

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

**APPLICATION OF SPUR ENERGY PARTNERS  
LLC TO RE-OPEN ORDER NO. R-24036,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 26288  
ORDER NO. R-24036**

**SPUR'S RESPONSE IN OPPOSITION TO LONGFELLOW'S MOTION TO DISMISS**

Spur Energy Partners LLC ("Spur" or "Applicant") (OGRID 328947), through its undersigned attorneys, files this response opposing Longfellow Energy, LP's ("Longfellow") motion to dismiss ("Motion"). For the reasons stated, the Motion should be denied, the Interim Order Staying Subpoena and Holding Proceedings in Abeyance lifted, and the case should be set for an evidentiary hearing before a Division Hearing Examiner as Paragraph 22 of Order No. R-24036 mandates.

**INTRODUCTION**

Spur, with a 37.5% working interest and the potential for 200% risk charge plus actual costs, has far more at stake in this spacing unit than Longfellow, which owns a mere 28% working interest, although it is designated operator. Longfellow's shift in drilling plans constitutes a deviation from the Division-approved development plan requiring notice and hearing as Paragraph 22 of Order No. R-24036 requires. Under Order No. R-24036, once Longfellow issued a deviation notice and Spur timely protested, an evidentiary hearing is mandatory. But Longfellow, openly defying the Order's mandate, has refused to file the required application forcing Spur to do so. Paragraph 22 is a gateway provision, not a merits provision, conditioned only on an undisputed deviation notice and timely protest. Similar to a protest of an administrative application, an

evidentiary hearing is automatic. Longfellow concedes that “a protested deviation cannot be approved administratively,” which forecloses any path but the mandated hearing.

Longfellow also contends Spur’s application is a re-hash of its preliminary stay motions, but conflates two distinct inquiries: the demanding stay standard under 19.15.4.23.B NMAC, already addressed, and the separate, mandatory hearing obligation under Paragraph 22, which the Division has never adjudicated. Longfellow’s June 1, 2026 refusal to file the required hearing application is a new operative fact that did not exist, and could not have been litigated, when the earlier orders issued, defeating preclusion at the threshold.

The Division should deny Longfellow’s Motion, set the Application for hearing—as required by Paragraph 22—and lift the stay on Spur’s valid subpoena to allow discovery to proceed. The ruling’s significance extends beyond this procedural dispute, since it will determine whether a minority working-interest operator may unilaterally alter an approved development plan and evade the hearing safeguards Order No. R-24036 affords protesting owners like Spur.

## **ARGUMENT**

### **A. Paragraph 22 of Order No. R-24036 Mandates a Hearing on Spur’s Protest.**

Longfellow erroneously conflates the Division’s previous rulings—on Spur’s Emergency Motion for Stay of Order No. R-24036, filed May 12, 2026, and its Motion for Reconsideration, filed May 22, 2026, made under an entirely different procedural posture, for an entirely different purpose, and under an entirely different legal standard—with the mandatory hearing required under Paragraph 22 of Order No. R-24036. In short, the Division’s summary determination about whether Spur met the legal requirements for a stay of Order No. R-24036 does not preclude an evidentiary hearing on its application to re-open Order No. R-24036 based on Spur’s objection to

Longfellow's deviation notice—which is mandatory under the express terms of Order No. R-24036.

Order Paragraph 22 provides that the “[o]perator may propose reasonable deviations from the development plan via notice to the OCD and all parties that required notice of the original compulsory pooling application . . . . Upon no objection after twenty (20) days the deviation is automatically granted. If a protest is received the deviation is not granted and the Operator must set the case for a hearing.” (emphasis added). By its plain terms, this provision does not ask the Division, Longfellow, or anyone else to first determine whether the proposed change is geologically or operationally significant before the hearing requirement attaches. Nor does it give Longfellow—as the operator under the order—the option of backing out of its deviation notice or equilibrating about whether its deviation notice was necessary. At best, those are factual disputes to be resolved at a hearing.

The mechanism under the order has only two conditions precedent: (1) a deviation notice, which Longfellow provided on May 1, 2026, attached as **Exhibit A**; and (2) a timely protest, which Spur submitted on May 5, 2026, attached as **Exhibit B**. Once both occur, the consequence—an evidentiary hearing—follows automatically, regardless of the substantive merit of the objection. This process and the mandatory nature of the hearing is analogous to administrative applications that receive a timely objection under Division regulations. *See* 19.15.4.12.E NMAC (“In the case of an administrative application where the required notice was sent and a timely filed protest was made, the division shall notify the applicant and the protesting party in writing that the case has been set for hearing and the hearing’s date, time and place. No further notice is required.” (emphasis added)). The process is either “off” or “on”; there is no in between and no opportunity for the Division to exercise its discretion to dismiss in advance of an evidentiary hearing.

