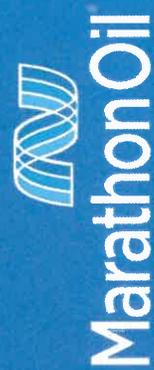


**Before the Oil Conservation Division
Examiner Hearing October 7, 2021**

Case No. 22201

*Application of Marathon Oil Permian LLC to Amend Order No. R-21224-A, Eddy
County, New Mexico.*



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

**APPLICATION OF MARATHON OIL
PERMIAN LLC TO AMEND ORDER
NO. R-21224-A, EDDY COUNTY, NEW MEXICO**

**CASE NO. 22201
ORDER NOS. R-21224 and
R-21224-A
(Amend)**

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Tab A: Affidavit of Clayton W. Rule, Land Professional for **Case No. 22201**:

- Exhibit 1: Application
- Exhibit 2: Order No. R-21224-A
- Exhibit 3: Order No. R-21224
- Exhibit 4: Notice Affidavit

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

**APPLICATION OF MARATHON OIL
PERMIAN, LLC TO AMEND ORDER
NO. R-21224-A, EDDY COUNTY, NEW MEXICO**

**CASE NO. 22201
ORDER NOS. R-21224 and
R-21224-A
(Amend)**

SELF-AFFIRMED DECLARATION

Clayton W. Rule hereby states and declares as follows:

1. I am over the age of 18, I am a land supervisor for Marathon Oil Permian LLC (“Marathon”) and I have personal knowledge of the matters stated herein. I have previously testified before the Oil Conservation Division (“Division”) and I have been qualified by the Division as an expert petroleum landman.
2. My area of responsibility at Marathon includes the area of Eddy County in New Mexico.
3. I am familiar with the application filed by Marathon in this case, which is attached as **Exhibit 1**.
4. I submit the following information pursuant to NMAC 19.15.4.12.A(1) in support of the above referenced application.
5. I am familiar with the status of the lands that are subject to this application.
6. The purpose of the application is to amend Order No. R-21224-A, attached as **Exhibit 2**, to allow for a one-year extension of time to commence drilling the initial well under the Order.

7. Order No. R-21224, attached as **Exhibit 3**, pooled uncommitted interest owners in a 320-acre, more or less, Wolfcamp horizontal spacing unit comprised of the E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico.

8. Order No. R-21224 designated Marathon as the operator of the wells and the unit.

9. This is Marathon's second request for an extension of time. On January 20, 2021, Marathon submitted an application to amend Order No. R-21224 to allow for an extension of time for drilling the initial well under the Order.

10. On March 23, 2021, the Division entered Order No. R-21224-A which granted Marathon's request for an extension of time, through April 2, 2022. *See Exhibit 2, ¶ 7.*

11. Order No. R-21224-A, ¶ 8 states: "This Order shall terminate automatically if Operator fails to comply with Paragraph 7 unless prior to termination Operator applies, and OCD grants, to amend Order R-21224 for good cause shown."

12. Good cause exists for Marathon's request for a second extension of time.

13. As Marathon explained in its first extension request, there have been changes in Marathon's drilling schedule due to COVID-19 and current market conditions.

14. Marathon's operations and drilling activity continue to be impacted by COVID-19 and oil and gas market conditions, which continue to delay Marathon's drilling plans.

15. In addition, Marathon requires an APD from the Bureau of Land Management ("BLM"), which has been delayed, and the timing for BLM issuing the APD is uncertain.

16. Marathon is in good standing under the statewide rules and regulations.

17. Under Order No. R-21224-A, Marathon would be required to commence drilling the initial well by April 2, 2022.

18. Marathon asks that the deadline to commence drilling the initial well be extended for a year from April 2, 2022 to April 2, 2023.

19. Marathon, through its counsel, notified all pooled working interest owners of Marathon's request to re-open Order No. R-21224-A for the purpose specified in the application. No opposition is expected because the pooled working interest owners have been contacted, and have not indicated any opposition. Proof of notification is attached as **Exhibit 4** to this Affidavit. Exhibit 4 shows the parties who were notified of this hearing, the status of whether they received notice, and an affidavit of publication from the Carlsbad Current-Argus newspaper, showing that notice of this hearing was published on September 21, 2021.

20. The attachments to this declaration were prepared by me, or compiled from company business records, or were prepared at my direction.

21. I attest under penalty of perjury under the laws of the State of New Mexico that the information provided herein is correct and complete to the best of my knowledge and belief.

22. In my opinion, the granting of this application is in the interests of conservation and the prevention of waste.

I attest under penalty of perjury under the laws of the State of New Mexico that the information provided herein is correct and complete to the best of my knowledge and belief.

