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

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21204, LEA COUNTY, NEW MEXICO

Case No. 21687 Order No. R-21204 (Re-Open)

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21205, LEA COUNTY, NEW MEXICO

Case No. 21688 Order No. R-21205 (Re-Open)

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21206, LEA COUNTY, NEW MEXICO

Case No. 21689 Order No. R-21206 (Re-Open)



# **Pakse South Fed Com Wells** 111H, 112H, 221H, 222H, 321H & 322H

March 4, 2021

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

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21204, LEA COUNTY, NEW MEXICO

Case No. 21687 Order No. R-21204

(Re-Open)

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Case No. 21688 Order No. R-21205

(Re-Open)

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21206, LEA COUNTY, NEW MEXICO

Case No. 21689 Order No. R-21206 (Re-Open)

### AFFIDAVIT OF WALTER JONES

I, being duly sworn on oath, state the following:

- 1. I am over the age of 18, and have the capacity to execute this Affidavit, which is based on my personal knowledge.
- 2. I am a landman employed as Vice President of Land with Titus Oil & Gas Production, LLC ("Titus"), and I am familiar with the subject applications and the lands involved.
- 3. This affidavit is submitted in connection with the filing by Titus of the above-referenced applications pursuant to 19.15.4.12.A(1) NMAC.
- 4. I have previously testified before the New Mexico Oil Conservation Division as an expert witness in petroleum land matters. My credentials as a petroleum landman have been accepted by the Division and made a matter of record previously. My education and work experience are as follows: I graduated from the University of Mississippi in 2005 with a business

Exhibit A

degree in marketing. From 2007 through 2009, I worked as an independent landman for a broker in the Barnett Shale in the Fort Worth area. From 2009 to 2017, I worked for BOPCO, LP, overseeing assets predominately in Eddy and Lea Counties, New Mexico. I have been with Titus from 2017 to present. I have been working on New Mexico oil and gas matters for approximately 11 years.

- 5. The purpose of these Applications is to amend Order Nos. R-21204, R-21205, and R-21206 previously issued in Case Nos. 20897, 20898, and 20899, respectively, to extend the time for drilling the following wells:
  - a. The Pakse South 24-25-36 Fed Com 111H well ("Pakse South 111H Well") and the Pakse South 24-25-36 Fed Com 112H well ("Pakse South 112H Well") approved in Order No. R-21204 (previous Case No. 20897);
  - b. The Pakse South 24-25 Fed Com 221H well ("Pakse South 221H Well") and the Pakse South 24-25 Fed Com 222H well ("Pakse South 222H Well") approved in Order No. R-21205 (previous Case No. 20898); and
  - c. The Pakse South 24-25-36 Fed Com 321H well ("Pakse South 321H Well") and the Pakse South 24-25-36 Fed Com 322H well ("Pakse South 322H Well") approved in Order No. R-21206 (previous Case No. 20899).
  - 6. The pertinent Applications are attached as follows:
    - a. Case No. 21687, regarding amending Order No. 21204 (previous Case No. 20897) for the Pakse South 111H Well and the Pakse South 112H Well, is attached as Exhibit 1-A;

- b. Case No. 21688, regarding amending Order No. 21205 (previous Case No. 20898) for the Pakse South 221H Well and the Pakse South 222H Well, is attached as Exhibit 1-B; and
- c. Case No. 21689, regarding amending Order No. 21206 (previous Case No. 20899) for the Pakse South 321H Well and the Pakse South 322H Well, is attached as Exhibit 1-C.
- 7. **Order No. R-21204** pooled uncommitted interest owners in the First Bone Spring formation (Salt Lake [53560]) in a standard 800-acre, more or less, horizontal spacing unit ("HSU") comprised of the W/2 of Sections 24 and 25 and the NW/4 of Section 36, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico, dedicated to the Pakse South 111H Well and the Pakse South 112H Well. Order No. R-21204 is attached as **Exhibit 2-A**.
- 8. **Order No. R-21205** pooled uncommitted interest owners in the Second Bone Spring formation (Salt Lake [53560]) in a standard 640-acre, more or less, horizontal spacing unit ("HSU") comprised of the W/2 of Sections 24 and 25, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico, dedicated to the Pakse South 221H Well and the Pakse South 222H Well. Order No. R-21205 is attached at **Exhibit 2-B**.
- 9. **Order No. R-21206** pooled uncommitted interest owners in the Third Bone Spring formation (Salt Lake [53560]) in a standard 800-acre, more or less, horizontal spacing unit ("HSU") comprised of the W/2 of Sections 24 and 25 and the NW/4 of Section 36, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico, dedicated to the Pakse South 321H Well and the Pakse South 322H Well. Order No. R-21205 is attached at **Exhibit 2-C**.
- 10. The Orders designated Titus as the operator of the above-referenced wells and HSUs.

- 11. Titus is a working interest owner in the HSUs and has the right to drill thereon.
- 12. Titus requests the Division to re-open these matters previously heard in Case Nos. 20897, 20898, and 20899 to extend the time to commence drilling the above-referenced wells to be no later than April 7, 2022, which will be a one-year extension from the time to commence drilling granted in Order Nos. R-21204, R-21205, and R-21206.
- 13. The Division Hearings in original Case Nos. 20897, 20898, and 20899 were held on February 20, 2020.
- 14. The Division entered Order No. R-21204 in Case No. 20897, Order No. R-21205 in Case No. 20898, and Order No. R-21206 in Case No. 20899 all on April 7, 2020.
- 15. At paragraph 19, Order Nos. R-21204, R-21205, and R-21206 state, "The Operator shall commence drilling the Well(s) within one (1) year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well." At paragraph 20, Order Nos. R-21204, R-21205, and R-21206 state, "This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown."
- 16. Under Order Nos. R-21204, R-21205, and R-21206, Titus would be required to commence drilling the above-referenced wells by April 7, 2021.
  - 17. Good cause exists for the Division to grant the extensions.
- 18. Titus requests extensions of time because there have been changes in Titus's drilling schedule due to COVID-19 and current market conditions. In addition, the new federal administration has recently entered an executive order that may impact federal permitting, right-of-way, and sundries among other federal approvals needed prior to drilling.

- 19. Titus's operations and drilling activity have been impacted by COVID-19, oil and gas market conditions, and the changes and uncertainty resulting from the executive order.
  - 20. Titus is in good standing under the statewide rules and regulations.
- 21. Titus notified all parties pooled under Order Nos. R-21204, R-21205, and R-21206 regarding the requests to re-open these matters to amend the orders for the purposes stated herein. A sample notice letter is attached hereto as **Exhibit 3**. No parties entered appearances in these matters and no opposition is expected. Proof of notification, including proof of publication, can be found at Tab 2 of the exhibit package.
- 22. Titus incorporates all exhibits provided and admitted into the record at the hearing for the original Case Nos. 20897, 20898, and 20899 by reference herein.
- 23. Titus is not requesting changes to any provisions in Order Nos. R-21204, R-21205, and R-21206, other than the changes requested herein, and asks that all other rights and privileges granted to Titus in the Orders remain the same.
- 24. The Exhibits to this Affidavit were prepared by me, or compiled from Titus's business records.
- 25. The granting of these Applications is in the interests of conservation, the prevention of waste, and the protection of correlative rights.
  - 26. The foregoing is correct and complete to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NAUGHT

Walter P. Jones

STATE OF TEXAS

COUNTY OF TARRANT )

Subscribed to and sworn before me this  $2^{NP}$  day of March, 2021.

REED BRUNETTE
Notary Public, State of Texas
Comm. Expires 11-15-2022
Notary ID 131798223

Notary Public

My Commission expires \_\_\_\_\_

11/15/2022

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

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21204, LEA COUNTY, NEW MEXICO

Case No. 21687 Order No. R-21204 (Re-Open)

#### **APPLICATION**

Titus Oil & Gas Production, LLC ("Titus"), through its undersigned counsel Montgomery & Andrews, P.A. (Sharon T. Shaheen and John F. McIntyre), hereby files this application with the Oil Conservation Division to amend Order No. R-21204 entered in Case No. 20897 to extend the time for drilling (1) the **Pakse South 24-25-36 Fed Com 111H** well ("Pakse South 111H Well") and (2) the **Pakse South 24-25-36 Fed Com 112H** well ("Pakse South 112H Well") approved in Order No. R-21204. In support of its application, Titus states as follows:

- 1. Order No. R-21204 pooled uncommitted interest owners in the First Bone Spring formation (Salt Lake [53560]) in a standard 800-acre, more or less, horizontal spacing unit ("HSU") comprised of the W/2 of Sections 24 and 25 and the NW/4 of Section 36, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico, dedicated to the Pakse South 111H Well and the Pakse South 112H Well.
  - 2. Titus is a working interest owner in the HSU and has the right to drill thereon.
- 3. Order No. R-21204 designated Titus as the operator of the Pakse South 111H Well, the Pakse South 112H Well, and the HSU.

  Exhibit 1-A

  Titus Oil & Gas Production, LLC

Titus Oil & Gas Production, LLC NMOCD Case No. 21687 March 4, 2021

<sup>&</sup>lt;sup>1</sup> Order No. R-21204 entered in Case No. 20897 is one of three orders relating to Titus's "Pakse South" well group. By separate applications, Titus is seeking to amend Order No. R-21205 entered in Case No. 20898 and Order No. R-21206 entered in Case No. 20899.

- 4. Titus requests the Division re-open the matter to extend the time to commence drilling the Pakse South 111H Well and the Pakse South 112H Well to be no later than April 7, 2022, which will be a one-year extension from the time to commence drilling granted in Order No. R-21204.
- 5. The Division Hearing in the original proceeding, Case No. 20897, was held on February 20, 2020, in conjunction with two other Titus cases, Case Nos. 20898 and 20899.
  - 6. The Division entered Order No. R-21204 in Case No. 20897 on April 7, 2020.
- 7. Order No. R-21204, ¶ 19 states: "The Operator shall commence drilling the Well(s) within one (1) year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well." Order No. R-21204, ¶ 20 states: "This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown."
- 8. Under Order No. R-21204, Titus would be required to commence drilling the wells by April 7, 2021.
  - 9. Good cause exists for the Division to grant the extension.
- 10. Titus requests an extension of time because there have been changes in Titus's drilling schedule due to COVID-19 and current market conditions. In addition, the new federal administration has recently entered an executive order that may impact federal permitting, right-of-way, and sundries among other federal approvals needed prior to drilling.
- 11. Titus's operations and drilling activity have been impacted by COVID-19, oil and gas market conditions, and the changes and uncertainty resulting from the executive order.

