APPLICATION OF BTA OIL PRODUCERS, FOR COMPULSORY POOLING LEA COUNTY, NEW MEXICO

CASE NO. 24490

EXHIBIT INDEX

Compulsory Pooling Checklist

Exhibit A	Self-Affirmed Statement of Adams Davenport
A-1	Application & Proposed Notice of Hearing
A-2	C-102s
A-3	Plat of Tracts, Tract Ownership, Applicable Lease Numbers, Unit Recapitulation, Pooled Parties
A-4	Sample Well Proposal Letter & AFEs
A-5	Chronology of Contact
Exhibit B	Self-Affirmed Statement of David Childers
B-1	Location Map
B-2	Subsea Structure Map
B-3	Stratigraphic Cross-Section
B-4	Gross Isopach Map
Exhibit C	Self-Affirmed Statement of Dana S. Hardy
C-1	Sample Notice Letter to All Interested Parties
C-2	Chart of Notice to All Interested Parties
C-3	Copies of Certified Mail Receipts and Returns
C-4	Affidavit of Publication for May 10, 2024

COMPULSORY POOLING APPLICATION CHECKLIST

ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS

Case: 24490	APPLICANT'S RESPONSE			
Date 6/13/2023				
Applicant	BTA Oil Producers, LLC			
Designated Operator & OGRID (affiliation if applicable)	OGRID No. 260297			
Applicant's Counsel:	Hinkle Shanor LLP			
Case Title:	Application of BTA Oil Producers, LLC for Compulsory Pooling, Lea County, New Mexico.			
Entries of Appearance/Intervenors:	N/A			
Well Family	Capitan			
Formation/Pool				
Formation Name(s) or Vertical Extent:	Pennsylvanian Shale			
Primary Product (Oil or Gas):	Oil			
Pooling this vertical extent:	Pennsylvanian Shale			
Pool Name and Pool Code:	WCO25 G09 S173615C; Upper Penn (Code 98333)			
Well Location Setback Rules:	Statewide			
Spacing Unit				
Type (Horizontal/Vertical)	Horizontal			
Size (Acres)	319.42			
Building Blocks:	quarter-quarter			
Orientation:	North to South			
Description: TRS/County	E/2 W/2 of Section 34, Township 16 South, Range 36 East, and Lot 3 (NE/4 NW/4 equivalent), SE/4 NW/4, and E/2 SW/4 of Section 3, Township 17 South, Range 36 East, Lea County.			
Standard Horizontal Well Spacing Unit (Y/N), If No, describe and is approval of non-standard unit requested in this application?	Yes			
Other Situations				
Depth Severance: Y/N. If yes, description	N/A			
Proximity Tracts: If yes, description	N/A			
Proximity Defining Well: if yes, description	N/A			
Applicant's Ownership in Each Tract	Exhibit A-3			
Well(s)				
Name & API (if assigned), surface and bottom hole location, footages, completion target, orientation, completion status (standard or non-standard)	Add wells as needed			
Well #1	Capitan 22301 34-3 State Com 14H (API # pending) SHL: 250' FNL & 1330' FWL (Unit C), Section 34, T16S-R36E BHL: 50' FSL & 1980' FWL (Unit N), Section 3, T17S-R36E Completion Target: Pennsylvanian Shale (Approx. 11,540' TVD)			
Released to Imaging: 6/6/2024 3:51:23 PM AFE Capex and Operating Costs	· · · · · · · · · · · · · · · · · · ·			

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Drilling Supervision/Month \$	\$12,000
Production Supervision/Month \$	\$1,200
Justification for Supervision Costs	Exhibit A-4
Requested Risk Charge	200%
Notice of Hearing	
Proposed Notice of Hearing	Exhibit A-1
Proof of Mailed Notice of Hearing (20 days before hearing)	Exhibits C-1, C-2, C-3
Proof of Published Notice of Hearing (10 days before hearing)	Exhibit C-4
Ownership Determination	
Land Ownership Schematic of the Spacing Unit	Exhibit A-3
Tract List (including lease numbers and owners)	Exhibit A-3
If approval of Non-Standard Spacing Unit is requested, Tract List (including lease numbers and owners) of Tracts subject to	
notice requirements.	N/A
Pooled Parties (including ownership type)	Exhibit A-3
Unlocatable Parties to be Pooled	N/A
Ownership Depth Severance (including percentage above & below)	N/A
Joinder	
Sample Copy of Proposal Letter	Exhibit A-4
List of Interest Owners (ie Exhibit A of JOA)	Exhibit A-3
Chronology of Contact with Non-Joined Working Interests	Exhibit A-5
Overhead Rates In Proposal Letter	Exhibit A-4
Cost Estimate to Drill and Complete	Exhibit A-4
Cost Estimate to Equip Well	Exhibit A-4
Cost Estimate for Production Facilities	Exhibit A-4
Geology	
Summary (including special considerations)	Exhibit B
Spacing Unit Schematic	Exhibit B
Gunbarrel/Lateral Trajectory Schematic	N/A
Well Orientation (with rationale)	Exhibit B
Target Formation	Exhibit B
HSU Cross Section	Exhibit B-2
Depth Severance Discussion	N/A
Forms, Figures and Tables	
C-102	Exhibit A-2
Tracts	Exhibit A-3
Summary of Interests, Unit Recapitulation (Tracts)	Exhibit A-3

Exhibit B-1

Exhibit B-1

Exhibit B-2

•

General Location Map (including basin)

Saleased to Consing Map 2 Subsea Depli

Well Bore Location Map

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Cross Section Location Map (including wells)	Exhibit B-1	
Cross Section (including Landing Zone)	Exhibit B-3	
Additional Information		
Special Provisions/Stipulations	N/A	
CERTIFICATION: I hereby certify that the information provi	ded 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:	6/6/2024	

APPLICATION OF BTA OIL PRODUCERS, LLC FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO

CASE NO. 24490

SELF-AFFIRMED STATEMENT ADAMS DAVENPORT

1. I am a landman at BTA Oil Producers, LLC ("BTA") 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 as an expert in land matters were accepted as a matter of record.

2. I am familiar with the land matters involved in the above-referenced case. Copies of BTA's 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. BTA seeks an order pooling all uncommitted mineral interests in the Pennsylvanian Shale formation underlying 319.42-acre, more or less, standard horizontal spacing unit comprised of the E/2 W/2 of Section 34, Township 16 South, Range 36 East, and Lot 3 (NE/4 NW/4 equivalent), SE/4 NW/4, and E/2 SW/4 of Section 3, Township 17 South, Range 36 East, Lea County, New Mexico ("Unit").

