

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

**APPLICATION OF INVITO OPERATING, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.**

**CASE NO. 22925**

**TABLE OF CONTENTS**

Tab A: Compulsory Pooling Checklist

Tab B: Self-Affirmed Statement of Jared Christianson, Invito President/Managing Member

- Exhibit B.1: Application and Notice Paragraph
- Exhibit B.2: C-102
- Exhibit B.3: Lease Tract Map/Summary of Interests
- Exhibit B.4: Summary of Contacts
- Exhibit B.5: Sample Well Proposal and AFE
- Exhibit B.6: Jared Christianson Resume

Tab C: Self-Affirmed Statement of Candice Carrell, Geologist

- Exhibit C.1: Locator Map
- Exhibit C.2: Structure Map
- Exhibit C.3: Stratigraphic Cross Section

Tab D: Self-Affirmed Statement of Deana Bennett re Notice


- Exhibit D.1: Sample Notice Letter
- Exhibit D.2: Chart of Notice and Certified Mail Receipts
- Exhibit D.3: Affidavit of Publication
- Exhibit D.4: Follow up Notice Letter
- Exhibit D.5: Certified Mail Receipts and Tracking Information

**COMPULSORY POOLING APPLICATION CHECKLIST****ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS**

Case: 22925	APPLICANT'S RESPONSE
Date: Hearing Date-October 6, 2022	
Applicant	Invito Operating, LLC
Designated Operator & OGRID (affiliation if applicable)	Invito Operating, LLC (329337)
Applicant's Counsel:	Modrall Sperling (Earl DeBrine, Deana Bennett, Bryce Smith)
Case Title:	Application of Invito Operating, LLC for Compulsory Pooling, Lea County, New Mexico
Entries of Appearance/Intervenors:	TIERRA OIL COMPANY, LLC J BAR CANE ROYALTY, LLC TREVOR S. TURMELLE SPINNAKER INVESTMENTS LP DAVID W. HEAD NORMA G. HEAD
Well Family	Wagoneer
<b>Formation/Pool</b>	
Formation Name(s) or Vertical Extent:	San Andres
Primary Product (Oil or Gas):	Oil
Pooling this vertical extent:	San Andres
Pool Name and Pool Code:	CLR; San Andres (12450)
Well Location Setback Rules:	Statewide rules
Spacing Unit Size:	160 acres
<b>Spacing Unit</b>	
Type (Horizontal/Vertical)	Horizontal
Size (Acres)	160 acres
Building Blocks:	40 acres
Orientation:	North-South
Description: TRS/County	E/2 E/2 of Section 12, Township 9 South, Range 33 East, NMPM, Lea County
Standard Horizontal Well Spacing Unit (Y/N), if No, describe	Y
<b>Other Situations</b>	
Depth Severance: Y/N. If yes, description	N
Proximity Tracts: If yes, description	N
Proximity Defining Well: if yes, description	N/A
Applicant's Ownership in Each Tract	Exhibit B.3.



<b>Well(s)</b>	
Name & API (if assigned), surface and bottom hole location, footages, completion target, orientation, completion status (standard or non-standard)	See C-102, Exhibit B.2.
Well #1	Wagoneer #1H SHL: 745' feet from the South line and 660 feet from the East line of Section 1, Township 9 South, Range 33 East, NMPM, Lea County, New Mexico. BHL: 100 feet from the South line and 660 feet from the East line of Section 12, Township 9 South, Range 33 East, NMPM, Lea County, New Mexico. Completion Target: San Andres Well Orientation: North/South Completion location: Expected to be standard. See also Exhibit B.2 for C-102.
Horizontal Well First and Last Take Points	See Exhibit B.2 for C-102 and Exhibit B.5.
Completion Target (Formation, TVD and MD)	San Andres/ TVD~4,664, MVD~10,199. See also Exhibit B.5.
<b>AFE Capex and Operating Costs</b>	
Drilling Supervision/Month \$	\$8000/month; see also Exhibit B.5.
Production Supervision/Month \$	\$800 per month; see also Exhibit B.5.
Justification for Supervision Costs	See Exhibit B, Para. 18
Requested Risk Charge	200%; Exhibit B.5.
<b>Notice of Hearing</b>	
Proposed Notice of Hearing	Exhibit D.1
Proof of Mailed Notice of Hearing (20 days before hearing)	Exhibit D.2/D.4-5
Proof of Published Notice of Hearing (10 days before hearing)	Exhibit D.3
<b>Ownership Determination</b>	
Land Ownership Schematic of the Spacing Unit	Exhibit B.3.
Tract List (including lease numbers and owners)	Exhibit B.3.
Pooled Parties (including ownership type)	Exhibit B.3.
Unlocatable Parties to be Pooled	Exhibit B.3 and and B.4
Ownership Depth Severance (including percentage above & below)	N/A
<b>Joinder</b>	
Sample Copy of Proposal Letter	Exhibit B.5.

List of Interest Owners (ie Exhibit A of JOA)	Exhibit B.3.
Chronology of Contact with Non-Joined Working Interests	Exhibit B.4.
Overhead Rates In Proposal Letter	Exhibit B.5.
Cost Estimate to Drill and Complete	Exhibit B.5.
Cost Estimate to Equip Well	Exhibit B.5.
Cost Estimate for Production Facilities	Exhibit B.5.
<b>Geology</b>	
Summary (including special considerations)	Tab C
Spacing Unit Schematic	Exhibit C.1
Gunbarrel/Lateral Trajectory Schematic	Exhibit C.1
Well Orientation (with rationale)	Tab C, para 7
Target Formation	Tab C
HSU Cross Section	Exhibit C-2
Depth Severance Discussion	N/A
<b>Forms, Figures and Tables</b>	
C-102	Exhibit B.2
Tracts	Exhibit B.3
Summary of Interests, Unit Recapitulation (Tracts)	Exhibit B.3
General Location Map (including basin)	Exhibit C.1/C.2
Well Bore Location Map	Exhibit C.2
Structure Contour Map - Subsea Depth	Exhibit C.2
Cross Section Location Map (including wells)	Exhibit C.2
Cross Section (including Landing Zone)	Exhibit C.3
<b>Additional Information</b>	
<b>CERTIFICATION: I hereby certify that the information provided in this checklist is complete and accurate.</b>	
<b>Printed Name (Attorney or Party Representative):</b>	Deana M. Bennett
<b>Signed Name (Attorney or Party Representative):</b>	
<b>Date: October 4, 2022</b>	

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

APPLICATION OF INVITO OPERATING, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.

CASE NO. 22925

SELF-AFFIRMED STATEMENT OF JARED CHRISTIANSON

1. I am the Managing Member of Invito Operating, LLC ("Invito"). I am over 18 years of age, have personal knowledge of the matters addressed herein, and am competent to provide this Self-Affirmed Statement.

2. I have not previously testified before the New Mexico Oil Conservation Division ("Division"). I graduated from the University of Tulsa in 2004 with a degree in Mechanical Engineering. I have worked as Petroleum Engineer since 2004. I have worked at Invito for three years overseeing Invito's technical and operational matters, which includes land matters. My resume is attached as **Exhibit B.6**.

3. I am familiar with the application filed by Invito in this case, which is attached as **Exhibit B.1**.

4. I am familiar with the status of the lands that are subject to the application.

5. I submit the following information pursuant to NMAC 19.15.4.12.A(1) in support of the above referenced compulsory pooling application.

6. The purpose of the application is to force pool all uncommitted interests into the horizontal spacing unit described below, and in the well to be drilled in the unit.

7. Invito has reached an agreement with the parties who originally objected to this case and is no longer seeking to pool them.



8. None of the other parties Invito is seeking to pool in this case has indicated opposition to this matter proceeding by affidavit, therefore I do not expect any opposition at hearing.

9. In this case, Invito seeks an order pooling all uncommitted mineral interests in the San Andres formation underlying a 160-acre, more or less, standard horizontal spacing unit ("Unit") comprised of the E/2 E/2 of Section 12, Township 9 South, Range 33 East, Lea County, New Mexico.

10. The Unit will be dedicated to the Wagoneer #1H well ("Well") to be horizontally drilled. The completed interval of the Well will be orthodox.

11. **Exhibit B-2** contains the C-102 for the Well.

12. **Exhibit B-3** contains a plat that identifies ownership by tract in the Unit. This exhibit also includes any applicable lease numbers, a unit recapitulation, and the interests Invito seeks to pool. The exhibit also identifies any unlocatable parties.

13. Invito has contracted with Forza Resources ("Forza") to handle land matters relating to Invito's application in this case.

14. Forza, on behalf of Invito, has conducted a diligent search of all county public records including phone directories and computer databases.

15. I directed Forza regarding negotiations with uncommitted interest owners, including the negotiations with the parties that originally objected to this case, but have now reached agreement with Invito. Mr. Jarod Poteet of Forza previously testified before the Division and his credentials were accepted as a matter of record.

16. In my opinion, Invito made a good-faith effort to reach voluntary joinder of uncommitted interests in the Well as indicated by the chronology of contact described in **Exhibit B-4**.

17. **Exhibit B-5** contains a sample well proposal letter and AFEs sent to the working interest owners for the Well. The estimated costs reflected on the AFEs are fair and reasonable and comparable to the cost of other wells of similar depth and length drilled in the subject formation in the area.

18. Invito requests overhead and administrative rates of \$8,000 per month while the Well is being drilled and \$800 per month while the Well is producing. These rates are fair and are comparable to the rates charged by Invito and other operators in the vicinity.

19. Invito requests that it be designated operator of the well.

20. The parties Invito is seeking to pool were notified of this hearing.

21. The attached exhibits were either prepared by me or under my supervision or were compiled from company business records.

22. In my opinion, the granting of Invito's application would serve the interests of conservation, the protection of correlative rights, and the prevention of waste.

23. 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.

*[Signature page follows]*

Dated: October 4th, 2022

A handwritten signature in black ink, appearing to read "Jared Christianson", written over a horizontal line.

