

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

**APPLICATION FOR SURFACE COMMINGLING  
SUBMITTED BY APACHE CORPORATION**

**ORDER NO. CTB-928**

**ORDER**

The Director of the New Mexico Oil Conservation Division ("OCD"), having considered the application, issues the following Order.

**FINDINGS OF FACT**

1. Apache Corporation ("Applicant") submitted a complete application to surface commingle and off-lease measure the oil and gas production ("Application") from the pools, leases, and wells identified in Exhibit A.
2. To the extent that ownership is identical, Applicant submitted a certification by a licensed attorney or qualified petroleum landman that the ownership in the pools, leases, and wells to be commingled is identical as defined in 19.15.12.7(B) NMAC.
3. Applicant proposed a method to allocate the oil and gas production to the pools, leases, and wells to be commingled.
4. To the extent that ownership is diverse, Applicant provided notice of the Application to all persons owning an interest in the oil and gas production to be commingled, including the owners of royalty and overriding royalty interests, regardless whether they have a right or option to take their interests in kind, and those persons either submitted a written waiver or did not file an objection to the Application.
5. Applicant provided notice of the Application to the Bureau of Land Management ("BLM") or New Mexico State Land Office ("NMSLO"), as applicable.
6. Applicant provided evidence or a certification by a qualified person that the commingling of oil and gas production from the pools, leases, and wells will not in reasonable probability reduce the value of the oil and gas production to less than if it had remained segregated.
7. Applicant intends to keep the oil and gas production from one or more group(s) of wells segregated from the oil and gas production from all other wells prior to measuring it with an allocation meter. Each group is identified as its own train in Exhibit A.
8. Applicant in the notice for the Application stated that it sought authorization to add additional pools, leases, and wells and identified the parameters to make such additions.

9. Applicant submitted or intends to submit one or more proposed communitization agreement(s) ("Proposed Agreement(s)") to the BLM or NMSLO, as applicable, identifying the leases to be consolidated into a single pooled area ("Pooled Area").

### **CONCLUSIONS OF LAW**

10. OCD has jurisdiction to issue this Order pursuant to the Oil and Gas Act, NMSA 1978, §§ 70-2-6, 70-2-11, 70-2-12, 70-2-16, and 70-2-17, and 19.15.12 NMAC.
11. To the extent that ownership is diverse, Applicant satisfied the notice requirements for the Application in accordance with 19.15.12.10(A)(2), (C)(4)(c), and (C)(4)(e) NMAC.
12. Applicant's proposed method of allocation, as modified herein, complies with 19.15.12.10(B)(1) or (C)(1) NMAC, as applicable.
13. Commingling involving state, federal, or tribal leases shall not commence until approved by the BLM or NMSLO, as applicable, in accordance with 19.15.12.10(B)(3) and (C)(4)(h) NMAC.
14. Subsequent additions of pools, leases, and wells within Applicant's defined parameters, as modified herein, will not, in reasonable probability, reduce the commingled production's value or otherwise adversely affect the interest owners in the production to be added. Applicant satisfied the notice requirements for subsequent additions of pools, leases, and wells in the notice for the Application, in accordance with 19.15.12.10(C)(4)(g) NMAC.
15. By granting the Application with the conditions specified below, this Order prevents waste and protects correlative rights, public health, and the environment.

### **ORDER**

1. Effective May 1, 2020, Applicant is authorized to surface commingle and off-lease measure oil and gas production from the pools, leases, and wells identified in Exhibit A.
2. No later than sixty (60) days after the BLM or NMSLO approves or denies a Proposed Agreement, Applicant shall submit Form C-103 with a copy of the decision and agreement. If Applicant withdraws or the BLM or NMSLO denies a Proposed Agreement, then this Order shall terminate on the date of such action, and Applicant shall cease commingling the production from the Pooled Area. If the BLM or NMSLO approves but modifies the Proposed Agreement(s), then Applicant shall comply with the approved agreement(s), and no later than sixty (60) days after such decision, Applicant shall submit a new surface commingle application to conform this Order with the approved agreement(s). If OCD denies the application, this Order shall terminate on the date of such action.
3. Applicant shall allocate the oil and gas production to each lease within a Pooled Area in proportion to the acreage that each lease bears to the entire acreage of the Pooled Area described in Exhibit B.
4. The allocation of oil and gas production from each train shall be separated and metered prior to commingling.

