

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

**APPLICATION OF MARATHON OIL  
PERMIAN LLC TO AMEND ORDER  
NO. R-21106-A, EDDY COUNTY, NEW MEXICO**

**CASE NO. \_\_\_\_\_  
ORDER NO. R-21106-A  
(Re-Open)**

**APPLICATION**

Marathon Oil Permian LLC (“Marathon”), OGRID Number 372098, through its undersigned attorney, files this application with the Oil Conservation Division (“Division”) for the limited purpose of amending Order No. R-21106-A (the “Order”) to allow for a second extension of time for Marathon to commence drilling the initial well under the Order. In support of this application, Marathon states as follows:

1. Order No. R-21106 pooled uncommitted interest owners in a 320-acre, more or less, Bone Spring horizontal spacing unit comprised of the S/2 S/2 of Section 12, Township 23 South, Range 28 East and Section 7, Township 23 South, Range 29 East, NMPM, Eddy County, New Mexico.
2. Order No. R-21106 designated Marathon as the operator of the well and the unit.
3. The Division Hearing for Case No. 20868 was held on November 14, 2019.
4. The Division entered Order No. R-21106 in Case No. 20868 on February 13, 2020.

This order was issued under the “interim form of order” and did not conform to the Amended Order Template.

5. In December 2020, Marathon requested that Order No. R-21106 be re-opened to conform the Order to the terms of the Amended Order Template and to allow Marathon additional time to commence drilling the initial well under the Order.

6. On January 19, 2021 (in Case No. 21606), the Division entered Order No. R-21106-A, in which the Division granted Marathon's application to amend the Order to conform to the Amended Order Template and extended the period of time to commence drilling the initial well under the Order until February 13, 2022. *See* Order R-21106-A ¶ 9.

7. Order No. R-21106-A ¶ 15 states: "This Order shall terminate automatically if Operator fails to comply with Paragraph [9]<sup>1</sup> unless Operator obtains an extension by an amendment of this Order for good cause shown."

8. Good cause exists for Marathon's request for a second extension of time.

9. As Marathon explained in its first extension request, there have been changes in Marathon's drilling schedule due to COVID-19 and the then-existing market conditions.

10. Marathon's operations and drilling activity continue to be impacted by COVID-19 and oil and gas market conditions, which continue to delay Marathon's drilling plans.

11. In addition, there have been delays in obtaining BLM approved APDs, which in turn delays Marathon's schedule.

12. Under Order No. R-21106-A, Marathon would be required to commence drilling the well by February 13, 2022.

13. Marathon asks that the deadline to commence drilling the well be extended for one year from February 13, 2022 to February 13, 2023.

---

<sup>1</sup> Paragraph 15 cites to Paragraph 13 of the Order; however this appears to be a relic from the form of order which does not take into account Paragraph 9 which sets a specific deadline by which Marathon must commence drilling the initial well. The correct internal cross reference should be to paragraph 9.

WHEREFORE, Marathon requests this application be set for hearing before an Examiner of the Oil Conservation Division on October 7, 2021, and after notice and hearing as required by law, the Division:

A. Amend Order No. R-21106-A to extend the time for Marathon to commence drilling the initial well under the Order for a year, through February 13, 2023.

MODRALL, SPERLING, ROEHL, HARRIS  
& SISK, P.A.

By: Deana M. Bennett  
Deana M. Bennett  
Jamie L. Allen  
Post Office Box 2168  
500 Fourth Street NW, Suite 1000  
Albuquerque, New Mexico 87103-2168  
Telephone: 505.848.1800  
*Attorneys for Applicant*

**CASE NO. \_\_\_\_\_: (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-21106-A, Eddy County, New Mexico.** Applicant seeks an order from the Division for the limited purpose of amending Order No. R-21106-A to allow for a one-year extension of time to commence drilling the well under the Order. Order No. R-21106-A pooled uncommitted interest owners in a 320-acre, more or less, Bone Spring horizontal spacing unit comprised of the S/2 S/2 of Section 12, Township 23 South, Range 28 East and Section 7, Township 23 South, Range 29 East, NMPM, Eddy County, New Mexico. Said area is located approximately 4 miles Northeast of Loving, New Mexico.