

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Erin Taylor
Acting Cabinet Secretary

Ben Shelton
Deputy Secretary

Albert C.S. Chang
Division Director
Oil Conservation Division



Jacob L. Everhart
jeverhart@bwenergy.com

ADMINISTRATIVE NON-STANDARD LOCATION

Administrative Order NSL – 9233

**XTO Permian Operating, LLC [OGRID 373075]
Poker Lake Unit 13 01 PC Well No. 116H
API No. 30-015-54012**

Reference is made to your application received on January 9th, 2026.

Proposed Location

| | Footages | Unit/Lot | Sec. | Twsp | Range | County |
|------------------|---------------------|-----------------|-------------|-------------|--------------|---------------|
| Surface | 2270 FNL & 1656 FEL | G | 13 | 24S | 29E | Eddy |
| First Take Point | 2076 FNL & 1585 FEL | G | 13 | 24S | 29E | Eddy |
| Last Take Point | 113 FSL & 1666 FEL | O | 24 | 24S | 29E | Eddy |
| Terminus | 14 FSL & 1663 FEL | O | 24 | 24S | 29E | Eddy |

Proposed Horizontal Units

| Description | Acres | Pool | Pool Code |
|--------------------|--------------|-----------------------|------------------|
| E/2 Section 13 | 640 | Purple Sage; Wolfcamp | 98220 |
| E/2 Section 24 | | | |

You have requested to complete this horizontal well described above in the referenced pool or formation. This well is governed by special rules R-14262, for the Purple Sage; Wolfcamp (Gas) Pool and governs wells to be located at least 330 feet from the unit outer boundary of a spacing unit and no closer than 10 feet to any quarter – quarter section line. The completed intervals of horizontal wells are to be located no closer than 330 feet to the exterior boundary of a standard 320 - acre spacing unit.

Administrative Order NSL – 9233
XTO Permian Operating, LLC
Page 2 of 2

The request to deviate from an orthodox location has met all requirements of 19.15.16.15 (C)(5)(a) NMAC. It is understood that you are seeking this exception in order to create a non-standard location, comprised of First and Last Take Points referenced above within the described Horizontal Spacing Unit.

The request to deviate from an orthodox location has met all requirements of 19.15.16.15 (C)(5)(a) NMAC. It is understood that you are seeking this exception in order to create a non-standard location, comprised of Take Points referenced above, within the described Horizontal Spacing Unit.

This well's completed interval is as close as 113 feet to the southern edge of the horizontal spacing unit. This location is exterior to the Poker Lake Unit and is subjected to non-standard location notice. Encroachment will impact the following tracts.

Section 25, encroachment to the NE/4

The Division understands you have given notice of this application to all operators or owners who are "affected persons," as defined in 19.15.2.7(A)(8) NMAC, in all adjoining units towards which the proposed location encroaches.

The Division understands you are seeking this unorthodox location as a preferred well spacing plan for horizontal wells and to maximize production laterals within the Wolfcamp formation underlying the E/2 Section 13 and the E/2 Section 24, thereby maximizing recovery of resources and preventing waste.

Your application has been filed under 19.15.16.15(C)(6) NMAC, 19.15.15.13 NMAC and 19.15.4.12 (A)(2) NMAC.

Per 19.15.15.13 (B) NMAC, **Division approves this unorthodox location.**

Reference this NSL order number on the As Drilled C-102 submitted with the Authorization to Transport, to place this well into production.

The above approvals are subject to your following all other applicable Division rules.

Jurisdiction of this case is retained for the entry of further orders as the Division deems necessary.



Albert C.S. Chang
Division Director
AC/lrl

Date: 2/6/26

ID NO. 541819

NSL - 9233

Revised March 23, 2017

| | | | |
|---------------------------|-----------|-------|---------|
| RECEIVED: 01/09/26 | REVIEWER: | TYPE: | APP NO: |
|---------------------------|-----------|-------|---------|

ABOVE THIS TABLE FOR OCD DIVISION USE ONLY

NEW MEXICO OIL CONSERVATION DIVISION
 - Geological & Engineering Bureau -
 1220 South St. Francis Drive, Santa Fe, NM 87505



ADMINISTRATIVE APPLICATION CHECKLIST

THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE

Applicant: XTO Permian Operating, LLC **OGRID Number:** 373075
Well Name: Poker Lake Unit 13-1 PC 116H **API:** 30-015-54012
Pool: Purple Sage; Wolfcamp **Pool Code:** 98220

SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED BELOW

- 1) **TYPE OF APPLICATION:** Check those which apply for [A]
 A. Location – Spacing Unit – Simultaneous Dedication
 NSL NSP (PROJECT AREA) NSP (PRORATION UNIT) SD
- B. Check one only for [I] or [II]
 [I] Commingling – Storage – Measurement
 DHC CTB PLC PC OLS OLM
 [II] Injection – Disposal – Pressure Increase – Enhanced Oil Recovery
 WFX PMX SWD IPI EOR PPR

- 2) **NOTIFICATION REQUIRED TO:** Check those which apply.
 A. Offset operators or lease holders
 B. Royalty, overriding royalty owners, revenue owners
 C. Application requires published notice
 D. Notification and/or concurrent approval by SLO
 E. Notification and/or concurrent approval by BLM
 F. Surface owner
 G. For all of the above, proof of notification or publication is attached, and/or,
 H. No notice required

| <u>FOR OCD ONLY</u> | |
|--------------------------|------------------------------|
| <input type="checkbox"/> | Notice Complete |
| <input type="checkbox"/> | Application Content Complete |

3) **CERTIFICATION:** I hereby certify that the information submitted with this application for administrative approval is **accurate** and **complete** to the best of my knowledge. I also understand that **no action** will be taken on this application until the required information and notifications are submitted to the Division.

