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

APPLICATION OF MEWBOURNE OIL COMPANY TO POOL ADDITIONAL INTERESTS UNDER ORDER NO. R-21735, EDDY COUNTY, NEW MEXICO.

CASE NO. 22993 ORDER NO. R-21735

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

APPLICATION OF MEWBOURNE OIL COMPANY TO POOL ADDITIONAL INTERESTS UNDER ORDER NO. R-21735, EDDY COUNTY, NEW MEXICO.

CASE NO. 22993 ORDER NO. R-21735 (Re-Open)

SELF-AFFIRMED STATEMENT OF ARIANA RODRIGUES

- 1. I am a landman for Mewbourne Oil Company ("Mewbourne"). I am over 18 years of age, have personal knowledge of the matters addressed herein, and am competent to provide this Self-Affirmed Statement. I have not previously testified before the New Mexico Oil Conservation Division ("Division"). Following my internships with Mewbourne Oil Company, summer 2020 and summer 2021, I graduated with a bachelor's degree from the University of Oklahoma majoring in Energy Management with a minor in Finance in December 2021. I have been working full time as a Landman with Mewbourne Oil Company since January 2022.
- 2. I am familiar with the land matters involved in the above-referenced case. Copies of the application and proposed hearing notice are attached as **Exhibit A-1**.
- 3. None of the parties proposed to be pooled in this case indicated opposition to this matter proceeding by affidavit, therefore I do not expect any opposition at hearing.
- 4. On June 10, 2021, the Division issued Order No. R-21735 in Case No. 21753, which pooled uncommitted interests in the Wolfcamp formation underlying a standard horizontal spacing unit comprised of the S/2 N/2 of Section 15 and the S/2 NW/4 of Section 14, Township 20 South, Range 29 East, Eddy County, New Mexico ("Unit"). The Order further dedicated the Unit to the Ithaca 15/14 W0EF Fed Com #1H well ("Well") and designated Applicant as operator of the Unit and Well.

- 5. A copy of Order No. R-21735 is attached as **Exhibit A-2**.
- 6. Since the Order was entered, Mewbourne has identified additional uncommitted interests in the Unit that have not been pooled under the terms of the Order.
- 7. **Exhibit A-3** provides a plat of the tracts included in the Unit, identifies the interests in each tract, and identifies the additional uncommitted interests to be pooled under the terms of the Order No. R-21735, which are highlighted in yellow. All of the interest owners are locatable.
 - 8. **Exhibit A-4** is a sample communitization letter that I sent to the interest owners.
- 9. In my opinion, Mewbourne made a good-faith effort to reach voluntary joinder as indicated by the chronology of contact described in **Exhibit A-5**.
- 10. Mewbourne requests the additional uncommitted mineral interests be pooled under the terms of Order No. R-21735.
- 11. In my opinion, the granting of Mewbourne's application would serve the interests of conservation and prevention of waste.
- 12. The attached exhibits were either prepared by me or under my supervision or were compiled from company business records.
- 13. I understand this Self-Affirmed Statement will be used as written testimony in the subject cases. I affirm that my testimony above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date handwritten next to my signature below.

Ariana Rodrigues

<u>8/23/2022</u> Date

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

APPLICATION OF MEWBOURNE OIL COMPANY TO POOL ADDITIONAL INTERESTS UNDER ORDER NO. R-21735, EDDY COUNTY, NEW MEXICO.

CASE NO. 22993 ORDER NO. R-21735

<u>APPLICATION</u>

Pursuant to NMSA § 70-2-17, Mewbourne Oil Company ("Applicant") (OGRID No. 14744) files this application with the Oil Conservation Division ("Division") for the limited purpose of pooling additional uncommitted interests under the terms of Division Order No. R-21735. Applicant states the following in support of its application.

- 1. On June 10, 2021, the Division entered Order No. R-21735 ("Order") in Case No. 21753, which pooled all uncommitted interests in the Wolfcamp formation underlying a standard horizontal spacing unit comprised of the S/2 N/2 of Section 15 and the S/2 NW/4 of Section 14, Township 20 South, Range 29 East, Eddy County, New Mexico ("Unit"). The Order further dedicated the Unit to the Ithaca 15/14 W0EF Fed Com #1H well ("Well") and designated Applicant as operator of the Unit and Well.
- 2. Since the Order was entered, Applicant has identified additional interests in the Unit that have not been pooled under the terms of the Order.
- 3. Applicant has undertaken diligent, good-faith efforts to obtain voluntary agreements from the additional interest owners but has been unable to obtain voluntary agreements from the owners.
- 4. In order to permit Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, the additional interests should be pooled into the Unit pursuant to the terms of the Order.

Mewbourne Oil Company Case No. 22993 Exhibit A-1 WHEREFORE, Applicant requests this application be set for hearing before an Examiner of the Division on September 1, 2022, and, after notice and hearing, the Division pool the additional uncommitted interests into the Unit pursuant to the terms of Division Order No. R-21735.

