

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

**APPLICATION OF XTO HOLDINGS, LLC
TO REOPEN RILEY PERMIAN OPERATING
COMPANY, LLC CASE NO. 25047,
EDDY COUNTY, NEW MEXICO.**

Case No. 25809

**APPLICATION OF XTO HOLDINGS, LLC
TO REOPEN RILEY PERMIAN OPERATING
COMPANY, LLC CASE NO. 25048,
EDDY COUNTY, NEW MEXICO.**

Case No. 25808

**APPLICATION OF XTO HOLDINGS, LLC
TO REOPEN RILEY PERMIAN OPERATING
COMPANY, LLC CASE NO. 25049,
EDDY COUNTY, NEW MEXICO.**

Case No. 25807

**APPLICATION OF XTO HOLDINGS, LLC
TO REOPEN RILEY PERMIAN OPERATING
COMPANY, LLC CASE NO. 25358,
EDDY COUNTY, NEW MEXICO.**

Case No. 25868

XTO HOLDINGS, LLC'S BRIEF ON LACK OF NOTICE

In accordance with the Pre-Hearing Order dated January 23, 2026, XTO Holdings, LLC ("XTO") submits its Brief on Lack of Notice. As demonstrated below, Riley Permian Operating Company, LLC ("Riley") failed to notify XTO of Riley's pooling applications or the New Mexico Oil Conservation Division's ("Division") hearings in Case Nos. 25047, 25048, 25049, and 25358. Accordingly, XTO requests that the Division reopen these cases to afford XTO its legal right to notice and a hearing on Riley's applications and the opportunity to voluntarily participate in the approved wells.

I. UNDISPUTED MATERIAL FACTS

Case No. 25047

1. On December 9, 2024, Riley filed an Application for an order pooling uncommitted interests in the Yeso formation underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the N/2 S/2 of Section 33, Township 17 South, Range 27 East, NMPM, Eddy County, New Mexico.¹ Riley sought to dedicate the Unit to the Eagle 33 Fed Com #004H and Eagle 33 Fed Com #005H wells.²

2. XTO is a working interest owner in the unit and was entitled to notice of the application and hearing in Case No. 25047.³

3. In its Application, Riley represented that it “sought in good faith but [was] unable to obtain voluntary agreement from all interest owners in the Yeso Formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells.”⁴

4. On October 30, 2024, Riley sent its well proposal letter to XTO.⁵ Tracking information indicates that it was delivered to a P.O. Box in Dallas, Texas on November 4, 2024.⁶ XTO’s mailing address is neither a P.O. Box nor located in Dallas, Texas.⁷

5. On February 13, 2025, Riley presented the case by affidavit to the Division. During the hearing, the Division admitted Riley’s exhibits into the record, including Riley’s notice affidavit, which was identified as Exhibit E. Riley’s Exhibit E reflects that notice of the hearing

¹ Self-Affirmed Statement of Chad Smith, ¶ 3 (“Smith Stmt”), attached as Exhibit A; Exhibit A-1 to Smith Stmt.

² Smith Stmt. at ¶ 3; Exhibit A-1 to Smith Stmt.

³ Smith Stmt. at ¶ 4; Exhibit A-2 to Smith Stmt.

⁴ Smith Stmt. at ¶ 5; Exhibit A-1 to Smith Stmt.

⁵ Smith Stmt. at ¶ 6; Exhibit A-3.

⁶ Smith Stmt. at ¶ 6; Exhibit A-4.

⁷ Smith Stmt. at ¶¶ 6, 41-43; Exhibits A-25, A-26 to Smith Stmt.

was sent to P.O. Box 840780, Dallas, TX 75284, which is not XTO's address.⁸

6. The certified mail return receipt was signed by "Waymond Harvey."⁹ There is no record of Waymond Harvey being employed by XTO.¹⁰

7. Riley did not make any other efforts to communicate with XTO apart from sending the well proposal letter and notice of application to the incorrect address via certified mail.¹¹

8. The Division entered Order No. R-23729 in Case No. 25047 on February 19, 2025.¹²

9. Following issuance of the Order, Riley e-mailed a copy of the Order to an XTO landman.¹³ In the email string, XTO's landman, Chad Smith, expressed concern that XTO never received the original proposals.¹⁴

10. In response, XTO requested that it be permitted to participate in the development instead of being treated as a pooled party because it had never received notice of the hearing.¹⁵ Riley denied XTO's request on the grounds that the time to voluntarily participate had lapsed.¹⁶

Case No. 25048

11. On December 9, 2024, Riley filed an Application for an order pooling uncommitted interests in the Yeso formation underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the S/2 N/2 of Section 33, Township 17 South, Range 27 East, NMPM, Eddy County, New Mexico.¹⁷ Riley sought to dedicate the Unit to the Eagle 33 Fed Com #007H and

⁸ Smith Stmt. at ¶¶ 7, 41-43; Exhibits A-5, A-25, & A-26 to Smith Stmt.

⁹ Smith Stmt. at ¶ 8; Exhibit A-5 to Smith Stmt.

¹⁰ Smith Stmt. at ¶ 8.

¹¹ Smith Stmt. at ¶ 9; Exhibits A-3, A-4, & A-5 to Smith Stmt.

¹² Smith Stmt. at ¶ 10.

¹³ Smith Stmt. at ¶ 11; Exhibit A-6 to Smith Stmt.

¹⁴ Smith Stmt. at ¶ 11; Exhibit A-6 to Smith Stmt.

¹⁵ Smith Stmt. at ¶ 12; Exhibits A-7, A-8 to Smith Stmt.

¹⁶ Smith Stmt. at ¶ 12; Exhibits A-9 to Smith Stmt.

¹⁷ Smith Stmt. at ¶ 13; Exhibit A-10 to Smith Stmt.

Eagle 33 Fed Com #008H wells.¹⁸

12. XTO is a working interest owner in the unit and was entitled to notice of the application and hearing in Case No. 25048.¹⁹

13. In its Application, Riley represented that it “sought in good faith but [was] unable to obtain voluntary agreement from all interest owners in the Yeso Formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells.”²⁰

14. On October 30, 2024, Riley sent its well proposal letter to XTO.²¹ Tracking information indicates that it was delivered to a P.O. Box in Dallas, Texas on November 4, 2024.²² XTO’s mailing address is neither a P.O. Box nor located in Dallas, Texas.²³

15. On February 13, 2025, Riley presented the case by affidavit to the Division. During the hearing, the Division admitted Riley’s exhibits into the record, including Riley’s notice affidavit, which was identified as Exhibit E. Riley’s Exhibit E reflects that notice of the hearing was sent to P.O. Box 840780, Dallas, TX 75284, which is not XTO’s address.²⁴

16. The certified mail return receipt was signed by “Waymond Harvey.”²⁵ There is no record of Waymond Harvey being employed by XTO.²⁶

17. Riley did not make any other efforts to communicate with XTO apart from sending the well proposal letter and notice of application to the incorrect address via certified mail.²⁷

¹⁸ Smith Stmt. at ¶ 13; Exhibit A-10 to Smith Stmt.

¹⁹ Smith Stmt. at ¶ 14; Exhibit A-11 to Smith Stmt.

²⁰ Smith Stmt. at ¶ 15; Exhibit A-10 to Smith Stmt.

²¹ Smith Stmt. at ¶ 16; Exhibit A-12 to Smith Stmt.

²² Smith Stmt. at ¶ 16; Exhibit A-13 to Smith Stmt.

²³ Smith Stmt. at ¶¶ 16, 41-43; Exhibits A-25, A-26 to Smith Stmt.

²⁴ Smith Stmt. at ¶¶ 17, 41-43; Exhibits A-14, A-25, & A-26 to Smith Stmt.

²⁵ Smith Stmt. at ¶ 18; Exhibit A-14 to Smith Stmt.

²⁶ Smith Stmt. at ¶ 18.

²⁷ Smith Stmt. at ¶ 19; Exhibits A-12, A-13, & A-14 to Smith Stmt.

18. The Division entered Order No. R-23730 in Case No. 25048 on February 19, 2025.²⁸

19. Following issuance of the Order, Riley e-mailed a copy of the Order to an XTO landman.²⁹ In the email string, XTO's landman, Chad Smith, expressed concern that XTO never received the original proposals.³⁰

20. In response, XTO requested that it be permitted to participate in the development instead of being treated as a pooled party because it had never received notice of the hearing.³¹ Riley denied XTO's request on the grounds that the time to voluntarily participate had lapsed.³²

Case No. 25049

21. On December 9, 2024, Riley filed an Application for an order pooling uncommitted interests in the Yeso formation underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the N/2 N/2 of Section 33, Township 17 South, Range 27 East, NMPM, Eddy County, New Mexico.³³ Riley sought to dedicate the Unit to the Eagle 33 Fed Com #010H and Eagle 33 Fed Com #011H wells.³⁴

22. XTO is a working interest owner in the unit and was entitled to notice of the application and hearing in Case No. 25049.³⁵

23. In its Application, Riley represented that it "sought in good faith but [was] unable to obtain voluntary agreement from all interest owners in the Yeso Formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their

²⁸ Smith Stmt. at ¶ 20.

²⁹ Smith Stmt. at ¶ 21; Exhibit A-6 to Smith Stmt.

³⁰ Smith Stmt. at ¶ 21; Exhibit A-6 to Smith Stmt.

³¹ Smith Stmt. at ¶ 22; Exhibit A-7, A-8 to Smith Stmt.

³² Smith Stmt. at ¶ 22; Exhibit A-9 to Smith Stmt.

³³ Smith Stmt. at ¶ 23; Exhibit A-15 to Smith Stmt.

³⁴ Smith Stmt. at ¶ 23; Exhibit A-15 to Smith Stmt.

³⁵ Smith Stmt. at ¶ 24; Exhibit A-16 to Smith Stmt.

interests to the wells.”³⁶

24. On October 30, 2024, Riley sent its well proposal letter to XTO.³⁷ Tracking information indicates that it was delivered to a P.O. Box in Dallas, Texas on November 4, 2024.³⁸ XTO’s mailing address is neither a P.O. Box nor located in Dallas, Texas.³⁹

25. On February 13, 2025, Riley presented the case by affidavit to the Division. During the hearing, the Division admitted Riley’s exhibits into the record, including Riley’s notice affidavit, which was identified as Exhibit E. Riley’s Exhibit E reflects that notice of the hearing was sent to P.O. Box 840780, Dallas, TX 75284, which is not XTO’s address.⁴⁰

26. The certified mail return receipt was signed by “Waymond Harvey.”⁴¹ There is no record of Waymond Harvey being employed by XTO.⁴²

27. Riley did not make any other efforts to communicate with XTO apart from sending the well proposal letter and notice of application to the incorrect address via certified mail.⁴³

28. The Division entered Order No. R-23731 in Case No. 25049 on February 19, 2025.⁴⁴

29. Following issuance of the Order, Riley e-mailed a copy of the Order to an XTO landman.⁴⁵ In the email string, XTO’s landman, Chad Smith, expressed concern that XTO never received the original proposals.⁴⁶

30. In response, XTO requested that it be permitted to participate in the development

³⁶ Smith Stmt. at ¶ 25; Exhibit A-15 to Smith Stmt.

³⁷ Smith Stmt. at ¶ 26; Exhibit A-17 to Smith Stmt.

³⁸ Smith Stmt. at ¶ 26; Exhibit A-18 to Smith Stmt.

³⁹ Smith Stmt. at ¶¶ 26, 41-43; Exhibits A-25, A-26 to Smith Stmt.

⁴⁰ Smith Stmt. at ¶¶ 27, 41-43; Exhibits A-19, A-25, & A-26 to Smith Stmt.

⁴¹ Smith Stmt. at ¶ 28; Exhibit A-19 to Smith Stmt.

⁴² Smith Stmt. at ¶ 28.

⁴³ Smith Stmt. at ¶ 29; Exhibits A-17, A-18, & A-19 to Smith Stmt.

⁴⁴ Smith Stmt. at ¶ 30.

⁴⁵ Smith Stmt. at ¶ 31; Exhibit A-6 to Smith Stmt.

⁴⁶ Smith Stmt. at ¶ 31; Exhibit A-6 to Smith Stmt.

instead of being treated as a pooled party because it had never received notice of the hearing.⁴⁷

Riley denied XTO's request on the grounds that the time to voluntarily participate had lapsed.⁴⁸

Case No. 25358

31. On April 8, 2025, Riley filed an Application for an order pooling uncommitted interests in the Yeso formation underlying a 481.47-acre, more or less, standard horizontal spacing unit comprised of the N/2 of Section 12, Township 18 South, Range 26 East, NMPM, and the NW/4 of Section 7, Township 18 South, Range 27 East, NMPM, Eddy County, New Mexico.⁴⁹ Riley sought to dedicate the Unit to the Marty Fee 11-7 1H, Marty Fee 11-7 2H, Marty Fee 11-7 3H, and Marty Fee 11-7 4H wells.⁵⁰

32. XTO is a working interest owner in the unit and was entitled to notice of the application and hearing in Case No. 25358.⁵¹

33. In its Application, Riley represented that it "sought in good faith but [was] unable to obtain voluntary agreement from all interest owners in the Yeso Formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells."⁵²

34. On July 10, August 7, and August 13, 2025, Riley presented the case by affidavit to the Division. During the hearing, the Division admitted Riley's exhibits into the record, including Riley's notice affidavit, which was identified as Exhibit E. Exhibit E reflects that notice of the hearing was sent to P.O. Box 840780, Dallas, TX 75284, which is not XTO's address.⁵³

35. Although the name itself is illegible, the certified mail return receipt indicates that

⁴⁷ Smith Stmt. at ¶ 32; Exhibits A-7, A-8 to Smith Stmt.

⁴⁸ Smith Stmt. at ¶ 32; Exhibit A-9 to Smith Stmt.

⁴⁹ Smith Stmt. at ¶ 33; Exhibit A-20 to Smith Stmt.

⁵⁰ Smith Stmt. at ¶ 33; Exhibit A-20 to Smith Stmt.

⁵¹ Smith Stmt. at ¶ 34; Exhibit A-21 to Smith Stmt.

⁵² Smith Stmt. at ¶ 35; Exhibit A-20 to Smith Stmt.

⁵³ Smith Stmt. at ¶¶ 36, 41-43; Exhibits A-22, A-25, & A-26 to Smith Stmt.

the same individual signed for the mailings to both XTO and EOG Resources, Inc.⁵⁴

36. As set out in its chronology of contact, Riley sent the well proposal letter to the incorrect address via certified mail. Riley subsequently emailed XTO's landman the well proposal letter.⁵⁵ However, Riley never emailed a copy of the pooling application or hearing notice to XTO's landman.

37. The Division entered Order No. R-23990 in Case No. 25358 on September 8, 2025.⁵⁶ Following the issuance of the Order, Riley e-mailed a copy of the Order to an XTO landman.⁵⁷

38. In response, XTO requested that it be permitted to participate in the development instead of being treated as a pooled party because it had never received notice of the hearing.⁵⁸ Riley denied XTO's request on the grounds that the time to voluntarily participate had lapsed.⁵⁹

XTO's Address

39. XTO's mailing address is 22777 Springwoods Village Parkway, Spring, TX 77389.⁶⁰ XTO's correct mailing address can be gleaned from a simple internet search or from the email signatures of XTO employees with whom Riley frequently communicated.⁶¹

II. ARGUMENT

a. Riley failed to engage in good faith negotiations with XTO.

Section 70-2-17(C) of the Oil and Gas Act⁶² states that:

All orders effecting [compulsory] pooling shall be made after notice and hearing, and shall be upon such terms and conditions as are just

⁵⁴ Smith Stmt. at ¶ 36; Exhibit A-22 to Smith Stmt.

⁵⁵ Smith Stmt. at ¶ 38; Exhibit A-23 to Smith Stmt.

⁵⁶ Smith Stmt. at ¶ 39.

⁵⁷ Smith Stmt. at ¶ 39; Exhibit A-24 to Smith Stmt.

⁵⁸ Smith Stmt. at ¶ 40.

⁵⁹ Smith Stmt. at ¶ 40.

⁶⁰ Smith Stmt. at ¶ 41.

⁶¹ *Id.*

⁶² NMSA 1978, §§ 70-2-1 to -39 (1935, as amended through 2019).

and reasonable and will afford to the owner or owners of each tract or interest in the unit the opportunity to recover or receive without unnecessary expense his just fair share of the oil or gas, or both.

Riley claimed at the original hearings of these matters that it “sought in good faith but has been unable to obtain voluntary agreement from all interest owners in the Yeso Formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells.” *See* Undisputed Material Facts (“UMF”) Nos. 3, 13, 23, 33. However, Riley did not “exercise reasonable diligence” as it did not actually send its well proposal letters to the correct mailing address for XTO. *See* UMF No. 4, 14, 24. Due to this lack of notice, XTO did not have the opportunity to consent to participate in these Riley wells. When XTO contacted Riley and informed them of the failure of notice and its desire to participate in the wells, Riley insisted that XTO bear the 200% risk penalty instead. *See* UMF No. 9-10, 19-20, 29-30. As a result, XTO has been deprived of its statutory right to recover or receive its just fair share of oil and gas without unnecessary expense. Riley clearly did not satisfy the statutory and regulatory prerequisites to compulsory pooling, and this matter should be reopened and set for a hearing.

b. Riley failed to provide XTO with the required notice of its applications and the Division’s hearings because it sent the notices to the wrong address.