Note: Statement must be completed by an individual with managerial and/or supervisory capacity.

Jacob L. Everhart

Print or Type Name

Signature

1/9/26
Date

(505) 999 - 0401
Phone Number

jeverhart@bwnenergy.com
e-mail Address

BEATTY & WOZNIAK, P.C.

ATTORNEYS AT LAW

1675 BROADWAY, SUITE 600
DENVER, COLORADO 80202
TELEPHONE 303-407-4499
FAX 1-800-886-6566
www.bwenergylaw.com

OFFICE LOCATIONS

COLORADO

NEW MEXICO

WYOMING

MIGUEL A. SUAZO
ALSO ADMITTED IN TX, CO

JACOB L. EVERHART
ALSO ADMITTED IN CO, ND, & UT

January 9, 2026

VIA ONLINE FILING

Albert Chang
Division Director
Oil Conservation Division
Energy, Minerals and Natural Resource Department
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

ATTN: Leonard Lowe

RE: Application of XTO Permian Operating, LLC, for Administrative Approval of Unorthodox Well Location (NSL)

Poker Lake Unit (PLU) 13-1 PC 116H (API No. 30-015-54012)
SHL – 2,270’ FNL, 1,565’ FEL, Unit G, Section 13, T24S, R29E
BHL – 14’ FSL, 1,663’ FEL, Unit O, Section 24, T24S, R29E
FTP – 2,076’ FNL, 1,585’ FEL, Unit G, Section 13, T24S, R29E
LTP – 113’ FSL, 1,666’ FEL, Lot O, Section 24, T24S, R29E
Purple Sage; Wolfcamp (Gas) [Pool Code: 98220]
Eddy County, New Mexico

Dear Mr. Chang,

XTO Permian Operating, LLC (“XTO”), (OGRID No. 373075), pursuant to Division rules 19.15.16.15(C)(6), 19.15.15.13, and 19.15.4.12(A)(2) NMAC and special pool rules R-14262, seeks administrative approval of an unorthodox well location (“NSL”) for its Poker Lake Unit 13-1 PC 116H well.

Reason for the Request: The 116H well is completed in the Purple Sage; Wolfcamp pool [Pool Code: 98220] which has special pool rules specifying the completed interval must be located 330 feet from the exterior boundary of the applicable spacing unit. The as-drilled completed intervals are as follows:

SHL – 2,270' FNL, 1,565' FEL, Unit G, Section 13, T24S, R29E
BHL – 14' FSL, 1,663' FEL, Unit O, Section 24, T24S, R29E
FTP – 2,076' FNL, 1,585' FEL, Unit G, Section 13, T24S, R29E
LTP – 113' FSL, 1,666' FEL, Lot O, Section 24, T24S, R29E

The horizontal spacing unit is 640-acres and is comprised of the E/2 Sections 13 and 24, Township 24 South, Range 29 East, N.M.P.M., Eddy County, NM. The unorthodox well location encroaches on the adjoining unit to the south located in Section 25, R24S, R29E, which shows Oxy USA ("OXY") as the interest owners. OXY has previously agreed to waive any objection to the unorthodox location of the 116H well so long as the LTP is not located closer than 100' FSL of Section 24, T24S, R29E, Eddy County, NM.

Approval of the unorthodox location will allow XTO to use its preferred well spacing plan for horizontal wells and to maximize the productive laterals, which will prevent waste and protect correlative rights.

Notice is provided under 19.15.15.13(C) and 19.15.4.12.A.(2)(a) NMAC to affected persons *in each adjoining spacing unit in the same pool or formation located closer to the unorthodox well location than the minimum distance prescribed by the applicable rule or order.*

The acreage included in the NSL will be subject to the following leases:

- NMNM0005912 & NMLC0069005

XTO seeks administrative approval of an NSL to develop the acreage as a single development area and to maximize the productive lateral. Doing so allows XTO to efficiently locate surface facilities, such as well pad locations and centralized tank batteries, reduce disturbance impacts, reduce emissions and leak points, consolidate roadways, reduce traffic, consolidate pipeline(s), and promotes effective well spacing, thereby ensuring the promotion of conservation, the prevention of waste, and the protection of correlative rights. Division rules 19.15.16.7.P and 19.15.16.15.B(8) NMAC encourage oil and gas development, where possible, in enlarged areas of common ownership to minimize surface disturbance and to promote efficient well spacing. Further, Division rule 19.15.16.15.C.(6) NMAC authorizes administrative approval of such a request.

Please find the below listed Exhibits included in this application:

Exhibit 1 is a statement from XTO Commercial & Land Advisor, Corie Mathews, CPL.

Exhibit 2 is the Well Location and Acreage Dedication Plat (C-102) for the well within the proposed NSL application and includes the SHL, FTP, LTP, and BHL.

Exhibit 3 includes: (1) a lease map showing the proposed Non-Standard Location and the adjoining tracts identifying the notification area, and (2) a map showing the entirety of the Poker Lake Unit and the wells approximate location in relation to the federal unit.

Exhibit 4 includes the Letter Agreement(s) between XTO and OXY regarding each entity's waiver of objection for the non-standard well location.

Exhibit 5 includes a list of affected persons under 19.15.15.13(B) and 19.15.4.12.A.(2)(a) who were sent a copy of this application, proof of publication, and attachments by certified mail advising that any objections must be filed in writing with the Division within 20 days from the date the Division receives the application.

Thank you for your time and attention to this matter. Please let me know if you require additional information.

Very truly yours,

BEATTY & WOZNIAK, P.C.



