

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 – 9234

**XTO Permian Operating, LLC [OGRID 373075]
Poker Lake Unit 13 01 PC Well No. 118H
API No. 30-015-53563**

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

Proposed Location

	Footages	Unit/Lot	Sec.	Twsp	Range	County
Surface	2270 FNL & 365 FEL	H	13	24S	29E	Eddy
First Take Point	2107 FNL & 500 FEL	H	13	24S	29E	Eddy
Last Take Point	112 FSL & 333 FEL	P	24	24S	29E	Eddy
Terminus	24 FSL & 333 FEL	P	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 – 9234
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 112 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. 541820

NSL - 9234

Revised March 23, 2017

RECEIVED: 01/09/26	REVIEWER:	TYPE:	APP NO:
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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 118H **API:** 30-015-53563
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

FOR OCD ONLY	
<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 118H (API No. 30-015-53563)
SHL – 2,270’ FNL, 365’ FEL, Unit H, Section 13, T24S, R29E
BHL – 24’ FSL, 333’ FEL, Unit P, Section 24, T24S, R29E
FTP – 2,107’ FNL, 500’ FEL, Unit H, Section 13, T24S, R29E
LTP – 112’ FSL, 333’ FEL, Unit P, 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 118H well.

Reason for the Request: The 118H 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, 365' FEL, Unit H, Section 13, T24S, R29E
BHL – 24' FSL, 333' FEL, Unit P, Section 24, T24S, R29E
FTP – 2,107' FNL, 500' FEL, Unit H, Section 13, T24S, R29E
LTP – 112' FSL, 333' FEL, Unit P, 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 118H 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 118H 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

C-102 Submit Electronically Via OCD Permitting	State of New Mexico Energy, Minerals & Natural Resources Department OIL CONSERVATION DIVISION	Revised July 9, 2024 Submittal Type: <input type="checkbox"/> Initial Submittal <input type="checkbox"/> Amended Report <input checked="" type="checkbox"/> As Drilled							
WELL LOCATION INFORMATION									
API Number 30-015-53563	Pool Code 98220	Pool Name PURPLE SAGE; WOLFCAMP							
Property Code 333843	Property Name POKER LAKE UNIT 13-1 PC	Well Number 118H							
ORGID No. 373075	Operator Name XTO PERMIAN OPERATING, LLC.	Ground Level Elevation 3,122'							
Surface Owner: <input type="checkbox"/> State <input type="checkbox"/> Fee <input type="checkbox"/> Tribal <input checked="" type="checkbox"/> Federal		Mineral Owner: <input type="checkbox"/> State <input type="checkbox"/> Fee <input type="checkbox"/> Tribal <input checked="" type="checkbox"/> Federal							
Surface Location									
UL H	Section 13	Township 24 S	Range 29 E	Lot	Ft. from N/S 2,270' FNL	Ft. from E/W 365' FEL	Latitude 32.218553	Longitude -103.930680	County EDDY
Bottom Hole Location									
UL P	Section 24	Township 24 S	Range 29 E	Lot	Ft. from N/S 24' FSL	Ft. from E/W 333' FEL	Latitude 32.195697	Longitude -103.930552	County EDDY
Dedicated Acres 640	Infill or Defining Well INFILL	Defining Well API 3001554014	Overlapping Spacing Unit (Y/N) Y	Consolidation Code U					
Order Numbers.			Well setbacks are under Common Ownership: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
Kick Off Point (KOP)									
UL H	Section 13	Township 24 S	Range 29 E	Lot	Ft. from N/S 1,875' FNL	Ft. from E/W 592' FEL	Latitude 32.219641	Longitude -103.931413	County EDDY
First Take Point (FTP)									
UL H	Section 13	Township 24 S	Range 29 E	Lot	Ft. from N/S 2,107' FNL	Ft. from E/W 500' FEL	Latitude 32.219004	Longitude -103.931117	County EDDY
Last Take Point (LTP)									
UL P	Section 24	Township 24 S	Range 29 E	Lot	Ft. from N/S 112' FSL	Ft. from E/W 333' FEL	Latitude 32.195939	Longitude -103.930553	County EDDY
Unitized Area or Area of Uniform Interest NMNM105422429		Spacing Unit Type <input checked="" type="checkbox"/> Horizontal <input type="checkbox"/> Vertical			Ground Floor Elevation: 3,122'				
OPERATOR CERTIFICATIONS					SURVEYOR CERTIFICATIONS				
<p><i>I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.</i></p> <p><i>If this well is a horizontal well, I further certify that this organization has received the consent of at least one lessee or owner of a working interest or unleased mineral interest in each tract (in the target pool or formation) in which any part of the well's completed interval will be located or obtained a compulsory pooling form the division.</i></p>					<p><i>I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.</i></p> <p>I, TIM C. PAPPAS, NEW MEXICO PROFESSIONAL SURVEYOR NO. 21209, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.</p> <p style="text-align: center;"><i>Tim</i> 16 Sept 2024</p>				
Signature Amanda THames		Date 9/16/2024			Signature and Seal of Professional Surveyor				
Printed Name amanda.thames@exxonmobil.com		Email Address			Certificate Number TIM C. PAPPAS 21209		Date of Survey 9/16/2024		
<p><i>Note: No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.</i></p>									
					2821 West 7th Street., Ste 200 - Fort Worth, TX 76107 Ph: 817.349.9800 - Fax: 979.732.5271 TBPE Firm 17957 TBPLS Firm 10193887 www.fscinc.net				
DATE: 9-16-2024		PROJECT NO: 2023060333			DRAWN BY: LM		SCALE:		
CHECKED BY: CH		SHEET: 1 OF 2			FIELD CREW: IR		REVISION:		
							NO		

