

**Before the Oil Conservation Division
Examiner Hearing October 21, 2021**

Case No. 22202

*Application of Marathon Oil Permian LLC to Amend Order No. R-20996-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-20996-A, EDDY COUNTY, NEW MEXICO**

**CASE NO. 22202
ORDER NO. R-20996 and
R-20996-A
(RE-OPEN)**

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Tab A: Declaration of Clayton W. Rule, Land Professional for **Case No. 22202**:

- Exhibit 1: Application
- Exhibit 2: Order No. R-20996-A
- Exhibit 3: Order No. R-20996
- Exhibit 4: December 21, 2020, OCD Letter Granting Extension of Time
- Exhibit 5: 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-20996-A, EDDY COUNTY, NEW MEXICO**

**CASE NO. 22202
ORDER NOS. R-20996-A
and R-20996
(RE-OPEN)**

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-20996-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-20996, attached as **Exhibit 3**, pooled uncommitted interest owners in a 1280-acre (more or less) spacing unit underlying Sections 7 and 8, Township 23 South, Range 27 East, NMPM, Eddy County, New Mexico.

8. Order No. R-20996 designated Marathon as the operator of the wells and the unit.

9. Order No. R-20996-A was entered on May 7, 2020 (in Case No. 21213) and pooled previously unidentified interest owners and provided that Order R-20996 remains in effect. See Exhibit 2, ¶ 14.

10. This is Marathon's second request for an extension of time. On December 15, 2020, by written letter to the Division, Marathon requested that Order No. R-20996-A be amended to allow for an extension of time for drilling the initial well under the Order.

11. On December 21, 2020, by letter, the Division granted Marathon's written request to extend the period of time to commence drilling under the Order until January, 31 2022. *See Exhibit 4.*

12. Order No. R-20996, p. 3, ¶ 5 states that Marathon may request a written extension of time from the Division Director "pursuant to a written request stating its reasons for such extension and attaching satisfactory evidence."

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

16. Under Order No. R-20996-A, Marathon would be required to commence drilling the initial well by January 31, 2022.

17. Marathon asks that the deadline to commence drilling the initial well be extended for a year from January 31, 2022 to January 31, 2023.

18. Marathon, through its counsel, notified all pooled working interest owners of Marathon's request to re-open Order No. R-20996-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 5** to this Affidavit. Exhibit 5 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 October 5, 2021.

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

20. 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.

21. 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: October 14, 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-20996-A, EDDY COUNTY, NEW MEXICO**

**CASE NO. 22202
ORDER NO. R-20996-A
(Re-Open)**

APPLICATION

Marathon Oil Permian LLC (“Marathon”), OGRID Number 372098, through its undersigned attorney, files this application with the Oil Conservation Division (“Division”) for the limited purpose of amending Order No. R-20996-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-20996 pooled uncommitted interest owners in a 1280-acre (more or less) spacing unit underlying Sections 7 and 8, Township 23 South, Range 27 East, NMPM, Eddy County, New Mexico.
2. Order No. R-20996 designated Marathon as the operator of the wells and the unit.
3. The Division Hearing for Case No. 16381 was held on September 19, 2019.
4. The Division entered Order No. R-20996 in Case No. 16381 on January 9, 2020.
5. Order R-20996-A was entered on May 7, 2020 (in Case No. 21213) and pooled previously unidentified interest owners and provided that Order R-20996 remains in effect.
6. In December 2020, by written letter to the Division, Marathon requested that Order No. R-20996-A be amended to allow Marathon additional time to commence drilling the initial well under the Order.



No. 22202
Marathon Oil Permian LLC

7. On December 21, 2020, by letter, the Division granted Marathon's written request to extend the period of time to commence drilling under the Order until January 31, 2022.

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-20996-A, Marathon would be required to commence drilling the well by January 31, 2022.

12. Marathon asks that the deadline to commence drilling the initial well be extended for one year from January 31, 2022 to January 31, 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:

A. Amend Order No. R-20996-A to extend the time for Marathon to commence drilling the initial well under the Order for a year, through January 31, 2023.

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

By: Deana M. Bennett
Deana M. 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. 22202 : (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-20996-A, Eddy County, New Mexico. Applicant seeks an order from the Division for the limited purposes of amending Order No. R-20996-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-20996 pooled uncommitted interest owners in a 1280-acre (more or less) spacing unit underlying Sections 7 and 8, Township 23 South, Range 27 East, NMPM, Eddy County, New Mexico. Said area is located approximately 4 miles Northeast of Loving, New Mexico. Said area is located approximately 8 miles southwest of Carlsbad, New Mexico.