WHEREFORE, Titus requests that this application be set for hearing before an Examiner of the Oil Conservation Division on March 4, 2021, and that, after notice and hearing as required

by law, the Division enter an order amending Order No. R-21204 to extend the time to commence drilling (1) the Pakse South 111H Well and (2) the Pakse South 112H Well to be no later than April 7, 2022.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

/s/ Sharon T. Shaheen
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John F. McIntyre
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## STATE OF NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES OIL CONSERVATION DIVISION

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21205, LEA COUNTY, NEW MEXICO

Case No. <u>21688</u> Order No. R-21205 (Re-Open)

#### **APPLICATION**

Titus Oil & Gas Production, LLC ("Titus"), through its undersigned counsel Montgomery & Andrews, P.A. (Sharon T. Shaheen and John F. McIntyre), hereby files this application with the Oil Conservation Division to amend Order No. R-21205 entered in Case No. 20898 to extend the time for drilling (1) the **Pakse South 24-25 Fed Com 221H** well ("Pakse South 221H Well") and (2) the **Pakse South 24-25 Fed Com 222H** well ("Pakse South 222H Well") approved in Order No. R-21205. In support of its application, Titus states as follows:

- 1. Order No. R-21205 pooled uncommitted interest owners in the Second Bone Spring formation (Salt Lake [53560]) in a standard 640-acre, more or less, horizontal spacing unit ("HSU") comprised of the W/2 of Sections 24 and 25, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico, dedicated to the Pakse South 221H Well and the Pakse South 222H Well.
  - 2. Titus is a working interest owner in the HSU and has the right to drill thereon.
- 3. Order No. R-21205 designated Titus as the operator of the Pakse South 221H Well, the Pakse South 222H Well, and the HSU.

Titus Oil & Gas Production, LLC NMOCD Case No. 21688 March 4, 2021

<sup>&</sup>lt;sup>1</sup> Order No. R-21205 entered in Case No. 20898 is one of three orders relating to Titus's "Pakse South" well group. By separate applications, Titus is seeking to amend Order No. R-21204 entered in Case No. 20897 and Order No. R-21206 entered in Case No. 20899.

- 4. Titus requests the Division re-open the matter to extend the time to commence drilling the Pakse South 221H Well and the Pakse South 222H Well to be no later than April 7, 2022, which will be a one-year extension from the time to commence drilling granted in Order No. R-21205.
- 5. The Division Hearing in the original proceeding, Case No. 20898, was held on February 20, 2020, , in conjunction with two other Titus cases, Case Nos. 20897 and 20899.
  - 6. The Division entered Order No. R-21205 in Case No. 20898 on April 7, 2020.
- 7. Order No. R-21205, ¶ 19 states: "The Operator shall commence drilling the Well(s) within one (1) year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well." Order No. R-21205, ¶ 20 states: "This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown."
- 8. Under Order No. R-21205, Titus would be required to commence drilling the wells by April 7, 2021.
  - 9. Good cause exists for the Division to grant the extension.
- 10. Titus requests an extension of time because there have been changes in Titus's drilling schedule due to COVID-19 and current market conditions. In addition, the new federal administration has recently entered an executive order that may impact federal permitting, right-of-way, and sundries among other federal approvals needed prior to drilling.
- 11. Titus's operations and drilling activity have been impacted by COVID-19, oil and gas market conditions, and the changes and uncertainty resulting from the executive order.

WHEREFORE, Titus requests that this application be set for hearing before an Examiner of the Oil Conservation Division on March 4, 2021, and that, after notice and hearing as required

by law, the Division enter an order amending Order No. R-21205 to extend the time to commence drilling (1) the Pakse South 221H Well and (2) the Pakse South 222H Well to be no later than April 7, 2022.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

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

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21206, LEA COUNTY, NEW MEXICO

Case No. 21689 Order No. R-21206 (Re-Open)

#### **APPLICATION**

Titus Oil & Gas Production, LLC ("Titus"), through its undersigned counsel Montgomery & Andrews, P.A. (Sharon T. Shaheen and John F. McIntyre), hereby files this application with the Oil Conservation Division to amend Order No. R-21206 entered in Case No. 20899 to extend the time for drilling (1) the **Pakse South 24-25-36 Fed Com 321H** well ("Pakse South 321H Well") and (2) the **Pakse South 24-25-36 Fed Com 322H** well ("Pakse South 322H Well") approved in Order No. R-21206. In support of its application, Titus states as follows:

- 1. Order No. R-21206 pooled uncommitted interest owners in the Third Bone Spring formation (Salt Lake [53560]) in a standard 800-acre, more or less, horizontal spacing unit ("HSU") comprised of the W/2 of Sections 24 and 25 and the NW/4 of Section 36, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico, dedicated to the Pakse South 321H Well and the Pakse South 322H Well.
  - 2. Titus is a working interest owner in the HSU and has the right to drill thereon.
- 3. Order No. R-21206 designated Titus as the operator of the Pakse South 321H Well,
  the Pakse South 322H Well, and the HSU.

  Exhibit 1-C
  Titus Oil & Gas Production, LLC
  NMOCD Case No. 21689
  March 4, 2021

<sup>&</sup>lt;sup>1</sup> Order No. R-21206 entered in Case No. 20899 is one of three orders relating to Titus's "Pakse South" well group. By separate applications, Titus is seeking to amend Order No. R-21204 entered in Case No. 20897 and Order No. R-21205 entered in Case No. 20898.

- 4. Titus requests the Division re-open the matter to extend the time to commence drilling the Pakse South 321H Well and the Pakse South 322H Well to be no later than April 7, 2022, which will be a one-year extension from the time to commence drilling granted in Order No. R-21206.
- 5. The Division Hearing in the original proceeding, Case No. 20899, was held on February 20, 2020, in conjunction with two other Titus cases, Case Nos. 20897 and 20899.
  - 6. The Division entered Order No. R-21206 in Case No. 20899 on April 7, 2020.
- 7. Order No. R-21206, ¶ 19 states: "The Operator shall commence drilling the Well(s) within one (1) year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well." Order No. R-21206, ¶ 20 states: "This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown."
- 8. Under Order No. R-21206, Titus would be required to commence drilling the wells by April 7, 2021.
  - 9. Good cause exists for the Division to grant the extension.
- 10. Titus requests an extension of time because there have been changes in Titus's drilling schedule due to COVID-19 and current market conditions. In addition, the new federal administration has recently entered an executive order that may impact federal permitting, right-of-way, and sundries among other federal approvals needed prior to drilling.
- 11. Titus's operations and drilling activity have been impacted by COVID-19, oil and gas market conditions, and the changes and uncertainty resulting from the executive order.

WHEREFORE, Titus requests that this application be set for hearing before an Examiner of the Oil Conservation Division on March 4, 2021, and that, after notice and hearing as required

by law, the Division enter an order amending Order No. R-21206 to extend the time to commence drilling (1) the Pakse South 321H Well and (2) the Pakse South 322H Well to be no later than April 7, 2022.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

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

IN THE MATTER OF APPLICATION FOR COMPULSORY POOLING SUBMITTED BY TITUS OIL & GAS PRODUCTION, LLC

CASE NO. 20897 ORDER NO. R-21204

#### **ORDER**

The Director of the New Mexico Oil Conservation Division ("OCD"), having heard this matter through a Hearing Examiner on February 20<sup>th</sup>, 2020, and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

#### FINDINGS OF FACT

- 1. Titus Oil & Gas Production, LLC ("Operator") submitted an application ("Application") to compulsorily pool the uncommitted oil and gas interests within the spacing unit ("Unit") described in Exhibit A. The Unit is expected to be a standard horizontal spacing unit. 19.15.16.15(B) NMAC. Operator seeks to be designated the operator of the Unit.
- 2. Operator will dedicate the well(s) described in Exhibit A ("Well(s)") to the Unit.
- 3. Operator proposes the supervision and risk charges for the Well(s) described in Exhibit A.
- 4. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice was given.
- 5. The Application was heard by the Hearing Examiner on the date specified above, during which Operator presented evidence through affidavits in support of the Application. No other party presented evidence at the hearing.

#### **CONCLUSIONS OF LAW**

- 6. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
- 7. Operator is the owner of an oil and gas working interest within the Unit.
- 8. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC. Exhibit 2-A

Titus Oil & Gas Production, LLC NMOCD Case No. 21687 March 4, 2021

- 9. OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.
- 10. Operator has the right to drill the Well(s) to a common source of supply at the depth(s) and location(s) in the Unit described in Exhibit A.
- 11. The Unit contains separately owned uncommitted interests in oil and gas minerals.
- 12. Some of the owners of the uncommitted interests have not agreed to commit their interests to the Unit.
- 13. The pooling of uncommitted interests in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.
- 14. This Order affords to the owner of an uncommitted interest the opportunity to produce his just and equitable share of the oil or gas in the pool.

#### **ORDER**

- 15. The uncommitted interests in the Unit are pooled as set forth in Exhibit A.
- 16. The Unit shall be dedicated to the Well(s) set forth in Exhibit A.
- 17. Operator is designated as operator of the Unit and the Well(s).
- 18. If the location of a well will be unorthodox under the spacing rules in effect at the time of completion, Operator shall obtain the OCD's approval for a non-standard location in accordance with 19.15.16.15(C) NMAC.
- 19. The Operator shall commence drilling the Well(s) within one year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well.
- 20. This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown.
- 21. The infill well requirements in 19.15.13.9 NMAC through 19.15.13.12 NMAC shall be applicable.

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- 22. Operator shall submit to each owner of an uncommitted working interest in the pool ("Pooled Working Interest") an itemized schedule of estimated costs to drill, complete, and equip the well ("Estimated Well Costs").
- 23. No later than thirty (30) days after Operator submits the Estimated Well Costs, the owner of a Pooled Working Interest shall elect whether to pay its share of the Estimated Well Costs or its share of the actual costs to drill, complete and equip the well ("Actual Well Costs") out of production from the well. An owner of a Pooled Working Interest who elects to pay its share of the Estimated Well Costs shall render payment to Operator no later than thirty (30) days after the expiration of the election period, and shall be liable for operating costs, but not risk charges, for the well. An owner of a Pooled Working Interest who fails to pay its share of the Estimated Well Costs or who elects to pay its share of the Actual Well Costs out of production from the well shall be considered to be a "Non-Consenting Pooled Working Interest."
- 24. No later than one hundred eighty (180) days after Operator submits a Form C-105 for a well, Operator shall submit to OCD and each owner of a Pooled Working Interest an itemized schedule of the Actual Well Costs. The Actual Well Costs shall be considered to be the Reasonable Well Costs unless OCD or an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If OCD or an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Reasonable Well Costs after public notice and hearing.
- 25. No later than sixty (60) days after the expiration of the period to file a written objection to the Actual Well Costs or OCD's order determining the Reasonable Well Costs, whichever is later, each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs shall pay to Operator its share of the Reasonable Well Costs that exceed the Estimated Well Costs, or Operator shall pay to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs its share of the Estimated Well Costs that exceed the Reasonable Well Costs.
- 26. The reasonable charges for supervision to drill and produce a well ("Supervision Charges") shall not exceed the rates specified in Exhibit A, provided however that the rates shall be adjusted annually pursuant to the COPAS form entitled "Accounting Procedure-Joint Operations."
- 27. No later than within ninety (90) days after Operator submits a Form C-105 for a well, Operator shall submit to OCD and each owner of a Pooled Working Interest an itemized schedule of the reasonable charges for operating and maintaining the

CASE NO. 20897 ORDER NO. R-21204

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well ("Operating Charges"), provided however that Operating Charges shall not include the Reasonable Well Costs or Supervision Charges. The Operating Charges shall be considered final unless OCD or an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If OCD or an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Operating Charges after public notice and hearing.