As with administrative applications that are timely objected to, the merits of Spur's objection must be addressed at an evidentiary hearing. There is no legal basis for dismissal because a valid legal claim—a timely objection—has been perfected. In sum, Paragraph 22 is a gateway provision, not a merits provision. *See* Mot. at 5. It does not ask “was this deviation material,” it asks “was this deviation timely protested.” Spur satisfied that trigger by filing its written objection on May 5, 2026.<sup>1</sup>

Remarkably, Longfellow concedes “that a protested deviation cannot be approved administratively.” Mot. at 8. If a protested deviation cannot be approved administratively, then the only lawful path forward is the hearing Paragraph 22 mandates. Longfellow cannot simultaneously concede that administrative approval is unavailable and refuse to invoke the only alternative the Order provides. This significant concession supports Spur's position that a hearing obligation exists and has gone unfulfilled. It is fatal to Longfellow's Motion.

By timely objecting to Longfellow's deviation notice, Spur has set out a valid legal claim for a hearing application under the express terms of Order No. R-24036 and the Division's guidance. There is no legal basis for the Division to dismiss Spur's application where the two conditions precedent required by Paragraph 22 and the Division's guidance have been met.

**B. Spur's Application Seeks a Hearing on its Objection to Longfellow's Deviation Notice, Which Has Not Previously Been Addressed by the Division.**

Longfellow's Motion leans heavily on the proposition that “Spur's new Application adds no operative fact, change in law, or authorized procedural vehicle that permits a third attempt to

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<sup>1</sup> Paragraph 22 of Order No. R-24036 provides that the “Operator” must set a deviation protest for hearing; however, Longfellow refused to do so, arguing after sending out its deviation notice that it does not agree its “present drilling schedule . . . constitutes a proposed deviation requiring an application for hearing[.]” *See* Email from M. Suazo to A. Rankin, dated June 1, 2026, attached as **Exhibit C**. Accordingly, Spur filed its application to ensure that its rights under Order No. R-24036 are protected.

obtain relief already considered and denied by OCD,” and separately invokes collateral estoppel principles for the proposition that issues “actually and necessarily decided after a full and fair opportunity to litigate” cannot be relitigated. *See* Motion at 2, 6. Longfellow’s argument fails on both counts.

First, Spur’s application to re-open Order No. R-24036 does not ask to revisit the stay standard under 19.15.4.23.B NMAC; rather, it asks the Division to resolve a legally distinct and subsequently arising controversy—Longfellow’s refusal to file the hearing application required under Paragraph 22 of Order No. R-24036 that the Division’s own hearing clerk told Longfellow, in writing, it was required to file. *See* **Exhibit C**. This exchange—the Division’s clear instruction and Longfellow’s explicit refusal to comply with the express provisions of Order No. R-24036—did not exist, and could not have been adjudicated, when the Division issued the Stay Denial Order on May 19, 2026 or the Reconsideration Order on May 29, 2026. Moreover, this is a materially and legally different dispute from the one resolved in the Stay Denial Order and the Reconsideration Order, and Longfellow’s Motion cannot erase that distinction by framing the Application as “recast[ing] the same . . . theories under a new caption.”

The stay standard under Rule 19.15.4.23.B NMAC that the Hearing Examiner applied in the Stay Denial Order and Reconsideration Order is a wholly different analytical framework. That standard asks whether extraordinary relief is “necessary to prevent waste, protect correlative rights, protect public health or the environment, or prevent gross negative consequences.” 19.15.4.23.B NMAC. The Hearing Examiner’s findings that Spur did not meet that demanding standard say nothing about whether the Paragraph 22 hearing obligation has been triggered. The two inquiries are independent: one asks whether emergency relief is warranted;

the other asks whether a mandatory procedural condition—protest of a noticed deviation—has been satisfied.

While it is true that part of Spur's requested relief is to potentially stay the effect of Order No. R-24036, the primary relief requested is to re-open Order No. R-24036 to address Spur's objection to the deviation notice and to require Longfellow to comply with the terms of Order No. R-24036 or to amend the order to reflect its actual drilling plans. *See* Application Case No. 26288 at 6. Those issues have not been addressed nor decided by the Division on the merits. The fact that the Hearing Examiner initially addressed a preliminary motion to stay (before Longfellow refused to file an application on Spur's objection and before Spur filed its application for relief) does not preclude Spur from seeking that same relief later as part of its application and hearing on the merits of its objection—especially after new facts and evidence are developed at hearing.

