

# Before the Oil Conservation Division Examiner Hearing October 31, 2024

**Case No. 24871**

*Re-Open Order R-22673 to Add Additional Pooled Parties*



**Marathon Oil<sup>®</sup>**

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

**APPLICATION OF MARATHON OIL  
PERMIAN LLC TO REOPEN ORDER NO.  
R-22673 FOR THE LIMITED PURPOSE  
OF ADDING ADDITIONAL POOLED PARTIES.**

**CASE NO. 24871  
ORDER NO. R-22673**

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

**APPLICATION OF MARATHON OIL  
PERMIAN LLC TO REOPEN ORDER NO.  
R-22673 FOR THE LIMITED PURPOSE  
OF ADDING ADDITIONAL POOLED PARTIES.**

**CASE NO. 24871  
ORDER NO. R-22673**

**SELF-AFFIRMED STATEMENT OF FARLEY DUVALL**

Farley Duvall hereby states and declares as follows:

1. I am employed by Marathon Oil Permian LLC (“Marathon”) as a landman. I am over the age of 18, have personal knowledge of the matters addressed herein, and am competent to provide this Self-Affirmed Statement.

2. I have previously testified before the New Mexico Oil Conservation Division (“Division”), and my credentials as an expert in petroleum land matters were accepted as a matter of record.

3. I am familiar with the application filed by Marathon in this case and with the land matters involved in this case. A copy of the application, which includes the proposed hearing notice, is attached as **Exhibit A-1**.

4. On May 7, 2023, the Division entered Order No. R-22673 (“Order”) in Case No. 23348, which pooled uncommitted interests in the Wolfcamp formation underlying a 1,920-acre, more or less, standard horizontal spacing unit comprised of Sections 32, 33, and 34, Township 22 South, Range 28 East, NMPM, Eddy County, New Mexico (“Unit”). Marathon was designated as operator of the Unit.

**Marathon Oil Permian LLC  
Case No. 24871  
Exhibit A**

5. A copy of the Order is attached as **Exhibit A-2**.
6. Since the Order was entered, Marathon has identified additional uncommitted mineral interests in the Unit that have not been pooled under the terms of the Order.
7. The additional parties Marathon is seeking to pool are overriding royalty interest owners.
8. The additional overriding royalty interest owners were identified during recently performed updates to title.
9. **Exhibit A-3** identifies the additional overriding royalty interest owners to be pooled under the terms of the Order.
10. None of the additional 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.
11. Marathon requests the additional overriding royalty interest owners be pooled under the terms of the Order.
12. In my opinion, the granting of this application is in the interests of conservation and the prevention of waste.
13. The attachments to this declaration were prepared by me, or compiled from company business records, or were prepared at my direction.
14. 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.

*[Signature page follows]*

Dated: October 21, 2024

A handwritten signature in black ink, appearing to read "F. D. V.", with a long horizontal stroke extending to the right.

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Farley Duvall

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

**APPLICATION OF MARATHON OIL  
PERMIAN LLC TO REOPEN ORDER NO.  
R-22673 FOR THE LIMITED PURPOSE  
OF ADDING ADDITIONAL POOLED PARTIES.**

**CASE NO. 24871  
ORDER NO. R-22673  
(RE-OPEN)**

**APPLICATION**

Marathon Oil Permian LLC (“Marathon”), OGRID Number 372098, through its undersigned attorneys, hereby submits this application to the Oil Conservation Division pursuant to the provisions of NMSA (1978), Section 70-2-17, for the limited purpose of amending Order No. R-22673 (the “Order”) to pool additional parties under the Order. In support of this application, Marathon states as follows:

1. Marathon is an interest owner in the subject lands and has a right to drill a well thereon.
2. Pursuant to Order No. R-22673, Marathon is the operator of a standard 1920-acre, more or less, Wolfcamp horizontal spacing unit comprised of Sections 32, 33, and 34, Township 22 South, Range 28 East, NMPM, Eddy County, New Mexico.
3. The Order pooled uncommitted interest owners in the spacing unit described above.
4. Since the entry of the Order, Marathon has identified additional interest owners that it seeks to pool under the Order and include under the Order’s terms.
5. Marathon sought, but has been unable to obtain, a voluntary agreement from the additional interest owners Marathon seeks to pool in this case to participate in the drilling of the wells or to otherwise commit their interests to the wells.

6. The pooling of all interests in the Wolfcamp formation underlying the proposed unit will prevent the drilling of unnecessary wells, prevent waste and protect correlative rights.

WHEREFORE, Marathon requests this application be set for hearing before an Examiner of the Oil Conservation Division on October 10, 2024 and after notice and hearing as required by law, the Division enter its order:

- A. Amending Order No. R-22673 to include additional pooled parties under Order No. R-22673's terms; and
- B. Incorporating all of the provisions of Order No. R-22673.

Respectfully submitted,

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

By: Deana M. Bennett  
Earl E. DeBrine, Jr  
Deana M. Bennett  
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*Attorneys for Marathon Oil Permian LLC*

**CASE NO. 24871: (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-22673, Eddy County, New Mexico for the Limited Purpose of Adding Additional Pooled Parties.** Applicant seeks an order from the Division for the limited purpose of amending Order No. R-22673 to pool additional parties under Order No. R-22673. The Order pooled uncommitted interest owners in a standard 1,920-acre, more or less, Wolfcamp horizontal spacing unit underlying Sections 32, 33, and 34, Township 22 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3 ½ miles North of Loving, New Mexico.



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

**IN THE MATTER OF APPLICATION FOR  
COMPULSORY POOLING SUBMITTED BY  
MARATHON OIL PERMIAN, LLC**

**CASE NO. 23348  
ORDER NO. R-22673**

**ORDER**

The Director of the New Mexico Oil Conservation Division (“OCD”), having heard this matter through a Hearing Examiner on April 06, 2023, and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

**FINDINGS OF FACT**

1. Marathon Oil Permian, LLC (“Operator”) submitted an application (“Application”) to compulsory pool the uncommitted oil and gas interests within the spacing unit (“Unit”) described in Exhibit A. Operator seeks to be designated the operator of the Unit.
2. Operator will dedicate the well(s) described in Exhibit A (“Well(s)”) to the Unit.
3. Operator proposes the supervision and risk charges for the Well(s) described in Exhibit A.
4. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice was given.
5. The Application was heard by the Hearing Examiner on the date specified above, during which Operator presented evidence through affidavits in support of the Application. No other party presented evidence at the hearing.

**CONCLUSIONS OF LAW**

6. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
7. Operator is the owner of an oil and gas working interest within the Unit.
8. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.
9. OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.
10. Operator has the right to drill the Well(s) to a common source of supply at the depth(s) and location(s) in the Unit described in Exhibit A.

11. The Unit contains separately owned uncommitted interests in oil and gas minerals.
12. Some of the owners of the uncommitted interests have not agreed to commit their interests to the Unit.
13. The pooling of uncommitted interests in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.
14. This Order affords to the owner of an uncommitted interest the opportunity to produce his just and equitable share of the oil or gas in the pool.