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

**APPLICATION OF MARATHON OIL PERMIAN, LLC.,
TO POOL AN ADDITIONAL PARTIES
UNDER THE TERMS OF ORDER NO. R-20996,
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 21213
ORDER NO. R-20996-A**

ORDER

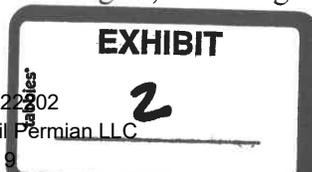
The Director of the New Mexico Oil Conservation Division (“OCD”), having heard this matter through a Hearing Examiner on April 30, 2020, and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

FINDINGS OF FACT

1. On January 9, 2020, OCD issued Order R-20996, rising in Case No. 16381, to Marathon Oil Permian, LLC (“Operator”), to pool the uncommitted oil and gas interests within the specified spacing unit (“Unit”).
2. Subsequent to the issuance of Order R-20996, Operator discovered previously unidentified interest owners in the subject Unit.
3. Operator provided evidence that it gave notice of the Application and the hearing to the previously unidentified interest owners.
4. Operator presented evidence through affidavits in support of the Application.
5. 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. The previously unidentified interest owners have not agreed to commit its interest to the Unit.
11. The pooling of the previously unidentified and uncommitted interest owners in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.



12. This Order affords to the previously unidentified interest owners the opportunity to produce its just and equitable share of the oil or gas in the pool.

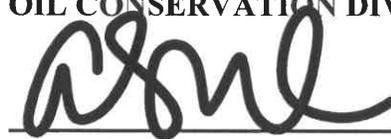
ORDER

13. The previously unidentified and uncommitted interest owners in the Unit are hereby pooled in the Unit.

14. Order R-20996 shall remain in full force and effect.

15. 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/kms

Date: 5/07/2020

CASE NO. 21213
ORDER NO. R-20996-A

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

**IN THE MATTER OF THE HEARING CALLED BY
THE OIL CONSERVATION DIVISION TO
CONSIDER:**

**CASE NO. 16381
ORDER NO. R-20996**

**APPLICATION OF MARATHON OIL PERMIAN LLC FOR
COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO**

ORDER OF THE DIVISION

BY THE DIVISION:

This case came on for hearing at 8:15 a.m. on September 19, 2019, at Santa Fe, New Mexico, before Examiner Kathleen Murphy.

NOW, on this 9th day of January 2020, the Division Director, having considered the testimony, the record and the recommendations of the Examiner,

FINDS THAT

- (1) Due public notice has been given and the Division has jurisdiction of this case and the subject matter.
- (2) Applicant seeks to compulsory pool all uncommitted oil and gas interests within a spacing unit, as that unit is described in the attached Exhibit "A".
- (3) Applicant seeks to dedicate the Proposed Well(s) detailed in Exhibit "A" to the Unit.
- (4) No other party appeared or otherwise opposed the case.
- (5) Applicant appeared at the hearing through counsel and presented evidence to the effect that:
 - (a) All completed well locations are expected to be standard or Applicant will apply administratively for approval of location exceptions.
 - (b) Notice by certified mail was provided to all uncommitted interest owners in the proposed Unit whose interests were evidenced by a conveyance



Case No. 16381
Order No. R-20996
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instrument, either of record or known to Applicant when the Application was filed, and to heirs known to Applicant of deceased persons who appear as owners in such instrument.

- (c) Notice to certain affected parties was posted in a newspaper of general circulation in the county as provided in Rule 19.15.4.12.B NMAC.

The Division finds and concludes that

(6) If the location of any of the Well(s) is unorthodox when the well is completed under the spacing rules then in effect and applicable to the well, the operator must obtain a non-standard location approval prior to producing the well.

(7) Two or more separately owned tracts are embraced within the Unit, and/or there are royalty interests and/or undivided interests in oil and gas minerals in one or more tracts included in the Unit that are separately owned.

(8) Applicant is owner of an oil and gas working interest within the Unit. Applicant has the right to drill and proposes to drill the Well(s) to a common source of supply within the Unit at the described depths and location(s). Applicant should be allowed a one year period to complete at least one of the Well(s) after commencing drilling of the Well(s).

(9) There are interest owners in the Unit that have not agreed to pool their interests.

(10) To avoid the drilling of unnecessary wells, protect correlative rights, prevent waste and afford to the owner of each interest in the Unit the opportunity to recover or receive without unnecessary expense a just and fair share of hydrocarbons, this application should be approved by pooling all uncommitted interests, whatever they may be, in the oil and gas in the pooled depth interval within the Unit.

(11) To ensure protection of correlative rights, any pooled working interest owner whose address is known, and who has elected to participate under the terms of this order should be notified before the Division grants any extension of the time provided herein for commencing drilling. Any such owner may file an application, with notice to the operator, requesting that the extension be denied.

(12) Infill wells within the Unit should be subject to Division Rules 19.15.13.9 NMAC through 19.15.13.10 NMAC, and to the terms and conditions of this order.

(13) Any pooled working interest owner who does not pay its share of estimated well costs of any well should have withheld from production from such well its share of reasonable well costs plus an additional reasonable charge [see Exhibit "A"] for the risk involved in drilling the Well(s).

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IT IS THEREFORE ORDERED THAT

(1) All uncommitted interests, whatever they may be, in the oil and gas within the spacing unit (or the portion thereof within the pooled vertical extent) described in Exhibit "A" are hereby pooled. Exhibit "A" hereto is incorporated herein by this reference and made a part of this order for all purposes.