As addressed above, there is an “operative fact” and an “authorized procedural vehicle” that support Spur's Application that were not previously presented to or decided by the Division in Spur's underlying motion for stay. The “operative fact” is that following Spur's objection to Longfellow's deviation notice, Longfellow stated it would not file an application for hearing on Spur's objection, despite the mandatory requirement under Paragraph 22 of Order No. R-24036 and the Division hearing clerk's direction to do so. By refusing to set Spur's objection for hearing, Longfellow is in direct violation of the unambiguous mandate in Order No. R-24036. However, Longfellow did not announce it would not file an application for hearing on Spur's objection until June 1, 2026—after the Division had already decided on Spur's stay motion and motion for reconsideration, which orders issued on May 19, 2026, and May 29, 2026, respectively. That is a genuinely new operative fact.

The “authorized procedural vehicle” is Paragraph 22 of Order No. R-24036, which mandates a hearing following an objection. Because Longfellow issued notice of a proposed deviation and Spur timely objected, Spur has an “authorized procedural vehicle” for its application for hearing that is mandatory under Paragraph 22. Short of reaching voluntary agreement resulting in Spur’s withdrawal of its objection, Longfellow cannot avoid that hearing requirement.

Second, the question of whether Longfellow must file a hearing application under Paragraph 22 following a protested deviation notice was never presented to, let alone “actually and necessarily decided” by, the Hearing Examiner in either the Stay Denial Order or the Reconsideration Order. Those orders addressed the entirely distinct question of whether emergency injunctive relief under 19.15.4.23.B NMAC was warranted as a preliminary matter. Longfellow concedes the distinction when it frames the current dispute as being about “whether the 006H, or Longfellow’s current drilling schedule, constitutes a deviation requiring amendment at all”—precisely one of the questions Longfellow is attempting to prevent the Division from resolving at a merits hearing through its Motion. Because collateral estoppel requires a final determination on an issue that was actually litigated on the merits, and the Division has not yet ruled on Longfellow’s refusal to file—or the underlying merits—Longfellow cannot invoke preclusion to foreclose consideration of the dispute now. It cites no authority and provides no analysis to show how issue preclusion applies here. It does not.

Moreover, Longfellow’s contention that collateral estoppel applies in the circumstance where a ruling was made on a preliminary motion for an emergency stay—not a final adjudication on the merits—is not supported by any legal authority and Longfellow cites none. An emergency stay decided without an evidentiary hearing or merits determination fails to

satisfy the strict requirements that an issue be actually litigated and necessarily determined, and denies the party against whom preclusion is asserted a full and fair opportunity to litigate. “To give rise to estoppel, the finding of ultimate facts in the prior action must have been final.” *Silva v. State*, 1987-NMSC-107, ¶ 7, 745 P.2d 380. It also “requires in part a final adjudication of the issue on the merits . . . and it arises only when the adjudication was necessary to the judgment.” *Affiliated Ute Citizens v. Ute Indian Tribe*, 22 F.3d 254, 256 (10th Cir. 1994) (internal citations omitted).

When a court rules on an emergency stay without reaching the merits of the underlying claims, the ultimate issues remain unresolved. In the present matter, the Hearing Examiner ruled on the emergency stay motion without conducting an evidentiary hearing and without deciding the merits of the claims. Emergency stay proceedings are inherently preliminary and provisional in nature. They determine only whether immediate temporary relief is warranted pending fuller consideration, not whether the moving party is ultimately entitled to prevail on any substantive claims. Accordingly, a preliminary ruling on an emergency motion that was not subject to a “full and fair” evidentiary hearing resulting in a final adjudication on the merits cannot serve as a basis for issue preclusion here. Appropriately, the Division Hearing Examiner made clear that its stay orders are “without prejudice to any party seeking relief through ordinary procedures available under Division rules.” See Order on Reconsideration at decretal ¶ 3. Because the emergency stay ruling did not adjudicate the ultimate merits of Spur’s claim, or the merits of the subsequently arising dispute, the contested issues were not actually litigated or necessarily determined within the meaning of the collateral estoppel doctrine. Spur appropriately followed “ordinary procedures” by filing an application for hearing pursuant to Paragraph 22 when Longfellow refused to do so.

The authorities Longfellow does cite defeat its collateral estoppel argument. *Amoco* requires that the agency “resolve[d] facts properly before it” in a judicial capacity with adequate opportunity for the parties to litigate. *Amoco Production Co. v. Heimann*, 904 F.2d 1405, 1414-19 (10th Cir. 1990). Longfellow’s June 1, 2026 refusal to file the hearing application satisfies neither requirement. Longfellow’s refusal to file the hearing application was communicated on June 1, 2026—three days after the final order in the stay proceedings. This fact did not exist, and therefore could not have been “actually and necessarily decided,” at the time the prior orders issued. No party raised the refusal-to-file issue before the Hearing Examiner because no such refusal had yet occurred.