Jared Christianson



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

**APPLICATION OF INVITO OPERATING, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

Case No. \_\_\_\_\_

**APPLICATION**

Pursuant to NMSA § 70-2-17, Invito Operating, LLC (“Applicant”) applies for an order pooling all uncommitted interests in the San Andres formation underlying a 160-acre, more or less, standard horizontal spacing unit (“Unit”) comprised of the E/2 E/2 of Section 12, Township 9 South, Range 33 East, Lea County, New Mexico. In support of its application, Applicant states the following.

1. Applicant (OGRID No. 329337) is a working interest owner in the Unit and has the right to drill wells thereon.
2. The Unit will be dedicated to the Wagoneer #1H well, which will be horizontally drilled from a surface hole location in the SE/4 SE/4 (Unit P) of Section 1, Township 9 South, Range 33 East, to a bottom hole location in the SE/4 SE/4 (Unit P) of Section 12, Township 9 South, Range 33 East.
3. The completed interval of the Well will be orthodox.
4. Applicant has undertaken diligent, good-faith efforts to obtain voluntary agreements from all interest owners to participate in the drilling of the Well but has been unable to obtain voluntary agreements from all of the interest owners.
5. The pooling of uncommitted interests will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.



6. In order to allow Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, all uncommitted interests in the Unit should be pooled and Applicant should be designated the operator of the Well and Unit.

WHEREFORE, Applicant requests this application be set for hearing on August 4, 2022 and that, after notice and hearing, the Division enter an order:

- A. Pooling all uncommitted interests in the Unit;
- B. Approving the Well in the Unit;
- C. Designating Applicant as operator of the Unit and the Well to be drilled thereon;
- D. Authorizing Applicant to recover its costs of drilling, equipping and completing the Well;
- E. Approving the actual operating charges and costs of supervision while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedures; and
- F. Imposing a 200% penalty for the risk assumed by Applicant in drilling and completing the Well against any working interest owner who does not voluntarily participate in the drilling of the Well.

Respectfully submitted,

HINKLE SHANOR LLP

/s/ Dana S. Hardy  
 Dana S. Hardy  
 Jaclyn M. McLean  
 Jeremy Ian Martin  
 P.O. Box 2068  
 Santa Fe, NM 87504-2068  
 Phone: (505) 982-4554  
 Facsimile: (505) 982-8623  
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 jmartin@hinklelawfirm.com  
 Counsel for Invito Operating, LLC

**Application of Invito Operating, LLC for Compulsory Pooling, Lea County, New Mexico.** Applicant applies for an order pooling all uncommitted mineral interests in the San Andres formation underlying a 160-acre, more or less, standard horizontal spacing unit ("Unit") comprised of the E/2 E/2 of Section 12, Township 9 South, Range 33 East, Lea County, New Mexico. The Unit will be dedicated to the **Wagoneer #1H** well ("Well") to be horizontally drilled from a surface hole location in the SE/4 SE/4 (Unit P) of Section 1, Township 9 South, Range 33 East, to a bottom hole location in the SE/4 SE/4 (Unit P) of Section 12, Township 9 South, Range 33 East. The completed interval of the Well will be orthodox. Also to be considered will be the cost of drilling and completing the Well and the allocation of the cost, the designation of Applicant as the operator of the Well, and a 200% charge for the risk involved in drilling and completing the Well. The Well are located approximately 10.35 miles west of Crossroads, New Mexico.

**District I**  
1625 N. French Dr., Hobbs, NM 88240  
Phone: (575) 393-6161 Fax: (575) 393-0720  
**District II**  
811 S. First St., Artesia, NM 88210  
Phone: (575) 748-1283 Fax: (575) 748-9720  
**District III**  
1000 Rio Brazos Road, Aztec, NM 87410  
Phone: (505) 334-6178 Fax: (505) 334-6170  
**District IV**  
1220 S. St. Francis Dr., Santa Fe, NM 87505  
Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico  
Energy, Minerals & Natural Resources Department  
**OIL CONSERVATION DIVISION**  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

Form C-102  
Revised August 1, 2011  
Submit one copy to appropriate  
District Office

AMENDED REPORT

**WELL LOCATION AND ACREAGE DEDICATION PLAT**

<sup>1</sup> API Number	<sup>2</sup> Pool Code <b>12450</b>	<sup>3</sup> Pool Name <b>CLR; San Andres</b>
<sup>4</sup> Property Code	<sup>5</sup> Property Name <b>Wagoneer</b>	<sup>6</sup> Well Number <b>1H</b>
<sup>7</sup> OGRID No. <b>329337</b>	<sup>8</sup> Operator Name <b>Invito Operating, LLC</b>	<sup>9</sup> Elevation <b>4323.5'</b>

<sup>10</sup> Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
<b>P</b>	<b>1</b>	<b>9-S</b>	<b>33-E</b>		<b>745'</b>	<b>South</b>	<b>660'</b>	<b>East</b>	<b>Lea</b>

<sup>11</sup> Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
<b>P</b>	<b>12</b>	<b>9-S</b>	<b>33-E</b>		<b>100'</b>	<b>South</b>	<b>660'</b>	<b>East</b>	<b>Lea</b>

<sup>12</sup> Dedicated Acres <b>160.0</b>	<sup>13</sup> Joint or Infill	<sup>14</sup> Consolidation Code	<sup>15</sup> Order No.
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No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.

**<sup>17</sup> OPERATOR CERTIFICATION**

*I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.*

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_

E-mail Address \_\_\_\_\_

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**<sup>18</sup> SURVEYOR CERTIFICATION**

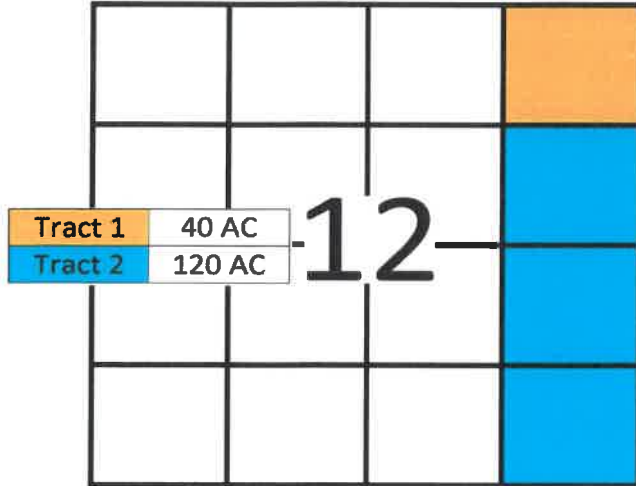
*I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.*

5/10/2022  
Date of Survey

Signature and Seal of Professional Surveyor \_\_\_\_\_

Certificate Number: 23391  
NM PERMIT-WAGONEER\_B.DWG

Wagoneer Unit (160.0 AC); E/4 of Section 12, T9S, R33E, Lea Co., NM



<u>Wagoneer Unit, Section 12 WI Recapitulation</u>	
OWNER	Working Interest
Invito Operating, LLC	68.44%



# Wagoneer Unit (160.00 AC); E/4 of Section 12, T9S, R33E, Lea Co., NM

## Wagoneer Unit, Section 12 Parties to Pool

S-T-R	QUARTER CALLS	ACRES	NMA	UNIT INT %	NAME	STATUS
12-9S-33E	NE4NE4	40	0.833333333	0.00520833	Lorenzo Lozano-Molina	FORCE POOLING
12-9S-33E	NE4NE4	40	0.833333333	0.00520833	Maria Molina	FORCE POOLING
12-9S-33E	NE4NE4	40	0.833333333	0.00520833	Miguel Lozano-Molina	FORCE POOLING
12-9S-33E	E2SE4 & SE4NE4	120	18.000000000	0.11250000	Jerry T. Carlisle, a widower	FORCE POOLING
12-9S-33E	E2SE4 & SE4NE4	120	6.000000000	0.03750000	Anthem Oil & Gas, Inc.	FORCE POOLING
12-9S-33E	E2SE4 & SE4NE4	120	24.000000000	0.15000000	Estate of Jo Ann Duncan, Dec'd	FORCE POOLING

**Summary of Tracts and Tract Interests, Recapitulation, Locatable and Unlocatable Pooled Parties**

**Tract 1****NE/4 NE/4, Sec. 12, T9S, R33E, 40 AC**

<u>Owner</u>	<u>Type</u>	<u>Ownership</u>	<u>Status</u>
CHARLENE CALLOWAY, WIDOW OF TOMMY LYNN CALDWELL	Mineral Interest	34.3750%	Leased
RONALD LEE CALDWELL	Mineral Interest	34.3750%	Leased
MARIA SARA CALDWELL GARCIA	Mineral Interest	11.4583%	Leased
VICKI CALDWELL AGUILAR	Mineral Interest	11.4583%	Leased
CARMEN MOLINA	Mineral Interest	2.0833%	Leased
LORENZO LOZANO-MOLINA*	Mineral Interest	2.0833%	Pool
MARIA MOLINA*	Mineral Interest	2.0833%	Pool
MIGUEL LOZANO-MOLINA*	Mineral Interest	2.0833%	Pool
		100.0000%	
Total Leased		93.7500%	Leased
Total Unreachable Parties to Pool (*)		6.2500%	Pool*
		<u>100.0000%</u>	

Invito Energy Partners	Working Interest	93.7500%	
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**Tract 2****E/2 SE/4 & SE/4 NE/4, Sec. 12, T9S, R33E, 120 AC**

<u>Owner</u>	<u>Type</u>	<u>Ownership</u>	<u>Status</u>
TIERRA OIL COMPANY, LLC	Mineral Interest	21.4583%	Leased
WRALDO PRESLEY DUNCAN	Mineral Interest	20.0000%	Leased
SHERRY GLENN	Mineral Interest	7.5000%	Leased
BETTY VON DUNCAN TRUST	Mineral Interest	5.0000%	Leased
SPINNAKER INVESTMENTS LP	Mineral Interest	2.2917%	Leased
J-BAR CANE ROYALTY, LLC	Mineral Interest	1.7188%	Leased
TURMELLE TREVOR S	Mineral Interest	1.7188%	Leased
DAVID W. HEAD & NORMA G. HEAD (JTWROS)	Mineral Interest	0.3125%	Leased
JO ANN DUNCAN	Mineral Interest	20.0000%	Pool
JERRY T. CARLISLE, A WIDOWER	Mineral Interest	15.0000%	Pool
ANTHEM OIL & GAS, INC.	Mineral Interest	5.0000%	Pool
		<u>100.0000%</u>	
Total Leased		60.0000%	Leased
Total Parties to Pool		40.0000%	Pool
		<u>100.0000%</u>	

Invito Energy Partners	Working Interest	60.0000%	
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## Section 12 – T9S – R33E; Chronological Communication Log

**2/16/2022 – Present:** Multiple call attempts made to each party on the list for which we could find contact information. First round of calls completed in approx. 2 weeks, but we continued to field calls and negotiate leases up to present day. A number of parties have not responded to the proposals that were received and several parties were completely unlocatable.