5. The Unit will be dedicated to the Capitan 22301 34-3 State Com #14H well ("Well"), to be drilled from a surface hole location in the NE/4 NW/4 (Unit C) of Section 34, Township 16 South, Range 36 East, to a bottom hole location in the SE/4 SW/4 (Unit N) of Section 3, Township 17 South, Range 36 East.

BTA Oil Producers, LLC Case No. 24490 Exhibit A 6. The Wells will be completed in the WC025 G09 S173615C; Upper Penn Pool (Code 98333).

7. The completed interval of the Wells will be orthodox.

8. **Exhibit A-2** contains the C-102s for the Wells.

9. **Exhibit A-3** contains a plat identifying ownership by tract in the Unit. This exhibit also includes any applicable lease numbers, a unit recapitulation, and the interests BTA seeks to pool highlighted in yellow. All of the parties are locatable.

10. BTA has conducted a diligent search of all county public records including phone directories and computer databases. BTA also used the Accurint subscription service to locate interest owners.

11. **Exhibit A-4** contains sample well proposal letters and AFEs sent to working interest owners for the Wells. 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.

12. In my opinion, BTA made a good-faith effort to reach voluntary joinder of uncommitted interests in the Wells as indicated by the chronology of contact described in **Exhibit A-5**.

13. BTA requests overhead and administrative rates of \$12,000 per month while the Wells are being drilled and \$1,200 per month while the Wells are producing. These rates are fair and are comparable to the rates charged by BTA and other operators in the vicinity.

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

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

16. I understand this Self-Affirmed Statement will be used as written testimony in this case. 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.

Adams Davenport Adams Davenport

<u>05/31/2024</u> Date

APPLICATION OF BTA OIL PRODUCERS, LLC FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

CASE NO. 24490

APPLICATION

Pursuant to NMSA 1978, Section 70-2-17, BTA Oil Producers, LLC (OGRID No. 260297) ("BTA" or "Applicant") applies for an order pooling all uncommitted interests in the Pennsylvanian Shale formation underlying a 319.42-acre, more or less, standard horizontal spacing unit comprised of the E/2 W/2 of Section 34, Township 16 South, Range 36 East, and Lot 3 (NE/4 NW/4 equivalent), SE/4 NW/4, and E/2 SW/4 of Section 3, Township 17 South, Range 36 East, Lea County, New Mexico ("Unit"). In support of this application, BTA states the following.

1. Applicant is a working interest owner in the Unit and has the right to drill wells thereon.

2. The Unit will be dedicated to the **Capitan 22301 34-3 State Com #14H** well ("Well"), to be drilled from a surface hole location in the NE/4 NW/4 (Unit C) of Section 34, Township 16 South, Range 36 East, to a bottom hole location in the SE/4 SW/4 (Unit N) of Section 3, Township 17 South, Range 36 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 interest owners.

5. The pooling of uncommitted interests will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.

BTA Oil Producers, LLC Case No. 24490 Exhibit A-1 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 as the operator of the Well and Unit.

WHEREFORE, Applicant requests that this application be set for hearing before an Examiner of the Oil Conservation Division on June 13, 2024, and, after notice and hearing as required by law, 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 charged and costs of supervision while drilling and after completion, together with a provision adjusting the rated 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

