

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

**APPLICATION OF SPUR ENERGY  
PARTNERS, LLC TO POOL ADDITIONAL  
INTEREST OWNERS UNDER ORDER NO. R-22060,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 22737  
ORDER NO. R-22060  
(Re-Open Case No. 22532)**

**EXHIBIT INDEX**

Exhibit A	Self-Affirmed Statement of Blair Brummell
A-1	Application & Proposed Notice of Hearing
A-2	Order No. R-22060
A-3	Plat of Tracts, Ownership Interests, Uncommitted Interests to be Pooled
A-4	Sample Well Proposal Letter and AFEs
A-5	Chronology of Contact
Exhibit B	Self-Affirmed Statement of Dana S. Hardy
B-1	Sample Notice Letter to All Interested Parties
B-2	Chart of Notice to All Interested Parties and Certified Mail Receipts
B-3	Affidavit of Publication for April 19, 2022

**STATE OF NEW MEXICO  
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PARTNERS, LLC TO POOL ADDITIONAL  
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EDDY COUNTY, NEW MEXICO.**

**CASE NO. 22737  
ORDER NO. R-22060  
(Re-Open Case No. 22532)**

**SELF-AFFIRMED STATEMENT  
OF BLAIR BRUMMELL**

1. I am a senior landman at Spur Energy Partners, LLC (“Spur”) and am over 18 years of age. I have personal knowledge of the matters addressed herein and am competent to provide this Self-Affirmed Statement. I have previously testified before the New Mexico Oil Conservation Division (“Division”) and my qualifications as an expert in petroleum land matters were accepted and made a matter of record.

2. I am familiar with Spur’s application in the above-referenced case and with the status of the lands in the subject area. A copy of Spur’s application and proposed notice are attached as **Exhibit A-1**.

3. None of the parties proposed to be pooled in this case indicated opposition to this matter proceeding by affidavit, therefore I do not expect any opposition at hearing.

4. On March 9, 2022, the Division issued Order No. R-22060 in Case No. 22532, which pooled uncommitted interests from a depth of approximately 4,000’ to the base of the Yeso formation (Artesia; Glorieta-Yeso Pool, Code 96830) in a 320-acre, more or less, standard horizontal spacing unit (“Unit”) comprised of the N/2 S/2 and S/2 N/2 of Section 27, Township 17 South, Range 28 East in Eddy County, New Mexico. The Order dedicated the Unit to the Halberd

Spur Energy Partners, LLC  
Case No. 22737  
Exhibit A

27 State Com 50H well, Halberd State Com 51H well, and Halberd 27 State Com 71H well (“Wells”) and designated Spur as operator of the Unit and the Wells.

5. A copy of Order No. R-22060 is attached as **Exhibit A-2**.

6. Since the Order was entered, Spur has identified additional interest owners in the Unit that have not been pooled under the terms of the Order.

7. **Exhibit A-3** provides a plat of the tracts included in the HSU, identifies the interests in each tract included in the HSU, and identifies the additional uncommitted interests to be pooled under the terms of Order No. R-22060, which are highlighted in yellow. None of the interest owners are unlocatable.

8. **Exhibit A-4** is a sample well proposal letter that I sent to the working interest owners.

9. In my opinion, Spur has made a good-faith effort to reach voluntary joinder as indicated by the chronology of contact described in **Exhibit A-5**.

10. Spur requests the additional mineral interest owners be pooled under the terms of Order No. R-22060.

11. In my opinion, the granting of Spur’s application would serve the interests of conservation and the prevention of waste.

12. The attached exhibits attached were either prepared by me or under my supervision or were compiled from company business records.

13. I understand that this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in paragraphs 1 through 12 above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date handwritten next to my signature below.

Blair Brummell  
Blair Brummell

4-26-22  
Date

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

APPLICATION OF SPUR ENERGY  
PARTNERS, LLC TO POOL ADDITIONAL  
INTEREST OWNERS UNDER ORDER NO. R-22060,  
EDDY COUNTY, NEW MEXICO.

CASE NO. 22737  
ORDER NO. R-22060  
(Re-Open Case No. 22532)

APPLICATION

Spur Energy Partners, LLC, OGRID No. 328947 (“Spur”) files this application with the Oil Conservation Division (“Division”) for the limited purpose of pooling additional interest owners under the terms of Division Order No. R-22060. In support of its application, Spur states as follows.

