believe that AER is a valid operator of an active well and therefore had standing to interfere with legitimate proceedings and submit a motion to stay for the Commission's consideration. Finally, the Division actually relied on AER's false report that the Saik Well produced 1 MCF per month in 2025 to classify the Saik Well as an active well and not demand that it be plugged pursuant to the NOV Letter, and at present, the Commission is relying on AER's false representation that it is a prudent operator of an active well in order to consider AER's motion for a stay that, if granted, would deprive more than 700 owners of their timely receipt of production from the Subject Lands.
- 8. Alpha respectfully submits that AER's misrepresentation that the Saik Well is an active, producing well highlights the extent of AER's efforts to not only undermine and sabotage valid pooling orders issued by the Division but also highlights the extent of AER's effort to defile the current proceedings before the Commission. *See, e.g., Eoff,* 1990-NMSC-033, ¶ 10, referencing

7 Moore's Federal Practice para. 60.33, at 359 (2d ed. 1987) (Fraud upon the court occurs where there is a deliberately planned and carefully executed scheme to defraud the court.); *see also Jemez Properties, Inc. v. Lucero*, 1979-NMCA-162, FN 1 (Fraud upon the court embraces that species of fraud which does or attempts to defile the court itself.)

- 9. Thus, given the evidence presented herein that the Saik Well has been, and currently is, non-productive, and given the authority and jurisdiction of the Commission, as described by OCC's counsel and the NOV Letter, to review and examine whether the Saik Well should be plugged, Alpha respectfully requests that the Commission investigate and examine, as part of the current proceedings, whether AER has made false representations and committed fraud in order to bolster its standing before the OCD and OCC, as suggested by the evidence herein, and whether the Saik Well should be plugged and abandoned based on its current condition and continuous lack of production.
- 10. These matters for which Alpha requests review and rulings are factual matters that would directly resolve and decide these cases before Commission. If the Commission finds good cause to order the Saik Well to be plugged and abandoned, then Alpha would be able to proceed under the pooling orders as originally intended by the Division. Furthermore, because the Commission has the authority, jurisdiction and necessary expertise to adjudicate and rule on these factual matters, and because a ruling in favor of Alpha would fully resolve the cases, the exhaustion of administrative remedies doctrine requires that the Commission determine whether the Saik Well should be plugged as a final resolution to these cases before it can defer these matters to district court. See U.S. West Comme'ns, Inc. v. N.M. State Corp. Comm'n, 1998-NMSC-032, ¶ 9 (stating that under the exhaustion of administrative remedies doctrine, where relief is available from an administrative agency, a party is ordinarily required to pursue that avenue of redress before

proceeding to the courts; and until that recourse is exhausted, suit is premature and must be dismissed).

- 11. The Commission represents the state agency charged with protecting correlative rights, preventing waste, and preventing the drilling and operation of unnecessary wells, pursuant to the Oil and Gas Act, NMSA 1978 §§ 70-2-2, et seq., and the OCD/OCC is the only agency that has the technical and adjudicatory expertise to evaluate and determine whether the Saik Well should be plugged. See id. at ¶ 11 (stating that administrative remedies are proper, and the exhaustion doctrine exists because "the interests of justice are best served by permitting the agency to resolve factual issues within its peculiar expertise.") (emphasis added).
- 12. When in its Response, Alpha requested the Commission to determine whether the Saik Well should be plugged based on its lack of production, AER argued that the Saik Well should not be plugged because four of Alpha's older wells—the Colonia A Com #001, Kodiak #002, Merland A Com #001, and Tracy B Com #001—are not plugged. However, Alpha has identified these four older wells as wells to be plugged and has scheduled their plugging and reclamation in the first quarter of 2026 in order to prevent waste, protect correlative rights, and safeguard the environment. The plugging of these wells is, and has been, a part of Alpha's development plan for the Hollywood Star wells and Subject Lands. However, due to operational constraints, Alpha being able to plug these four wells as planned is contingent upon proceeding with its development plan under the Division's pooling orders. Alpha's development plan for the Subject Lands under the Division's pooling orders is comprehensive and includes optimal production from the Hollywood Star wells using the latest technology available for the prevention of waste, protection of correlative rights and reduction of operational emissions that, if allowed to proceed, will coincide with the plugging and clean-up of the four older wells.

- 13. Because the evidence presented herein indicates that AER has made false representations that the Saik Well produced 1 MCF per month in 2025, AER does not meet the criteria of the *Tenneco* test for granting a stay, as AER in light of its bad-faith actions is not likely, and should not, prevail on the merits of these cases; furthermore, under *Tenneco*, it would be harmful to the public interest for the OCC to set a precedent of rewarding a bad actor and its bad actions a party who reports production from a well that has no meter to record production and whose gathering line has been capped, and who uses such bad actions to disrupt and abuse legitimate proceedings before the Division and Commission to attack and undermine legitimate pooling orders, not to mention the more than 700 owners who would be harmed by having the right to their just and equitable share of production denied by a stay. Thus, AER's stay should be denied.
- 14. The Parties of Record—Permian Resources Operating, LLC, Sarvis Permian Land Fund I, LLC, U.S. Energy Development Corporation, and Sarvis Rockmont Permian Land Fund, LLC—have been informed of the filing of this Motion and have not stated a position as of this filing date. Alpha has also notified American Energy Resources, LLC of the filing of this Motion, and because the requested relief is adverse to its asserted interest, Alpha presumes that American Energy Resources, LLC opposes this Motion.

III. Conclusion:

For the reasons and evidence provided herein, Alpha respectfully requests that the Commission use the current proceedings and its authority to investigate, examine and confirm that (1) the Saik Well is currently a non-producing well, has not produced oil or gas for more than 14 years, and therefore should be plugged; and that (2) AER has made false statements and false reports in order to induce the Division and Commission into believing that AER is the operator of an active well.