**4/19/2022:** Sent out lease offer packets to each party on the list for which we have contact information.

**5/27/2022:** Sent out Election Letters to each party on the list for which we have contact information.

**Various times following original order** – The following actions were taken for bad delivery or unknown parties/updated title parties

- Non deliverable proposals were resent to any additional addresses we could source
- Invito utilized a number of resources to locate parties or new addresses
  - Employed land brokers to research online and county records
  - Utilized Lexis Nexis which is a subscription based online investigative search tool to locate last known addresses and other information about parties
  - Searched obituaries to identify possible heirs to send notice to
  - Searched Secretary of State website for details regarding entities that had bad delivery or were not locatable





## **Section 12 – T9S – R33E; Steps Taken to Find Unlocatable Parties**

### **1) Lorenzo Lozano-Molina**

2/15/2022: Reviewed Probate Proceedings for the Estate of Maria Ines Lozano Alvarado, Dec'd, filed in Roosevelt County, NM (Ref: 82-PB-12), wherein this party was named a beneficiary, with no address information given.

2/23/2022: Spoke with party's sister, Carmen Molina. She informed us that her mother brought her to Mexico about 50 years ago, and this party stayed behind with their father. She never saw them again after this time, and did not know how to contact them.

4/15/2022: Searched party's name and last known address using Accruint.com from LexisNexis Risk Solutions, a reputable subscription website for locating contact information. No Contact information found.

### **2) Maria Molina**

2/15/2022: Reviewed Probate Proceedings for the Estate of Maria Ines Lozano Alvarado, Dec'd, filed in Roosevelt County, NM (Ref: 82-PB-12), wherein this party was named a beneficiary, with no address information given.

2/23/2022: Spoke with party's sister, Carmen Molina. She informed us that her mother brought her to Mexico about 50 years ago, and this party stayed behind with their father. She never saw them again after this time, and did not know how to contact them.

4/15/2022: Searched party's name and last known address using Accruint.com from LexisNexis Risk Solutions, a reputable subscription website for locating contact information. No Contact information found.

### **3) Miguel Lozano-Molina**

2/15/2022: Reviewed Probate Proceedings for the Estate of Maria Ines Lozano Alvarado, Dec'd, filed in Roosevelt County, NM (Ref: 82-PB-12), wherein this party was named a beneficiary, with no address information given.

2/23/2022: Spoke with party's sister, Carmen Molina. She informed us that her mother brought her to Mexico about 50 years ago, and this party stayed behind with their father. She never saw them again after this time, and did not know how to contact them.

4/15/2022: Searched party's name and last known address using Accruint.com from LexisNexis Risk Solutions, a reputable subscription website for locating contact information. No Contact information found.

### **4) Jerry T. Carlisle**

4/28/2022 - Left message at last known phone number.

4/22/2022 - Left message at last known phone number.

4/17/2022 - Left message at last known number, and mailed out lease packet to last known address.

4/15/2022: Searched party's name and last known address using Accruint.com from LexisNexis Risk Solutions, a reputable & reliable subscription website for locating contact information.

4/12/2022: Researched party's name in Google, & Ancestry.com based on all known information, including last known address from 2022 Vesting deed filed in Lea Co., NM in Volume 1147 at Page 537

### **5) Estate of Jo Ann Duncan, Dec'd**

4/27/2022: Called San Juan County Clerk, and had them do a probate search. No probate on file.

4/25/2022 -Spoke with decedent's Estranged brother, Wraldo Presley Duncan. and he informed us that Jo Ann died "about a year or so ago". They did not talk much and he did say she was living in Farmington when she died.

4/15/2022: Searched party's name and last known address using Accruint.com from LexisNexis Risk Solutions, a reputable & reliable subscription website for locating contact information.

4/12/2022: Researched party's name in Google, & Ancestry.com based on all known information, including last known address from 2022 Vesting deed filed in Lea Co., NM in Volume 1147 at Page 537

A-7 Summary of Parties with Uncommitted Interests

10/4/2022

1

STR	NAME	ADDRESS	ADDRESS2	CITY	STATE	ZIP	UNIT INTEREST	UNIT N/A	ELECTION		PROPOSAL SENT	TRACKING	RETURN RECEIPT	COMMUNICATION ATTEMPTS	NOTES
									Part	Pool					
12-95-33E	ANTHEM OIL & GAS, INC.	1) PO Box 1015 Midland, TX 79702 2) 601 W. Texas Ave. Midland, TX 79702		See Address 1	See Address 1	See Address 1	0.03750000	6.00000000		X	5/27/2022	70220410000264789185 Address 1 70220410000264789185 Address 2	5.31.2022 6/6/2022	6/2/2022 - Received email from Anthem and they want to lease for 1/4. Informed him we are holding at 15% and they are going to lease the property using their leasing company \$1000 and 1/4. 4/28/2022 - Now the Mail Box is full/ Generic and not sure if we have the correct number. Lease packet is in the mail. 4/22/2022 - Left message 4/12/2022 - Left message and mailed out lease packet. 4/25/2022 - Spoke with Wraldo and he informed me that Jo Ann died about a year or so ago. They did not talk much and he did say she was living in Farmington when she died. 4/12/2022 - Looking for good contact. PO Box that is listed on lease does not appear to have her name associated with it. 2/17/2022 - Working to located any good contact numbers	
12-95-33E	JERRY T. CARLISLE A WIDOWER	1) PO Box 324 Lovington, NW 68250 2) 229 E. Dayton Rd. Arlisib, NW 88210		See Address 1	See Address 1	See Address 1	0.11250000	16.00000000		X	5/27/2022	70220410000264789110	5/31/2022		
12-95-33E	ESTATE OF JO ANN DURCAN	None Found		None Found	None Found	None Found	0.15000000	24.00000000		X	N/A	N/A	N/A		Party is Deceased
12-95-33E	LORENZO LOZANO-MOLINA	None Found		None Found	None Found	None Found	0.00520833	0.83333333		X	N/A	N/A	N/A		
12-95-33E	MARIA MOLINA	None Found		None Found	None Found	None Found	0.00520833	0.83333333		X	N/A	N/A	N/A		
12-95-33E	MIGUEL LOZANO-MOLINA	None Found		None Found	None Found	None Found	0.00520833	0.83333333		X	N/A	N/A	N/A		



**Invito Operating LLC**  
6401 El Dorado Pkwy, #92  
McKinney, Texas 75070

May 20<sup>th</sup>, 2022

Attn: Tierra Oil Company, LLC  
PO Box 700968  
San Antonio, TX 78270

**Via: Certified Mail**  
**Return Receipt Requested**

Drilling and completion proposal

To Whom it May Concern:

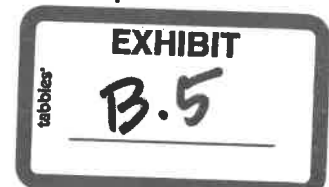
Invito Operating LLC ("IO"), as operator, hereby proposes to drill and complete the subject horizontal well below, to be drilled to the San Andres formation in Lea County, NM. Anticipated spud is September 15<sup>th</sup>, 2022 with Ensign Rig # 436.

- Unit E/2 E/2 of Section 12, Township 9 South, Range 33 East (Wagoneer #1H)
- SHL: 745' FSL, 660' FEL, or at a legal location in unit P of Section 1
- BHL: 100' FSL & 660' FEL of Section 12
- FTP: 100' FNL & 660' FEL of Section 12
- LTP: 100' FSL & 660' FEL of Section 12
- TVD: ~ 4,664'
- TMD: ~ 10,190'
- Targeted Interval: San Andres
- Total Cost: See attached AFE

The total cost to drill and complete each well is estimated and a detailed description of the cost is set out in the enclosed Authority for Expenditures ("AFE"). Attached for your review is the plat depicting the proposed location of the Well for the estimated 160-acre Unit.

Based on a title examination, we understand that you may own an interest that may be affected by the Well and the Unit: therefore, IO hereby requests your participation in the drilling of the Well and the Unit by offering the following options for your consideration:

- **Agree to Participate** – You agree to participate in the cost and risk of the well by agreeing to pay your proportionate share of the actual cost to drill, complete, and operate the well. You agree to execute and return the enclosed AFE. You agree to execute and return an Operating Agreement (A.A.P.L. - 1989 Model Form), which we will prepare and submit for your review





**Invito Operating LLC**  
6401 El Dorado Pkwy, #92  
McKinney, Texas 75070


and acceptance. The Operating Agreement will include, among other terms and conditions, the following: (1) A 200% / 500% non-consent penalty; (2) a prepayment provision (advanced billing) which provides that all actual costs must be pre-paid within twenty (20) days of the receipt of such request to pay (unless a drilling rig is on location) or said owners shall be subject to the Operator's right and remedies under the Operating Agreement and applicable law; (3) and a 2005 COPAS Accounting Procedure providing for a monthly fixed overhead rate per well equal to \$8,000.00 for the drilling well and \$800.00 for a producing well. The estimated cost to drill, test, complete and equip the Well is approximately \$2,950,000.00. The Well's total estimated dry hole cost is approximately \$1,463,000.00. Please note that these costs are estimates only and should you agree to participate in the well, you shall be responsible and agree to pay for your proportionate share of all of the actual costs incurred.