Dated: September 30, 2021



Clayton W. Rule

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

**APPLICATION OF MARATHON OIL
PERMIAN LLC TO AMEND ORDER
NO. R-21224-A, EDDY COUNTY, NEW MEXICO**

**CASE NO. 22201
ORDER NO. R-21224-A
(Re-Open)**

APPLICATION

Marathon Oil Permian LLC (“Marathon”), OGRID Number 372098, through its undersigned attorneys, files this application with the Oil Conservation Division (“Division”) for the limited purpose of amending Order No. R-21224-A to allow for a second extension of time for Marathon to commence drilling the initial well under the Order. In support of this application, Marathon states as follows:

1. Order No. R-21224 pooled uncommitted interest owners in a 320-acre, more or less, Wolfcamp horizontal spacing unit comprised of the E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico.
2. Order No. R-21224 designated Marathon as the operator of the wells and the unit.
3. The Division Hearing for Case No. 20885 was held on November 14, 2019.
4. The Division entered Order No. R-21224 in Case No. 20885 on April 2, 2020.
5. In January 2021, Marathon requested that Order No. R-21224 be re-opened and amended to allow Marathon additional time to commence drilling the initial well under the Order.
6. On March 23, 2021 (in Case No. 21665), the Division entered Order No. R-21224-A, in which the Division granted Marathon’s application to extend the period of time to commence drilling the initial well under the Order until April 2, 2022. *See* Order R-21224-A ¶ 7.



7. Order No. R-21224-A, ¶ 8 states: “This Order shall terminate automatically if Operator fails to comply with Paragraph 7 unless prior to termination Operation applies, and OCD grants, to amend Order R-21224 for good cause shown.”

8. Good cause exists for Marathon’s request for a second extension of time.

9. As Marathon explained in its first extension request, there have been changes in Marathon’s drilling schedule due to COVID-19 and the then-existing market conditions.

10. Marathon’s operations and drilling activity continue to be impacted by COVID-19 and oil and gas market conditions, which continue to delay Marathon’s drilling plans.

11. Under Order No. R-21224-A, Marathon would be required to commence drilling the initial well by April 2, 2022.

12. Marathon asks that the deadline to commence drilling the initial well be extended for a year from April 2, 2022 to April 2, 2023.

WHEREFORE, Marathon requests this application be set for hearing before an Examiner of the Oil Conservation Division on October 7, 2021, and after notice and hearing as required by law, the Division amend Order No. R-21224-A to extend the time for Marathon to commence drilling the well under the Order for a year, through April 2, 2023.

MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.

By: Deana M Bennett

Deana Bennett
Jamie L. Allen
Post Office Box 2168
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800
Attorneys for Applicant

CASE NO. 22201 : (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-21224-A, Eddy County, New Mexico. Applicant seeks an order from the Division for the limited purpose of amending Order No. R-21224-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-21224-A pooled uncommitted interest owners in a 320-acre, more or less, Wolfcamp horizontal spacing unit comprised of the E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3.6 miles southeast of Malaga, New Mexico

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

**IN THE MATTER OF APPLICATION FOR
COMPULSORY POOLING SUBMITTED BY
MARATHON OIL PERMIAN, LLC**

**CASE NO. 21665
ORDER NO. R-21224-A**

ORDER

The Director of the New Mexico Oil Conservation Division (“OCD”), having heard this matter through a Hearing Examiner on March 4, 2021, and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

FINDINGS OF FACT

1. Marathon Oil Permian, LLC (“Operator”) submitted an application (“Application”) requesting an extension to drill the well(s) as required by Order R-21224
2. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice of the Application was given.
3. The Application was heard by the Hearing Examiner, during which Operator presented evidence through affidavits in support of the Application. No other party presented evidence at the hearing.

CONCLUSIONS OF LAW

4. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
5. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.
6. OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.

ORDER

7. The period to drill the well is extended until April 2, 2022.
8. This Order shall terminate automatically if Operator fails to comply with Paragraph 7 unless prior to termination Operator applies, and OCD grants, to amend Order R-21224 for good cause shown.
9. OCD retains jurisdiction of this matter for the entry of such orders as may be deemed necessary.
10. The remaining provisions of Order R-21224 remain in force or effect.



STATE OF NEW MEXICO
OIL CONSERVATION DIVISION



ADRIENNE SANDOVAL
DIRECTOR
AES/jag

Date: 3/23/2021

CASE NO. 21665
ORDER NO. R-21224-A

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Case No. 22201
Marathon Oil Permian LLC
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STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

IN THE MATTER OF APPLICATION FOR
COMPULSORY POOLING SUBMITTED BY
[MARATHON OIL PERMIAN, LLC]

CASE NO. 20885
ORDER NO. R-21224

ORDER

The Director of the New Mexico Oil Conservation Division (“OCD”), having heard this matter through a Hearing Examiner on [November 14, 2019], and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

FINDINGS OF FACT

1. [Marathon Oil Permian, LLC] (“Operator”) submitted an application (“Application”) to compulsory pool the uncommitted oil and gas interests within the spacing unit (“Unit”) described in Exhibit A. The Unit is expected to be a standard horizontal spacing unit. 19.15.16.15(B) NMAC. Operator seeks to be designated the operator of the Unit.
2. Operator will dedicate the well(s) described in Exhibit A (“Well(s)”) to the Unit.
3. Operator proposes the supervision and risk charges for the Well(s) described in Exhibit A.
4. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice was given.
5. The Application was heard by the Hearing Examiner on the date specified above, during which Operator presented evidence through affidavits in support of the Application. No other party presented evidence at the hearing.