Respectfully Submitted,

ABADIE & SCHILL, PC

/s/ Darin C. Savage

Darin C. Savage

Andrew D. Schill
William E. Zimsky
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bill@abadieschill.com
Attorneys for Alpha Energy Partners II, LLC,
and AEP II Operating, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed with the New Mexico New Mexico Oil Conservation Commission and was served on counsel of record (or the representative of the party) via electronic mail on November 25, 2025:

Jonathan Samaniego – energy.jrs@gmail.com *American Energy Resources, LLC*

Michael H. Feldewert – mfeldewert@hollandhard.com
Adam G. Rankin -- arankin@hollandhart.com
Paula M. Vance – pmvance@hollandhart.com
Attorneys for Permian Resources Operating, LLC;
And Sarvis Permian Land Fund I, LLC,
U.S. Energy Development Corporation, and Sarvis Rockmont
Permian Land Fund, LLC

/s/ Darin C. Savage
Darin C. Savage

State of New Mexico Energy, Minerals and Natural Resources Department

Susana Martinez

Governor

Tony Delfin

Acting Cabinet Secretary

David R. Catanach, Division Director

Oil Conservation Division



Response Required - Deadline Enclosed

02-Mar-17

WILDCAT ENERGY LLC

P.O. BOX 13323 ODESSA TX 79768-

LETTER OF VIOLATION - Inactive Well(s)

Dear Operator:

A review of our records and recent inspection(s) indicate that the subject well(s) has been shut-in for an extended period of time. Rule 19.15.25.8 of the Rules and Regulation of the Oil Conservation Division provides that a well may be shut-in no longer than sixty days after suspension of drilling operations, upon determining that this well is no longer usable (e.g., a dry hole), or one year after last production. To comply with guidelines as established in the Rules and Regulations, corrective actions must be taken immediately and the well(s) brought into compliance.

The detail section below indicates preliminary findings and/or probable nature of the violation.

The following options are available:

- 1. Immediately restore the well(s) to production, injection or disposal as applicable.
- 2. Request Temporary Abandoned' status pursuant to Rule 19.15.25.13, which requires that you set a plug and conduct a mechanical integrity test.
- 3. Submit a proposal to 'Plug and Abandon' the well(s) pursuant to Rule 19.15.25.9, proceed with plugging procedures on a timely basis after the proposal has been evaluated, amended and/or approved.

In the event that a satisfactory response is not received to this letter of direction by the "Corrective Action Due By:" date shown above, further enforcement will occur. Such enforcement may include this office applying to the Division for an order summoning you to a hearing before a Division Examiner in Santa Fe to show cause why you should not be ordered to permanently plug and abandon this well. Such a hearing may result in imposition of CIVIL PENALTIES for your violation of OCD rules.

IDLE WELL INSPECTION DETAIL SECTION

SAIK 001 B-17-22S-27E 30-015-20971-00-00 Inspection No. iGC1706128844

Inspection Date: 3/2/2017 8:00:42 AM Corrective Action Due by: 6/5/2017

Routine/Periodic Gilbert Cordero Yes No

Comments on Inspection: Violation of rule 19.15.25.8. LAST REPORTED PRODUCTION 10-1-08

EXHIBIT 1

Thank you for your prompt attention to this matter and your efforts in helping to protect our environment and the infrastructure of the oil and gas industry.

Sincerely,

Gilbert Cordero

Compliance Officer

Artesia OCD District Office

* Significant Non-Compliance events are reported directly to the U.S. Environmental Protection Agency, Region VI, Dallas, Texas.

Form C-145

Revised May 19, 2017

Permit 380818

Sante Fe Main Office Phone: (505) 476-3441

General Information Phone: (505) 629-6116

Online Phone Directory https://www.emnrd.nm.gov/ocd/contact-us Energy, Minerals and Natural Resources
Oil Conservation Division

Oil Conservation Division 1220 S. St Francis Dr. Santa Fe, NM 87505

State of New Mexico

Change of Operator

Previous Operator Information New Operator Information Effective Effective on the date of approval by the OCD Date: OGRID: 209564 OGRID: 372991 Name: WILDCAT ENERGY LLC Name: American Energy Resources LLC Address: P.O. Box 13323 Address: P.O. BOX 114 City, State, Zip: Odessa, TX 79768 City, State, Hagerman, NM 88232 Zip:

I hereby certify that the rules of the Oil Conservation Division ("OCD") have been complied with and that the information on this form and the certified list of wells is true to the best of my knowledge and belief.

Additionally, by signing below, American Energy Resources LLC certifies that it has read and understands the following synopsis of applicable rules.

PREVIOUS OPERATOR certifies that all below-grade tanks constructed and installed prior to June 16, 2008 associated with the selected wells being transferred are either (1) in compliance with 19.15.17 NMAC, (2) have been closed pursuant to 19.15.17.13 NMAC or (3) have been retrofitted to comply with Paragraphs 1 through 4 of 19.15.17.11(I) NMAC.

American Energy Resources LLC understands that the OCD's approval of this operator change:

- 1. constitutes approval of the transfer of the permit for any permitted pit, below-grade tank or closed-loop system associated with the selected wells; and
- constitutes approval of the transfer of any below-grade tanks constructed and installed prior to June 16, 2008 associated with the selected wells, regardless of whether the transferor has disclosed the existence of those below-grade tanks to the transferee or to the OCD, and regardless of whether the below-grade tanks are in compliance with 19.15.17 NMAC.