- **Agree to Lease** –
  
- **Choose to Not Participate or Lease** – IO plans to pursue compulsory polling for the Unit with the New Mexico Oil Conservation Division ("OCD"). IO will request the OCD compulsory polling of all non-consenting owners in the Unit with alternate risk charges as provide by the applicable statutes of the State of New Mexico. This will apply to those who have chosen to not participate or who have not responded to this letter.

On the attached election page, please indicate your election of either to participate or not to participate in the drilling of this well and return one (1) copy of this letter to the undersigned at the letterhead address using the enclosed self-addressed, stamped envelope.

Please acknowledge your election by signing and indicating your chosen option on the attached election page and returning one original of this letter to the attention of the undersigned at the letterhead address in the enclosed self-addressed and stamped envelope within thirty (30) days of post mark. Since time is of the essence in preparation to drill the Well, if you have not promptly responded in writing, IO will consider you a non-consenting owner who does not agree to participate, to farmout or lease and will proceed with compulsory pooling of your interest.

Should you have any questions regarding this matter, please do not hesitate to contact the undersigned at 903-906-0030 or by email at [eddie.graham10@gmail.com](mailto:eddie.graham10@gmail.com).

INVITO OPERATING, LLC				Date: 4/1/2022		
Well Name	Wagoner #1H	AFE #	WAG1H001			
County, State	Lea County, New Mexico	Well Type	Horizontal			
Field/Prospect	CLR / Fantail	Formation	San Andres			
TVD / MD	4,200' / 8,900					
Description	Drill, frac, equip, 1-mile horizontal San Andres well					
Account Codes			Intangible			
Drilling	Completion	Code Description	Comments	Drilling	Completion	
9806		Land / Curative / Opinion		\$ 52,000	\$ -	
9701	9601	Cement & Cementing		\$ 20,000	\$ 35,800	
9702	9602	Casing Jewelry	Shifting sleeves	\$ 2,500	\$ 150,000	
9703	9603	Contingencies		\$ -	\$ -	
9704	9604	Surface Rental Equip.		\$ 15,000	\$ 100,000	
9705	9605	Damages		\$ 12,500	\$ -	
9706	9606	Welding		\$ 5,000	\$ 5,000	
9707	9607	Day Working / Workover Rig		\$ 98,000	\$ 17,500	
9708	9608	Rig Mob. & Demob.		\$ 65,000	\$ -	
9709	9609	Drill Stem / Frac & Stimulation		\$ -	\$ 798,535	
9710	9610	Downhole Rental Equip.		\$ 7,500	\$ 45,000	
9711	9611	Drilling / Completion Permits		\$ 1,500	\$ 1,000	
9712	9612	Inspection		\$ 10,000	\$ -	
9713	9613	Conductor & Mousehole		\$ 19,500	\$ -	
9714	9614	Repairs		\$ 5,000	\$ 5,000	
9715	9615	Geologic Services		\$ 11,000	\$ 8,000	
9716	9616	Casing Crew		\$ 7,500	\$ 15,000	
9717	9617	Insurance		\$ 2,500	\$ 2,500	
9718	9618	Coring / Flowback Analysis		\$ -	\$ 30,000	
9719	9619	Bits		\$ 17,000	\$ 4,000	
9720	9620	Directional Equip. / Pipeline		\$ 47,000	\$ -	
9721	9621	Miscellaneous		\$ -	\$ -	
9722	9622	Coil Tubing Unit		\$ -	\$ 60,000	
9723	9623	Drilling / Completion Fluids		\$ 30,000	\$ 15,000	
9724	9624	Disposal		\$ 10,000	\$ 20,000	
9725		Mud Logging		\$ 8,000	\$ -	
9726	9626	Pump Services		\$ 2,500	\$ 4,000	
9727	9627	Logging & Wireline		\$ 6,500	\$ -	
9728	9628	Safety		\$ 1,500	\$ 1,500	
9729	9629	Overhead		\$ 750	\$ 1,000	
9730	9630	Environmental		\$ -	\$ -	
9731	9631	Road & Location		\$ 65,000	\$ -	
9732	9632	Reclamation / P&A		\$ -	\$ -	
9733	9633	Supervision		\$ 35,000	\$ 35,000	
9734	9634	Lost in Hole		\$ -	\$ -	
9735	9635	Supplies		\$ 1,000	\$ 1,000	
9736	9636	Water		\$ 5,000	\$ 50,000	
9737	9637	Surveying		\$ 4,500	\$ 1,000	
9738	9638	Power & Fuel		\$ 20,000	\$ 21,500	
9739	9639	Trucking		\$ 15,000	\$ 12,000	
9740	9640	Fishing		\$ -	\$ -	
	9641	Electrical & Construction		\$ -	\$ 35,000	
9742	9642	Transportation		\$ -	\$ -	
9743	9643	Regulatory		\$ -	\$ -	
				<b>Subtotal</b>	\$ 603,250	\$ 1,474,335
				<b>Total Intangible</b>	67.2%	\$ 2,077,585

Account Codes			Tangible		
Equipment	Code Description	Comments	Drilling	Completion	
9815	Packers & CIBP				
9816	Meters & Measurement			\$ 18,000	
9817	Automation Equip.			\$ 18,000	
9818	Wellhead		\$ 15,000	\$ 15,000	
9819	Safety Systems			\$ 10,000	
9820	Treating Facilities				
9821	Compressor				
9822	Gas Sales Line				
9823	Separator			\$ 15,000	
9824	Non-Controlable Equip.	Fittings		\$ 4,000	
9825	Containment			\$ 20,000	
9826	Controlable Valves			\$ 2,500	
9827	Flow Lines			\$ 3,500	
9830	Downhold Pump				
9833	Heater Treater			\$ 10,000	
9836	Intermediate Casing	7" L-80 BTC		\$ 162,000	
9839	Miscellaneous	SWD transfer pumps		\$ 15,000	
9842	Oil Tanks	2 oil tanks		\$ 10,000	
9845	Production Casing	5.5" L-80 BTC		\$ 224,000	
9848	Pumping Unit				
9849	Gas Lift Valves				
9850	ESP Downhole	PCP		\$ 85,000	
9851	Sucker Rods	Continuous rods		\$ 60,000	
9854	Surface Casing	9 5/8" J-55 LTC	\$ 206,800		
9857	Tubing			\$ 22,000	
9860	Tubing Head			\$ 10,000	
9863	Water Tanks	4 water tanks		\$ 12,000	
9866	Production Tree equipment			\$ -	
			<b>Subtotal</b>	\$ 221,800	\$ 716,000
			<b>Total Tangible</b>	32.8%	\$ 937,800
			<b>Total Well Cost</b>	\$	3,015,385

X Jared Christenson Date \_\_\_\_\_  
 Jared Christenson, Managing Member

X \_\_\_\_\_ Date \_\_\_\_\_  
 Partner name, title

# JARED CHRISTIANSON

## EXPERIENCE

---

Oct 2019 – Present  
TX

Invito Energy Partners Mckinney,

### *President/Managing Member*

- Co-Founder and Managing Member of Invito Energy Partners LLC
- Lead all technical investment strategy
- Oversee all Operational and Engineering teams
- Manage all Operated & Non-operated assets
- Develop all corporate risk and business strategies

Nov 2017 – Oct 2019  
TX

US Energy Development Corp. Arlington,

### *VP of Operations/Chief Operating Officer*

- VP of Operations & Chief Operating Officer, responsible for corporate systems operation, staff development, acquisition & divestiture, land, EH&S, regulatory & compliance, project operations, & marketing operations of company
- Lead divestiture of six company legacy assets
- Lead corporate investment strategy efforts
- Manage all Operated & Non-operated assets & Partners
- Develop overall company reporting
- Deploy \$150M partnership funding of project
- Oversee all corporate risk and business strategy

March 2013 – April 2016

Petromax Operating Company, Inc. Garland, TX

### *VP of Operations*

- Operations manager, responsible of engineering design, overall project execution, & CAPEX of ETX Eagleford shale projects
- Vertically integrate operational supply chain & logistics, by de-bundling frac, mud, transportation, & chemical programs
- Assist in divestiture of \$340M of company assets
- Manage all Non-operated assets & partner relations
- Develop overall company production gathering & reporting
- Negotiate all marketing, MSA, service agreements, & contracts
- Create and implement overall company safety programs
- Streamline all accounting codes & controls
- Oversee local/state/federal regulatory & compliance program
- Assist in \$100M private equity funding of project



- Oversee all environmental compliance & phase 1 reporting

May 2012 – Feb 2013

Inpetro Energy Inc. Dallas, TX

***US Operations Manager***

- Senior consulting engineer, in charge of engineering design & project management of drilling, completion, and production projects for oil & gas operators
- Contract consulting projects in Barrett Shale
- Business development of US Operations for directional, tool, and consulting companies
- Set & recommend annual operating budget
- Spearhead accounting system development for 4 different companies

Nov 2010 – May 2012

Encana Oil & Gas (USA) Dallas, TX

***Drilling Engineer***

- Managed \$100M CAPEX projects in a calendar year
- Responsible for drilling rig operations & well design in LA & TX areas. Drilled 10,000 to 15,000 TVD HPHT horizontal Bossier/Haynesville wells, including 25,000+ MD extended reach laterals (8,000+ LL)
- Designed up to 6 well multi-pad designs
- Gained experience in over 50 HPHT wells, involving advanced well control, optimization, multi well pad, and extended reach projects