Respectfully submitted,

HINKLE SHANOR LLP

/s/ Dana S. Hardy

Dana S. Hardy Jaclyn M. McLean P.O. Box 2068 Santa Fe, NM 87504-2068

Phone: (505) 982-4554 Facsimile: (505) 982-8623 dhardy@hinklelawfirm.com jmclean@hinklelawfirm.com

Counsel for Mewbourne Oil Company

Application of Mewbourne Oil Company to Pool Additional Interests Under Order No. R-21735, Eddy County, New Mexico. Applicant seeks an order pooling additional uncommitted interests under the terms of Division Order No. R-21735. Order No. R-21735 ("Order") pooled all uncommitted interests in the Wolfcamp formation underlying a standard horizontal spacing unit comprised of the S/2 N/2 of Section 15 and the S/2 NW/4 of Section 14, Township 20 South, Range 29 East, Eddy County, New Mexico ("Unit"). The Order further dedicated the Unit to the Ithaca 15/14 W0EF Fed Com #1H well ("Well") and designated Applicant as operator of the Unit and Well. Since entry of the Order, Applicant has identified additional interests in the Unit that should be pooled under the terms of the Order. The Well is located approximately 10 miles northeast of Carlsbad, New Mexico.

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

IN THE MATTER OF APPLICATION OF MEWBOURNE OIL COMPANY TO AMEND ORDER R-21428

> CASE NO. 21753 ORDER NO. R-21735

ORDER

The Director of the New Mexico Oil Conservation Division ("OCD"), having heard this matter through a Hearing Examiner on April 8, 2021, and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

FINDINGS OF FACT

- 1. Mewbourne Oil Company ("Operator") submitted an application ("Application") to amend Order R-21428 to change the spacing unit, to change the location of the well dedicated to the spacing unit and to extend the time for drilling the well.
- 2. OCD issued Order R-21428 ("Order") on August 18, 2020 in Case 21358. Order R-21428 pooled all uncommitted interests within a 480 acre, more or less, horizontal spacing unit ("Original Unit"), dedicated the Original Unit to a well and designated Mewbourne Oil Company as the operator.
- 3. Operator proposes to split the Original Unit into two 240 acre standard horizontal spacing units. In Case No. 21752, OCD approved the creation of a 240 acre spacing unit consisting of the north half of the Original Unit and approved the pooling of uncommitted oil and gas interests. Order R-21652 (April 13, 2021). In this Application, Operator seeks to create a 240 acre, more or less, standard horizontal spacing unit consisting of the south half of the Original Unit as described in Exhibit A ("Unit") and to change the location of the well dedicated to the Original Unit.
- 4. OCD has determined that to create a new Unit and to dedicate a new well location requires a new order and, therefore, the vacation of Order R-21428.
- 5. Operator will dedicate the well(s) described in Exhibit A ("Well(s)") to the Unit.
- 6. Operator proposes the supervision and risk charges for the Well(s) described in Exhibit A.
- 7. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice was given.

Mewbourne Oil Company Case No. 22993 Exhibit A-2 8. 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

- 9. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
- 10. Operator is the owner of an oil and gas working interest within the Unit.
- 11. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.
- 12. OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.
- 13. 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.
- 14. The Unit contains separately owned uncommitted interests in oil and gas minerals.
- 15. Some of the owners of the uncommitted interests have not agreed to commit their interests to the Unit.
- 16. The pooling of uncommitted interests in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.
- 17. 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

- 18. Order R-21428 is hereby vacated and replaced by this Order.
- 19. The uncommitted interests in the Unit are pooled as set forth in Exhibit A.
- 20. The Unit shall be dedicated to the Well(s) set forth in Exhibit A.
- 21. Operator is designated as operator of the Unit and the Well(s).
- 22. 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.

- 23. 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.
- 24. This Order shall terminate automatically if Operator fails to comply with Paragraph 23 unless Operator obtains an extension by amending this Order for good cause shown.
- 25. The infill well requirements in 19.15.13.9 NMAC through 19.15.13.12 NMAC shall be applicable.
- 26. Operator shall submit 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").
- 27. 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."
- 28. No later than one hundred eighty (180) days after Operator submits a Form C-105 for a well, Operator shall submit to 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 an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Reasonable Well Costs after public notice and hearing.
- 29. 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.
- 30. 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

CASE NO. 21753 ORDER NO. R-21735

Page 3 of 7

- the rates shall be adjusted annually pursuant to the COPAS form entitled "Accounting Procedure-Joint Operations."
- 31. No later than within ninety (90) days after Operator submits a Form C-105 for a well, Operator shall submit to 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 an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Operating Charges after public notice and hearing.
- 32. 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.
- 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.
- 34. 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.
- 35. Each year on the anniversary of this Order, and no later than ninety (90) days after each payout, Operator shall provide to 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.
- 36. 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.
- 37. 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.*
- 38. 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. 21753 ORDER NO. R-21735