The Division has no legal or factual basis to give its rulings on Spur’s emergency motion preclusive effect justifying dismissal. The “operative fact”—that Longfellow refused to file an application for hearing on Spur’s deviation objection—and the “procedural vehicle”—Paragraph 22 of Order No. R-24036—were not previously addressed or ruled on by the Division and together give Spur the right to the required mandatory hearing.

**C. Disputed Factual Issues Exist as to Whether Longfellow’s Drilling Plans Adhere to Order No. R-24036 Requiring Hearing.**

Longfellow contends that Spur’s application fails to present “a factual dispute requiring another evidentiary hearing.” *See* Mot. at 2. This assertion is without basis. The central technical question—whether the shift from the Blinebry bench to the Lower Paddock bench constitutes a “deviation from the development plan” within the meaning of Paragraph 22 and the Division’s guidance—is vigorously contested and requires evidentiary development.

These disputed technical questions—whether the Blinebry and Lower Paddock are operationally interchangeable, whether the shift alters spacing considerations for the remaining eight wells, and whether the change falls within or outside the scope of what was approved in

Order No. R-24036—are precisely the kind of issues that require an evidentiary hearing. They cannot be resolved on a motion to dismiss based solely on competing factual assertions in briefing. The Division should decline to accept Longfellow’s factual characterizations as established and should instead allow these disputes to be developed at hearing, as Paragraph 22 mandates. Moreover, the 006H has already been drilled to the Lower Paddock bench and is in pre-frac operations. The deviation is not hypothetical; it has been executed. The regulatory-compliance question is ripe for adjudication, and the Application properly places it before the Division.

In addition, whether Longfellow will actually drill the remaining eight initial wells in addition to the Petty 006H as Order No. R-24036 requires remains unclear and disputed. In its papers, Longfellow refuses to confirm it will drill all nine initial wells prescribed in the order or that it will do so within the order’s prescribed deadlines. Instead, Longfellow repeatedly hedges that it will seek Division approval at the time it makes the request to modify its plans. *See* Mot. at 8. At the same time, Longfellow stated in communications with Spur that the Petty 006H will be the only initial well drilled. *See* **Exhibit D**. This is an inconsistency giving rise to a genuine factual dispute that goes to the heart of Spur’s objection requiring hearing and justifying discovery. Spur has a right to explore this inconsistency and test Longfellow’s plans through the crucible of cross examination to protect its correlative rights.

Finally, Longfellow owns only 28% of the working interest in this unit. *See* Case No. 25572, Exhibit A-3. In contrast, Spur owns 37.5%, having acquired Oxy’s interest. That means Spur has more at stake in these wells than Longfellow and strongly opposes allowing it to use Spur’s substantial mineral interest to test different development patterns or alternative development plans that have not been approved by the Division.

**D. De Novo Review is Unavailable Absent a Division Examiner Hearing.**

Longfellow contends Spur should have filed an application for de novo review if it was dissatisfied with the Hearing Examiner's decision on the motion for stay. Mot. at 6.

First, Spur is not seeking a re-do on the stay decisions. As explained above, Spur's application to Re-Open Order No. R-24036 has a separate legal basis and seeks different ultimate relief than what it sought under its preliminary emergency stay motion. In short, Spur's Application is a separate legal proceeding, seeking different and broader relief under a different legal framework provided in Paragraph 22.

Second, and setting those points aside, the Division's regulations do not provide for parties adversely affected by a Hearing Examiner's ruling on a motion—without an evidentiary hearing or any hearing at all—to file a de novo application with the Commission. The regulations expressly provide that only Division orders entered “pursuant to a hearing that a division examiner held” are subject to applications for de novo review before the Commission.

19.15.4.23.A NMAC. Only the Division Director is authorized to “enter the division's order” after a hearing and after receiving a report from the designated division examiner. 19.15.4.21-22 NMAC. In other words, only Division orders signed by the Division Director after a hearing held by a Division Examiner are subject to de novo review by the Commission. Here, there was no evidentiary hearing and no Division order signed by the Division Director. A de novo hearing is procedurally unavailable to Spur. As the Hearing Examiner provided, Spur is therefore pursuing “ordinary procedures” by filing its Application pursuant to Paragraph 22.

**E. Spur's Subpoena Should Be Upheld and the Stay on its Deadlines and Obligations Lifted.**

The Hearing Examiner should lift the interim order staying the deadlines and obligations under Spur's validly issued subpoena. As demonstrated in this response, Longfellow's challenge

to the procedural viability of Spur's application is without merit. Longfellow was obligated by the express terms of Paragraph 22 to file an application for hearing once Spur objected to its deviation notice. It refused to do so in open defiance of that mandatory language.