June 2004 – Nov 2010

Unit Petroleum Company Tulsa, OK

***Drilling/Completion/Production Engineer***

- Managed \$250M CAPEX projects in a calendar year.
- Responsible for recommending, evaluation, executing on full well life cycle to P&A
- Responsible for drilling/completion/production 150+ wells in Texas Panhandle
- Managed SWOKC laminated Prue waterflood (50+ wells, 10 injectors). Recommended and executed new drilling locations, surface equipment upgrades, rod pump optimizations, tracer program, and chemical treatment programs, while doubling oil production in less than 1 year.
- Recommended & executed workovers/optimizations (stimulation treatments, fracturing, coil tubing cleanouts), surface facility projects, artificial lift equipment (rod pump, ESP, plunger lift, gas lift, capillary strings, & compressors)
- Worked w/ a team of 15 in the field to manage district. Gained experience in production optimization, reservoir modeling w/ WellFlow, payout calculations w/ PowerTools, and advanced decline curve analysis
- Responsible for drilling/completion operations & well design in Permian, Mid Continent, Ark-la-tex, and East Texas basins



- Have drilled 5,000' - 13,000' TVD vertical/horizontal wells in Granite Wash, Morrow, Marmaton, Spiro, Red Fork, Bone Springs & Haynesville Shale
- Managed a team of 10. Frac'd horizontal wells using sleeves, perf & plug, hybrid, and slickwater simulation methods
- Managed a drilling team of 20. Gained experience in comprehensive well design of over 250 wells (evaluation, construction, drilling, completion, production, & artificial lift)
- Championed various corporate information system projects (Peloton Wellview reporting, electronic well files, accounting systems, & land systems)

EDUCATION

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1999 - 2004 Univ. of Tulsa Tulsa, OK

- Bachelor of Science - Mechanical Engineering, GPA 3.0
- 4 year Cross Country/Track scholarship at Univ. of Tulsa

REFERENCES

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- Available upon request

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

**APPLICATION OF INVITO OPERATING, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.**

**CASE NO. 22925**

**SELF-AFFIRMED STATEMENT OF CANDICE CARRELL**

1. I am a geologist at Invito Operating, LLC ("Invito") and am over 18 years of age. I have personal knowledge of the matters addressed herein and am competent to provide this Self-Affirmed Statement. I have previously testified before the New Mexico Oil Conservation Division ("Division") and my credentials were accepted as a matter of record.

2. I am familiar with the geological matters that pertain to the above-referenced case.

3. **Exhibit C-1** is a location map for the proposed horizontal spacing unit ("Unit") within the San Andres formation. The approximate wellbore path for the proposed **Wagoneer #1H** well ("Well") is represented by a dashed line.

4. **Exhibit C-2** is a subsea structure map for the Pi Marker within the San Andres formation that is representative of the targeted interval within the formation. The data points are indicated by triangles. The approximate wellbore path for the Well is depicted by a dashed line. The map demonstrates the formation is gently dipping to the southeast in this area. I do not observe any faulting, pinch-outs, or geologic impediments to developing the targeted intervals with horizontal well.

5. **Exhibit C-2** identifies four wells penetrating the targeted interval I used to construct a stratigraphic cross-section from A to A'. I used these well logs because they penetrate the targeted interval, are of good quality, and are representative of the geology in the area.



6. **Exhibit C-3** is a stratigraphic cross-section using the representative wells identified on Exhibit B-3. The proposed target interval ("Target") for the Well is labeled on the exhibit. This cross-section demonstrates the target interval is continuous across the Unit.

7. In my opinion, a standup orientation for the Well is appropriate to properly develop the subject acreage because of consistent rock properties throughout the Unit and equivalent orientation to other horizontal San Andres wells in the trend.

8. Based on my geologic study of the area, the targeted interval underlying the Unit is suitable for development by horizontal wells and the tracts comprising the Unit will contribute more or less equally to the production of the Well.

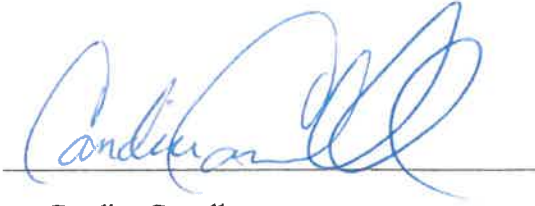
9. In my opinion, the granting of Invito's application will serve the interests of conservation, the protection of correlative rights, and the prevention of waste.

10. The exhibits attached hereto were either prepared by me or under my supervision or were compiled from company business records.

11. I understand this Self-Affirmed Statement will be used as written testimony in this case. I affirm my testimony in paragraphs 1 through 11 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 identified next to my signature below.