CONCLUSIONS OF LAW

6. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
7. Operator is the owner of an oil and gas working interest within the Unit.
8. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.
9. OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.



10. Operator has the right to drill the Well(s) to a common source of supply at the depth(s) and location(s) in the Unit described in Exhibit A.
11. The Unit contains separately owned uncommitted interests in oil and gas minerals.
12. Some of the owners of the uncommitted interests have not agreed to commit their interests to the Unit.
13. The pooling of uncommitted interests in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.
14. This Order affords to the owner of an uncommitted interest the opportunity to produce his just and equitable share of the oil or gas in the pool.

ORDER

15. The uncommitted interests in the Unit are pooled as set forth in Exhibit A.
16. The Unit shall be dedicated to the Well(s) set forth in Exhibit A.
17. Operator is designated as operator of the Unit and the Well(s).
18. If the location of a well will be unorthodox under the spacing rules in effect at the time of completion, Operator shall obtain the OCD's approval for a non-standard location in accordance with 19.15.16.15(C) NMAC.
19. The Operator shall commence drilling the Well(s) within one year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well.
20. This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown.
21. The infill well requirements in 19.15.13.9 NMAC through 19.15.13.12 NMAC shall be applicable.
22. Operator shall submit to each owner of an uncommitted working interest in the pool ("Pooled Working Interest") an itemized schedule of estimated costs to drill, complete, and equip the well ("Estimated Well Costs").
23. No later than thirty (30) days after Operator submits the Estimated Well Costs, the owner of a Pooled Working Interest shall elect whether to pay its share of the Estimated Well Costs or its share of the actual costs to drill, complete and equip the well ("Actual Well Costs") out of production from the well. An owner of a Pooled

CASE NO. 20885
ORDER NO. R-21224

Page 2 of 7

Working Interest who elects to pay its share of the Estimated Well Costs shall render payment to Operator no later than thirty (30) days after the expiration of the election period, and shall be liable for operating costs, but not risk charges, for the well. An owner of a Pooled Working Interest who fails to pay its share of the Estimated Well Costs or who elects to pay its share of the Actual Well Costs out of production from the well shall be considered to be a "Non-Consenting Pooled Working Interest."

24. No later than one hundred eighty (180) days after Operator submits a Form C-105 for a well, Operator shall submit to OCD and each owner of a Pooled Working Interest an itemized schedule of the Actual Well Costs. The Actual Well Costs shall be considered to be the Reasonable Well Costs unless OCD or an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If OCD or an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Reasonable Well Costs after public notice and hearing.
25. No later than sixty (60) days after the expiration of the period to file a written objection to the Actual Well Costs or OCD's order determining the Reasonable Well Costs, whichever is later, each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs shall pay to Operator its share of the Reasonable Well Costs that exceed the Estimated Well Costs, or Operator shall pay to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs its share of the Estimated Well Costs that exceed the Reasonable Well Costs.
26. The reasonable charges for supervision to drill and produce a well ("Supervision Charges") shall not exceed the rates specified in Exhibit A, provided however that the rates shall be adjusted annually pursuant to the COPAS form entitled "Accounting Procedure-Joint Operations."
27. No later than within ninety (90) days after Operator submits a Form C-105 for a well, Operator shall submit to OCD and each owner of a Pooled Working Interest an itemized schedule of the reasonable charges for operating and maintaining the well ("Operating Charges"), provided however that Operating Charges shall not include the Reasonable Well Costs or Supervision Charges. The Operating Charges shall be considered final unless OCD or an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If OCD or an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Operating Charges after public notice and hearing.
28. Operator may withhold the following costs and charges from the share of production due to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs: (a) the proportionate share of the Supervision Charges; and (b) the proportionate share of the Operating Charges.