1. On March 9, 2022, the Division issued Order No. R-22060 in Case No. 22532, which pooled uncommitted interests from a depth of approximately 4,000’ to the base of the Yeso formation (Artesia; Glorieta-Yeso Pool, Code 96830) in a 320-acre, more or less, standard horizontal spacing unit (“Unit”) comprised of the N/2 S/2 and S/2 N/2 of Section 27, Township 17 South, Range 28 East in Eddy County, New Mexico. The Order dedicated the Unit to the **Halberd 27 State Com 50H** well, **Halberd State Com 51H** well, and **Halberd 27 State Com 71H** well (“Wells”) and designated Spur as operator of the Unit and the Wells.
2. Since entry of the Order, Spur has identified additional interest owners in the Unit that have not been pooled under the terms of the Order.
3. Spur has undertaken diligent, good-faith efforts to obtain voluntary agreements from the additional interest owners to participate in the drilling of the Wells but has been unable to obtain voluntary agreements from the owners.

Spur Energy Partners, LLC  
Case No. 22737  
Exhibit A-1

4. In order to permit Spur to obtain its just and fair share of the oil and gas underlying the subject lands, the additional interest owners should be pooled into the Unit pursuant to the terms of the Order.

5. The pooling of the additional interest owners will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.

WHEREFORE, Applicant requests this application be set for hearing before an Examiner of the Division on May 5, 2022, and after notice and hearing as required by law, the Division pool the additional interest owners into the Unit pursuant to the terms of Division Order No. R-22060.

Respectfully submitted,

HINKLE SHANOR LLP

/s/ Dana S. Hardy

Dana S. Hardy

Jaclyn M. McLean

P.O. Box 2068

Santa Fe, NM 87504-2068

Phone: (505) 982-4554

Facsimile: (505) 982-8623

dhardy@hinklelawfirm.com

jmclean@hinklelawfirm.com

*Counsel for Spur Energy Partners, LLC*

**Application of Spur Energy Partners, LLC, to Pool Additional Interest Owners Under Order No. R-22060, Eddy County, New Mexico.** Applicant applies for an order pooling additional interest owners under the terms of Division Order No. R-22060. On March 9, 2022, the Division issued Order No. R-22060 in Case No. 22532, which pooled uncommitted interests from a depth of approximately 4,000' to the base of the Yeso formation (Artesia; Glorieta-Yeso Pool, Code 96830) in a 320-acre, more or less, standard horizontal spacing unit ("Unit") comprised of the N/2 S/2 and S/2 N/2 of Section 27, Township 17 South, Range 28 East in Eddy County, New Mexico. The Order dedicated the Unit to the Halberd 27 State Com 50H well, Halberd State Com 51H well, and Halberd 27 State Com 71H well ("Wells") and designated Spur as operator of the Unit and the Wells. Since entry of the Order, Spur has identified additional interest owners in the Unit that should be pooled under the terms of the Order. The Wells are located approximately 10 miles west of Loco Hills, 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  
SPUR ENERGY PARTNERS, LLC**

**CASE NO. 22532  
ORDER NO. R-22060**

**ORDER**

The Director of the New Mexico Oil Conservation Division (“OCD”), having heard this matter through a Hearing Examiner on February 3, 2022, and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

**FINDINGS OF FACT**

1. Spur Energy Partners, 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

Spur Energy Partners, LLC  
Case No. 22737  
Exhibit A-2

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 amending 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 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 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

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ORDER NO. R-22060

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- 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 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 an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If 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 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 an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If 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.
  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 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: 3/09/2022

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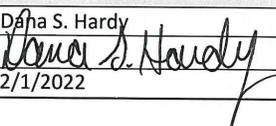
Exhibit A