### **CONCLUSION**

For the foregoing reasons, Spur Energy Partners LLC respectfully requests that the Division deny Longfellow Energy, LP's Motion; set the Application for hearing on the next available Division hearing docket; decline to treat Spur's subpoena to Longfellow as moot or derivative of the Application, and allow discovery to proceed; and grant such other and further relief as the Division deems just and proper.

Respectfully submitted,

HOLLAND & HART LLP

By



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**ATTORNEYS FOR SPUR ENERGY PARTNERS LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that on July 17, 2026, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

James P. Parrot  
Miguel A. Suazo  
Jacob L. Everhart  
Ryan McKee  
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***Attorneys for Longfellow Energy LP***



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Adam G. Rankin

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ALSO ADMITTED IN CO, ND, & UT

May 1, 2026

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

TO: ALL AFFECTED PERSONS

RE: **Minor Deviation from Development Plan Associated with Compulsory Pooling  
Order Number R-24036**

Case Number 25572  
Order Number R-24036  
S/2 of Section 31, Township 16 South, Range 31 East in Eddy County, New Mexico  
Cedar Lake; Glorieta-Yeso [Pool Code: 96831]

To Whom It May Concern,

Pursuant to Case Number 25572 (Attachment A), Order Number R-24036 (Attachment B) and the New Mexico Oil Conservation Division's (the "Division") November 1, 2025, Notice: Procedure for Deviation from Orders, Longfellow Energy, LP ("Longfellow") hereby provides notice in accordance with 19.15.4.12.B NMAC and 19.15.4.12.C NMAC of its plan for minor deviations associated with the compulsory orders issued under R-24036.

The minor deviation involves modifying the landing target for the Petty Federal Com 31CD 006H well (API 30-015-58054) (the "Well") from the Blinberry to the Lower Paddock. The Bureau of Land Management and the Division approved the APD (Attachment C) for the Well on April 13, 2026, which reflects the proposed deviation provided herein. The deviation will not impact the number of wells in the unit or the number of wells in a landing zone, as originally proposed. The surface hole location and take points remain unchanged and remain entirely within the originally pooled Cedar Lake; Glorieta-Yeso [Pool Code: 96831] formation.

Longfellow requests this deviation to accommodate minor adjustments to its development plan arising from the Well's drilling and completion schedule, including the need to account for certain federal leases within the unit that are scheduled to expire in May 2026. To the extent additional deviations from the approved well plan or the Order become necessary, Longfellow intends to seek such relief through the appropriate hearing process and amended orders.

This Application would have been filed with, and received by, the Division either on the date of this letter as referenced above, or no later than two (2) days after the date referenced above. Email correspondence for this matter can be sent to the Division at [OCD.Engineer@emnrd.nm.gov](mailto:OCD.Engineer@emnrd.nm.gov).

Any objections that you have to these applications must be filed in writing with the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico, 87505, within twenty (20) days from the date the Division receives the above-referenced applications. If no objection is received within the twenty-day period, the OCD may issue an amended order without a hearing.

If you have any questions about this application, please contact the following:

Rebecca L. English – Vice President, Land  
Longfellow Energy, LP  
(972) 366 – 0951  
[Rebecca.English@longfellowenergy.com](mailto:Rebecca.English@longfellowenergy.com)

Very truly yours,  
BEATTY & WOZNIAK, P.C.



Miguel A. Suazo  
[msuazo@bwenergylaw.com](mailto:msuazo@bwenergylaw.com)

Jacob L. Everhart  
[jeverhart@bwenergylaw.com](mailto:jeverhart@bwenergylaw.com)

*Attorney(s) for Longfellow Energy, LP*

Attachments:

- Attachment A – Original Case No. 25572
- Attachment B – Order Number R-24036
- Attachment C – Approved Petty Federal Com 31CD 006H APD

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**From:** Adam Rankin  
**Sent:** Tuesday, May 5, 2026 2:27 PM  
**To:** Engineer, OCD, EMNRD  
**Cc:** Paula M. Vance; Raylee Starnes; Miguel Suazo; Jacob Everhart  
**Subject:** Spur Objection - Longfellow Petty Wells Notice of Deviation from Order No. R-24036  
**Attachments:** Longfellow - Notice Letter - Deviation from Order R-24036 (4896-6916-7783 v1).pdf; r-24036\_LFE Petty Wells CPO.pdf; 30015580540000\_04\_13\_2026\_08\_19\_42 6H BLM APD.pdf

To whom it may concern,

Pursuant to the Division's November 1, 2025, guidance, SEP Permian Holding Corp. ("Spur") objects to the Longfellow Energy's attached notice of deviation, dated May 1, 2026, from Order No. R-24036. The proposed deviation constitutes a major deviation from what was approved under Order No. R-24036 (attached) and must be presented at hearing for approval as an amendment to the order.