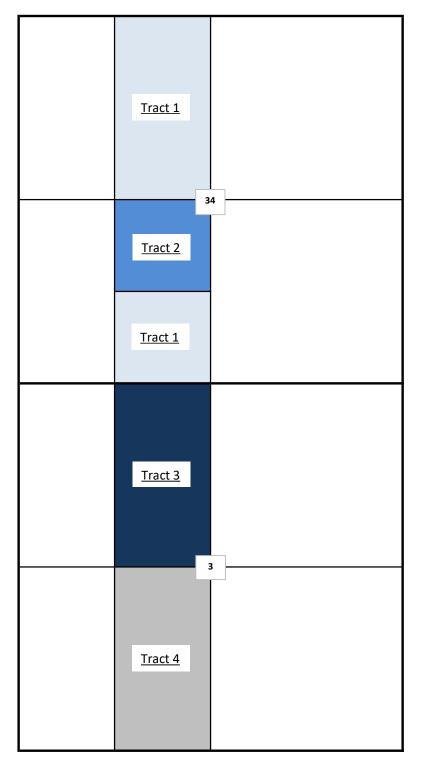
<u>/s/ Dana S. Hardy</u> Dana S. Hardy Jaclyn M. McLean P.O. Box 2068 Santa Fe, NM 87504-2068 Phone: (505) 982-4554 dhardy@hinklelawfirm.com jmclean@hinklelawfirm.com *Counsel for BTA Oil Producers, LLC* Application of BTA Oil Producers, LLC for Compulsory Pooling, Lea County, New Mexico. Applicant seeks an order pooling all uncommitted interests in the Pennsylvanian Shale formation underlying a 319.42-acre, more or less, standard horizontal spacing unit comprised of the E/2 W/2 of Section 34, Township 16 South, Range 36 East, and Lot 3 (NE/4 NW/4 equivalent), SE/4 NW/4, and E/2 SW/4 of Section 3, Township 17 South, Range 36 East, Lea County, New Mexico ("Unit"). The Unit will be dedicated to the Capitan 22301 34-3 State Com #14H well ("Well"), which will be drilled from a surface hole location in the NE/4 NW/4 (Unit C) of Section 34, Township 16 South, Range 36 East, to a bottom hole location in the SE/4 SW/4 (Unit N) of Section 3, Township 17 South, Range 36 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 operator of the Well, and a 200% charge for the risk involved in drilling and completing the Well. The Well is located approximately 3 miles south of Lovington, New Mexico. Received by OCD: 6/6/2024 3:08:37 PM Page 11 of 31 Form C-102 Revised August 1, 2011 District I State of New Mexico 1625 N French Dr., Hobbs, NM 88240 Submit one copy to appropriate Energy, Minerals & Natural Resources Department Phone: (575) 393-6161 Fax: (575) 393-0720 District Office District II OIL CONSERVATION DIVISION AMENDED REPORT 811 S. First St., Artesia, NM 88210 Phone: (575) 748-1283 Fax: (575) 748-9720 1220 South St. Francis Dr. District III 1000 Rio Brazos Road, Aztec, NM 87410 Santa Fe, NM 87505 **BTA Oil Producers, LLC** Phone: (505) 334-6178 Fax: (505) 334-6170 Case No. 24490 District IV 1220 S St. Francis Dr., Santa Fe, NM 87505 Phone: (505) 476-3460 Fax: (505) 476-3462 Exhibit A-2 WELL LOCATION AND ACREAGE DEDICATION PLAT API Number Peol Code 98333 WC025 G09 S173615C: UPPER PENN Well Number Property Code Property Name CAPITAN 22301 34-3 STATE COM 14H OGRID No Elevatio BTA OIL PRODUCERS, LLC 260297 3883 10 Surface Location eet from th ast/West lin Coun 34 16S 36E 250 North 1330 West LEA C 11 Bottom Hole Location If Different From Surface ast/West line North/South line L or lot a Lot Idn Feet from the Feet from the Count 50 1980 3 17S 36E West LEA N South Dedicated Acres Joint or Infill Order No. solidation Code 320 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. 28 ⁷OPERATOR CERTIFICATION I hereby certify that the information SECTION NOLTOBS 29 S.B contained herein is true and complete to the best of my knowledge and belief, and NOI SECTION that this organization either owns a FT242 100 working interest or unleased mineral interest in the land including the proposed hottom hole location or has a SECTION 27 SECTION 28 SECTION 29 right to drill this well at this location SECTION 34 pursuant to a contract with an owner of SECTION 33 SECTION 32 1980 such a mineral or working interest, or to KOP/ SHL a voluntary pooling agreement or a **FIRST TAKE** 1330 compulsory pooling order heretofore entered by the division. 33 34 33 32 4/1/2024 SECTION SECTION NO SECTION Date mature SECTI Sammy Hajar Printed Name SHAJAR@BTAOIL.COM E-mail Address 10364.18 18 SURVEYOR CERTIFICATION I hereby certify that the well location shown SECTION 34 SURFACE HOLE LOCATION T165 R36E SECTION 33 250' FNL 1330' FWL, SECTION 34 NAD 83, SPCS NM EAST X:844237 17' / Y:687173.60' LAT:32.88516635N / LON:103.34662310W on this plat was plotted from field notes of SECTION 03 SECTION 04 T175 R36E S00°24'15"E actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief. NAD 27, SPCS NM EAST X:803059.02' / Y:687109 32 hose AT 32 88504723N / LON 103 34612691W Date of Survey: JUNE 6, 2023 KICK OFF POINT/FIRST TAKE POINT 50 0.3 0.5 04 Signature and Surveyor 100' FNL 1980' FWL, SECTION 34 OND P.S. NAD 83, SPCS NM EAST SECTION SECTION SECTION to SECTION X 844885 96' / Y 687328 83' LAT 32 88557628N / LON:103 34450516W le la NAD 27, SPCS NM EAST X 803707 82' / Y 687264 58' LAT:32.88545721N / LON:103.34400901W LAST TAKE POINT 100' FSL 1980' FWL, SECTION 3 NAD 83, SPCS NM EAST 16 LAST 1980 PRO ð TAKE X:844959 06' / Y:676964 91' LAT:32.85709212N / LON:103 34458329W NAD 27, SPCS NM EAST 1980 SECTION 03 SECTION 04 X:803780.60' / Y:676900.90' LAT:32 85697288N / LON:103 34408831W SUR SECTION 10 STONAL SECTION 09 BHL BOTTOM HOLE LOCATION 100' 09 60 01 20 50' FSL 1980' FWL, SECTION 3 NAD 83, SPCS NM EAST X:844959 35' / Y:676914.91 SFCTION SECTION SECTION SECTION LAT:32 85695470N / LON:103 34458386W NAD 27, SPCS NM EAST X 803780 89' / Y 676850 90' SHEET 1 OF 1

Released to Imaging: 0/0/2024 83: Sombined Scale Factor: 0.99981955 Convergence Angle: 0.50466944°

AT:32 85683545N / LON:103.34408889W

JOB No. BTA_0015_CP05 REV 0 JCS 5/19/2023

319.42 Acre Spacing Unit for the Capitan 22301 34-3 State Com #14H Well Covering the E/2 W/2 of Section 34, T-16-S, R-36-E, N.M.P.M., and Lot 3, SE/4 NW/4, E/2 SW/4 of Section 3, T-17-S, R-36-E, N.M.P.M., Lea County, New Mexico



BTA Oil Producers, LLC Case No. 24490 Exhibit A-3

Capitan 22301 34-3 State Com #14H Unit Recapitulation

Tract 1	Leasehold Owner	WI	120 Acres
State of New Mexico OGL VC-0793 E/2 NW/4, SE/4 SW/4 Section 34, T16S, R36E, Lea County, New Mexico	BTA Oil Producers, LLC	100.0000%	120.0000
Tract 2	Leasehold Owner	WI	40 Acres
State of New Mexico OGL VC-1175 NE/4 SW/4 Section 34, T16S, R36E, Lea County, New Mexico	BTA Oil Producers, LLC	100.0000%	40.0000
Tract 3	Leasehold Owner	WI	79.42 Acres
State of New Mexico OGL VC-1142 Lot 3, SE/4 NW/4 Section 3, T17S, R36E, Lea County, New Mexico	BTA Oil Producers, LLC	100.0000%	79.4200
Tract 4	Leasehold Owner	WI	80 Acres
State of New Mexico OGL B0-4119 E/2 SW/4 Section 3, T17S, R36E, Lea County, New Mexico	Oxy USA WTP Limited Partnership	100.0000%	80.0000
Recapitulation	Leasehold Owner	WI	319.42 Acres
Capitan 22301 34-3 State Com #14H	BTA Oil Producers, LLC Oxy USA WTP Limited Partnership	74.9546% 25.0454%	239.4200 80.0000
Total		100.0000%	319.4200

CARLTON BEAL, JR.

BARRY BEAL

KELLY BEAL

SPENCER BEAL

BARRY BEAL IR.

HILL DAVENPORT

ROBERT DAVENPORT, JR.

ASHLEY BEAL LAFEVERS

STUART BEAL

ALEX BEAL

TREY FUQUA



BTA OIL PRODUCERS, LLC

104 SOUTH PECOS STREET MIDLAND, TEXAS 79701-5021 432-682-3753 FAX 432-683-0314 **GULF COAST DISTRICT**

TOTAL PLAZA 1201 LOUISIANA STREET, STE. 3375 HOUSTON, TEXAS 77002 713-658-0077

 ROCKY MOUNTAIN DISTRICT

 600 17TH STREET, STE. 2230 SOUTH

 DENVER, COLORADO 80202

 303-534-4404
 FAX 303-534-4661

June 26, 2023

In re: Well Proposal Capitan 22301 34-3 State Com #14H SHL: 250' FNL & 1,330' FWL Section 34, T16S, R36E BHL: 50' FSL & 1,980' FWL Section 3, T17S, R36E Lea County, New Mexico BTA 22300 Arbor 2

Oxy USA WTP Limited Partnership Attn: Hannah Eastwood 1099 18th Street, Suite 700 Denver, Colorado 80202

Mrs. Eastwood:

BTA Oil Producers, LLC ("BTA") proposes to drill the Capitan 22301 34-3 State Com #14H (the "Well"), a horizontal, communitized, Pennsylvanian Shale Well with a TVD of 11,540' and a MD of 21,980'. The Well will be drilled as a two mile horizontal well at the above captioned location (the "Operation"). The Cumulative Well Costs of the Operation are estimated to be \$13,946,261.00 as detailed in our enclosed Authority for Expenditure ("AFE").