(2) The Unit shall be dedicated to the proposed "Well(s)".

(3) If any of the Well(s) is completed at an unorthodox location under applicable rules in effect at the time such well is completed, the operator shall provide notice and apply administratively for a location exception prior to producing the well.

(4) The operator of the Unit shall commence drilling the Well(s) on or before the end of the month corresponding to the date of this order, in the year following the date of issuance of this order and shall thereafter continue drilling the Well(s) with due diligence to test the pooled formation or pooled vertical depths. The Well(s) shall be drilled approximately to the proposed true vertical and measured depths.

(5) In the event the operator does not commence drilling the Well(s) on or before the date provided in the foregoing paragraph, the compulsory pooling provision of this order shall be of no effect, unless the operator obtains a written time extension from the Division Director pursuant to a written request stating its reasons for such extension and attaching satisfactory evidence.

(6) In the event the operator does not commence completion operations within one year after commencement of drilling operations pursuant to this order, then the compulsory pooling provisions of this order shall be of no effect unless operator obtains a written time extension from the Division Director pursuant to a written request stating its reasons for such extension and attaching satisfactory evidence.

(7) The operator shall provide a copy of any request for extension of time to drill or complete any well filed with the Director pursuant to this order to each pooled working interest owner who has elected to participate in the drilling of any well that is the subject of the request. Such copy shall be sent at the same time the request is sent to the Director.

(8) Upon final plugging and abandonment of the Well(s) and any other well drilled on the Unit pursuant to Division Rule 19.15.13.9 NMAC, the pooled unit created by this order shall terminate unless this order has been amended to authorize further operations.

(9) Infill wells within the Unit shall be subject to Division Rule 19.15.13.9 NMAC and to the terms and conditions of this order.

(10) After pooling, uncommitted working interest owners are referred to as pooled working interest owners. ("Pooled working interest owners" are owners of working interests in the

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Unit, including unleased mineral interests, who are not parties to an operating agreement governing the Unit.) After the effective date of this order, the operator shall furnish the Division and each known pooled working interest owner in the Unit separate itemized schedules of estimated costs of drilling, completing and equipping each of the Well(s) ("well costs").

(11) Within 30 days from the date the schedule of estimated well costs for any well is furnished, any pooled working interest owner shall have the right to elect to pay its share of estimated well costs to the operator in lieu of paying its share of reasonable well costs out of production as hereinafter provided. Payment shall be rendered within 30 days after expiration of the 30-day election period and any such owner who pays its share of estimated well costs as provided above for any well shall remain liable for operating costs but shall not be liable for risk charges to the extent computed based on costs of such well. Pooled working interest owners who do not elect to pay their share of estimated well costs, or who do not render timely payment to the operator, as provided in this paragraph shall thereafter be referred to as "non-consenting working interest owners."

(12) The operator shall furnish the Division and each known pooled working interest owner (including non-consenting working interest owners) an itemized schedule of actual well costs of each well within 180 days following completion of the proposed well. If no objection to the actual well costs for any well is received by the Division, and the Division has not objected, within 45 days following receipt of the schedule for such well, the actual well costs shall be deemed to be the reasonable well costs. If there is an objection to actual well costs within the 45-day period, the Division will determine reasonable well costs for such well after public notice and hearing.

(13) Within 60 days following determination of reasonable well costs for any well, any pooled working interest owner who has paid its share of estimated costs of such well in advance as provided above shall pay to the operator its share of the amount that reasonable well costs exceed estimated well costs and shall receive from the operator the amount, if any, that the estimated well costs it has paid for such well exceed its share of reasonable well costs.

(14) The operator is hereby authorized to withhold the following costs and charges from each non-consenting working interest owner's share of production from each well:

- (a) the proportionate share of reasonable well costs attributable to the non-consenting working interest owner; and
- (b) as a charge for the risk involved in drilling the well, the percent (shown in Exhibit "A") of the above costs.

(15) During the cost recovery period, the operator shall furnish to the Division and to each known non-consenting pooled working interest owner, annually, and within 90 days after payout occurs, a schedule of all revenues attributable to each proposed well, and all charges for supervision and operating costs charged against such revenues. Operating costs shall include all reasonable costs incurred for the maintenance and operation of the well, except for "well costs"

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reported pursuant to prior ordering paragraphs, that are properly chargeable to the joint account pursuant to COPAS procedures. If no objection to the operating costs is received by the Division, and the Division has not objected, within 45 days following receipt of any schedule, the costs shall be deemed to be the reasonable operating costs. If there is an objection to the accuracy or reasonableness of operating costs reported within the 45-day period, the Division will determine reasonable operating costs after public notice and hearing.

(16) The operator shall distribute the costs and charges withheld from production, proportionately, to the parties who advanced the well costs for such well.