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<b>COMPULSORY POOLING APPLICATION CHECKLIST</b>	
<b>ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS</b>	
<b>Case No.:</b>	<b>22532</b>
<b>Hearing Date:</b>	<b>2/3/2022</b>
Applicant	Spur Energy Partners, LLC
Designated Operator & OGRID	OGRID # 328947
Applicant's Counsel	Hinkle Shanor LLP
Case Title	Application of Spur Energy Partners, LLC for Compulsory Pooling, Eddy County, New Mexico
Entries of Appearance/Intervenors	-
Well Family	Halberd
<b>Formation/Pool</b>	
Formation Name(s) or Vertical Extent	Yeso
Primary Product (Oil or Gas)	Oil
Pooling this vertical extent	Yeso, 4000' MD to 5682' MD.
Pool Name and Pool Code	Artesia; Glorieta-Yeso (Pool Code 96830)
Well Location Setback Rules	Statewide
Spacing Unit Size	320-acre
<b>Spacing Unit</b>	
Type (Horizontal/Vertical)	Horizontal
Size (Acres)	320-acre
Building Blocks	quarter-quarter
Orientation	laydown
Description: TRS/County	N/2S/2 and S/2N/2 of Section 27, Township 17 South, Range 28 East in Eddy County, New Mexico
Standard Horizontal Well Spacing Unit (Y/N), If No, describe	Yes
<b>Other Situations</b>	
Depth Severance: Y/N. If yes, description	Yes; at 4000' MD in the Artesia; Glorieta-Yeso Pool
Proximity Tracts: If yes, description	-
Proximity Defining Well: if yes, description	-
<b>Well(s)</b>	
Name & API (if assigned), surface and bottom hole location, footages, completion target, orientation, completion status (standard or non-standard)	Add wells as needed
Well #1	Halberd 27 State Com 50H (API # pending) SHL: 2220' FNL & 745' FWL, Unit E, Section 26, T17S-R28E BHL: 1575' FNL & 50' FWL, Unit E, Section 27, T17S-R28E Completion Target: Yeso formation (Approx. 4137' TVD)
Well #2	Halberd 27 State Com 51H (API # pending) SHL: 989' FSL & 612' FWL, Unit M, Section 26, T17S-R28E BHL: 1500' FSL & 50' FWL, Unit L, Section 27, T17S-R28E Completion Target: Yeso formation (Approx. 4275' TVD)
Well #3	Halberd 27 State Com 71H (API # pending) SHL: 2240' FNL & 745' FWL, Unit E, Section 26, T17S-R28E BHL: 2475' FSL & 50' FWL, Unit L, Section 27, T17S-28E Completion Target: Yeso formation (Approx. 4385' TVD)
Horizontal Well First and Last Take Points	Exhibit A-2
Completion Target (Formation, TVD and MD)	Exhibit A-4
<b>FE Capex and Operating Costs</b>	
Drilling Supervision/Month \$	8000
Production Supervision/Month \$	800
Justification for Supervision Costs	Exhibit A
Requested Risk Charge	200%
<b>Notice of Hearing</b>	
Proposed Notice of Hearing	Exhibit A-1