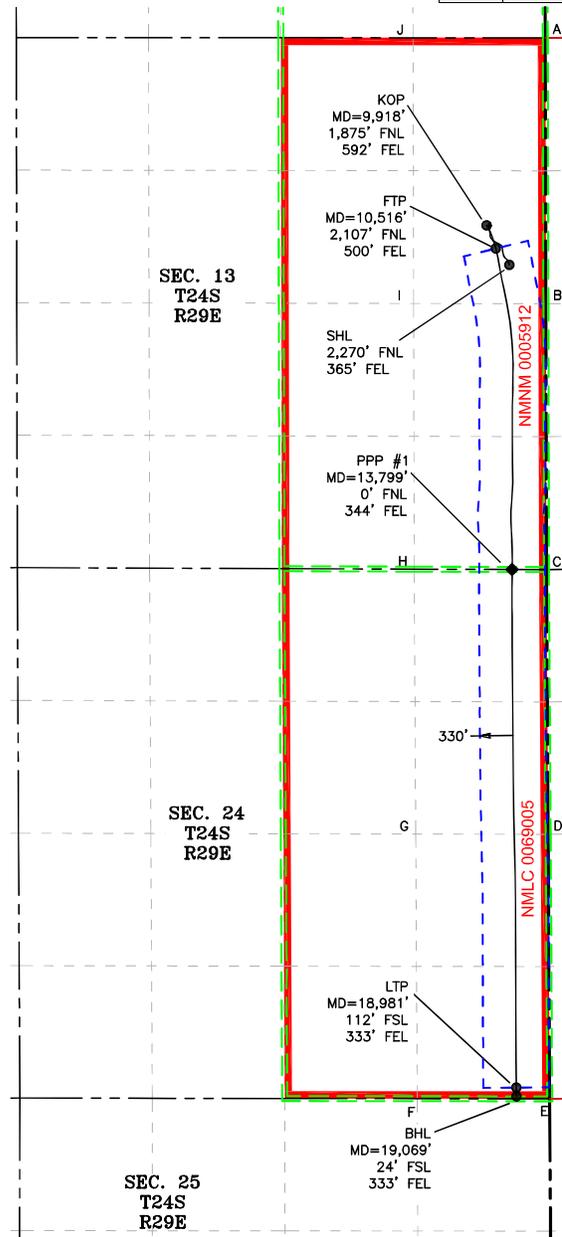
ACREAGE DEDICATION PLATS

This grid represents a standard section. You may superimpose a non-standard section, or a larger area, over this grid. Operators must outline the dedicated acreage in a red box, clearly show the well surface location and bottom hole location, if it is directionally drilled, with the dimensions from the section lines in the cardinal directions. If this is a horizontal wellbore show on this plat the location of the First Take Point and Last Take Point, and the point within the Completed interval (other than the First Take Point or Last Take Point) that is the closest to any outer boundary of the tract.

Surveyors shall use the latest United States government survey or dependent resurvey. Well locations will be in reference to the New Mexico Principal Meridian. If the land is not surveyed, contact the OCD Engineering Bureau. Independent subdivision surveys will not be acceptable.