- 28. Operator may withhold the following costs and charges from the share of production due to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs: (a) the proportionate share of the Supervision Charges; and (b) the proportionate share of the Operating Charges.
- 29. Operator may withhold the following costs and charges from the share of production due to each owner of a Non-Consenting Pooled Working Interest: (a) the proportionate share of the Reasonable Well Costs; (b) the proportionate share of the Supervision and Operating Charges; and (c) the percentage of the Reasonable Well Costs specified as the charge for risk described in Exhibit A.
- 30. Operator shall distribute a proportionate share of the costs and charges withheld pursuant to paragraph 29 to each Pooled Working Interest that paid its share of the Estimated Well Costs.
- 31. Each year on the anniversary of this Order, and no later than ninety (90) days after each payout, Operator shall provide to OCD and each owner of a Non-Consenting Pooled Working Interest a schedule of the revenue attributable to a well and the Supervision and Operating Costs charged against that revenue.
- 32. Any cost or charge that is paid out of production shall be withheld only from the share due to an owner of a Pooled Working Interest. No cost or charge shall be withheld from the share due to an owner of a royalty interests. For the purpose of this Order, an unleased mineral interest shall consist of a seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest.
- 33. Except as provided above, Operator shall hold the revenue attributable to a well that is not disbursed for any reason for the account of the person(s) entitled to the revenue as provided in the Oil and Gas Proceeds Payment Act, NMSA 1978, Sections 70-10-1 *et seq.*, and relinquish such revenue as provided in the Uniform Unclaimed Property Act, NMSA 1978, Sections 7-8A-1 *et seq.*
- 34. The Unit shall terminate if (a) the owners of all Pooled Working Interests reach a voluntary agreement; or (b) the well(s) drilled on the Unit are plugged and

CASE NO. 20897 ORDER NO. R-21204

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abandoned in accordance with the applicable rules. Operator shall inform OCD no later than thirty (30) days after such occurrence.

4/07/2020

35. OCD retains jurisdiction of this matter for the entry of such orders as may be deemed necessary.

**Date:** \_\_\_\_

STATE OF NEW MEXICO OIL CONSERVATION DIVISION

ADRIENNE SANDOVAL DIRECTOR

AES/kms

CASE NO. 20897 ORDER NO. R-21204

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#### EXHIBIT "A"

Applicant: Titus Oil & Gas Production, LLC

Operator: <u>Titus Oil & Gas Production, LLC (OGRID 373986)</u>

Spacing Unit: <u>Horizontal Oil</u>

Building Blocks: <u>quarter-quarter sections</u>
Spacing Unit Size: <u>800</u> acres, more or less

Orientation of Unit: North to South

Spacing Unit Description:

W/2 of Sections 24 and 25 & the NW/4 of Section 36,

Township 20 South, Range 32 East, NMPM, Lea County, New Mexico

Pooling this Vertical Extent: First Bone Spring Formation

Depth Severance? (Yes/No): No

Pool: Salt Lake (Pool code 53560)
Pool Spacing Unit Size: quarter-quarter sections
Governing Well Setbacks: Horizontal Oil Well Rules
Pool Rules: Latest Horizontal Rules Apply.

Proximity Tracts: None Included

Monthly charge for supervision: While drilling: \$8000 While producing: \$800 As the charge for risk, 200 percent of reasonable well costs.

#### **Proposed Wells:**

#### Pakse South 24-25-36 Fed Com 111H, API #30-025-PENDING

SHL: 275 feet from the North line and 1030 feet from the West line, (Unit D) of Section 24, Township 20 South, Range 32 East, NMPM. BHL: 2650 feet from the South line and 1030 feet from the West line, (Unit E) of Section 36, Township 20 South, Range 32 East, NMPM.

Completion Target: First Bone Spring at approx. 9,106 feet TVD.

Well Orientation: North to South

Completion Location expected to be: standard

#### Pakse South 24-25-36 Fed Com 112H API, #30-025-PENDING

CASE NO. 20897 ORDER NO. R-21204

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SHL: 275 feet from the North line and 2310 feet from the West line, (Unit C) of Section 24, Township 20 South, Range 32 East, NMPM. BHL: 2650 feet from the South line and 2310 feet from the West line, (Unit F) of Section 36, Township 20 South, Range 32 East, NMPM.

Completion Target: First Bone Spring at approx. 9,121 feet TVD.

Well Orientation: North to South

Completion Location expected to be: standard

CASE NO. 20897 ORDER NO. R-21204

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

IN THE MATTER OF APPLICATION FOR COMPULSORY POOLING SUBMITTED BY TITUS OIL & GAS PRODUCTION, LLC

CASE NO. 20898 ORDER NO. R-21205

#### **ORDER**

The Director of the New Mexico Oil Conservation Division ("OCD"), having heard this matter through a Hearing Examiner on February 20<sup>th</sup>, 2020, and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

#### FINDINGS OF FACT

- 1. Titus Oil & Gas Production, LLC ("Operator") submitted an application ("Application") to compulsorily pool the uncommitted oil and gas interests within the spacing unit ("Unit") described in Exhibit A. The Unit is expected to be a standard horizontal spacing unit. 19.15.16.15(B) NMAC. Operator seeks to be designated the operator of the Unit.
- 2. Operator will dedicate the well(s) described in Exhibit A ("Well(s)") to the Unit.
- 3. Operator proposes the supervision and risk charges for the Well(s) described in Exhibit A.
- 4. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice was given.
- 5. The Application was heard by the Hearing Examiner on the date specified above, during which Operator presented evidence through affidavits in support of the Application. No other party presented evidence at the hearing.

#### **CONCLUSIONS OF LAW**

- 6. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-
- 7. Operator is the owner of an oil and gas working interest within the Unit.

Exhibit 2-B
Titus Oil & Gas Production, LLC
NMOCD Case No. 21688
March 4, 2021

- 8. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.
- 9. OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.
- 10. Operator has the right to drill the Well(s) to a common source of supply at the depth(s) and location(s) in the Unit described in Exhibit A.
- 11. The Unit contains separately owned uncommitted interests in oil and gas minerals.
- 12. Some of the owners of the uncommitted interests have not agreed to commit their interests to the Unit.
- 13. The pooling of uncommitted interests in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.
- 14. This Order affords to the owner of an uncommitted interest the opportunity to produce his just and equitable share of the oil or gas in the pool.

#### **ORDER**

- 15. The uncommitted interests in the Unit are pooled as set forth in Exhibit A.
- 16. The Unit shall be dedicated to the Well(s) set forth in Exhibit A.
- 17. Operator is designated as operator of the Unit and the Well(s).
- 18. If the location of a well will be unorthodox under the spacing rules in effect at the time of completion, Operator shall obtain the OCD's approval for a non-standard location in accordance with 19.15.16.15(C) NMAC.
- 19. The Operator shall commence drilling the Well(s) within one year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well.

CASE NO. 20898 ORDER NO. R-21205

Page 2 of 7

- 20. This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown.
- 21. The infill well requirements in 19.15.13.9 NMAC through 19.15.13.12 NMAC shall be applicable.
- 22. Operator shall submit to each owner of an uncommitted working interest in the pool ("Pooled Working Interest") an itemized schedule of estimated costs to drill, complete, and equip the well ("Estimated Well Costs").
- 23. No later than thirty (30) days after Operator submits the Estimated Well Costs, the owner of a Pooled Working Interest shall elect whether to pay its share of the Estimated Well Costs or its share of the actual costs to drill, complete and equip the well ("Actual Well Costs") out of production from the well. An owner of a Pooled Working Interest who elects to pay its share of the Estimated Well Costs shall render payment to Operator no later than thirty (30) days after the expiration of the election period, and shall be liable for operating costs, but not risk charges, for the well. An owner of a Pooled Working Interest who fails to pay its share of the Estimated Well Costs or who elects to pay its share of the Actual Well Costs out of production from the well shall be considered to be a "Non-Consenting Pooled Working Interest."
- 24. No later than one hundred eighty (180) days after Operator submits a Form C-105 for a well, Operator shall submit to OCD and each owner of a Pooled Working Interest an itemized schedule of the Actual Well Costs. The Actual Well Costs shall be considered to be the Reasonable Well Costs unless OCD or an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If OCD or an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Reasonable Well Costs after public notice and hearing.
- 25. No later than sixty (60) days after the expiration of the period to file a written objection to the Actual Well Costs or OCD's order determining the Reasonable Well Costs, whichever is later, each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs shall pay to Operator its share of the Reasonable Well Costs that exceed the Estimated Well Costs, or Operator shall pay

CASE NO. 20898 ORDER NO. R-21205

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to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs its share of the Estimated Well Costs that exceed the Reasonable Well Costs.