BTA proposes drilling the Well under the terms of a new 2015 AAPL Form 610-2015 Model Form Operating Agreement with following general provisions:

- 300% / 100% / 300% non-consent penalty;
- \$12,000.00 / \$1,200.00 drilling and producing rates;

• Contract Area of 319.42 acres, being the E2 W2 of Section 34, T16S-R36E and Lot 3, SE4 NW4, E2 SW4 of Section 3, T17S, R36E, limited to the Pennsylvanian Shale formation; and

• BTA Oil Producers, LLC named as Operator.

Find enclosed two (2) copies of our AFE for the drilling of the Capitan 22301 34-3 State Com #14H Well. If you elect to participate in the drilling of the Well, please so indicate by returning a signed copy of this letter along with a signed copy of the AFE to this office using the enclosed envelope. Please note the Well is a horizontal well and there will not be a casing point election.

BTA Oil Producers, LLC Case No. 24490 Exhibit A-4 Page 2

Your election must be received by BTA within 30 days of your receipt of this letter. In the event that there has been no election after 30 days from your receipt of this letter, BTA will submit an application for a Compulsory Pooling Order with the New Mexico Oil Conservation Division.

Should you have any questions or require further information, please let me know.

Sincerely,

Adams B. Davenport

Adams B. Davenport Business Development

Elect to Participate in the Capitan 22301 34-3 State Com #14H Well (Send well information requirements to BTA)

Elect to not to participate in the Capitan 22301 34-3 State Com #14H Well

Oxy USA WTP Limited Partnership

By:		
Title:		
Date:		

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BTA OIL PRODUCERS WELL COST ESTIMATE & AUTHORITY FOR EXPENDITURE

Location	SHL: 25 FTP: 10 LTP: 10	22301 34-3 State Come #14F 0 FNL & 1330 FWL Sec 34, 1 00 FNL & 1980 FWL Sec 34, 1 00 FSL & 1980 FWL Sec 3, 17	6S, 36E 6S, 36E S, 36E		Tota	I Depth:		',540' TVL ',980' MD
Date Pre	Lea Cou	0 FSL & 1980 FWL, Sec 3, 17 Inty, NM 23	S, 36E	, 36E			Penn Shale	
Date / /e	pareu. 4/14/20		NE DRY	Prepared By: NE CASED HOLE	CC	TW	ТОТ	AL COSTS
INTANGIB	LE COSTS FORMATION EVAL	UATION	\$	\$	\$		\$	
	Logs Cores		8,000			20,000		28,00
5	DST LOCATION & ACCE	SS						
1	Survey & Stake Damages		5,000 50,000					5,00 50,00
3	Road & Location Other Location		85,000 130,000			100,000		185,00 130,00
	DRILLING RIG Mobilization		205.000					205.00
	Daywork Footage		971,500	134,000				1,105,50
	Turnkey DRILLING SUPPLIE	S						
	Bits BHA		115,000 55,000			65,000		115,00 120,00
4	Fuel Other Supplies		282,750	39,000				321,7
	MUD RELATED Mud Purchase		135.000	5,000				140,0
2	Mud Rental Fresh Water		55,000	1,000		720,000		776,00
5	Brine Solids Control	(Closed Loop)	45,000 43,500	6,000				45,00 49,50
7	Mud Monitor Mud Related Other		28,000 8,000					28,00 8,00
	DRILLING SERVICE BOP Related	ES .	15,000	4,000				19,00
3 4	Casing Related Welding		38,000 8,000	95,000 2,000		15,000		133,00 25,00
5 8	Trucking Rental Equipment		22,500 82,000	10,000 8,000		70,000 400,000		102,50 490,00
7	Other Services CEMENT	(Direction/GR Services)	391,500					391,5
	Casing Cementing Other Cementing		115,000	185,000		150,000		300,00 150,00
	CONTRACT SERVI Engineering	CES	8,000					8,00
	Geological Roustabout		22,000 6,000			80,000		22,00 86,00
	Wellsite Supervision Other Contract Servi		107,300 25,000	14,800		70,000		192,10 25,00
	COMPLETION SER Pulling Unit	VICES				20,000		20,00
	Drilling Rig Perforate					364,000		364,00
	Stimulation Other Compl. Servic	es				3,840,000 220,000		3,840,00 220,00
0	OVERHEAD Drilling & Administra	live	10,000			10,000		20,00
	ANGIBLE COSTS		\$ 3,072,050	\$ 503,800	\$	6,144,000	\$	9,719,8
	TUBULARS							
2	Surface Casing Intermediate Casing		201,000 390,000					201,00 390,00
4	Drlg Liner & Hanger Production Casing	(5-1/2" x 5" @ TD)	440,000	915,000				440,00 915,00
6	Other Tubulars	langer (10,000 - TD)						
1	WELL EQUIPMENT Well Head		25,000	27,000		85,000		137,00
5	Flowline Tubing					225,000 135,000		225,00 135,00
7	Rods Pumps							
9	Pumping Unit Subsurface Equipme			-		35,000		35,00
	Other Well Equipme LEASE EQUIPMEN		115,000	25,000		3,000		143,0
2	Tanks Separators					173,000 113,000		173,00 113,00
4	Heater Treater Pumps					5,000		5,00
6	Electrical System Meters					75,000 35,000		75,00
8	Connectors Lact Equipment Other Lease Equipm	cont				250,000 65,000		250,00 65,00
	Other Lease Equipm		1,171,000	967,000		100,000		3,437,0
	SUBTOTAL - TANG		1,171,000	307,000		1,203,000		J,437,U
3	Gas Line Tangibles Gas Line Intangibles							
1	Gas Line mangibles Compresssor Gas Plant Tangibles							
2	Gas Plant Intangibles Gas Plant Intangible Dehydrator	s						
	SUBTOTAL - SYSTE	EMS						
TOTAL TA	NGIBLE COSTS		\$ 1,171,000	\$ 967,000	\$	1,299,000	\$	3,437,00
	GENERAL CONTIN	GENCIES	254,583	88,248		446,580		789,4
TOTALS B	Y PHASE		\$ 4,497,633	\$ 1,559,048	\$	7,889,580	\$	13,946,2
CUMULAT	IVE WELL COSTS		\$ 4,497,633	\$ 6,056,681	\$	13,946,261		
Initial Rout								
NE Land Appr	RTW BMM	SB, CR, LJH, RMD, SEB, BBJ						
Lanu Appr	oval DIUCK.							
APPROVE	D BY							