As the operator of record of wells in New Mexico, American Energy Resources LLC agrees to the following statements:

1. Initials Of I am responsible for ensuring that the wells and related facilities comply with applicable statutes and rules, and am responsible for all regulatory filings with the OCD. I am responsible for knowing all applicable statutes and rules, not just the rules referenced in this list. I understand that the OCD's rules are available on the OCD website under "Rules," and that the Water Quality Control Commission rules are available on the OCD website on the "Publications" page.

2. Initials Lyd I understand that if I acquire wells from another operator, the OCD must approve the operator change before I

begin operating those wells. See Subsection B of 19.15.9.9 NMAC. I understand that if I acquire wells or facilities subject to a compliance order addressing inactive wells or environmental cleanup, before the OCD will approve the operator change it may require me to enter into an enforceable agreement to return those wells to compliance. See Paragraph (2) of Subsection C of

19.15.9.9 NMAC. 3. Initials 1 m LI must file a monthly C-115 report showing production for each non-plugged well completion for which the OCD has approved an allowable and authorization to transport, and injection for each injection well. See 19.15.7.24 NMAC. I understand that the OCD may cancel my authority to transport from or inject into all the wells I operate if I fail to file C-115 reports. See/Subsection C of 19.15.7.24 NMAC.

4. Initials X I understand that New Mexico requires wells that have been inactive for certain time periods to be plugged or placed in approved temporary abandonment. See 19.15.25.8 NMAC. I understand the requirements for plugging and approved temporary abandonment in 19.15.25 NMAC. I understand that I can check my compliance with the basic requirements of

19.15.25.8 NMAC by using the "Inactive Well List" on OCD's website.

5. Initials I must keep current with financial assurances for well plugging. I understand that New Mexico requires each state well that has been inactive for more than two years and has not been plugged and released to be covered by a single-well financial assurance or a "blanket plugging financial assurance for wells in temporarily abandoned statues", even if the well is also covered by a blanket financial assurance and even if the well is on approved temporary abandonment status. See Subsection C of 19.15.8.9 NMAC. I understand that I can check my compliance with the financial assurance requirement by using the Inactive Well Additional Financial Assurance Report" on the OCD's website.

6. Initials _____I am responsible for reporting and remediating releases pursuant to 19.15.29 NMAC. I understand the OCD will look to me as the operator of record to take corrective action for releases at my wells and related facilities, including releases that occurred before I became operator of record. I am responsible for conducting my own due diligence for any releases that have occurred prior to becoming operator of my wells and related facilities and am responsible for any open releases or

unreported releases.
7. Initials I have read 19.15.5.9 NMAC, commonly known as "Part 5.9," and understand that to be in compliance with its requirements I must have the appropriate financial assurances in place, comply with orders requiring corrective action, pay penalties assessed by the courts or agreed to by me in a settlement agreement, and not have too many wells out of compliance with the inactive well rule (19.15.25.8 NMAC). If I am in violation of Part 5.9, I may not be allowed to drill, acquire or produce any additional wells, and will not be able to obtain any new injection permits. See 19.15.16.19 NMAC, 19.15.26.8 NMAC, 19.15.9.9 NMAC and 19.15.14.10 NMAC. If I am in violation of Part 5.9 the OCD may, after notice and hearing, revoke my existing injection permits and seek other relief. See 19.15.26.8 NMAC and 19.15.5.10 NMAC.

8. Initials Of For injection wells, I understand that I must report injection on my monthly C-115 report and must operate my wells in compliance with 19.15.26 NMAC and the terms of my injection permit. I understand that I must conduct mechanical integrity tests on my injection wells at least once every five years. See 19.15.26.11 NMAC. I understand that when there is a continuous one-year period of non-injection into all wells in an injection or storage project or into a saltwater disposal well or special purpose injection well, authority for that injection automatically terminates. See 19.15.26.12 NMAC. I understand that if I transfer operation of an injection well to another operator, the OCD must approve the transfer of authority to inject, and the

OCD may require me to demonstrate the well's mechanical integrity prior to approving that transfer. See 19.15.26.15 NMAC.

9. Initials I am responsible for providing the OCD with my current address of record and emergency contact information, and I am responsible for updating that information when it changes. See Subsection C of 19.15.9.8 NMAC. I understand that I

can update that information on the OCD's website under "Electronic Permitting."

10. Initials If I transfer well operations to another operator, the OCD must approve the change before the new operator can begin perations. See Subsection B of 19.15.9.9 NMAC. I remain responsible for the wells and related facilities and all related regulatory filings until the OCD approves the operator change. I understand that the transfer will not relieve me of responsibility

or liability for any act or omission which occurred while I operated the wells and related facilities.

11. Initials No person with an interest exceeding 25% in the undersigned company is, or was within the last 5 years, an officer director, partner or person with a 25% or greater interest in another entity that is not currently in compliance with

Subsection A of 19.15.5.9 NMAC.

12. Initials NMOCD Rule Subsection E and F of 19.15.16.8 NMAC: An operator shall have 90 days from the effective date of an operator name change to change the operator name on the well sign unless the division grants an extension time, for good cause shown, along with a schedule for making the changes. Each sign shall show the (1) well number, (2) property name, (3) operator's name, (4) location by footage, quarter-quarter section, township and range (or unit letter can be substituted for the quarter-quarter section), and (5) API number.

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1/7/2025 1:20 p.m.

Date:

C-145

I hereby certify I understand the above. The statements I have made are true and correct and a condition precedent to the Oil Conservation Division accepting this Change of Operator.