CASE NO. 20885
ORDER NO. R-21224

Page 3 of 7

29. Operator may withhold the following costs and charges from the share of production due to each owner of a Non-Consenting Pooled Working Interest: (a) the proportionate share of the Reasonable Well Costs; (b) the proportionate share of the Supervision and Operating Charges; and (c) the percentage of the Reasonable Well Costs specified as the charge for risk described in Exhibit A.
30. Operator shall distribute a proportionate share of the costs and charges withheld pursuant to paragraph 29 to each Pooled Working Interest that paid its share of the Estimated Well Costs.
31. Each year on the anniversary of this Order, and no later than ninety (90) days after each payout, Operator shall provide to OCD and each owner of a Non-Consenting Pooled Working Interest a schedule of the revenue attributable to a well and the Supervision and Operating Costs charged against that revenue.
32. Any cost or charge that is paid out of production shall be withheld only from the share due to an owner of a Pooled Working Interest. No cost or charge shall be withheld from the share due to an owner of a royalty interests. For the purpose of this Order, an unleased mineral interest shall consist of a seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest.
33. Except as provided above, Operator shall hold the revenue attributable to a well that is not disbursed for any reason for the account of the person(s) entitled to the revenue as provided in the Oil and Gas Proceeds Payment Act, NMSA 1978, Sections 70-10-1 *et seq.*, and relinquish such revenue as provided in the Uniform Unclaimed Property Act, NMSA 1978, Sections 7-8A-1 *et seq.*
34. The Unit shall terminate if (a) the owners of all Pooled Working Interests reach a voluntary agreement; or (b) the well(s) drilled on the Unit are plugged and abandoned in accordance with the applicable rules. Operator shall inform OCD no later than thirty (30) days after such occurrence.
35. OCD retains jurisdiction of this matter for the entry of such orders as may be deemed necessary.

**STATE OF NEW MEXICO
OIL CONSERVATION DIVISION**


ADRIENNE SANDOVAL
DIRECTOR
AES/jag

Date: 4/02/2020

CASE NO. 20885
ORDER NO. R-21224

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Exhibit "A"

Applicant: Marathon Oil Permian LLC
Operator: Marathon Oil Permian LLC (OGRID 372098)

Spacing Unit: Horizontal Gas
Building Blocks: Half Section Equivalent
Spacing Unit Size: 320 acres (more or less)
Orientation of Unit: North/South

Spacing Unit Description:
E/2 of Section 35,
Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico

Pooling this Vertical Extent: Wolfcamp Formation
Depth Severance? (Yes/No): No

Pool: Purple Sage; Wolfcamp Gas (Pool code 98220)
Pool Spacing Unit Size: Half Sections
Governing Well Setbacks: Special Rules for the Purple Sage Gas Pool Apply
Pool Rules: Purple Sage and Horizontal Well Rules

Proximity Tracts: No

Monthly charge for supervision: While drilling: \$7000 While producing: \$700
As the charge for risk, 200 percent of reasonable well costs.

Proposed Wells:

Ripley 35 WXY Fed Com 3H, API No. 30-015-Pending

SHL: 520 feet from the South line and 1,296 feet from the East line,
(Unit P) of Section 35, Township 24 South, Range 28 East, NMPM.
BHL: 100 feet from the North line and 660 feet from the East line,
(Unit A) of Section 35, Township 24 South, Range 28 East, NMPM.

Completion Target: Wolfcamp Y Sand at approx 9,681 feet TVD.
Well Orientation: South to North
Completion Location expected to be: non-standard. Marathon will admintratively apply
for non-standard location approval.

Ripley 35 WA Fed Com 4H, API No. 30-015-Pending

SHL: 520 feet from the South line and 1,326 feet from the East line,
(Unit O) of Section 35, Township 24 South, Range 28 East, NMPM.
BHL: 100 feet from the North line and 1,485 feet from the East line,
(Unit B) of Section 35, Township 24 South, Range 28 East, NMPM.

CASE NO. 20885
ORDER NO. R-21224

Completion Target: Wolfcamp A at approx 9,792 feet TVD.
Well Orientation: South to North
Completion Location expected to be: non-standard. Marathon will administratively apply for non-standard location approval.

Ripley 35 WXY Fed Com 5H, API No. 30-015-Pending

SHL: 520 feet from the South line and 1,356 feet from the East line,
(Unit O) of Section 35, Township 24 South, Range 28 East, NMPM.
BHL: 100 feet from the North line and 2,310 feet from the East line,
(Unit B) of Section 35, Township 24 South, Range 28 East, NMPM.

Completion Target: Wolfcamp Y Sand at approx 9,681 feet TVD.
Well Orientation: South to North
Completion Location expected to be: non-standard. Marathon will administratively apply for non-standard location approval.

Ripley 35 WA Fed Com 9H, API No. 30-015-Pending

SHL: 520 feet from the South line and 1,266 feet from the East line,
(Unit P) of Section 35, Township 24 South, Range 28 East, NMPM.
BHL: 100 feet from the North line and 330 feet from the East line,
(Unit A) of Section 35, Township 24 South, Range 28 East, NMPM.

Completion Target: Wolfcamp A at approx 9,792 feet TVD.
Well Orientation: South to North
Completion Location expected to be: non-standard. Marathon will administratively apply for non-standard location approval.