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BTA OIL PRODUCERS WELL COST ESTIMATE & AUTHORITY FOR EXPENDITURE

Location	SHL: 25 FTP: 10 LTP: 10	22301 34-3 State Come #14F 0 FNL & 1330 FWL Sec 34, 1 00 FNL & 1980 FWL Sec 34, 1 00 FSL & 1980 FWL Sec 3, 17	6S, 36E 6S, 36E S, 36E		Tota	I Depth:		',540' TVL ',980' MD
Date Pre	Lea Cou	0 FSL & 1980 FWL, Sec 3, 17 Inty, NM 23	S, 36E	, 36E			Penn Shale	
Date / /e	pareu. 4/14/201		NE DRY	Prepared By: NE CASED HOLE	CC	TW	ТОТ	AL COSTS
INTANGIB	LE COSTS FORMATION EVAL	UATION	\$	\$	\$		\$	
	Logs Cores		8,000			20,000		28,00
5	DST LOCATION & ACCE	SS						
1	Survey & Stake Damages		5,000 50,000					5,00 50,00
3	Road & Location Other Location		85,000 130,000			100,000		185,00 130,00
	DRILLING RIG Mobilization		205.000					205.00
	Daywork Footage		971,500	134,000				1,105,50
	Turnkey DRILLING SUPPLIE	S						
	Bits BHA		115,000 55,000			65,000		115,00 120,00
4	Fuel Other Supplies		282,750	39,000				321,7
	MUD RELATED Mud Purchase		135.000	5,000				140,0
2	Mud Rental Fresh Water		55,000	1,000		720,000		776,00
5	Brine Solids Control	(Closed Loop)	45,000 43,500	6,000				45,00 49,50
7	Mud Monitor Mud Related Other		28,000 8,000					28,00 8,00
	DRILLING SERVICE BOP Related	ES .	15,000	4,000				19,00
3 4	Casing Related Welding		38,000 8,000	95,000 2,000		15,000		133,00 25,00
5 8	Trucking Rental Equipment		22,500 82,000	10,000 8,000		70,000 400,000		102,50 490,00
7	Other Services CEMENT	(Direction/GR Services)	391,500					391,5
	Casing Cementing Other Cementing		115,000	185,000		150,000		300,00 150,00
	CONTRACT SERVI Engineering	CES	8,000					8,00
	Geological Roustabout		22,000 6,000			80,000		22,00 86,00
	Wellsite Supervision Other Contract Servi		107,300 25,000	14,800		70,000		192,10 25,00
	COMPLETION SER Pulling Unit	VICES				20,000		20,00
	Drilling Rig Perforate					364,000		364,00
	Stimulation Other Compl. Servic	es				3,840,000 220,000		3,840,00 220,00
0	OVERHEAD Drilling & Administra	live	10,000			10,000		20,00
	ANGIBLE COSTS		\$ 3,072,050	\$ 503,800	\$	6,144,000	\$	9,719,8
	TUBULARS							
2	Surface Casing Intermediate Casing		201,000 390,000					201,00 390,00
4	Drlg Liner & Hanger Production Casing	(5-1/2" x 5" @ TD)	440,000	915,000				440,00 915,00
6	Other Tubulars	langer (10,000 - TD)						
1	WELL EQUIPMENT Well Head		25,000	27,000		85,000		137,00
5	Flowline Tubing					225,000 135,000		225,00 135,00
7	Rods Pumps							
9	Pumping Unit Subsurface Equipme			-		35,000		35,00
	Other Well Equipme LEASE EQUIPMEN		115,000	25,000		3,000		143,0
2	Tanks Separators					173,000 113,000		173,00 113,00
4	Heater Treater Pumps					5,000		5,00
6	Electrical System Meters					75,000 35,000		75,00
8	Connectors Lact Equipment Other Lease Equipm	cont				250,000 65,000		250,00 65,00
	Other Lease Equipm		1,171,000	967,000		100,000		3,437,0
	SUBTOTAL - TANG		1,171,000	307,000		1,203,000		J,437,U
3	Gas Line Tangibles Gas Line Intangibles							
1	Gas Line mangibles Compresssor Gas Plant Tangibles							
2	Gas Plant Intangibles Gas Plant Intangible Dehydrator	s						
	SUBTOTAL - SYSTE	EMS						
TOTAL TA	NGIBLE COSTS		\$ 1,171,000	\$ 967,000	\$	1,299,000	\$	3,437,00
	GENERAL CONTIN	GENCIES	254,583	88,248		446,580		789,4
TOTALS B	Y PHASE		\$ 4,497,633	\$ 1,559,048	\$	7,889,580	\$	13,946,2
CUMULAT	IVE WELL COSTS		\$ 4,497,633	\$ 6,056,681	\$	13,946,261		
Initial Rout								
NE Land Appr	RTW BMM	SB, CR, LJH, RMD, SEB, BBJ						
Lanu Appr	oval DIUCK.							
APPROVE	D BY							

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CHRONOLOGY OF CONTACT

Capitan 22301 34-3 State Com #14H

Oxy USA WTP Limited Partnership

- 06/26/2023 Sent via Email and Certified USPS Mail (Tracking No. 9214 8969 0099 9790 1826 5534 49) the well proposal to Oxy USA WTP Limited Partnership.
- 06/28/2023 Oxy's landman confirmed receipt of well proposals via email and requested additional information for their review.
- 06/29/2023 Provided Oxy's landman with requested additional information. Oxy's landman confirmed receipt.
- 07/06/2023 Followed up with Oxy's landman to see if they needed any additional information. Received no response.
- 04/01/2024 Followed up with Oxy's landman and proposed a possible term assignment of Oxy's acreage.
- 04/02/2024 Oxy's landman confirmed receipt of term assignment proposal and requested some additional information for their review.
- 04/03/2024 Provided Oxy's landman with requested additional information.
- 04/04/2024 Oxy's landman confirmed receipt of additional information.
- 04/25/2024 Emailed Oxy's landman notifying Oxy of our compulsory pooling application and requested an update on BTA's term assignment offer. Oxy's landman confirmed receipt and indicated that they had routed the term assignment for approval and we would have additional feedback soon.
- 05/13/2024 Followed up with Oxy's landman to see if there was any additional feedback on the term assignment and received no response.
- 05/21/2024 Followed up with Oxy's landman to see if there was any additional feedback on the term assignment. Oxy's landman indicated that they received management approval to proceed with term assignment. Replied with drafted term assignment for Oxy's review and execution.
- 05/23/2024 Email correspondence with Oxy approving term assignment for Oxy's legal department to give final approval.