Previous Operator

Signature:

Printed Name:

Title:

Phone:

New Operator

Signature:

Printed Name:

Title:

Date:

othan Samaniego

Permit 380818

NMOCD Approval

Electronic Signature(s): Rob Jackson, District 2

Date: January 07, 2025 Sante Fe Main Office Phone: (505) 476-3441

General Information Phone: (505) 629-6116

Online Phone Directory https://www.emnrd.nm.gov/ocd/contact-us

State of New Mexico Energy, Minerals and Natural Resources Oil Conservation Division 1220 S. St Francis Dr. Santa Fe, NM 87505

Wells Selected for Transfer

Permit 380818

1 Well Selected for Transfer

From:		OGRID:	
	WILDCAT ENERGY LLC		209564
To:		OGRID:	
	American Energy Resources LLC		372991

OCD District: Artesia (1 Well selected.)

Property	Well	Lease Type	ULSTR	OCD Unit	API	Pool ID	Pool Name	Well Type
336641	SAIK #001	Р	B-17-22S-27E	В	30-015-20971			G

From: John Coffman John@alphapermian.com @

Subject: Fw: [EXTERNAL] Saik #1 Line Date: November 18, 2025 at 2:13 PM

To: Darin Savage darin@abadieschill.com, Olivia Atkins olivia@abadieschill.com, Riley Morris Riley@alphapermian.com



Also FYI below.

John Coffman

From: Granger, Jeremy <jagranger@eprod.com> **Sent:** Monday, November 17, 2025 7:50 AM

To: Hanway, Jeremiah <JJHANWAY@eprod.com>; Peelman, Russell

<rwpeelman@eprod.com>; John Coffman <John@alphapermian.com>; Verstuyft,

Matthew <mrverstuyft@eprod.com>

Cc: Riley Morris <Riley@alphapermian.com>; Cornwell, Peter

<pecornwell@eprod.com>; Pfeiffer, William <WPfeiffer@eprod.com>; Woolsey, Luke

<LWOOLSEY@eprod.com>

Subject: RE: [EXTERNAL] Saik #1 Line

Correct. Meter was temporarily disconnected March of 2010.

From: Hanway, Jeremiah <JJHANWAY@eprod.com>

Sent: Friday, November 14, 2025 10:01 AM

To: Peelman, Russell rwpeelman@eprod.com; John Coffman

<John@alphapermian.com>; Verstuyft, Matthew <mrverstuyft@eprod.com>; Granger,

Jeremy < jagranger@eprod.com>

Cc: Riley Morris <Riley@alphapermian.com>; Cornwell, Peter

<pecornwell@eprod.com>; Pfeiffer, William <WPfeiffer@eprod.com>; Woolsey, Luke

<LWOOLSEY@eprod.com>

Subject: RE: [EXTERNAL] Saik #1 Line

+Jeremy

I'm also showing that meter has been temporarily disconnected since 2010? I've included our Measurement Supervisor to confirm that.

From: Peelman, Russell rwpeelman@eprod.com

Sent: Friday, November 14, 2025 9:53 AM

To: John Coffman < John@alphapermian.com >; Verstuyft, Matthew

<mrverstuyft@eprod.com>

Cc: Riley Morris < Riley@alphapermian.com >; Hanway, Jeremiah

<<u>JJHANWAY@eprod.com</u>>; Cornwell, Peter <<u>pecornwell@eprod.com</u>>; Pfeiffer, William

< WPfeiffer@eprod.com>

Subject: RE: [EXTERNAL] Saik #1 Line

August 12th, 2025

Russell Peelman

S.W. Pipeline/Compression Supervisor

Cell: 575-499-4039 Office: 575-628-6824 rwpeelman@eprod.com





From: John Coffman < <u>John@alphapermian.com</u>>

Sent: Friday, November 14, 2025 9:46 AM

To: Verstuyft, Matthew < "> Peelman, Russell

<rwpeelman@eprod.com>

Cc: Riley Morris < Riley@alphapermian.com>; Hanway, Jeremiah

<<u>JJHANWAY@eprod.com</u>>; Cornwell, Peter <<u>pecornwell@eprod.com</u>>; Pfeiffer, William

< WPfeiffer@eprod.com>

Subject: Re: [EXTERNAL] Saik #1 Line

[Use caution with links/attachments]

Thank you all, this information is extremely helpful. If you have a chance, do you mind checking the dates the lines were capped?

Thank you,

John Coffman

From: Verstuyft, Matthew < mrverstuyft@eprod.com>

Sent: Friday, November 14, 2025 8:25 AM

To: Peelman, Russell < rwpeelman@eprod.com >; John Coffman

<<u>John@alphapermian.com</u>>

Cc: Riley Morris < Riley@alphapermian.com >; Hanway, Jeremiah

<<u>JJHANWAY@eprod.com</u>>; Cornwell, Peter <<u>pecornwell@eprod.com</u>>; Pfeiffer, William

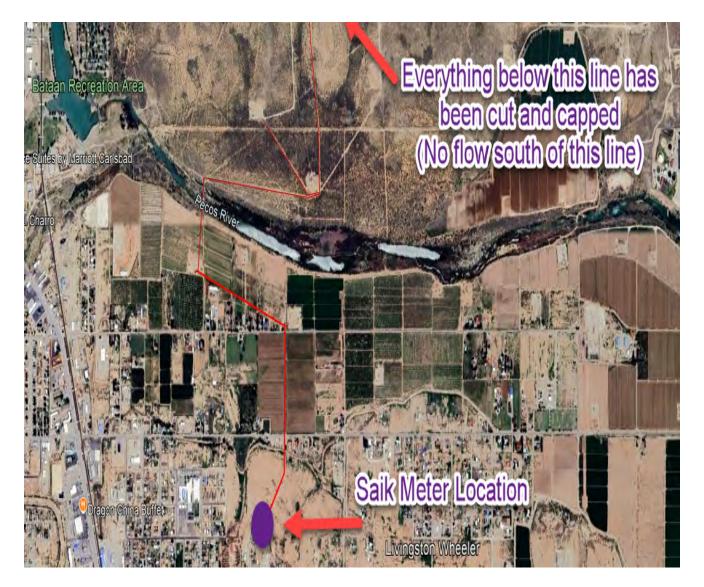
<WPfeiffer@eprod.com>

Subject: RE: [EXTERNAL] Saik #1 Line

Hey John,

Shouldn't be any flow coming from that meter on our system. Picture below depicts where we've cut and capped the line. I can check on exact dates to see when this work was done.