We appreciate the Division's prompt attention to this matter and acknowledgment of Spur's objection.

Very best,  
Adam



**Holland  
& Hart**

**Adam Rankin**

Partner

**HOLLAND & HART LLP**

110 North Guadalupe Street, Suite 1, Santa Fe, NM 87501

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**From:** [Miguel Suazo](#)  
**To:** [Adam Rankin](#)  
**Cc:** [Paula M. Vance](#); [Raylee Starnes](#); [Tschantz, Freya, EMNRD](#); [Jacob Everhart](#); [Engineer, OCD, EMNRD](#); [ocd.hearings@emnrd.nm.gov](mailto:ocd.hearings@emnrd.nm.gov)  
**Subject:** RE: Deviation from Development Plan Associated with Compulsory Pooling Order Number R-24036  
**Date:** Monday, June 1, 2026 8:12:56 AM  
**Attachments:** [image001.png](#)

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**External Email**

Adam:

Longfellow does not agree with the premise of your question. Longfellow does not agree that the 006H well, or Longfellow's present drilling schedule under Order No. R-24036, constitutes a proposed deviation requiring an application for hearing on the July docket. Longfellow will continue to comply with Order No. R-24036 and all applicable Division rules. To the extent Longfellow proposes any future change that requires Division approval under Order No. R-24036 or applicable rules, Longfellow will seek approval through the appropriate Division procedure.

Thanks.

**Miguel Suazo** | Shareholder  
**Beatty & Wozniak, P.C.**  
505.946.2090 | Direct

**Confidentiality:** This Beatty & Wozniak, P.C. email, its attachments and data ("email") are intended to be Confidential and may contain Attorney-Client Communications or Work Product. If you are not the intended recipient or may have received this message in error, notify the sender immediately and permanently delete the email and all copies thereof from any drives or storage media and destroy any printouts. Any unauthorized use or distribution of any of the information in this email is **Strictly Prohibited**.

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**From:** Adam Rankin <AGRankin@hollandhart.com>  
**Sent:** Friday, May 29, 2026 4:52 PM  
**To:** Miguel Suazo <msuazo@bwenerylaw.com>  
**Cc:** Paula M. Vance <PMVance@hollandhart.com>; Raylee Starnes <ARStarnes@hollandhart.com>; Tschantz, Freya, EMNRD <Freya.Tschantz@emnrd.nm.gov>; Jacob Everhart <jeverhart@bwenerylaw.com>; Engineer, OCD, EMNRD <ocd.engineer@emnrd.nm.gov>; [ocd.hearings@emnrd.nm.gov](mailto:ocd.hearings@emnrd.nm.gov)  
**Subject:** RE: Deviation from Development Plan Associated with Compulsory Pooling Order Number R-24036

**CAUTION: EXTERNAL SOURCE**

Miguel,

Can you please confirm Longfellow will file an application for hearing on the July hearing docket to approve its proposed deviation from Order No. R-24036, as required.

**Adam Rankin**

Partner, Holland & Hart LLP

[agrarkin@hollandhart.com](mailto:agrarkin@hollandhart.com) | T: (505) 954-7294 | M: (505) 570-0377

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**From:** Tschantz, Freya, EMNRD <[Freya.Tschantz@emnrd.nm.gov](mailto:Freya.Tschantz@emnrd.nm.gov)>

**Sent:** Wednesday, May 6, 2026 2:38 PM

**To:** Miguel Suazo <[msuazo@bwenergyllaw.com](mailto:msuazo@bwenergyllaw.com)>; Jacob Everhart <[jeverhart@bwenergyllaw.com](mailto:jeverhart@bwenergyllaw.com)>

**Cc:** Adam Rankin <[AGRankin@hollandhart.com](mailto:AGRankin@hollandhart.com)>; Paula M. Vance <[PMVance@hollandhart.com](mailto:PMVance@hollandhart.com)>; Raylee Starnes <[ARStarnes@hollandhart.com](mailto:ARStarnes@hollandhart.com)>

**Subject:** Deviation from Development Plan Associated with Compulsory Pooling Order Number R-24036

External Email

Good afternoon,

Because Spur has filed an objection, the requested deviation cannot be approved administratively. Longfellow will need to submit an application requesting a hearing to amend Order R-24036. Please let me know if you have any questions. Thank you.