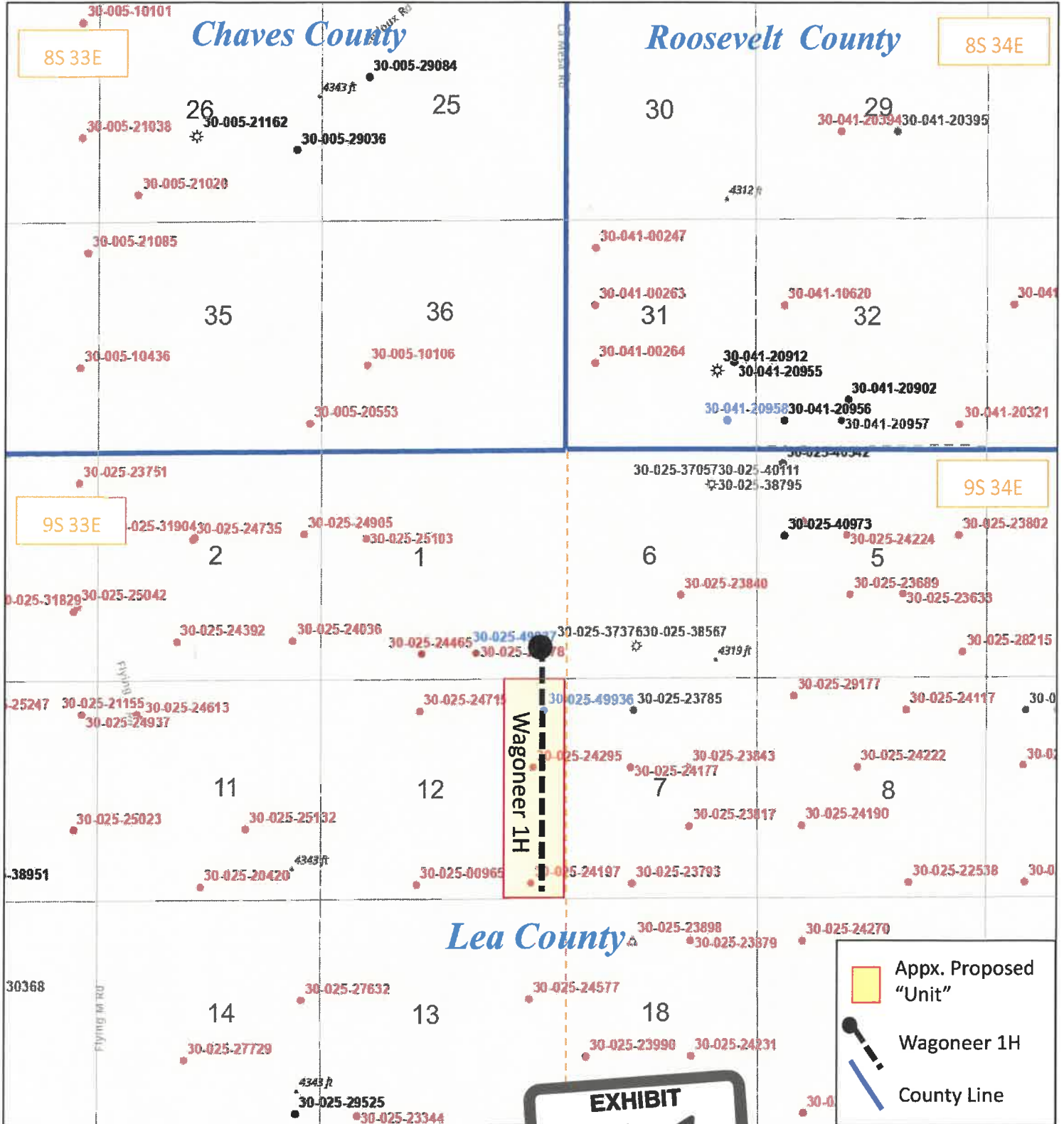
*[Signature page follows]*



Dated: October 4, 2022



Candice Carrell

# Exhibit C-1 Regional Location Map



Appx. Proposed "Unit"  
 Wagoneer 1H  
 County Line

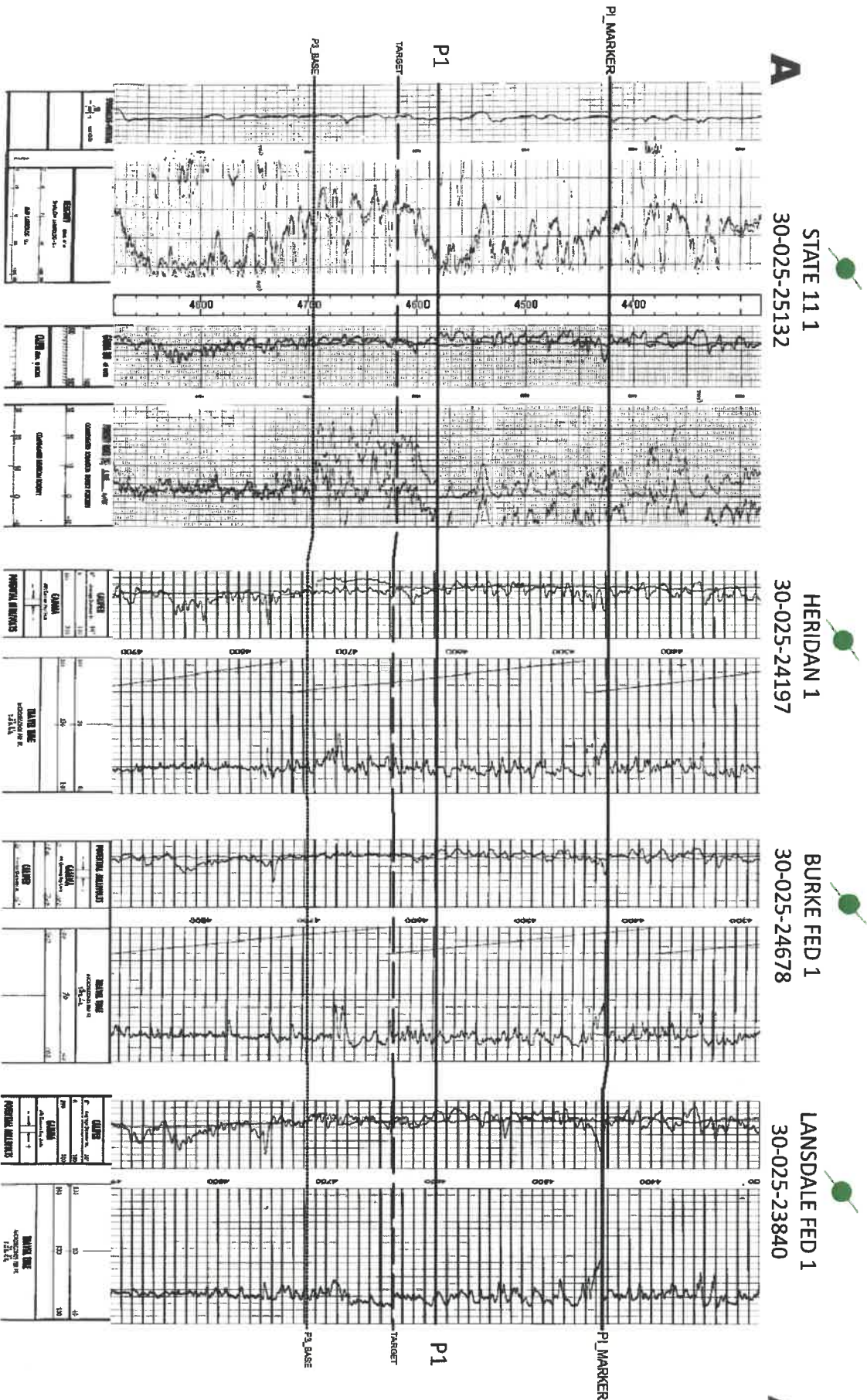




# Exhibit C-3

## Stratigraphic Cross Section A to A'

Flatten on top P1



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

**APPLICATION OF INVITO OPERATING, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.**

**CASE NO. 22925**

**SELF-AFFIRMED DECLARATION OF DEANA M. BENNETT**

Deana M. Bennett, attorney in fact and authorized representative of Invito Operating, LLC, the Applicant herein, declares as follows:

1) I have reviewed the notice materials provided to me by Invito Operating, LLC's prior counsel in this case, Hinkle Shanor.

2) The notice materials provided to me consist of a the Notice Letter, attached as **Exhibit D-1**, the chart of addressees to whom the notice letter was sent and the status of such notice, attached as **Exhibit D-2**, and the affidavit of publication, from the Hobbs News-Sun, attached as **Exhibit D-3**.

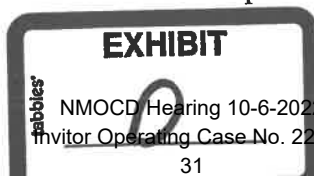
3) Based on my review of the materials provided , notice was timely.

a. The Notice Letter is dated July 5, 2022 and the certified letter green cards confirm the notice letter was sent on July 5, 2022.

b. Notice was published in the Hobbs Sun-News no July 15, 2022, per the attached affidavit of publication.

4) Based on my review of the materials provided, and notice efforts undertaken after I became involved in this matter, the parties Invito seeks to pool were given notice of this hearing, either by virtue of the Notice Letter, by virtue of publication, or a follow up Notice Letter.

5) After the Application was filed, Anthem Oil and Gas Inc. ("Anthem") notified Invito that it had leased its interests to Magnolia Royalty Company Inc. ("Magnolia"), and JM Mineral & Land Co. ("JM") and indicated that Invito's records should be updated to reflect the percentage of acreage and





royalty for the purposes of this pooling application. According to information provided by Anthem, the lease was recorded on July 6, 2022. Out of an abundance of caution, Invito sent a proposal letter to Magnolia and JM, as well as provided them notice of the October 6 hearing, along with a copy of Invito's application. See **Exhibit D-4**. Both notice letters were delivered on September 15, 2022 as evidenced by the tracking information attached as **Exhibit D-5**.

6) I attest under penalty of perjury under the laws of the State of New Mexico that the information provided herein is correct and complete to the best of my knowledge and belief.

Dated: October 4, 2022

  
\_\_\_\_\_  
Deana M. Bennett



hinklelawfirm.com

**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

July 5, 2022

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**TO ALL PARTIES ENTITLED TO NOTICE**

**Re: Case Nos. 22925 - Application of Invito Operating, LLC for Compulsory Pooling, Lea County, New Mexico.**

To whom it may concern:

This letter is to advise you that the enclosed application was filed with the New Mexico Oil Conservation Division. The hearing will be conducted on **August 4, 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://wwwapps.emnrd.state.nm.us/ocd/ocdpermitting/>) or via e-mail to [ocd.hearings@state.nm.us](mailto: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.

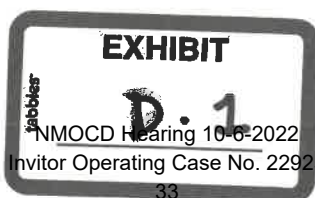
Sincerely,

/s/ Dana S. Hardy

Dana S. Hardy

Enclosure

PO BOX 10  
ROSWELL, NEW MEXICO 88202  
575-622-6510  
(FAX) 575-623-9332



7601 JEFFERSON ST NE • SUITE 180  
ALBUQUERQUE, NEW MEXICO 87109  
505-858-8320  
(FAX) 505-858-8321

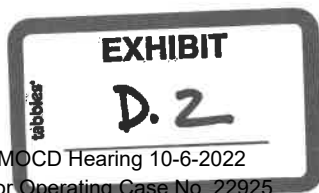
**STATE OF NEW MEXICO  
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES  
OIL CONSERVATION DIVISION**

**APPLICATION OF INVITO OPERATING, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**CASE NO. 22925**

**NOTICE LETTER LIST**

<b>PARTY</b>	<b>NOTICE LETTER SENT</b>	<b>RETURN RECEIVED</b>
Anthem Oil & Gas, Inc. Po Box 1015 Midland, TX 79702	07/05/22	07/25/22
Anthem Oil & Gas, Inc. 601 W. Texas Ave. Midland, TX 79701	07/05/22	Per USPS Tracking:  07/11/22 Item delivered to an individual at address.
Jerry T. Carlisle PO Box 324 Lovington, NM 88260	07/05/22	07/13/22
Jerry T. Carlisle 129 E. Dayton Rd. Artesia, NM 88210	07/05/22	07/15/22  Return to sender.
David W. Head & Norma G. Head (JTWROS) 13980 Fort Defiance Drive El Paso, Texas 79935	07/05/22	08/24/22  Return to sender.
J-Bar Cane Royalty, LLC Agent: Jack Austin Richardson 3660 Highway 41 Stanley, NM 87056	07/05/22	07/14/22
Spinnaker Investments LP PO Drawer 3488 Midland, TX 79702	07/05/22	07/25/22
Tierra Oil Company, LLC ATTN: Chris Barnhill, President Po Box 700968 San Antonio, TX 78270	07/05/22	07/18/22
Turmelle Trevor S 17521 Arratia El Paso, TX 79938	07/05/22	08/24/22  Return to sender.



7021 0950 0002 0369 6961

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<b>OFFICIAL USE</b>	
Certified Mail Fee \$ _____	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
<b>Total Postage and Fees</b> \$ _____	
<b>Sent To</b> Anthem Oil & Gas, Inc. 601 W. Texas Ave. Midland, TX 79701 22925 - Invito Wagoner	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

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SANTA, FE, NM 87501

USPS

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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_


Postage \$ \_\_\_\_\_

Total Postage and Fees \$ \_\_\_\_\_

Sent To  
Anthem Oil & Gas, Inc.  
Po Box 1015  
Midland, TX 79702  
22925 - Invito Wagoneer

PS Form 3800, April 2015 PSN 7530-03-000-9047 See Reverse for Instructions

7021 0950 0002 0369 7067

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> <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> <p>1. Article Addressed to:</p> <p style="text-align: center;">Anthem Oil &amp; Gas, Inc. Po Box 1015 Midland, TX 79702</p> <p style="text-align: center; font-size: 0.8em;">22925 - Invito Wagoneer</p> <div style="text-align: center;">             9590 9402 7543 2098 9407 22         </div> <p>2. Article Number (Transfer from service label)</p> <p style="font-size: 1.2em; font-weight: bold;">7021 0950 0002 0369 7067</p> <p>PS Form 3811, July 2020 PSN 7530-02-000-9053</p>	<p>A. Signature <i>[Handwritten Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Rosa Valera</i> C. Date of Delivery <i>7/15/22</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <div style="text-align: center; font-size: 2em; font-weight: bold; border: 2px solid black; padding: 5px;">             RECEIVED JUL 25 2022           </div> <p>3. Service Type <i>Hinkle Shanon LLP</i></p> <table style="width: 100%; font-size: 0.8em;"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Collect on Delivery Restricted Delivery		<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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 Jerry T. Carlisle  
 PO Box 324  
 Lovington, NM 88260  
 22925 - Invito Wagoneer

Postmark Here  
 SANTA FE, NM 87507  
 JUL -5 2022

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<p>1. Article Addressed to:</p> <p>Jerry T. Carlisle        PO Box 324        Lovington, NM 88260        22925 - Invito Wagoneer</p> <p>9590 9402 7543 2098 9413 78</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)</p> <p>7021 0950 0002 0369 7135</p>	
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 Adult Signature Required \$  
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 Postage \$  
 Total Postage and Fees \$