Miguel Suazo

msuazo@bwenergylaw.com

Jacob L. Everhart

jeverhart@bwenergylaw.com

*Attorney(s) for XTO Permian Operating,
LLC*

Exhibit 1



Land Dept. Loc. 115
22777 Springwoods Village Pkwy
Spring TX 77389-1425
346-335-5864 - Direct Phone
corie.a.mathews@ExxonMobil.com

January 9, 2026

Landman Statement

I have reviewed the ownership of the oil and gas leasehold in the proposed Non-Standard well Location ("NSL") underlying the E/2 Sections 13 and 24, Township 24 South, Range 29 East, N.M.P.M., Eddy County, NM, for purposes of the administrative approval for XTO's **Poker Lake Unit 13-1 PC 116H well**. As of the date of this letter, the affected parties are:

See Attached EXHIBIT "5"

XTO is seeking approval of the non-standard location to allow XTO to use its preferred well spacing plan for horizontal wells and to maximize the productive laterals, which will prevent waste and protect correlative rights. These measures support effective well spacing, conservation of the resource, enhanced recoveries and economics, and waste prevention, while also helping to minimize environmental impacts. The Oil Conservation Division's rules encourage such developments to maximize efficiency and reduce surface and mineral disturbance in areas of common ownership.

Sincerely,

XTO Permian Operating, LLC.

Corie A Mathews

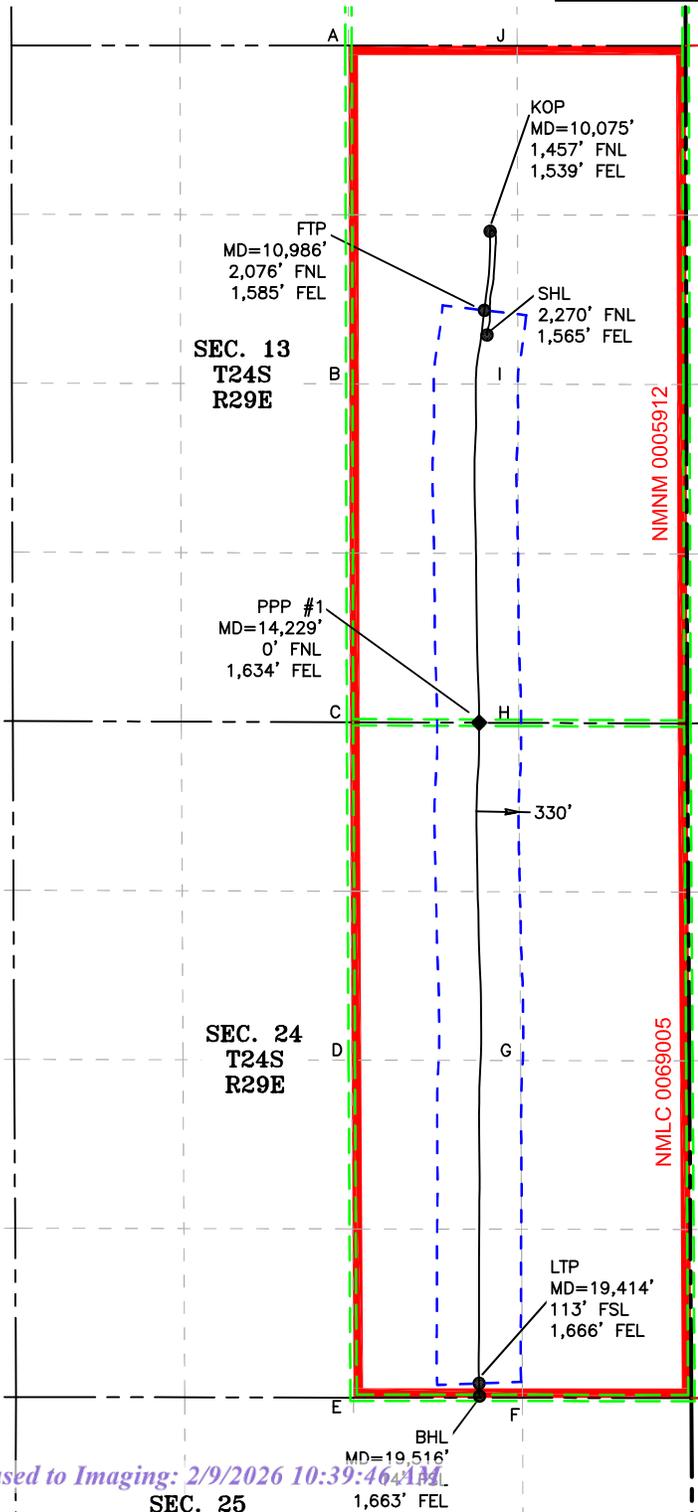
Corie Mathews, CPL
Commercial & Land Advisor – Delaware NM