**ORDER**

15. The uncommitted interests in the Unit are pooled as set forth in Exhibit A.
16. The Unit shall be dedicated to the Well(s) set forth in Exhibit A.
17. Operator is designated as operator of the Unit and the Well(s).
18. If the location of a well will be unorthodox under the spacing rules in effect at the time of completion, Operator shall obtain the OCD's approval for a non-standard location in accordance with 19.15.16.15(C) NMAC.
19. If the Unit is a non-standard horizontal spacing unit which has not been approved under this Order, Operator shall obtain the OCD's approval for a non-standard horizontal spacing unit in accordance with 19.15.16.15(B)(5) NMAC.
20. The Operator shall commence drilling the Well(s) within one year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well.
21. This Order shall terminate automatically if Operator fails to comply with Paragraph 20 unless Operator obtains an extension by amending this Order for good cause shown.
22. The infill well requirements in 19.15.13.9 NMAC through 19.15.13.12 NMAC shall be applicable.
23. Operator shall submit each owner of an uncommitted working interest in the pool ("Pooled Working Interest") an itemized schedule of estimated costs to drill, complete, and equip the well ("Estimated Well Costs").
24. No later than thirty (30) days after Operator submits the Estimated Well Costs, the owner of a Pooled Working Interest shall elect whether to pay its share of the Estimated Well Costs or its share of the actual costs to drill, complete and equip the well ("Actual Well Costs") out of production from the well. An owner of a Pooled

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ORDER NO. R-22673

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Working Interest who elects to pay its share of the Estimated Well Costs shall render payment to Operator no later than thirty (30) days after the expiration of the election period, and shall be liable for operating costs, but not risk charges, for the well. An owner of a Pooled Working Interest who fails to pay its share of the Estimated Well Costs or who elects to pay its share of the Actual Well Costs out of production from the well shall be considered to be a "Non-Consenting Pooled Working Interest."

25. No later than one hundred eighty (180) days after Operator submits a Form C-105 for a well, Operator shall submit to each owner of a Pooled Working Interest an itemized schedule of the Actual Well Costs. The Actual Well Costs shall be considered to be the Reasonable Well Costs unless an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Reasonable Well Costs after public notice and hearing.
26. No later than sixty (60) days after the expiration of the period to file a written objection to the Actual Well Costs or OCD's order determining the Reasonable Well Costs, whichever is later, each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs shall pay to Operator its share of the Reasonable Well Costs that exceed the Estimated Well Costs, or Operator shall pay to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs its share of the Estimated Well Costs that exceed the Reasonable Well Costs.
27. The reasonable charges for supervision to drill and produce a well ("Supervision Charges") shall not exceed the rates specified in Exhibit A, provided however that the rates shall be adjusted annually pursuant to the COPAS form entitled "Accounting Procedure-Joint Operations."
28. No later than within ninety (90) days after Operator submits a Form C-105 for a well, Operator shall submit to each owner of a Pooled Working Interest an itemized schedule of the reasonable charges for operating and maintaining the well ("Operating Charges"), provided however that Operating Charges shall not include the Reasonable Well Costs or Supervision Charges. The Operating Charges shall be considered final unless an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Operating Charges after public notice and hearing.
29. Operator may withhold the following costs and charges from the share of production due to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs: (a) the proportionate share of the Supervision Charges; and (b) the proportionate share of the Operating Charges.

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

**STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION**



**DYLAN M FUGE**  
**DIRECTOR (ACTING)**  
DMF/hat

**Date:** 5/07/2023

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Exhibit A

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<b>COMPULSORY POOLING APPLICATION CHECKLIST</b>	
<b>ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS</b>	
<b>Case: 23348</b>	<b>APPLICANT'S RESPONSE</b>
Date: April 4, 2023	
Applicant	Marathon Oil Permian LLC
Designated Operator & OGRID (affiliation if applicable)	Marathon Oil Permian LLC OGRID 372098
Applicant's Counsel:	Modrall Sperling
Case Title:	Application of Marathon Oil Permian LLC for Compulsory Pooling, Eddy County, New Mexico
Entries of Appearance/Intervenors:	MRC Permian/Holland & Hart
Well Family	Chaos
<b>Formation/Pool</b>	
Formation Name(s) or Vertical Extent:	Wolfcamp
Primary Product (Oil or Gas):	Gas
Pooling this vertical extent:	Wolfcamp
Pool Name and Pool Code:	Purple Sage; Wolfcamp (Gas) 98220
Well Location Setback Rules:	Purple Sage Order
<b>Spacing Unit</b>	
Type (Horizontal/Vertical)	Horizontal
Size (Acres)	1920
Building Blocks:	320
Orientation:	East-West
Description: TRS/County	Sections 32, 33, and 34, Township 22 Souht, Range 28 East
Standard Horizontal Well Spacing Unit (Y/N), If No, describe and is approval of non-standard unit requested in this application?	Yes
<b>Other Situations</b>	
Depth Severance: Y/N. If yes, description	N
Proximity Tracts: If yes, description	Yes
Proximity Defining Well: if yes, description	The completed interval for the Chaos WC Fed Com 804H well is less than 330' from the adjoining tracts.
Applicant's Ownership in Each Tract	See 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)	Add wells as needed
Well #1: Chaos WC Fed Com 701H (API Pending)	SHL: 872' FNL & 461' FEL, Section 34, T-22-S R-28-E FTP: 990' FNL & 330' FEL Section 34, T-22-S R-28-E BHL: 990' FNL & 330' FWL Section 32, T-22-S R-28-E Orientation: East to West Completion Status: Standard Completion Target: Wolfcamp TVD: 9,615', MVD: 24,865'