Page 4 of 7

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

6/10/2021

39. 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/jag

Exhibit A

COMPULSORY POOLING APPLICATION CHECKLIST (pdf) ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS					
Case: 21753	APPLICANT'S RESPONSE				
Date: 04/08/2021					
Applicant	Mewbourne Oil Company				
Designated Operator & OGRID (affiliation if applicable)	Mewbourne Oil Company, OGRID 14744				
Applicant's Counsel:	Hinkle Shanor LLP, Dana S. Hardy, Michael Rodriguez				
Case Title:	APPLICATION OF MEWBOURNE OIL COMPANY TO AMEND ORDER NO. R-21428, EDDY COUNTY, NEW MEXICO.				
Entries of Appearance/Intervenors:	None				
Well Family	Ithaca				
Formation/Pool					
Formation Name(s) or Vertical Extent:	Wolfcamp Formation				
Primary Product (Oil or Gas):	Oil				
Pooling this vertical extent:	Wolfcamp Formation				
Pool Name and Pool Code:	Burton Flat, Upper Wolfcamp Pool, Code 98315				
Well Location Setback Rules:	Standard Oil, 100' setback				
Spacing Unit Size:	40 acres				
Spacing Unit					
Type (Horizontal/Vertical)	Horizontal				
Size (Acres)	240-acres				
Building Blocks:	40 acres				
Orientation:	laydown				
Description: TRS/County	S/2N/2 of Section 15 and the S/2NW/4 of Section 14, Township 20 South, Range 29 East, Eddy County				
Standard Horizontal Well Spacing Unit (Y/N), If No, describe	Yes				
Other Situations					
Depth Severance: Y/N. If yes, description	No				
Proximity Tracts: If yes, description	No				
Proximity Defining Well: if yes, description	No				
Applicant's Ownership in Each Tract	Exhibit A-4				
Well(s)					
Name & API (if assigned), surface and bottom hole ocation, footages, completion target, orientation, completion status (standard or non-standard)					
Well #1	Ithaca 15/14 W0EF Fed Com #1H (API # pending) SHL: 1360' FNL & 205' FWL (Unit E), Section 15, T20S-R29E BHL: 2100' FNL & 2540' FWL (Unit F), Section 14, T20S-R29E Completion Target: Wolfcamp formation (Approx. 9386' TVD)				
Horizontal Well First and Last Take Points	Exhibit A-3				
Completion Target (Formation, TVD and MD)	Exhibit A-5				
AFE Capex and Operating Costs	40.000				
Orilling Supervision/Month \$	\$8,000				
Production Supervision/Month \$	\$800				
ustification for Supervision Costs	Exhibit A				
Requested Risk Charge	Exhibit A				

Proposed Notice of Hearing	Exhibit A-1
Proof of Mailed Notice of Hearing (20 days before hearing)	Exhibit A-6
Proof of Published Notice of Hearing (10 days before hearing	Exhibit A-7
Ownership Determination	
Land Ownership Schematic of the Spacing Unit	Exhibit A-4
Tract List (including lease numbers and owners)	Exhibit A-4
Pooled Parties (including ownership type)	Exhibit A-4
Unlocatable Parties to be Pooled	Exhibit A-4
Ownership Depth Severance (including percentage above &	N/A
Joinder	
Sample Copy of Proposal Letter	N/A
List of Interest Owners (ie Exhibit A of JOA)	Exhibit A-4
Chronology of Contact with Non-Joined Working Interests	N/A
Overhead Rates In Proposal Letter	N/A
Cost Estimate to Drill and Complete	Exhibit A-5
Cost Estimate to Equip Well	Exhibit A-5
Cost Estimate for Production Facilities	Exhibit A-5
Geology	
Summary (including special considerations)	Exhibit B
Spacing Unit Schematic	Exhibits B-1, B-2
Gunbarrel/Lateral Trajectory Schematic	N/A
Well Orientation (with rationale)	Exhibit B
Target Formation	Exhibit B
HSU Cross Section	Exhibit B-4
Depth Severance Discussion	N/A
Forms, Figures and Tables	
C-102	Exhibit A-3
Tracts	Exhibit A-4
Summary of Interests, Unit Recapitulation (Tracts)	Exhibit A-4
General Location Map (including basin)	Exhibit B-1
Well Bore Location Map	Exhibits B-1, B-2
Structure Contour Map - Subsea Depth	Exhibit B-2
Cross Section Location Map (including wells)	Exhibit B-2
Cross Section (including Landing Zone)	Exhibit B-4
Additional Information	Exhibit B-3: Isopach; Exhibit B-5: produciton table; Exhibit B-6: Well Plan Survey
	Extribit 5 of topacity extribit 5 of production table, extribit 5 of Well Half Survey
CERTIFICATION: I hereby certify that the information p	provided in this checklist is complete and accurate.
Printed Name (Attorney or Party Representative):	Dana S. Hardy
Signed Name (Attorney or Party Representative):	/s/ Dana S. Hardy
Date:	6/7/2021

Received by OCD: 8/29/2022 4:19:30 PM

Released to Imaging: 8/29/2022 4:19:39 PM

Section Plat

Ithaca 15-14 W0EF Fed Com #1H S/2N/2 of Section 15 & S/2NW of Section 14

T20S-R29E, Eddy County, NM

Section 15	Section 14
Tract 1 - NMNM 0556290	Tract 2 - NMNM 129730

Ithaca 15-14 W0EF Fed Com #1H Ithaca 15-14 W0DC Fed Com #1H

Entity	Working Interest
Mewbourne Oil Company, et al.	100.0000000%
J. C. Barnes	record title only
Barnes Adelante Trust	record title only
Russell J. Ramsland Jr.	record title only
J. C. Barnes, Jr.	record title only
W. F. Wynn	record title only
J. C. Barnes, Trustee of the Shirley B. Cumming Trust No. 1	record title only
J. C. Williamson	record title only
D. W. Underwood	record title only
Roger E. Canter	record title only
Total	100.0000000%

MEWBOURNE OIL COMPANY

500 West Texas, Suite 1020 Midland, Texas 79701 Phone (432) 682-3715

January 18, 2022

Via Certified Mail

J. C. Barnes P. O. Box 505 Midland, Texas 79702

Re: Federal Communitization Agreement

Ithaca 15/14 W0EF Fed Com #1H

S2N2 of Section 15 and S2NW4 of Section 14 T20S, R29E, Eddy County, New Mexico

Ladies and Gentlemen:

Mewbourne Oil Company ("MOC") has drilled and completed the above referenced wells and requests your approval of the enclosed Federal Communitization Agreement. At your earliest convenience, please have three (3) sets of signature pages signed and notarized before mailing them back to my attention at the address on the letterhead.