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 Jerry T. Carlisle  
 129 E. Dayton Rd.  
 Artesia, NM 88210  
 22925 - Invito Wagoner

Postmark Here  
**JUL - 5 2022**

USPS

PS Form 3800, April 2015 PSN 7530-02-000-9047 Sub Reverse for Instructions

7021 0950 0002 0369 7142

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

**RECEIVED**

**JUL 15 2022**

Hinkle Shanor LLP  
Santa Fe NM 87504

052E K0200205000200



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ANK

Jerry T. Carlisle  
129 E. Dayton Rd.  
Artesia, NM 88210

22925 - Invito Wagoner



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62 7H  
8006052409 JUL 05 2022



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David W. Head & Norma G. Head (JTWR0S)  
 13980 Fort Defiance Drive  
 El Paso, Texas 79935

22925 - Invito Wagener

PS Form 3800, April 2015 PSN 7535-02-000-9047 See Reverse for Instructions

7002 0560 2000 6960 7333

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 (JTWR0S)  
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 El Paso, Texas 79935

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 ZIP 87501 \$ 007.330  
 02 74  
 0066082409 JUL 05 2022

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 ATTORNEYS AT LAW  
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 SANTA FE, NEW MEXICO 87504

08/18/2022

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 Santa Fe NM 87504

22925 - Invito Wagener

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Adult Signature Restricted Delivery \$

Postage  
\$

Total Postage and Fees  
\$

J-Bar Cane Royalty, LLC  
 Agent: Jack Austin Richardson  
 1660 Highway 41  
 Stanley, NM 87056

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Postage \$ \_\_\_\_\_

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Spinnaker Investments LP  
PO Drawer 3488  
Midland, TX 79702  
22925 - Invito Wagoneer

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<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To Tierra Oil Company, LLC ATTN: Chris Barnhill, President Po Box 700968 San Antonio, TX 78270 22925 - Invito Wagoneer	

PS Form 3800, April 2015 PSN 7500-02-000-8047 See Reverse for Instructions

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<ul style="list-style-type: none"> <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> <p>1. Article Addressed to:</p> <p style="text-align: center;">                     Tierra Oil Company, LLC                      ATTN: Chris Barnhill, President                      Po Box 700968                      San Antonio, TX 78270                      22925 - Invito Wagoneer                 </p> <div style="text-align: center;">                       9590 9402 7543 2098 9414 46                 </div> <p>2. Article Number (Transfer from service label)</p> <p style="font-size: 1.2em; font-weight: bold;">7021 0950 0002 0369 7166</p>	<p>A. Signature</p> <p>X <i>Dolly Ornel</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Dolly Ornel</i> C. Date of Delivery <i>7/15/22</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                  If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <table style="width: 100%; font-size: 0.8em;"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Collect on Delivery Restricted Delivery		<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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# Affidavit of Publication

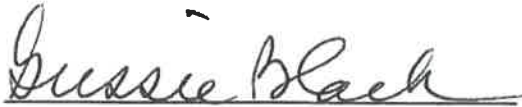
STATE OF NEW MEXICO  
COUNTY OF LEA

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).

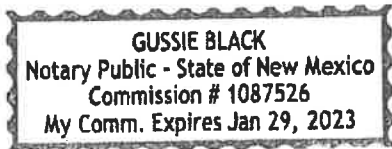
Beginning with the issue dated  
July 15, 2022  
and ending with the issue dated  
July 15, 2022.

  
Publisher

Sworn and subscribed to before me this  
15th day of July 2022.

  
Business Manager

My commission expires  
January 29, 2023  
(Seal)



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**  
July 15, 2022

This is to notify all interested parties, including Anthem Oil & Gas; David W. Head & Norma G. Head (JTWROS); J-Bar Cane Royalty, LLC; Jerry T. Carlisle; Estate of Jo Ann Duncan; Lorenzo Lozano-Molina; Maria Molina; Miguel Lozano-Molina; Spinnaker Investments LP; Tierra Oil Company, LLC; Turmell, Trevor S; and their successors and assigns, that the New Mexico Oil Conservation Division will conduct a hearing on an application submitted by Invito Operating, LLC (Case No. 22925). The hearing will be conducted remotely on August 4, 2022, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website for that date: <https://www.emnrd.nm.gov/oed/hearing-info/>. Applicant applies for an order pooling all uncommitted mineral interests in the San Andres formation underlying a 160-acre, more or less, standard horizontal spacing unit ("Unit") comprised of the E/2 E/2 of Section 12, Township 9 South, Range 33 East, Lea County, New Mexico. The Unit will be dedicated to the Wagoner #1H well ("Well") to be horizontally drilled from a surface hole location in the SE/4 SE/4 (Unit P) of Section 1, Township 9 South, Range 33 East, to a bottom hole location in the SE/4 SE/4 (Unit P) of Section 12, Township 9 South, Range 33 East. The completed interval of the Well will be orthodox. Also to be considered will be the cost of drilling and completing the Well and the allocation of the cost, the designation of Applicant as the operator of the Well, and a 200% charge for the risk involved in drilling and completing the Well. The Well is located approximately 10.36 miles west of Crossroads, New Mexico.  
#37847



02107475

00268912

GILBERT  
HINKLE, SHANOR LLP  
PO BOX 2068  
SANTA FE, NM 87504





Invito Operating LLC  
6401 El Dorado Pkwy, #92  
McKinney, Texas 75070

August 29, 2022

JM Mineral & Land Co., Inc.  
P.O Box 1015  
Midland, TX 79702

Via: Certified Mail  
Return Receipt Requested

Re: Drilling and completion proposal

To Whom it May Concern:

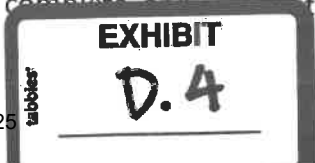
Invito Operating LLC ("IO"), as operator, hereby proposed on May 20, 2022 to Anthem Oil and Gas, Inc. ("Anthem") to drill and complete the Wagoneer #1H well to be drilled to the San Andres formation in Lea County, NM as follows.

- Unit E/2 E/2 of Section 12, Township 9 South, Range 33 East (Wagoneer #1H)
- SHL: 745' FSL, 660' FEL, or at a legal location in unit P of Section 1
- BHL: 100' FSL & 660' FEL of Section 12
- FTP: 100' FNL & 660' FEL of Section 12
- LTP: 100' FSL & 660' FEL of Section 12
- TVD: ~ 4,664'
- TMD: ~ 10,190'
- Targeted Interval: San Andres
- Total Cost: See attached AFE

By letter dated July 12, 2022, Anthem informed IO that it had entered into a Paid Up Oil and Gas Lease with Magnolia Royalty Company Inc. ("Magnolia") and JM Mineral & Land Co. ("JM"). Anthem requested that IO update its information to reflect the percentage of acreage and royalty share for Anthem, Magnolia, and JM, including the information related to IO's pending pooling application in Case No. 22925. I have enclose a copy of the application in pooling Case No. 22925 for you. Case No. 22925 is currently set for hearing on October 6, 2022.

As discussed above, IO previously proposed the Wagoneer #1H well to Anthem. IO now hereby requests your participation in the drilling of the Well and the Unit by offering the following options (revised since the 5/20/2022 offer with revisions shown in **bold**) for your consideration:

- **Agree to Participate** – You agree to participate in the cost and risk of the well by agreeing to pay your proportionate share of the actual cost to drill, complete and produce the well. You





**Invito Operating LLC**  
6401 El Dorado Pkwy, #92  
McKinney, Texas 75070

agree to execute and return the enclosed AFE. You agree to execute and return an Operating Agreement (A.A.P.L. - 1989 Model Form), which we will prepare and submit for your review and acceptance. The updated Operating Agreement will include, among other terms and conditions, the following: (1) A 200% / non-consent penalty; (2;

and applicable law; (3) and a 2005 COPAS Accounting Procedure providing for a monthly fixed overhead rate per well equal to \$8,000.00 for the drilling well and \$800.00 for a producing well.

The estimated cost to drill, test, complete and equip the Well is approximately \$2,950,000.00. The Well's total estimated dry hole cost is approximately \$1,463,000.00. Please note that these costs are estimates only and should you agree to participate in the well, you shall be responsible and agree to pay for your proportionate share of all of the actual costs incurred.

- **Choose to Not Participate**– IO plans to pursue compulsory polling for the Unit with the New Mexico Oil Conservation Division ("OCD"). IO will request the OCD compulsory polling of all non-consenting owners in the Unit with alternate risk charges as provide by the applicable statutes of the State of New Mexico. This will apply to those who have chosen to not participate or who have not responded to this letter.

On the attached election page, please indicate your election of either to participate or not to participate in the drilling of this well and return one (1) copy of this letter to the undersigned at the letterhead address using the enclosed self-addressed, stamped envelope.

We look forward to hearing from you soon. We would appreciate a response within 30-days of the date of this letter.

Should you have any questions regarding this matter, please do not hesitate to contact the undersigned at (512) 656 - 5380 or by email at [jarod.poteet@forzaresources.com](mailto:jarod.poteet@forzaresources.com).

Look forward to hearing from you,  
Oxbow acquisitions, LLC



**Invito Operating LLC**  
6401 El Dorado Pkwy, #92  
McKinney, Texas 75070

---

Jarod Poteet  
As Agent for Invito Operating LLC

Enclosures





**Invito Operating LLC**  
6401 El Dorado Pkwy, #92  
McKinney, Texas 75070

---

**ELECTION**

PLEASE SLECT ONE OPTION

\_\_\_\_ I/we agree to PARTICIPATE in the Well under the terms and conditions stated in the foregoing letter under the option entitled "Agree to Participate". (Enclosed is an approved copy of the AFE relating to the Well). I hereby contractually agree to pay my pro-rata share of the actual cost to drill the Well.

\_\_\_\_ I/we choose to NOT PARTICIPATE my interest in the Unit under the terms and conditions stated in the foregoing letter, and I acknowledge that Invito Operating LLC may pursue compulsory pooling of my interest.