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Well #2: Chaos WC Fed Com 702H (API Pending)	SHL: 958' FNL & 435' FEL, Section 34, T-22-S R-28-E FTP: 2310' FNL & 330' FEL Section 34, T-22-S R-28-E BHL: 2310' FNL & 330' FWL Section 32, T-22-S R-28-E Orientation: East to West Completion Status: Standard Completion Target: Wolfcamp TVD: 9,615', MVD: 24,865'
Well #3: Chaos WC Fed Com 703H (API Pending)	SHL: 1767' FSL & 557' FEL, Section 34, T-22-S R-28-E FTP: 1650' FSL & 330' FEL Section 34, T-22-S R-28-E BHL: 1650' FSL & 330' FWL Section 32, T-22-S R-28-E Orientation: East to West Completion Status: Standard Completion Target: Wolfcamp TVD: 9,615', MVD: 24,865'
Well #4: Chaos WC Fed Com 704H (API Pending)	SHL: 1702' FSL & 496' FEL, Section 34, T-22-S R-28-E FTP: 330' FSL & 330' FEL Section 34, T-22-S R-28-E BHL: 330' FSL & 330' FWL Section 32, T-22-S R-28-E Orientation: East to West Completion Status: Standard Completion Target: Wolfcamp TVD: 9,615', MVD: 24,865'
Well #5: Chaos WC Fed Com 801H (API Pending)	SHL: 901' FNL & 452' FEL, Section 34, T-22-S R-28-E FTP: 330' FNL & 330' FEL Section 34, T-22-S R-28-E BHL: 330' FNL & 330' FWL Section 32, T-22-S R-28-E Orientation: East to West Completion Status: Standard Completion Target: Wolfcamp TVD: 10,290', MVD: 25,540'
Well #6: Chaos WC Fed Com 802H (API Pending)	SHL: 930' FNL & 444' FEL, Section 34, T-22-S R-28-E FTP: 1320' FNL & 330' FEL Section 34, T-22-S R-28-E BHL: 1320' FNL & 330' FWL Section 32, T-22-S R-28-E Orientation: East to West Completion Status: Standard Completion Target: Wolfcamp TVD: 9,970', MVD: 25,220'
Well #7: Chaos WC Fed Com 803H (API Pending)	SHL: 987' FNL & 427' FEL, Section 34, T-22-S R-28-E FTP: 1650' FNL & 330' FEL Section 34, T-22-S R-28-E BHL: 1650' FNL & 330' FWL Section 32, T-22-S R-28-E Orientation: East to West Completion Status: Standard Completion Target: Wolfcamp TVD: 10,290', MVD: 25,540'
Well #8: Chaos WC Fed Com 804H (API Pending)	SHL: 1745' FSL & 537' FEL, Section 34, T-22-S R-28-E FTP: 2330' FSL & 330' FEL Section 34, T-22-S R-28-E BHL: 2330' FSL & 330' FWL Section 32, T-22-S R-28-E Orientation: East to West Completion Status: Standard Completion Target: Wolfcamp TVD: 10,290', MVD: 25,540'
Well #9: Chaos WC Fed Com 805H (API Pending)	SHL: 1724' FSL & 516' FEL, Section 34, T-22-S R-28-E FTP: 990' FSL & 330' FEL Section 34, T-22-S R-28-E BHL: 990' FSL & 330' FWL Section 32, T-22-S R-28-E Orientation: East to West Completion Status: Standard Completion Target: Wolfcamp TVD: 9,970', MVD: 25,220'
Well #10: Chaos WC Fed Com 806H (API Pending)	SHL: 1681' FSL & 475' FEL, Section 34, T-22-S R-28-E FTP: 360' FSL & 330' FEL Section 34, T-22-S R-28-E BHL: 360' FSL & 330' FWL Section 32, T-22-S R-28-E Orientation: East to West Completion Status: Standard Completion Target: Wolfcamp TVD: 10,290', MVD: 25,540'
Horizontal Well First and Last Take Points	See above cells and Exhibit B-2 (C-102s)
Completion Target (Formation, TVD and MD)	See above cells and Exhibit B-5 (proposal letter)
<b>AFE Capex and Operating Costs</b>	
Drilling Supervision/Month \$	\$10,000

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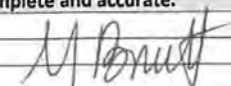
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Production Supervision/Month \$	\$1,000
Justification for Supervision Costs	See Exhibit B Paragraph 24
Requested Risk Charge	200%
<b>Notice of Hearing</b>	
Proposed Notice of Hearing	Exhibit B-7
Proof of Mailed Notice of Hearing (20 days before hearing)	Exhibit B-7
Proof of Published Notice of Hearing (10 days before hearing)	Exhibit B-7
<b>Ownership Determination</b>	
Land Ownership Schematic of the Spacing Unit	Exhibit B-3
Tract List (including lease numbers and owners)	Exhibit B-3
If approval of Non-Standard Spacing Unit is requested, Tract List (including lease numbers and owners) of Tracts subject to	NA
Pooled Parties (including ownership type)	Exhibit B-3
Unlocatable Parties to be Pooled	Exhibit B-3
Ownership Depth Severance (including percentage above & below)	NA
<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-6
Cost Estimate to Equip Well	Exhibit B-6
Cost Estimate for Production Facilities	Exhibit B-6
<b>Geology</b>	
Summary (including special considerations)	Exhibit C
Spacing Unit Schematic	Exhibit C-2
Gunbarrel/Lateral Trajectory Schematic	Exhibit C-2
Well Orientation (with rationale)	Exhibit C-9
Target Formation	Exhibits C-3 to C-8
HSU Cross Section	Exhibit C-5
Depth Severance Discussion	NA
<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
Well Bore Location Map	Exhibit C-3
Structure Contour Map - Subsea Depth	Exhibit C-3
Cross Section Location Map (including wells)	Exhibit C-4
Cross Section (including Landing Zone)	Exhibit C-5
<b>Additional Information</b>	
Special Provisions/Stipulations	NA
<b>CERTIFICATION: I hereby certify that the information provided in this checklist is complete and accurate.</b>	
Printed Name (Attorney or Party Representative):	Deana M. Bennett
Signed Name (Attorney or Party Representative):	
Date:	4-Apr-23 <i>April 4, 2023</i>

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**OWNERS OF OVERRIDING ROYALTY INTERESTS TO BE POOLED**

James A. Davidson Charitable Foundation  
McMullen Minerals II, LP  
NTX Energy Partners  
R.E.B. Resources, LLC  
Roxy Burkfield  
SITL Energy, LLC  
Stephen Paul Schalk, Trustee of the Karen Schalk Family Trust u/w/o Martha Rouse Schalk, deceased  
Stephen Paul Schalk, Trustee of the Schalk Family Trust u/w/o John E. Schalk  
The Heirs or devisees of Ted LaCaff  
The Jack C. Kinney Revocable Trust  
The Ray C. Lombardi and Rosemarie Lombardi Revocable Living Trust  
Thomas N. Turnquist and Annie T. Walljasper  
Vail Consulting, LP  
Vendetta Royalty Partners, Ltd.  
Wagner Trust dated December 9, 1985  
Warren Ventures, Ltd.  
Wendy Pouliot  
William F. Brainerd  
William Frank and Barbara Bozich Family Trust dated November 8, 2004  
Windom Royalties, LLC  
Wood Heat Products, Inc.  
Zamaga Energy, LLC  
Zunis Energy, LLC



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

**APPLICATION OF MARATHON OIL  
PERMIAN LLC TO REOPEN ORDER NO.  
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**CASE NO. 24871  
ORDER NO. R-22673**

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

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

- 1) The above-referenced Application was provided under notice letter, dated September 18, 2024, and notice letter to additional names dated October 8, 2024 attached hereto, as Exhibit B.1.
- 2) Exhibit B.2 is the mailing list, which show the notice letters were delivered to the USPS for mailing on September 18, 2024, and notice letter to additional names were delivered to the USPS for mailing on October 8, 2024.
- 3) Exhibit B.3 is the certified mailing tracking information, which is automatically compiled by CertifiedPro, the software Modrall uses to track the mailings. This spreadsheet shows the names and addresses of the parties to whom notice was sent and the status of the mailing.
- 4) Exhibit B.4 is the Affidavit of Publication from Carlsbad Current-Argus confirming that notice of the October 10, 2024 hearing was published on September 24, 2024, and confirming that notice for the additional names of the October 31, 2024 hearing was published October 12, 2024.
- 5) 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.

**EXHIBIT B**

Dated: October 24, 2024

A handwritten signature in blue ink that reads "Deana M. Bennett". The signature is written in a cursive style with a light blue background behind it.