Respectfully,



Freya Tschantz, Law Clerk  
EMNRD-Oil Conservation Division  
1220 South St. Francis Drive, 3<sup>rd</sup> Floor  
Santa Fe, NM 87505  
(505) 469-5527  
[Freya.Tschantz@emnrd.nm.gov](mailto:Freya.Tschantz@emnrd.nm.gov)

---

**Subject:** FW: Petty 6H Well Proposal

**From:** Stuart Gaston <[stuart.gaston@longfellowenergy.com](mailto:stuart.gaston@longfellowenergy.com)>  
**Sent:** Monday, April 6, 2026 8:35:11 AM  
**To:** Emma Whelton <[emma.whelton@spurenergy.com](mailto:emma.whelton@spurenergy.com)>  
**Cc:** Rebecca English <[rebecca.english@longfellowenergy.com](mailto:rebecca.english@longfellowenergy.com)>  
**Subject:** RE: Petty 6H Well Proposal

I apologize for the confusion, that was my mistake. The 6H was a LOWER Blinebry, that was swapped to a Paddock. Th 5H was a Paddock that became a LOWER Blinebry. The rest of the development remained unchanged.

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**From:** Emma Whelton <[emma.whelton@spurenergy.com](mailto:emma.whelton@spurenergy.com)>  
**Sent:** Thursday, April 2, 2026 4:05 PM  
**To:** Stuart Gaston <[stuart.gaston@longfellowenergy.com](mailto:stuart.gaston@longfellowenergy.com)>  
**Cc:** Rebecca English <[rebecca.english@longfellowenergy.com](mailto:rebecca.english@longfellowenergy.com)>  
**Subject:** RE: Petty 6H Well Proposal

If that's the case, then the same zone spacing for the blinebry and paddock has changed.

Based on the footages in the CPO, is your new plan as outlined below?

PADDOCK: 6H (defining well) will be 1250' FSL, thus infill 8H will be 750' south (at 500' FSL) and infill 2H will be 1069' north (at 2319' FSL)

UPPER BLINEBRY: 3H to 5H spacing will be 749' and 5H to 9H will be 1070'?

LOWER BLINEBRY: Spacing unchanged.

Emma Whelton  
Landman - Business Development

---

**From:** Stuart Gaston <[stuart.gaston@longfellowenergy.com](mailto:stuart.gaston@longfellowenergy.com)>  
**Sent:** Thursday, April 2, 2026 3:39 PM  
**To:** Emma Whelton <[emma.whelton@spurenergy.com](mailto:emma.whelton@spurenergy.com)>  
**Cc:** Rebecca English <[rebecca.english@longfellowenergy.com](mailto:rebecca.english@longfellowenergy.com)>  
**Subject:** Re: Petty 6H Well Proposal

Hey Emma,

The 5H and the 6H just swapped. We are planning the 5H to be the Upper Blinberry that was initially the 6H. The reason we swapped the wells was we wanted the proximity well to be drilled first into the Paddock since we are only drilling one initial well.

Hope this helps, please let me know if there are any follow ups.

Thank you,  
Stuart Gaston

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**From:** Emma Whelton <[emma.whelton@spurenergy.com](mailto:emma.whelton@spurenergy.com)>  
**Sent:** Thursday, April 2, 2026 2:28:29 PM  
**To:** Stuart Gaston <[stuart.gaston@longfellowenergy.com](mailto:stuart.gaston@longfellowenergy.com)>  
**Cc:** Rebecca English <[rebecca.english@longfellowenergy.com](mailto:rebecca.english@longfellowenergy.com)>  
**Subject:** FW: Petty 6H Well Proposal

Stuart,

See additional below/attached question from our team on the Petty well proposal.

Thanks,

Emma Whelton  
Landman - Business Development

---

**From:** Matt Van Wie <[MattV@spurenergy.com](mailto:MattV@spurenergy.com)>  
**Sent:** Thursday, April 2, 2026 2:15 PM  
**To:** Emma Whelton <[emma.whelton@spurenergy.com](mailto:emma.whelton@spurenergy.com)>  
**Subject:** RE: Petty 6H Well Proposal

Emma,

Based on the email information below and the CPO R-24036 (attached), it appears the 6H has simply changed TVD (target interval).

This HSU was pooled as a 3 paddock / 3 upper Blinebry / 3 lower Blinebry wine-racked development (see attached powerpoint) ... and without any further information, it now stands at 4 paddocks / 2 upper Blinebry / 3 lower Blinebry ... with serious concerns on Paddock spacing (and potentially material change in development).

Given this is a full cube (9-well) proposed development where we have material interest, can Longfellow please provide information/details on how this 6H shift will alter (if any) future infill wells.

Thanks,  
Matt V.