- 26. The reasonable charges for supervision to drill and produce a well ("Supervision Charges") shall not exceed the rates specified in Exhibit A, provided however that the rates shall be adjusted annually pursuant to the COPAS form entitled "Accounting Procedure-Joint Operations."
- 27. No later than within ninety (90) days after Operator submits a Form C-105 for a well, Operator shall submit to OCD and each owner of a Pooled Working Interest an itemized schedule of the reasonable charges for operating and maintaining the well ("Operating Charges"), provided however that Operating Charges shall not include the Reasonable Well Costs or Supervision Charges. The Operating Charges shall be considered final unless OCD or an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If OCD or an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Operating Charges after public notice and hearing.
- 28. Operator may withhold the following costs and charges from the share of production due to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs: (a) the proportionate share of the Supervision Charges; and (b) the proportionate share of the Operating Charges.
- 29. Operator may withhold the following costs and charges from the share of production due to each owner of a Non-Consenting Pooled Working Interest: (a) the proportionate share of the Reasonable Well Costs; (b) the proportionate share of the Supervision and Operating Charges; and (c) the percentage of the Reasonable Well Costs specified as the charge for risk described in Exhibit A.
- 30. Operator shall distribute a proportionate share of the costs and charges withheld pursuant to paragraph 29 to each Pooled Working Interest that paid its share of the Estimated Well Costs.
- 31. Each year on the anniversary of this Order, and no later than ninety (90) days after each payout, Operator shall provide to OCD and each owner of a Non-Consenting

CASE NO. 20898 ORDER NO. R-21205

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Pooled Working Interest a schedule of the revenue attributable to a well and the Supervision and Operating Costs charged against that revenue.

- 32. Any cost or charge that is paid out of production shall be withheld only from the share due to an owner of a Pooled Working Interest. No cost or charge shall be withheld from the share due to an owner of a royalty interests. For the purpose of this Order, an unleased mineral interest shall consist of a seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest.
- 33. Except as provided above, Operator shall hold the revenue attributable to a well that is not disbursed for any reason for the account of the person(s) entitled to the revenue as provided in the Oil and Gas Proceeds Payment Act, NMSA 1978, Sections 70-10-1 *et seq.*, and relinquish such revenue as provided in the Uniform Unclaimed Property Act, NMSA 1978, Sections 7-8A-1 *et seq.*
- 34. The Unit shall terminate if (a) the owners of all Pooled Working Interests reach a voluntary agreement; or (b) the well(s) drilled on the Unit are plugged and abandoned in accordance with the applicable rules. Operator shall inform OCD no later than thirty (30) days after such occurrence.
- 35. OCD retains jurisdiction of this matter for the entry of such orders as may be deemed necessary.

STATE OF NEW MEXICO OIL CONSERVATION DIVISION

ADRIENNE SANDOVAL DIRECTOR AES/kms **Date:** 4/07/2020

CASE NO. 20898 ORDER NO. R-21205

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#### **EXHIBIT "A"**

Applicant: <u>Titus Oil & Gas Production, LLC</u>

Operator: <u>Titus Oil & Gas Production, LLC (OGRID 373986)</u>

Spacing Unit: <u>Horizontal Oil</u>

Building Blocks: <u>quarter-quarter sections</u>
Spacing Unit Size: <u>640</u> acres, more or less

Orientation of Unit: North to South

Spacing Unit Description: W/2 of Sections 24 and 25,

Township 20 South, Range 32 East, NMPM, Lea County, New Mexico

Pooling this Vertical Extent: Second Bone Spring Formation

Depth Severance? (Yes/No): No

Pool: Salt Lake (Pool code 53560)
Pool Spacing Unit Size: quarter-quarter sections
Governing Well Setbacks: Horizontal Oil Well Rules
Pool Rules: Latest Horizontal Rules Apply.

Proximity Tracts: None Included

Monthly charge for supervision: While drilling: \$8000 While producing: \$800 As the charge for risk, 200 percent of reasonable well costs.

#### **Proposed Wells:**

#### Pakse South 24-25 Fed Com 221H API, #30-025-PENDING

SHL: 250 feet from the North line and 1030 feet from the West line, (Unit D) of Section 24, Township 20 South, Range 32 East, NMPM. BHL: 100 feet from the South line and 1030 feet from the West line, (Unit M) of Section 25, Township 20 South, Range 32 East, NMPM.

Completion Target: Second Bone Spring at approx. 10,032 feet TVD.

Well Orientation: North to South

CASE NO. 20898 ORDER NO. R-21205

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Completion Location expected to be: standard

#### Pakse South 24-25 Fed Com 222H API, #30-025-PENDING

SHL: 250 feet from the North line and 2310 feet from the West line, (Unit C) of Section 24, Township 20 South, Range 32 East, NMPM. BHL: 100 feet from the South line and 2310 feet from the West line, (Unit N) of Section 25, Township 20 South, Range 32 East, NMPM.

Completion Target: Second Bone Spring at approx. 10,059 feet TVD.

Well Orientation: North to South

Completion Location expected to be: standard

CASE NO. 20898 ORDER NO. R-21205

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

IN THE MATTER OF APPLICATION FOR COMPULSORY POOLING SUBMITTED BY TITUS OIL & GAS PRODUCTION, LLC

CASE NO. 20899 ORDER NO. R-21206

#### **ORDER**

The Director of the New Mexico Oil Conservation Division ("OCD"), having heard this matter through a Hearing Examiner on February 20<sup>th</sup>, 2020, and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

#### **FINDINGS OF FACT**

- 1. Titus Oil & Gas Production, LLC ("Operator") submitted an application ("Application") to compulsorily pool the uncommitted oil and gas interests within the spacing unit ("Unit") described in Exhibit A. The Unit is expected to be a standard horizontal spacing unit. 19.15.16.15(B) NMAC. Operator seeks to be designated the operator of the Unit.
- 2. Operator will dedicate the well(s) described in Exhibit A ("Well(s)") to the Unit.
- 3. Operator proposes the supervision and risk charges for the Well(s) described in Exhibit A.
- 4. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice was given.
- 5. The Application was heard by the Hearing Examiner on the date specified above, during which Operator presented evidence through affidavits in support of the Application. No other party presented evidence at the hearing.

#### **CONCLUSIONS OF LAW**

- 6. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
- 7. Operator is the owner of an oil and gas working interest within the Unit.
- 8. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.

  Exhibit 2-C

Titus Oil & Gas Production, LLC NMOCD Case No. 21689 March 4, 2021

- 9. OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.
- 10. Operator has the right to drill the Well(s) to a common source of supply at the depth(s) and location(s) in the Unit described in Exhibit A.
- 11. The Unit contains separately owned uncommitted interests in oil and gas minerals.
- 12. Some of the owners of the uncommitted interests have not agreed to commit their interests to the Unit.
- 13. The pooling of uncommitted interests in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.
- 14. This Order affords to the owner of an uncommitted interest the opportunity to produce his just and equitable share of the oil or gas in the pool.

#### **ORDER**

- 15. The uncommitted interests in the Unit are pooled as set forth in Exhibit A.
- 16. The Unit shall be dedicated to the Well(s) set forth in Exhibit A.
- 17. Operator is designated as operator of the Unit and the Well(s).
- 18. If the location of a well will be unorthodox under the spacing rules in effect at the time of completion, Operator shall obtain the OCD's approval for a non-standard location in accordance with 19.15.16.15(C) NMAC.
- 19. The Operator shall commence drilling the Well(s) within one year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well.
- 20. This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown.
- 21. The infill well requirements in 19.15.13.9 NMAC through 19.15.13.12 NMAC shall be applicable.

CASE NO. 20899 ORDER NO. R-21206

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- 22. Operator shall submit to each owner of an uncommitted working interest in the pool ("Pooled Working Interest") an itemized schedule of estimated costs to drill, complete, and equip the well ("Estimated Well Costs").
- 23. No later than thirty (30) days after Operator submits the Estimated Well Costs, the owner of a Pooled Working Interest shall elect whether to pay its share of the Estimated Well Costs or its share of the actual costs to drill, complete and equip the well ("Actual Well Costs") out of production from the well. An owner of a Pooled Working Interest who elects to pay its share of the Estimated Well Costs shall render payment to Operator no later than thirty (30) days after the expiration of the election period, and shall be liable for operating costs, but not risk charges, for the well. An owner of a Pooled Working Interest who fails to pay its share of the Estimated Well Costs or who elects to pay its share of the Actual Well Costs out of production from the well shall be considered to be a "Non-Consenting Pooled Working Interest."
- 24. No later than one hundred eighty (180) days after Operator submits a Form C-105 for a well, Operator shall submit to OCD and each owner of a Pooled Working Interest an itemized schedule of the Actual Well Costs. The Actual Well Costs shall be considered to be the Reasonable Well Costs unless OCD or an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If OCD or an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Reasonable Well Costs after public notice and hearing.
- 25. No later than sixty (60) days after the expiration of the period to file a written objection to the Actual Well Costs or OCD's order determining the Reasonable Well Costs, whichever is later, each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs shall pay to Operator its share of the Reasonable Well Costs that exceed the Estimated Well Costs, or Operator shall pay to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs its share of the Estimated Well Costs that exceed the Reasonable Well Costs.
- 26. The reasonable charges for supervision to drill and produce a well ("Supervision Charges") shall not exceed the rates specified in Exhibit A, provided however that the rates shall be adjusted annually pursuant to the COPAS form entitled "Accounting Procedure-Joint Operations."
- 27. No later than within ninety (90) days after Operator submits a Form C-105 for a well, Operator shall submit to OCD and each owner of a Pooled Working Interest

CASE NO. 20899 ORDER NO. R-21206

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an itemized schedule of the reasonable charges for operating and maintaining the well ("Operating Charges"), provided however that Operating Charges shall not include the Reasonable Well Costs or Supervision Charges. The Operating Charges shall be considered final unless OCD or an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If OCD or an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Operating Charges after public notice and hearing.

- 28. Operator may withhold the following costs and charges from the share of production due to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs: (a) the proportionate share of the Supervision Charges; and (b) the proportionate share of the Operating Charges.
- 29. Operator may withhold the following costs and charges from the share of production due to each owner of a Non-Consenting Pooled Working Interest: (a) the proportionate share of the Reasonable Well Costs; (b) the proportionate share of the Supervision and Operating Charges; and (c) the percentage of the Reasonable Well Costs specified as the charge for risk described in Exhibit A.
- 30. Operator shall distribute a proportionate share of the costs and charges withheld pursuant to paragraph 29 to each Pooled Working Interest that paid its share of the Estimated Well Costs.
- 31. Each year on the anniversary of this Order, and no later than ninety (90) days after each payout, Operator shall provide to OCD and each owner of a Non-Consenting Pooled Working Interest a schedule of the revenue attributable to a well and the Supervision and Operating Costs charged against that revenue.
- 32. Any cost or charge that is paid out of production shall be withheld only from the share due to an owner of a Pooled Working Interest. No cost or charge shall be withheld from the share due to an owner of a royalty interests. For the purpose of this Order, an unleased mineral interest shall consist of a seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest.
- 33. Except as provided above, Operator shall hold the revenue attributable to a well that is not disbursed for any reason for the account of the person(s) entitled to the revenue as provided in the Oil and Gas Proceeds Payment Act, NMSA 1978, Sections 70-10-1 *et seq.*, and relinquish such revenue as provided in the Uniform Unclaimed Property Act, NMSA 1978, Sections 7-8A-1 *et seq.*

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- 34. The Unit shall terminate if (a) the owners of all Pooled Working Interests reach a voluntary agreement; or (b) the well(s) drilled on the Unit are plugged and abandoned in accordance with the applicable rules. Operator shall inform OCD no later than thirty (30) days after such occurrence.
- 35. OCD retains jurisdiction of this matter for the entry of such orders as may be deemed necessary.