Deana M. Bennett



MODRALL SPERLING  
LAWYERS

September 18, 2024

Deana M. Bennett  
505.848.1834  
[dmb@modrall.com](mailto:dmb@modrall.com)

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

**Re: APPLICATION OF MARATHON OIL PERMIAN LLC TO  
REOPEN ORDER NO. R-22673 FOR THE LIMITED PURPOSE  
OF ADDING ADDITIONAL POOLED PARTIES**

**CASE NO. 24871  
ORDER NO. R-22673  
(RE-OPEN)**

TO: AFFECTED PARTIES

This letter is to advise you that Marathon Oil Permian, LLC (“Marathon”) has filed the enclosed application.

In Case No. 24871, Marathon seeks an order from the Division for the limited purpose of amending Order No. R-22673 to pool additional parties under Order No. R-22673. The Order pooled uncommitted interest owners in a standard 1,920-acre, more or less, Wolfcamp horizontal spacing unit underlying Sections 32, 33, and 34, Township 22 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3 ½ miles North of Loving, New Mexico.

**The hearing is set for October 10, 2024 beginning at 8:30 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, 1<sup>st</sup> Floor, Santa Fe, NM 87505 and via the WebEx virtual meeting platform. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <https://www.emnrd.nm.gov/oed/hearing-info/>.**

As a party who may be affected by this application, we are notifying you of your right to appear at the hearing and participate in this case, including the right to present evidence either in support of or in opposition to the

Modrall Sperring  
Roehl Harris & Sisk P.A.  
500 Fourth Street NW  
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New Mexico 87102

PO Box 2168  
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New Mexico 87103-2168

Tel: 505.848.1800  
[www.modrall.com](http://www.modrall.com)

**EXHIBIT B.1**

Page 2

application. Failure to appear at the hearing may preclude you from any involvement in this case at a later date.

You are further notified that if you desire to appear in this case, then you are requested to file a Pre-Hearing Statement with the Division at least four business days in advance of a scheduled hearing before the Division or the Commission, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date, with a copy delivered to the undersigned.

Sincerely,



Deana M. Bennett

*Attorney for Applicant*

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

**APPLICATION OF MARATHON OIL  
PERMIAN LLC TO REOPEN ORDER NO.  
R-22673 FOR THE LIMITED PURPOSE  
OF ADDING ADDITIONAL POOLED PARTIES.**

**CASE NO. 24871  
ORDER NO. R-22673  
(RE-OPEN)**

**APPLICATION**

Marathon Oil Permian LLC (“Marathon”), OGRID Number 372098, through its undersigned attorneys, hereby submits this application to the Oil Conservation Division pursuant to the provisions of NMSA (1978), Section 70-2-17, for the limited purpose of amending Order No. R-22673 (the “Order”) to pool additional parties under the Order. In support of this application, Marathon states as follows:

1. Marathon is an interest owner in the subject lands and has a right to drill a well thereon.
2. Pursuant to Order No. R-22673, Marathon is the operator of a standard 1920-acre, more or less, Wolfcamp horizontal spacing unit comprised of Sections 32, 33, and 34, Township 22 South, Range 28 East, NMPM, Eddy County, New Mexico.
3. The Order pooled uncommitted interest owners in the spacing unit described above.
4. Since the entry of the Order, Marathon has identified additional interest owners that it seeks to pool under the Order and include under the Order’s terms.
5. Marathon sought, but has been unable to obtain, a voluntary agreement from the additional interest owners Marathon seeks to pool in this case to participate in the drilling of the wells or to otherwise commit their interests to the wells.

6. The pooling of all interests in the Wolfcamp formation underlying the proposed unit will prevent the drilling of unnecessary wells, prevent waste and protect correlative rights.

WHEREFORE, Marathon requests this application be set for hearing before an Examiner of the Oil Conservation Division on October 10, 2024 and after notice and hearing as required by law, the Division enter its order:

- A. Amending Order No. R-22673 to include additional pooled parties under Order No. R-22673's terms; and
- B. Incorporating all of the provisions of Order No. R-22673.

Respectfully submitted,

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

By: Deana M. Bennett  
 Earl E. DeBrine, Jr  
 Deana M. Bennett  
 Yarithza Peña  
 Post Office Box 2168  
 500 Fourth Street NW, Suite 1000  
 Albuquerque, New Mexico 87103-2168  
 Telephone: 505.848.1800  
[edebrine@modrall.com](mailto:edebrine@modrall.com)  
[deana.bennett@modrall.com](mailto:deana.bennett@modrall.com)  
[yarithza.pena@modrall.com](mailto:yarithza.pena@modrall.com)  
 Attorneys for Marathon Oil Permian LLC

**CASE NO. 24871: (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-22673, Eddy County, New Mexico for the Limited Purpose of Adding Additional Pooled Parties.** Applicant seeks an order from the Division for the limited purpose of amending Order No. R-22673 to pool additional parties under Order No. R-22673. The Order pooled uncommitted interest owners in a standard 1,920-acre, more or less, Wolfcamp horizontal spacing unit underlying Sections 32, 33, and 34, Township 22 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3 ½ miles North of Loving, New Mexico.



MODRALL SPERLING

L A W Y E R S

October 8, 2024

Deana M. Bennett  
505.848.1834  
dmb@modrall.com

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

**Re: APPLICATION OF MARATHON OIL PERMIAN LLC TO  
REOPEN ORDER NO. R-22673 FOR THE LIMITED PURPOSE  
OF ADDING ADDITIONAL POOLED PARTIES**

**CASE NO. 24871  
ORDER NO. R-22673  
(RE-OPEN)**

TO: AFFECTED PARTIES

This letter is to advise you that Marathon Oil Permian, LLC (“Marathon”) has filed the enclosed application.

In Case No. 24871, Marathon seeks an order from the Division for the limited purpose of amending Order No. R-22673 to pool additional parties under Order No. R-22673. The Order pooled uncommitted interest owners in a standard 1,920-acre, more or less, Wolfcamp horizontal spacing unit underlying Sections 32, 33, and 34, Township 22 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3 ½ miles North of Loving, New Mexico.

**The hearing is set for October 31, 2024 beginning at 8:30 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, 1<sup>st</sup> Floor, Santa Fe, NM 87505 and via the WebEx virtual meeting platform. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <https://www.emnrd.nm.gov/ocd/hearing-info/>.**

As a party who may be affected by this application, we are notifying you of your right to appear at the hearing and participate in this case, including the right to present evidence either in support of or in opposition to the

Modrall Sperling  
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Page 2

application. Failure to appear at the hearing may preclude you from any involvement in this case at a later date.

You are further notified that if you desire to appear in this case, then you are requested to file a Pre-Hearing Statement with the Division at least four business days in advance of a scheduled hearing before the Division or the Commission, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date, with a copy delivered to the undersigned.