The Division’s Rules specifically state that the failure to provide adequate notice for a compulsory pooling application is grounds for reopening a case: “Evidence of failure to provide notice as 19.15.4.9 NMAC requires may, upon proper showing, be considered cause for reopening the case.” 19.15.4.12(D) NMAC. A compulsory pooling applicant “shall give notice to each owner of an interest in the mineral estate of any portion of the lands the applicant proposes to be pooled or unitized whose interest is evidenced by a written conveyance document either of record *or known to the applicant at the time the applicant filed the application....*” Rule 19.15.4.12(1)(a) NMAC (emphasis added). Rule 19.15.4.12(B) requires that the notice be sent by “certified mail,

return receipt requested, to the last known address of the person to whom notice is to be given at least 20 days prior to the application's scheduled hearing date[.]”

Notice that does not satisfy the Division's notice requirements is defective and renders an order void. *Johnson v. N.M. Oil Conserv. Comm'n*, 1999-NMSC-021, ¶ 3, 127 N.M. 120, 978 P.2d 327 (holding that the Oil Conservation Commission's order was invalid as to parties without actual notice). For example, in Case No. 22323, the applicant (a working interest owner) moved to reopen a prior pooling case on the grounds that the operator failed to send notice of the compulsory pooling proceeding to the correct address. *See* Order No. R-22240, ¶¶ 23. The Division ordered that the matter be reopened on the grounds that the operator failed to provide adequate notice as required by Division rules. *Id.* at ¶ 27. As recognized by the Division in that case, “[d]emonstrating the failure to comply with the [notice] requirement for ‘reasonable diligence’ can be the ‘proper showing’ necessary to establish cause for reopening a case.” *See* Order R-22240 at ¶ 18. “Reasonable diligence” has been defined by the New Mexico Court of Appeals as an action that an “individual of ordinary prudence would undertake under the circumstances in order to be successful.” *See Fulton v. Cornelius*, 1988-NMCA-057, ¶ 21, 107 N.M. 362, 758 P.2d 312.

The exhibits filed by Riley in each of the underlying cases show when and to whom notice was sent. For each of the applications, the certified mail receipts show that notice was sent to XTO at P.O. Box 840780, Dallas, TX 75284. *See* UMF No. 5, 15, 25, 34. However, that is not XTO's mailing address. *See* UMF No. 39. XTO's mailing address is 22777 Springwoods Village Parkway, Spring, TX 77389. *See id.* It is unknown how Riley determined that a Dallas post office box would be used to provide notice of the pooling applications to XTO, but “reasonable diligence” required a simple internet search or reference to the email signatures of the XTO employees with whom Riley regularly communicated to locate the correct address in Spring, Texas. XTO's address was

clearly “known to the applicant at the time the applicant filed the application” but Riley did not use it. 19.15.4.12(A)(1)(a) NMAC. Therefore, Riley did not comply with the Division’s notice requirements.

In addition, the certified mail receipts were not signed by an employee of XTO. *See* UMF No. 6, 16, 26. That the same person signed one of the receipts for EOG further demonstrates this fact. EOG and XTO do not share employees. *See* UMF No. 35.

While Riley might argue that it provided a well proposal and opportunity to participate in the wells after the Orders were issued, that “does not erase the claims of injury that flow from the...failure to notify [XTO] of the hearing process.” *See* Order No. R-22240 at ¶ 15 (finding that an interest owner’s failure to receive notice of the hearing results in an injury “not only for the inability to consider participation in the well but also for the inability to raise issues, such as the amount of the risk charge, at the hearing”). XTO was denied an opportunity to enter an appearance and object to Riley’s pooling applications; was denied the opportunity to raise issues before the Division regarding Riley’s pooling applications; and was ultimately denied due process protections while its property rights were affected. The only remedy for this error is to reopen the cases so that XTO may receive proper notice and be afforded the opportunity to participate in the hearings. *See Uhden v. N.M. Oil Conservation Comm’n*, 1991-NMSC-089, ¶ 31, 112 N.M. 528, 817 P.2d 721.

c. Riley’s failure to provide proper notice violated XTO’s right to due process.

In *Uhden*, the New Mexico Supreme Court set forth the due process requirements of fairness and reasonableness for pooling proceedings, noting that “[a]dministrative proceedings must conform to fundamental principles of justice and the requirements of due process of law.” *Id.* at ¶ 10. In accordance with these principles, the *Uhden* court noted that New Mexico case law places “great emphasis” on “whether the identity and whereabouts of the person entitled to notice

are reasonably ascertainable.” *Id.* at ¶ 13. Notice and an opportunity to be heard are basic constitutional protections of the due process clause. *Id.* at ¶ 12. The failure to provide required notice renders an order void. *See Johnson*, 1999-NMSC-021, ¶ 3 (holding that the Oil Conservation Commission’s order was invalid as to parties without actual notice).

Here, XTO’s correct address was easily ascertainable through XTO’s prior e-mail communications with Riley’s landman and is also readily available on the internet. *See* UMF No. 39. Despite this, Riley sent the notices in all four matters to the wrong address. *See* UMF Nos. 5, 15, 25, 34. Moreover, XTO received no other communication from Riley notifying XTO of the hearings, despite Riley having a working e-mail address for an XTO landman. Riley’s failure to meet the notice requirements outlined in Rule 19.15.4.12 NMAC violated XTO’s right to due process and mandates reopening of all four cases.

III. CONCLUSION

For the foregoing reasons, XTO respectfully requests that the Division reopen Case Nos. 25047-25049 and 25358 to remedy Riley’s failure of notice and provide XTO with the opportunity to exercise its right to participate in Riley’s units.

Respectfully submitted,

HARDY McLEAN LLC

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Case No. 25868

SELF-AFFIRMED STATEMENT OF CHAD SMITH

1. I am a Landman with XTO Holdings, LLC (“XTO”), an ExxonMobil subsidiary. I am over 18 years of age, have personal knowledge of the matters addressed herein, and am competent to provide this Self-Affirmed Statement. I have previously testified before the New Mexico Oil Conservation Division (“Division”), and my credentials as an expert in petroleum land matters were accepted and made a matter of record.

2. I am familiar with Division Case Nos. 25047-25049 and 25358 as well as related Division Order Nos. R-23729 to R-23731, and R-23990 (the “Orders”). Regarding the issue of notice to XTO, a summary of relevant proceedings is set out below.

EXHIBIT A

Case No. 25047

3. On December 9, 2024, Riley filed an Application for an order pooling uncommitted interests, in the Yeso formation, underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the N/2 S/2 of Section 33, Township 17 South, Range 27 East, NMPM, Eddy County, New Mexico. Riley sought to dedicate the Unit to the Eagle 33 Fed Com #004H and Eagle 33 Fed Com #005H wells. A copy of the Application is attached as **Exhibit A-1**.

4. XTO is a working interest owner in the unit. See Notice of Second Amended Exhibit Packet, Exh. C-4, attached as **Exhibit A-2**.

5. In its Application, Riley represented that it “sought in good faith but has been unable to obtain voluntary agreement from all interest owners in the Yeso Formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells.” **Exhibit A-1** at ¶ 5.

6. On October 30, 2024, Riley sent its well proposal letter to XTO. See Notice of Second Amended Exhibit Packet, Exh. C-8, attached as **Exhibit A-3**. Tracking information indicates that it was delivered to a P.O. Box in Dallas, Texas on November 4, 2024. See United States Postal Service Tracking, attached as **Exhibit A-4**. XTO’s mailing address is neither a P.O. Box nor located in Dallas, Texas.

7. On February 13, 2025, Riley presented the case by affidavit to the Division. During the hearing, the Division admitted Riley’s exhibits into the record, including Riley’s notice affidavit, which was identified as Exhibit E. Riley’s Exhibit E identifies XTO’s mailing address as P.O. Box 840780, Dallas, TX 75284, which is not XTO’s address. See Notice of Second Amended Exhibit Packet, Exhibit E, attached as **Exhibit A-5**.

8. The certified mail return receipt indicates that the mailing was signed for by “Waymond Harvey.” **Exhibit A-5**. There is no record of Waymond Harvey being employed by XTO.

9. Riley did not make any other efforts to communicate with XTO apart from sending the well proposal letter and notice of application to the incorrect address via certified mail. *See Exhibits A-3, A-4, & A-5*.

10. The Division entered Order No. R-23729 in Case No. 25047 on February 19, 2025.

11. Following the issuance of the Order, Riley e-mailed a copy of the Order to an XTO landman. *See* Email String between Mark Smith and Chad Smith (03/06/2025 to 03/19/2025), attached as **Exhibit A-6**.¹ In the email string, XTO’s landman, Chad Smith, expressed concern that XTO never received the original proposals. *Id.*

12. In response, XTO requested that it be permitted to participate in the development instead of being treated as a pooled party because it had never received notice of the hearing. *See* Email from Cindy Sloan to Mark Smith (Apr. 4, 2025), attached as **Exhibit A-7**; Letter from Chad Smith to Mark Smith (Nov. 19, 2025), attached as **Exhibit A-8**. Riley denied XTO’s request on the grounds that the time to voluntarily participate had lapsed. *See* Letter from Mark Smith to Chad Smith (Nov. 21, 2025), attached as **Exhibit A-9**.

Case No. 25048

13. On December 9, 2024, Riley filed an Application for an order pooling uncommitted interests, in the Yeso formation, underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the S/2 N/2 of Section 33, Township 17 South, Range 27 East, NMPM, Eddy

¹ Due to XTO’s document retention rules, undersigned does not have this email string in original form and the formatting may have issues; however, the substantive content of the emails is as represented herein.

County, New Mexico. Riley sought to dedicate the Unit to the Eagle 33 Fed Com #007H and Eagle 33 Fed Com #008H wells. A copy of the Application is attached as **Exhibit A-10**.

14. XTO is a working interest owner. *See* Notice of Second Amended Exhibit Packet, Exhibit C-4, attached as **Exhibit A-11**.²

15. In its Application, Riley represented that it “sought in good faith but has been unable to obtain voluntary agreement from all interest owners in the Yeso Formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells.” **Exhibit A-10** at ¶ 5.

16. On October 30, 2024, Riley sent its well proposal letter to XTO. *See* Notice of Second Amended Exhibit Packet, Exhibit C-8, attached as **Exhibit A-12**. Tracking information indicates that it was delivered to a P.O. Box in Dallas, Texas on November 4, 2024. *See* United States Postal Service Tracking, attached as **Exhibit A-13**. XTO’s mailing address is neither a P.O. Box nor located in Dallas, Texas.

17. On February 13, 2025, Riley presented the case by affidavit to the Division. During the hearing, the Division admitted Riley’s exhibits into the record, including Riley’s notice affidavit, which was identified as Exhibit E. Riley’s Exhibit E identifies XTO’s mailing address as P.O. Box 840780, Dallas, TX 75284, which is not XTO’s address. *See* Notice of Second Amended Exhibit Packet, Exhibit E, attached as **Exhibit A-14**.

18. The certified mail return receipt indicates that the mailing was signed for by “Waymond Harvey.” **Exhibit A-14**. There is no record of Waymond Harvey being employed by XTO.

² The footer for the first page of Exhibit C-4 references Case No. 25048, the footers on the remaining pages in the Exhibit are mismarked “Case No. 25047.”

19. Riley did not make any other efforts to communicate with XTO apart from sending the well proposal letter and notice of application to the incorrect address via certified mail. *See Exhibits A-12, A-13, & A-14.*

20. The Division entered Order No. R-23730 in Case No. 25048 on February 19, 2025.

21. Following the issuance of the Order, Riley e-mailed a copy of the Order to an XTO landman. *See* Email String between Mark Smith and Chad Smith (03/06/2025 to 03/19/2025), attached as **Exhibit A-6**. In the email string, XTO's landman, Chad Smith, expressed concern that XTO never received the original proposals. *Id.*

22. In response, XTO requested that it be permitted to participate in the development instead of being treated as a pooled party because it had never received notice of the hearing. *See Exhibits A-7, A-8.* Riley denied XTO's request on the grounds that the time to voluntarily participate had lapsed. *See Exhibit A-9.*

Case No. 25049

23. On December 9, 2024, Riley filed an Application for an order pooling uncommitted interests, in the Yeso formation, underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the N/2 N/2 of Section 33, Township 17 South, Range 27 East, NMPM, Eddy County, New Mexico. Riley sought to dedicate the Unit to the Eagle 33 Fed Com #010H and Eagle 33 Fed Com #011H wells. A copy of the Application is attached as **Exhibit A-15**.

24. XTO is a working interest owner. *See* Notice of Second Amended Exhibit Packet, Exhibit C-4, attached as **Exhibit A-16**.³

25. In its Application, Riley represented that it "sought in good faith but has been unable to obtain voluntary agreement from all interest owners in the Yeso Formation underlying

³ The footer for the first page of Exhibit C-4 references Case No. 25049, the footers on the remaining pages in the Exhibit are mismarked "Case No. 25047."

the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells.” **Exhibit A-15** at ¶ 5.

26. On October 30, 2024, Riley sent its well proposal letter to XTO. *See* Notice of Second Amended Exhibit Packet, Exhibit C-8, attached as **Exhibit A-17**. Tracking information indicates that it was delivered to a P.O. Box in Dallas, Texas on November 4, 2024. *See* United States Postal Service Tracking, attached as **Exhibit A-18**. XTO’s mailing address is neither a P.O. Box nor located in Dallas, Texas.

27. On February 13, 2025, Riley presented the case by affidavit to the Division. During the hearing, the Division admitted Riley’s exhibits into the record, including Riley’s notice affidavit, which was identified as Exhibit E. Riley’s Exhibit E identifies XTO’s mailing address as P.O. Box 840780, Dallas, TX 75284, which is not XTO’s address. Notice of Second Amended Exhibit Packet, Exhibit E, attached as **Exhibit A-19**.

28. The certified mail return receipt indicates that the mailing was signed for by “Waymond Harvey.” **Exhibit A-19**. There is no record of Waymond Harvey being employed by XTO.

29. Riley did not make any other efforts to communicate with XTO apart from sending the well proposal letter and notice of application to the incorrect address via certified mail. *See Exhibits A-17, A-18, & A-19*.

30. The Division entered Order No. R-23731 in Case No. 25049 on February 19, 2025.

31. Following the issuance of the Order, Riley e-mailed a copy of the Order to an XTO landman. *See* Email String between Mark Smith and Chad Smith (03/06/2025 to 03/19/2025), attached as **Exhibit A-6**. In the email string, XTO’s landman, Chad Smith, expressed concern that XTO never received the original proposals. *Id.*

32. In response, XTO requested that it be permitted to participate in the development instead of being treated as a pooled party because it had never received notice of the hearing. *See Exhibits A-7, A-8.* Riley denied XTO's request on the grounds that the time to voluntarily participate had lapsed. *See Exhibit A-9.*

Case No. 25358

33. On April 8, 2025, Riley filed an Application for an order pooling uncommitted interests, in the Yeso formation, underlying a 481.47-acre, more or less, standard horizontal spacing unit comprised of the N/2 of Section 12, Township 18 South, Range 26 East, NMPM, and the NW/4 of Section 7, Township 18 South, Range 27 East, NMPM, Eddy County, New Mexico. Riley sought to dedicate the Unit to the Marty Fee 11-7 1H, Marty Fee 11-7 2H, Marty Fee 11-7 3H, and Marty Fee 11-7 4H wells. A copy of the Application is attached as **Exhibit A-20**.

34. XTO is a working interest owner. *See* Notice of Second Amended Exhibit Packet, Exhibit C-4, attached as **Exhibit A-21**.

35. In its Application, Riley represented that it "sought in good faith but has been unable to obtain voluntary agreement from all interest owners in the Yeso Formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells." **Exhibit A-20** at ¶ 5.

36. On July 10, August 7, and August 13, 2025, Riley presented the case by affidavit to the Division. During the hearing, the Division admitted Riley's exhibits into the record, including Riley's notice affidavit, which was identified as Exhibit E. Exhibit E identifies XTO's mailing address as P.O. Box 840780, Dallas, TX 75284, which is not XTO's address. Notice of Second Amended Exhibit Packet, Exhibit E, attached as **Exhibit A-22**.

37. Although the name itself is illegible, the certified mail return receipt indicates that the same individual signed for the mailings to both XTO and EOG Resources, Inc. **Exhibit A-22**.

38. As set out in its chronology of contact, Riley sent the well proposal letter to the incorrect address via certified mail, but subsequently emailed XTO's landman regarding the proposal. Notice of Second Amended Exhibit Packet, Exhibit C-6, attached as **Exhibit A-23**.

39. The Division entered Order No. R-23990 in Case No. 25358 on September 8, 2025. Following the issuance of the Order, Riley by physical mail and email a copy of the Order to an XTO landman. Email String between Mark Smith and Chad Smith (09/26/2025), attached as **Exhibit A-24**.⁴

40. As with the Eagle wells, XTO requested that it be permitted to participate in the development instead of being treated as a pooled party because it had never received notice of the hearing. Riley denied XTO's request on the grounds that the time to voluntarily participate had lapsed.

XTO's Address

41. For each of the applications identified above, the certified mail receipts indicate that notice was sent to XTO at P.O. Box 840780, Dallas, TX 75284. However, that is not XTO's mailing address. Rather, XTO's mailing address is 22777 Springwoods Village Parkway, Spring, TX 77389—information that can be gleaned from a simple internet search or from the email signatures of XTO employees with whom Riley frequently communicated. *See* Printout from Internet Search, attached as **Exhibit A-25**; *see also* Email from Chad Smith to Mark Smith (Mar. 14, 2024), attached as **Exhibit A-26**.

⁴ Due to XTO's document retention rules, undersigned does not have this email string in original form and the formatting may have issues; however, the substantive content of the emails is as represented herein.

42. The Dallas address is a separate post office box for the submission of joint interest billing (“JIB”) checks. It is shared by multiple companies and is not a mailing address for XTO.

43. Despite this, Riley sent the notices in all four matters to the wrong address. XTO received no other communication from Riley notifying XTO of the hearings, despite Riley having a working e-mail address for an XTO landman.

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

45. 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 it made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date next to my signature below.