Exhibit 2

LEGEND

- SECTION LINE
- WELLBORE
- NEW MEXICO MINERAL LEASE LINE
- - - 330' BUFFER
- DEDICATED ACRESAGE

| COORDINATE TABLE | | | | | | | | |
|------------------|------------|----|------------------|------------|----|---------------------|------------|----|
| SHL (NAD 83 NME) | | | KOP (NAD 83 NME) | | | FTP (NAD 83 NME) | | |
| Y = | 443,477.5 | N | Y = | 444,290.9 | N | Y = | 443,671.1 | N |
| X = | 664,658.6 | E | X = | 664,682.6 | E | X = | 664,637.9 | E |
| LAT. = | 32.218567 | °N | LAT. = | 32.220803 | °N | LAT. = | 32.219100 | °N |
| LONG. = | 103.934560 | °W | LONG. = | 103.934473 | °W | LONG. = | 103.934625 | °W |
| LTP (NAD 83 NME) | | | BHL (NAD 83 NME) | | | PPP #1 (NAD 83 NME) | | |
| Y = | 435,252.9 | N | Y = | 435,154.0 | N | Y = | 440,435.8 | N |
| X = | 664,596.0 | E | X = | 664,599.6 | E | X = | 664,596.4 | E |
| LAT. = | 32.195960 | °N | LAT. = | 32.195688 | °N | LAT. = | 32.210207 | °N |
| LONG. = | 103.934862 | °W | LONG. = | 103.934851 | °W | LONG. = | 103.934798 | °W |
| SHL (NAD 27 NME) | | | KOP (NAD 27 NME) | | | FTP (NAD 27 NME) | | |
| Y = | 443,418.1 | N | Y = | 444,231.5 | N | Y = | 443,611.7 | N |
| X = | 623,475.1 | E | X = | 623,499.1 | E | X = | 623,454.4 | E |
| LAT. = | 32.218443 | °N | LAT. = | 32.220679 | °N | LAT. = | 32.218975 | °N |
| LONG. = | 103.934072 | °W | LONG. = | 103.933984 | °W | LONG. = | 103.934136 | °W |
| LTP (NAD 27 NME) | | | BHL (NAD 27 NME) | | | PPP #1 (NAD 27 NME) | | |
| Y = | 435,193.7 | N | Y = | 435,194.8 | N | Y = | 440,376.5 | N |
| X = | 623,412.3 | E | X = | 623,415.8 | E | X = | 623,412.8 | E |
| LAT. = | 32.195835 | °N | LAT. = | 32.195563 | °N | LAT. = | 32.210082 | °N |
| LONG. = | 103.934374 | °W | LONG. = | 103.934353 | °W | LONG. = | 103.934310 | °W |



| CORNER COORDINATES (NAD83 NME) | | | | | |
|--------------------------------|-----------|---|---------|-----------|---|
| A - Y = | 445,748.2 | N | A - X = | 663,570.2 | E |
| B - Y = | 443,093.9 | N | B - X = | 663,576.0 | E |
| C - Y = | 440,439.6 | N | C - X = | 663,581.8 | E |
| D - Y = | 437,788.4 | N | D - X = | 663,595.7 | E |
| E - Y = | 435,141.5 | N | E - X = | 663,609.5 | E |
| F - Y = | 435,139.5 | N | F - X = | 664,936.2 | E |
| G - Y = | 437,785.4 | N | G - X = | 664,921.5 | E |
| H - Y = | 440,434.7 | N | H - X = | 664,906.3 | E |
| I - Y = | 443,091.0 | N | I - X = | 664,900.3 | E |
| J - Y = | 445,747.4 | N | J - X = | 664,894.3 | E |
| CORNER COORDINATES (NAD27 NME) | | | | | |
| A - Y = | 445,688.8 | N | A - X = | 622,386.8 | E |
| B - Y = | 443,034.6 | N | B - X = | 622,392.5 | E |
| C - Y = | 440,380.3 | N | C - X = | 622,398.2 | E |
| D - Y = | 437,729.1 | N | D - X = | 622,412.0 | E |
| E - Y = | 435,082.3 | N | E - X = | 622,425.8 | E |
| F - Y = | 435,080.4 | N | F - X = | 623,752.4 | E |
| G - Y = | 437,726.2 | N | G - X = | 623,737.8 | E |
| H - Y = | 440,375.4 | N | H - X = | 623,722.7 | E |
| I - Y = | 443,031.7 | N | I - X = | 623,716.8 | E |
| J - Y = | 445,687.9 | N | J - X = | 623,710.9 | E |