BTA Oil Producers, LLC Case No. 24490 Exhibit A-5

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05/29/2024 Received email from Oxy's landman advising that they are still waiting on their final internal approvals.

APPLICATION OF BTA OIL PRODUCERS, LLC FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO

CASE NO. 24490

SELF-AFFIRMED STATEMENT OF DAVID CHILDERS

1. I am a geologist at BTA Oil Producers, LLC ("BTA") 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 as an expert in geologic matters were accepted as a matter of record.

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

3. **Exhibit B-1** is a project location map that shows the location of the proposed Capitan 22301 34-3 State Com #14H well ("Well").

4. BTA is targeting the Pennsylvanian Shale Formation. **Exhibit B-2** is a subsea structure map that I prepared for this interval with 100-foot contours. The proposed horizontal well spacing unit is highlighted in red and the initial well is depicted with a black dashed line. Existing producing wells in the Pennsylvanian Shale Formation interval are represented by solid orange lines. The structure map shows the Pennsylvanian Shale Formation. The structure appears consistent across the proposed spacing unit and I do not observe any faulting, pinch outs, or other geologic impediments to drilling horizontal wells in this area.

5. **Exhibit B-2** also shows a cross-section line in blue running North to South reflecting three wells penetrating the Pennsylvanian Shale Formation that I used to construct a stratigraphic cross-section

BTA Oil Producers, LLC Case No. 24490 Exhibit B

1

from A to A'. These wells contain good logs and I consider them representative of the geology in the subject area.

6. **Exhibit B-3** is a stratigraphic cross-section that I prepared using the logs from the three wells noted on Exhibit B-2. Each well in the cross-section contains the gamma ray in the first track and porosity curves in the second track. The initial target interval is labeled and marked. The cross-section demonstrates that the targeted interval is continuous across the proposed spacing unit.

7. **Exhibit B-4** is a Gross Isopach map of the Pennsylvanian Shale Formation interval. The proposed horizontal well spacing unit is highlighted in red and the initial well is depicted with a black dashed line. Existing producing wells in the Pennsylvanian Shale Formation are represented by solid orange lines. The anticipated gross thickness of the Pennsylvanian Shale Formation interval is 350 to 450 ft. The gross isopach map demonstrates that the Pennsylvanian Shale Formation interval is present across the proposed spacing unit. The location of the previous cross-section from A-A' in Exhibit B-3 is also shown as a blue line on this map.

8. In my opinion, a stand-up orientation for the well is appropriate to properly develop the subject acreage because of an established directional pattern.

9. Based on my geologic study, the Pennsylvanian Shale Formation underlying the subject area is suitable for development by horizontal wells and the acreage comprising the proposed spacing unit will be productive and contribute proportionately to the production from the well.

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

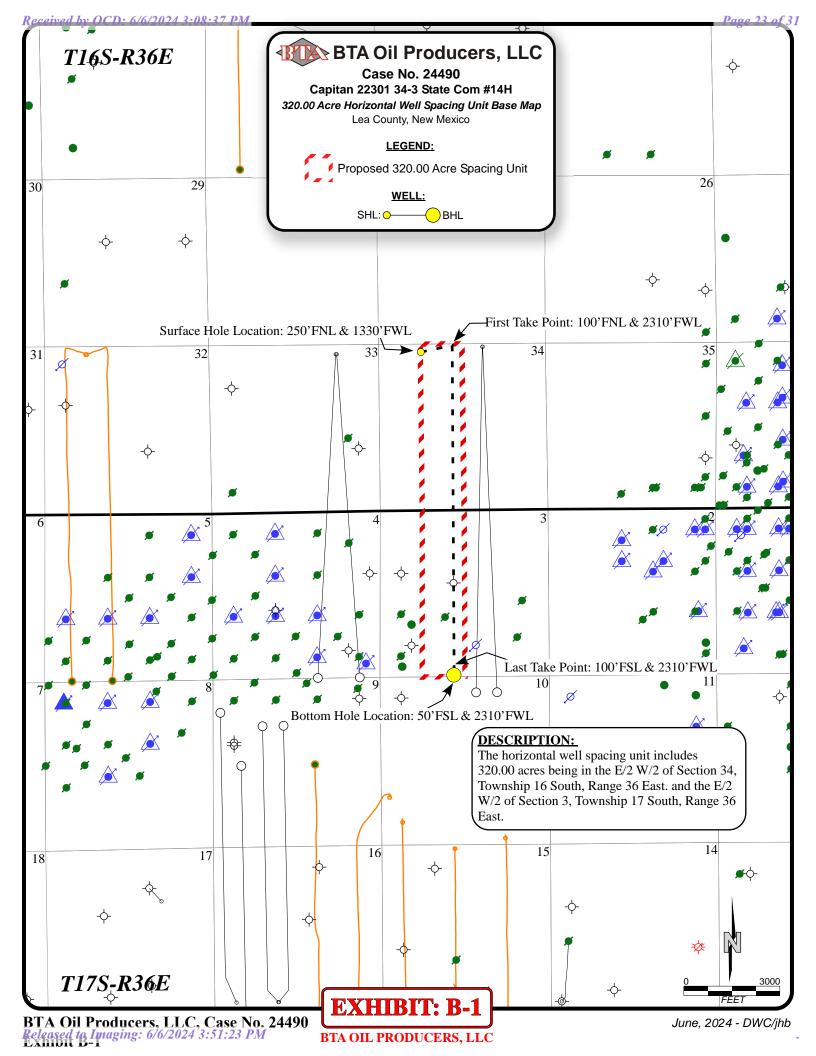
11. The exhibits attached hereto were either prepared by me or under my supervision or were compiled from company business records.