Please contact me at (432)-682-3715 or <u>bbuck@mewbourne.com</u> if you have any questions or need additional information.

Very truly yours,

MEWBOURNE OIL COMPANY

Barrett Buck Landman

> Mewbourne Oil Company Case No. 22993 Exhibit A-4

Summary of Communications Ithaca 15-14 W0DC Fed Com #1H Ithaca 15-14 W0EF Fed Com #1H

J. C. Barnes

1. January 18, 2022, we sent the Communitization Agreement via certified mail to P. O. Box 505, Midland, Texas 79702. Proof of Delivery is attached.

Barnes Adelante Trust

1. January 18, 2022, we sent the Communitization Agreement via certified mail to P. O. Box 505, Midland, Texas 79702, Attn: Land Department. Proof of Delivery is attached.

Russell J. Ramsland Jr

 January 18, 2022, we sent the Communitization Agreement via certified mail to P. O. Box 505, Midland, Texas 79702. Proof of Delivery is attached.

J. C. Barnes, Jr.

1. January 18, 2022, we sent the Communitization Agreement via certified mail to P. O. Box 505, Midland, Texas 79702. Proof of Delivery is attached.

W. F. Wynn

- 1. January 18, 2022, we sent the Communitization Agreement via certified mail to 3831 Turtle Creek Blvd 5F, Dallas, Texas 75219. Proof of Delivery not returned.
- 2. August 3, 2022, we resent the Communitization Agreement via certified mail to 8111 Preston Rd Ste. 701, Dallas, Texas 75225. Proof of Delivery is attached.
- 3. August 24, 2022, we resent the Communitization Agreement via overnight mail to 3831 Turtle Creek Blvd 5F, Dallas, Texas 75219. Proof of Delivery attached.

J. C. Barnes, Trustee of the Shirley B. Cumming Trust No. 1

- 1. January 18, 2022, we sent the Communitization Agreement via certified mail to P. O. Box 505, Midland, Texas 79702. Proof of Delivery is attached.
- 2. August 3, 2022, we resent the Communitization Agreement via certified mail to 8111 Preston Rd Ste. 701, Dallas, Texas 75225 but was never signed for.

Boyd Laughlin

1. January 18, 2022, we sent the Communitization Agreement via certified mail to 1400 W Pecan, Midland, Texas 79701. Proof of Delivery is attached.

J. C. Williamson

1. January 18, 2022, we sent the Communitization Agreement via certified mail to P. O. Box 16, Midland, Texas 79702. Proof of Delivery is attached.

Mewbourne Oil Company Case No. 22993 Exhibit A-5

D. W. Underwood

- 1. January 18, 2022, we sent the Communitization Agreement via certified mail to 1036 Liberty Park Dr Apt 42, Austin, Texas 78746. Proof of Delivery not returned.
- 2. August 3, 2022, we resent the Communitization Agreement via certified mail to 505 N Big Spring #100, Midland, TX 79701 but was never signed for.
- 3. August 24, 2022, we resent the Communitization Agreement via overnight mail to 1036 Liberty Park Dr Apt 42, Austin, Texas 78746. Proof of Delivery attached.

Roger E. Canter

1. January 18, 2022, we sent the Communitization Agreement via certified mail to 2304 Maxwell, Midland, Texas 79705. Proof of Delivery is attached.



January 27, 2022

Dear Simple Certified:

The following is in response to your request for proof of delivery on your item with the tracking number: **9414 8368 9784 6880 2560 46**.

Item Details

Status:

Delivered

Status Date / Time:

January 27, 2022, 10:50 am

Location:

MIDLAND, TX 79702

Postal Product:

First-Class Mail®

Extra Services:

Certified Mail™

Return Receipt Electronic

Recipient Name:

J C Barnes

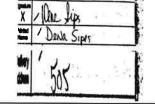
Shipment Details

Weight:

2.0oz

Recipient Signature

Signature of Recipient:



Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

> J.C. Barnes P.O. Box 505 Midland, TX 79702 Reference #: Ithaca 15-14



February 4, 2022

Dear Simple Certified:

The following is in response to your request for proof of delivery on your item with the tracking number: **9414 8368 9784 6882 3826 82**.

Item Details

Status: Delivered

Status Date / Time: February 4, 2022, 10:56 am

Location: MIDLAND, TX 79701

Postal Product: First-Class Mail®
Extra Services: Certified Mail™

Return Receipt Electronic

Recipient Name: Land Department

Shipment Details

Weight: 3.0oz

Recipient Signature

Signature of Recipient:

Deva Sipes

Didoy
Althon

SUS

Address of Recipient:

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Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

> Land Department Barnes Adelante Trust P.O. Box 505 Midland, TX 79702 Reference #: Ithaca 15-14



February 4, 2022

Dear Simple Certified:

The following is in response to your request for proof of delivery on your item with the tracking number: **9414 8368 9784 6882 3501 93**.