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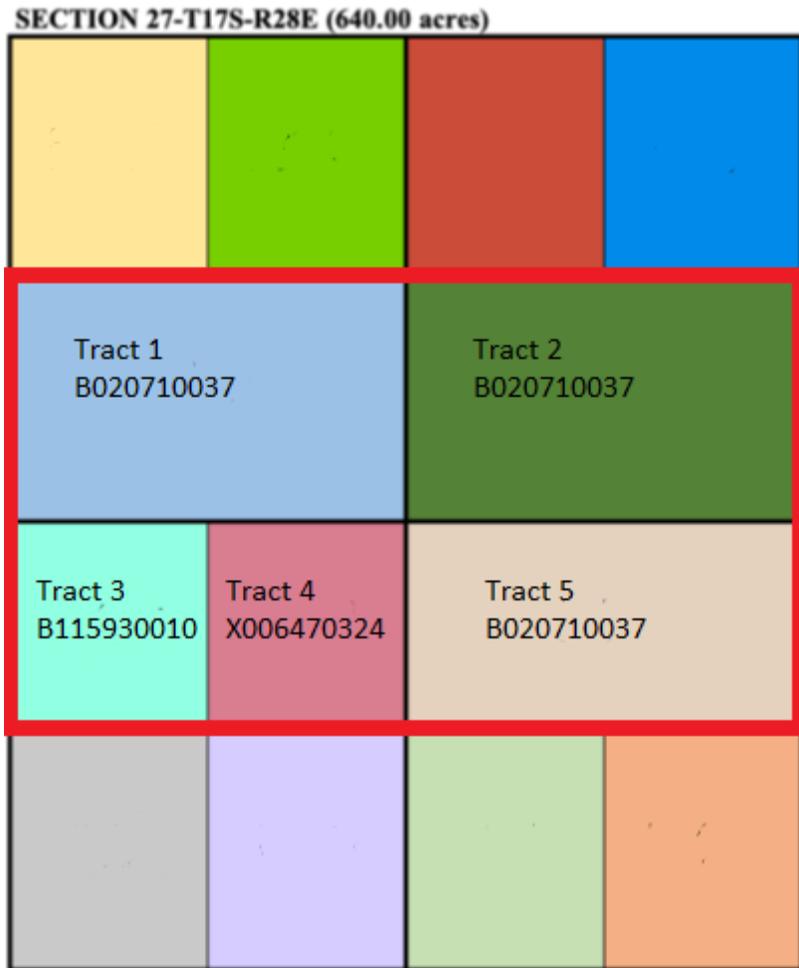
Proof of Mailed Notice of Hearing (20 days before hearing)	Exhibit A-6
Proof of Published Notice of Hearing (10 days before hearing)	Exhibit A-7
<b>Ownership Determination</b>	
Land Ownership Schematic of Spacing Unit	Exhibit A-3
Tract List (including lease numbers & owners)	Exhibit A-3
Pooled Parties (including ownership type)	Exhibit A-3
Unlocatable Parties to be Pooled	Exhibit A-3
Ownership Depth Severance (including percentage above & below)	Exhibit A-3
<b>Joinder</b>	
Sample Copy of Proposal Letter	Exhibit A-4
List of Interest Owners (ie Exhibit A of JOA)	Exhibit A-3
Chronology of Contact with Non-Joined Working Interests	Exhibit A-5
Overhead Rates In Proposal Letter	N/A
Cost Estimate to Drill and Complete	Exhibit A-4
Cost Estimate to Equip Well	Exhibit A-4
Cost Estimate for Production Facilities	Exhibit A-4
<b>Geology</b>	
Summary (including special considerations)	Exhibit B
Spacing Unit Schematic	Exhibit B-1
Gunbarrel/Lateral Trajectory Schematic	Exhibit B-4
Well Orientation (with rationale)	Exhibit B
Target Formation	Exhibit B
HSU Cross Section	Exhibit B-3
Depth Severance Discussion	N/A
<b>Forms, Figures and Tables</b>	
C-102	Exhibit A-2
Tracts	Exhibit A-3
Summary of Interests, Unit Recapitulation (Tracts)	Exhibit A-3
General Location Map (including basin)	Exhibit B-1
Well Bore Location Map	Exhibit B-1
Structure Contour Map - Subsea Depth	Exhibit B-2
Cross Section Location Map (including wells)	Exhibit B-2
Cross Section (including Landing Zone)	Exhibit B-3
<b>Additional Information</b>	
<b>CERTIFICATION: I hereby certify that the information provided in this checklist is complete and accurate.</b>	
Printed Name (Attorney or Party Representative):	Dana S. Hardy
Signed Name (Attorney or Party Representative):	
Date:	2/1/2022

Received by OCD: 2/1/2022 4:54:27 PM

Released to Imaging: 2/1/2022 5:00:34 PM

### Exhibit A-3

South Half of North Half (S/2 N/2) and North Half of South Half (N/2 S/2) of Section 27, Township 17 South, Range 28 East, Eddy County, New Mexico as to those depths from 4000' to the Top of the ABO Formation.