Thanks, Matt Verstuyft Representative, Commercial

From: Peelman, Russell <<u>rwpeelman@eprod.com</u>>
Sent: Thursday, November 13, 2025 8:36 PM
To: John Coffman <<u>John@alphapermian.com</u>>

Cc: Riley Morris < Riley@alphapermian.com>; Hanway, Jeremiah

<<u>JJHANWAY@eprod.com</u>>; Cornwell, Peter <<u>pecornwell@eprod.com</u>>; Pfeiffer, William

<u>WPfeiffer@eprod.com</u>>; Verstuyft, Matthew <<u>mrverstuyft@eprod.com</u>>

Subject: Re: [EXTERNAL] Saik #1 Line

I have included my manager and our commercial group to the email. The line has been cut and capped North of the Pecos river. Our commercial reps will be able to give you a more accurate time frame and history on the line. Sent from my iPhone

On Nov 13, 2025, at 8:30 AM, John Coffman

<John@alphapermian.com> wrote:

[Use caution with links/attachments] Russell,

Thanks for taking my call yesterday to talk through the line on the Saik #1 well. The operator is reporting production to the OCD but I didn't see a no sales meter out there. Do you mind giving me a rundown of what the status is on that line again?

Thank you sir,

John Coffman Senior Landman

Alpha Energy Partners II, LLC

Office: 508 W. Wall St., Suite 1200, Midland, Texas 79701

Mailing: P.O. Box 10701, Midland, Texas 79702

Phone: (432) 219-8812 (Office) Phone: (720)-320-7285 (Cell)

AlphaPermian.com

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

IN THE MATTER AND CONSIDERATION OF:

AMENDED APPLICATION OF ALPHA ENERGY PARTNERS, LLC, FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

> OCD CASE NO. 25166 OCC CASE NO. 25694 ORDER NO. 23961

AMENDED APPLICATION OF ALPHA ENERGY PARTNERS II, LLC, FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

> OCD CASE NO. 25495 OCC CASE NO. 25696 ORDER NO. 23977

AMENDED APPLICATION OF ALPHA ENERGY PARTNERS II, LLC, FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

> OCD CASE NO. 25496 OCC CASE NO. 25695 ORDER NO. 23989

SELF-AFFIRMED STATEMENT OF JOHN COFFMAN

I, John Coffman, state and affirm the following:

- 1. I am over the age of eighteen years and have the capacity to execute this Statement, which is based on my personal knowledge.
- 2. I am employed as a Landman with Alpha Energy Partners II, LLC ("Alpha"), affiliate successor in interest to Alpha Energy Partners, LLC, and I am familiar with the subject application and the lands involved.
- 3. I graduated from Texas Tech University with a bachelor's degree in business (Energy Commerce) in 2018. I have worked at Alpha for approximately 2 years, and I have been

EXHIBIT 5

working in New Mexico for 8 years. My credentials as a petroleum landman have been accepted by the New Mexico Oil Conservation Division ("Division") and made a matter of record.

- 4. On November 12, 2025, I traveled to the site of the Saik #001 Well (API No. 30-015-20971) ("Saik Well"), inspected the well site and took photographs of the well and well site which are included as exhibits in Alpha's Motion to which this self-affirmed statement is attached. The photographs show the absence of a meter on the well that is necessary to measure production from the Saik Well. Without a meter attached to the well, production cannot be measured or accurately reported. In addition, I observed a sign on the well that provided the contact information for Enterprise Products Partners L.P. ("Enterprise"), the gathering company responsible for receiving and measuring production from the Saik Well.
- 5. I promptly contacted Enterprise and was informed that the meter had been removed and deactivated from the Saik Well in 2010 and the pipeline for receiving production from the well had been capped on August 12, 2025. I had follow-up email correspondence with Enterprise confirming that the meter had been removed and the pipeline capped on these dates, which are attached to Alpha's Motion as exhibits and confirming that production could not be measured given the condition of the Saik Well.

Received by OCD: 11/25/2025 4:37:33 PM

Signature page of Self-Affirmed Statement of John Coffman:

I understand that this Self-Affirmed Statement will be used as written testimony before the Division in Case Nos. 25694, 25695 and 25696, and affirm that my testimony herein is true and correct, to the best of my knowledge and belief, and made under penalty of perjury under the laws of the State of New Mexico.