Sincerely,



Deana M. Bennett

*Attorney for Applicant*

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

**APPLICATION OF MARATHON OIL  
PERMIAN LLC TO REOPEN ORDER NO.  
R-22673 FOR THE LIMITED PURPOSE  
OF ADDING ADDITIONAL POOLED PARTIES.**

**CASE NO. 24871  
ORDER NO. R-22673  
(RE-OPEN)**

**APPLICATION**

Marathon Oil Permian LLC (“Marathon”), OGRID Number 372098, through its undersigned attorneys, hereby submits this application to the Oil Conservation Division pursuant to the provisions of NMSA (1978), Section 70-2-17, for the limited purpose of amending Order No. R-22673 (the “Order”) to pool additional parties under the Order. In support of this application, Marathon states as follows:

1. Marathon is an interest owner in the subject lands and has a right to drill a well thereon.
2. Pursuant to Order No. R-22673, Marathon is the operator of a standard 1920-acre, more or less, Wolfcamp horizontal spacing unit comprised of Sections 32, 33, and 34, Township 22 South, Range 28 East, NMPM, Eddy County, New Mexico.
3. The Order pooled uncommitted interest owners in the spacing unit described above.
4. Since the entry of the Order, Marathon has identified additional interest owners that it seeks to pool under the Order and include under the Order’s terms.
5. Marathon sought, but has been unable to obtain, a voluntary agreement from the additional interest owners Marathon seeks to pool in this case to participate in the drilling of the wells or to otherwise commit their interests to the wells.

6. The pooling of all interests in the Wolfcamp formation underlying the proposed unit will prevent the drilling of unnecessary wells, prevent waste and protect correlative rights.

WHEREFORE, Marathon requests this application be set for hearing before an Examiner of the Oil Conservation Division on October 10, 2024 and after notice and hearing as required by law, the Division enter its order:

- A. Amending Order No. R-22673 to include additional pooled parties under Order No. R-22673's terms; and
- B. Incorporating all of the provisions of Order No. R-22673.

Respectfully submitted,

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

By: Deana M Bennett

Earl E. DeBrine, Jr  
 Deana M. Bennett  
 Yarithza Peña  
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[yarithza.pena@modrall.com](mailto:yarithza.pena@modrall.com)  
 Attorneys for Marathon Oil Permian LLC

**CASE NO. 24871: (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-22673, Eddy County, New Mexico for the Limited Purpose of Adding Additional Pooled Parties.** Applicant seeks an order from the Division for the limited purpose of amending Order No. R-22673 to pool additional parties under Order No. R-22673. The Order pooled uncommitted interest owners in a standard 1,920-acre, more or less, Wolfcamp horizontal spacing unit underlying Sections 32, 33, and 34, Township 22 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3 ½ miles North of Loving, New Mexico.

Karlene Schuman  
 Modrall Sperling Roehl Harris & Sisk P.A.  
 500 Fourth Street, Suite 1000  
 Albuquerque NM 87102

PS Form 3877

Type of Mailing: CERTIFIED MAIL  
 09/18/2024

Firm Mailing Book ID: 272934

Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents
1	9314 8699 0430 0126 1360 69	Prospector, LLC PO Box 429 Roswell NM 88202	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
2	9314 8699 0430 0126 1360 76	Ross Duncan Properties PO Box 647 Artesia NM 88211	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
3	9314 8699 0430 0126 1360 83	Valspark Oil and Gas, LLC 36 Positano Loop Roswell NM 88201	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
4	9314 8699 0430 0126 1360 90	Camarie Oil and Gas, LLC 2502 Camarie Midland TX 79705	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
5	9314 8699 0430 0126 1361 06	OLLI Energy, LLC 200 N. Lorraine Street, Suite 510 Midland TX 79701	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
6	9314 8699 0430 0126 1361 13	The Allar Company PO Box 1567 Graham TX 76450	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
7	9314 8699 0430 0126 1361 20	Alliance Land and Minerals, LLC PO Box 809 Artesia NM 88211	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
8	9314 8699 0430 0126 1361 37	Anne Bardelli & Elizabeth A. Bardelli, JT 200 Cross Keys Road, Unit R61 Baltimore MD 21210	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
9	9314 8699 0430 0126 1361 44	Catherine Powell PO Box 1096 Snyder TX 79550	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
10	9314 8699 0430 0126 1361 68	Karen Ward 1218 Lady Lane Duncanville TX 75116	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
11	9314 8699 0430 0126 1361 75	Charlotte Link 1510 Northwind Rd. Louisville KY 40207	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
12	9314 8699 0430 0126 1361 82	Dorothy Bayles  6328 Chatham Road Oklahoma City OK 73132	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
13	9314 8699 0430 0126 1361 99	Lucy Allen 1708 Versailles Allen TX 75002	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
14	9314 8699 0430 0126 1362 05	Eileen Iannelli 912 Midland Creek Drive Southlake TX 76092	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
15	9314 8699 0430 0126 1362 12	JAMRT, LLC 4491 Aspenwood Court Marietta GA 30062	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice

**EXHIBIT B.2**

OCD Examiner Hearing 10-31-24

**Karlene Schuman**  
**Modrall Sperling Roehl Harris & Sisk P.A.**  
**500 Fourth Street, Suite 1000**  
**Albuquerque NM 87102**

PS Form 3877

Type of Mailing: **CERTIFIED MAIL**  
 09/18/2024

Firm Mailing Book ID: 272934

Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents
16	9314 8699 0430 0126 1362 29	Robert C. McGuire 9543 Rockbrook Dallas TX 75220	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
17	9314 8699 0430 0126 1362 36	Susan R. Weiss 15 Lambert St., Apt #1413 Cambridge MA 02141	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
18	9314 8699 0430 0126 1362 43	Heirs of H. Gerald Nathan, deceased 3933 Park Lane Dallas TX 75220	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
19	9314 8699 0430 0126 1362 50	Heirs or devisees of Maurice W. Nathan, deceased 3933 Park Lane Dallas TX 75220	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
20	9314 8699 0430 0126 1362 67	Featherstone Development Corporation PO Box 429 Roswell NM 88202	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
21	9314 8699 0430 0126 1362 74	Margaret T. O'Neill, Trustee of Susan Weiss Trust 15 Lambert St., Apt. #611 Cambridge MA 02141	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
22	9314 8699 0430 0126 1362 81	Mark Phillips 8508 Stable Glen Drive Dallas TX 75243	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
23	9314 8699 0430 0126 1362 98	Therese Phillips Clark 8508 Stable Geln Drive Dallas TX 75243	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
24	9314 8699 0430 0126 1363 04	Harold F. Phillips 8508 Stable Glen Drive Dallas TX 75243	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
25	9314 8699 0430 0126 1363 11	Mary Jo Phillips Mote 8508 Stable Glen Drive Dallas TX 75243	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
26	9314 8699 0430 0126 1363 28	John Phillips 8508 Stable Glen Drive Dallas TX 75243	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
27	9314 8699 0430 0126 1363 35	Lucy Phillips Gussoni 8508 Stable Glen Drive Dallas TX 75243	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
28	9314 8699 0430 0126 1363 42	Stephen Phillips 8508 Stable Glen Drive Dallas TX 75243	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
29	9314 8699 0430 0126 1363 59	Warren Ventures, Ltd. 808 W. Wall St. Midland TX 79701	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
30	9314 8699 0430 0126 1363 66	TWR IV, LLC 3724 Hulen St. Fort Worth TX 76107	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice

**Karlene Schuman**  
**Modrall Sperling Roehl Harris & Sisk P.A.**  
**500 Fourth Street, Suite 1000**  
**Albuquerque NM 87102**