Item Details

Status:

Delivered

Status Date / Time:

February 4, 2022, 10:56 am

Location:

MIDLAND, TX 79701

Postal Product:

First-Class Mail®

Extra Services:

Certified Mail™

Return Receipt Electronic

Recipient Name:

Russell J Ramsland

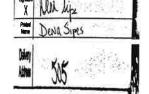
Shipment Details

Weight:

3.0oz

Recipient Signature

Signature of Recipient:



Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

> Russell J. Ramsland P.O. Box 505 Midland, TX 79702 Reference #: Ithaca 15-14



February 4, 2022

Dear Simple Certified:

The following is in response to your request for proof of delivery on your item with the tracking number: **9414 8368 9784 6880 2681 55**.

Item Details

Status: Delivered

Status Date / Time: February 4, 2022, 10:56 am

Location: MIDLAND, TX 79701

Postal Product: First-Class Mail®

Extra Services: Certified Mail™

Return Receipt Electronic

Recipient Name: J C Barnes Jr

Shipment Details

Weight: 2.0oz

Recipient Signature

Signature of Recipient:

Deva Sipes

(along Admin SUS

Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

> J.C. Barnes Jr. P.O. Box 505 Midland, TX 79702 Reference #: Ithaca 15-14



August 8, 2022

Dear Simple Certified:

The following is in response to your request for proof of delivery on your item with the tracking number: **9414 8368 9784 6628 9422 79**.

Item Details

Status:

Delivered, Left with Individual

Status Date / Time:

August 8, 2022, 11:28 am

Location:

DALLAS, TX 75225

Postal Product:

First-Class Mail®

Extra Services:

Certified Mail™

Return Receipt Electronic

Recipient Name:

W F Wynn

Recipient Signature

Signature of Recipient:

Connetth Adges

Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

> W. F. Wynn 8111 Preston Rd Ste701 Dallas, TX 75225 Reference #: Ithaca 15 14



Dear Customer,

The following is the proof-of-delivery for tracking number: 777753598326

Delivery Information:

Delivered Status:

R.MCDANIEL Signed for by:

Service type: FedEx Standard Overnight

Special Handling:

Deliver Weekday; Residential Delivery

Delivered To: Residence

Delivery Location:

3831 TURTLE CREEK BLVD

DALLAS, TX, 75219

Aug 25, 2022 11:50 Delivery date:

Shipping Information:

777753598326 Ship Date: Aug 24, 2022 Tracking number:

> Weight: 0.5 LB/0.23 KG

Recipient:

W. F. Wynn, 3831 Turtle Creek Blvd. 5F DALLAS, TX, US, 75219

Ariana Rodrigues, Mewbourne Oil Company 500 West Texas, Suite 1020 Midland, TX, US, 79701

Shipper:

Ithaca 15 14 Reference





January 27, 2022

Dear Simple Certified:

The following is in response to your request for proof of delivery on your item with the tracking number: 9414 8368 9784 6880 2651 85.

Item Details

Status:

Delivered

Status Date / Time:

January 27, 2022, 10:50 am

Location:

MIDLAND, TX 79702

Postal Product:

First-Class Mail®

Extra Services:

Certified Mail™

Return Receipt Electronic

Recipient Name:

Shirley B Cumming Trust No 1

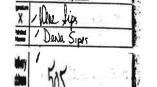
Shipment Details

Weight:

2.0oz

Recipient Signature

Signature of Recipient:



Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

> Shirley B. Cumming Trust No 1. J.C. Barnes, Trustee of the P.O. Box 505 Midland, TX 79702 Reference #: Ithaca 15-14

1

Mewbourne Oil Company Ariana Rodrigues 500 WEST TEXAS AVE STE 1020 MIDLAND TX 79701

US POSTAGE AND FEES PAID

2022-08-04 79701

C4000004 Retail

8.0 OZFLAT

easypost.

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USPS CERTIFIED MAIL™



9414 8368 9784 6628 9498 96

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J.C. BARNES, TRUSTEE OF THE SHIRLEY B. CUMMING 8111 PRESTON RD. STE 701 DALLAS TX 75225

NIXIE

731 DE 1040 8985/12/22

RETURN TO SENDER ATTEMPTED - NOT KNOWN UNABLE TO FORWARD

BC: 79701427970 2266N224151-80270



January 25, 2022

Dear Simple Certified:

The following is in response to your request for proof of delivery on your item with the tracking number: **9414 8368 9784 6882 1913 45**.

Item Details

Status:Delivered, Left with IndividualStatus Date / Time:January 25, 2022, 3:14 pm

Location:MIDLAND, TX 79705Postal Product:First-Class Mail®Extra Services:Certified Mail™

Return Receipt Electronic

Recipient Name: Boyd Laughlin

Shipment Details

Weight: 3.0oz

Recipient Signature

Signature of Recipient:

Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

> Boyd Laughlin 1400 W. Pecan Midland, TX 79701 Reference #: Ithaca 15-14



February 8, 2022

Dear Simple Certified:

The following is in response to your request for proof of delivery on your item with the tracking number: **9414 8368 9784 6882 2821 66**.