John Coffman

Date Signed

OCD Permitting

Home

Searches

/ells

Well Details

30-015-20971 SAIK #001 [336641]

General Well Information				
Operator:	[372991] American Energy Resources LLC			
Status:	Active		Direction:	Vertical
Well Type:	Gas		Multi-Lateral:	No
Work Type:	New		Mineral Owner:	Private
			Surface Owner:	Private
Surface Location:	B-17-22S-27E 990 FNL 1980 FEL			
Lat/Long:	32.3971138,-104.2098923 NAD83			
GL Elevation:	3122			
KB Elevation:			Sing/Mult Compl:	Single
DF Elevation:			Potash Waiver:	False
Proposed Formation and/or Note	s			
INT TO P&A EXPIRED 5/11/2010				
Depths				
Proposed:	0		True Vertical Depth:	11690
Measured Vertical Depth:	11690		Plugback Measured:	0
Formation Tops				
	Formation	Тор	Producing Method Ol	btained
Event Dates				
Initial APD Approval:	09/01/1974			
Most Recent APD Approval:	01/07/2025		Current APD Expiration:	09/01/1976
APD Cancellation:				
APD Extension Approval:				
Spud:	03/10/1996		Gas Capture Plan Received:	
Approved Temporary			TA Expiration:	
Abandonment:				
Shut In:				
Plug and Abandoned Intent			PNR Expiration:	
Received:			Last MIT/BHT:	04/18/2025
Well Plugged:				
Site Release:	04/40/0005			
Last Inspection:	04/18/2025			

Quick Links

- General Well
- <u>History</u>
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- Well Admin C

New Search

- New Facility 5
- New Incident
- New Operato
- New Pit Sear
- New Well Sea

History

Effective Well Plug Apd Well Status Property Operator C-101 Work Type Well Type Date Number Cancelled Date 01/07/2025 [336641] SAIK #001 [372991] American Energy Resources LLC New Gas Active

EXHIBIT 6

10/27/2010	[308584] SAIK	#001	[209564] WILDCAT ENERGY LLC	New	Gas	Active	
01/01/2006	[302160] SAIK	#001	[192463] OXY USA WTP LIMITED PARTNERSHIP	New	Gas	Active	
02/01/1997	[20597] SAIK	#001	[16696] OXY USA INC	New	Gas	Active	
01/01/1997	[20372] SAIK	#001	[2894] BRISTOL RESOURCES CORP	New	Gas	Active	
01/01/1996	[18292] SAIK	#001	[873] APACHE CORPORATION	New	Gas	Active	
11/01/1995	[4864] SAIK	#001	[9761] APACHE ENERGY RESOURCES CORP	New	Gas	Active	
09/01/1974	[4864] SAIK	#001	[9761] APACHE ENERGY RESOURCES CORP	New	Gas	Active	

Comments			

Pits & Containm	nents											
Id	Name	Rule	Status	(Capacity) Type	Registration	Inspection Before *	Earliest Effective Commencement	Last Effective Cessation	Inspection After *	Closure Report	Reclamation Report	Restoration Complete
<u>ycon1004142149</u>	1900 A PPIT @ 30- 015- 20971	17	Active	PPIT								

Casing														
				, Strings a	and Equipment tions	oment Specifications for Strings and Tubing			Strings Cemented and Intervals			Cement and Plug Description		
String/Hole Type	Taper	Date Set	Diameter	Тор	Bottom (Depth)	Grade	Length	Weight	Bot of Cem	Top of Cem	Meth	Class of Cement	Sacks	Pressure Test (Y/N)
Hole 1	1		13.375	0	358		0	0.0	0	0			0	No
Surface Casing	1		13.375	0	358		358	48.0	358	0		Class C Cement	380	No
Hole 2	1		9.625	0	3560		0	0.0	0	0			0	No
Intermediate 1 Casing	1		9.625	0	3560		3560	36.0	3560	0		Class C Cement	1150	No
Hole 3	1		7.000	0	10500		0	0.0	0	0			0	No
Intermediate 2 Casing	1		7.000	0	10500		10500	23.0	10500	0		Class C Cement	575	No
Packer	1		4.500	9113	9118		5	0.0	0	0			0	No
Hole 4	1		4.500	10392	11685		0	0.0	0	0			0	No

Production Casing	1	4.500	10392	11685	1293	99.0	11685	0	Class C Cement	180	No
Tubing 1	1	2.375	0	9113	9113	0.0	0	0		0	No

Well Completions

[73960] CARLSBAD; MORROW, SOUTH (GAS)

Status: Zone Permanently Plugged Last Produced:

Bottomhole Location: B-17-22S-27E 990 FNL 1980 FEL

Lat/Long: Acreage:

DHC: No Consolidation Code:

Production Method: Flowing

04/01/1996

Well Test Data

 Production Test:
 Test Length:
 0 hours

 Flowing Tubing Pressure:
 0 psi
 Flowing Casing Pressure:
 0 psi

Choke Size: 0.000 inches Testing Method:

 Gas Volume:
 0.0 MCF
 Oil Volume:
 0.0 bbls

 Gas-Oil Ratio:
 0 Kcf / bbl
 Oil Gravity:
 0.0 Corr. API

 Disposition of Gas:
 Water Volume:
 0.0 bbls

Perforations

Top Measured Depth

Date (Where Completion Enters Bottom Measured Depth Top Vertical Depth Bottom Vertical Depth

Formation)

Notes

Event Dates

 Initial Effective/Approval:
 09/01/1974

 Most Recent Approval:
 03/10/1996
 TA Expiration:

Confidential Requested On: Confidential Until:
Test Allowable Approval: Test Allowable End:

TD Reached:

Deviation Report Received: No Rig Released:

Directional Survey Run: No Logs Received: No

Directional Survey Received: No Closure Pit Plat Received:

First Oil Production: 01/01/1975 First Gas Production: 01/01/1975
First Injection: 01/01/1975

Ready to Produce: Completion Report Received: C-104 Approval: New Well C-104 Approval: Plug Back:

Authorization Revoked Start: Revoked Until:

Well Completion History

TA Effective Well Operator Completion Status Expiration Property Date Number Date 03/10/1996 [18292] SAIK #001 [873] APACHE CORPORATION Zone Permanently Plugged 01/01/1996 [18292] SAIK #001 [873] APACHE CORPORATION Active 11/01/1995 [4864] SAIK #001 [9761] APACHE ENERGY RESOURCES CORP Active 02/08/1994 [4864] SAIK #001 [9761] APACHE ENERGY RESOURCES CORP Active