Acceptance of any of the above options constitutes a binding contract between the parties hereto for valid and sufficient consideration.

Executed this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)



Invito Operating LLC  
6401 El Dorado Pkwy, #92  
McKinney, Texas 75070

August 29, 2022

Attn: Magnolia Royalty Company Inc.  
P.O Box 10703  
Midland, TX 79702

**Via: Certified Mail  
Return Receipt Requested**

Re: Drilling and completion proposal

To Whom it May Concern:

Invito Operating LLC ("IO"), as operator, hereby proposed on May 20, 2022 to Anthem Oil and Gas, Inc. ("Anthem") to drill and complete the Wagoneer #1H well to be drilled to the San Andres formation in Lea County, NM as follows.

- Unit E/2 E/2 of Section 12, Township 9 South, Range 33 East (Wagoneer #1H)
- SHL: 745' FSL, 660' FEL, or at a legal location in unit P of Section 1
- BHL: 100' FSL & 660' FEL of Section 12
- FTP: 100' FNL & 660' FEL of Section 12
- LTP: 100' FSL & 660' FEL of Section 12
- TVD: ~ 4,664'
- TMD: ~ 10,190'
- Targeted Interval: San Andres
- Total Cost: See attached AFE

By letter dated July 12, 2022, Anthem informed IO that it had entered into a Paid Up Oil and Gas Lease with Magnolia Royalty Company Inc. ("Magnolia") and JM Mineral & Land Co. ("JM"). Anthem requested that IO update its information to reflect the percentage of acreage and royalty share for Anthem, Magnolia, and JM, including the information related to IO's pending pooling application in Case No. 22925. I have enclose a copy of the application in pooling Case No. 22925 for you. Case No. 22925 is currently set for hearing on October 6, 2022.

As discussed above, IO previously proposed the Wagoneer #1H well to Anthem. IO now hereby requests your participation in the drilling of the Well and the Unit by offering the following options (revised since the 5/20/2022 offer with revisions shown in **bold**) for your consideration:

- **Agree to Participate** – You agree to participate in the cost and risk of the well by agreeing to pay your proportionate share of the actual cost to drill, complete, and operate the well. You



Invito Operating LLC
6401 El Dorado Pkwy, #92
McKinney, Texas 75070

agree to execute and return the enclosed AFE. You agree to execute and return an Operating Agreement (A.A.P.L. - 1989 Model Form), which we will prepare and submit for your review and acceptance. The updated Operating Agreement will include, among other terms and conditions, the following: (1) A 200% / \$ non-consent penalty; (2)

; (3) and a 2005 COPAS Accounting Procedure providing for a monthly fixed overhead rate per well equal to \$8,000.00 for the drilling well and \$800.00 for a producing well.

The estimated cost to drill, test, complete and equip the Well is approximately \$2,950,000.00. The Well's total estimated dry hole cost is approximately \$1,463,000.00. Please note that these costs are estimates only and should you agree to participate in the well, you shall be responsible and agree to pay for your proportionate share of all of the actual costs incurred.

- Choose to Not Participate- IO plans to pursue compulsory polling for the Unit with the New Mexico Oil Conservation Division ("OCD"). IO will request the OCD compulsory polling of all non-consenting owners in the Unit with alternate risk charges as provide by the applicable statutes of the State of New Mexico. This will apply to those who have chosen to not participate or who have not responded to this letter.

On the attached election page, please indicate your election of either to participate or not to participate in the drilling of this well and return one (1) copy of this letter to the undersigned at the letterhead address using the enclosed self-addressed, stamped envelope.

We look forward to hearing from you soon. We would appreciate a response within 30-days of the date of this letter.

Should you have any questions regarding this matter, please do not hesitate to contact the undersigned at (512) 656 - 5380 or by email at jarod.poteet@forzaresources.com.

Look forward to hearing from you,
Oxbow acquisitions, LLC



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6401 El Dorado Pkwy, #92  
McKinney, Texas 75070

---

Jarod Poteet  
As Agent for Invito Operating LLC

Enclosures



**Invito Operating LLC**  
6401 El Dorado Pkwy, #92  
McKinney, Texas 75070

**ELECTION**

PLEASE SLECT ONE OPTION

\_\_\_\_ I/we agree to PARTICIPATE in the Well under the terms and conditions stated in the foregoing letter under the option entitled "Agree to Participate". (Enclosed is an approved copy of the AFE relating to the Well). I hereby contractually agree to pay my pro-rata share of the actual cost to drill the Well.

\_\_\_\_ I/we choose to NOT PARTICIPATE my interest in the Unit under the terms and conditions stated in the foregoing letter, and I acknowledge that Invito Operating LLC may pursue compulsory pooling of my interest.

Acceptance of any of the above options constitutes a binding contract between the parties hereto for valid and sufficient consideration.

Executed this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

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

**APPLICATION OF INVITO OPERATING, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**Case No. \_\_\_\_\_**

**APPLICATION**

Pursuant to NMSA § 70-2-17, Invito Operating, LLC (“Applicant”) applies for an order pooling all uncommitted interests in the San Andres formation underlying a 160-acre, more or less, standard horizontal spacing unit (“Unit”) comprised of the E/2 E/2 of Section 12, Township 9 South, Range 33 East, Lea County, New Mexico. In support of its application, Applicant states the following.

1. Applicant (OGRID No. 329337) is a working interest owner in the Unit and has the right to drill wells thereon.
2. The Unit will be dedicated to the Wagoneer #1H well, which will be horizontally drilled from a surface hole location in the SE/4 SE/4 (Unit P) of Section 1, Township 9 South, Range 33 East, to a bottom hole location in the SE/4 SE/4 (Unit P) of Section 12, Township 9 South, Range 33 East.
3. The completed interval of the Well will be orthodox.
4. Applicant has undertaken diligent, good-faith efforts to obtain voluntary agreements from all interest owners to participate in the drilling of the Well but has been unable to obtain voluntary agreements from all of the interest owners.
5. The pooling of uncommitted interests will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.

6. In order to allow Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, all uncommitted interests in the Unit should be pooled and Applicant should be designated the operator of the Well and Unit.

WHEREFORE, Applicant requests this application be set for hearing on August 4, 2022 and that, after notice and hearing, the Division enter an order:

- A. Pooling all uncommitted interests in the Unit;
- B. Approving the Well in the Unit;
- C. Designating Applicant as operator of the Unit and the Well to be drilled thereon;
- D. Authorizing Applicant to recover its costs of drilling, equipping and completing the Well;
- E. Approving the actual operating charges and costs of supervision while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedures; and
- F. Imposing a 200% penalty for the risk assumed by Applicant in drilling and completing the Well against any working interest owner who does not voluntarily participate in the drilling of the Well.

Respectfully submitted,

HINKLE SHANOR LLP

/s/ Dana S. Hardy  
 Dana S. Hardy  
 Jaclyn M. McLean  
 Jeremy Ian Martin  
 P.O. Box 2068  
 Santa Fe, NM 87504-2068  
 Phone: (505) 982-4554  
 Facsimile: (505) 982-8623  
 dhardy@hinklelawfirm.com  
 jmclean@hinklelawfirm.com  
 jmartin@hinklelawfirm.com  
 Counsel for Invito Operating, LLC

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Feedback

#### Delivered

**Delivered, Individual Picked Up at Post Office**

MIDLAND, TX 79701

September 15, 2022, 11:42 am

#### Available for Pickup

MIDLAND, TX 79702

September 13, 2022, 4:44 pm

#### Arrived at Post Office

MIDLAND, TX 79701

September 13, 2022, 4:41 pm

#### Reminder to pick up your item before September 22, 2022

MIDLAND, TX 79702

September 13, 2022

#### Available for Pickup

MIDLAND, TX 79701

September 8, 2022, 6:20 pm

#### Departed USPS Regional Origin Facility

COPPELL TX DISTRIBUTION CENTER

September 7, 2022, 12:54 am

NMOCD Hearing 10-6-2022

- **Arrived at USPS Regional Origin Facility**  
COPPELL TX DISTRIBUTION CENTER  
September 7, 2022, 12:51 am
- **Departed Post Office**  
FLINT, TX 75762  
September 6, 2022, 6:24 pm
- **USPS in possession of item**  
FLINT, TX 75762  
September 6, 2022, 11:46 am
- **Hide Tracking History**

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MIDLAND, TX 79702

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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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FAQs >

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### Latest Update

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#### Delivered

**Delivered, Individual Picked Up at Post Office**

MIDLAND, TX 79701

September 15, 2022, 11:42 am

#### Available for Pickup

MIDLAND, TX 79702

September 13, 2022, 4:44 pm

#### Arrived at Post Office

MIDLAND, TX 79701

September 13, 2022, 4:41 pm

#### Reminder to pick up your item before September 22, 2022

MIDLAND, TX 79702

September 13, 2022

#### Available for Pickup

MIDLAND, TX 79701

September 8, 2022, 6:19 pm

#### Departed USPS Regional Facility

MIDLAND TX DISTRIBUTION CENTER

September 8, 2022, 12:29 am

Feedback

NMOCD Hearing 10-6-2022

- **Arrived at USPS Regional Destination Facility**  
MIDLAND TX DISTRIBUTION CENTER  
September 7, 2022, 9:12 pm
- **Departed USPS Regional Origin Facility**  
COPPELL TX DISTRIBUTION CENTER  
September 7, 2022, 12:53 am
- **Arrived at USPS Regional Origin Facility**  
COPPELL TX DISTRIBUTION CENTER  
September 7, 2022, 12:50 am
- **Departed Post Office**  
FLINT, TX 75762  
September 6, 2022, 6:24 pm
- **USPS in possession of item**  
FLINT, TX 75762  
September 6, 2022, 11:48 am
- **Hide Tracking History**

Feedback

Text & Email Updates



USPS Tracking Plus®



Product Information



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Track Another Package

## Need More Help?

Contact USPS Tracking support for further assistance.