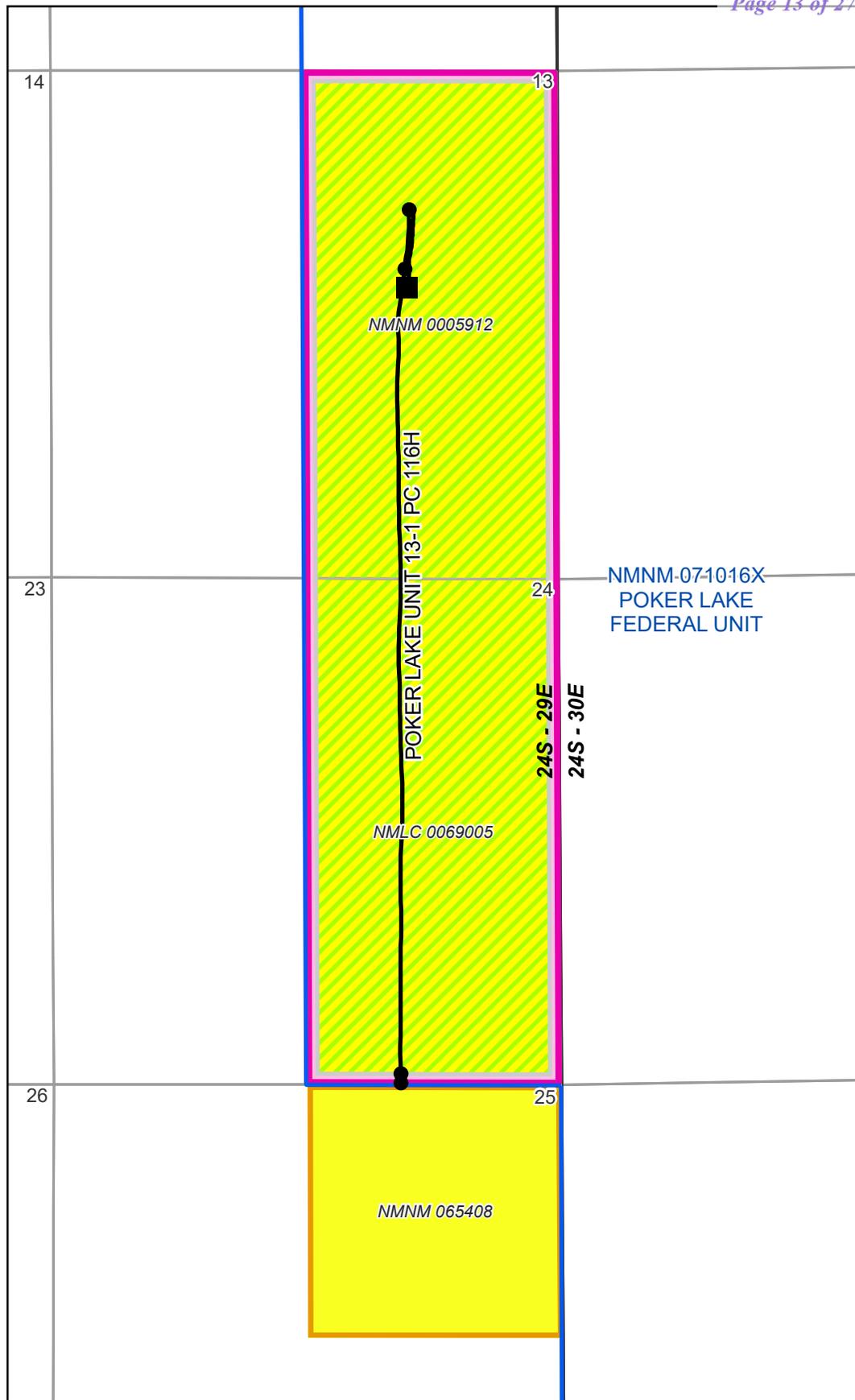
Exhibit 3



Poker Lake Unit 13-1 PC 116H NSL Exhibit Purple Sage Wolfcamp Pool

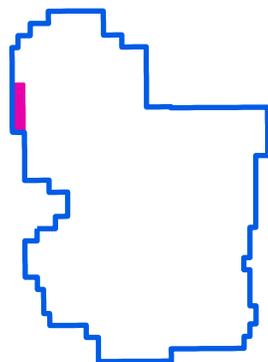
Notification Area:
T24S - R29E Sec. 25: NE
160 Acres

- Takepoints
- Surface Hole
- Poker Lake Unit 13-1 PC 116H
- ▭ Poker Lake Federal Unit
- ▭ Notification Area
- ▭ Horizontal Spacing Unit
- ▨ XTO Private Lease
- ▭ Federal Acreage



NMNM-071016X
POKER LAKE
FEDERAL UNIT

Poker Lake Unit



Poker Lake UNIT



POKER LAKE UNIT EDDY COUNTY, NEW MEXICO

Land GIS Dept. O:\rcview\Projects\Kellin_Project_APRX\Delaware Federal Unit\PODs\Delaware Federal Unit\PODs.aprx Layout PLU LEASES

Date: 5/22/2025

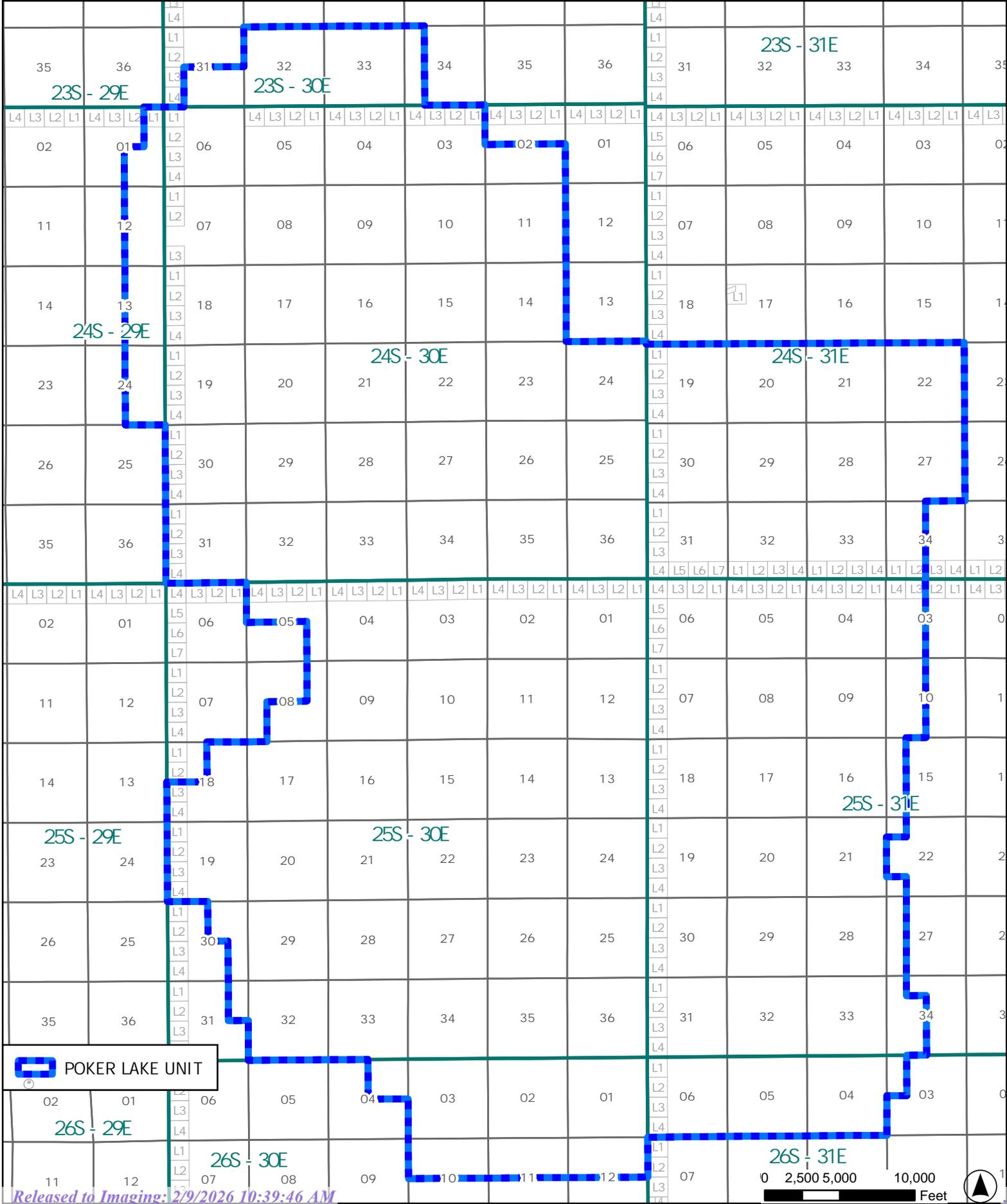


Exhibit 4



XTO Energy Inc.
EMHC.W4.AA.288
22777 Springwoods Village Pkwy
Spring TX 77389-1425
346-566-9631 - Direct Phone
carlos.salinas@exxonmobil.com