PS Form 3877

Type of Mailing: **CERTIFIED MAIL**  
 09/18/2024

Firm Mailing Book ID: 272934

Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents
31	9314 8699 0430 0126 1363 73	SITL Energy, LLC 308 N. Colorado Ste 200 Midland TX 79701	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
32	9314 8699 0430 0126 1363 80	R.E.B. Resources, LLC 308 N. Colorado Ste 200 Midland TX 79702	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
33	9314 8699 0430 0126 1363 97	Zunis Energy, LLC 15 East 5th Street, Suite 3300 Tulsa OK 74103	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
34	9314 8699 0430 0126 1364 03	Windom Royalties, LLC 15601 Dallas Parkway, Suite 900 Addison TX 75001	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
35	9314 8699 0430 0126 1364 10	The Heirs or Devises of Ted LaCaff, deceased PO Box 4083 Midland TX 79704	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
36	9314 8699 0430 0126 1364 27	Vendetta Royalty Partners, Ltd PO Box 141638 Austin TX 78714	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
37	9314 8699 0430 0126 1364 34	William Frank and Barbara Bozich Family Trust dtd 11-8-04 3558 Windspun Dr. Huntington Beach CA 92699	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
38	9314 8699 0430 0126 1364 41	Wood Heat Products, Inc. 155 County Rd 286 Niota TN 87826	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
39	9314 8699 0430 0126 1364 58	The Ray C. Lomvardi and Rosemarie Lombardi Revocable Living Trust 839 Shepard Way Redwood City CA 94062	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
40	9314 8699 0430 0126 1364 65	Wendy Pouliot 4260 Silver Crest Ave. Sacramento CA 95821	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
41	9314 8699 0430 0126 1364 72	The Jack C. Kinney Revocable Trust 1707 Pacific Coast Hwy #506 Hermosa Beach CA 90254	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
42	9314 8699 0430 0126 1364 89	Wagner Trust dtd 12-9-85 P.O. Box 70067 Reno NV 89570	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
43	9314 8699 0430 0126 1364 96	Thomas N. Turnquist and Annie T. Walljasper 2002 Madison St. Madison WI 53711	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
44	9314 8699 0430 0126 1365 02	Zamaga Energy, LLC 1700 Pennsylvania Ave Ste #400 Washington DC 20006	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
45	9314 8699 0430 0126 1365 19	Vail Consulting, LP 5019 Morris Ave Addison TX 75001	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice

OCD Examiner Hearing 10-31-24

Karlene Schuman  
 Modrall Sperling Roehl Harris & Sisk P.A.  
 500 Fourth Street, Suite 1000  
 Albuquerque NM 87102

PS Form 3877  
 Type of Mailing: CERTIFIED MAIL  
 09/18/2024

Firm Mailing Book ID: 272934

Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents
46	9314 8699 0430 0126 1365 26	William F. Brainerd PO Box 1891 Roswell NM 88202	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
47	9314 8699 0430 0126 1365 33	JBruce Oil & Gas, LLc 4527 Barbados Wichita Falls TX 76308	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
48	9314 8699 0430 0126 1365 40	Luke B. Finnell PO Box 9199 Wichita Falls TX 76308	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
49	9314 8699 0430 0126 1365 57	BPX Properties (NA), LP 1700 Platte St. Denver CO 80202	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
50	9314 8699 0430 0126 1365 64	Riverbend Oil & Gas IX Investments, LLC 1200 Smith St. Ste 1950 Houston TX 77002	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
<b>Totals:</b>			<b>\$88.50</b>	<b>\$242.50</b>	<b>\$131.00</b>	<b>\$0.00</b>	
<b>Grand Total:</b>						<b>\$462.00</b>	

List Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster: Name of receiving employee	Dated:
50			



Karlene Schuman  
 Modrall Sperlberg Roehl Harris & Sisk P.A.  
 500 Fourth Street, Suite 1000  
 Albuquerque NM 87102

PS Form 3877

Type of Mailing: CERTIFIED MAIL  
 10/08/2024

Firm Mailing Book ID: 274137

Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents
1	9314 8699 0430 0127 1330 67	McMullen Minerals II, LP P.O. Box 470857 Fort Worth TX 76147	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
2	9314 8699 0430 0127 1330 74	James A. Davidson Charitable Foundation P.O. Box 494 Midland TX 79702	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
3	9314 8699 0430 0127 1330 81	Riverbend Oil & Gas IX Investments, LLC 1200 Smith Street, Suite 1950 Houston TX 77002	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
4	9314 8699 0430 0127 1330 98	JBruce Oil & Gas, LLC 4527 Barbados Wichita Falls TX 76308	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
5	9314 8699 0430 0127 1331 04	Luke B. Funnell P.O. Box 9199 Wichita Falls TX 76308	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
6	9314 8699 0430 0127 1331 11	Wing Resources VII, LLC 2100 McKinney Ave., Suite 1540 Dallas TX 75201	\$1.77	\$4.85	\$2.62	\$0.00	81363.0230chaos Notice
<b>Totals:</b>			<b>\$10.62</b>	<b>\$29.10</b>	<b>\$15.72</b>	<b>\$0.00</b>	
<b>Grand Total:</b>						<b>\$55.44</b>	

List Number of Pieces Listed by Sender: 6  
 Total Number of Pieces Received at Post Office: 6  
 Postmaster: [Signature]  
 Name of receiving employee: [Signature]  
 Dated: [Stamp]