(17) Reasonable charges for supervision (combined fixed rates) are hereby fixed at the rates shown in Exhibit "A" per month, per well, while drilling and while producing, provided that these rates shall be adjusted annually pursuant to the COPAS form titled "Accounting Procedure-Joint Operations." The operator is authorized to withhold from production from each well the proportionate share of both the supervision charges and the actual expenditures required for operating of such well, not more than what are reasonable, attributable to pooled working interest owners.

(18) Except as provided in the foregoing paragraphs, all proceeds from production from the Well(s) that are not disbursed for any reason shall be held for the account of the person or persons entitled thereto pursuant to the Oil and Gas Proceeds Payment Act (NMSA 1978 Sections 70-10-1 through 70-10-6, as amended). If not sooner disbursed, such proceeds shall be turned over to the appropriate authority as and when required by the Uniform Unclaimed Property Act (NMSA 1978 Sections 7-8A-1 through 7-8A-31, as amended).

(19) Any unleased mineral interest shall be considered a seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest for allocating costs and charges under this order. Any costs that are to be paid out of production shall be withheld only from the working interests' share of production, and no costs or charges shall be withheld from production attributable to royalty interests.

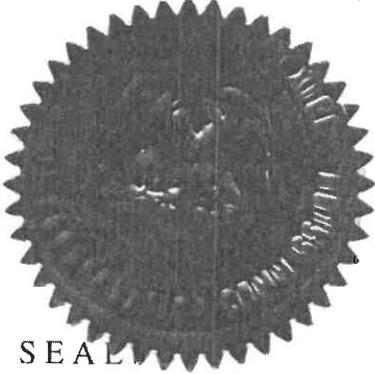
(20) Should all the parties to this compulsory pooling order reach voluntary agreement after entry of this order, this order shall thereafter be of no further effect.

(21) The operator of the wells and Unit shall notify the Division in writing of the subsequent voluntary agreement of any party subject to the compulsory pooling provisions of this order.

(22) Jurisdiction of this case is retained for the entry of such further orders as the Division may deem necessary.

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Order No. R-20996
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DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.



STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

A handwritten signature in black ink, appearing to read "AS" or similar initials.

ADRIENNE SANDOVAL
Director

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Exhibit "A"
Case No. 16381

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

Spacing Unit: Horizontal Gas
Building Blocks: Half Section Equivalent
Spacing Unit Size: 1280.0 acres (more or less)
Orientation of Unit: East/West

Spacing Unit Description:

Sections 7 and 8, Township 23 South, Range 27 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: \$8000 While producing: \$800
As the charge for risk, 200 percent of reasonable well costs.

Proposed Wells:

Crossbow Fed Com 23-27-8 WXY 2H, API No. Pending

SHL: 1029 feet from the South line and 288 feet from the East line,
(Unit P) of Section 8, Township 23 South, Range 27 East, NMPM.
BHL: 990 feet from the South line and 330 feet from the West line,
(Unit M) of Section 7, Township 23 South, Range 27 East, NMPM.

Completion Target: Wolfcamp Y at approx 9027 feet TVD.
Well Orientation: East to West
Completion Location expected to be: standard

Crossbow Fed Com 23-27-8 WA 4H, API No. Pending

SHL: 1029 feet from the South line and 378 feet from the East line,
(Unit P) of Section 8, Township 23 South, Range 27 East, NMPM.
BHL: 330 feet from the South line and 330 feet from the West line,

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(Unit M) of Section 7, Township 23 South, Range 27 East, NMPM.

Completion Target: Wolfcamp A at approx 9092 feet TVD.

Well Orientation: East to West

Completion Location expected to be: standard

Crossbow Fed Com 23-27-8 WXY 8H, API No. Pending

SHL: 1267 feet from the North line and 317 feet from the East line,
(Unit A) of Section 8, Township 23 South, Range 27 East, NMPM.

BHL: 1659 feet from the North line and 330 feet from the West line,
(Unit E) of Section 7, Township 23 South, Range 27 East, NMPM.

Completion Target: Wolfcamp Y at approx 9027 feet TVD.

Well Orientation: East to West

Completion Location expected to be: standard

Crossbow Fed Com 23-27-8 WXY 9H, API No. Pending

SHL: 1029 feet from the South line and 348 feet from the East line,
(Unit P) of Section 8, Township 23 South, Range 27 East, NMPM.

BHL: 2319 feet from the South line and 330 feet from the West line,
(Unit L) of Section 7, Township 23 South, Range 27 East, NMPM.

Completion Target: Wolfcamp Y at approx 9027 feet TVD.

Well Orientation: East to West

Completion Location expected to be: standard

Crossbow Fed Com 23-27-8 WA 10H, API No. Pending

SHL: 1029 feet from the South line and 318 feet from the East line,
(Unit P) of Section 8, Township 23 South, Range 27 East, NMPM.

BHL: 1654 feet from the South line and 330 feet from the West line,
(Unit L) of Section 7, Township 23 South, Range 27 East, NMPM.

Completion Target: Wolfcamp A at approx 9092 feet TVD.