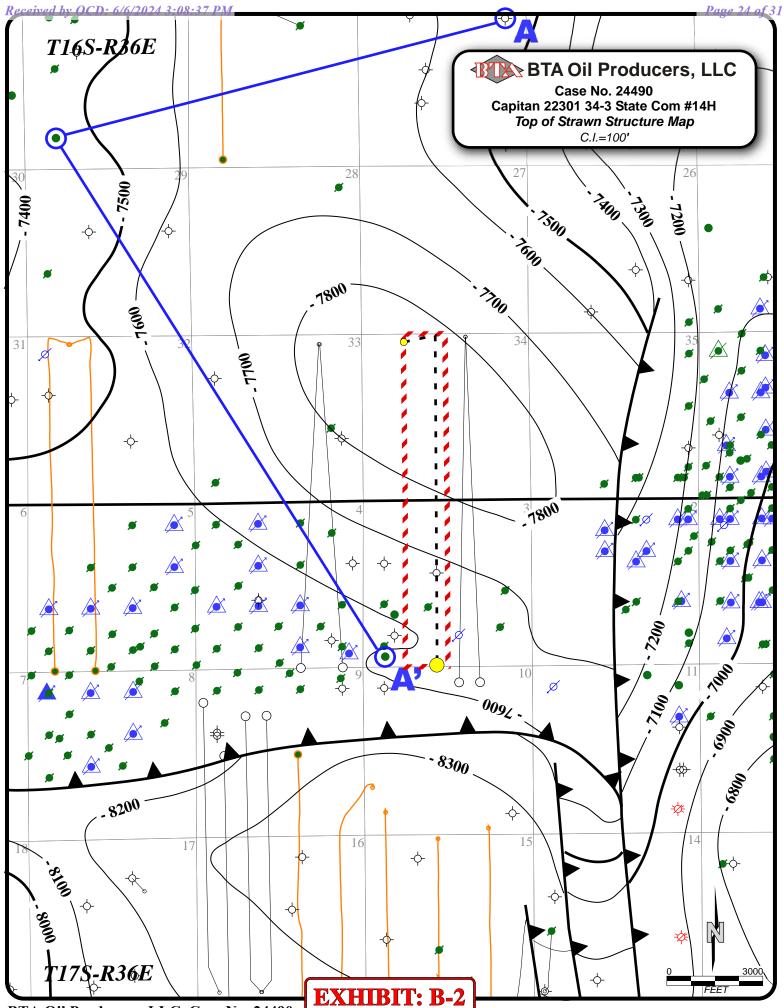
12. I understand this Self-Affirmed Statement will be used as written testimony in this case. I affirm my testimony above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date identified next to my signature below.