**Transaction Report Details - CertifiedPro.net**  
**Firm Mail Book ID= 272934**  
**Generated: 10/22/2024 2:35:41 PM**

USPS Article Number	Date Created	Reference Number	Name 1	Name 2	City	State	Zip	Mailing Status	Service Options	Mail Delivery Date
9314869904300126136564	2024-09-18 1:53 PM	81363.0230chaos	Riverbend Oil & Gas IX Investments, LLC		Houston	TX	77002	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-25 1:03 PM
9314869904300126136557	2024-09-18 1:53 PM	81363.0230chaos	BPX Properties (NA), LP		Denver	CO	80202	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 11:46 AM
9314869904300126136540	2024-09-18 1:53 PM	81363.0230chaos	Luke B. Finnell		Wichita Falls	TX	76308	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-24 9:55 AM
9314869904300126136533	2024-09-18 1:53 PM	81363.0230chaos	JBruce Oil & Gas, LLC		Wichita Falls	TX	76308	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 3:46 PM
9314869904300126136526	2024-09-18 1:53 PM	81363.0230chaos	William F. Brainerd		Roswell	NM	88202	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-24 12:27 PM
9314869904300126136519	2024-09-18 1:53 PM	81363.0230chaos	Vail Consulting, LP		Addison	TX	75001	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136502	2024-09-18 1:53 PM	81363.0230chaos	Zamaga Energy, LLC		Washington	DC	20006	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136496	2024-09-18 1:53 PM	81363.0230chaos	Thomas N. Turnquist and Annie T. Walljasper		Madison	WI	53711	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-24 12:33 PM
9314869904300126136489	2024-09-18 1:53 PM	81363.0230chaos	Wagner Trust dtd 12-9-85		Reno	NV	89570	Lost	Return Receipt - Electronic, Certified Mail	
9314869904300126136472	2024-09-18 1:53 PM	81363.0230chaos	The Jack C. Kinney Revocable Trust		Hermosa Beach	CA	90254	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136465	2024-09-18 1:53 PM	81363.0230chaos	Wendy Pouliot		Sacramento	CA	95821	Delivered	Return Receipt - Electronic, Certified Mail	2024-10-10 8:32 AM
9314869904300126136458	2024-09-18 1:53 PM	81363.0230chaos	The Ray C. Lomvardi and Rosemarie Lombardi	Revocable Living Trust	Redwood City	CA	94062	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 2:04 PM
9314869904300126136441	2024-09-18 1:53 PM	81363.0230chaos	Wood Heat Products, Inc.		Niota	TN	87826	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-27 11:28 AM
9314869904300126136434	2024-09-18 1:53 PM	81363.0230chaos	William Frank and Barbara Bozich	Family Trust dtd 11-8-04	Huntington Beach	CA	92699	Delivered	Return Receipt - Electronic, Certified Mail	
9314869904300126136427	2024-09-18 1:53 PM	81363.0230chaos	Vendetta Royalty Partners, Ltd		Austin	TX	78714	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136410	2024-09-18 1:53 PM	81363.0230chaos	The Heirs or devisees of Ted LaCaff, deceased		Midland	TX	79704	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136403	2024-09-18 1:53 PM	81363.0230chaos	Windom Royalties, LLC		Addison	TX	75001	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-24 11:01 AM
9314869904300126136397	2024-09-18 1:53 PM	81363.0230chaos	Zunis Energy, LLC		Tulsa	OK	74103	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-25 12:07 PM
9314869904300126136380	2024-09-18 1:53 PM	81363.0230chaos	R.E.B. Resources, LLC		Midland	TX	79702	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 1:38 PM
9314869904300126136373	2024-09-18 1:53 PM	81363.0230chaos	SITL Energy, LLC		Midland	TX	79701	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 1:38 PM
9314869904300126136366	2024-09-18 1:53 PM	81363.0230chaos	TWR IV, LLC		Fort Worth	TX	76107	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 12:48 PM
9314869904300126136359	2024-09-18 1:53 PM	81363.0230chaos	Warren Ventures, Ltd.		Midland	TX	79701	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-26 12:03 PM
9314869904300126136342	2024-09-18 1:53 PM	81363.0230chaos	Stephen Phillips		Dallas	TX	75243	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 1:06 PM
9314869904300126136335	2024-09-18 1:53 PM	81363.0230chaos	Lucy Phillips Gussoni		Dallas	TX	75243	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 1:06 PM
9314869904300126136328	2024-09-18 1:53 PM	81363.0230chaos	John Phillips		Dallas	TX	75243	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 1:06 PM
9314869904300126136311	2024-09-18 1:53 PM	81363.0230chaos	Mary Jo Phillips Mote		Dallas	TX	75243	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 1:06 PM
9314869904300126136304	2024-09-18 1:53 PM	81363.0230chaos	Harold F. Phillips		Dallas	TX	75243	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 1:06 PM
9314869904300126136298	2024-09-18 1:53 PM	81363.0230chaos	Therese Phillips Clark		Dallas	TX	75243	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 1:06 PM
9314869904300126136281	2024-09-18 1:53 PM	81363.0230chaos	Mark Phillips		Dallas	TX	75243	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 1:06 PM
9314869904300126136274	2024-09-18 1:53 PM	81363.0230chaos	Margaret T. O'Neill, Trustee of Susan Weiss Trust		Cambridge	MA	02141	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136267	2024-09-18 1:53 PM	81363.0230chaos	Featherstone Development Corporation		Roswell	NM	88202	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 10:44 AM
9314869904300126136250	2024-09-18 1:53 PM	81363.0230chaos	Heirs or devisees of Maurice W. Nathan, deceased		Dallas	TX	75220	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136243	2024-09-18 1:53 PM	81363.0230chaos	Heirs of H. Gerald Nathan, deceased		Dallas	TX	75220	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136236	2024-09-18 1:53 PM	81363.0230chaos	Susan R. Weiss		Cambridge	MA	02141	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136229	2024-09-18 1:53 PM	81363.0230chaos	Robert C. McGuire		Dallas	TX	75220	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136212	2024-09-18 1:53 PM	81363.0230chaos	JAMRT, LLC		Marietta	GA	30062	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 3:15 PM
9314869904300126136205	2024-09-18 1:53 PM	81363.0230chaos	Eileen Iannelli		Southlake	TX	76092	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 1:47 PM
9314869904300126136199	2024-09-18 1:53 PM	81363.0230chaos	Lucy Allen		Allen	TX	75002	Delivered	Return Receipt - Electronic, Certified Mail	2024-10-01 12:46 PM
9314869904300126136182	2024-09-18 1:53 PM	81363.0230chaos	Dorothy Bayles		Oklahoma City	OK	73132	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136175	2024-09-18 1:53 PM	81363.0230chaos	Charlotte Link		Louisville	KY	40207	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-24 10:48 AM
9314869904300126136168	2024-09-18 1:53 PM	81363.0230chaos	Karen Ward		Duncanville	TX	75116	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136144	2024-09-18 1:53 PM	81363.0230chaos	Catherine Powell		Snyder	TX	79550	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 1:27 PM
9314869904300126136137	2024-09-18 1:53 PM	81363.0230chaos	Anne Bardelli & Elizabeth A. Bardelli, JT		Baltimore	MD	21210	Delivered	Return Receipt - Electronic, Certified Mail	2024-10-08 1:18 PM
9314869904300126136120	2024-09-18 1:53 PM	81363.0230chaos	Alliance Land and Minerals, LLC		Artesia	NM	88211	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-24 10:20 AM
9314869904300126136113	2024-09-18 1:53 PM	81363.0230chaos	The Allar Company		Graham	TX	76450	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 10:03 AM
9314869904300126136106	2024-09-18 1:53 PM	81363.0230chaos	OLLI Energy, LLC		Midland	TX	79701	Undelivered - To Be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300126136090	2024-09-18 1:53 PM	81363.0230chaos	Camarie Oil and Gas, LLC		Midland	TX	79705	Lost	Return Receipt - Electronic, Certified Mail	
9314869904300126136083	2024-09-18 1:53 PM	81363.0230chaos	Valspark Oil and Gas, LLC		Roswell	NM	88201	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-30 10:49 AM
9314869904300126136076	2024-09-18 1:53 PM	81363.0230chaos	Ross Duncan Properties		Artesia	NM	88211	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 10:48 AM
9314869904300126136069	2024-09-18 1:53 PM	81363.0230chaos	Prospector, LLC		Roswell	NM	88202	Delivered	Return Receipt - Electronic, Certified Mail	2024-09-23 10:44 AM

EXHIBIT B.3

Transaction Report Details - CertifiedPro.net  
 Firm Mail Book ID= 274137  
 Generated: 10/22/2024 2:43:17 PM