STATE OF NEW MEXICO OIL CONSERVATION DIVISION

ADRIENNE SANDOVAL DIRECTOR

**AES/kms** 

Date: 4/07/2020

CASE NO. 20899 ORDER NO. R-21206

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## EXHIBIT "A"

Applicant: <u>Titus Oil & Gas Production, LLC</u>

Operator: <u>Titus Oil & Gas Production, LLC (OGRID 373986)</u>

Spacing Unit: <u>Horizontal Oil</u>

Building Blocks: <u>quarter-quarter sections</u>
Spacing Unit Size: <u>800</u> acres, more or less

Orientation of Unit: North to South

Spacing Unit Description:

W/2 of Sections 24 and 25 & the NW/4 of Section 36,

Township 20 South, Range 32 East, NMPM, Lea County, New Mexico

Pooling this Vertical Extent: Third Bone Spring Formation

Depth Severance? (Yes/No): No

Pool: Salt Lake (Pool code 53560)
Pool Spacing Unit Size: quarter-quarter sections
Governing Well Setbacks: Horizontal Oil Well Rules
Pool Rules: Latest Horizontal Rules Apply.

Proximity Tracts: None Included

Monthly charge for supervision: While drilling: \$8000 While producing: \$800 As the charge for risk, 200 percent of reasonable well costs.

### **Proposed Wells:**

### Pakse South 24-25-36 Fed Com 321H, API #30-025-PENDING

SHL: 225 feet from the North line and 1030 feet from the West line, (Unit D) of Section 24, Township 20 South, Range 32 East, NMPM. BHL: 2650 feet from the South line and 1030 feet from the West line, (Unit E) of Section 36, Township 20 South, Range 32 East, NMPM.

Completion Target: Third Bone Spring at approx. 11,101 feet TVD.

Well Orientation: North to South

Completion Location expected to be: standard

### Pakse South 24-25-36 Fed Com 322H, API #30-025-PENDING

CASE NO. 20899 ORDER NO. R-21206

Page **6** of **7** 

SHL: 225 feet from the North line and 2310 feet from the West line, (Unit C) of Section 24, Township 20 South, Range 32 East, NMPM. BHL: 2650 feet from the South line and 2310 feet from the West line, (Unit F) of Section 36, Township 20 South, Range 32 East, NMPM.

Completion Target: Third Bone Spring at approx. 11,121 feet TVD.

Well Orientation: North to South

Completion Location expected to be: standard

CASE NO. 20899 ORDER NO. R-21206

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### **SHARON T. SHAHEEN**

Direct: (505) 986-2678

Email: <u>sshaheen@montand.com</u>

www.montand.com

## February 11, 2021

Via U.S. Certified Mail, return receipt requested

### TO: ALL INTEREST OWNERS ON ATTACHED LIST

**Re:** Case No. 21687 – Application of Titus Oil & Gas Production, LLC to Amend Order No. R-21204, Lea County, New Mexico

**Case No. 21688** – Application of Titus Oil & Gas Production, LLC to Amend Order No. R-21205, Lea County, New Mexico

**Case No. 21689** – Application of Titus Oil & Gas Production, LLC to Amend Order No. R-21206, Lea County, New Mexico

### Dear Interest Owner:

This will advise that pursuant to NMSA 1978, § 70-2-17, Titus Oil & Gas Production, LLC ("Titus") has filed (3) applications with the New Mexico Oil Conservation Division seeking to amend the previous orders issued regarding the proposed wells, to extend the time for drilling as described below. You are receiving this notice because you may have an interest in one or more of these wells.

Case No. 21687. Application of Titus Oil & Gas Production, LLC to Amend Order No. R-21204, Lea County, New Mexico (Re-Open). Applicant in the above-styled cause seeks to re-open Case No. 20897 for the limited purpose of amending Order No. R-21204 to extend by one year, through April 7, 2022, the time to commence drilling (1) the Pakse South 24-25-36 Fed Com 111H well and (2) the Pakse South 24-25-36 Fed Com 112H well, proposed to be drilled into the First Bone Spring formation underlying the W/2 of Sections 24 and 25 and the NW/4 of Section 36, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico.

Case No. 21688. Application of Titus Oil & Gas Production, LLC to Amend Order No. R-21205, Lea County, New Mexico (Re-Open). Applicant in the above-styled cause seeks to re-open Case No. 20898 for the limited purpose of amending Order No. R-21205 to extend by one year, through April 7, 2022, the time to commence drilling (1) the Pakse South 24-25 Fed Com 221H well and (2) the Pakse South 24-25

Exhibit 3
Titus Oil & Gas Production, LLC
NMOCD Case Nos. 21687, 21688 & 21689
March 4, 2021

All Interest Owners February 11, 2021 Page 2

Fed Com 222H well, proposed to be drilled into the Second Bone Spring formation underlying the W/2 of Sections 24 and 25, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico.

Case No. 21689. Application of Titus Oil & Gas Production, LLC to Amend Order No. R-21206, Lea County, New Mexico (Re-Open). Applicant in the above-styled cause seeks to re-open Case No. 20899 for the limited purpose of amending Order No. R-21206 to extend by one year, through April 7, 2022, the time to commence drilling (1) the Pakse South 24-25-36 Fed Com 321H well and (2) the Pakse South 24-25-36 Fed Com 322H well, proposed to be drilled into the Third Bone Spring Formation underlying the W/2 of Sections 24 and 25 and the NW/4 of Section 36, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico.

The attached Applications will be set for hearing before a Division Examiner at the New Mexico Oil Conservation Division. During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. The hearing will be conducted on **March 4, 2021** beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <a href="http://www.emnrd.state.nm.us/OCD/hearings.html">http://www.emnrd.state.nm.us/OCD/hearings.html</a>. You are not required to attend this hearing, but as an owner of an interest that may be affected, you may appear and present testimony.

Failure to appear at that time and become a party of record will preclude you from challenging these applications at a later time. If you intend to attend the hearing and present testimony or evidence, you must enter your appearance by **February 24**, **2021**, and serve the Division, counsel for the Applicant, and other parties with a prehearing statement by **February 25**, **2021**, in accordance with Division Rule 19.15.4.13 NMAC.

Please feel free to contact me if you have any questions about these Applications.

Very truly yours,

<u>/s/ Sharon T. Shaheen</u> Sharon T. Shaheen

STS/lt Enclosures

cc: Titus Oil & Gas Production, LLC, via email

## **EXHIBIT A**

### **INTEREST OWNERS**

## **Working Interest Parties:**

Trainer Partners, Ltd. P.O. Box 3788 Midland, TX 79702

Hidden Hills Minerals, LLC 3270 West Main Houston, TX 77098

The Snoddy Oil & Gas Trust P.O. Box 50667 Midland, TX 79710

Devon Energy Production Co., LP 333 W. Sheridan Ave. Oklahoma City, OK 73102

Topsey, LLC 3270 West Main Houston, TX 77098

Whitten Management Trust 4 Metz Ct. Midland, TX 79705

Sydney Investments, LP 3270 West Main Houston, TX 77098

COG Operating, LLC 550 W. Texas Ave., Suite 100 Midland, TX 79701

**EOG** Resources P.O. Box 4362 Houston, TX 77210

## **Overriding Royalty Interest** Parties:

Trainer Parties, Ltd. P.O. Box 3788 Midland, TX 79702

Rolla R. Hinkle P.O. Box 2292 Roswell, NM 88202

Michael P. Richardson 602 Minnesota St. San Francisco, CA 94107

David P. Wright 5626 Merrimac Ave. Dallas, TX 75206

Whitten Management Trust 4 Metz Ct. Midland, TX 79705

Mark and Paula McClellan P.O. Box 730 Roswell, NM 88202

James M. Richardson 2039 Harper St. El Cerrito, CA 94530

Brian A. Richardson 233 W. Ottawa Rd. Virginia Beach, VA 23462

Robert J. Wright 2361 Allen St. Dallas, TX 75204

Bourland & Price 510 West Texas Avenue Artesia, NM 88210

Madison M. Hinkle P.O. Box 2292 Roswell, NM 88202

Paula R. Kaufman P.O. Box 309 Glorieta, NM 87535

Mary K. Richardson 1340 N. Great Neck Rd. #1272 Box 360 Virginia Beach, VA 23454

The Snoddy Oil & Gas Trust P.O. Box 50667 Midland, TX 79710

## **Additional Interested Party:**

Bureau of Land Management 414 W. Taylor Hobbs, NM 88240-1157

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

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21204, LEA COUNTY, NEW MEXICO

Case No. <u>21687</u> Order No. R-21204 (Re-Open)

## **APPLICATION**

Titus Oil & Gas Production, LLC ("Titus"), through its undersigned counsel Montgomery & Andrews, P.A. (Sharon T. Shaheen and John F. McIntyre), hereby files this application with the Oil Conservation Division to amend Order No. R-21204 entered in Case No. 20897 to extend the time for drilling (1) the **Pakse South 24-25-36 Fed Com 111H** well ("Pakse South 111H Well") and (2) the **Pakse South 24-25-36 Fed Com 112H** well ("Pakse South 112H Well") approved in Order No. R-21204. In support of its application, Titus states as follows:

- 1. Order No. R-21204 pooled uncommitted interest owners in the First Bone Spring formation (Salt Lake [53560]) in a standard 800-acre, more or less, horizontal spacing unit ("HSU") comprised of the W/2 of Sections 24 and 25 and the NW/4 of Section 36, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico, dedicated to the Pakse South 111H Well and the Pakse South 112H Well.
  - 2. Titus is a working interest owner in the HSU and has the right to drill thereon.
- 3. Order No. R-21204 designated Titus as the operator of the Pakse South 111H Well, the Pakse South 112H Well, and the HSU.

<sup>&</sup>lt;sup>1</sup> Order No. R-21204 entered in Case No. 20897 is one of three orders relating to Titus's "Pakse South" well group. By separate applications, Titus is seeking to amend Order No. R-21205 entered in Case No. 20898 and Order No. R-21206 entered in Case No. 20899.