- LEGEND**
- SECTION LINE
 - WELLBORE
 - NEW MEXICO MINERAL LEASE LINE
 - - - 330' BUFFER
 - DEDICATED ACREAGE

COORDINATE TABLE											
SHL (NAD 83 NME)				KOP (NAD 83 NME)				FTP (NAD 83 NME)			
Y =	443,476.7	N		Y =	443,871.8	N		Y =	443,640.3	N	
X =	665,858.6	E		X =	665,630.5	E		X =	665,722.9	E	
LAT. =	32.218553	°N		LAT. =	32.219641	°N		LAT. =	32.219004	°N	
LONG. =	103.930680	°W		LONG. =	103.931413	°W		LONG. =	103.931117	°W	
LTP (NAD 83 NME)				BHL (NAD 83 NME)				PPP #1 (NAD 83 NME)			
Y =	435,250.3	N		Y =	435,162.3	N		Y =	440,431.1	N	
X =	665,928.8	E		X =	665,929.4	E		X =	665,886.5	E	
LAT. =	32.195939	°N		LAT. =	32.195697	°N		LAT. =	32.210181	°N	
LONG. =	103.930553	°W		LONG. =	103.930552	°W		LONG. =	103.930627	°W	
SHL (NAD 27 NME)				KOP (NAD 27 NME)				FTP (NAD 27 NME)			
Y =	443,417.4	N		Y =	443,812.4	N		Y =	443,580.9	N	
X =	624,675.1	E		X =	624,447.1	E		X =	624,539.4	E	
LAT. =	32.218429	°N		LAT. =	32.219517	°N		LAT. =	32.218880	°N	
LONG. =	103.930191	°W		LONG. =	103.930924	°W		LONG. =	103.930628	°W	
LTP (NAD 27 NME)				BHL (NAD 27 NME)				PPP #1 (NAD 27 NME)			
Y =	435,191.1	N		Y =	435,103.1	N		Y =	440,371.8	N	
X =	624,745.0	E		X =	624,745.7	E		X =	624,702.9	E	
LAT. =	32.195814	°N		LAT. =	32.195573	°N		LAT. =	32.210056	°N	
LONG. =	103.930065	°W		LONG. =	103.930064	°W		LONG. =	103.930139	°W	



CORNER COORDINATES (NAD83 NME)					
A - Y =	445,746.5	N	A - X =	666,218.3	E
B - Y =	443,088.1	N	B - X =	666,224.6	E
C - Y =	440,429.8	N	C - X =	666,230.7	E
D - Y =	437,782.5	N	D - X =	666,247.3	E
E - Y =	435,137.6	N	E - X =	666,262.9	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 =	445,687.1	N	A - X =	625,034.9	E
B - Y =	443,028.8	N	B - X =	625,041.0	E
C - Y =	440,370.5	N	C - X =	625,047.1	E
D - Y =	437,723.3	N	D - X =	625,063.6	E
E - Y =	435,078.4	N	E - X =	625,079.1	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



2821 West 7th Street, Suite 200
 Fort Worth, TX 76107
 Ph: 817.349.9800 - Fax: 979.732.5271
 TBPE Firm 17957 | TRPLS Firm 10193887
 www.fscinc.net
 © COPYRIGHT 2024 - ALL RIGHTS RESERVED

DATE: 9-16-2024 PROJECT NO: 2023060333
 DRAWN BY: LM SCALE: 1" = 1,500'
 CHECKED BY: CH SHEET: 2 OF 2
 FIELD CREW: IR REVISION: NO