February 8, 2023

Occidental Petroleum Corporation
Attn: Matt Cole
5 Greenway Plaza, Suite 110
Houston, TX 77046

Re: Letter Agreement
Waiver of Objection: Non-Standard Location
XTO Permian Operating LLC
OXY USA Inc
Eddy County, NM

Dear Mr. Cole:

This letter shall set forth our agreement regarding the non-standard locations of certain wells described below (the "Waiver Wells") operated by XTO Permian Operating LLC ("XTO") and OXY USA Inc ("OXY") collectively referred to as the "Parties". XTO and OXY agree as follows:

1. OXY is the operator of six (6) Waiver Wells located in Sections 1, 12, and 13, Township 24 South, Range 30 East, Eddy County, New Mexico. XTO hereby waives, and agrees to formally waive, any objection to the location of OXY's Waiver Wells further described on **Exhibit "A"** so long as OXY's Waiver Wells maintain a First Take Point no closer than 100' FSL of Section 13, and a Last Take Point no closer than 100' FNL of Section 1, Township 24 South, Range 30 East, Eddy County, New Mexico.
2. XTO is the operator of nine (9) Waiver Wells located in the SE/4 of Section 13 and the E/2 of Section 24, Township 24 South, Range 29 East, Eddy County, New Mexico. OXY hereby waives, and agrees to formally waive, any objection to the location of XTO's Waiver Wells further described on **Exhibit "B"** so long as XTO's Waiver Wells maintain a Last Take Point no closer than 100' FSL of Section 24, Township 24 South, Range 29 East, Eddy County, New Mexico.
3. The Parties hereby agree to promptly furnish "as-drilled" plats to the counterparts within 90 days of the drilling rig moving off location for the Waiver Wells. Copies of "as-drilled" plats shall be delivered via electronic mail to the following:

OXY representative: Matt Cole (Matthew_Cole@oxy.com)

XTO representative: C.R. Salinas (Carlos.Salinas@exxonmobil.com)

The agreement set forth herein shall be binding on XTO's and OXY's successors, affiliates and assigns, and constitutes a covenant running with the lands described herein. If the foregoing correctly reflects the understanding of OXY related to our agreement, please so indicate by signing below and returning a copy of this letter to the undersigned by email to Carlos.Salinas@exxonmobil.com.

Should you have any questions, please do not hesitate to contact me directly at 346-566-9631.

Thank you in advance for your prompt attention to this matter.

Sincerely,

C.R. Salinas
Sr. Landman
XTO Energy Inc.

AGREED TO AND ACCEPTED THIS 21 DAY OF FEBRUARY, 2023

OXY USA Inc

BY:  MC

ITS: Attorney-in-Fact

DATE: 2/21/23

The rest of this page is intentionally left blank.

EXHIBIT "A"

OXY Waiver Wells

Attached to and made part of that certain Letter Agreement dated February 8th, 2023.

| Well Name | API No. | FTP | LTP |
|-----------------------------------|------------|--|---------------------------------------|
| Nimitz MDP1 13-1 Federal Com 1H | 3001548588 | 100' FSL, 1668' FEL, SEC 13, T24S-R30E | 100' FNL, 1666' FEL, SEC 1, T24S-R30E |
| Nimitz MDP1 13-1 Federal Com 171H | 3001548578 | 100' FSL, 330' FWL, SEC 13, T24S-R30E | 100' FNL, 330' FWL, SEC 1, T24S-R30E |
| Nimitz MDP1 13-1 Federal Com 172H | 3001548613 | 100' FSL, 1670' FWL, SEC 13, T24S-R30E | 100' FNL, 1670' FWL, SEC 1, T24S-R30E |
| Nimitz MDP1 13-1 Federal Com 173H | 3001548589 | 100' FSL, 2336' FEL, SEC 13, T24S-R30E | 100' FNL, 2336' FEL, SEC 1, T24S-R30E |
| Nimitz MDP1 13-1 Federal Com 311H | 3001548586 | 100' FSL, 1000' FWL, SEC 13, T24S-R30E | 100' FNL, 1000' FWL, SEC 1, T24S-R30E |
| Nimitz MDP1 13-1 Federal Com 312H | 3001548590 | 100' FSL, 2340' FWL, SEC 13, T24S-R30E | 100' FNL, 2340' FWL, SEC 1, T24S-R30E |
| Nimitz MDP1 13_1 Fed Com 174H | TBA | 100' FSL, 1600' FEL, SEC 13, T24S-R30E | 100' FNL, 1600' FEL, SEC 1, T24S-R30E |
| Nimitz MDP1 13_1 Fed Com 175H | TBA | 100' FSL, 600' FEL, SEC 13, T24S-R30E | 100' FNL, 600' FEL, SEC 1, T24S-R30E |