Ripley 35 WD Fed Com 2H, API No. 30-015-Pending

SHL: 320 feet from the South line and 1,326 feet from the East line,
(Unit O) of Section 35, Township 24 South, Range 28 East, NMPM.
BHL: 100 feet from the North line and 2,310 feet from the East line,
(Unit B) of Section 35, Township 24 South, Range 28 East, NMPM.

Completion Target: Wolfcamp D at approx 10,378 feet TVD.
Well Orientation: South to North
Completion Location expected to be: non-standard. Marathon will administratively apply for non-standard location approval.

Ripley 35 WD Fed Com 7H, API No. 30-015-Pending

SHL: 320 feet from the South line and 1,296 feet from the East line,
(Unit P) of Section 35, Township 24 South, Range 28 East, NMPM.
BHL: 100 feet from the North line and 1,320 feet from the East line,
(Unit B) of Section 35, Township 24 South, Range 28 East, NMPM.

Completion Target: Wolfcamp D at approx 10,717 feet TVD.
Well Orientation: South to North

CASE NO. 20885
ORDER NO. R-21224

Completion Location expected to be: non-standard. Marathon will administratively apply for non-standard location approval.

Ripley 35 WD Fed Com 8H, API No. 30-015-Pending

SHL: 320 feet from the South line and 1,266 feet from the East line,
(Unit P) of Section 35, Township 24 South, Range 28 East, NMPM.

BHL: 100 feet from the North line and 330 feet from the East line,
(Unit A) of Section 35, Township 24 South, Range 28 East, NMPM.

Completion Target: Wolfcamp D at approx 10,378 feet TVD.

Well Orientation: South to North

Completion Location expected to be: non-standard. Marathon will administratively apply for non-standard location approval.

CASE NO. 20885
ORDER NO. R-21224

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

APPLICATION OF MARATHON OIL
PERMIAN, LLC TO AMEND ORDERS,
EDDY COUNTY, NEW MEXICO

CASE NOS. 22199, 22200,
and 22201

AFFIDAVIT

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

Deana M. Bennett, attorney in fact and authorized representative of Marathon Oil Permian LLC, the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Applications were provided under a notice letter, attached, and that proof of notice is attached hereto. I also state that notice of the hearing was published in the Carlsbad Current Argus on September 21, 2021, as reflected in the attached Affidavit of Publication.


Deana M. Bennett

SUBSCRIBED AND SWORN to before me this 5th day of October, 2021 by Deana M. Bennett.


Notary Public

My commission expires: 02-27-25





MODRALL SPERLING
LAWYERS

September 16, 2021

Deana M. Bennett
505.848.1834
dmb@modrall.com

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

**Re: APPLICATION OF MARATHON OIL PERMIAN LLC TO
AMEND ORDER NO. R-21222-A, EDDY COUNTY, NEW
MEXICO.**

CASE NO. 22199

**APPLICATION OF MARATHON OIL PERMIAN LLC TO
AMEND ORDER NO. R-21223-A, EDDY COUNTY, NEW
MEXICO.**

CASE NO. 22200

**APPLICATION OF MARATHON OIL PERMIAN LLC TO
AMEND ORDER NO. R-21224-A, EDDY COUNTY, NEW
MEXICO.**

CASE NO. 22201

TO: AFFECTED PARTIES

This letter is to advise you that Marathon Oil Permian LLC ("Marathon") has filed the above-listed applications.

In Case No. 22199, Marathon seeks an order from the Division for the limited purpose of amending Order No. R-21222-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-21222-A pooled uncommitted interest owners in a 160-acre, more or less, Bone Spring horizontal spacing unit comprised of the W/2 E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico.

In Case No. 22200, Marathon seeks an order from the Division for the limited purpose of amending Order No. R-21223-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-21223-A pooled uncommitted interest owners in a 160-acre, more or less, Bone

Modrall Spierling
Roehl Harris & Sisk P.A.
500 Fourth Street NW
Suite 1000
Albuquerque,
New Mexico 87102

PO Box 2168
Albuquerque,
New Mexico 87103-2168

Tel: 505.848.1800
www.modrall.com

Case No. 22201
Marathon Oil Permian LLC

Page 2

Spring horizontal spacing unit comprised of the E/2 E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico.

In Case No. 22201, Marathon seeks an order from the Division for the limited purpose of amending Order No. R-21224-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-21224-A pooled uncommitted interest owners in a 320-acre, more or less, Wolfcamp horizontal spacing unit comprised of the E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico.

During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. The hearing will be conducted on October 7, 2021 beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <http://www.emnrd.state.nm.us/OCD/hearings.html>.

As a party who may be affected by these applications, we are notifying you of your right to appear at the hearing and participate in these cases, including the right to present evidence either in support of or in opposition to the applications. Failure to appear at the hearing may preclude you from any involvement in these cases at a later date.

You are further notified that if you desire to appear in these cases, then you are requested to file a Pre-Hearing Statement with the Division at least four business days in advance of a scheduled hearing before the Division or the Commission, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date, with a copy delivered to the undersigned.