Received by OCD: 11/25/2025 4:37:33 PM [4864] SAIK [9761] APACHE ENERGY RESOURCES CORP 09/01/1974 #001 Active [74040] CARLSBAD; STRAWN (GAS) Last Produced: 03/01/1996 Zone Permanently Plugged **Bottomhole Location:** B-17-22S-27E 990 FNL Lat/Long: Acreage: DHC: No Consolidation Code: **Production Method:** Flowing **Well Test Data Production Test:** Test Length: 0 hours Flowing Tubing Pressure: 0 psi Flowing Casing Pressure: 0 psi Testing Method: Choke Size: 0.000 inches Gas Volume: 0.0 MCF Oil Volume: 0.0 bbls Gas-Oil Ratio: 0 Kcf / bbl Oil Gravity: 0.0 Corr. API Disposition of Gas: Water Volume: 0.0 bbls Perforations Top Measured Depth **Bottom Measured Depth** Date (Where Completion Enters Top Vertical Depth **Bottom Vertical Depth** (End of Lateral) Formation) Notes **Event Dates** Initial Effective/Approval: 09/01/1974 Most Recent Approval: 03/10/1996 TA Expiration: Confidential Requested On: Confidential Until: Test Allowable Approval: Test Allowable End: DHC TD Reached: **Deviation Report Received:** No Rig Released: Directional Survey Run: No Logs Received: Nο **Directional Survey Received:** No Closure Pit Plat Received: 01/01/1975 01/01/1975 First Gas Production: First Oil Production: First Injection:

Ready to Produce: C-104 Approval: Plug Back:

Authorization Revoked Start:

Completion Report Received: New Well C-104 Approval: Revoked Until:

Well Completion History

TA Effective Well Operator **Completion Status** Expiration Property Number Date Date 03/10/1996 [18292] SAIK #001 [873] APACHE CORPORATION Zone Permanently Plugged 01/01/1996 [18292] SAIK #001 [873] APACHE CORPORATION Active 11/01/1995 [4864] SAIK #001 [9761] APACHE ENERGY RESOURCES CORP Active 02/08/1994 [4864] SAIK #001 [9761] APACHE ENERGY RESOURCES CORP Active 09/01/1974 [4864] SAIK #001 [9761] APACHE ENERGY RESOURCES CORP Active

[74160] CARLSBAD; WOLFCAMP, EAST (GAS)

Last Produced: Status: Active 09/01/2025 **Bottomhole Location:**

B-17-22S-27E 990 FNL 1980 FEL

Lat/Long:

N/320 17-22S-27E Units: A B C D E F G H Acreage:

DHC: No

Consolidation Code:

Test Length:

Production Method: Flowing

Well Test Data

Production Test: Flowing Tubing Pressure:

650 psi

Flowing Casing Pressure:

0 hours 0 psi

Choke Size: 0.160 inches Gas Volume:

Testing Method: 727.0 MCF Oil Volume:

132.0 bbls 0.0 Corr. API

Gas-Oil Ratio: Disposition of Gas: 0 Kcf / bbl Oil Gravity:

Water Volume: 196.0 bbls

Perforations

Top Measured Depth

Date (Where Completion Enters **Bottom Measured Depth**

Top Vertical Depth

Bottom Vertical Depth

Formation)

(End of Lateral)

0

9434

9713

0

No

05/02/1996

Notes

Event Dates

Initial Effective/Approval:

03/18/1996

Most Recent Approval: Confidential Requested On: 01/07/2025

No

No

No

TA Expiration: Confidential Until:

Test Allowable Approval:

Deviation Report Received:

Test Allowable End:

TD Reached:

DHC: Rig Released:

Directional Survey Run:

Logs Received:

Directional Survey Received:

Closure Pit Plat Received:

First Oil Production:

First Gas Production:

First Injection:

C-104 Approval:

Ready to Produce:

05/02/1996

05/02/1996

Completion Report Received: New Well C-104 Approval:

09/25/1996

Plug Back:

Authorization Revoked Start: 06/22/2017 Revoked Until:

Well Completion History

Effective Date	Property	Well Number	Operator	Completion Status	TA Expiration Date
01/07/2025	[336641] SAIK	#001	[372991] American Energy Resources LLC	Active	
10/27/2010	[308584] SAIK	#001	[209564] WILDCAT ENERGY LLC	Active	
01/01/2006	[302160] SAIK	#001	[192463] OXY USA WTP LIMITED PARTNERSHIP	Active	
02/01/1997	[20597] SAIK	#001	[16696] OXY USA INC	Active	
01/01/1997	[20372] SAIK	#001	[2894] BRISTOL RESOURCES CORP	Active	
03/18/1996	[18292] SAIK	#001	[873] APACHE CORPORATION	Active	

Financial Assurance

Please login to review the financial assurance associated with this well.

Compliance Note that Financial Assurance and Inactive Well Compliance are documented in separate reports (Inactive Well Report, Financial Assurance Report). Also note that some compliance issues are addressed at the operator level so not listed under each well. cGC1706129094 Violation Source: Date of Violation: 03/02/2017 Compliance Required: 06/05/2017 Resolved: Notes IDLE WELL Actions/Events **Event Date** Category Туре 03/02/2017 Enforcements Plug/Abandonment 03/02/2017 Notifications Letter of Violation cTM1720038562 **Violation Source:** Other 07/19/2017 Date of Violation: Resolved: Compliance Required: 10/22/2017 Notes IDLE WELL Actions/Events **Event Date** Category Туре 07/19/2017 Enforcements Other Violation 07/19/2017 Notifications Letter of Violation cDA2314421630 Violation Source: Field Inspection Date of Violation: 05/23/2023 Compliance Required: 08/21/2023 Resolved: Notes

> SIGN-IN HELP

Searches **Operator Data Hearing Fee Application**

Violation Source: Field Inspection Date of Violation:

12/23/2024

Compliance Required:

03/23/2025 Resolved:

Notes

Vegetation around heater treater needs to be cleaned.