USPS Article Number	Date Created	Reference Number	Name 1	City	State	Zip	Mailing Status	Service Options	Mail Delivery Date
9314869904300127133111	2024-10-08 2:23 PM	81363.0230chaos	Wing Resources VII, LLC	Dallas	TX	75201	Delivered	Return Receipt - Electronic, Certified Mail	2024-10-15 12:10 PM
9314869904300127133104	2024-10-08 2:23 PM	81363.0230chaos	Luke B. Funnell	Wichita Falls	TX	76308	Delivered	Return Receipt - Electronic, Certified Mail	2024-10-15 10:59 AM
9314869904300127133098	2024-10-08 2:23 PM	81363.0230chaos	JBruce Oil & Gas, LLC	Wichita Falls	TX	76308	Delivered	Return Receipt - Electronic, Certified Mail	2024-10-12 4:06 PM
9314869904300127133081	2024-10-08 2:23 PM	81363.0230chaos	Riverbend Oil & Gas IX Investments, LLC	Houston	TX	77002	Delivered	Return Receipt - Electronic, Certified Mail	2024-10-17 12:54 PM
9314869904300127133074	2024-10-08 2:23 PM	81363.0230chaos	James A. Davidson Charitable Foundation	Midland	TX	79702	Mailed	Return Receipt - Electronic, Certified Mail	
9314869904300127133067	2024-10-08 2:23 PM	81363.0230chaos	McMullen Minerals II, LP	Fort Worth	TX	76147	Delivered	Return Receipt - Electronic, Certified Mail	2024-10-12 9:14 AM

AFFIDAVIT OF PUBLICATION

CARLSBAD CURRENT-ARGUS  
PO BOX 507  
HUTCHINSON, KS 67504-0507

STATE OF NEW MEXICO }  
COUNTY OF EDDY } SS

Account Number: 80  
Ad Number: 15280  
Description: Case #24871  
Ad Cost: \$126.30

Sharon Groves, being first duly sworn, says:

That she is the Agent of the the Carlsbad Current-Argus, a Weekly newspaper of general circulation, printed and published in Carlsbad, Eddy County, New Mexico; that the publication, a copy of which is attached hereto, was published in said newspaper on the following dates:

September 24, 2024

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

*Sherry Groves*

Agent

Subscribed to and sworn to me this 24<sup>th</sup> day of October 2024.

*Latisha Romine*

Latisha Romine, Notary Public

LATISHA ROMINE  
Notary Public, State of New Mexico  
Commission No. 1076338  
My Commission Expires  
05-12-2027

Modrall Sperling  
Pobox 2168  
Albuquerque, NM 87103

NOTICE

CASE NO. 24871: Notice to all affected parties, as well as heirs and devisees of: Prospector, LLC; Ross Duncan Properties; Valspark Oil and Gas, LLC; Camarie Oil and Gas, LLC; OLLI Energy, LLC; The Allar Company; Alliance Land and Minerals, LLC; Anne Bardelli and Elizabeth A. Bardelli, JT; Catherine Powell; Karen Ward; Charlotte Link; Dorothy Bayles; Lucy Allen; Eileen Iannelli; JAMRT, LLC; Robert C. McGuire; Susan R. Weiss; Heirs of H. Gerald Nathan, deceased; Heirs or devisees of Maurice W. Nathan, deceased; Featherstone Development Corporation; Margaret T. O'Neill, trustee for Susan R. Weiss pursuant to Testamentary Trust created by the will of Philip P. Weiss, dated September 19, 1977; Mark Phillips; Therese Phillips Clark; Harold F. Phillips; Mary Jo Phillips Mote; John Phillips; Lucy Phillips Gussoni; Stephen Phillips; Warren Ventures, LTD; TWR IV, LLC; SITL Energy, LLC; R.E.B. Resources, LLC; Zunis Energy, LLC; Windom Royalties, LLC; Heirs or Devisees of Ted LaCaff, deceased; Vendetta Royalty Partners, Ltd; William Frank and Barbara Bozich Family Trust dtd 11-8-04; Wood Heat Products, Inc.; The Ray C. Lombardi and Rosmarie Lombardi Revocable Living Trust; Wendy Pouliot; Jack C. Kinney Revocable Trust; Wagner Trust dtd 12-9-85; Zamaga Energy, LLC; Vail Consulting, LP; Thomas N. Turnquist and Annie T. Walljasper; JBruce Oil and Gas LLC; Luke B. Finnell; BPX Properties (NA) LP; Riverbend Oil & Gas IX Investments LLC; William F. Brainerd of the (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-22673, Eddy County, New Mexico for the Limited Purpose of Adding Additional Pooled Parties. The State of New Mexico through its Oil Conservation Division hereby gives notice that the Division will conduct a public hearing at 8:30 a.m. on **October 10, 2024** to consider this application. 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 a virtual meeting platform. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <https://www.emnrd.nm.gov/ocd/hearing-info/>. Applicant seeks an order from the Division for the limited purpose of amending Order No. R-22673 to pool additional parties under Order No. R-22673. The Order pooled uncommitted interest owners in a standard 1,920-acre, more or less, Wolfcamp horizontal spacing unit underlying Sections 32, 33, and 34, Township 22 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3 1/2 miles North of Loving, New Mexico.

15280-Published in the Carlsbad Current-Argus on Sep 24, 2024.

EXHIBIT B.4

AFFIDAVIT OF PUBLICATION

CARLSBAD CURRENT-ARGUS  
PO BOX 507  
HUTCHINSON, KS 67504-0507

STATE OF NEW MEXICO } SS  
COUNTY OF EDDY }

Account Number: 80  
Ad Number: 17430  
Description: Case #24871  
Ad Cost: \$96.98

Nicole Bitton, being first duly sworn, says:

That she is the Agent of the the Carlsbad Current-Argus, a Weekly newspaper of general circulation, printed and published in Carlsbad, Eddy County, New Mexico; that the publication, a copy of which is attached hereto, was published in said newspaper on the following dates:

October 12, 2024

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

*N Bitton*

Agent

Subscribed to and sworn to me this 12<sup>th</sup> day of October 2024.

*Latisha Romine*

Notary Public  
State of *NM* County *Eddy*

ID#: *1076338*  
My commission expires: *5/12/27*

LATISHA ROMINE  
Notary Public, State of New Mexico  
Commission No. 1076338  
My Commission Expires  
05-12-2027

Modrall Sperling  
Pobox 2168  
Albuquerque, NM 87103

NOTICE

CASE NO. 24871: Notice to all affected parties, as well as heirs and devisees of: McMullen Minerals II, LP; James A. Davidson Charitable Foundation; Riverbend Oil & Gas IX Investments, LLC; JBruce Oil & Gas, LLC; Luke B. Funnell; Wing Resources VII, LLC of the (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-22673, Eddy County, New Mexico for the Limited Purpose of Adding Additional Pooled Parties. The State of New Mexico through its Oil Conservation Division hereby gives notice that the Division will conduct a public hearing at 8:30 a.m. on October 31, 2024 to consider this application. 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 a virtual meeting platform. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <https://www.emnrd.nm.gov/ocd/hearing-info/>. Applicant seeks an order from the Division for the limited purpose of amending Order No. R-22673 to pool additional parties under Order No. R-22673. The Order pooled uncommitted interest owners in a standard 1,920-acre, more or less, Wolfcamp horizontal spacing unit underlying Sections 32, 33, and 34, Township 22 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3 1/2 miles North of Loving, New Mexico.

17430-Published in the Carlsbad Current-Argus on Oct 12, 2024.