Sincerely,



Deana M. Bennett
Attorney for Applicant

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

APPLICATION OF MARATHON OIL
PERMIAN LLC TO AMEND ORDER
NO. R-21222-A, EDDY COUNTY, NEW MEXICO

CASE NO. 22199
ORDER NO. R-21222-A
(Re-Open)

APPLICATION

Marathon Oil Permian LLC (“Marathon”), OGRID Number 372098, through its undersigned attorneys, files this application with the Oil Conservation Division (“Division”) for the limited purpose of amending Order No. R-21222-A (the “Order”) to allow for a second extension of time for Marathon to commence drilling the initial well under the Order. In support of this application, Marathon states as follows:

1. Order No. R-21222 pooled uncommitted interest owners in a 160-acre, more or less, Bone Spring horizontal spacing unit comprised of the W/2 E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico.
2. Order No. R-21222 designated Marathon as the operator of the well and the unit.
3. The Division Hearing for Case No. 20883 was held on November 14, 2019.
4. The Division entered Order No. R-21222 in Case No. 20883 on April 2, 2020.
5. In January 2021, Marathon requested that Order No. R-21222 be re-opened and amended to allow Marathon additional time to commence drilling the initial well under the Order.
6. On March 23, 2021 (in Case No. 21663), the Division entered Order No. R-21222-A, in which the Division granted Marathon’s application to extend the period of time to commence drilling the initial well under the Order until April 2, 2022. See Order R-21222-A ¶ 7.

7. Order No. R-21222-A, ¶ 8 states: "This Order shall terminate automatically if Operator fails to comply with Paragraph 7 unless prior to termination Operation applies, and OCD grants, to amend Order R-21222 for good cause shown."

8. Good cause exists for Marathon's request for a second extension of time.

9. As Marathon explained in its first extension request, there have been changes in Marathon's drilling schedule due to COVID-19 and the then-existing market conditions.

10. Marathon's operations and drilling activity continue to be impacted by COVID-19 and oil and gas market conditions, which continue to delay Marathon's drilling plans.

11. Under Order No. R-21222-A, Marathon would be required to commence drilling the initial well by April 2, 2022.

12. Marathon asks that the deadline to commence drilling the initial well be extended for a year from April 2, 2022 to April 2, 2023.

WHEREFORE, Marathon requests this application be set for hearing before an Examiner of the Oil Conservation Division on October 7, 2021, and after notice and hearing as required by law, the Division amend Order No. R-21222-A to extend the time for Marathon to commence drilling the well under the Order for a year, through April 2, 2023.

MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.

By: Deana M. Bennett

Deana Bennett
Jamie L. Allen
Post Office Box 2168
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800
Attorneys for Applicant

CASE NO. 22199: (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-21222-A, Eddy County, New Mexico. Applicant seeks an order from the Division for the limited purpose of amending Order No. R-21222-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-21222-A pooled uncommitted interest owners in a 160-acre, more or less, Bone Spring horizontal spacing unit comprised of the W/2 E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3.6 miles southeast of Malaga, New Mexico.

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

APPLICATION OF MARATHON OIL
PERMIAN LLC TO AMEND ORDER
NO. R-21223-A, EDDY COUNTY, NEW MEXICO

CASE NO. 22200
ORDER NO. R-21223-A
(Re-Open)

APPLICATION

Marathon Oil Permian LLC (“Marathon”), OGRID Number 372098, through its undersigned attorneys, files this application with the Oil Conservation Division (“Division”) for the limited purpose of amending Order No. R-21223-A (the “Order”) to allow for a second extension of time for Marathon to commence drilling the initial well under the Order. In support of this application, Marathon states as follows:

1. Order No. R-21223 pooled uncommitted interest owners in a 160-acre, more or less, Bone Spring horizontal spacing unit comprised of the E/2 E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico.
2. Order No. R-21223 designated Marathon as the operator of the well and the unit.
3. The Division Hearing for Case No. 20884 was held on November 14, 2019.
4. The Division entered Order No. R-21223 in Case No. 20884 on April 2, 2020.
5. In January 2021, Marathon requested that Order No. R-21223 be re-opened and amended to allow Marathon additional time to commence drilling the initial well under the Order.
6. On March 23, 2021 (in Case No. 21664), the Division entered Order No. R-21223-A, in which the Division granted Marathon’s application to extend the period of time to commence drilling the initial well under the Order until April 2, 2022. See Order R-21223-A ¶ 7.

7. Order No. R-21223-A, ¶ 8 states: “This Order shall terminate automatically if Operator fails to comply with Paragraph 7 unless prior to termination Operation applies, and OCD grants, to amend Order R-21223 for good cause shown.”

8. Good cause exists for Marathon’s request for a second extension of time.

9. As Marathon explained in its first extension request, there have been changes in Marathon’s drilling schedule due to COVID-19 and the then-existing market conditions.