- 4. Titus requests the Division re-open the matter to extend the time to commence drilling the Pakse South 111H Well and the Pakse South 112H Well to be no later than April 7, 2022, which will be a one-year extension from the time to commence drilling granted in Order No. R-21204.
- 5. The Division Hearing in the original proceeding, Case No. 20897, was held on February 20, 2020, in conjunction with two other Titus cases, Case Nos. 20898 and 20899.
  - 6. The Division entered Order No. R-21204 in Case No. 20897 on April 7, 2020.
- 7. Order No. R-21204, ¶ 19 states: "The Operator shall commence drilling the Well(s) within one (1) year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well." Order No. R-21204, ¶ 20 states: "This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown."
- 8. Under Order No. R-21204, Titus would be required to commence drilling the wells by April 7, 2021.
  - 9. Good cause exists for the Division to grant the extension.
- 10. Titus requests an extension of time because there have been changes in Titus's drilling schedule due to COVID-19 and current market conditions. In addition, the new federal administration has recently entered an executive order that may impact federal permitting, right-of-way, and sundries among other federal approvals needed prior to drilling.
- 11. Titus's operations and drilling activity have been impacted by COVID-19, oil and gas market conditions, and the changes and uncertainty resulting from the executive order.

WHEREFORE, Titus requests that this application be set for hearing before an Examiner of the Oil Conservation Division on March 4, 2021, and that, after notice and hearing as required

by law, the Division enter an order amending Order No. R-21204 to extend the time to commence drilling (1) the Pakse South 111H Well and (2) the Pakse South 112H Well to be no later than April 7, 2022.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

/s/ Sharon T. Shaheen
Sharon T. Shaheen
John F. McIntyre
Post Office Box 2307
Santa Fe, NM 87504-2307
(505) 986-2678
sshaheen@montand.com
jmcintyre@montand.com

Attorneys for Titus Oil & Gas Production, LLC

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

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21205, LEA COUNTY, NEW MEXICO

Case No. <u>21688</u> Order No. R-21205 (Re-Open)

## **APPLICATION**

Titus Oil & Gas Production, LLC ("Titus"), through its undersigned counsel Montgomery & Andrews, P.A. (Sharon T. Shaheen and John F. McIntyre), hereby files this application with the Oil Conservation Division to amend Order No. R-21205 entered in Case No. 20898 to extend the time for drilling (1) the **Pakse South 24-25 Fed Com 221H** well ("Pakse South 221H Well") and (2) the **Pakse South 24-25 Fed Com 222H** well ("Pakse South 222H Well") approved in Order No. R-21205. In support of its application, Titus states as follows:

- 1. Order No. R-21205 pooled uncommitted interest owners in the Second Bone Spring formation (Salt Lake [53560]) in a standard 640-acre, more or less, horizontal spacing unit ("HSU") comprised of the W/2 of Sections 24 and 25, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico, dedicated to the Pakse South 221H Well and the Pakse South 222H Well.
  - 2. Titus is a working interest owner in the HSU and has the right to drill thereon.
- 3. Order No. R-21205 designated Titus as the operator of the Pakse South 221H Well, the Pakse South 222H Well, and the HSU.

<sup>&</sup>lt;sup>1</sup> Order No. R-21205 entered in Case No. 20898 is one of three orders relating to Titus's "Pakse South" well group. By separate applications, Titus is seeking to amend Order No. R-21204 entered in Case No. 20897 and Order No. R-21206 entered in Case No. 20899.

- 4. Titus requests the Division re-open the matter to extend the time to commence drilling the Pakse South 221H Well and the Pakse South 222H Well to be no later than April 7, 2022, which will be a one-year extension from the time to commence drilling granted in Order No. R-21205.
- 5. The Division Hearing in the original proceeding, Case No. 20898, was held on February 20, 2020, , in conjunction with two other Titus cases, Case Nos. 20897 and 20899.
  - 6. The Division entered Order No. R-21205 in Case No. 20898 on April 7, 2020.
- 7. Order No. R-21205, ¶ 19 states: "The Operator shall commence drilling the Well(s) within one (1) year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well." Order No. R-21205, ¶ 20 states: "This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown."
- 8. Under Order No. R-21205, Titus would be required to commence drilling the wells by April 7, 2021.
  - 9. Good cause exists for the Division to grant the extension.
- 10. Titus requests an extension of time because there have been changes in Titus's drilling schedule due to COVID-19 and current market conditions. In addition, the new federal administration has recently entered an executive order that may impact federal permitting, right-of-way, and sundries among other federal approvals needed prior to drilling.
- 11. Titus's operations and drilling activity have been impacted by COVID-19, oil and gas market conditions, and the changes and uncertainty resulting from the executive order.

WHEREFORE, Titus requests that this application be set for hearing before an Examiner of the Oil Conservation Division on March 4, 2021, and that, after notice and hearing as required

by law, the Division enter an order amending Order No. R-21205 to extend the time to commence drilling (1) the Pakse South 221H Well and (2) the Pakse South 222H Well to be no later than April 7, 2022.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

/s/ Sharon T. Shaheen
Sharon T. Shaheen
John F. McIntyre
Post Office Box 2307
Santa Fe, NM 87504-2307
(505) 986-2678
sshaheen@montand.com
jmcintyre@montand.com

Attorneys for Titus Oil & Gas Production, LLC

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

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21206, LEA COUNTY, NEW MEXICO

Case No. <u>21689</u> Order No. R-21206 (Re-Open)

## **APPLICATION**

Titus Oil & Gas Production, LLC ("Titus"), through its undersigned counsel Montgomery & Andrews, P.A. (Sharon T. Shaheen and John F. McIntyre), hereby files this application with the Oil Conservation Division to amend Order No. R-21206 entered in Case No. 20899 to extend the time for drilling (1) the **Pakse South 24-25-36 Fed Com 321H** well ("Pakse South 321H Well") and (2) the **Pakse South 24-25-36 Fed Com 322H** well ("Pakse South 322H Well") approved in Order No. R-21206. In support of its application, Titus states as follows:

- 1. Order No. R-21206 pooled uncommitted interest owners in the Third Bone Spring formation (Salt Lake [53560]) in a standard 800-acre, more or less, horizontal spacing unit ("HSU") comprised of the W/2 of Sections 24 and 25 and the NW/4 of Section 36, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico, dedicated to the Pakse South 321H Well and the Pakse South 322H Well.
  - 2. Titus is a working interest owner in the HSU and has the right to drill thereon.
- 3. Order No. R-21206 designated Titus as the operator of the Pakse South 321H Well, the Pakse South 322H Well, and the HSU.

<sup>&</sup>lt;sup>1</sup> Order No. R-21206 entered in Case No. 20899 is one of three orders relating to Titus's "Pakse South" well group. By separate applications, Titus is seeking to amend Order No. R-21204 entered in Case No. 20897 and Order No. R-21205 entered in Case No. 20898.

- 4. Titus requests the Division re-open the matter to extend the time to commence drilling the Pakse South 321H Well and the Pakse South 322H Well to be no later than April 7, 2022, which will be a one-year extension from the time to commence drilling granted in Order No. R-21206.
- 5. The Division Hearing in the original proceeding, Case No. 20899, was held on February 20, 2020, in conjunction with two other Titus cases, Case Nos. 20897 and 20899.
  - 6. The Division entered Order No. R-21206 in Case No. 20899 on April 7, 2020.
- 7. Order No. R-21206, ¶ 19 states: "The Operator shall commence drilling the Well(s) within one (1) year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well." Order No. R-21206, ¶ 20 states: "This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown."
- 8. Under Order No. R-21206, Titus would be required to commence drilling the wells by April 7, 2021.
  - 9. Good cause exists for the Division to grant the extension.
- 10. Titus requests an extension of time because there have been changes in Titus's drilling schedule due to COVID-19 and current market conditions. In addition, the new federal administration has recently entered an executive order that may impact federal permitting, right-of-way, and sundries among other federal approvals needed prior to drilling.
- 11. Titus's operations and drilling activity have been impacted by COVID-19, oil and gas market conditions, and the changes and uncertainty resulting from the executive order.

WHEREFORE, Titus requests that this application be set for hearing before an Examiner of the Oil Conservation Division on March 4, 2021, and that, after notice and hearing as required

by law, the Division enter an order amending Order No. R-21206 to extend the time to commence drilling (1) the Pakse South 321H Well and (2) the Pakse South 322H Well to be no later than April 7, 2022.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

/s/ Sharon T. Shaheen
Sharon T. Shaheen
John F. McIntyre
Post Office Box 2307
Santa Fe, NM 87504-2307
(505) 986-2678
sshaheen@montand.com
jmcintyre@montand.com

Attorneys for Titus Oil & Gas Production, LLC

Tab 2

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

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21204, LEA COUNTY, NEW MEXICO

Case No. 21687 Order No. R-21204 (Re-Open)

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21205, LEA COUNTY, NEW MEXICO

Case No. 21688 Order No. R-21205 (Re-Open)

APPLICATION OF TITUS OIL & GAS PRODUCTION, LCC TO AMEND ORDER NO. R-21206, LEA COUNTY, NEW MEXICO

Case No. 21689 Order No. R-21206 (Re-Open)

## **AFFIDAVIT OF NOTICE**

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

- I, Sharon T. Shaheen, attorney for Applicant in the above-captioned matters, being first duly sworn, states upon oath the following:
- 2. I caused notice of the applications to be sent by certified mail through the United States Postal Service ("USPS") on February 11, 2021, to all uncommitted interest owners sought to be pooled in this proceeding. Evidence of mailing to all parties is attached hereto as Exhibit A. In an abundance of caution, notice was directed to all owners by publication in the Hobbs News-

Exhibit B
Titus Oil & Gas Production, LLC
NMOCD Case Nos. 21687, 21688 & 21689
March 4, 2021

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Sun on February 18, 2021, which is reflected in the Affidavit of Publication attached hereto as Exhibit B. Exhibit B demonstrates to my satisfaction that those owners who did not receive personal notice through the certified mailing were properly served by publication.

3. Titus has conducted a good faith, diligent effort to find the names and correct addresses for the interest owners entitled to receive notice of the Application filed herein.

SHARON T. SHAHEEN

Sharon of Shokeen

SUBSCRIBED AND SWORN to before me on March 2021.