Item Details

Status: Delivered

Status Date / Time: February 8, 2022, 1:01 pm

Location: MIDLAND, TX 79701

Postal Product: First-Class Mail®
Extra Services: Certified Mail™

Return Receipt Electronic

Recipient Name: J C Williamson

Shipment Details

Weight: 3.0oz

Recipient Signature

Signature of Recipient:

X SUL DU Presed Name Dallery

Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

> J.C. Williamson P.O. Box 16 Midland, TX 79702 Reference #: Ithaca 15-14

Received by OCD: 8/29/2022 4:19:30 PM 8/4/22, 2:05 PM

Mewbourne Oil Company Ariana Rodrigues 500 WEST TEXAS AVE STE 1020 MIDLAND TX 79701

US POSTAGE AND FEES PAID

2022-08-04

79701 C4000004 Retail 8.0 OZFLAT

0901000002241

USPS CERTIFIED MAIL™



9414 8368 9784 6628 9367 11

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D.W. UNDERWOOD 505 N. BIG SPRING 100 MIDLAND TX 79701

N 188 1/8000

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Dear Customer,

The following is the proof-of-delivery for tracking number: 777753638426

Delivery Information:

Status:

Delivered

Signed for by:

Signature not required

Service type:

FedEx Standard Overnight

Special Handling:

Deliver Weekday; Residential Delivery

Delivered To:

Residence

Delivery Location:

1036 LIBERTY PARK DR 42

AUSTIN, TX, 78746

Delivery date:

Aug 25, 2022 13:15

Shipping Information:

Tracking number:

777753638426

Ship Date:

Aug 24, 2022

Weight:

0.5 LB/0.23 KG

Reclpient:

D. W. Underwood, 1036 Liberty Park Dr. Apt. 42 AUSTIN, TX, US, 78746

Shipper:

Ariana Rodrigues, Mewbourne Oil Company 500 West Texas, Suite 1020 Midland, TX, US, 79701

Reference

Ithaca 15 14

Proof-of-delivery details appear below; however, no signature is available for this FedEx Express shipment because a signature was not required.



January 22, 2022

Dear Simple Certified:

The following is in response to your request for proof of delivery on your item with the tracking number: **9414 8368 9784 6882 3114 46**.

Item Details

Status: Delivered to Agent for Final Delivery

Status Date / Time: January 22, 2022, 10:55 am

Location: MIDLAND, TX 79705

Postal Product: First-Class Mail®
Extra Services: Certified Mail™

Return Receipt Electronic

Recipient Name: Roger E Canter

Shipment Details

Weight: 3.0oz

Recipient Signature

Signature of Recipient: (Authorized Agent)

Address of Recipient:

Symmy

2304 MAXWELL DR MIDLAND,

TX 79705

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely, United States Postal Service® 475 L'Enfant Plaza SW Washington, D.C. 20260-0004

> Roger E. Canter 2304 Maxwell Midland, TX 79705 Reference #: Ithaca 15-14

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

APPLICATION OF MEWBOURNE OIL COMPANY TO POOL ADDITIONAL INTERESTS UNDER ORDER NO. R-21735, EDDY COUNTY, NEW MEXICO.

CASE NO. 22993 ORDER NO. R-21735 (Re-Open)

SELF-AFFIRMED STATEMENT DANA S. HARDY

- 1. I am attorney in fact and authorized representative of Mewbourne Oil Company, the Applicant herein.
 - 2. I am familiar with the Notice Letter attached as **Exhibit B-1**.
- 3. The above-referenced Application was provided, along with the Notice Letter, to the recipients listed in **Exhibit B-2**. Exhibit B-2 also provides the date each Notice Letter was sent and the date each return was received and includes copies of the certified mail green cards and white slips as supporting documentation for proof of mailing.
- 4. On August 10, 2022, I caused a notice to be published to all interested parties in the Carlsbad Current Argus. An affidavit of Publication from the Legal Clerk of the Carlsbad Current Argus, along with a copy of the notice publication, is attached as **Exhibit B-3**.
- 5. I understand that this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in paragraphs 1 through 4 above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date handwritten next to my signature below.

/s/ Dana S. Hardy Dana S. Hardy August 26, 2022 Date

> Mewbourne Oil Company Case No. 22993 Exhibit B



HINKLE SHANOR LLP

ATTORNEYS AT LAW
PO BOX 2068
SANTA FE, NEW MEXICO 87504
505-982-4554 (FAX) 505-982-8623

WRITER:

Dana S. Hardy, Partner dhardy@hinklelawfirm.com

August 5, 2022

<u>VIA CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

TO ALL PARTIES ENTITLED TO NOTICE

Re: Case Nos. 22993 & 22994 - Applications of Mewbourne Oil Company to Pool Additional Interests Under Order Nos. R-21735 & R-21652

To whom it may concern:

This letter is to advise you that the enclosed applications were filed with the New Mexico Oil Conservation Division. The hearing will be conducted on **September 1**, **2022** beginning at 8:15 a.m.

Hearings are currently conducted remotely. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website: https://www.emnrd.nm.gov/ocd/hearing-info/. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Pursuant to Division Rule 19.15.4.13.B, a party who intends to present evidence at the hearing shall file a pre-hearing statement and serve copies on other parties, or the attorneys of parties who are represented by counsel, at least four business days in advance of a scheduled hearing, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date. The statement must be submitted through the OCD E-Permitting system (https://www.apps.emnrd.state.nm.us/ocd/ocdpermitting/) or via e-mail to ocd.hearings@state.nm.us and should include: the names of the parties and their attorneys, a concise statement of the case, the names of all witnesses the party will call to testify at the hearing, the approximate time the party will need to present its case, and identification of any procedural matters that are to be resolved prior to the hearing.

Please do not hesitate to contact me if you have questions about this matter.

Sincerely,

/s/ Dana S. Hardy

Dana S. Hardy

Enclosure

Mewbourne Oil Company Case No. 22993 Exhibit B-1

PO BOX 10 ROSWELL, NEW MEXICO 88202 575-622-6510 (FAX) 575-623-9332 PO BOX 2068 SANTA FE, NEW MEXICO 87504 505-982-4554 (FAX) 505-982-8623 7601 JEFFERSON ST NE • SUITE 180 ALBUQUERQUE, NEW MEXICO 87109 505-858-8320 (FAX) 505-858-8321

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

APPLICATION OF MEWBOURNE OIL COMPANY TO POOL ADDITIONAL INTERESTS UNDER ORDER NO. R-21735, EDDY COUNTY, NEW MEXICO.