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**From:** Emma Whelton <[emma.whelton@spurenergy.com](mailto:emma.whelton@spurenergy.com)>  
**Sent:** Tuesday, March 31, 2026 11:30:28 AM  
**To:** Seth Ireland <[Seth@spurenergy.com](mailto:Seth@spurenergy.com)>; Michael Sliva <[michael@spurenergy.com](mailto:michael@spurenergy.com)>  
**Subject:** FW: Petty 6H Well Proposal

Emma Whelton  
Landman - Business Development

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**From:** Stuart Gaston <[stuart.gaston@longfellowenergy.com](mailto:stuart.gaston@longfellowenergy.com)>  
**Sent:** Tuesday, March 31, 2026 11:30 AM  
**To:** Emma Whelton <[emma.whelton@spurenergy.com](mailto:emma.whelton@spurenergy.com)>  
**Cc:** Rebecca English <[rebecca.english@longfellowenergy.com](mailto:rebecca.english@longfellowenergy.com)>; Mark Hicks <[mark@spurenergy.com](mailto:mark@spurenergy.com)>  
**Subject:** RE: Petty 6H Well Proposal

Hi Emma,

I apologize for the confusion. The well of record switched from the 5H to the 6H well after the CPO was issued. The 6H is now the following:

Petty Federal Com 31CD 006H, with an approximate true vertical depth of 4,969', as a horizontal well in the Yeso formation (with an approximate measured depth of 10,280') Surface Hole Location is 1,085' FWL & 676' FSL of Section 32-16S-31E; with a Bottom Hole Location of 20' FWL & 1,250' FSL of Section 31-16S-31E. **Being a Paddock Target**

Please let me know if y'all have any questions or need any additional information.

Thanks,  
Stuart Gaston

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**From:** Emma Whelton <[emma.whelton@spurenergy.com](mailto:emma.whelton@spurenergy.com)>  
**Sent:** Tuesday, March 31, 2026 10:34 AM  
**To:** Stuart Gaston <[stuart.gaston@longfellowenergy.com](mailto:stuart.gaston@longfellowenergy.com)>  
**Cc:** Rebecca English <[rebecca.english@longfellowenergy.com](mailto:rebecca.english@longfellowenergy.com)>; Mark Hicks <[mark@spurenergy.com](mailto:mark@spurenergy.com)>  
**Subject:** RE: Petty 6H Well Proposal

Stuart,

Can you and your team please confirm the proposed TVD and landing zone for the Petty 6H? The pooling documents have it as an upper blinebry.

Thanks,

Emma Whelton  
Landman - Business Development

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**From:** Stuart Gaston <[stuart.gaston@longfellowenergy.com](mailto:stuart.gaston@longfellowenergy.com)>  
**Sent:** Monday, March 30, 2026 2:08 PM  
**To:** Emma Whelton <[emma.whelton@spurenergy.com](mailto:emma.whelton@spurenergy.com)>  
**Cc:** Rebecca English <[rebecca.english@longfellowenergy.com](mailto:rebecca.english@longfellowenergy.com)>; Mark Hicks <[mark@spurenergy.com](mailto:mark@spurenergy.com)>  
**Subject:** RE: Petty 6H Well Proposal

Hello Emma,

Thank you for reaching out. Please find attached our form JOA for review. I will be adding the Exhibit information specific to this Unit prior to execution. If you have any questions, concerns, or need any additional information, please feel free to reach out.

Thanks,

**Stuart Gaston**

Senior Landman



8115 Preston Road, Suite 800  
Dallas, TX 75225  
(972) 532-8205  
(432) 413-5210

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From: Emma Whelton <[emma.whelton@spurenergy.com](mailto:emma.whelton@spurenergy.com)>  
Sent: Monday, March 30, 2026 2:04 PM  
To: Stuart Gaston <[stuart.gaston@longfellowenergy.com](mailto:stuart.gaston@longfellowenergy.com)>  
Cc: Rebecca English <[rebecca.english@longfellowenergy.com](mailto:rebecca.english@longfellowenergy.com)>; Mark Hicks <[mark@spurenergy.com](mailto:mark@spurenergy.com)>  
Subject: Petty 6H Well Proposal

Stuart,

We are in receipt of Longfellow's attached well proposal for the Petty 6H. While my team is evaluating and deciding if we want to participate via JOA or COP, would you mind sending over your JOA for our review?

Thanks,

Emma Whelton  
Landman - Business Development  
SPUR ENERGY PARTNERS LLC  
9655 Katy Freeway, Suite 500 | Houston, TX 77024  
(832) 930-8532 (Office)  
(713) 397-3355 (Cell)  
[emma.whelton@spurenergy.com](mailto:emma.whelton@spurenergy.com)



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