Well Orientation: East to West

Completion Location expected to be: standard

Crossbow Fed Com 23-27-8 WXY 14H, API No. Pending

SHL: 1266 feet from the North line and 347 feet from the East line,
(Unit A) of Section 8, Township 23 South, Range 27 East, NMPM.

BHL: 330 feet from the North line and 330 feet from the West line,
(Unit D) of Section 7, Township 23 South, Range 27 East, NMPM.

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Completion Target: Wolfcamp Y at approx 9027 feet TVD.
Well Orientation: East to West
Completion Location expected to be: standard

Crossbow Fed Com 23-27-8 WA 15H, API No. Pending

SHL: 1266 feet from the North line and 377 feet from the East line,
(Unit A) of Section 8, Township 23 South, Range 27 East, NMPM.
BHL: 2328 feet from the North line and 330 feet from the West line,
(Unit E) of Section 7, Township 23 South, Range 27 East, NMPM.

Completion Target: Wolfcamp A at approx 9092 feet TVD.
Well Orientation: East to West
Completion Location expected to be: standard

Crossbow Fed Com 23-27-8 WA 16H, API No. Pending

SHL: 1267 feet from the North line and 287 feet from the East line,
(Unit A) of Section 8, Township 23 South, Range 27 East, NMPM.
BHL: 999 feet from the North line and 330 feet from the West line,
(Unit D) of Section 7, Township 23 South, Range 27 East, NMPM.

Completion Target: Wolfcamp A at approx 9092 feet TVD.
Well Orientation: East to West
Completion Location expected to be: standard

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd E. Leahy, JD, PhD
Deputy Secretary

Adrienne Sandoval, Director
Oil Conservation Division



December 21, 2020

Marathon Oil Permian, LLC
c/o Deana M. Bennett, Agent
deana.bennett@modrall.com
P.O. Box 2208
Santa Fe, New Mexico 87504

RE: Request for Time Extension to Commence drilling

Case No. 16381, R-20996 approved date January 9, 2020

Deadline to commence drilling January 31, 2021

Applicant/Operator: Marathon Oil Permian, LLC

Proposed Well:

- Crossbow Federal Com 23-27-8 WXY Well No. 2H, API No. Pending
- Crossbow Federal Com 23-27-8 WA Well No. 4H, API No. Pending
- Crossbow Federal Com 23-27-8 WXY Well No. 8H, API No. Pending
- Crossbow Federal Com 23-27-8 WXY Well No. 9H, API No. Pending
- Crossbow Federal Com 23-27-8 WA Well No. 10H, API No. Pending
- Crossbow Federal Com 23-27-8 WXY Well No. 14H, API No. Pending
- Crossbow Federal Com 23-27-8 WA Well No. 15H, API No. Pending
- Crossbow Federal Com 23-27-8 WA Well No. 16H, API No. Pending

Dear Sir or Madam:

The following pertains to your request received by the Division on December 15th, 2020 and to the requirements in the captioned hearing order.

You have requested an extension of the deadline to commence drilling given by the Division in the captioned order.

As stated, you are requesting an extension to spud this well due to "changes in Marathon's drilling schedule due to COVID-19 and current market conditions".. There was no opposition in the captioned case. You are requesting an additional year in which to spud this well. The spud date is now extended to, **January 31, 2022**.

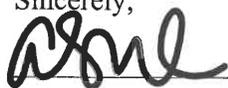
The requested additional year in which to commence drilling is hereby granted.

All other provisions of this order remain in full force and effect.



Case 16381 R-20996
Marathon Oil Permian, LLC
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Sincerely,



ADRIENNE SANDOVAL

Director

AS/jag



MODRALL SPERLING

L A W Y E R S

December 15, 2020

Via E-mail

Deana M. Bennett
Deana.bennett@modrall.com
505-848-1834 (direct)
505.848.1800 (office)

Oil Conservation Division
Energy, Minerals and Natural Resources Department
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505
Ocd.engineer.nm.us

Re: Drilling Extension Request for:

**APPLICATION OF MARATHON OIL PERMIAN LLC FOR
COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO**

**CASE NO. 16381
ORDERS NOS. R-20996
AND R-20996-A**

Dear OCD:

Marathon Oil Permian, LLC (“Marathon”) respectfully requests a one (1) year extension to drilling the well under Orders Nos. R-20996 and R-20996-A.¹ This extension is being requested because there have been changes in Marathon’s drilling schedule due to COVID-19 and current market conditions. The wells and lands impacted by this extension are the following:

- WELLS:** Crossbow Fed Com 23-27-8 WXY 2H, API No. Pending
- Crossbow Fed Com 23-27-8 WA 4H, API No. Pending
- Crossbow Fed Com 23-27-8 WXY 8H, API No. Pending
- Crossbow Fed Com 23-27-8 WXY 9H, API No. Pending
- Crossbow Fed Com 23-27-8 WA 10H, API No. Pending
- Crossbow Fed Com 23-27-8 WXY 14H, API No. Pending
- Crossbow Fed Com 23-27-8 WA 15H, API No. Pending
- Crossbow Red Com 23-27-8 WA 16H, API No. Pending

Modrall Sperring
Roehl Harris & Sisk P.A.