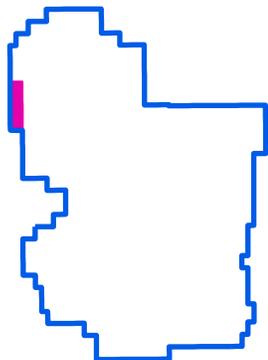
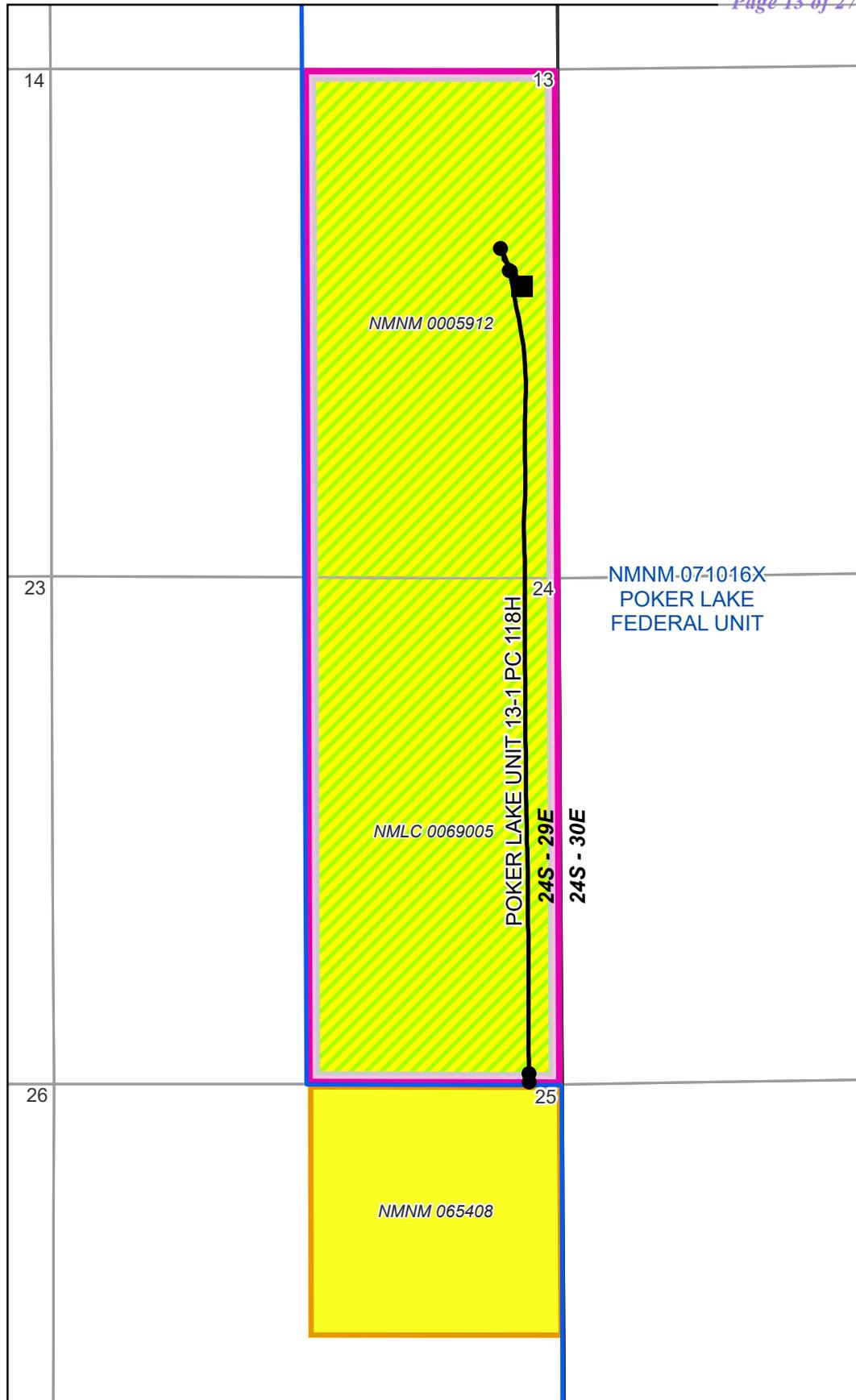
Exhibit 3



Poker Lake Unit 13-1 PC 118H NSL Exhibit Purple Sage Wolfcamp Pool

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

- Takepoints
- Surface Hole
- Poker Lake Unit 13-1 PC 118H
- ▭ Poker Lake Federal Unit
- ▭ Notification Area
- ▭ Horizontal Spacing Unit
- ▨ XTO Private Lease
- ▭ Federal Acreage