Chad Smith
Chad Smith

2/24/2026
Date

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

**APPLICATION OF RILEY PERMIAN
OPERATING COMPANY, LLC FOR
APPROVAL OF NON-STANDARD
HORIZONTAL SPACING UNIT AND
COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO**

Case No. _____

APPLICATION

Riley Permian Operating Company, LLC, OGRID No. 372290 (“Riley” or “Applicant”), through its undersigned attorneys, hereby files this Application with the Oil Conservation Division (“Division”) pursuant to the provisions of NMSA 1978, § 70-2-17 and 19.15.16.15(B)(5) NMAC, for an order (1) approving a 160-acre, more or less, non-standard horizontal spacing unit (“HSU”) composed of the N/2 S/2 of Section 33, Township 17 South, Range 27 East, N.M.P.M. (the “Application Lands”), and (2) pooling all uncommitted mineral interests in the Yeso Formation, designated as an oil pool, underlying said HSU.

In support of its Application, Riley states the following:

1. Riley is a working interest owner in the Application Lands and has a right to drill wells thereon as the designated Operator of the Application Lands.
2. Riley seeks to dedicate all of the Application Lands to form a 160-acre, more or less, HSU.
3. Riley seeks to dedicate the above-referenced HSU to the following proposed wells:
 - A. **Eagle 33 Fed Com #004H** (API No. 30-015-49329), which is an oil well that will be horizontally drilled from a surface location in the NW/4SW/4 (Unit L) of

Section 34, Township 17 South, Range 27 East, to a bottom hole location in the Yesso Formation in Lot 12 (Unit L) of Section 33, Township 17 South, Range 27 East;

B. **Eagle 33 Fed Com #005H** (API No. 30-015-49711), which is an oil well that will be horizontally drilled from a surface location in the NW/4SW/4 (Unit L) of Section 34, Township 17 South, Range 27 East, to a bottom hole location in the Yesso Formation in Lot 12 (Unit L) of Section 33, Township 17 South, Range 27 East;

4. The wells are orthodox in their location as defined by 19.15.16.15.(C) NMAC, and the take points and laterals comply with Statewide Rules for setbacks under 19.15.16.15.(C) NMAC.

5. Riley has sought in good faith but has been unable to obtain voluntary agreement from all interest owners in the Yesso Formation underlying the proposed spacing unit 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 Yesso Formation within the proposed unit will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.

7. Approval of a non-standard horizontal spacing unit is necessary to prevent waste and protect correlative rights.

8. To provide for its just and fair share of the oil and gas underlying the subject lands, Riley requests that all uncommitted interests in this HSU be pooled and that Riley be designated as the operator of the proposed horizontal wells and HSU.

WHEREFORE, Riley requests this Application be set for hearing on January 9th, 2025, before an Examiner of the Oil Conservation Division, and after notice and hearing as required by law, the Division enter an order:

- A. Approving the creation of an approximately 160-acre non-standard HSU, composed of the Application Lands, pursuant to 19.15.16.15(B)(5) NMAC;
- B. Pooling all uncommitted interests in the Yeso Formation underlying the HSU within the Application Lands;
- C. Approving the **Eagle 33 Fed Com #004H** and **Eagle 33 Fed Com #005H** as the wells for the HSU.
- D. Designating Riley as operator of the HSU and the horizontal wells to be drilled thereon;

Respectfully submitted,

BEATTY & WOZNIAK, P.C.

By: 

Miguel A. Suazo
James P. Parrot
500 Don Gaspar Ave.,
Santa Fe, NM 87505
(505) 946-2090
msuazo@bwenergyllaw.com
jparrot@bwenergyllaw.com
Attorneys for Riley Permian Operating Company

Application of Riley Permian Operating Company, LLC for Approving a Non-Standard Horizontal Spacing Unit and Compulsory Pooling, Eddy County, New Mexico. Applicant in the above-styled cause seeks an order from the Division: (1) approving a 160-acre, more or less, non-standard horizontal spacing and proration unit composed of all of the N/2 S/2 of Section 33, Township 17 South, Range 27 East, N.M.P.M.; and (2) pooling pooling all uncommitted mineral interests in the Yesso Formation, designated as an oil pool, underlying said unit. The proposed wells to be dedicated to the horizontal spacing unit are the: **Eagle 33 Fed Com #004H**, which is an oil well that will be horizontally drilled from a surface location in the NW/4SW/4 (Unit L) of Section 34 to a bottom hole location in the Yesso Formation in Lot 12 (Unit L) of Section 33; and the **Eagle 33 Fed Com #005H**, which is an oil well that will be horizontally drilled from a surface location in the NW/4SW/4 (Unit L) of Section 34 to a bottom hole location in the Yesso Formation in Lot 12 (Unit L) of Section 33. The wells are orthodox in location, and the take points and laterals comply with Statewide Rules for setbacks. The wells and lands are located approximately 7.5 miles southeast from Artesia, New Mexico.

All of Section 33-17S-27East, NM PM, Eddy County, New Mexico

Working Interest Summary

UNIT A: N/2 N/2 (BPO)

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-025528	Pecos Oil & Gas, LLC	78.000000	0.48750000	0.39000000	0.80000000
NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	80.000000	0.50000000	0.34552813	0.69105625
	TOTAL LEASEHOLD	160.000000	1.00000000	0.74490313	

Parties with Uncommitted Interests Shown that are
Subject to Compulsory Pooling:

SEP Permian Holding Corp. (Spur Energy Partners)
XTO Holdings LLC

Parties with Committed Interests Shown that are Subject
to Pooling:

Chanas Partners LLC
Pecos Oil & Gas, LLC (Riley Permian Operating
Company, LLC / Riley Exploration-Permian, LLC)

UNIT A: N/2 N/2 (APO)

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-025528	Pecos Oil & Gas, LLC	78.000000	0.48750000	0.39000000	0.80000000
NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
NMLC-026874F	Term: Nearburg Exploration Company, L.L.C. Reversion: XTO Holdings LLC	3.854000	0.02408750	0.01646276	0.68345638
NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	76.146000	0.47591250	0.32526543	0.68345638
	TOTAL LEASEHOLD	160.000000	1.00000000	0.74110319	

Case No. 25047
Riley Permian Operating Co., LLC - Exhibit C-4

All of Section 33-17S-27East, NM PM, Eddy County, New Mexico

Working Interest Summary

UNIT B: S/2 N/2 (BPO)

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-056122, NMNM-025528	Pecos Oil & Gas, LLC	78.000000	0.48750000	0.39000000	0.80000000
NMNM-056122, NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	80.000000	0.50000000	0.34552813	0.69105625
	TOTAL LEASEHOLD	160.000000	1.00000000	0.74490313	

Parties with Uncommitted Interests Shown that are Subject
to Compulsory Pooling:SEP Permian Holding Corp. (Spur Energy Partners)
XTO Holdings LLCParties with Committed Interests Shown that are Subject to
Pooling:Chanas Partners LLC
Pecos Oil & Gas, LLC (Riley Permian Operating
Company, LLC / Riley Exploration-Permian, LLC)

UNIT B: S/2 N/2 (APO)

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-056122, NMNM-025528	Pecos Oil & Gas, LLC	78.000000	0.48750000	0.39000000	0.80000000
NMNM-056122, NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
NMLC-026874F	Term: Nearburg Exploration Company, L.L.C. Reversion: XTO Holdings LLC	3.854000	0.02408750	0.01646276	0.68345638

Received by OCD: 2/14/2025 3:35:58 PM

NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	76.146000	0.47591250	0.32526543	0.68345638
	TOTAL LEASEHOLD	160.000000	1.00000000	0.74110319	

Released to Imaging: 2/14/2025 4:59:23 PM

All of Section 33-17S-27East, NM PM, Eddy County, New Mexico

Working Interest Summary

UNIT C: N/2 S/2 (BPO)

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-033865	Pecos Oil & Gas, LLC	40.000000	0.25000000	0.17187500	0.68750000
NMLC-049648B, NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	80.000000	0.50000000	0.34552813	0.69105625
NMNM-033865	SEP Permian Holding Corp.	40.000000	0.25000000	0.17187500	0.68750000
	TOTAL LEASEHOLD	160.000000	1.00000000	0.68927813	

UNIT C: N/2 S/2 (APO)

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-033865	Pecos Oil & Gas, LLC	40.000000	0.25000000	0.17187500	0.68750000
NMLC-049648B, NMLC-026874F	Term: Nearburg Exploration Company, L.L.C. Reversion: XTO Holdings LLC	3.854000	0.02408750	0.01652043	0.68585085
NMLC-049648B, NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	76.146000	0.47591250	0.32640499	0.68585085
NMNM-033865	SEP Permian Holding Corp.	40.000000	0.25000000	0.17187500	0.68750000
	TOTAL LEASEHOLD	160.000000	1.00000000	0.68667542	

All of Section 33-17S-27East, NM PM, Eddy County, New Mexico

Working Interest Summary

UNIT D: S/2 S/2

Limited from the base of the San Andres formation to the base of the Yeso formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWI	Unit NRI	Avg. Lease NRI
NMLC-026874B, NMNM-025528	Pecos Oil & Gas LLC	118.000000	0.73750000	0.59000000	0.80000000
NMLC-055383B	ZPZ Delaware I LLC	40.000000	0.25000000	0.20625000	0.82500000
NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
	TOTAL LEASEHOLD	160.000000	1.00000000	0.80562500	

Date	Recipient	Description	Certified Tracking Number	Delivered
10/30/2024	Spur Energy Partners	Proposal_Eagle 33 Federal 4H & 5H	7021 0950 0000 6339 0047	11/6/2024
10/30/2024	XTO Holdings, LLC	Proposal_Eagle 33 Federal 4H & 5H	7021 0950 0000 6339 0030	11/4/2024
10/30/2024	Nearburg Exploration Company	Proposal_Eagle 33 Federal 4H & 5H	7021 0950 0000 6339 0016	11/4/2024
10/30/2024	Spur Energy Partners	Proposal_Eagle 33 Federal 7H & 8H	7021 0950 0000 6339 0085	11/5/2024
10/30/2024	XTO Holdings, LLC	Proposal_Eagle 33 Federal 7H & 8H	7021 0950 0000 6339 0078	11/4/2024
10/30/2024	Nearburg Exploration Company	Proposal_Eagle 33 Federal 7H & 8H	7021 0950 0000 6339 0061	11/4/2024
10/30/2024	Chanas Partners LLC	Proposal_Eagle 33 Federal 7H & 8H	7021 0950 0000 6339 0054	11/5/2024
10/30/2024	Spur Energy Partners	Proposal_Eagle 33 Federal 10H & 11H	7021 0950 0000 6339 0122	11/5/2024
10/30/2024	XTO Holdings, LLC	Proposal_Eagle 33 Federal 10H & 11H	7021 0950 0000 6339 0115	11/4/2024
10/30/2024	Nearburg Exploration Company	Proposal_Eagle 33 Federal 10H & 11H	7021 0950 0000 6339 0108	11/4/2024
10/30/2024	Chanas Partners LLC	Proposal_Eagle 33 Federal 10H & 11H	7021 0950 0000 6339 0092	11/6/2024
11/19/2024	Spur Energy Partners	Email with Mark Hicks proposing trade		
11/25/2024	Spur Energy Partners	Email with Mark Hicks proposing trade		
12/2/2024	Spur Energy Partners	Email with Mark Hicks proposing trade		
12/11/2024	Spur Energy Partners	Email with Mark Hicks stating trade is not approved.		

EXHIBIT A-3

ALERT: WINTER WEATHER IN THE NORTH CENTRAL AND NORTHEASTERN US MAY DELAY FLIGHTS



FAQs >

Tracking Number:

Remove X

7021095000063390030

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item has been delivered and is available at a PO Box at 5:04 am on November 4, 2024 in DALLAS, TX 75266.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Delivered

Delivered, PO Box

DALLAS, TX 75266
November 4, 2024, 5:04 am

Available for Pickup

DALLAS
401 TOM LANDRY HWY
DALLAS TX 75260-9998
M-F 0800-2200; SAT 0900-2000; SUN 1100-1800
November 4, 2024, 4:35 am

Arrived at Post Office

DALLAS, TX 75260
November 4, 2024, 4:13 am

In Transit to Next Facility

November 3, 2024

Arrived at USPS Regional Facility

DALLAS TX DISTRIBUTION CENTER

EXHIBIT A-4

November 2, 2024, 10:29 am

Departed USPS Regional Facility
OKLAHOMA CITY OK DISTRIBUTION CENTER
November 2, 2024, 7:44 am

Arrived at USPS Regional Facility
OKLAHOMA CITY OK DISTRIBUTION CENTER
November 1, 2024, 7:23 pm

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Text & Email Updates



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Product Information



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Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

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

**APPLICATION OF RILEY PERMIAN
OPERATING, LLC FOR APPROVAL OF NON-
STANDARD HORIZONTAL SPACING UNIT
AND COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO**

CASE NO. 25047

AFFIDAVIT

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

Rachael Ketchledge, legal assistant and authorized representative of Riley Permian Operating Company, LLC ("Riley"), the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Application has been provided under Notice Letters dated December 13, 2024, which the Applicant mailed via U.S. Postal Service Certified Mail. Notice was delivered to the interested parties on or about December 18, 2024, as shown on certified mail receipts attached as Exhibit E.

Applicant also published notice of the Application in the Carlsbad Current-Argus on December 21, 2024. Proof of receipts is shown on Exhibit F.



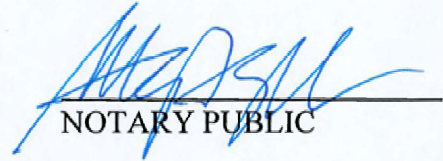
Rachael Ketchledge

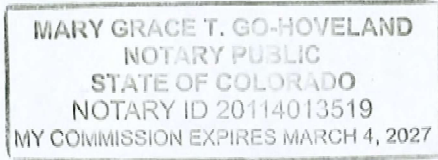
EXHIBIT A-5

SUBSCRIBED AND SWORN to before me on December 26, 2024, by Rachael Ketchledge.

My commission expires:

March 4, 2027


NOTARY PUBLIC



BEATTY & WOZNAK, P.C.

ATTORNEYS AT LAW
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COLORADO
NEW MEXICO
WYOMING

MIGUEL SUAZO

505-946-2090
MSUAZO@BWENERGYLAW.COM

December 13, 2024

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO SPACING AND POOLING PROCEEDINGS

Re: Application of Riley Permian Operating Company, LLC for Approval of a Non-Standard Horizontal Spacing Unit and Compulsory Pooling in Eddy County, New Mexico (Case No. 25047)

Dear Interest Owners:

This letter is to advise you that Riley Permian Operating Company, LLC ("Riley") has filed the enclosed application, Case No. 25047, with the New Mexico Oil Conservation Division for Approval of a Non-Standard Spacing Unit and Compulsory Pooling in Eddy County, New Mexico.

In Case No. 25047, Riley seeks an Order from the Division to: approve a 160-acre, more or less, non-standard horizontal spacing and proration unit composed of all of the N/2 S/2 of Section 33, Township 17 South, Range 27 East, N.M.P.M. Eddy County, New Mexico; and (2) to pool all uncommitted mineral interests in the Yeso formation, designated as an oil pool, underlying said unit.

A hearing has been requested before a Division Examiner on January 9, 2025, and the status of the hearing can be monitored through the Division's website. Division hearings will commence at 9:00 a.m. MST. and 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 Microsoft Teams virtual meeting platform. To view the hearing docket and to determine how to participate in the electronic hearing, visit the Division's website at: <https://www.emnrd.nm.gov/ocd/hearing-info/> or call (505) 476-3441.

You are being notified as an interest owner and 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 contesting the matter at a later date.

Parties appearing in cases who intend to present evidence are required by Division Rule 19.15.4.13.B NMAC to file a Prehearing Statement at least four business days in advance of a

BEATTY & WOZNIAK, P.C.

December 13, 2024
Case No. 25047
Page 2

scheduled hearing, but in no event later than 5 p.m. mountain time on the Thursday preceding the scheduled hearing date. This 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 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. The statement must also be provided to the attorney for the applicant, Miguel Suazo at msuazo@bwenergylaw.com.

If you have any questions about this matter, please contact Mark Smith at marksmith@rileypermian.com.