500 Fourth Street NW
Suite 1000
Albuquerque,
New Mexico 87102

PO Box 2168
Albuquerque,
New Mexico 87103

¹ Order R-20996-A was entered on May 7, 2020. That order pooled previously unidentified interest owners and provides that Order R-20996 remains in effect.

December 15, 2020

Page 2 of 2

LANDS: 1280-acre (more or less) spacing unit underlying Sections 7 and 8, Township 23 South, Range 27 East, NMPM, Eddy County, New Mexico.

Order R-20996 was issued on January 9, 2020, and requires Marathon to commence drilling on or before January 31, 2021. Order R-20996, p. 3, ¶ 4. Marathon requests an additional one-year period in which to commence drilling the listed wells, the extended period to expire January 31, 2022. Order R-20996 states that Marathon may request a written extension of time from the Division Director “pursuant to a written request stating its reasons for such extension and attaching satisfactory evidence.” See Order R-20996, p. 3, ¶ 5.

The Order also states that Marathon “shall provide a copy of any request for extension of time to drill or complete any well filed with the Director pursuant to this order to each pooled working interest owner who has elected to participate in the drilling of any well that is the subject of the request.” See Order R-20996, p. 3, ¶ 7. According to Marathon’s records three parties elected to participate in the drilling of the wells, but have not since executed a Joint Operating Agreement. Those three parties are:

- Texas Independent Exploration Limited
- Island Resources
- Grinch, LLC

Proof of notice is included with this letter.

Sincerely,



Deana M. Bennett

Attorney for Marathon Oil Permian LLC



MODRALL SPERLING

LAWYERS

December 15, 2020

Via Certified Mail

Deana M. Bennett
Deana.bennett@modrall.com
505-848-1834 (direct)
505-848-1800 (office)

Re: Extension Request for:

**APPLICATION OF MARATHON OIL PERMIAN LLC FOR
COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO**

**CASE NO. 16381
ORDERS NOS. R-20996
AND R-20996-A**

Enclosed please find a request submitted by Marathon Oil Permian, LLC to the New Mexico Oil Conservation Division seeking a one (1) year extension to complete the wells under the above-referenced order.

Sincerely,

Deana M. Bennett

Attorney for Marathon Oil Permian LLC

Modrall Sperling
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

Carlene Schuman
100 Fourth Street, Suite 1000
Albuquerque NM 87102

PS Form 3877

Type of Mailing: CERTIFIED MAIL
12/15/2020

Firm Mailing Book ID: 200280

Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents
1	9314 8699 0430 0077 6777 89	Texas Independent Exploration Limited 6760 Portwest Drive Houston TX 77024	\$1.20	\$3.55	\$1.70	\$0.00	81363.0154. Notice
2	9314 8699 0430 0077 6777 96	Island Resources 6760 Portwest Houston TX 77024	\$1.20	\$3.55	\$1.70	\$0.00	81363.0154. Notice
3	9314 8699 0430 0077 6778 02	Grinch, LLC 6760 Portwest Houston TX 77024	\$1.20	\$3.55	\$1.70	\$0.00	81363.0154. Notice
Totals:			\$3.60	\$10.65	\$5.10	\$0.00	
Grand Total:						\$19.35	

Dated:

Postmaster:
Name of receiving employee

Total Number of Pieces
Received at Post Office

List Number of Pieces
Listed by Sender

3

No. 22202

Marathon Oil Permian LLC



MODRALL SPERLING

L A W Y E R S

September 30, 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-20996-A, EDDY COUNTY, NEW
MEXICO.**

CASE NO. 22202

TO: AFFECTED PARTIES

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

In Case No. 22202, Marathon seeks an order from the Division for the limited purpose of amending Order No. R-20996-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-20996 pooled uncommitted interest owners in a 1280-acre (more or less) spacing unit underlying Sections 7 and 8, Township 23 South, Range 27 East, NMPM, Eddy County, New Mexico. Said area is located approximately 4 miles Northeast of Loving, 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 21, 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

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

Page 2

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-20996-A, EDDY COUNTY, NEW MEXICO**

**CASE NO. 22202
ORDER NO. R-20996-A
(Re-Open)**

APPLICATION

Marathon Oil Permian LLC (“Marathon”), OGRID Number 372098, through its undersigned attorney, files this application with the Oil Conservation Division (“Division”) for the limited purpose of amending Order No. R-20996-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-20996 pooled uncommitted interest owners in a 1280-acre (more or less) spacing unit underlying Sections 7 and 8, Township 23 South, Range 27 East, NMPM, Eddy County, New Mexico.
2. Order No. R-20996 designated Marathon as the operator of the wells and the unit.
3. The Division Hearing for Case No. 16381 was held on September 19, 2019.
4. The Division entered Order No. R-20996 in Case No. 16381 on January 9, 2020.
5. Order R-20996-A was entered on May 7, 2020 (in Case No. 21213) and pooled previously unidentified interest owners and provided that Order R-20996 remains in effect.
6. In December 2020, by written letter to the Division, Marathon requested that Order No. R-20996-A be amended to allow Marathon additional time to commence drilling the initial well under the Order.