Poker Lake Unit

Poker Lake UNIT



POKER LAKE UNIT EDDY COUNTY, NEW MEXICO

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

Date: 5/22/2025

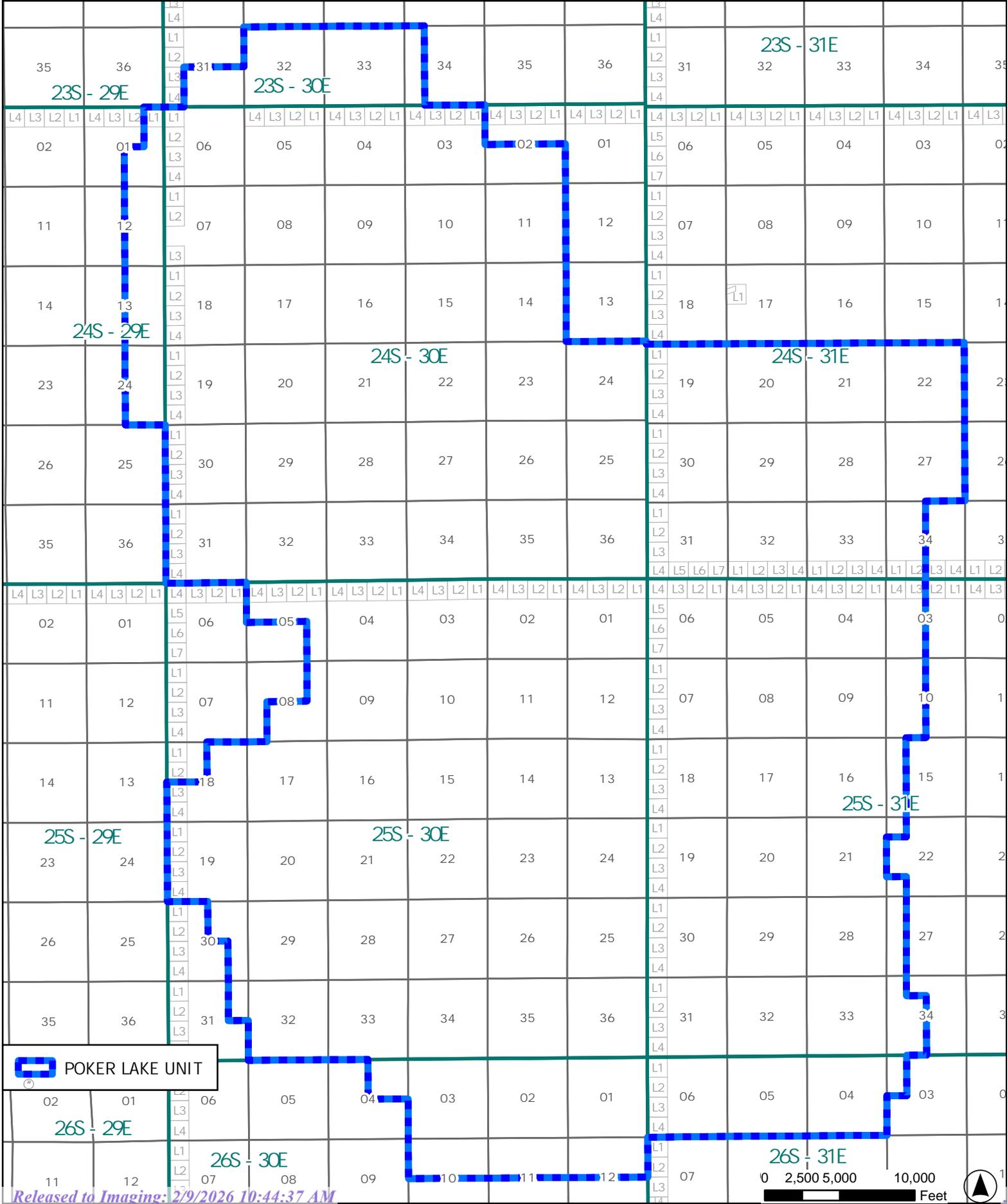


Exhibit 4



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.

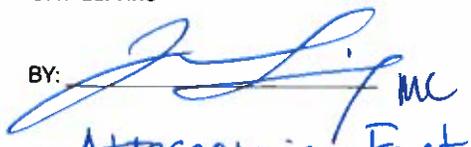
Thank you in advance for your prompt attention to this matter.

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.

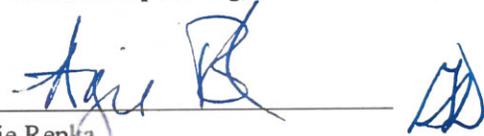
An ExxonMobil Subsidiary

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.

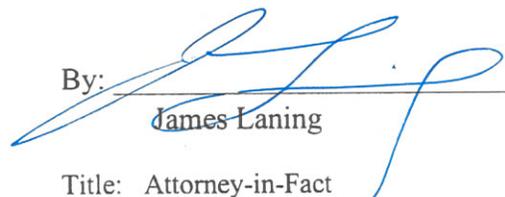
By: 
James Laning
Title: Attorney-in-Fact

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 118H (API No. 30-015-53563)
SHL – 2,270’ FNL, 365’ FEL, Unit H, Section 13, T24S, R29E
BHL – 24’ FSL, 333’ FEL, Unit P, Section 24, T24S, R29E
FTP – 2,107’ FNL, 500’ FEL, Unit H, Section 13, T24S, R29E
LTP – 112’ FSL, 333’ FEL, Unit P, 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@emnrd.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.

A handwritten signature in blue ink, appearing to read "Miguel A. Suazo".

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 541820

CONDITIONS

Operator: XTO PERMIAN OPERATING LLC. 3617 Big Spring St. MIDLAND, TX 79705	OGRID: 373075
	Action Number: 541820
	Action Type: [UF-NSL] Non-Standard Location (NSL)

CONDITIONS

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