Sincerely,



Miguel Suazo

*Attorney for Riley Permian Operating Company,
LLC*

Case No. 25047 Certified Mailing Status

MAIL DATE	OWNER	ADDRESS	TYPE_INT	MAIL CLASS	TRACKING NUMBER
December 13, 2024	Nearburg Exploration Company, LL	PO Box 823085 Dallas, TX 75382	W1	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7127 22
December 13, 2024	SEP Permian Holding Corp.	9655 Katy Freeway, Suite 500 Houston, TX 77024	W1	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7127 15
December 13, 2024	XTO Holdings LLC	PO Box 840780 Dallas, TX 75284	W1	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7127 08
December 13, 2024	Chanas Partners LLC	1106 Witte Rd., Suite 100 Houston, TX 77055	W1	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 92
December 13, 2024	United States of America	PO Box 25627 Denver, CO 80225	R1	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 85
December 13, 2024	3R Operating, LLC	PO Box 692229 Houston, TX 77269	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 78
December 13, 2024	Amtex Energy, Inc.	190 W State Hwy 114#F Southlake, TX 76092	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 61
December 13, 2024	APA Corp	2000 W. Same Houston Pkwy S, Suite 200 Houston, TX 77042	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 54
December 13, 2024	Chi Energy, Inc.	PO Box 1799 Midland, TX 79701	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 47
December 13, 2024	PHX Energy, LLC	PO Box 990 Artesia, NM 88211	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 30
December 13, 2024	Silverback Operating II, LLC	1001 W. Wilshire Blvd, Suite 206 Oklahoma City, OK 73112	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 23
December 13, 2024	Spur Energy Partners	9655 Katy Freeway, Suite 500 Houston, TX 77024	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 16
December 13, 2024	Bureau of Land Management	301 Dinosaur Trail Santa Fe, NM 87508		Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 09

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) <i>ECASIS</i> C. Date of Delivery <i>12/17/24</i> D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
1. Article Addressed to: 93108 SEP Permian Holding Corp. 9655 Katy Freeway, Suite 500 Houston, TX 77024		1. Article Addressed to: 93108 Chanas Partners LLC 1106 Witte Rd, Suite 100 Houston, TX 77055	
2. Article Number (Transfer from service label) 9589 0710 5270 1506 7127 15		2. Article Number (Transfer from service label) 9589 0710 5270 1506 7126 92	
PS Form 3811, July 2020 PSN 7530-02-000-9053		PS Form 3811, July 2020 PSN 7530-02-000-9053	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) <i>Waymond Harvey</i> C. Date of Delivery <i>DEC 17 2024</i> D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
1. Article Addressed to: 93108 XTO Holdings LLC P.O. Box 840780 Dallas, TX 75284		1. Article Addressed to: 93108 United States of America P.O. Box 25627 Denver, CO 80225	
2. Article Number (Transfer from service label) 9589 0710 5270 1506 7127 08		2. Article Number (Transfer from service label) 9589 0710 5270 1506 7126 85	
PS Form 3811, July 2020 PSN 7530-02-000-9053		PS Form 3811, July 2020 PSN 7530-02-000-9053	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) <i>Ashley</i> C. Date of Delivery <i>12/19/24</i> D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
1. Article Addressed to: 93108 Silverback Operating II, LLC 1001 W. Wilshire Blvd, Suite 206 Oklahoma City, OK 73112		1. Article Addressed to: 93108 Nearburg Exploration Company, LLC P.O. Box 823085 Dallas, TX 75382	
2. Article Number (Transfer from service label) 9589 0710 5270 1506 7126 23		2. Article Number (Transfer from service label) 9589 0710 5270 1506 7127 22	
PS Form 3811, July 2020 PSN 7530-02-000-9053		PS Form 3811, July 2020 PSN 7530-02-000-9053	

Subject	RE: [EXTERNAL] Re: Eagle 33 Fed Com
From	Smith, Chad D
To	Mark Smith; McKenzie Thompson
Sent	Wednesday, March 19, 2025 4:09 PM

I am just as confused. When were the original proposals without the pooling order sent over to XTO?

Thanks,

Chad Smith

From: Mark Smith <marksmith@rileypermian.com>

Sent: Wednesday, March 19, 2025 4:06 PM

To: Smith, Chad D <chad.d.smith@exxonmobil.com>; McKenzie Thompson <mckenziethompson@rileypermian.com>

Subject: Re: [EXTERNAL] Re: Eagle 33 Fed Com

McKenzie, can you please send Chad a copy of the green card for XTO? Chad, I am super confused right now. I also emailed you all of the proposals twice. Are you not getting them? Is there an issue with our proposals? I am starting to have a

ZjQcmQRYFpfptBannerStart

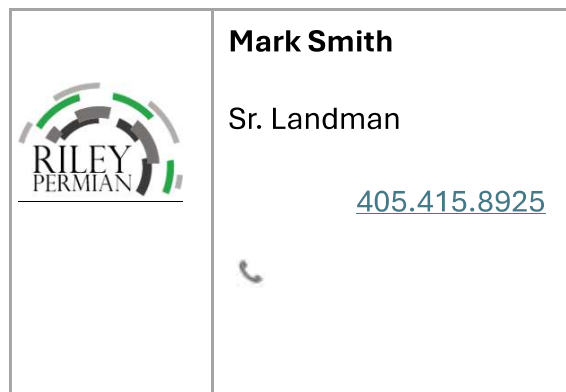
External Email - Think Before You Click

EXHIBIT A-6

ZjQcmQRYFpfptBannerEnd

McKenzie, can you please send Chad a copy of the green card for XTO?

Chad, I am super confused right now. I also emailed you all of the proposals twice. Are you not getting them? Is there an issue with our proposals? I am starting to have a hard time wondering what is going on? Are you thinking we did not propose them?



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From: Smith, Chad D <chad.d.smith@exxonmobil.com>

Sent: Wednesday, March 19, 2025 3:57 PM

To: Mark Smith <marksmith@rileypermian.com>

Subject: RE: [EXTERNAL] Re: Eagle 33 Fed Com

Can you send me the certified mail #? Land hasn't received the proposals by mail. Also do you know when yall sent the original proposals without the pooling order over to us?

Thanks,

Chad Smith

From: Mark Smith <marksmith@rileypermian.com>

Sent: Monday, March 17, 2025 11:02 AM

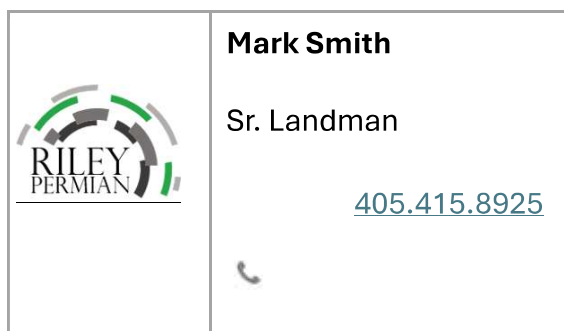
To: Smith, Chad D <chad.d.smith@exxonmobil.com>

Subject: Re: [EXTERNAL] Re: Eagle 33 Fed Com

No. Those were proposals after the pooling was approved. I also emailed you the same proposals so that you could forward to your team. Are you showing something different?

Mark Smith Sr. Landman 405.415.8925 This

No. Those were proposals after the pooling was approved. I also emailed you the same proposals so that you could forward to your team. Are you showing something different?



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From: Smith, Chad D <chad.d.smith@exxonmobil.com>

Sent: Monday, March 17, 2025 10:58 AM

To: Mark Smith <marksmith@rileypermian.com>

Subject: RE: [EXTERNAL] Re: Eagle 33 Fed Com

Mark,

The proposal you sent out on 3-8-25. Were those the original proposals without the pooling order?

Chad Smith

From: Mark Smith <marksmith@rileypermian.com>

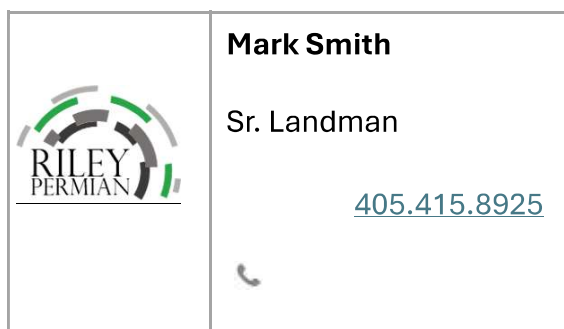
Sent: Monday, March 17, 2025 8:53 AM

To: Smith, Chad D <chad.d.smith@exxonmobil.com>

Subject: Re: [EXTERNAL] Re: Eagle 33 Fed Com

Chad, we show the proposals were received on 3-8-25 (green card we got back). Mark Smith Sr. Landman 405.415.8925 This email and any attachments may be confidential, privileged or otherwise exempt from disclosure

Chad, we show the proposals were received on 3-8-25 (green card we got back).



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your system and do not copy, distribute, disclose or otherwise act upon any part of this email communication or its attachments.

From: Smith, Chad D <chad.d.smith@exxonmobil.com>

Sent: Thursday, March 13, 2025 3:02 PM

To: Mark Smith <marksmith@rileypermian.com>

Subject: RE: [EXTERNAL] Re: Eagle 33 Fed Com

Mark,

Good to finally meet you at NAPE too!

Thanks for the proposals. Do you know when Riley Permian sent out the original proposals to XTO for these wells? I can't find them in my files. Also, what are you showing XTO to own in that development

From: Mark Smith <marksmith@rileypermian.com>

Sent: Thursday, March 6, 2025 12:37 PM

To: Smith, Chad D <chad.d.smith@exxonmobil.com>

Subject: Fw: [EXTERNAL] Re: Eagle 33 Fed Com

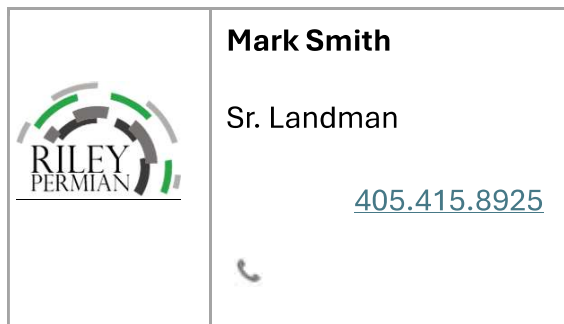
Chad, attached are the post pooling well proposals for the Eagle units. We mailed as well but wanted to email to you also for ease of circulating to your team. Best, Mark W. Smith
Direct Cell: 405-694-9053 Mark Smith

Chad, attached are the post pooling well proposals for the Eagle units. We mailed as well but wanted to email to you also for ease of circulating to your team.

Best,

Mark W. Smith

Direct Cell: 405-694-9053



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Subject	Re: Eagle 33 Federal Com Wells (6)_XTO Election to Participate
From	Mark Smith
To	Sloan, Cindy
Cc	Smith, Chad D; Cifuentes, Bryan Joseph
Sent	Friday, April 4, 2025 3:39 PM

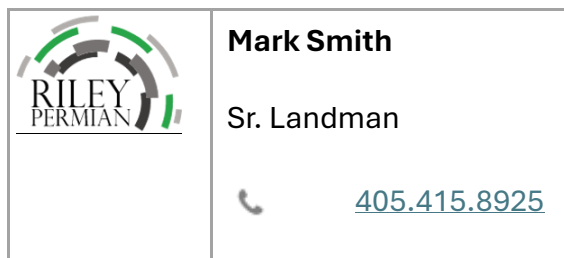
External Email - Think Before You Click

Thank you, Cindy!

Is it safe to assume that XTO is not interested in any Term Assignments/Farmout Agreements on the NW Shelf?

Best,

MWS



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From: Sloan, Cindy <cindy.sloan@exxonmobil.com>

Sent: Friday, April 4, 2025 3:35 PM

To: Mark Smith <MarkSmith@rileypermian.com>

EXHIBIT A-7

Cc: Smith, Chad D <chad.d.smith@exxonmobil.com>; Cifuentes, Bryan Joseph <bryan.cifuentes@exxonmobil.com>

Subject: Eagle 33 Federal Com Wells (6)_XTO Election to Participate

Hello Mark,

XTO Holdings, LLC hereby elects to **participate** in the drill and complete operations in the following (6) wells:

- EAGLE FED COM 4H & 5H
- EAGLE FED COM 7H & 8H
- EAGLE FED COM 10H & 11H

Attached for your handling is XTO's signed AFEs, renewed Certificate of Liability Insurance, and Well Data Requirements.

XTO elects **not to be covered by Extra Expense Insurance procured by Riley Permian. XTO has and continues to maintain its own operators extra expense insurance and should not be billed for any coverage to the joint account.*

Please reply to this email to confirm receipt.

Feel free to contact me if there are any questions or concerns.

Best regards,

Cindy Sloan

Senior Land Analyst - Delaware Basin

ExxonMobil Upstream Company

Land Department- Loc. 115

22777 Springwoods Village Pkwy Spring, TX 77389-1425

Direct: (346)-998-2539

-



Date: 11/19/2025

Via Email and Certified Mail – RRR

Mark Smith

Riley Permian Operating Company, LLC

29 E. Reno Ave. Suite 500

Oklahoma City, Oklahoma 73104

marksmith@rileypermian.com

Re: Tender and Cure Concerning Pooling Order [Order No's. R-23729, 23730, R-23731], OCD Case [No's. 25047, 25048, 25049]; [Eagle 33 Federal Com 4H, Eagle 33 Federal Com 5H, Eagle 33 Federal Com 7H, Eagle 33 Federal Com 8H, Eagle 33 Federal Com 10H, Eagle 33 Federal Com 11H, API(s): 30-015-49329, 30-015-49711, 30-015-49713, 30-015-49714, 30-015-49715, 30-015-49668]; N2S2 of Section 33 Township 17 South Range 27 East containing 160 acres of land, S2N2 of Section 33 Township 17 South Range 27 East containing 160 acres of land, N2N2 of Section 33 Township 17 South Range 27 East containing 160 acres of land. All lands are located in Eddy County, New Mexico, limited to the Yeso Formation

Dear Mr. Smith

XTO Holdings, LLC writes to (i) confirm its election to participate in the above-referenced wells, (ii) tender funding for its share of Estimated Well Costs, and (iii) preserve its rights arising from defective service of the pooling hearing notice and the final order.

1. **Election & Tender.** On April 4, 2025, XTO Holdings, LLC elected to participate based on Estimated Well Costs emailed by Riley Permian Operating Company, LLC. Enclosed are six check requests in the amount of \$2,331,730 for each well representing XTO Holdings, LLC 50% WI share of Estimated Well Costs for the Eagle 33 Federal Com 4H, Eagle 33 Federal Com 5H, Eagle 33 Federal Com 7H, Eagle 33 Federal Com 8H, Eagle 33 Federal Com 10H, Eagle 33 Federal Com 11H, together with any outstanding JIB items provided to date. This tender is without prejudice and subject to OCD clarification of deadlines.
2. **Service Defects.** Riley Permian Operating Company, LLC, did not serve XTO Holdings, LLC or provide it proper notice with the pooling hearing notice by certified mail to its last-known address, nor serve the final order by certified mail, as expressly required under New Mexico law. See NMSA 1978, § 70-2-17 (notice and hearing), and 19.15.4.12 NMAC (service by certified mail; publication after diligent search). Because proper service never occurred, the election and payment clocks in ¶27 of the Order did not commence as to XTO Holdings, LLC. Moreover, the failure of notice invalidates the Order in its entirety and XTO Holdings, LLC reserves its rights to Motion the OCD to re-open the hearing and assert an objection to the voidable Order.

EXHIBIT A-8

3. **Requested Cure.** To avoid motion practice, XTO Holdings, LLC requests that Riley Permian Operating Company, LLC (a) re-serve the Order and Estimated Well Costs by certified mail, (b) confirm in writing that XTO Holdings, LLC is recognized as a consenting working interest owner, and (c) reset XTO Holdings, LLC's election/payment deadlines to run from proper service. XTO Holdings, LLC remains ready to fund and cooperate immediately. If agreed, then XTO Holdings, LLC will waive its rights to object to the improper Order subject to it being allowed to being considered a consenting working interest owner under the existing Order.

If we do not receive written confirmation within **[5 business days]**, XTO Holdings, LLC will file a targeted motion to reopen/vacate the Order with the NMOCD.

Sincerely,

Chad Smith

Commercial & Land Advisor, ExxonMobil

281-939-3707 Chad.d.smith@exxonmobil.com

Enclosures: Check/Escrow Proof; Cost Detail

Attachments: Pooling Order (Ex. A):



November 21, 2025

XTO Holdings LLC
P.O. Box 840780
Dallas, TX 75284

XTO Holdings LLC
22777 Springwoods Village Pkwy
Spring, TX 77389-1425

RE: Eagle 33 Federal Com 4H, 5H, 7H, 8H, 10H and 11H
Section 33, T17S-R27E
Eddy County, New Mexico

Dear Mr. Chad Smith:

Riley Permian Operating Company, LLC ("Riley") writes to respond to your letter dated November 19, 2025 (the "Letter"), in reference to certain notices and elections under the OCD approved Compulsory Pooling Orders R-23729, R-23730 and R-23731 (the "Orders").

1. On April 4, 2025, XTO Holdings, LLC ("XTO") elected to participate in the Eagle 33 Federal Com 4H, 5H, 7H, 8H, 10H and 11H wells. Riley acknowledged XTO's election to participate. Riley has never disputed the validity of XTO's election to participate. However, XTO failed to make a timely payment per paragraph 27 of the Orders.
2. Riley provided proper notice to XTO via certified mail on 10/30/2024 and 3/6/2025 and provided such proof to XTO via email on March 19, 2025. Riley used the same address it has on file for XTO in its current JIB/REV decks for other wells/properties in New Mexico. Upon providing XTO the proof of delivery in the email described above, Riley was given another address to use for XTO and Riley has updated its records accordingly. Riley subsequently emailed the proposals to XTO once more on March 24, 2025, and XTO confirmed receipt of the proposals via email dated March 24, 2025.
3. Per the OCD regulations, only party(s) or their attorney of record are sent Orders after they are issued. Orders are sent by the OCD, not the operator/applicant, nor their attorney. For copies of commission and division orders, the OCD defines the "parties to a case" as the "applicant and each person who has entered an appearance in the case—in person or by attorney—by filing a protest, pleading, or notice of appearance." 19.15.4.24 NMAC. XTO did not enter an appearance in any of the OCD Cases pertaining to the Orders. Neither Riley nor its attorney are required to send the Orders directly to XTO as alluded to in the Letter.

Should you have any questions regarding this response, please contact Mark Smith at 405-694-9053 or marksmith@rileypermian.com. Thank you.

Best Regards,

A handwritten signature in cursive script, appearing to read "Mark W. Smith".

Mark W. Smith
Sr. Landman

EXHIBIT A-9

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

**APPLICATION OF RILEY PERMIAN
OPERATING COMPANY, LLC FOR
APPROVAL OF NON-STANDARD
HORIZONTAL SPACING UNIT AND
COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO**

Case No. _____

APPLICATION

Riley Permian Operating Company, LLC, OGRID No. 372290 (“Riley” or “Applicant”), through its undersigned attorneys, hereby files this Application with the Oil Conservation Division (“Division”) pursuant to the provisions of NMSA 1978, § 70-2-17 and 19.15.16.15(B)(5) NMAC, for an order (1) approving a 160-acre, more or less, non-standard horizontal spacing unit (“HSU”) composed of the S/2 N/2 of Section 33, Township 17 South, Range 27 East, N.M.P.M. (the “Application Lands”), and (2) pooling all uncommitted mineral interests in the Yeso Formation, designated as an oil pool, underlying said HSU. ”), and (2) pooling all uncommitted mineral interests in the Yeso Formation, designated as an oil pool, underlying said HSU.