7. On December 21, 2020, by letter, the Division granted Marathon's written request to extend the period of time to commence drilling under the Order until January 31, 2022.

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-20996-A, Marathon would be required to commence drilling the well by January 31, 2022.

12. Marathon asks that the deadline to commence drilling the initial well be extended for one year from January 31, 2022 to January 31, 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:

A. Amend Order No. R-20996-A to extend the time for Marathon to commence drilling the initial well under the Order for a year, through January 31, 2023.

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

By: Deana M Bennett
Deana M. 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. 22202 : (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-20996-A, Eddy County, New Mexico. Applicant seeks an order from the Division for the limited purposes of amending Order No. R-20996-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-20996 pooled uncommitted interest owners in a 1280-acre (more or less) spacing unit underlying Sections 7 and 8, Township 23 South, Range 27 East, NMPM, Eddy County, New Mexico. Said area is located approximately 4 miles Northeast of Loving, New Mexico. Said area is located approximately 8 miles southwest of Carlsbad, New Mexico.

PS Form 3877

Type of Mailing: CERTIFIED MAIL
09/30/2021

Marlene Schuman
Podrall Sperling Roehl Harris & Sisk P.A.
50 Fourth Street, Suite 1000
Albuquerque NM 87102

Firm Mailing Book ID: 215926



Reference
Contents

Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents
1	9314 8699 0430 0087 1546 76	FEATHERSTONE DEVELOPMENT CORP PO BOX 429 Roswell NM 88202	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
2	9314 8699 0430 0087 1546 83	ROSS DUNCAN PROPERTIES LLC PO BOX 647 Artesia NM 88211	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
3	9314 8699 0430 0087 1546 90	CHRISTINE CAMPOS 32772 JONATHAN Dana Point CA 92629	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
4	9314 8699 0430 0087 1547 06	ROBBINS RONALD 215 6TH ST Petaluma CA 94952	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
5	9314 8699 0430 0087 1547 13	STEPHANIE R ALDEMIER 26 IRONWOOD Mission Viejo CA 94952	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
6	9314 8699 0430 0087 1547 20	JUDITH ANDERSON PO BOX 128 Cedar Crest NM 87008	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
7	9314 8699 0430 0087 1547 37	DEBORAH ELIZABETH CONWAY TTEE 22725 TORERO COURT Salinas CA 93908	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
8	9314 8699 0430 0087 1547 44	ALLIANCE LAND AND MINERALS LLC PO BOX 809 Artesia NM 88211	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
9	9314 8699 0430 0087 1547 51	OLLI ENERGY LLC P O BOX 2084 Midland TX 79702	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
10	9314 8699 0430 0087 1547 68	TUMBLER ENERGY PARTNERS LLC PO BOX 50938 Midland TX 79710	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
11	9314 8699 0430 0087 1547 75	MCM PERMIAN LLC PO BOX 1540 Midland TX 79702	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
12	9314 8699 0430 0087 1547 82	SPRINGWOOD MINERALS 6 LP PO BOX 3579 Midland TX 79702	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
13	9314 8699 0430 0087 1547 99	KMF LAND LLC 1144 15TH STREET STE 2650 Denver CO 80202	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
14	9314 8699 0430 0087 1548 05	ROLLA R HINKLE III PO BOX 2292 Roswell NM 88202	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice
15	9314 8699 0430 0087 1548 12	MADISON M HINKLE PO BOX 2292 Roswell NM 88202	\$1.36	\$3.75	\$1.85	\$0.00	81363.0154. Notice

No. 22202

Marathon Oil Permian LLC

PS Form 3877

Type of Mailing: CERTIFIED MAIL
09/30/2021

Firm Mailing Book ID: 215926

Reference Contents
81363.0154.
Notice

Rest.Del.Fee \$0.00

RR Fee \$1.85

Service Fee \$3.75

Postage \$1.36

Name, Street, City, State, Zip

Line USPS Article Number

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JOHN RUSTON SCHWAUSCH
6206 ADEL CV9
Austin TX 78749

\$1.36

\$1.85

\$0.00

81363.0154.
Notice

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BARBARA MCKINNEY ESTATE
9595 AMARANTE CIRCLE UNIT 13
Jacksonville FL 32257

\$1.36

\$1.85

\$0.00

81363.0154.
Notice

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Dallas TX 75320

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\$0.00

81363.0154.
Notice

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THOMAS C MCKINNEY
1423 OAKWOOD LOOP
San Marcos TX 78666

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\$0.00

81363.0154.
Notice

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BOOMSLANG RESOURCES LLC
P O BOX 141140
Dallas TX 75124

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\$0.00

81363.0154.
Notice

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RITA K WOODMAN
621 RALEY COURT
Weatherford TX 76085

