

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

APPLICATION OF EPIC ENERGY, LLC TO REVOKE
ENDURING RESOURCES, LLC APPLICATION FOR
PERMIT TO DRILL FOR THE NE LYBROOK COM 262H WELL
(API NO. 30-039-31445) OPERATED IN SAN JUAN
COUNTY, NEW MEXICO

CASE NO. _____

APPLICATION

Epic Energy, LLC ("Epic") respectfully applies for an order revoking Enduring Resources, LLC ("Enduring") Application for Permit to Drill for the NE Lybrook Com 262H well (API No. 30-039-31445) ("NE Lybrook Com 262H Well") approve on or about December 12, 2023. In support of this Application, Epic states as follows:

1. Enduring is the current operator of record of the NE Lybrook Com 262H Well.

Upon information and belief, the NE Lybrook Com 262H Well has been drilled, completed and a reported date of first production. See *NMOCD NE Lybrook Com 262H Well file in NMOCD records*.

2. Epic is the current operator of record for the Federal 8-1 (API No. 30-039-24554), Grace Federal 1-1R (API No. 30-039-24539), Grace Federal 6-1R (API No. 30-039-24532), Grace Federal 6-2 (API No. 30-039-24538), Marcus 1 (API No. 30-039-23598), Marcus 2 (API No. 30-039-23667), Marcus A-2 (API No. 30-039-23849), Marcus A-9 (API No. 30-039-24128), Marcus A-10 (API No. 30-039-24030), Marcus A-12 (API No. 30-039-24193), Marcus A-14 (API No. 30-039-24170), Marcus A-15 (API No. 30-039-24065), Marcus A-16 (API No. 30-039-24067), Marcus A-22 (API No. 30-039-24147), Marcus B-2 (API No. 30-039-30402), McBee 7-4 (API No. 30-039-24544), McBee 7-5Y (API No. 30-039-24557), NCRA State 32-1

(API No. 30-039-25099), Rincon 5Y Well (API No. 30-039-24534), Rincon 7 Well (API No. 30-039-24453), Rincon 8 Well (API No. 30-039-24452), Rincon 9 Well (API No. 30-039-24467), Rincon 11 Well (API No. 30-039-24354) and the Rincon 13 Well (API No. 30-039-24533)(collectively, the “Epic Wells”), all of which are either within a quarter-quarter section of the Enduring NE Lybrook Com 262H Well and/or have existing spacing units that are impacted by Enduring’s overlapping horizontal well unit(s) and/or are in close proximity to the NE Lybrook Com 262H horizontal wellbore and/or perforated interval of such well and/or have been negatively impacted by the NE Lybrook Com 262H Well. See *NMOCD Federal 8-1 (API No. 30-039-24554), Grace Federal 1-1R (API No. 30-039-24539), Grace Federal 6-1R (API No. 30-039-24532), Grace Federal 6-2 (API No. 30-039-24538), Marcus 1 (API No. 30-039-23598), Marcus 2 (API No. 30-039-23667), Marcus A-2 (API No. 30-039-23849), Marcus A-9 (API No. 30-039-24128), Marcus A-10 (API No. 30-039-24030), Marcus A-12 (API No. 30-039-24193), Marcus A-14 (API No. 30-039-24170), Marcus A-15 (API No. 30-039-24065), Marcus A-16 (API No. 30-039-24067), Marcus A-22 (API No. 30-039-24147), Marcus B-2 (API No. 30-039-30402), McBee 7-4 (API No. 30-039-24544), McBee 7-5Y (API No. 30-039-24557), NCRA State 32-1 (API No. 30-039-25099), Rincon 5Y Well (API No. 30-039-24534), Rincon 7 Well (API No. 30-039-24453), Rincon 8 Well (API No. 30-039-24452), Rincon 9 Well (API No. 30-039-24467), Rincon 11 Well (API No. 30-039-24354) and the Rincon 13 Well (API No. 30-039-24533) files in NMOCD records.*

3. Upon information and belief, Enduring obtained the Application for Permit to Drill for the NE Lybrook Com 262H Well and conducted its drilling and completions operations in violation of certain provisions of the New Mexico Oil and Gas Act, NMSA