Childens

David Childers

5/29/2024 Date

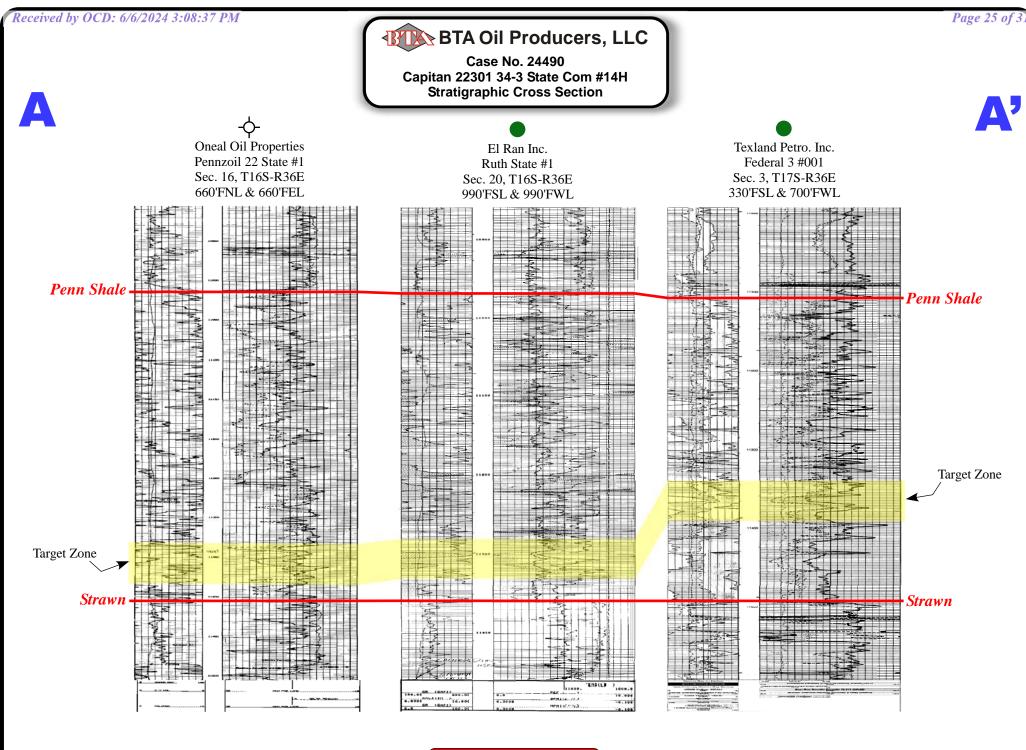




BTA OIL PRODUCERS, LLC

BTA Oil Producers, LLC, Case No. 24490 Released to Imaging: 6/6/2024 3:51:23 PM

June, 2024 - DWC/jhb

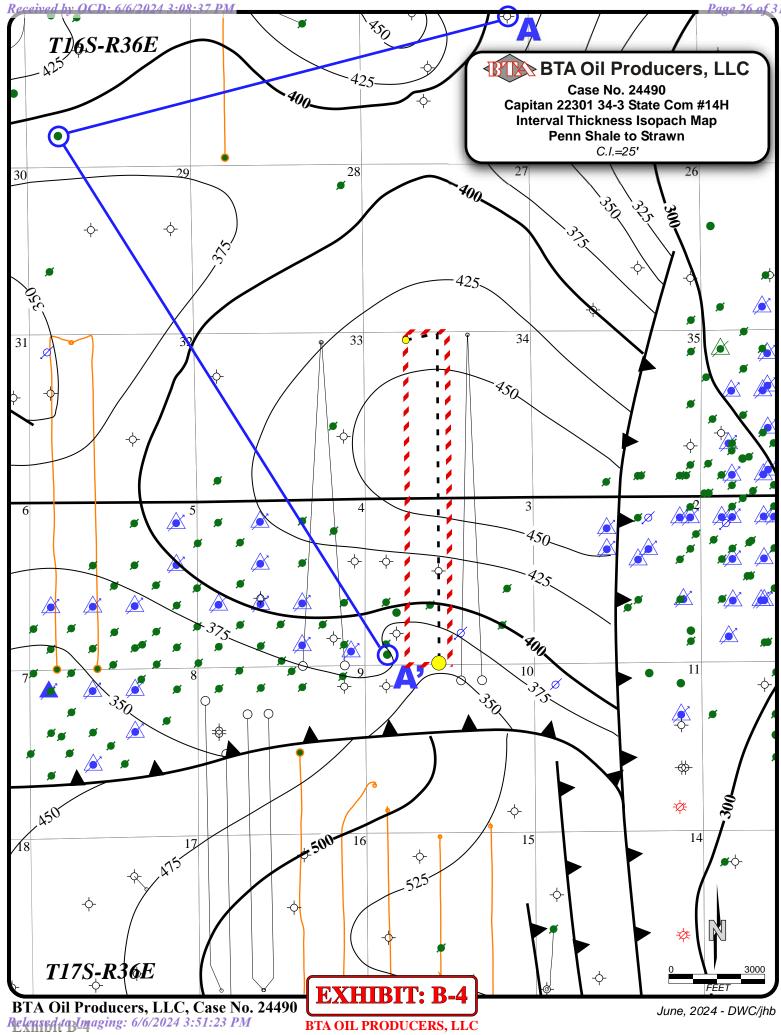


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APPLICATION OF BTA OIL PRODUCERS, LLC FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO

CASE NO. 24490

SELF-AFFIRMED STATEMENT OF DANA S. HARDY

1. I am attorney in fact and authorized representative of BTA Oil Producers, LLC, the Applicant herein.

2. I am familiar with the Notice Letter attached as **Exhibit C-1** and caused the Notice Letter, along with the Application in this case, to be sent to the parties set out in the chart attached

as Exhibit C-2.

3. Exhibit C-2 also provides the date each Notice Letter was sent and the date each return was received.

4. Copies of the certified mail green cards and white slips are attached as Exhibit C-3 as supporting documentation for proof of mailing and the information provided on Exhibit C-2.

5. On May 10, 2024, I caused a notice to be published to all interested parties in the Hobbs News-Sun. An Affidavit of Publication from the Legal Clerk of the Hobbs News-Sun, along with a copy of the notice publication, is attached as **Exhibit C-4**.

6. 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 it 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 June 4, 2024 Date

> BTA Oil Producers, LLC Case No. 24490 Exhibit C



HINKLE SHANOR LLP

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

May 7, 2024

WRITER: Dana S. Hardy, Partner dhardy@hinklelawfirm.com

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

TO ALL PARTIES ENTITLED TO NOTICE

Re: Case No. 24490 – Application of BTA Oil Producers, 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 **June 13, 2024**, beginning at 8:15 a.m.

The hearing will be conducted in a hybrid fashion, both in-person at the Energy, Minerals, Natural Resources Department, Wendell Chino Building, Pecos Hall, 1220 South St. Francis Drive, 1st Floor, Santa Fe, NM 87505 and via the WebEx virtual meeting platform. To participate virtually, instructions OCD Hearings see the posted the website: on 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.nm.gov/ocd/ocdpermitting/) or via e-mail to ocd.hearings@emnrd.nm.gov 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 contact Adams Davenport, at BTA Oil Producers, LLC, by phone at 432-682-3753 if you have questions regarding this matter.

Sincerely,

/s/ Dana S. Hardy Dana S. Hardy

BTA Oil Producers, LLC Case No. 24490 Exhibit C-1

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

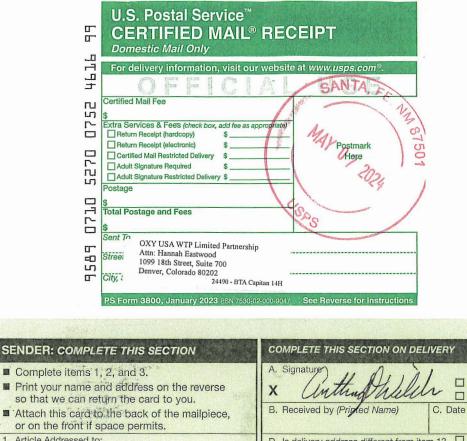
APPLICATION OF BTA OIL PRODUCERS, LLC FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

CASE NO. 24490

NOTICE LETTER CHART

PARTY	NOTICE LETTER SENT	RETURN RECEIVED
OXY USA WTP Limited Partnership	05/07/24	05/17/24
Attn: Hannah Eastwood		
1099 18th Street, Suite 700		
Denver, Colorado 80202		

BTA Oil Producers, LLC Case No. 24490 Exhibit C-2





BTA Oil Producers, LLC Case No. 24490 Exhibit C-3

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 May 10, 2024 and ending with the issue dated May 10, 2024.

Publisher

Sworn and subscribed to before me this 10th day of May 2024

eith Black

Business Manager

My commission expires January 29. 3027E OF NEW MEXICO (Seal) NOTARY PUBLIC GUSSIE RUTH BLACK COMMISSION # 1087528 COMMISSION EXPIRES 01/29/2027

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 publication has been made.

LEGAL

LEGAL NOTICE May 10, 2024

LEGAL

This is to notify all interested parties, including OXY USA WTP Limited Partnership, and their successors and assigns, that the Now Mexico Oil Conservation Division will conduct a hearing on an application bubilited by BTA Oil Producers, LLC (Case No. 24490). The hearing will be conducted on June 13, 2024, in a hybrid fashion, both in-person at the Energy, Minorals, Natural Resources Department Wendell Chino Bulding, Pecos Hall, 1220 South St Francis Drive, 1st Floor, Santa Fe, NM 87505 and via the WebEx virtual meeting platform. To participate virtual, see the instructions posted on the OCD Hearings website the https://www.emnrd.nm.gov/ocd/hearing-info/. BTA Oil Producers, LLC ('Applicant') seeks an order pooling all uncommitted interests in the Pannsylvanian Shale formation underlying a 319.42acre, more or less, standard horizontal spacing unit comprised of the E/2 W/2 of Section 34, Township 16 South, Range 36 East, and Lot 3 (NE/4 NW/4 equivalent), SE/4 NW/4, and E/2 SW/4 of Section 3, Township 17 South, Range 36 East, Lea County, New Mexico ('Unit'). The Unit will be declated to the CAPI and the allocation of the cost, the interval of the SE/4 SW/4 (Unit C) of Section 3, Township 16 South, Range 36 East, The completed interval of the Well will be orthodox. Also to be considered will be the cost of driling and completing the Well and the allocation of the cost, the a200% charge for the risk involved in driling and completing the Well. The Well is located approximately 3 miles south of Lovington, New

#00290162

02107475

00290162

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

> BTA Oil Producers, LLC Case No. 24490 Exhibit C-4