CASE NO. 22993 ORDER NO. R-21735

&

APPLICATION OF MEWBOURNE OIL COMPANY TO POOL ADDITIONAL INTERESTS UNDER ORDER NO. R-21652, EDDY COUNTY, NEW MEXICO.

CASE NO. 22994 ORDER NO. R-21652

NOTICE LETTER LIST

PARTY	NOTICE LETTER SENT	RETURN RECEIVED
Barnes Adelante Trust	08/05/22	08/25/22
Attn: Land Department		
P. O. Box 505		
Midland, Texas 79702		
J. C. Barnes	08/05/22	08/25/22
P. O. Box 505		
Midland, Texas 79702		
J. C. Barnes, Trustee of the Shirley	08/05/22	08/25/22
B. Cumming Trust No. 1		
P. O. Box 505		
Midland, Texas 79702		
J. C. Barnes, Trustee of the Shirley	08/05/22	08/18/22
B. Cumming Trust No. 1		
8111 Preston Rd Ste. 701		Return to sender.
Dallas, Texas 75225		
Roger E. Canter	08/05/22	08/24/22
2304 Maxwell		
Midland, Texas 79705		Return to sender.
Boyd Laughlin	08/05/22	Per USPS Tracking:
1400 W Pecan		
Midland, Texas 79701		Item was returned to
		sender on 08/09/22.
Russell J. Ramsland Jr	08/05/22	08/25/22
P. O. Box 505		
Midland, Texas 79702		
D. W. Underwood	08/05/22	08/24/22
505 N Big Spring #100		
Midland, TX 79701		Return to sender.

Mewbourne Oil Company Case No. 22993 Exhibit B-2

Released to Imaging: 8/29/2022 4:19:39 PM

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

APPLICATION OF MEWBOURNE OIL COMPANY TO POOL ADDITIONAL INTERESTS UNDER ORDER NO. R-21735, EDDY COUNTY, NEW MEXICO.

CASE NO. 22993 ORDER NO. R-21735

&

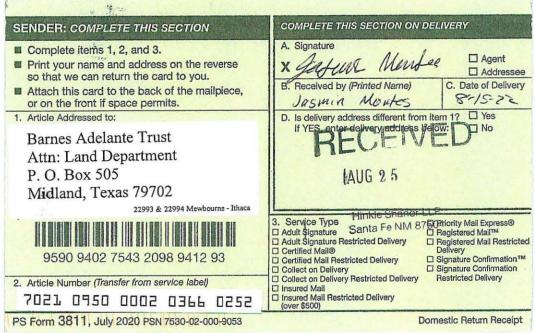
APPLICATION OF MEWBOURNE OIL COMPANY TO POOL ADDITIONAL INTERESTS UNDER ORDER NO. R-21652, EDDY COUNTY, NEW MEXICO.

CASE NO. 22994 ORDER NO. R-21652

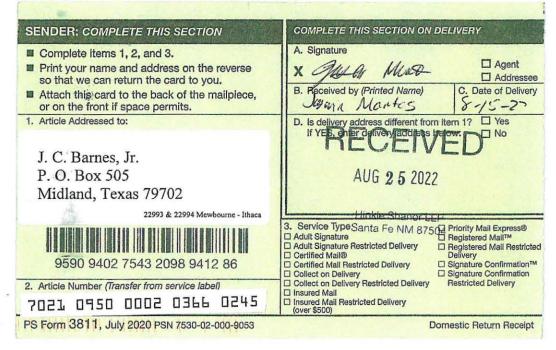
NOTICE LETTER LIST

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D. W. Underwood	08/05/22	08/18/22
1036 Liberty Park Dr Apt 42		
Austin, Texas 78746		Return to sender.
J. C. Williamson	08/05/22	08/17/22
P. O. Box 16		
Midland, Texas 79702		
W. F. Wynn	08/05/22	Per USPS Tracking:
3831 Turtle Creek Blvd 5F		
Dallas, Texas 75219		In transit to next facility
		as of 08/25/22.
W. F. Wynn	08/05/22	08/24/22
8111 Preston Rd Ste. 701		
Dallas, Texas 75225		Return to sender.