In support of its Application, Riley states the following:

1. Riley is a working interest owner in the Application Lands and has a right to drill wells thereon as the designated Operator of the Application Lands.
2. Riley seeks to dedicate all of the Application Lands to form a 160-acre, more or less, HSU.
3. Riley seeks to dedicate the above-referenced HSU to the following proposed wells:
 - A. **Eagle 33 Fed Com #007H** (API No. 30-015-49713), which is an oil well that will be horizontally drilled from a surface location in the SW/4NW/4 (Unit E) of

Section 34, Township 17 South, Range 27 East, to a bottom hole location in the Yeso Formation in Lot 5 (Unit E) of Section 33, Township 17 South, Range 27 East;

B. **Eagle 33 Fed Com #008H** (API No. 30-015-49714), which is an oil well that will be horizontally drilled from a surface location in the SW/4NW/4 (Unit E) of Section 34, Township 17 South, Range 27 East, to a bottom hole location in the Yeso Formation in Lot 5 (Unit E) of Section 33, Township 17 South, Range 27 East;

4. The wells are orthodox in their location as defined by 19.15.16.15.(C) NMAC, and the take points and laterals comply with Statewide Rules for setbacks under 19.15.16.15.(C) NMAC.

5. Riley has sought in good faith but has been unable to obtain voluntary agreement from all interest owners in the Yeso Formation underlying the proposed spacing unit 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 Yeso Formation within the proposed unit will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.

7. Approval of a non-standard horizontal spacing unit is necessary to prevent waste and protect correlative rights.

8. To provide for its just and fair share of the oil and gas underlying the subject lands, Riley requests that all uncommitted interests in this HSU be pooled and that Riley be designated as the operator of the proposed horizontal wells and HSU.

WHEREFORE, Riley requests this Application be set for hearing on January 9th, 2025, before an Examiner of the Oil Conservation Division, and after notice and hearing as required by law, the Division enter an order:

- A. Approving the creation of an approximately 160-acre non-standard HSU, composed of the Application Lands, pursuant to 19.15.16.15(B)(5) NMAC;
- B. Pooling all uncommitted interests in the Yeso Formation underlying the HSU within the Application Lands;
- C. Approving the **Eagle 33 Fed Com #007H** and **Eagle 33 Fed Com #008H** as the wells for the HSU.
- D. Designating Riley as operator of the HSU and the horizontal wells to be drilled thereon;

Respectfully submitted,

BEATTY & WOZNIAK, P.C.

By: 
Miguel A. Suazo
James P. Parrot
500 Don Gaspar Ave.,
Santa Fe, NM 87505
(505) 946-2090
msuazo@bwenergyllaw.com
jparrot@bwenergyllaw.com
Attorneys for Riley Permian Operating Company.

Application of Riley Permian Operating Company, LLC for Approving a Non-Standard Horizontal Spacing Unit and Compulsory Pooling, Eddy County, New Mexico. Applicant in the above-styled cause seeks an order from the Division: (1) approving a 160-acre, more or less, non-standard horizontal spacing and proration unit composed of all of the S/2 N/2 of Section 33, Township 17 South, Range 27 East, N.M.P.M.; and (2) pooling all uncommitted mineral interests in the Yeso Formation, designated as an oil pool, underlying said unit. The proposed wells to be dedicated to the horizontal spacing unit are the: **Eagle 33 Fed Com #007H**, which is an oil well that will be horizontally drilled from a surface location in the SW/4NW/4 (Unit E) of Section 34 to a bottom hole location in the Yeso Formation in Lot 5 (Unit E) of Section 33; and the **Eagle 33 Fed Com #008H**, which is an oil well that will be horizontally drilled from a surface location in the SW/4NW/4 (Unit E) of Section 34 to a bottom hole location in the Yeso Formation in Lot 5 (Unit E) of Section 33. The wells are orthodox in location, and the take points and laterals comply with Statewide Rules for setbacks. The wells and lands are located approximately 8 miles southeast from Artesia, New Mexico.

All of Section 33-17S-27East, NM PM, Eddy County, New Mexico

Working Interest Summary

UNIT A: N/2 N/2 (BPO)

Limited from the base of the San Andres formation to the base of the Yeso formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-025528	Pecos Oil & Gas, LLC	78.000000	0.48750000	0.39000000	0.80000000
NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	80.000000	0.50000000	0.34552813	0.69105625
	TOTAL LEASEHOLD	160.000000	1.00000000	0.74490313	

Parties with Uncommitted Interests Shown that are
Subject to Compulsory Pooling:SEP Permian Holding Corp. (Spur Energy Partners)
XTO Holdings LLCParties with Committed Interests Shown that
are Subject to Pooling:Chanas Partners LLC
Pecos Oil & Gas, LLC (Riley Permian Operating
Company, LLC / Riley Exploration-Permian, LLC)

UNIT A: N/2 N/2 (APO)

Limited from the base of the San Andres formation to the base of the Yeso formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-025528	Pecos Oil & Gas, LLC	78.000000	0.48750000	0.39000000	0.80000000
NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
NMLC-026874F	Term: Nearburg Exploration Company, L.L.C. Reversion: XTO Holdings LLC	3.854000	0.02408750	0.01646276	0.68345638
NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	76.146000	0.47591250	0.32526543	0.68345638
	TOTAL LEASEHOLD	160.000000	1.00000000	0.74110319	

All of Section 33-17S-27East, NM PM, Eddy County, New Mexico

Working Interest Summary

UNIT B: S/2 N/2 (BPO)

Limited from the base of the San Andres formation to the base of the Yeso formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-056122, NMNM-025528	Pecos Oil & Gas, LLC	78.000000	0.48750000	0.39000000	0.80000000
NMNM-056122, NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	80.000000	0.50000000	0.34552813	0.69105625
	TOTAL LEASEHOLD	160.000000	1.00000000	0.74490313	

Parties with Uncommitted Interests Shown that are
Subject to Compulsory Pooling:

SEP Permian Holding Corp. (Spur Energy Partners)
XTO Holdings LLC

Parties with Committed Interests Shown that
are Subject to Pooling:

Chanas Partners LLC
Pecos Oil & Gas, LLC (Riley Permian Operating
Company, LLC / Riley Exploration-Permian, LLC)

UNIT B: S/2 N/2 (APO)

Limited from the base of the San Andres formation to the base of the Yeso formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-056122, NMNM-025528	Pecos Oil & Gas, LLC	78.000000	0.48750000	0.39000000	0.80000000
NMNM-056122, NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
NMLC-026874F	Term: Nearburg Exploration Company, L.L.C. Reversion: XTO Holdings LLC	3.854000	0.02408750	0.01646276	0.68345638

Received by OCD: 2/14/2025 3:36:53 PM

NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	76.146000	0.47591250	0.32526543	0.68345638
	TOTAL LEASEHOLD	160.000000	1.00000000	0.74110319	

Released to Imaging: 2/17/2025 8:20:33 AM

All of Section 33-17S-27East, NM PM, Eddy County, New Mexico

Working Interest Summary

UNIT C: N/2 S/2 (BPO)

Limited from the base of the San Andres formation to the base of the Yeso formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-033865	Pecos Oil & Gas, LLC	40.000000	0.25000000	0.17187500	0.68750000
NMLC-049648B, NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	80.000000	0.50000000	0.34552813	0.69105625
NMNM-033865	SEP Permian Holding Corp.	40.000000	0.25000000	0.17187500	0.68750000
	TOTAL LEASEHOLD	160.000000	1.00000000	0.68927813	

UNIT C: N/2 S/2 (APO)

Limited from the base of the San Andres formation to the base of the Yeso formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-033865	Pecos Oil & Gas, LLC	40.000000	0.25000000	0.17187500	0.68750000
NMLC-049648B, NMLC-026874F	Term: Nearburg Exploration Company, L.L.C. Reversion: XTO Holdings LLC	3.854000	0.02408750	0.01652043	0.68585085
NMLC-049648B, NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	76.146000	0.47591250	0.32640499	0.68585085
NMNM-033865	SEP Permian Holding Corp.	40.000000	0.25000000	0.17187500	0.68750000
	TOTAL LEASEHOLD	160.000000	1.00000000	0.68667542	

All of Section 33-17S-27East, NM PM, Eddy County, New Mexico

Working Interest Summary

UNIT D: S/2 S/2

Limited from the base of the San Andres formation to the base of the Yeso formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMLC-026874B, NMNM-025528	Pecos Oil & Gas LLC	118.000000	0.73750000	0.59000000	0.80000000
NMLC-055383B	ZPZ Delaware I LLC	40.000000	0.25000000	0.20625000	0.82500000
NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
	TOTAL LEASEHOLD	160.000000	1.00000000	0.80562500	

Date	Recipient	Description	Certified Tracking Number	Delivered
10/30/2024	Spur Energy Partners	Proposal_Eagle 33 Federal 4H & 5H	7021 0950 0000 6339 0047	11/6/2024
10/30/2024	XTO Holdings, LLC	Proposal_Eagle 33 Federal 4H & 5H	7021 0950 0000 6339 0030	11/4/2024
10/30/2024	Nearburg Exploration Company	Proposal_Eagle 33 Federal 4H & 5H	7021 0950 0000 6339 0016	11/4/2024
10/30/2024	Spur Energy Partners	Proposal_Eagle 33 Federal 7H & 8H	7021 0950 0000 6339 0085	11/5/2024
10/30/2024	XTO Holdings, LLC	Proposal_Eagle 33 Federal 7H & 8H	7021 0950 0000 6339 0078	11/4/2024
10/30/2024	Nearburg Exploration Company	Proposal_Eagle 33 Federal 7H & 8H	7021 0950 0000 6339 0061	11/4/2024
10/30/2024	Chanas Partners LLC	Proposal_Eagle 33 Federal 7H & 8H	7021 0950 0000 6339 0054	11/5/2024
10/30/2024	Spur Energy Partners	Proposal_Eagle 33 Federal 10H & 11H	7021 0950 0000 6339 0122	11/5/2024
10/30/2024	XTO Holdings, LLC	Proposal_Eagle 33 Federal 10H & 11H	7021 0950 0000 6339 0115	11/4/2024
10/30/2024	Nearburg Exploration Company	Proposal_Eagle 33 Federal 10H & 11H	7021 0950 0000 6339 0108	11/4/2024
10/30/2024	Chanas Partners LLC	Proposal_Eagle 33 Federal 10H & 11H	7021 0950 0000 6339 0092	11/6/2024
11/19/2024	Spur Energy Partners	Email with Mark Hicks proposing trade		
11/25/2024	Spur Energy Partners	Email with Mark Hicks proposing trade		
12/2/2024	Spur Energy Partners	Email with Mark Hicks proposing trade		
12/11/2024	Spur Energy Partners	Email with Mark Hicks stating trade is not approved.		

EXHIBIT A-12

ALERT: WINTER WEATHER IN THE NORTH CENTRAL AND NORTHEASTERN US MAY DELAY FLIGHTS



FAQs >

Tracking Number:

Remove X

7021095000063390078

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item has been delivered and is available at a PO Box at 5:04 am on November 4, 2024 in DALLAS, TX 75266.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Delivered

Delivered, PO Box

DALLAS, TX 75266
November 4, 2024, 5:04 am

Available for Pickup

DALLAS
401 TOM LANDRY HWY
DALLAS TX 75260-9998
M-F 0800-2200; SAT 0900-2000; SUN 1100-1800
November 4, 2024, 4:35 am

Arrived at Post Office

DALLAS, TX 75260
November 4, 2024, 4:13 am

In Transit to Next Facility

November 3, 2024

Arrived at USPS Regional Facility

DALLAS TX DISTRIBUTION CENTER

EXHIBIT A-13

November 2, 2024, 10:29 am

Departed USPS Regional Facility
OKLAHOMA CITY OK DISTRIBUTION CENTER
November 2, 2024, 7:44 am

Arrived at USPS Regional Facility
OKLAHOMA CITY OK DISTRIBUTION CENTER
November 1, 2024, 7:28 pm

Hide Tracking History

What Do USPS Tracking Statuses Mean? (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates



USPS Tracking Plus®



Product Information



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Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

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

**APPLICATION OF RILEY PERMIAN
OPERATING, LLC FOR APPROVAL OF NON-
STANDARD HORIZONTAL SPACING UNIT
AND COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO**

CASE NO. 25048

AFFIDAVIT

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

Rachael Ketchledge, legal assistant and authorized representative of Riley Permian Operating Company, LLC ("Riley"), the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Application has been provided under Notice Letters dated December 13, 2024, which the Applicant mailed via U.S. Postal Service Certified Mail. Notice was delivered to the interested parties on or about December 18, 2024, as shown on certified mail receipts attached as Exhibit E.

Applicant also published notice of the Application in the Carlsbad Current-Argus on December 21, 2024. Proof of receipts is shown on Exhibit F.



Rachael Ketchledge

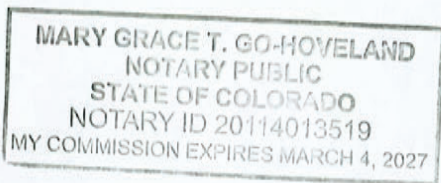
EXHIBIT A-14

SUBSCRIBED AND SWORN to before me on December 26, 2024, by Rachael Ketchledge.

My commission expires: *March 4, 2027*

[Signature]

NOTARY PUBLIC



SUBSCRIBED AND SWORN to before me on Dec 26, 2024, by Rachael Ketchledge.

My commission expires:

NOTARY PUBLIC

SUBSCRIBED AND SWORN to before me on Dec 26, 2024, by Rachael Ketchledge.

My commission expires:

NOTARY PUBLIC

SUBSCRIBED AND SWORN to before me on Dec 26, 2024, by Rachael Ketchledge.

My commission expires:

NOTARY PUBLIC

BEATTY & WOZNAK, P.C.

ATTORNEYS AT LAW
500 DON GASPAR AVENUE
SANTA FE, NEW MEXICO 87505
TELEPHONE 505-983-8545
FACSIMILE 800-886-6566
www.bwenergylaw.com

COLORADO
NEW MEXICO
WYOMING

MIGUEL SUAZO

505-946-2090
MSUAZO@BWENERGYLAW.COM

December 13, 2024

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO SPACING AND POOLING PROCEEDINGS

Re: Application of Riley Permian Operating Company, LLC for Approval of a Non-Standard Horizontal Spacing Unit and Compulsory Pooling in Eddy County, New Mexico (Case No. 25048)

Dear Interest Owners:

This letter is to advise you that Riley Permian Operating Company, LLC ("Riley") has filed the enclosed application, Case No. 25048, with the New Mexico Oil Conservation Division for Approval of a Non-Standard Spacing Unit and Compulsory Pooling in Eddy County, New Mexico.

In Case No. 25048, Riley seeks an Order from the Division to: (1) approve a 160-acre, more or less, non-standard horizontal spacing and proration unit composed of all of the S/2 N/2 of Section 33, Township 17 South, Range 27 East, N.M.P.M. Eddy County, New Mexico; and (2) to pool all uncommitted mineral interests in the Yeso formation, designated as an oil pool, underlying said unit.

A hearing has been requested before a Division Examiner on January 9, 2025, and the status of the hearing can be monitored through the Division's website. Division hearings will commence at 9:00 a.m. MST and will be conducted in a hybrid fashion, both in-person at

Received by OCD: 2/24/2026 4:58:48 PM *Page 67 of 112*
the Energy, Minerals, and Natural Resources Department, Wendell Chino Building, Pecos Hall,
1220 South St. Francis Drive, 1st Floor, Santa Fe, NM 87505 and via the Microsoft Teams
virtual meeting platform. To view the hearing docket and to determine how to participate in the
electronic hearing, visit the Division's website at: <https://www.emnrd.nm.gov/ocd/hearing-info/>
or call (505) 476-3441.

You are being notified as an interest owner and 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
contesting the matter at a later date.

Parties appearing in cases who intend to present evidence are required by Division Rule
19.15.4.13.B NMAC to file a Prehearing Statement at least four business days in advance of a

Received by OCD: 2/14/2025 3:36:53 PM

Page 50 of 60

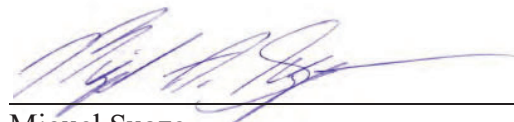
BEATTY & WOZNIAK, P.C.

December 13, 2024
Case No. 25048
Page 2

scheduled hearing, but in no event later than 5 p.m. mountain time on the Thursday preceding the
scheduled hearing date. This 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 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. The statement must also be provided to the
attorney for the applicant, Miguel Suazo at msuazo@bwenergylaw.com.

If you have any questions about this matter, please contact Mark Smith at
marksmith@rileypermian.com.