**Tract 1: S2 NW4 of Section 27-17S-28E (NM State Lease No. B0-2071-0037)**

- OXY USA WTP, LP 46.80% Working Interest
- Occidental Permian Limited Partnership 22.00% Working Interest
- SEP Permian LLC 31.20% Working Interest

**Tract 2: S2 NE4 of Section 27-17S-28E (NM State Lease No. B0-2071-0037)**

- Occidental Permian Limited Partnership 22.00% Working Interest
- SEP Permian, LLC 78.00% Working Interest

**Tract 3: NW4 SW4 of Section 27-17S-28E (NM State Lease No. B1-1593-0010)**

- Kerr-McGee Oil & Gas Onshore LP 100% Working Interest

Spur Energy Partners, LLC  
 Case No. 22737  
 Exhibit A-3

**Tract 4: NE4 SW4 of Section 27-17S-28E (NM State Lease No. X0-0647-0324)**

- EOG Resources Inc. 43.75% Working Interest
- Jalapeno Corporation 3.00% Working Interest
- Sharbro Energy, LLC 18.75% Working Interest
- Spiral, Inc. 7.136% Working Interest
- Vladin LLC 12.50% Working Interest
- Tinian Oil and Gas, LLC 12.50% Working Interest
- Yates Energy Corporation 2.365% Working Interest

**Tract 5: N2 SE4 of Section 27-17S-R28E (NM State Lease No. B0-2071-0023)**

- Occidental Permian Limited Partnership 22.00% Working Interest
- SEP Permian LLC 78.00% Working Interest

**RECAPITULATION**

Tract Number	Number of Acres Committed	Percentage of Interest in Unit
1	80	25.00%
2	80	25.00%
7	40	12.50%
8	40	12.50%
9	80	25.00%
<b>TOTAL</b>	<b>320</b>	<b>100.00%</b>

SEP Permian LLC 46.80% Working Interest  
 9655 Katy Freeway, Ste 500  
 Houston, Texas 77024

EOG Resources Inc 5.47% Working Interest  
 104 S. 4th Street  
 Artesia, New Mexico 88210

Jalapeno Corporation 0.37% Working Interest  
 P.O. Box 1608  
 Albuquerque, New Mexico 87103

Occidental Permian Limited Partnership 16.50% Working Interest  
 5 Greenway Plaza, Ste 110  
 Houston, Texas 77046

Kerr-McGee Oil & Gas Onshore LP 12.5% Working Interest  
 1201 Lake Robbins Dr.  
 The Woodlands, Texas 77380

Sharbro Energy, LLC 2.34% Working Interest  
 P.O. Box 840  
 Artesia, New Mexico 88211

Spiral, Inc. 0.89% Working Interest  
 P.O. Box 1933  
 Roswell, New Mexico 88202

Vladin LLC 1.56% Working Interest  
 P.O. Box 100  
 Artesia, New Mexico 88211

Tinian Oil and Gas, LLC 1.56% Working Interest  
 P.O. Box 1000  
 Artesia, New Mexico 88211

OXY USA WTP LP 11.70% Working Interest  
 S. Greenway Plaza, Ste 110  
 Houston, Texas 77046

Yates Energy Corporation  
P.O. Box 2323  
Roswell, New Mexico 88202

0.30% Working Interest

**Total**

**100% Working Interest**

**Leasehold Interest:**

SEP Permian LLC  
9655 Katy Freeway, Ste 500  
Houston, Texas 77024

EOG Resources Inc  
104 S. 4th Street  
Artesia, New Mexico 88210

Jalapeno Corporation  
P.O. Box 1608  
Albuquerque, New Mexico 87103

Occidental Permian Limited Partnership  
5 Greenway Plaza, Ste 110  
Houston, Texas 77046

OXY USA WTP LP  
5 Greenway Plaza, Ste 110  
Houston, Texas 77046

Sharbro Energy, LLC  
P.O. Box 840  
Artesia, New Mexico 88211

Kerr-McGee Oil & Gas Onshore LP  
1201 Lake Robbins Dr.  
The Woodlands, Texas 77380

Spiral, Inc.  
P.O. Box 1933  
Roswell, New Mexico 88202

Vladin LLC  
P.O. Box 100  
Artesia, New Mexico 88211

Tinian Oil and Gas, LLC  
P.O. Box 1000  
Artesia, New Mexico 88211

Yates Energy Corporation  
P.O. Box 2323  
Roswell, New Mexico 88202

**Overriding Royalty Interests:**

The Wright Company  
P.O. Box 752  
Stanton, Texas 79782

WPX Energy Permian LLC  
333 W Sheridan Avenue  
Oklahoma City, OK 73102



**November 12, 2021**

Occidental Petroleum Corporation  
5 Greenway Plaza, Ste 110  
Houston, TX 77046

*Sent Certified Mail, Return Receipt Requested*

**RE: Well Proposals – Halberd 27 State Com 50H, 51H, 71H  
Proposed Spacing Unit  
Section 27: S2N2 & N2S2 – 17S, R28E  
Eddy County, New Mexico**