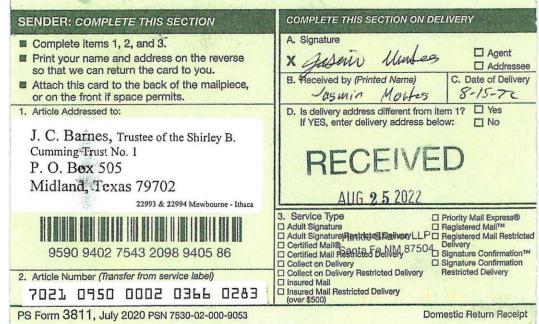




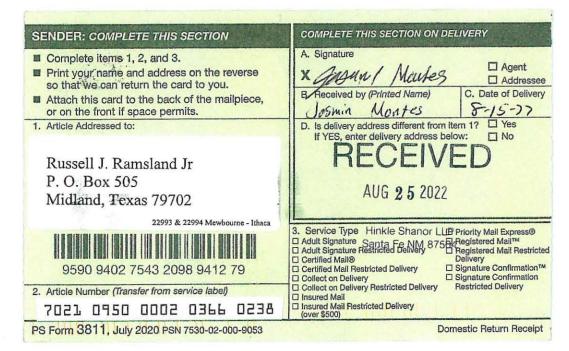




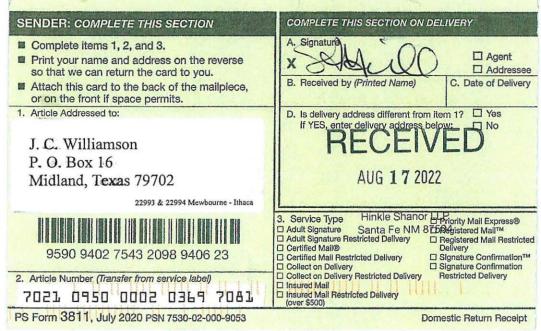














HINKLE SHANOR LLP
ATTORNEYS AT LAW
POST OFFICE BOX 2068
SANTA FE, NEW MEXICO 87504

RECEIVED

AUG 18 2022

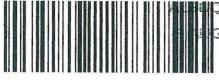
Hinkle Shanor LLP Santa Fe NM 87504





CERTIFIED MAIL

HINKLE SHANOR LLP POST OFFICE BOX 2068 SANTA FE, NEW MEXICO 87504



7021 0950 0002 0366 0382

DUEROUE NM 870

Roger E. Canter 2304 Maxwell Midland, Texas 79705

22993 & 22994 Mewbourne - Ithaca

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Hinkle Shanor LLP Santa Fe NM 87504

UTF 23784≥39980



HINKLE SHANOR LLP ATTORNEYS AT LAW POST OFFICE BOX 2068 SANTA FE, NEW MEXICO 87504

AUG 1 8 2022

Hinkle Shanor LLP Santa Fe NM 87504 _. 9300020293622299

1036 Liberty Park Dr Apt 42 Austin, Texas 78746

D. W. Underwood

7021 0950 0002 0366 0368

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0008/12/22

RETURN TO SENDER NOT DELIVERABLE AS ADDRESSED UNABLE TO FORWARD

BC: 87504206868

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CERTIFIED MAIL

HINKLE SHANOR LLP
ATTORNEYS AT LAW
POST OFFICE BOX 2068
SANTA FE, NEW MEXICO 87504



7021 0950 0002 0366 0375

US POSTAGE MEPITNEY I

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RECEIVED

AUG 2 4 2022

D. W. Underwood 505 N Big Spring #100 Midland, TX 79701

kle Shanor LLP

22993 & 22994 Mewbourne - Ithaca

NIXIE

Hinkle Shanor LLP Santa Fe NM 87504

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7**373942385**5

RETURN TO SENDER NOT DELIVERABLE AS ADDRESSED UNABLE TO FORWARD

BC: 87504206868 *0768-01378-05-



HINKLE SHANOR LLP ATTORNEYS AT LAW POST OFFICE BOX 2068 SANTA FE, NEW MEXICO 87504

RECEIVED

AUG 2 4 2022

Hinkle Shanor LLP Santa Fe NM 87504







Carlsbad Current Argus.

Affidavit of Publication Ad # 0005369422 This is not an invoice

HINKLE SHANOR LLP 218 MONTEZUMA

SANTA FE, NM 87501

I, a legal clerk of the Carlsbad Current Argus, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof in editions dated as follows:

08/10/2022

Legal Clerk

Subscribed and sworn before me this August 10, 2022:

State of WI, County of Brown NOTARY PUBLIC

My commission expires

This is to notify all interest-ed parties, including J.C. Barnes; Barnes Adelante Trust; Russell J. Ramsland Jr.; J.C. Barnes, Jr.; W.F. Wynn; J.C. Barnes, Trustee of the Shirley B. Cumming Trust No. 1; Boyd Laughlin; J.C. Williamson; D.W. Under-Williamson; D.W. Under-wood; Roger E. Canter; and their successors and assigns, that the New Mexico Oil Conservation Division will conduct a hearing on an application submitted by Mewbourne Oil Company (Case No. 22993). The hearing will be conducted remotely on September 1, 2022, beginning at 8:15 a.m. To participate in the elec-tronic hearing, see the in-structions posted on the OCD Hearings website for that date: https://www.emnr d.nm.gov/ocd/hearing-info/. Applicant applies for an order pooling additional un-committed interests under the terms of Division Order No. R-21735. Order No. R-21735 pooled all uncommitinterests Wolfcamp formation under-lying a standard horizontal spacing unit comprised of the S/2 N/2 of Section 15 and the S/2 N/2 of Section 15 and the S/2 NW/4 of Section 14, Township 20 South, Range 29 East, Eddy County, New Mexico ("Unit"). The Order further dedicated the Unit to the Ithaca 15/14 W0EF Fed Com #1H well ("Well") and designated Applicant as operator of the Unit and Well. Since entry of the Order, Applicant has identified additional interests in the Unit that should be pooled under the terms of the Or-der. The Well is located ap-proximately 10 miles northeast of Carlsbad, New Mexico. #5369422, Current Argus, August 10, 2022

Ad # 0005369422 PO #: 22993 # of Affidavits 1

This is not an invoice

KATHLEEN ALLEN Notary Public State of Wisconsin Mewbourne Oil Company Case No. 22993 Exhibit B-3