5. The allocation of oil and gas production shall be based on the production life of each well. The production of a well shall be measured for three periods: (a) the initial production period shall be measured from the first production until either the peak production rate or thirty (30) days after the first production; (b) the plateau period shall be measured from the end of the initial production period to the peak decline rate; and (c) the decline period shall be measured from the end of the plateau period until the well is plugged and abandoned.

For each well, during the initial production period, the oil and gas production shall be separated and metered prior to commingling.

For each well, during the plateau period, the oil and gas production shall be allocated using a minimum of four (4) well tests per month.

For each well, during the decline period, the oil and gas production shall be allocated on the basis of: (a) four (4) well tests per month when the decline rate is greater than 21% per month; (b) three (3) well tests per month when the decline rate is between 21% and 13% per month; (c) two well tests per month when the decline rate is between 13% and 6% per month; and (d) one (1) well test per month when the decline rate is less than 6% per month.

Applicant shall submit a Form C-103 each quarter to the Engineering Bureau in Santa Fe that identifies the allocation method for each well, and for any well allocated by the well test method, Applicant shall provide the following information: (a) the current decline rate; (b) the minimum number of well tests per month required by this Order; and (c) the number of well tests conducted each month.

Upon OCD's request, Applicant shall submit a Form C-103 to the Engineering Bureau in Santa Fe that provides the decline rate curve and other relevant information demonstrating the production life of a well.

Applicant shall conduct a well test by separating and metering the oil and gas production from each well for either (a) a minimum of twenty-four (24) consecutive hours; or (b) a combination of nonconsecutive periods that meet the following conditions: (i) each period shall be a minimum of six (6) hours; and (ii) the total duration of the nonconsecutive periods shall be a minimum of eighteen (18) hours.

The well test requirements of this Order shall be suspended for any well shut-in for a period greater than fifteen (15) days until the well is no longer shut-in.

6. Applicant shall measure the commingled oil at a central tank battery described in Exhibit A in accordance with 19.15.18.15 NMAC or 19.15.23.8 NMAC.
7. Applicant shall measure the commingled gas at a central delivery point described in Exhibit A in accordance with 19.15.19.9 NMAC, provided however that if the gas is flared, regardless whether OCD has granted an exception pursuant to 19.15.18.12(B) NMAC, Applicant shall report the gas in accordance with 19.15.18.12(F) NMAC.
8. Applicant shall calibrate the meters used to measure or allocate oil and gas production in accordance with 19.15.12.10(C)(2) NMAC.

9. If the commingling of oil and gas production from any pool, lease, or well reduces the value of the commingled oil and gas production to less than if it had remained segregated, then Applicant shall submit a new surface commingle application to amend this Order to remove the pool, lease, or well whose oil and gas production caused the decrease in value no later than sixty (60) days after the decrease in value has occurred. If Applicant fails to do so, this Order shall terminate on the following day. If OCD denies the application, this Order shall terminate on the date of such action.
10. Applicant may submit an application to amend this Order to add pools, leases, and subsequently drilled wells with spacing units adjacent to or within the tracts commingled by this Order by submitting a Form C-107-B via the OCD Fee Portal and providing notice of the application to all owners of interest in the production to be added.
11. Applicant shall not commence commingling involving state, federal, or tribal leases until approved by the BLM or NMSLO, as applicable.
12. OCD retains jurisdiction and reserves the right to modify or revoke this Order if it determines that the Application did not accurately describe the pools, leases, and wells in the Pooled Area(s) or any action affecting or related to the commingling of oil and gas production, or as deemed necessary to prevent waste or protect correlative rights, public health, or the environment.

**STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION**



**ADRIENNE SANDOVAL  
DIRECTOR**

**DATE:** 4/30/2020

State of New Mexico  
Energy, Minerals and Natural Resources Department

## Exhibit A

Order: CTB-928

Operator: Apache Corporation (873)

Central Tank Battery: Palmillo 0310 Central Tank Battery

Central Tank Battery Location (NMPM): SE/4 Section 3, Township 19 South, Range 28 East

Gas Custody Transfer Meter Location (NMPM): SE/4 Section 3, Township 19 South, Range 28 East

### Pools

Pool Name	Pool Code
PALMILLO; BONE SPRING, SOUTHWWEST	96413

### Leases as defined in 19.15.12.7(C) NMAC

Lease	Location (NMPM)	
XO 0648 0150	S/2 SW/4, SW/4 SE/4	Sec 10-T19S-R28E
EO 5003 0004	SE/4 SE/4	Sec 10-T19S-R28E
XO 0648 0155	N/2 NW/4, NW/4 NE/4	Sec 10-T19S-R28E
EO 5003 0005	NE/4 NE/4	Sec 10-T19S-R28E
XO 0648 0155	S/2 SW/4, SW/4 SE/4	Sec 3-T19S-R28E
OG 605 3	SE/4 SE/4	Sec 3-T19S-R28E
XO 0648 0155	S/2 NE/4	Sec 3-T19S-R28E
OG 605 3	S/2 NW/4	Sec 3-T19S-R28E
XO 0648 0155	N/2 NE/4	Sec 3-T19S-R28E
OG 605 3	N/2 NW/4	Sec 3-T19S-R28E
XO 648155	N/2 S/2	Sec 3-T19S-R28E
	S/2 N/2, N/2 S/2	Sec 10-T19S-R28E

### Wells

Well API	Well Name	Location (NMPM)	Pool Code	Train
30-015-45790	Palmillo 10 State Com 231H	P-10-19S-28E	96413	2
30-015-45785	Palmillo 10 State 232H	I-10-19S-28E	96413	2
30-015-45791	Palmillo 10 State 233H	H-10-19S-28E	96413	1
30-015-45792	Palmillo 10 State Com 234H	A-10-19S-28E	96413	1
30-015-45807	Palmillo 10 State Com 332H	P-10-19S-28E	96413	2
30-015-45808	Palmillo 10 State 333H	I-10-19S-28E	96413	2
30-015-45809	Palmillo 10 State 334H	H-10-19S-28E	96413	1
30-015-45795	Palmillo 10 State Com 335H	A-10-19S-28E	96413	1
30-015-45799	Palmillo 3 State Com 241H	P-03-19S-28E	96413	5
30-015-45800	Palmillo 3 State 242H	I-03-19S-28E	96413	4
30-015-45801	Palmillo 3 State Com 243H	H-03-19S-28E	96413	3
30-015-45802	Palmillo 3 State Com 244H	D-03-19S-28E	96413	3

State of New Mexico  
Energy, Minerals and Natural Resources Department

## Exhibit B

Order: **CTB-928**

Operator: **Apache Corporation (873)**

### Pooled Areas

Pooled Area	Location (NMPM)		Acres	Pooled Area ID
CA BS NMSLO	S/2 S/2	Sec 10-T19S-R28E	160	A
CA BS NMSLO	N/2 N/2	Sec 10-T19S-R28E	160	B
CA BS NMSLO	S/2 S/2	Sec 3-T19S-R28E	160	C
CA BS NMSLO	S/2 N/2	Sec 3-T19S-R28E	160	D
CA BS NMSLO	N/2 N/2	Sec 3-T19S-R28E	161.72	E

### Leases Comprising Pooled Areas

Lease	Location (NMPM)		Acres	Pooled Area ID
XO 0648 0150	S/2 SW/4, SW/4 SE/4	Sec 10-T19S-R28E	120	A
EO 5003 0004	SE/4 SE/4	Sec 10-T19S-R28E	40	A
XO 0648 0155	N/2 NW/4, NW/4 NE/4	Sec 10-T19S-R28E	120	B
EO 5003 0005	NE/4 NE/4	Sec 10-T19S-R28E	40	B
XO 0648 0155	S/2 SW/4, SW/4 SE/4	Sec 3-T19S-R28E	120	C
OG 605 3	SE/4 SE/4	Sec 3-T19S-R28E	40	C
XO 0648 0155	S/2 NE/4	Sec 3-T19S-R28E	80	D
OG 605 3	S/2 NW/4	Sec 3-T19S-R28E	80	D
XO 0648 0155	N/2 NE/4	Sec 3-T19S-R28E	80.82	E
OG 605 3	N/2 NW/4	Sec 3-T19S-R28E	80.9	E