1978, § 70-2-1 *et seq.*, New Mexico Oil Conservation Division regulations 19.15.14.9.B & D, 19.15.15.12.B., 19.15.2.8.B., 19.15.16.15.A.(9)(b) and 19.15.16.17.A & B., NMAC and United State Bureau of Land Management regulations 43 C.F.R. § 3162.3-1(e), 43 C.F.R. § 3171.7(h) and 43 C.F.R. § 3162.5-1, among any other potential violations as determined by the Division and/or Commission.

4. Upon information and belief, Enduring failed to provide Epic with any form of notice and/or failed to seek Epic's consent prior to the filing of the Application for Permit to Drill the NE Lybrook Com 262H Well in violation of applicable regulations and in contravention of Epic's due process rights. Further, Enduring's oil and gas operations, specifically its permitting, drilling and/or completions operations, resulted in direct and actual harm to the Epic Wells, resulted in negative impacts to the Epic Wells, resulted in harm to Epic's correlative rights, resulted in waste, resulted in environmental surface and subsurface impacts, resulted in leaks, spills and/or releases at the Epic Well sites, and/or have resulted in other harm and impacts required to be prevented by New Mexico and federal laws.

5. The Division and/or Commission retains authority over Enduring's Application for Permit to Drill for the NE Lybrook Com 262H Well and all corresponding oil and gas operations associated with such well, including but not limited to permitting, drilling, completion, hydraulic fracturing and/or production operations. Further, the Division and/or Commission has full and express authority under New Mexico law to find Enduring in violation of applicable laws and regulations and can bring any and all actions deemed necessary against Enduring. 19.15.5.8, 19.15.5.10 and 19.15.5.11, NMAC.

6. The revocation of the Enduring NE Lybrook Com 262H Well APD under the Division and/or Commission's direct authority will prevent additional potential negative impacts and known negative impacts to the Epic Wells, will prevent additional harm to Epic's correlative rights, will prevent waste, and will protect against further surface and subsurface environmental harm – all as required by the Act, the Division regulations and the BLM regulations.

7. This Application will be supplemented by a formal Complaint to the Division and Commission seeking an investigation and enforcement action against Enduring regarding its violations of the Act, Division regulations and BLM regulations, with such Complaint to include a request for Enduring to cease and desist its operations on the above-referenced well pursuant to applicable law and Division regulations.

WHEREFORE, Epic requests that this case be set for hearing on the Division and/or Commission's earliest docket, and that, after notice and hearing as required by law, the Division and/or Commission enter an order revoking the Application for Permit to Drill for the NE Lybrook Com 262H Well.

DATE: August 12, 2026

Respectfully submitted,



Jost Energy Law, P.C.
Jamie L. Jost
3511 Ringsby Court, Unit 103
Denver, CO 80216
Tel: (707) 446-5620
Email: jjost@jostenergylaw.com

AND

*/s/ Electronically signed on August 11, 2026 by Matthew
M. Beck*

PEIFER, HANSON, MULLINS & BAKER, P.A.

Matthew M. Beck

P.O. Box 25245

Albuquerque, NM 87125-5245

Tel: (505) 247-4800

Fax: (505) 243-6458

Email: mbeck@peiferlaw.com

Attorneys for Epic Energy, LLC

Application of Epic Energy, LLC to revoke Enduring Resources, LLC Application for Permit to Drill for the NE Lybrook Com 262H Well (API No. 30-045-31445), San Juan County, New Mexico. Applicant in the above-styled cause seeks an order revoking the Application for Permit to Drill for the NE Lybrook Com 262H Well (API No. 30-039-31445) ("Well"), a producing horizontal well surface location of 1099' NFL and 703' WFL of Section 6, Township 23 North, Range 6 West, NMPM and a bottomhole location of 365' NFL and 72' EFL of Section 5, Township 23 North, Range 6 West, NMPM in San Juan County, New Mexico. The Well is drilled and producing within the Lybrook Gallup Pool.