Sincerely,



Miguel Suazo

*Attorney for Riley Permian Operating Company,
LLC*

Case No. 25048 Certified Mailing Status

MAIL DATE	OWNER	ADDRESS	TYPE_INT	MAIL CLASS	TRACKING NUMBER
December 13, 2024	Nearburg Exploration Company, LL	PO Box 823085 Dallas, TX 75382	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7127 22
December 13, 2024	SEP Permian Holding Corp.	9655 Katy Freeway, Suite 500 Houston, TX 77024	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7127 15
December 13, 2024	XTO Holdings LLC	PO Box 840780 Dallas, TX 75284	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7127 08
December 13, 2024	Chanas Partners LLC	1106 Witte Rd., Suite 100 Houston, TX 77055	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 92
December 13, 2024	United States of America	PO Box 25627 Denver, CO 80225	RI	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 85
December 13, 2024	3R Operating, LLC	PO Box 692229 Houston, TX 77269	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 78
December 13, 2024	Amtex Energy, Inc.	190 W State Hwy 114#F Southlake, TX 76092	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 61
December 13, 2024	APA Corp	2000 W. Same Houston Pkwy S, Suite 200 Houston, TX 77042	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 54
December 13, 2024	Chi Energy, Inc.	PO Box 1799 Midland, TX 79701	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 47
December 13, 2024	PHX Energy, LLC	PO Box 990 Artesia, NM 88211	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 30
December 13, 2024	Silverback Operating II, LLC	1001 W. Wilshire Blvd, Suite 206 Oklahoma City, OK 73112	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 23
December 13, 2024	Spur Energy Partners	9655 Katy Freeway, Suite 500 Houston, TX 77024	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 16
December 13, 2024	Bureau of Land Management	301 Dinosaur Trail Santa Fe, NM 87508		Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 09

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) ECASIES C. Date of Delivery 12/17/24 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
1. Article Addressed to: 9310.8 SEP Permian Holding Corp. 9655 Katy Freeway, Suite 500 Houston, TX 77024	
2. Article Number (Transfer from service label) 9589 0710 5270 1506 7127 15	3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) Hunter Smith C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
1. Article Addressed to: 9310.8 Chanas Partners LLC 1106 Witte Rd, Suite 100 Houston, TX 77055	
2. Article Number (Transfer from service label) 9589 0710 5270 1506 7126 92	3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) Waymond Harvey C. Date of Delivery DEC 17 2024 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
1. Article Addressed to: 9310.8 XTO Holdings LLC P.O. Box 840780 Dallas, TX 75284	
2. Article Number (Transfer from service label) 9589 0710 5270 1506 7127 08	3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) [Signature] C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
1. Article Addressed to: 9310.8 United States of America P.O. Box 25627 Denver, CO 80225	
2. Article Number (Transfer from service label) 9589 0710 5270 1506 7126 85	3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) Ashley Fox C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
1. Article Addressed to: 9310.8 Silverback Operating II, LLC 1001 W. Wilshire Blvd, Suite 206 Oklahoma City, OK 73112	
2. Article Number (Transfer from service label) 9589 0710 5270 1506 7126 23	3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) Ashley Fox C. Date of Delivery 12/19/24 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
1. Article Addressed to: 9310.8 Nearburg Exploration Company, LLC P.O. Box 823085 Dallas, TX 75382	
2. Article Number (Transfer from service label) 9589 0710 5270 1506 7127 22	3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt	

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

**APPLICATION OF RILEY PERMIAN
OPERATING COMPANY, LLC FOR
APPROVAL OF NON-STANDARD
HORIZONTAL SPACING UNIT AND
COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO**

Case No. _____

APPLICATION

Riley Permian Operating Company, LLC, OGRID No. 372290 (“Riley” or “Applicant”), through its undersigned attorneys, hereby files this Application with the Oil Conservation Division (“Division”) pursuant to the provisions of NMSA 1978, § 70-2-17 and 19.15.16.15(B)(5) NMAC, for an order (1) approving a 160-acre, more or less, non-standard horizontal spacing unit (“HSU”) composed of the N/2 N/2 of Section 33, Township 17 South, Range 27 East, N.M.P.M. (the “Application Lands”), and (2) pooling all uncommitted mineral interests in the Yeso Formation, designated as an oil pool, underlying said HSU.

In support of its Application, Riley states the following:

1. Riley is a working interest owner in the Application Lands and has a right to drill wells thereon as the designated Operator of the Application Lands.
2. Riley seeks to dedicate all of the Application Lands to form a 160-acre, more or less, HSU.
3. Riley seeks to dedicate the above-referenced HSU to the following proposed wells:
 - A. **Eagle 33 Fed Com #010H** (API No. 30-015-49668) which is an oil well that will be horizontally drilled from a surface location in the NW/4NW/4 (Unit D) of

Section 34, Township 17 South, Range 27 East, to a bottom hole location in the Yeso Formation in Lot 4 (Unit D) of Section 33, Township 17 South, Range 27 East;

B. **Eagle 33 Fed Com #011H** (API No. 30-015-49475), which is an oil well that will be horizontally drilled from a surface location in the NW/4NW/4 (Unit D) of Section 34, Township 17 South, Range 27 East, to a bottom hole location in the Yeso Formation in Lot 4 (Unit D) of Section 33, Township 17 South, Range 27 East;

4. The wells are orthodox in their location as defined by 19.15.16.15.(C) NMAC, and the take points and laterals comply with Statewide Rules for setbacks under 19.15.16.15.(C) NMAC.

5. Riley has sought in good faith but has been unable to obtain voluntary agreement from all interest owners in the Yeso Formation underlying the proposed spacing unit 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 Yeso Formation within the proposed unit will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.

7. Approval of a non-standard horizontal spacing unit is necessary to prevent waste and protect correlative rights.

8. To provide for its just and fair share of the oil and gas underlying the subject lands, Riley requests that all uncommitted interests in this HSU be pooled and that Riley be designated as the operator of the proposed horizontal wells and HSU.

WHEREFORE, Riley requests this Application be set for hearing on January 9th, 2025, before an Examiner of the Oil Conservation Division, and after notice and hearing as required by law, the Division enter an order:

- A. Approving the creation of an approximately 160-acre non-standard HSU, composed of the Application Lands, pursuant to 19.15.16.15(B)(5) NMAC;
- B. Pooling all uncommitted interests in the Yeso Formation underlying the HSU within the Application Lands;
- C. Approving the **Eagle 33 Fed Com #010H** and **Eagle 33 Fed Com #011H** as the wells for the HSU.
- D. Designating Riley as operator of the HSU and the horizontal wells to be drilled thereon;

Respectfully submitted,

BEATTY & WOZNIAK, P.C.

By: 
Miguel A. Suazo
James P. Parrot
500 Don Gaspar Ave.,
Santa Fe, NM 87505
(505) 946-2090
msuazo@bwenergylaw.com
jparrot@bwenergylaw.com
Attorneys for Riley Permian Operating Company.

Application of Riley Permian Operating Company, LLC for Approving a Non-Standard Horizontal Spacing Unit and, Eddy County, New Mexico. Applicant in the above-styled cause seeks an order from the Division: (1) approving a 160-acre, more or less, non-standard horizontal spacing and proration unit composed of the N/2 N/2 of Section 33, Township 17 South, Range 27 East, N.M.P.M.; and (2) pooling all uncommitted mineral interests in the Yeso Formation, designated as an oil pool, underlying said unit. The proposed wells to be dedicated to the horizontal spacing unit are the: **Eagle 33 Fed Com #010H**, which is an oil well that will be horizontally drilled from a surface location in the NW/4NW/4 (Unit D) of Section 34 to a bottom hole location in the Yeso Formation in Lot 4 (Unit D) of Section 33; and the **Eagle 33 Fed Com #011H**, which is an oil well that will be horizontally drilled from a surface location in the NW/4NW/4 (Unit D) of Section 34 to a bottom hole location in the Yeso Formation in Lot 4 (Unit D) of Section 33. The wells are orthodox in location, and the take points and laterals comply with Statewide Rules for setbacks. The wells and lands are located approximately 8 miles southeast from Artesia, New Mexico.

All of Section 33-17S-27East, NM PM, Eddy County, New Mexico

Working Interest Summary

UNIT A: N/2 N/2 (BPO)

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-025528	Pecos Oil & Gas, LLC	78.000000	0.48750000	0.39000000	0.80000000
NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	80.000000	0.50000000	0.34552813	0.69105625
	TOTAL LEASEHOLD	160.000000	1.00000000	0.74490313	

Parties with Uncommitted Interests Shown that are
Subject to Compulsory Pooling:

SEP Permian Holding Corp. (Spur Energy Partners)
XTO Holdings LLC

Parties with Committed Interests Shown that are Subject
to Pooling:

Chanas Partners LLC
Pecos Oil & Gas, LLC (Riley Permian Operating Company,
LLC / Riley Exploration-Permian, LLC)

UNIT A: N/2 N/2 (APO)

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-025528	Pecos Oil & Gas, LLC	78.000000	0.48750000	0.39000000	0.80000000
NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
NMLC-026874F	Term: Nearburg Exploration Company, L.L.C. Reversion: XTO Holdings LLC	3.854000	0.02408750	0.01646276	0.68345638
NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	76.146000	0.47591250	0.32526543	0.68345638
	TOTAL LEASEHOLD	160.000000	1.00000000	0.74110319	

All of Section 33-17S-27East, NM PM, Eddy County, New Mexico

Working Interest Summary

UNIT B: S/2 N/2 (BPO)

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-056122, NMNM-025528	Pecos Oil & Gas, LLC	78.000000	0.48750000	0.39000000	0.80000000
NMNM-056122, NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	80.000000	0.50000000	0.34552813	0.69105625
	TOTAL LEASEHOLD	160.000000	1.00000000	0.74490313	

Parties with Uncommitted Interests Shown that are
Subject to Compulsory Pooling:

SEP Permian Holding Corp. (Spur Energy Partners)
XTO Holdings LLC

Parties with Committed Interests Shown that
are Subject to Pooling:

Chanas Partners LLC
Pecos Oil & Gas, LLC (Riley Permian Operating
Company,
LLC / Riley Exploration-Permian, LLC)

UNIT B: S/2 N/2 (APO)

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-056122, NMNM-025528	Pecos Oil & Gas, LLC	78.000000	0.48750000	0.39000000	0.80000000
NMNM-056122, NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
NMLC-026874F	Term: Nearburg Exploration Company, L.L.C. Reversion: XTO Holdings LLC	3.854000	0.02408750	0.01646276	0.68345638

Received by OCD: 2/14/2025 3:37:44 PM

NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	76.146000	0.47591250	0.32526543	0.68345638
	TOTAL LEASEHOLD	160.000000	1.00000000	0.74110319	

Released to Imaging: 2/17/2025 8:20:51 AM

All of Section 33-17S-27East, NM PM, Eddy County, New Mexico

Working Interest Summary

UNIT C: N/2 S/2 (BPO)

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-033865	Pecos Oil & Gas, LLC	40.000000	0.25000000	0.17187500	0.68750000
NMLC-049648B, NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	80.000000	0.50000000	0.34552813	0.69105625
NMNM-033865	SEP Permian Holding Corp.	40.000000	0.25000000	0.17187500	0.68750000
	TOTAL LEASEHOLD	160.000000	1.00000000	0.68927813	

UNIT C: N/2 S/2 (APO)

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMNM-033865	Pecos Oil & Gas, LLC	40.000000	0.25000000	0.17187500	0.68750000
NMLC-049648B, NMLC-026874F	Term: Nearburg Exploration Company, L.L.C. Reversion: XTO Holdings LLC	3.854000	0.02408750	0.01652043	0.68585085
NMLC-049648B, NMLC-026874F	Term: SEP Permian Holding Corp. Reversion: XTO Holdings LLC	76.146000	0.47591250	0.32640499	0.68585085
NMNM-033865	SEP Permian Holding Corp.	40.000000	0.25000000	0.17187500	0.68750000
	TOTAL LEASEHOLD	160.000000	1.00000000	0.68667542	

All of Section 33-17S-27East, NM PM, Eddy County, New Mexico

Working Interest Summary

UNIT D: S/2 S/2

Limited from the base of the San Andres formation to the base of the Yezo formation

OPERATING RIGHTS					
Lease(s)	WI Owners	Net Acres	GWl	Unit NRI	Avg. Lease NRI
NMLC-026874B, NMNM-025528	Pecos Oil & Gas LLC	118.000000	0.73750000	0.59000000	0.80000000
NMLC-055383B	ZPZ Delaware I LLC	40.000000	0.25000000	0.20625000	0.82500000
NMNM-025528	Chanas Partners LLC	2.000000	0.01250000	0.00937500	0.75000000
	TOTAL LEASEHOLD	160.000000	1.00000000	0.80562500	

Date	Recipient	Description	Certified Tracking Number	Delivered
10/30/2024	Spur Energy Partners	Proposal_Eagle 33 Federal 4H & 5H	7021 0950 0000 6339 0047	11/6/2024
10/30/2024	XTO Holdings, LLC	Proposal_Eagle 33 Federal 4H & 5H	7021 0950 0000 6339 0030	11/4/2024
10/30/2024	Nearburg Exploration Company	Proposal_Eagle 33 Federal 4H & 5H	7021 0950 0000 6339 0016	11/4/2024
10/30/2024	Spur Energy Partners	Proposal_Eagle 33 Federal 7H & 8H	7021 0950 0000 6339 0085	11/5/2024
10/30/2024	XTO Holdings, LLC	Proposal_Eagle 33 Federal 7H & 8H	7021 0950 0000 6339 0078	11/4/2024
10/30/2024	Nearburg Exploration Company	Proposal_Eagle 33 Federal 7H & 8H	7021 0950 0000 6339 0061	11/4/2024
10/30/2024	Chanas Partners LLC	Proposal_Eagle 33 Federal 7H & 8H	7021 0950 0000 6339 0054	11/5/2024
10/30/2024	Spur Energy Partners	Proposal_Eagle 33 Federal 10H & 11H	7021 0950 0000 6339 0122	11/5/2024
10/30/2024	XTO Holdings, LLC	Proposal_Eagle 33 Federal 10H & 11H	7021 0950 0000 6339 0115	11/4/2024
10/30/2024	Nearburg Exploration Company	Proposal_Eagle 33 Federal 10H & 11H	7021 0950 0000 6339 0108	11/4/2024
10/30/2024	Chanas Partners LLC	Proposal_Eagle 33 Federal 10H & 11H	7021 0950 0000 6339 0092	11/6/2024
11/19/2024	Spur Energy Partners	Email with Mark Hicks proposing trade		
11/25/2024	Spur Energy Partners	Email with Mark Hicks proposing trade		
12/2/2024	Spur Energy Partners	Email with Mark Hicks proposing trade		
12/11/2024	Spur Energy Partners	Email with Mark Hicks stating trade is not approved.		

EXHIBIT A-17

ALERT: WINTER WEATHER IN THE NORTH CENTRAL AND NORTHEASTERN US MAY DELAY FLIGHTS



FAQs >

Tracking Number:

Remove X

7021095000063390115

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item has been delivered and is available at a PO Box at 5:04 am on November 4, 2024 in DALLAS, TX 75266.

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USPS Tracking Plus®

Feedback

Delivered

Delivered, PO Box

DALLAS, TX 75266
November 4, 2024, 5:04 am

Available for Pickup

DALLAS
401 TOM LANDRY HWY
DALLAS TX 75260-9998
M-F 0800-2200; SAT 0900-2000; SUN 1100-1800
November 4, 2024, 4:35 am

Arrived at Post Office

DALLAS, TX 75260
November 4, 2024, 4:13 am

In Transit to Next Facility

November 3, 2024

Arrived at USPS Regional Facility

DALLAS TX DISTRIBUTION CENTER

EXHIBIT A-18

November 2, 2024, 10:29 am

Departed USPS Regional Facility
OKLAHOMA CITY OK DISTRIBUTION CENTER
November 2, 2024, 7:44 am

Arrived at USPS Regional Facility
OKLAHOMA CITY OK DISTRIBUTION CENTER
November 1, 2024, 7:18 pm

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FAQs

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

**APPLICATION OF RILEY PERMIAN
OPERATING, LLC FOR APPROVAL OF NON-
STANDARD HORIZONTAL SPACING UNIT
AND COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO**

CASE NO. 25049

AFFIDAVIT

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

Rachael Ketchledge, legal assistant and authorized representative of Riley Permian Operating Company, LLC ("Riley"), the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Application has been provided under Notice Letters dated December 13, 2024, which the Applicant mailed via U.S. Postal Service Certified Mail. Notice was delivered to the interested parties on or about December 18, 2024, as shown on certified mail receipts attached as Exhibit E.

Applicant also published notice of the Application in the Carlsbad Current-Argus on December 21, 2024. Proof of receipts is shown on Exhibit F.



Rachael Ketchledge

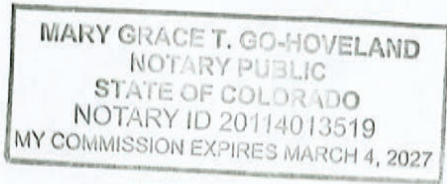
EXHIBIT A-19

SUBSCRIBED AND SWORN to before me on December 26, 2024, by Rachael Ketchledge.

My commission expires: March 4, 2027



NOTARY PUBLIC



SUBSCRIBED AND SWORN to before me on December 26, 2024, by Rachael Ketchledge.

SUBSCRIBED AND SWORN to before me on December 26, 2024, by Rachael Ketchledge.

NOTARY PUBLIC

BEATTY & WOZNAK, P.C.

ATTORNEYS AT LAW
500 DON GASPAR AVENUE
SANTA FE, NEW MEXICO 87505
TELEPHONE 505-983-8545
FACSIMILE 800-886-6566
www.bwenergylaw.com

COLORADO
NEW MEXICO
WYOMING

MIGUEL SUAZO

505-946-2090
MSUAZO@BWENERGYLAW.COM

December 13, 2024

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO SPACING AND POOLING PROCEEDINGS

Re: Application of Riley Permian Operating Company, LLC for Approval of a Non-Standard Horizontal Spacing Unit and Compulsory Pooling in Eddy County, New Mexico (Case No. 25049)

Dear Interest Owners:

This letter is to advise you that Riley Permian Operating Company, LLC ("Riley") has filed the enclosed application, Case No. 25049 with the New Mexico Oil Conservation Division for Approval of a Non-Standard Spacing Unit and Compulsory Pooling in Eddy County, New Mexico.