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| EXHIBIT "B" | | | |
|--|---------|---|--|
| XTO Waiver Wells | | | |
| Attached to and made part of that certain Letter Agreement dated February 8th, 2023. | | | |
| Well Name | API No. | FTP | LTP |
| Poker Lake Unit 13-24 PC 105H | TBA | 2740' FNL, 2310' FEL, SEC 13, T24S-R29E | 100' FSL, 2310' FEL, SEC 24, T24S-R29E |
| Poker Lake Unit 13-24 PC 107H | TBA | 2740' FNL, 990' FEL, SEC 13, T24S-R29E | 100' FSL, 990' FEL, SEC 24, T24S-R29E |
| Poker Lake Unit 13-24 PC 125H | TBA | 2740' FNL, 2310' FEL, SEC 13, T24S-R29E | 100' FSL, 2310' FEL, SEC 24, T24S-R29E |
| Poker Lake Unit 13-24 PC 165H | TBA | 2740' FNL, 2310' FEL, SEC 13, T24S-R29E | 100' FSL, 2310' FEL, SEC 24, T24S-R29E |
| Poker Lake Unit 13-24 PC 127H | TBA | 2740' FNL, 990' FEL, SEC 13, T24S-R29E | 100' FSL, 990' FEL, SEC 24, T24S-R29E |
| Poker Lake Unit 13-24 PC 116H | TBA | 2740' FNL, 1650' FEL, SEC 13, T24S-R29E | 100' FSL, 1650' FEL, SEC 24, T24S-R29E |
| Poker Lake Unit 13-24 PC 167H | TBA | 2740' FNL, 990' FEL, SEC 13, T24S-R29E | 100' FSL, 990' FEL, SEC 24, T24S-R29E |
| Poker Lake Unit 13-24 PC 118H | TBA | 2740' FNL, 330' FEL, SEC 13, T24S-R29E | 100' FSL, 330' FEL, SEC 24, T24S-R29E |
| Poker Lake Unit 13-24 PC 158H | TBA | 2740' FNL, 330' FEL, SEC 13, T24S-R29E | 100' FSL, 330' FEL, SEC 24, T24S-R29E |

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XTO Energy Inc.
EMHC.W4.4A
22777 Springwoods Village Pkwy
Spring TX 77389-1425
346-998-2538 - Direct Phone
William.davis@exxonmobil.com

January 25, 2024

Occidental Petroleum Corporation
Attn: Matthew Cole
5 Greenway Plaza, Suite 110
Houston, TX 77046

Re: Amendment to Letter Agreement dated February 8, 2023
Waiver of Objection: Non-Standard Locations
Eddy County, New Mexico

Dear Mr. Cole:

Reference is made to that certain Letter Agreement dated February 8, 2023, between XTO Permian Operating, LLC ("XTO") and OXY ("Oxy") hereinafter referred to as the "Letter Agreement", regarding the terms under which XTO waived objection to six (6) Oxy Non-Standard Locations in Sections 1, 12 and 13, T24S-R30E, Eddy County, New Mexico, as described on Exhibit "A" to the Letter Agreement, and Oxy waived objection to nine (9) XTO Non-Standard Locations in the SE/4 of Section 13 and the E/2 of Section 24, T24S-R29E, Eddy County, New Mexico, as described on Exhibit "B" to the Letter Agreement. XTO and Oxy are each sometimes referred individually as a ("Party") or collectively as ("Parties").

The Parties desire to amend, reform and correct the Letter Agreement as follow:

1. Exhibit 'B' is deleted in its entirety and Exhibit "B" attached hereto is hereby substituted therefore.
2. The following paragraphs are added to the Letter Agreement:
 4. XTO, as owner of leasehold interest and operator of wells located in Section 24, T24S-R30E, hereby waives any objection to the subsurface penetration of the wellbores of the Oxy Nimitz MDP1 13 1 Fed Com 171H, Nimitz MDP1 13 1 Fed Com 172H and Nimitz MDP1 13 1 Fed Com 311H wells into Section 24, T24S-R30E, being Unit Tract 36 of the Poker Lake Unit. Oxy agrees to promptly provide XTO with all information concerning the location of the wells, including directional surveys along with the "as-drilled" plat and the "as-drilled" final survey file, including 6-axis raw data for the purpose of anti-collision issues.
 5. Oxy, as owner of leasehold interest and operator of wells located in Section 13, T24S-R30E, hereby waives any objection to the subsurface penetration of the wellbores of the Poker Lake Unit 13 DTD 114H (API # 3001554466), Poker Lake Unit 13 DTD 115H (API # 3001554467) and Poker Lake Unit 13 DTD 116H (API # 3001554468) wells into Section 13, T24S-R30E, provided no well shall back build more than 200' from the south line of Section 13, T24S-R30E. XTO agrees to promptly provide Oxy with all information concerning the location of the wells, including directional surveys along with the "as-drilled" plat and the "as-drilled" final survey file, including 6-axis raw data for the purpose of anti-collision issues.

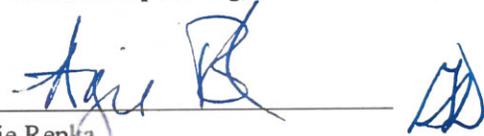
An ExxonMobil Subsidiary

6. The "take points" and perforations for all wells drilled pursuant to this letter agreement will comply with all applicable rules of the New Mexico Oil Conservation Division, and each Party's waiver is conditioned upon this compliance.

Except as herein expressly modified, changed and amended, the Letter Agreement and all of the terms, provisions, covenants and conditions therein remain in full force and effect.

If the foregoing terms are agreeable to Oxy, please so indicate by signing below and returning a copy of this letter by email to the william.davis@exxonmobil.com. If you have any questions, please feel free to call Greg Davis at 346-998-2538.

XTO Permian Operating, LLC

By: 
Angie Repka
Commercial and Land Manager
Title: Agent & Attorney-in-Fact

AGREED TO AND ACCEPTED THIS 25 DAY OF JANUARY 2024.

OXY USA INC.