Actions/Events

Event Date	Category	Туре	
12/24/2024	Notifications	Pre Enforcement Notification	

Upstream Natural Gas Venting & Fla The upstream natural gas venting & flaring volumes are	•	am natural gas waste	reports (C-115B) s	ubmissions.		
Earliest Natural Gas Waste Report in OCE	Records: 01/	2025 Last :		09/2025		Show All Upstream Venting & Flaring
	Ventin	ng & Flaring Volu	mes		Beneficia	I Use
	Vented (MCF)	Flared (MCF)	Total (MCF)			Used (MCF)
2025	0	0	0			0
Grand Total:	0	0	0			0

Orders

Please login to review the orders associated with this well.

Production / Injection									
production & injection volum									
arliest Production in O	CD Records:	12/1992 La	ast		9/2025		Show All Pro	oduction	Export to Ex
		Prod	uction			In	jection		
Time Frame	Oil (BBLS)	Gas (MCF)	Water (BBLS)	Days P/I	Water (BBLS)	Co2 (MCF)	Gas (MCF)	Other	Pressure
1992 Cumulative	3,721	5,144,654	20,452	198	0	0	0	0	N
1993	116	45,904	3,966	844	0	0	0	0	N
1994	1	39,188	0	396	0	0	0	0	N
1995	100	40,464	3,529	728	0	0	0	0	N
1996	6,895	88,625	325	422	0	0	0	0	N
1997	260	10,118	0	31	0	0	0	0	N
1998	194	18,400	19	245	0	0	0	0	N
1999	300	20,750	16	363	0	0	0	0	N
2000	156	16,552	368	366	0	0	0	0	N
2001	114	12,736	116	351	0	0	0	0	N
2002	95	8,955	0	347	0	0	0	0	N
2003	8	3,537	0	350	0	0	0	0	N
2004	0	1,722	0	318	0	0	0	0	N
2005	45	1,991	0	358	0	0	0	0	N
2006	84	2,942	0	364	0	0	0	0	N

2007	12	5,582	0	365	0	0	0	0	N/A
2008	0	731	0	130	0	0	0	0	N/A
2009	0	0	0	151	0	0	0	0	N/A
2010	0	0	0	59	0	0	0	0	N/A
2011	0	0	0	0	0	0	0	0	N/A
2012	0	0	0	0	0	0	0	0	N/A
2013	0	0	0	0	0	0	0	0	N/A
2014	0	0	0	0	0	0	0	0	N/A
2015	0	0	0	0	0	0	0	0	N/A
2016	0	0	0	0	0	0	0	0	N/A
2017	0	0	0	0	0	0	0	0	N/A
2018	0	0	0	0	0	0	0	0	N/A
2019	0	0	0	0	0	0	0	0	N/A
2020	0	0	0	0	0	0	0	0	N/A
2021	0	0	0	0	0	0	0	0	N/A
2025	0	9	0	9	0	0	0	0	N/A
Grand Total:	12,101	5,462,860	28,791	6,395	0	0	0	0	N/A

Transporters		
Transporter	Product	Most Recent for Property
[147831] Lucid Artesia Company	Gas	9/2025

Points of Disposition							
ID	Туре	Description	Pool(s)				
2804606	Water		[73960] CARLSBAD;MORROW, SOUTH (GAS), [74040] CARLSBAD;STRAWN (GAS), [74160] CARLSBAD;WOLFCAMP, EAST (GAS)				
2804605	Gas		[74160] CARLSBAD;WOLFCAMP, EAST (GAS)				
2804604	Oil		[74160] CARLSBAD;WOLFCAMP, EAST (GAS)				

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2014	0	0	0	0	0	0	0	0	N/A
2015	0	0	0	0	0	0	0	0	N/A
2016	0	0	0	0	0	0	0	0	N/A
2017	0	0	0	0	0	0	0	0	N/A
2018	0	0	0	0	0	0	0	0	N/A
2019	0	0	0	0	0	0	0	0	N/A
2020	0	0	0	0	0	0	0	0	N/A
2021	0	0	0	0	0	0	0	0	N/A
2025									
CARLSBAD;WOLFC	AMP, EAST (GAS	5)							
Jan	0	1	0	1	0	0	0	0	0
Feb	0	1	0	1	0	0	0	0	0
Mar	0	1	0	1	0	0	0	0	0
Apr	0	1	0	1	0	0	0	0	0
May	0	1	0	1	0	0	0	0	0
Jun	0	1	0	1	0	0	0	0	0
Jul	0	1	0	1	0	0	0	0	0
Aug	0	1	0	1	0	0	0	0	0
Sep	0	1	0	1	0	0	0	0	0
Oct	0	1	0	1	0	0	0	0	0
Pool Total:	0	10	0	10	0	0	0	0	N/A
Annual Total:	0	10	0	10	0	0	0	0	N/A
Grand Total:	12,101	5,462,861	28,791	6,396	0	0	0	0	N/A

Transporters			
·			
Transporter	Product	Most Recent for Property	
[147831] Lucid Artesia Company	Gas	10/2025	

Points of Disposition							
	ID	Туре	Description	Pool(s)			
	2804606	Water		[73960] CARLSBAD;MORROW, SOUTH (GAS), [74040] CARLSBAD;STRAWN (GAS), [74160] CARLSBAD;WOLFCAMP, EAST (GAS)			