In Case No. 25049, Riley seeks an Order from the Division to: approve a 160-acre, more or less, non-standard horizontal spacing and proration unit composed of all of the N/2 N/2 of Section 33, Township 17 South, Range 27 East, N.M.P.M. Eddy County, New Mexico; and (2) to pool all uncommitted mineral interests in the Yeso formation, designated as an oil pool, underlying said unit.

A hearing has been requested before a Division Examiner on January 9, 2025, and the status of the hearing can be monitored through the Division's website. Division hearings will commence at 9:00 a.m. MST and 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 Microsoft Teams virtual meeting platform. To view the hearing docket and to determine how to participate in the electronic hearing, visit the Division's website at: <https://www.emnrd.nm.gov/ocd/hearing-info/> or call (505) 476-3441.

You are being notified as an interest owner and 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 contesting the matter at a later date.

Parties appearing in cases who intend to present evidence are required by Division Rule 19.15.4.13.B NMAC to file a Prehearing Statement at least four business days in advance of a

Received by OCD: 2/14/2025 3:37:44 PM

Page 49 of 59

BEATTY & WOZNIAK, P.C.

December 13, 2024
Case No. 25049
Page 2

scheduled hearing, but in no event later than 5 p.m. mountain time on the Thursday preceding the scheduled hearing date. This 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 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. The statement must also be provided to the attorney for the applicant, Miguel Suazo at msuazo@bwenergylaw.com.

If you have any questions about this matter, please contact Mark Smith at marksmith@rileypermian.com.

Sincerely,



Miguel Suazo

*Attorney for Riley Permian Operating Company,
LLC*

Case No. 25049 Certified Mailing Status

MAIL DATE	OWNER	ADDRESS	TYPE_INT	MAIL CLASS	TRACKING NUMBER
December 13, 2024	Nearburg Exploration Company, LL	PO Box 823085 Dallas, TX 75382	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7127 22
December 13, 2024	SEP Permian Holding Corp.	9655 Katy Freeway, Suite 500 Houston, TX 77024	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7127 15
December 13, 2024	XTO Holdings LLC	PO Box 840780 Dallas, TX 75284	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7127 08
December 13, 2024	Chanas Partners LLC	1106 Witte Rd., Suite 100 Houston, TX 77055	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 92
December 13, 2024	United States of America	PO Box 25627 Denver, CO 80225	RI	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 85
December 13, 2024	3R Operating, LLC	PO Box 692229 Houston, TX 77269	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 78
December 13, 2024	Amtex Energy, Inc.	190 W State Hwy 114#F Southlake, TX 76092	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 61
December 13, 2024	APA Corp	2000 W. Same Houston Pkwy S, Suite 200 Houston, TX 77042	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 54
December 13, 2024	Chi Energy, Inc.	PO Box 1799 Midland, TX 79701	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 47
December 13, 2024	PHX Energy, LLC	PO Box 990 Artesia, NM 88211	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 30
December 13, 2024	Silverback Operating II, LLC	1001 W. Wilshire Blvd, Suite 206 Oklahoma City, OK 73112	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 23
December 13, 2024	Spur Energy Partners	9655 Katy Freeway, Suite 500 Houston, TX 77024	Offest	Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 16
December 13, 2024	Bureau of Land Management	301 Dinosaur Trail Santa Fe, NM 87508		Certified w/ Return Receipt (Signature)	9589 0710 5270 1506 7126 09

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: 9310.8 SEP Permian Holding Corp. 9655 Katy Freeway, Suite 500 Houston, TX 77024 Barcode: 9590 9402 8974 4064 3760 95 2. Article Number (Transfer from service label) 9589 0710 5270 1506 7127 15	A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) ECASIES C. Date of Delivery 12/17/24 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No 3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

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■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: 9310.8 Chanas Partners LLC 1106 Witte Rd, Suite 100 Houston, TX 77055 Barcode: 9590 9402 8974 4064 3760 71 2. Article Number (Transfer from service label) 9589 0710 5270 1506 7126 92	A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) Hunter Smith C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No 3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

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■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: 9310.8 XTO Holdings LLC P.O. Box 840780 Dallas, TX 75284 Barcode: 9590 9402 8974 4064 3760 88 2. Article Number (Transfer from service label) 9589 0710 5270 1506 7127 08	A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) Waymond Harvey C. Date of Delivery DEC 17 2024 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No 3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

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■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: 9310.8 United States of America P.O. Box 25627 Denver, CO 80225 Barcode: 9590 9402 8974 4064 3760 64 2. Article Number (Transfer from service label) 9589 0710 5270 1506 7126 85	A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) [Signature] C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No 3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

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■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: 9310.8 Silverback Operating II, LLC 1001 W. Wilshire Blvd, Suite 206 Oklahoma City, OK 73112 Barcode: 9590 9402 8974 4064 3760 02 2. Article Number (Transfer from service label) 9589 0710 5270 1506 7126 23	A. Signature X <i>[Signature]</i> ☐ Agent ☐ Addressee B. Received by (Printed Name) Ashley Fox C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No 3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery

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PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

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

**APPLICATION OF RILEY PERMIAN
OPERATING, LLC FOR APPROVAL OF
STANDARD HORIZONTAL SPACING
UNIT AND COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO**

CASE NO. _____

APPLICATION

Riley Permian Operating, LLC, OGRID No. 372290 (“Riley” or “Applicant”), through its undersigned attorneys, hereby files this Application with the Oil Conservation Division (“Division”) pursuant to the provisions of NMSA 1978, § 70-2-17, for an order (1) approving a 481.47-acre, more or less, standard horizontal spacing unit (“HSU”) composed of the N/2 of Section 12, Township 18 South, Range 26 East, N.M.P.M., and the NW/4 of Section 7, Township 18 South, Range 27 East, N.M.P.M. (the “Application Lands”), and (2) pooling all uncommitted mineral interests in the Yeso Pool (51120), designated as an oil pool, underlying said HSU.

In support of its Application, Riley states the following:

1. Riley and/or its affiliates are working interest owners in the Application Lands and have the right to drill wells thereon as the designated Operator of the Application Lands.
2. Riley seeks to dedicate all of the Application Lands to form a 481.47-acre, more or less, HSU.
3. Riley seeks to dedicate the above-referenced HSU to the following proposed wells:
 - A. **Marty Fee 11-7 1H** (API No. *Pending*), which is an oil well that will be horizontally drilled from a surface location in the NE/4 NE/4 (Unit A) of Section 11, Township 18 South, Range 26 East, to a bottom hole location in the Yeso Pool in the NE/4 NW/4 (Unit C) of Section 7, Township 18 South, Range 27 East;

B. **Marty Fee 11-7 2H** (API No. *Pending*), which is an oil well that will be horizontally drilled from a surface location in the NE/4 NE/4 (Unit A) of Section 11, Township 18 South, Range 26 East, to a bottom hole location in the Yeso Pool in the NE/4 NW/4 (Unit C) of Section 7, Township 18 South, Range 27 East;

C. **Marty Fee 11-7 3H** (API No. *Pending*), which is an oil well that will be horizontally drilled from a surface location in the SE/4 NE/4 (Unit H) of Section 11, Township 18 South, Range 26 East, to a bottom hole location in the Yeso Pool in the SE/4 NW/4 (Unit F) of Section 7, Township 18 South, Range 27 East, and;

D. **Marty Fee 11-7 4H** (API No. *Pending*), which is an oil well that will be horizontally drilled from a surface location in the SE/4 NE/4 (Unit H) of Section 11, Township 18 South, Range 26 East, to a bottom hole location in the Yeso Pool in the SE/4 NW/4 (Unit F) of Section 7, Township 18 South, Range 27 East.

4. The wells are orthodox in their location as defined by 19.15.16.15.(C) NMAC, and the take points and laterals comply with Statewide Rules for setbacks under 19.15.16.15.(C) NMAC.

5. Riley has made good faith efforts to obtain voluntary agreement from all interest owners in the Yeso Pool underlying the proposed spacing unit, but has been unable to secure agreement from all parties to participate in the drilling of the well or otherwise commit their interests.

6. The pooling of all interests in the Yeso Pool within the proposed unit will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.

7. To provide for its just and fair share of the oil and gas underlying the Application Lands, Riley requests that all uncommitted interests in this HSU be pooled and that Riley be designated as the operator of the proposed horizontal wells and HSU.

WHEREFORE, Riley requests this Application be set for hearing on May 8, 2025, before an Examiner of the Oil Conservation Division, and after notice and hearing as required by law, the Division enter an order:

- A. Approving the horizontal well spacing unit and pooling all uncommitted interests in the Yeso Pool underlying the HSU within the Application Lands;
- B. Approving the **Marty Fee 11-7 1H, Marty Fee 11-7 2H, Marty Fee 11-7 3H, and Marty Fee 11-7 4H** as the initial wells for the HSU;
- C. Designating Riley as operator of the HSU and the horizontal wells to be drilled thereon;
- D. Authorizing Riley to recover its costs of drilling, completing, and equipping the wells;
- E. Approving the actual operating charges and costs of supervision while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedures; and
- F. Imposing a 200% charge for the risk assumed by Riley in drilling and completing the wells against any working interest owner who does not voluntarily participate in the drilling of the wells.

Respectfully submitted,

BEATTY & WOZNIAK, P.C.

By: _____

Miguel A. Suazo

James P. Parrot

Jacob L. Everhart

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Attorneys for Riley Permian Operating, LLC

Application of Riley Permian Operating, LLC for Approving a Standard Horizontal Spacing Unit and Compulsory Pooling, Eddy County, New Mexico. Applicant in the above-styled cause seeks an order from the Division: (1) approving a 481.47-acre, more or less, standard horizontal spacing and proration unit composed of the N/2 of Section 12, Township 18 South, Range 26 East, N.M.P.M., and the NW/4 of Section 7, Township 18 South, Range 27 South, N.M.P.M.; and (2) pooling all uncommitted mineral interests in the Yeso Pool, designated as an oil pool, underlying said unit. The proposed wells to be dedicated to the horizontal spacing unit are the: **Marty Fee 11-7 1H** (API No. *Pending*), which is an oil well that will be horizontally drilled from a surface location in the NE/4 NE/4 (Unit A) of Section 11, Township 18 South, Range 26 East, to a bottom hole location in the Yeso Pool in the NE/4 NW/4 (Unit C) of Section 7, Township 18 South, Range 27 East; the **Marty Fee 11-7 2H** (API No. *Pending*), which is an oil well that will be horizontally drilled from a surface location in the NE/4 NE/4 (Unit A) of Section 11, Township 18 South, Range 26 East, to a bottom hole location in the Yeso Pool in the NE/4 NW/4 (Unit C) of Section 7, Township 18 South, Range 27 East; the **Marty Fee 11-7 3H** (API No. *Pending*), which is an oil well that will be horizontally drilled from a surface location in the SE/4 NE/4 (Unit H) of Section 11, Township 18 South, Range 26 East, to a bottom hole location in the Yeso Pool in the SE/4 NW/4 (Unit F) of Section 7, Township 18 South, Range 27 East, and; the **Marty Fee 11-7 4H** (API No. *Pending*), which is an oil well that will be horizontally drilled from a surface location in the SE/4 NE/4 (Unit H) of Section 11, Township 18 South, Range 26 East, to a bottom hole location in the Yeso Pool in the SE/4 NW/4 (Unit F) of Section 7, Township 18 South, Range 27 East. The wells are orthodox in location, and the take points and laterals comply with Statewide Rules for setbacks. The wells and lands are located approximately 3.41 miles southeast of Atoka, New Mexico.

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Tract Ownership: Exhibit C-4

Page 27 of 27

Marty Fee 11-7 1H, 2H, 3H and 4H

N2 Section 12-18S-26E and the NW4 Section 7, T18S-27E, Eddy County, NM

UNCOMMITTED/COMMITTED SUMMARY

Owner	Net Acres	Unit WI Decimal	Status	Tract
1789 Minerals Fund II	23.664	0.049150240	Uncommitted	Tract 1
EOG Resources Inc.	15.000	0.031154590	Uncommitted	Tract 1
Jake Richey Harper	0.2344	0.000486790	Uncommitted	Tract 1
Jennie Ward Vuksich, aka Jennie Ward	1.1719	0.002433950	Uncommitted	Tract 1
Magnum Hunter Production, Inc.	55.6641	0.115612730	Uncommitted	Tract 1
MRC Permian Company	22.5000	0.046731880	Uncommitted	Tract 1
Riley Permian Exploration-Permian, LLC	290.2672	0.602877022	Committed	Tracts 1, 2, 3, 4
Robert William Harper	0.58594	0.001217107	Uncommitted	Tract 1
Sabinal Energy Operating LLC	26.1435	0.054298362	Committed	Tract 1
XTO Holdings, LLC	40.000	0.083079008	Uncommitted	Tract 1
Chalfant Operating, Inc.	0.28611	0.000594245	Committed	Tract 1
Unleased Minerals*	5.9526	0.012363179	Uncommitted	Tracts 2, 3, 4

*Breakdown of Unleased Mineral Owners is on page 29.

RILEY PERMIANNYSE AMERICAN: RPER
Released to Imaging: 8/11/2025 3:15:02 PMCase No. 25358
Riley Permian Operating Co., LLC - Exhibit C-4**EXHIBIT A-21**

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Summary of Interested Parties: Exhibit C-4
Marty Fee 11-7 1H, 2H, 3H and 4H
N2 Section 12-18S-26E and the NW4 Section 7, T18S-27E, Eddy County, NM

C-4 CONTINUED

Working Interest Owners

Riley Exploration-Permian, LLC
1789 Minerals Fund II, LP dba Hoya Energy LP
EOG Resources, Inc.
Jake Richey Harper
Jennie Ward Vuksich, aka Jennie Ward
Magnum Hunter Production, Inc.
MRC Permian Company
Robert William Harper
Sabinal Energy Operating, LLC
XTO Holdings, LLC
Chalfant Operating, Inc.

ORRI Owners

Magnum Hunter Production
MRC Permian Company
Pecos Royalty, LLC
Riley Exploration – Permian, LLC
Torch Oil & Gas Company
Kodak Retirement Income Plan Title Holding Company, Inc.

RILEY PERMIAN

NYSE AMERICAN: RPERX
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Case No. 25358
Riley Permian Operating Co., LLC - Exhibit C-4

Received by OCD: 8/11/2025 1:21:10 PM

Summary of Interested Parties: Exhibit C-4
Marty Fee 11-7 1H, 2H, 3H and 4H
N2 Section 12-18S-26E and the NW4 Section 7, T18S-27E, Eddy County, NM

C-4 CONTINUED

Unleased Mineral Owner Breakdown

- Dan Wallace Irwin – **2.0938** net acres equating to a **0.435%** working interest within **Tract 3** as described on Exhibit C-3.
- Kathleen I. Schuster, Trustee of the Kathleen I. Schuster Trust, dated December 20, 2007 – **2.0938** net acres equating to a **0.435%** working interest within **Tract 3** as described on Exhibit C-3.
- Mary Lutz Cahoon – **0.5150** net acres equating to a **0.107%** working interest within **Tract 4** as described on Exhibit C-3.
- Katie Lee Cooper – **0.625** net acres equating to a **0.130%** working interest within **Tract 2** as described on Exhibit C-3.
- Emile Kate Cooper – **0.625** net acres equating to a **0.130%** working interest within **Tract 2** as described on Exhibit C-3.

BEATTY & WOZNIAK, P.C.

ATTORNEYS AT LAW
500 DON GASPAR AVENUE
SANTA FE, NEW MEXICO 87505
TELEPHONE 505-983-8545
FACSIMILE 800-886-6566
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COLORADO
NEW MEXICO
WYOMING

MIGUEL SUAZO

505-946-2090
MSUAZO@BWENERGYLAW.COM

April 18, 2025

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO SPACING AND POOLING PROCEEDINGS

Re: Application of Riley Permian Operating Company, LLC for Approval of a Standard Horizontal Spacing Unit and Compulsory Pooling in Eddy County, New Mexico (Case No. 25358).

Dear Interest Owners:

This letter is to advise you that Riley Permian Operating Company, LLC ("Riley") has filed the enclosed application, Case No. 25358, with the New Mexico Oil Conservation Division for Approval of a Standard Spacing Unit and Compulsory Pooling in Eddy County, New Mexico.

In Case No. 25358, Riley seeks an Order from the Division to: (1) approve a 481.47-acre, more or less, standard horizontal spacing and proration unit composed of the N/2 of Section 12, Township 18 South, Range 26 East, N.M.P.M., and the NW/4 of Section 7, Township 18 South, Range 27 East, N.M.P.M., Eddy County, New Mexico; and (2) to pool all uncommitted mineral interests in the Yeso Pool (51120), designated as an oil pool, underlying said unit.

A hearing has been requested before a Division Examiner on May 8, 2025, and the status of the hearing can be monitored through the Division's website. Division hearings will commence at 9:00 a.m. Mountain Standard Time, and 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 Microsoft Teams virtual meeting platform. To view the hearing docket and to determine how to participate in the electronic hearing, visit the Division's website at: <https://www.emnrd.nm.gov/ocd/hearing-info/> or call (505) 476-3441.

You are being notified as an interest owner and 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 contesting the matter at a later date.

Parties appearing in cases who intend to present evidence are required by Division Rule 19.15.4.13.B NMAC to file a Prehearing Statement at least four business days in advance of a scheduled hearing, but in no event later than 5 p.m. mountain time on the Thursday preceding the

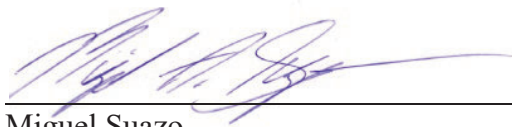
BEATTY & WOZNIAK, P.C.