By: 
James Laning
Title: Attorney-in-Fact

Exhibit "B"

Attached to and made a part of Amendment to Letter Agreement dated January 24, 2024

| EXHIBIT "B" | | | |
|---|------------|---|--|
| XTO WAIVER WELLS | | | |
| Attached to and made a part of that certain Letter Agreement dated February 8th, 2023 | | | |
| Well Name | API # | FTP | LTP |
| Poker Lake Unit 13-1 PC 105H | 3001554010 | 2059' FNL & 1989' FEL, Sec. 13, T24S-R29E | 100' FSL & 1989' FEL, Sec. 24, T24S-R29E |
| Poker Lake Unit 13-1 PC 167H | 3001554014 | 2059' FNL & 1274' FEL, Sec. 13, T24S-R29E | 100' FSL & 1274' FEL, Sec. 24, T24S-R29E |
| Poker Lake Unit 13-1 PC 125H | 3001553562 | 2059' FNL & 2319' FEL, Sec. 13, T24S-R29E | 100' FSL & 2319' FEL, Sec. 24, T24S-R29E |
| Poker Lake Unit 13-1 PC 116H | 3001554012 | 2059' FNL & 1659' FEL, Sec. 13, T24S-R29E | 100' FSL & 1659' FEL, Sec. 24, T24S-R29E |
| Poker Lake Unit 13-1 PC 165H | 3001554013 | 2059' FNL & 2154' FEL, Sec. 13, T24S-R29E | 100' FSL & 2154' FEL, Sec. 24, T24S-R29E |
| Poker Lake Unit 13-1 PC 107H | 3001553565 | 2020' FNL & 669' FEL, Sec. 13, T24S-R29E | 100' FSL & 669' FEL, Sec. 24, T24S-R29E |
| Poker Lake Unit 13-1 PC 127H | 3001553554 | 2020' FNL & 999' FEL, Sec. 13, T24S-R29E | 100' FSL & 999' FEL, Sec. 24, T24S-R29E |
| Poker Lake Unit 13-1 PC 158H | 3001553560 | 2020' FNL & 394' FEL, Sec. 13, T24S-R29E | 100' FSL & 394' FEL, Sec. 24, T24S-R29E |
| Poker Lake Unit 13-1 PC 118H | 3001553563 | 2020' FNL & 339' FEL, Sec. 13, T24S-R29E | 100' FSL & 339' FEL, Sec. 24, T24S-R29E |

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Exhibit 5

| Affected Person(s) | | | | |
|---|--|---|--------------|--------------------------------|
| Acreage Description | Operator | WI Owners | Acreage Type | Certified Tracking Number |
| NE/4 of Section 25, T24S, R29E, NMPM, Eddy County, NM | XTO Delaware Basin, LLC 6401 Holiday Hill Rd Bldg 5 Midland, TX 79707 | Occidental Petroleum Corporation ATTN: Land Dept., 5 Greenway Plaza, Suite 110 Houston, TX 77046 | WI | 9589 0710 5270 2981 1384 96 |
| | | Bureau of Land Management 620 E Green St. Carlsbad, NM 88220 301 Dinosaur Trail Santa Fe, NM 87508 | Federal | 9589 0710 5270 2981 1384 89 |

BEATTY & WOZNIAK, P.C.

ATTORNEYS AT LAW

1675 BROADWAY, SUITE 600
DENVER, COLORADO 80202
TELEPHONE 303-407-4499
FAX 1-800-886-6566
www.bwenergylaw.com

OFFICE LOCATIONS

COLORADO
NEW MEXICO
WYOMING

MIGUEL A. SUAZO
ALSO ADMITTED IN TX, CO

JACOB L. EVERHART
ALSO ADMITTED IN CO, ND, & UT

January 9, 2026

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO: ALL AFFECTED PERSONS

RE: **Application of XTO Permian Operating, LLC, for Administrative Approval of Unorthodox Well Location (NSL)**

Poker Lake Unit (PLU) 13-1 PC 116H (API No. 30-015-54012)
SHL – 2,270’ FNL, 1,565’ FEL, Unit G, Section 13, T24S, R29E
BHL – 14’ FSL, 1,663’ FEL, Unit O, Section 24, T24S, R29E
FTP – 2,076’ FNL, 1,585’ FEL, Unit G, Section 13, T24S, R29E
LTP – 113’ FSL, 1,666’ FEL, Lot O, Section 24, T24S, R29E
Purple Sage; Wolfcamp (Gas) [Pool Code: 98220]
Eddy County, New Mexico

To Whom It May Concern,

Enclosed is a copy of the above-referenced application filed with the New Mexico Oil Conservation Division (the “Division”) on this date. 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 application may be approved administratively by the Division.

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@emnrn.nm.gov. If you have any questions about this application, please contact the following:

Corie Mathews, CPL, Commercial & Land Advisor – Delaware Basin NM
ExxonMobil
(346) 335-5864
Corie.a.mathews@exxonmobil.com

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



Miguel A. Suazo
msuazo@bwenergylaw.com

Jacob L. Everhart
jeverhart@bwenergylaw.com

*Attorney(s) for XTO Permian Operating,
LLC*

Sante Fe Main Office
Phone: (505) 476-3441

General Information
Phone: (505) 629-6116

Online Phone Directory
<https://www.emnrd.nm.gov/ocd/contact-us>

State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

CONDITIONS

Action 541819

CONDITIONS

| | |
|---|--|
| Operator: XTO PERMIAN OPERATING LLC. 3617 Big Spring St. MIDLAND, TX 79705 | OGRID: 373075 |
| | Action Number: 541819 |
| | Action Type: [UF-NSL] Non-Standard Location (NSL) |

CONDITIONS

| Created By | Condition | Condition Date |
|------------|-----------|----------------|
| llowe | None | 1/15/2026 |