10. Marathon’s operations and drilling activity continue to be impacted by COVID-19 and oil and gas market conditions, which continue to delay Marathon’s drilling plans.

11. Under Order No. R-21223-A, Marathon would be required to commence drilling the well by April 2, 2022.

12. Marathon asks that the deadline to commence drilling the well be extended for a year from April 2, 2022 to April 2, 2023.

WHEREFORE, Marathon requests this application be set for hearing before an Examiner of the Oil Conservation Division on October 7, 2021, and after notice and hearing as required by law, the Division amend Order No. R-21223-A to extend the time for Marathon to commence drilling the well under the Order for a year, through April 2, 2023.

MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.

By: 
Deana Bennett
Jamie L. Allen
Post Office Box 2168
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800
Attorneys for Applicant

CASE NO. 22200: (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-21223-A, Eddy County, New Mexico. Applicant seeks an order from the Division for the limited purpose of amending Order No. R-21223-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-21223-A pooled uncommitted interest owners in a 160-acre, more or less, Bone Spring horizontal spacing unit comprised of the E/2 E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3.6 miles southeast of Malaga, New Mexico.

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

**APPLICATION OF MARATHON OIL
PERMIAN LLC TO AMEND ORDER
NO. R-21224-A, EDDY COUNTY, NEW MEXICO**

**CASE NO. 22201
ORDER NO. R-21224-A
(Re-Open)**

APPLICATION

Marathon Oil Permian LLC (“Marathon”), OGRID Number 372098, through its undersigned attorneys, files this application with the Oil Conservation Division (“Division”) for the limited purpose of amending Order No. R-21224-A to allow for a second extension of time for Marathon to commence drilling the initial well under the Order. In support of this application, Marathon states as follows:

1. Order No. R-21224 pooled uncommitted interest owners in a 320-acre, more or less, Wolfcamp horizontal spacing unit comprised of the E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico.
2. Order No. R-21224 designated Marathon as the operator of the wells and the unit.
3. The Division Hearing for Case No. 20885 was held on November 14, 2019.
4. The Division entered Order No. R-21224 in Case No. 20885 on April 2, 2020.
5. In January 2021, Marathon requested that Order No. R-21224 be re-opened and amended to allow Marathon additional time to commence drilling the initial well under the Order.
6. On March 23, 2021 (in Case No. 21665), the Division entered Order No. R-21224-A, in which the Division granted Marathon’s application to extend the period of time to commence drilling the initial well under the Order until April 2, 2022. See Order R-21224-A ¶ 7.

7. Order No. R-21224-A, ¶ 8 states: “This Order shall terminate automatically if Operator fails to comply with Paragraph 7 unless prior to termination Operation applies, and OCD grants, to amend Order R-21224 for good cause shown.”

8. Good cause exists for Marathon’s request for a second extension of time.

9. As Marathon explained in its first extension request, there have been changes in Marathon’s drilling schedule due to COVID-19 and the then-existing market conditions.

10. Marathon’s operations and drilling activity continue to be impacted by COVID-19 and oil and gas market conditions, which continue to delay Marathon’s drilling plans.

11. Under Order No. R-21224-A, Marathon would be required to commence drilling the initial well by April 2, 2022.

12. Marathon asks that the deadline to commence drilling the initial well be extended for a year from April 2, 2022 to April 2, 2023.

WHEREFORE, Marathon requests this application be set for hearing before an Examiner of the Oil Conservation Division on October 7, 2021, and after notice and hearing as required by law, the Division amend Order No. R-21224-A to extend the time for Marathon to commence drilling the well under the Order for a year, through April 2, 2023.

MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.

By: Deana M. Bennett

Deana Bennett
Jamie L. Allen
Post Office Box 2168
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800
Attorneys for Applicant

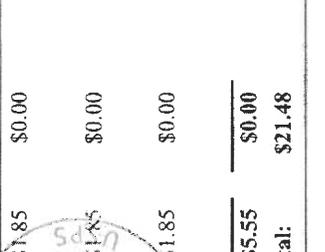
CASE NO. 22201 : (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-21224-A, Eddy County, New Mexico. Applicant seeks an order from the Division for the limited purpose of amending Order No. R-21224-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-21224-A pooled uncommitted interest owners in a 320-acre, more or less, Wolfcamp horizontal spacing unit comprised of the E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3.6 miles southeast of Malaga, New Mexico

PS Form 3877
Type of Mailing: CERTIFIED MAIL
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Firm Mailing Book ID: 215204

Karlene Schuman
Modrall Sperling Roehl Harris & Sisk P.A.
500 Fourth Street, Suite 1000
Albuquerque NM 87102

Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee, RR Fee	Rest. Del. Fee	Reference Contents
1	9314 8699 0430 0086 7081 15	Chevron USA, Inc. 6301 Deauville Midland TX 79706	\$1.56	\$3.75 \$1.85	\$0.00	81363-0204 Ripley Notice
2	9314 8699 0430 0086 7081 22	RKC, Inc. 1527 Hillside Road Fairfield CT 06490	\$1.56	\$3.75 \$1.85	\$0.00	81363-0204 Ripley Notice
3	9314 8699 0430 0086 7081 39	XTO Holdings LLC 810 Houston Street Fort Worth TX 76102	\$1.56	\$3.75 \$1.85	\$0.00	81363-0204 Ripley Notice
Totals:			\$4.68	\$11.25	\$0.00	
				Grand Total:	\$21.48	



List Number of Pieces 3
Listed by Sender

Total Number of Pieces Received at Post Office

Postmaster: Name of receiving employee

Dated:

Case No. 22201
 Marathon Oil Permian LLC

Transaction Report Details - CertifiedPro.net
 Firm Mail Book ID= 215204
 Generated: 10/5/2021 7:39:04 AM

USPS Article Number	Date Created	Reference Number	Name 1	City	State	Zip	Mailing Status	Service Options	Mail Delivery Date
9314869904300086708139	2021-09-16 10:41 AM	81363-0204 Ripley	XTO Holdings LLC	Fort Worth	TX	76102	Delivered	Return Receipt - Electronic, Certified Mail	2021-09-20 9:17 AM
9314869904300086708122	2021-09-16 10:41 AM	81363-0204 Ripley	RKC, Inc.	Fairfield	CT	06490	Delivered	Return Receipt - Electronic, Certified Mail	
9314869904300086708115	2021-09-16 10:41 AM	81363-0204 Ripley	Chevron USA, Inc.	Midland	TX	79706	Undelivered	Return Receipt - Electronic, Certified Mail	

Case No. 22201
 Marathon Oil Permian LLC
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Carlsbad Current Argus

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Affidavit of Publication

Ad # 0004918898

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MODRALL SPERLING

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ALBUQUERQUE, NM 87103

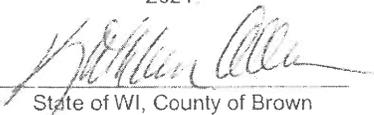
I, a legal clerk of the **Carlsbad Current Argus**, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof in editions dated as follows:

09/21/2021



Legal Clerk

Subscribed and sworn before me this September 21, 2021:



State of WI, County of Brown
NOTARY PUBLIC

1-7-25

My commission expires

KATHLEEN ALLEN
Notary Public
State of Wisconsin

Ad # 0004918898

PO #: 4918898

of Affidavits 1

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Case No. 22201

Marathon Oil Permian LLC

Page 32 of 34

EXAMINER HEARING OCTOBER 7, 2021

CASE NO. 22199: (Re-Open) Notice to all affected parties, as well as the heirs and devisees of XTO Holdings LLC; RKC, Inc.; and Chevron USA Inc. of (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-21222-A, Eddy County, New Mexico.

The State of New Mexico, through its Oil Conservation Division, hereby gives notice that the Division will conduct a public hearing at 8:15 a.m. on October 7, 2021. Applicant seeks an order from the Division for the limited purpose of amending Order No. R-21222-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-21222-A pooled uncommitted interest owners in a 160-acre, more or less, Bone Spring horizontal spacing unit comprised of the W/2 E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3.6 miles southeast of Malaga, New Mexico.

CASE NO. 22200: (Re-Open) Notice to all affected parties, as well as the heirs and devisees of XTO Holdings LLC; RKC, Inc.; and Chevron USA Inc. of (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-21223-A, Eddy County, New Mexico.

The State of New Mexico, through its Oil Conservation Division, hereby gives notice that the Division will conduct a public hearing at 8:15 a.m. on October 7, 2021. Applicant seeks an order from the Division for the limited purpose of amending Order No. R-21223-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-21223-A pooled uncommitted interest owners in a 160-acre, more or less, Bone Spring horizontal spacing unit comprised of the E/2 E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3.6 miles southeast of Malaga, New Mexico.

CASE NO. 22201: (Re-Open) Notice to all affected parties, as well as the heirs and devisees of XTO Holdings LLC; RKC, Inc.; and Chevron USA Inc. of (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-21224-A, Eddy County, New Mexico.

The State of New Mexico, through its Oil Conservation Division, hereby gives notice that the Division will conduct a public hearing at 8:15 a.m. on October 7, 2021. Applicant seeks an order from the Division for the limited purpose of amending Order No. R-21224-A to allow for a one-year extension of time to commence drilling the initial well under the Order.

Case No. 22201

Marathon Oil Permian LLC

Order No. N-21229-A pooled uncommitted interest owners in a 320 acre, more or less, Wolfcamp horizontal spacing unit comprised of the E/2 of Section 35, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 3.6 miles southeast of Malaga, New Mexico #4918898, Current Argus, September 21, 2021