April 18, 2025
Case No. 25358
Page 2

scheduled hearing date. This 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. The statement must also be provided to the attorney for the applicant, Miguel Suazo at msuazo@bwenergylaw.com.

If you have any questions about this matter, please contact Mark Smith at marksmith@rileypermian.com.

Sincerely,



Miguel Suazo

*Attorney for Riley Permian Operating Company,
LLC*

Case No. 25358 Certified Mailing Status

MAIL DATE	OWNER	ADDRESS	TYPE_INT	MAIL CLASS	TRACKING NUMBER
April 18, 2025	Anna Brown Home for the Aged, an Illinois Corporation	1507 North 5th Street Quincy, IL 62301	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7945 00
April 18, 2025	Anne K. Silva, her sole and separate property	660 Geer Ct. Modesto, CA 95354	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7944 94
April 18, 2025	Anthony G. Rowe	3628 G 7/10 Rd Palisade, CO 81526	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7944 87
April 18, 2025	Barbara K. Rowe	5405 Potter Plz Omaha, NE 68152	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7944 70
April 18, 2025	Chalfant Family Partnership, LP	PO Box 3123 Midland, TX 79702	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7944 63
April 18, 2025	Dan Wallace Irwin	118 N. Grant Street Hinsdale, IL 60521	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7944 56
April 18, 2025	Edward C. Wallace	PO Box 197 Midland, TX 79702	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7944 49
April 18, 2025	First National Bank of Roswell, Trustee uwo Laura Hedgecoxe Cahoon	PO Box 566 Roswell, NM 88202	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7944 32
April 18, 2025	HTI Resources, Inc.	PO Box 10690 Savannah, GA 31412	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7944 25
April 18, 2025	Katherine A. Keller, her sole and separate property	1807 Woodhaven Place Mountain View, CA 94041	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7944 18
April 18, 2025	Kathleen I. Schuster, Trustee of the Kathleen I. Schuster Trust, dated December 20, 2007	2615 Oak Drive Lakewood, CO 802	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7944 01
April 18, 2025	Legacy Royalty LLC	5025 Gaillardia Corporate Place, Suite D Oklahoma City, OK 73142	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7943 95
April 18, 2025	Marion W. Culbertson, Trustee under the Last Will and Testament of E. A. Culbertson, Deceased	909 W. Cuthbert Midland, TX 79701	Unleased	Certified w/ Return Receipt (Signature)	9590 0710 5270 0208 7943 88
April 18, 2025	Mary Lutz Cahoon	778 Oak Grove Rd. Chesapeake, VA 23320	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7943 71
April 18, 2025	Matthew M. Chalfant	PO Box 3123 Midland, TX 79702	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7943 64
April 18, 2025	Nancy Ordway	12009 S Paiute St. Phoenix, AZ 85044	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7943 57
April 18, 2025	Redeemed Holdings, LLC	PO Box 840 Artesia, NM 88211	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7943 40
April 18, 2025	Sharbro Holdings LLC	423 W Main St. Artesia, NM 88210	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7943 33
April 18, 2025	Sharbro Oil, Ltd. Co.	PO Box 840 Artesia, NM 88211	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7943 26
April 18, 2025	Shirley C. Wallace and Marion W. Culbertson, Co-Trustees of the Culbertson Management Trust, dated November 25, 1981	PO Box 2918 Midland, TX 79702	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7943 19
April 18, 2025	The First National Bank of Roswell, Trustee under the Living Trust of Laura Lynn DeBardeleben	PO Box 566 Roswell, NM 88202	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7948 90
April 18, 2025	The Monmouth College	700 E Broadway Monmouth, IL 61462	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7948 83

April 18, 2025	Thomas E. Rowe, Jr.	PO Box 101089 Denver, CO 80250	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7948 76
April 18, 2025	WallFam Ltd	2507 Sinclair Ave. Midland, TX 79705	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7948 69
April 18, 2025	1789 Minerals Fund II, LP dba Hoya Energy LP	26203 Monarch Meadow Katy, TX 77494	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7948 52
April 18, 2025	Sabinal Energy Operating, LLC	1780 Hughes Landing Blvd, Suite 1200 The Woodlands, TX 77380	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7948 45
April 18, 2025	Magnum Hunter Production, Inc.	600 N. Marienfeld Street, Suite 600 Midland, TX 79701	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7948 38
April 18, 2025	MRC Permian Company	One Lincoln Center 5400 LBJ Freeway, Suite 1500 Dallas, TX 75240	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7948 21
April 18, 2025	XTO Holdings, LLC	PO Box 840780 Dallas, TX 75284	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7948 14
April 18, 2025	EOG Resources, Inc.	PO Box 840321 Dallas, TX 75284	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7948 07
April 18, 2025	Jennie Ward Vuksich, a/k/a Jennie Ward	11401 San Fransisco NE Albuquerque, NM 87122	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7943 02
April 18, 2025	Beverly Jane Kolesnik	300 E Placita Idilio Green Valley, AZ 85614	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7942 96
April 18, 2025	Jake Richey Harper	240 W 73rd St, APT 811 New York, NY 10023	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7942 89
April 18, 2025	Robert William Harper	13596 East Evans Avenue Aurora, CO 80014	WI	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7949 06
June 10, 2025	Katie Lee Cooper	5803 Green Meadow Lane Katy, TX 77493	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7946 61
June 10, 2025	Emile Kate Cooper	5803 Green Meadow Lane Katy, TX 77493	Unleased	Certified w/ Return Receipt (Signature)	9589 0710 5270 0208 7946 54

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

9310.10
1789 Minerals Fund II, LP dba Hoya
Energy LP
26203 Monarch Meadow
Katy, TX 77494



9590 9402 8686 3310 9389 24

2. Article Number (Transfer from service label)

9589 0710 5270 0208 7948

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

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A. Signature

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☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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 If YES, enter delivery address below: ☐ No

3. Service Type

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☐ Adult Signature Restricted Delivery
☐ Certified Mail®

☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

☐ Mail Restricted Delivery

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery

☐ Signature Confirmation™
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1. Article Addressed to:

9310.10
WallFam Ltd
2507 Sinclair Ave.
Midland, TX 79705



9590 9402 8686 3310 9385 11

2. Article Number (Transfer from service label)

9589 0710 5270 0208 7948 69

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☐ Addressee

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☐ Adult Signature Restricted Delivery
☐ Certified Mail®

☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

☐ Mail Restricted Delivery

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery

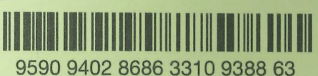
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

9310.10
MRC Permian Company
One Lincoln Center
5400 LBJ Freeway, Suite 1500
Dallas, TX 75240



9590 9402 8686 3310 9388 63

2. Article Number (Transfer from service label)

9589 0710 5270 0208 7948 21

PS Form 3811, July 2020 PSN 7530-02-000-9053

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1. Article Addressed to:

9310.10
Sabinal Energy Operating, LLC
1780 Hughes Landing Blvd
Suite 1200
The Woodlands, TX 77380



9590 9402 8686 3310 9389 00

2. Article Number (Transfer from service label)

9589 0710 5270 0208 7948 45

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1. Article Addressed to:

9310.10
EOG Resources, Inc.
PO Box 840321
Dallas, TX 75284



9590 9402 8686 3310 9388 25

2. Article Number (Transfer from service label)

9589 0710 5270 0208 7948 07

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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1. Article Addressed to:

9310.10
XTO Holdings, LLC
PO Box 840780
Dallas, TX 75284



9590 9402 8686 3310 9388 49

2. Article Number (Transfer from service label)

9589 0710 5270 0208 7948 14

PS Form 3811, July 2020 PSN 7530-02-000-9053

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☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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Received by OCD: 8/11/2025 1:21:10 PM

Summary of Chronology of Contact: C-6

Marty Fee 11-7 1H, 2H, 3H and 4H

N2 Section 12-18S-26E and the NW4 Section 7, T18S-27E, Eddy County, NM

C-6 CONTINUED

Jennie Ward	Mailed certified proposals to Jennie on 2-13-2025. Confirmed delivery on 2-18-2025. Have not been able to reach Jennie Ward on any phone numbers or any other known addresses.
Magnum Hunter Production Inc.	Spoke with Brad Wechsler at Corterra about this interest on 12-11-2025. Brad confirmed they own it. Brad forwarded the details of the interest to his team in Midland on 12-16-2025. Mailed well proposals to Brad (Coterra) on 2-26-2025. Sent Brad another email on 2-26-2025 about mailing the proposals. On 2-28-2025 Brad said to send to another land guy in Midland named Scott Richter. Told Brad on 2-28-2025 that we already sent to his attention and asked for Scott's contact information. Never heard back. Tried calling/texting Scott on his cell phone on 5-5-2025 but never received a call back.
MRC Permian Company	MRC sent an email on 3-18-25 confirming receipt of well proposals. MRC asked to confirm the interest. Sent Clay Wooten some details regarding their interest on 3-18-25 via email. Sent snippet of DTO to Clay Wooten on 3-18-2025 showing where the interest is derived from and where they are located. MRC entered in an appearance to monitor the pooling.
Robert William Harper	Several phone calls in February 2025 regarding this interest and her options to either participate or sell. 3-4-2025 Robert's sister, Beverly, emailed questions about an offer. 3-4-2025 I sent a breakdown of all of her interests along with her two brothers interests and another offer. 3-12-2025 have an email discussion about participation costs. 3-14-2025 answered questions about participation in the wells and well insurance. Agreed to sell 7-9-25.
XTO	Mailed proposals to XTO on 2-28-2025. Emailed the proposals to Chad Smith on 3-24-2025. Chad confirmed receipt on 3-24-2025.

RILEY PERMIAN

Released to Imaging: 8/11/2025 3:15:02 PM

[insert footnotes here]

Case No. 25358
Riley Permian Operating Co., LLC - Exhibit C-6

Received by OCD: 8/11/2025 1:21:10 PM

Summary of Chronology of Contact: C-6

Marty Fee 11-7 1H, 2H, 3H and 4H

N2 Section 12-18S-26E and the NW4 Section 7, T18S-27E, Eddy County, NM

C-6 CONTINUED

Emile Kate Cooper, a single woman	4/28- Contacted Emile, spoke briefly, sent offer letter via Federal Express, received 4/30. Note: This interest has been recently been added based on the new title information provided by Riley Exploration-Permian, LLC. Emile is one of two daughters of Steve Lee Cooper, Deceased, Steve died 3/4/2022, Midland, TX, appears to have died intestate, was divorced. In addition to lease offer, offer letter included offer to purchase fee minerals. FedEx Tracking #880870709482. 5/21- Called and left detailed message to both Emile and her sister, Katie. Left voicemail on 6-17-25.
Katie Lee Cooper, a single woman	4/28- Contacted Emile, spoke briefly, sent offer letter via Federal Express, received 4/30. Note: This interest has been recently been added based on the new title information provided by Riley Exploration-Permian, LLC. Emile is one of two daughters of Steve Lee Cooper, Deceased, Steve died 3/4/2022, Midland, TX, appears to have died intestate, was divorced. In addition to lease offer, offer letter included offer to purchase fee minerals. FedEx Tracking #880870709482. 5/21- Called and left detailed message to both Emile and her sister, Katie. Left voicemail on 6-17-25.
Mary Lutz Cahoon	Proposals mailed on 2-13-2025 and delivered on 2-18-25. Have not been able to acquire good contact either via mail or phone.

RILEY PERMIAN

Released to Imaging: 8/11/2025 3:15:02 PM

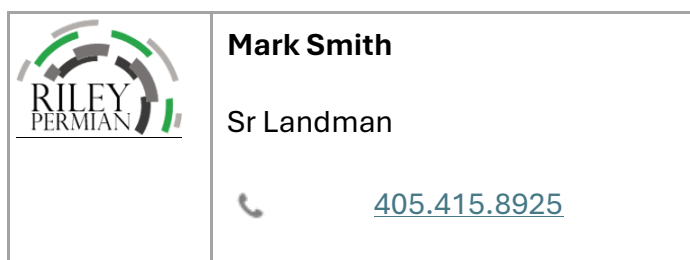
[insert footnotes here]

Case No. 25358
Riley Permian Operating Co., LLC - Exhibit C-6

Subject	Re: Marty Fee Well Proposals
From	Mark Smith
To	Smith, Chad D; McKenzie Thompson
Sent	Friday, September 26, 2025 11:01 AM

External Email - Think Before You Click

Good deal. Thank you.



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From: Smith, Chad D <chad.d.smith@exxonmobil.com>

Sent: Friday, September 26, 2025 10:00 AM

To: McKenzie Thompson <mckenziethompson@rileypermian.com>; Mark Smith <marksmith@rileypermian.com>

Subject: RE: Marty Fee Well Proposals

EXHIBIT A-24

Thank you for this! Yes we received the Hard copies too.

Chad Smith

From: McKenzie Thompson <mckenziethompson@rileypermian.com>

Sent: Friday, September 26, 2025 9:56 AM

To: Mark Smith <marksmith@rileypermian.com>; Smith, Chad D
<chad.d.smith@exxonmobil.com>

Subject: RE: Marty Fee Well Proposals

I am showing hard copies were delivered 9/16. McKenzie Thompson Sr Land Analyst
405.768.1014 This email and any attachments may be confidential, privileged or otherwise
exempt from disclosure under applicable law.

I am showing hard copies were delivered 9/16.

Tracking Number:

9589071052703410518964

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Your item was delivered to an individual at the address at 9:16
am on September 16, 2025 in SPRING, TX 77389.

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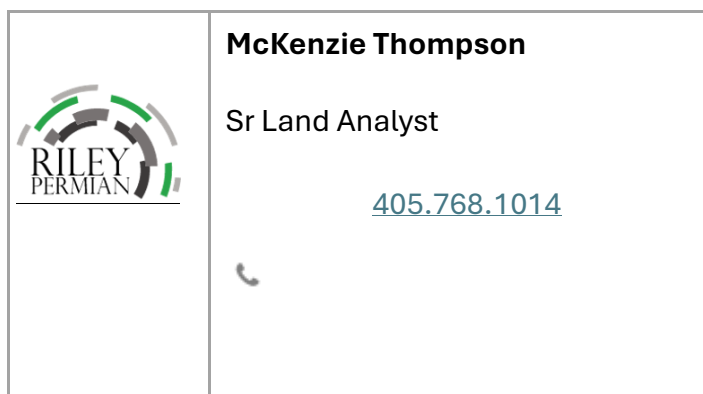
Delivered

Delivered, Left with Individual

SPRING, TX 77389
September 16, 2025, 9:16 am

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From: Mark Smith <marksmith@rileypermian.com>

Sent: Friday, September 26, 2025 9:48 AM

To: Smith, Chad D <chad.d.smith@exxonmobil.com>; McKenzie Thompson <mckenziethompson@rileypermian.com>

Subject: Re: Marty Fee Well Proposals

No problem. Did you not receive the certified hard copies?

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From: Smith, Chad D <chad.d.smith@exxonmobil.com>

Sent: Friday, September 26, 2025 9:22:14 AM

To: Mark Smith <marksmith@rileypermian.com>

Subject: Marty Fee Well Proposals

Mark,

Can you email the latest Marty Fee well proposals and AFEs?

Thanks,

Chad Smith

Landman

Permian - Delaware Basin New Mexico

ExxonMobil EMHC

Land Dept. Loc. 115

22777 Springwoods Village Pkwy

Spring, TX 77389-1425

281-939-3707

Chad.d.smith@exxonmobil.com

Wayback Machine <https://www.xtoenergy.com/company/contact-us> Go FEB MAR MAY 12 2022 2023 2024 About this capture

COMPANY

Contact us

Contact information for XTO Energy, an ExxonMobil subsidiary.

Attention Owners: We invite you to visit our new **Owner relations site**. If you have any questions regarding your interest owner account you can access to our assistance for owners section or submit your inquiry online to our departments for a fastest time of response.

The headquarters for XTO Energy Inc. is located at the ExxonMobil campus in Spring, Texas.

22777 Springwoods Village Pkwy.
Spring, TX 77389

Phone +1 817 870 2800 or +1 800 299 2800

Fax +1 817 870 1671



Microsoft Bing

What is XTO holdings, LLC current address

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About 6,440,000 results

22777 Springwoods Village Pkwy, Spring, TX 77389

The current address of XTO Holdings, LLC is 22777 Springwoods Village Pkwy, Spring, TX 77389. OpenGovCO +1

OpenGovCO

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Colorado Company Directory

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OpenGovCO

https://opengovco.com › business

XTO Holdings, LLC · 22777 Springwoods Village Pkwy, Spring, TX ...

XTO Holdings, LLC (Entity # 20181713236) is a FLLC in Spring, Texas registered with the Colorado Department of State (CDOS). The entity was formed on September 7, 2018 in the jurisdiction of ...

Entity ID: 20181713236Entity Name: XTO Holdings, LLC

Entity Type: FLLCPrincipal Address: 22777 Springwoods Village ...

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11/26/25

10:22 AM 11/22/2025

External Email - Think Before You Click

Chad, we drilled two wells and plan to complete in the next couple of months.

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Mark Smith Sr. Landman	
405.415.8925  www.rileypermian.com 	<i>Pioneering Discovery in the Permian Basin</i> NYSE: REPX

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From: Smith, Chad D <chad.d.smith@exxonmobil.com>
Sent: Thursday, March 14, 2024 4:09:43 PM
To: Mark Smith <marksmith@rileypermian.com>
Subject: Spark Plug Wells

Mark,

Can you give me an update on the Spark Plug wells? Have all 3 wells been drilled? If so, when will those wells be completed?

Thanks,

Chad Smith

Landman – Permian - Delaware Basin

XTO Energy Inc., an ExxonMobil Subsidiary

22777 Springwoods Village Pkwy.

Spring, TX 77389

Direct: 281-939-3707

Office: +1 346-502-7623

Email: chad.d.smith@ExxonMobil