Dear Working Interest Owner,

SEP Permian LLC, an affiliate of Spur Energy Partners LLC, (“Spur”), hereby proposes to drill and complete the **Halberd 27 State Com 50H, 51H, and 71H as horizontal Yeso wells** (the “Subject Wells”) to the approximate total vertical depth as referenced below at the following proposed location (subject to change upon staking of the wells and/or pads).

**Halberd 27 State Com 50H well – Horizontal Yeso Well, Eddy County, NM**

- Proposed Surface Hole Location – 2220’ FNL & 745’ FWL, Section 26, T17S-R28E
- Proposed Bottom Hole Location – 1575’ FNL & 50’ FWL, Section 27, T17S-R28E
- TVD: 4137’
- Total AFE: \$3,375,000

**Halberd 27 State Com 51H well – Horizontal Yeso Well, Eddy County, NM**

- Proposed Surface Hole Location – 1825’ FSL & 465’ FEL, Section 28, T17S-R28E
- Proposed Bottom Hole Location – 1500’ FSL & 50’ FEL, Section 27, T17S-R28E
- TVD: 4275’
- Total AFE: \$3,375,000

**Halberd 27 State Com 71H well – Horizontal Yeso Well, Eddy County, NM**

- Proposed Surface Hole Location – 2240’ FNL & 745’ FWL, Section 26, T17S-R28E
- Proposed Bottom Hole Location – 2475’ FNL & 50’ FWL, Section 27, T17S-R28E
- TVD: 4385’
- Total AFE: \$3,375,000

Spur proposes to form a Drilling Spacing Unit (“DSU”) covering the South Half of the North Half (S2N2) and the North Half of the South Half (N2S2) of Section 27-T17S-R28E, Eddy County, New Mexico, containing 320 acres of land, more or less, from 4000’ to the base of the Yeso. Portions of these lands are likely governed by existing Joint Operating Agreements (“JOAs”) which also cover the Yeso formation and which govern operations for vertical wells. For the mutually exclusive development of horizontal wells, and any concept wells (i.e micro seismic wells, pilot hole wells) within the DSU, Spur hereby submits for your consideration, a new Joint Operating Agreement dated July 1, 2022, being a modified 2015 Horizontal AAPL Form 610 Operating Agreement (“NJOA”) to govern proposals and operations within the DSU. The NJOA shall supersede any existing operations under any JOAs, expressly limited however, to horizontal well development and related concept wells and operations within the DSU. The NJOA has the following general provisions:

Spur Energy Partners, LLC<sup>†</sup>  
Case No. 22737  
Exhibit A-4



- Effective Date of July 1, 2022
- Contract Area consisting of S2N2 & N2S2 of Section 27, Township 17 South, Range 28 East limited to a depth from 4000' to the base of the Yeso formation
- 100%/300%/300% non-consenting penalty
- \$8,000/\$800 drilling and producing monthly overhead rate
- Spur Energy Partners LLC named Operator

Please find the enclosed AFE's reflecting a total well cost estimate for drilling and completing costs for each well. Spur respectfully requests that you select one of the following four options with regard to your interest in the proposed well(s).

Option 1: Participate in the drilling and completion of the proposed well

Option 2: Elect to not participate in the proposed well (an election of "Non-Consent")

Term Assignment Option: Assign your working interest in the Contract Area, exclusive of wellbores of existing wells, to Spur through a Term Assignment with a primary term of (3) years and a bonus consideration of \$500 per net acre, delivering 80% leasehold net revenue interest (limited to the Yeso formation).

Assignment Option: Assign all your working interest in the Contract Area, exclusive of wellbores of existing wells, to Spur for a bonus consideration of \$1,500.00 per net acre delivering all rights owned.