\$1.36

\$1.85

\$0.00

81363.0154.
Notice

22 9314 8699 0430 0087 1548 81

JAMES C FAUBION
4210 VALLEY FORGE DR
Emid OK 73703

\$1.36

\$1.85

\$0.00

81363.0154.
Notice

23 9314 8699 0430 0087 1548 98

HELEN FAUBION
PO BOX 1036, MESILLA
Mesilla NM 88046

\$1.36

\$1.85

\$0.00

81363.0154.
Notice

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DEVON ENERGY PRODUCTION CO LP
333 W SHERIDAN AVE
Oklahoma City OK 73102

\$1.36

\$1.85

\$0.00

81363.0154.
Notice

25 9314 8699 0430 0087 1549 11

ROBERT H ST JOHN FAMILY TRUST
11822 CASTLE RIDGE DRIVE
Houston TX 77077

\$1.36

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\$0.00

81363.0154.
Notice

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GRINCH LLC
6760 Portwest Dr
Houston TX 77024

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\$1.85

\$0.00

81363.0154.
Notice

27 9314 8699 0430 0087 1549 35

DEANNE SHEPARD
27 Splitrock Ct.
The Woodlands TX 77381

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\$1.85

\$0.00

81363.0154.
Notice

28 9314 8699 0430 0087 1549 42

TEXAS INDEPENDENT EXPLORATION LTD
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Houston TX 77024

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\$1.85

\$0.00

81363.0154.
Notice

29 9314 8699 0430 0087 1549 59

ISLAND RESOURCES
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Houston TX 77024

\$1.36

\$1.85

\$0.00

81363.0154.
Notice

30 9314 8699 0430 0087 1549 66

WARWICK ARES LLC
6608 N WESTERN AVENUE BOX 417
Oklahoma City OK 73116

\$1.36

\$1.85

\$0.00

81363.0154.
Notice

No. 22202

Marathon Oil Permian LLC

Karlene Schuman
Bradall Sperling Roehl Harris & Sisk P.A.
50 Fourth Street, Suite 1000
Abuquerque NM 87102



PS Form 3877

Type of Mailing: CERTIFIED MAIL
09/30/2021

Firm Mailing Book ID: 215926

Marlene Schuman
1000 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
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Postmaster:
Name of receiving employee

Dated:

Total Number of Pieces
Received at Post Office

Total Number of Pieces
Listed by Sender

31

No. 22202

Marathon Oil Permian LLC

BEFORE THE OIL CONSERVATION DIVISION
EXAMINER HEARING OCTOBER 21, 2021

Transaction Report Details - CertifiedPro.net
Firm Mail Book ID= 215926
Generated: 10/18/2021 12:07:43 PM

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9314869904300087154676	2021-09-30 10:40 AM	81363.0154	FEATHERSTONE DEVELOPMENT CORP	Roswell	NM	88202	Delivered	Return Receipt - Electronic, Certified Mail	

No. 22202

Marathon Oil Permian LLC

Carlsbad Current Argus

PART OF THE USA TODAY NETWORK

Affidavit of Publication

Ad # 0004939845

This is not an invoice

MODRALL SPERLING
POBOX 2168

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:

10/05/2021



Legal Clerk

Subscribed and sworn before me this October 5, 2021:



State of WI, County of Brown
NOTARY PUBLIC
1-7-25
My commission expires

KATHLEEN ALLEN
Notary Public
State of Wisconsin

CASE NO. 22202: Notice to all affected parties, as well as the heirs and devisees of Featherstone Development Corp; Ross Duncan Properties LLC; Christine Campos; Ronald Robbins; Stephanie R. Aldemir; Judith Anderson; Deborah Elizabeth Conway TTEE; Alliance Land and Minerals LLC; Olli Energy LLC; Tumbler Energy Partners LLC; MCM Permian LLC; Springwood Minerals 6 LP; KMF Land LLC; Rolla R. Hinkle III; Madison M. Hinkle; John Ruston Schwausch; Barbara McKinney Estate; Haymaker Holding; Thomas C. McKinney and; Boomslang Resources LLC; Rita K. Woodman; James C. Faubion; Helen Faubion; Devon Energy Production Co LP; Robert H. St. John Family Trust; Grinch LLC; Deanne Shephard; Texas Independent Exploration LTD; Island Resources; Warwick Ares LLC; Sugar Creek Resources, LLC of Marathon Oil Permian LLC's Application to Amend Order No. R-20996-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 21, 2021, to consider this application. Applicant seeks an order from the Division for the limited purposes of amending Order No. R-20996-A to allow for a one-year extension of time to commence drilling the initial well under the Order. Order No. R-20996 pooled uncommitted interest owners in a 1280-acre (more or less) spacing unit underlying Sections 7 and 8, Township 23 South, Range 27 East, NMPM, Eddy County, New Mexico. Said area is located approximately 4 miles Northeast of Loving, New Mexico. Said area is located approximately 8 miles southwest of Carlsbad, New Mexico.
#4939845, Current Argus, 10/05/2021

Ad # 0004939845
PO #: 4939845
of Affidavits 1

This is not an invoice