My Commission Expires:

04-30-2022

**USPS TRACKING#** 





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MONTGOMERY & ANDREWS LAW FIRM

P.O. Box 2307 Santa Fe, New Mexico 87504-2307

Titus/Pakse South Re-Open 21687-21689 15412-1901



Exhibit A -Affidavit of Notice

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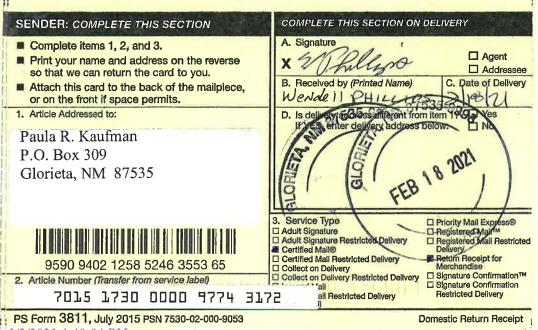
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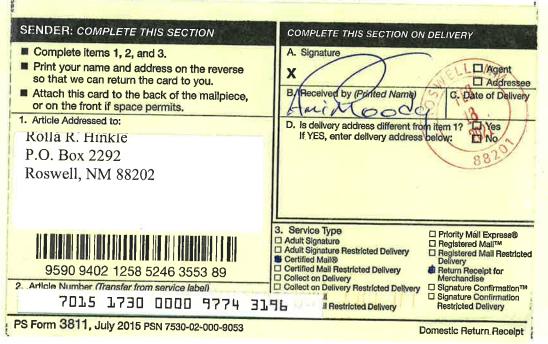
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Titus/Pakse South \* Re-Open 21687-21689 15412-1901



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Agent

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☐ Addressee

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Titus/Pakse South Re-Open 21687-21689 15412-1901



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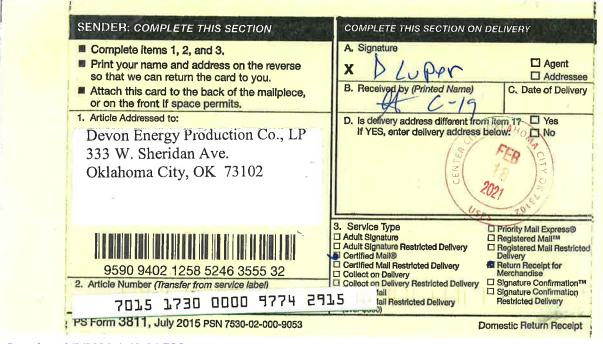
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P.O. Box 2307 Santa Fe, New Mexico 87504-2307

Titus/Pakse South Re-Open 21687-21689 15412-1901



### SENDER: COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY Complete items 1, 2, and 3. A. Signature Print your name and address on the reverse □ Agent so that we can return the card to you. ☐ Addressee C. Date of Delivery Attach this card to the back of the mailpiece. or on the front if space permits. 1. Article Addressed to: D. Is delivery address different from Item 1? If YES, enter delivery address below: COG Operating, LLC 550 W. Texas Ave., Suite 100 Midland, TX 79701 Service Type ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Adult Signature ☐ Adult Signature Restricted Delivery Certified Mail® Certified Mail Restricted Delivery Collect on Delivery Collect on Delivery Insured Mail Return Receipt for Merchandise 9590 9402 1258 5246 3554 57 ☐ Signature Confirmation™ ☐ Signature Confirmation 2. Article Number (Transfer from service label) Restricted Delivery all Restricted Delivery 7015 1730 0000 9774 2878 PS Form 36 I I, July 2015 PSN 7530-02-000-9053 Domestic Return Fleceipt



9590 9402 1258 5246 3554 26

**United States Postal Service**  Sender: Please print your name, address, and ZIP+4<sup>®</sup> in this box



MONTGOMERY & ANDREWS LAW FIRM

P.O. Box 2307 Santa Fe, New Mexico 87504-2307

Titus/Pakse South Re-Open 21687-21689 15412-1901



### SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.
- 1. Article Addressed to:

**EOG Resources** 

P.O. Box 4362

Houston, TX 77210



9590 9402 1258 5246 3554 26

- COMPLETE THIS SECTION ON DELIVERY
- A. Signature

☐ Agent ☐ Addressee

B. Received by (Printed Name)

D. Is delivery address different from item 1? If YES, enter delivery address below:

☐ Yes

- 3. Service Type

  ☐ Adult Signature
  ☐ Adult Signature Restricted Delivery
- Certified Mall®
  Certified Mall Restricted Delivery
  - - Delivery Restricted Delivery
- Registered Mail Restricted Delivery

  Return Receipt for Merchandise ☐ Signature Confirmation™
  ☐ Signature Confirmation Restricted Delivery

☐ Priority Mail Express®
☐ Registered Mail™

7015 1730 0000 9774 2847 (over \$500) Restricted Delivery

Domestic Return Receipt





19 10 1102 0 112 001

United States
Postal Service

Sender: Please print your name, address, and ZIP+4® in this box



MONTGOMERY & ANDREWS

P.O. Box 2307 Santa Fe, New Mexico 87504-2307

Titus/Pakse South Re-Open 21687-21689 15412-1901



#### COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION A. Signature Complete items 1, 2, and 3. Agent Print your name and address on the reverse ☐ Addressee so that we can return the card to you. C. Date of Delivery Attach this card to the back of the mailpiece, or on the front if space permits. D. Is delivery address different from item 1? 1. Article Addressed to: David P. Wright If YES, enter delivery address below: 5626 Merrimac Ave. Dallas, TX 75206 ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery Service Type ☐ Adult Signature Adult Signature Restricted Delivery Certified Mail® 9590 9403 0913 5223 4534 37 Return Receipt for Merchandise ☐ Certified Mall Restricted Delivery ☐ Collect on Delivery □ Signature Confirmation™ □ Signature Confirmation Collect on Delivery Restricted Delivery 2. Article Number (Transfer from service label) Restricted Delivery Restricted Delivery 3134 7015 1730 0000 9774

2/23/2021

USPS.com® - USPS Tracking® Results

## **USPS Tracking®**

FAQs >

### Track Another Package +

James M. Richardson 2039 Harper St. El Cerrito, CA 94530

Tracking Number: 70151730000097743189

Remove X

Your item was delivered to an individual at the address at 2:48 pm on February 18, 2021 in EL CERRITO, CA 94530.

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## **⊘** Delivered

February 18, 2021 at 2:48 pm Delivered, Left with Individual EL CERRITO, CA 94530

Get Updates ✓

Text & Email Updates	~
Tracking History	~
Product Information	~

https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70151730000097743189%2C

1/2

Received by OCD: 3/2/2021 4:19:50 PM TRACKING#



First-Class Mall Postage & Fees Paid USPS Permit No. G-10

9590 9402 1258 5246 3553 72

United States
Postal Service

Sender: Please print your name, address, and ZIP+4® in this hox



MONTGOMERY & ANDREWS

LAW FIRM

P.O. Box 2307 Santa Fe, New Mexico 87504-2307



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>Article Addressed to:</li> </ul>	A. Signature X B. Received by (Printed Name)	☐ Agent ☐ Addresse C. Date of Deliver
James M. Richardson	D. Is delivery address different from     If YES, enter delivery address in	n Item 1?  Yes below:  No
2039 Harper St. El Cerrito, CA 94530		

FAQs >

# Track Another Package +

**Tracking Number: 70151730000097743158** 

Remove X

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

# In-Transit

February 28, 2021 In Transit to Next Facility Brian A. Richardson 233 W. Ottawa Rd. Virginia Beach, VA 234362

Feedback

Get Updates V

**Text & Email Updates** 

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## **Tracking History**

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February 28, 2021

In Transit to Next Facility

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

February 24, 2021, 12:47 am
Departed USPS Regional Facility
WILMINGTON DE DISTRIBUTION CENTER

February 17, 2021, 8:10 pm
Arrived at USPS Regional Facility
WILMINGTON DE DISTRIBUTION CENTER



9590 9403 0913 5223 4533 14

United States Postal Service • Sender: Please print your name address and ZIP+4® in this box



MONTGOMERY & ANDREWS LAW FIRM

P.O. Box 2307 Santa Fe, New Mexico 87504-2307

Titus/Pakse South Re-Open 21687-21689 15412-1901



#### COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION A. Signature Complete items 1, 2, and 3. ☐ Agent Print your name and address on the reverse X ☐ Addressee so that we can return the card to you. C. Date of Delivery B. Received by (Printed Name) Attach this card to the back of the mailpiece, or on the front if space permits. D. Is delivery address different from item 1? ☐ Yes Brian A. Richardson If YES, enter delivery address below: 233 W. Ottawa Rd. Virginia Beach, VA 23462 ☐ Priority Mall Express® ☐ Registered Mall™ 3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Registered Mall Restricted Delivery ☐ Return Receipt for Merchandise 9590 9403 0913 5223 4533 14 ☐ Certified Mall Restricted Delivery ☐ Collect on Delivery ☐ Signature Confirmation™☐ Signature Confirmation ☐ Restricted Delivery Delivery Restricted Delivery 2. Article Number (Transfer from service label) 7015 1730 0000 9774 3158 III Restricted Delivery Domestic Return Receipt PS Form 3811, July 2015 PSN 7530-02-000-9053

FAQs >

# Track Another Package +

Tracking Number: 70151730000097743141

Remove X

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

# In-Transit

February 28, 2021 In Transit to Next Facility

Get Updates V

Mary K. Richardson 1340 N. Great Neck Rd. #1272

Box 360

Virginia Beach, VA 23454

Feedback

### **Text & Email Updates**

## **Tracking History**

## February 28, 2021

In Transit to Next Facility

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

February 24, 2021, 12:39 am
Departed USPS Regional Facility
WILMINGTON DE DISTRIBUTION CENTER

February 17, 2021, 8:10 pm
Arrived at USPS Regional Facility
WILMINGTON DE DISTRIBUTION CENTER





**United States Postal Service**  Sender: Please print your name, address, and ZIP+4® in this box



MONTGOMERY & ANDREWS LAW FIRM

P.O. Box 2307 Santa Fe, New Mexico 87504-2307

Titus/Pakse South Re-Open 21687-21689 15412-1901



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature  X  B. Received by (Printed Name)	Agent Addressee C. Date of Delivery
1. Article Addressed to: Mary K. Richardson 1340 N. Great Neck Rd. #1272 Box 360	D. Is delivery address different from If YES, enter delivery address b	Itolii i i
Virginia Beach, VA 23454		

FAQs >

# Track Another Package +

**Tracking Number:** 70151730000097743165

Remove X

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

# In-Transit

February 24, 2021
In Transit to Next Facility

Michael P. Richardson 602 Minnesota St. San Francisco, CA 94107

Feedbac

Get Updates V

## **Text & Email Updates**

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# **Tracking History**

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### February 24, 2021

In Transit to Next Facility

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

February 20, 2021, 9:43 am

Arrived at USPS Regional Facility

SACRAMENTO CA DISTRIBUTION CENTER

February 15, 2021, 10:37 pm
Departed USPS Regional Facility
SAN FRANCISCO CA DISTRIBUTION CENTER

Sender: Please print your name, address, and ZIP+4® in this box®



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LAW FIRM

P.O. Box 2307 Santa Fe, New Mexico 87504-2307

Titus/Pakse South Re-Open 21687-21689 15412-1901



#### SENDER: COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY A. Signature Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ☐ Agent Print your name and address on the reverse ☐ Addressee so that we can return the card to you. B. Received by (Printed Name) C. Date of Delivery Attach this card to the back of the mailpiece, or on the front if space permits. D. Is delivery address different from item 1? 1. Article Addressed to: If YES, enter delivery address below: Michael P. Richardson 602 Minnesota St. San Francisco, CA 94107 3. Service Type ■ Certified Mail® □ Priority Mail Express™ Return Receipt for Merchandise □ Registered ☐ Insured Mail ☐ Collect on Delivery 4. Restricted Delivery? (Extra Fee) ☐ Yes 2. Article Number 7015 1730 0000 9774 3165 (Transfer from service label)

Domestic Return Receipt

PS Form 3811, July 2013

FAQs >

# Track Another Package +

**Tracking Number:** 70151730000097742892

Remove X

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

# In-Transit

February 28, 2021 In Transit to Next Facility Hidden Hills Minerals, LLC 3270 West Main Houston, TX 77098

Feedback

Get Updates V

## **Text & Email Updates**

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# **Tracking History**

### February 28, 2021

In Transit to Next Facility

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

February 26, 2021, 3:33 am

Departed USPS Regional Facility

NORTH HOUSTON TX DISTRIBUTION CENTER

Reminder to Schedule Redelivery of your item

Received by OCD: 3/2/2021 4:19:50 PMPPS TRACKING#





First-Class Mall
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 1258 5246 3555 18

United States
Postal Service

• Sender: Please print your name, address, and 7IP+49 in this boy.



MONTGOMERY & ANDREWS LAW FIRM

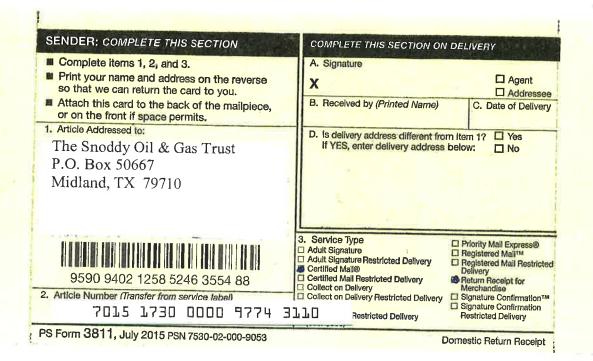
P.O. Box 2307 Santa Fe, New Mexico 87504-2307

Titus/Pakse South Re-Open 21687-21689 15412-1901



#### SENDER: COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY Complete items 1, 2, and 3. A. Signature Print your name and address on the reverse □ Agent so that we can return the card to you. ☐ Addressee B. Received by (Printed Name) C. Date of Delivery Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: If YES, enter delivery address below: Hidden Hills Minerals, LLC 3270 West Main Houston, TX 77098 Service Type ☐ Priority Mail Express® ☐ Adult Signature ☐ Registered Mail™ □ Registered Mail Restricted Delivery ■ Return Receipt for Merchandise □ Signature Confirmation™ ☐ Adult Signature Restricted Delivery Certified Mail® Certified Mail Restricted Delivery 9590 9402 1258 5246 3555 18 ☐ Collect on Delivery 2. Article Number (Transfer from service label) ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail Signature Confirmation il Restricted Delivery Restricted Delivery 7015 1730 0000 9774 2892 PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

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Midland, TX 79710 P.O. Box 50667 The Snoddy Oil & Gas Santa Fe, New Mexico 87504-2307 Box 2307 LAW FIRM

First-Class Mail Postage & Fees Paid

Permit No. G-10

USPS

**ANDREWS** 

MONTGOMERY

Pales of Section 1 (1) and the section 1 (1) PORTURE OF SERVICES SHADEN DESCRIPTION

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1258 3554 88

**United States Postal Service**  Sender: Please print your name, address, and ZIP+4® in this box



**MONTGOMERY** & ANDREWS

LAW FIRM

Santa Fe, New Mexico 87504-2307

Titus/Pakse South Re-Open 21687-21689 15412-1901

02 1P 0000929124 MAILED FROM ZIP

Released to Imaging: 3/2/2021 4:40:04 PM





9590 9402 1258 5246 3554 88

**United States Postal Service**  Sender: Please print your name, address, and ZIP+4® in this box



P.O. Box 2307 Santa Fe, New Mexico 87504-2307

Titus/Pakse South Re-Open 21687-21689 15412-1901



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> </ul>	A. Signature  Agent  Addressee
Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name) C. Date of Delivery
The Snoddy Oil & Gas Trust P.O. Box 50667 Midland, TX 79710	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
	3. Service Type ☐ Priority Mail Express®☐ Adult Signature ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Registered Mail Restricted

FAQs >

# Track Another Package +

Tracking Number: 70151730000097743097

Remove X

This is a reminder to arrange for redelivery of your item before March 2, 2021 or your item will be returned on March 3, 2021. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice.

# **Delivery Attempt: Action Needed**

Reminder to Schedule Redelivery of your item before March 2, 2021

Bourland & Price 510 West Texas Avenue Artesia, NM 88210

Feedback

# Schedule Redelivery V

Text & Email Updates	~
Schedule Redelivery	~
Tracking History	~
Product Information	~

See Less ∧

# Can't find what you're looking for?





<del>7590 9402 1258 5246 3554 64</del>

United States
Postal Service

Sender Please print vour name, address, and ZIP+4® in this box



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P.O. Box 2307 Santa Fe, New Mexico 87504-2307

Titus/Pakse South Re-Open 21687-21689 15412-1901



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON	DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:</li> </ul>	A. Signature  X  B. Received by (Printed Name)	☐ Agent ☐ Addressee C. Date of Delivery
Bourland & Price 510 West Texas Avenue Artesia, NM 88210	D. Is delivery address different from if YES, enter delivery address	n Item 1? ☐ Yes below: ☐ No
9590 9402 1258 5246 3554 64  2. Article Number (Transfer from service label)  7015 1730 0000 9774	3. Service Type  Adult Signature Adult Signature Restricted Delivery Certifled Mall® Certifled Mall® Collect on Delivery Collect on Delivery Restricted Delivery Restricted Delivery	☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery ### Return Receipt for Merchandise ☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery
PS Form 3811, July 2015 PSN 7530-02-000-9053	[	Domestic Return Receipt

# **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 February 18, 2021 and ending with the issue dated February 18, 2021.

Publisher

Sworn and subscribed to before me this 18th day of February 2021.

Business Manager

My commission expires

January 29, 2023

(Seal)

OFFICIAL SEAL
GUSSIE BLACK
Notary Public
State of New Mexico

State of New Mexico
My Commission Expires 27-23

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

LEGAL NOTICE February 18, 2021 JIUTIU Lynn-

To the following entities, individuals, their heirs, personal representatives, trustees, successors or assigns, and any other uncommitted interest owners:

Trainer Partners, Ltd.; Devon Energy Production Co., LP; Sydney Investments, LP; Hidden Hills Minerals, LLC; Topsey, LLC; COG Operating, LLC; The Snoddy Oil & Gas Trust; Whitten Management Trust; EOG Resources; Trainer Parties, Ltd.; Mark and Paula McClellan; Madison M. Hinkle; Rolla R. Hinkle; James M. Richardson; Paula R. Kaufman; Michael P. Richardson; Brian A. Richardson; Mary K. Richardson; David P. Wright; Robert J. Wright; Whitten Management Trust; Bourland & Price; Bureau of Land Management.

Titus Oil & Gas Production, LLC, has filed an application with the New Mexico Oil Conservation Division as follows:

Case No. 21687. Application of Titus Oil & Gas Production, LLC to Amend Order No. R-21204, Lea County, New Mexico (Re-Open). Applicant in the above-styled cause seeks to re-open Case No. 20897 for the limited purpose of amending Order No. R-21204 to extend by one year, through April 7, 2022; the time to commence drilling (1) the Pakse South 24-25-36 Fed Com 111H well and (2) the Pakse South 24-25-36 Fed Com 112H well, proposed to be drilled into the First Bone Spring formation underlying the W/2 of Sections 24 and 25 and the NW/4 of Section 36, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico.

Case No. 21688. Application of Titus Oil & Gas Production, LLC to Amend Order No. R-21205, Lea County, New Mexico (Re-Open). Applicant in the above-styled cause seeks to re-open Case No. 20898 for the limited purpose of amending Order No. R-21205 to extend by one year, through April 7, 2022, the time to commence drilling (1) the Pakse South 24-25 Fed Com 221H well and (2) the Pakse South 24-25 Fed Com 222H well, proposed to be drilled into the Second Bone Spring formation underlying the W/2 of Sections 24 and 25, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico.

Case No. 21689. Application of Titus Oil & Gas Production, LLC to Amend Order No. R-21206, Lea County, New Mexico (Re-Open). Applicant in the above-styled cause seeks to re-open Case No. 20899 for the limited purpose of amending Order No. R-21206 to extend by one year, through April 7, 2022, the time to commence drilling (1) the Pakse South 24-25-36 Fed Com 321H well and (2) the Pakse South 24-25-36 Fed Com 322H well, proposed to be drilled into the Third Bone Spring Formation underlying the W/2 of Sections 24 and 25 and the NW/4 of Section 36, Township 20 South, Range 32 East, NMPM, in Lea County, New Mexico.

This application will be set for hearing before a Division Examiner at the New Mexico Oil Conservation Division in Santa Fe, New Mexico on March 4, 2021, at 8:15 a.m. During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: http://www.emprd.state.nm.us/OCD/hearings.html. You are not required to attend this hearing, but as an owner of an interest that may be affected, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging this application at a later time. If you intend to attend the hearing and present testimony or evidence, you must enter your appearance by February 24, 2021, and serve the Division, counsel for the Applicant, and other parties with a pre-hearing statement by February 25, 2021, in accordance with Division Rule 19.15.4.13 NMAC. For further information, contact the applicant's attorney, Sharon T. Shaheen, Montgomery & Andrews, P.A., 325 Paseo de Peralta, Santa Fe, New Mexico 87501, (505) 986-2678.

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00251154

SHARON T. SHAHEEN MONTGOMERY & ANDREWS, P.A. P.O. BOX OFFICE BOX 2307 A/C 451986 SANTA FE,, NM 87504-2307

Exhibit B Affidavit of Notice