Please indicate your election as to one of the above four options for each well in the space provided below and execute and return a copy of this letter to Spur by U.S. mail to the letterhead address below within 30 days of receipt of this proposal. If a voluntary agreement cannot be reached in 30 days of receipt of this letter, please be advised Spur may apply to the New Mexico Oil and Conversation Division for compulsory pooling of any uncommitted interest owners into a spacing unit for the proposed wells if uncommitted at such time.

In the event you would like to assign your interest under the terms outlined above by way of the Term Assignment Option or Assignment Option, please signify your intentions by signing the enclosed Assignment Election page and returning an executed W-9. Upon receipt Spur will submit an Assignment for your review and acceptance.

If you have any questions concerning the proposed wells, please contact Murphy Lauck by phone at 832-982-1087 or by email to [mLauck@spurellc.com](mailto:mLauck@spurellc.com)

Sincerely,

A handwritten signature in blue ink that reads "Blair Brummell".

Blair Brummell  
Senior Landman



**Halberd 27 State Com 50H well**

\_\_\_\_\_ **Option 1)** The undersigned elects to participate in the drilling and completion of the Halberd 27 State Com 50H well. Enclosed please find our share of the payment of the estimated AFE costs based upon the calculation of its working interest as stated above, with the cost and maintenance of all surface facilities, including any shared well pads, being reapportioned between each well drilled in the Unit.

\_\_\_\_\_ **Option 2)** The undersigned elects not to participate in the drilling and completion of the proposed Halberd 27 State Com 50H well.

Agreed to and Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**Company/Individual:** \_\_\_\_\_

**By:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_



**Halberd 27 State Com 51H well**

\_\_\_\_\_ **Option 1)** The undersigned elects to participate in the drilling and completion of the Halberd 27 State Com 51H well. Enclosed please find our share of the payment of the estimated AFE costs based upon the calculation of its working interest as stated above, with the cost and maintenance of all surface facilities, including any shared well pads, being reapportioned between each well drilled in the Unit.

\_\_\_\_\_ **Option 2)** The undersigned elects not to participate in the drilling and completion of the proposed Halberd 27 State Com 51H well.

Agreed to and Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**Company/Individual:** \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



**Halberd 27 State Com 71H well**

\_\_\_\_\_ **Option 1)** The undersigned elects to participate in the drilling and completion of the Halberd 27 State Com 71H well. Enclosed please find our share of the payment of the estimated AFE costs based upon the calculation of its working interest as stated above, with the cost and maintenance of all surface facilities, including any shared well pads, being reapportioned between each well drilled in the Unit.

\_\_\_\_\_ **Option 2)** The undersigned elects not to participate in the drilling and completion of the proposed Halberd 27 State Com 71H well.

Agreed to and Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**Company/Individual:** \_\_\_\_\_

**By:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_



**Term Assignment Option**

\_\_\_\_\_ The undersigned elects to assign its working interest in the Contract Area, exclusive of wellbores of existing wells, to Spur through a term assignment with a primary term of three (3) years and a bonus consideration of \$500 per net acre, delivering a 80% leasehold net revenue interest (limited to the Yeso formation).

**Assignment Option**

\_\_\_\_\_ The undersigned elects to assign its working interest in the Contract Area, exclusive of wellbores of existing wells, to Spur for a bonus consideration of \$1,500 per net acre delivering all rights owned.

Agreed to and Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**Company/Individual:** \_\_\_\_\_

**By:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

Halberd 27 State Com 50H, 51H, 71H – Chronology Efforts

- 4.1.2022 Mailed out Halberd B&C Well Proposals via Certified Mail with previous TVDs and total AFE Cost to Occidental Permian Limited Partnership. Emailed Alissa Payne Halberd C Shallow, B&C, and D JOAs.
- 4.4.2022 Proposals delivered
- 4.5.2022 Received updated TVDs and total AFE Cost for Halberd 27 State Com 50H, Halberd 27 State Com 51H, and Halberd 27 State Com 71H. Mailed out a letter informing Occidental Permian Limited Partnership of the updated locations
- 4.6.2022 Spur grants Occidental a June 1<sup>st</sup> extension for all Halberd well proposals in exchange for Oxy and its affiliates to not protest the Force Pooling Hearing on May 5<sup>th</sup>.
- Oxy affiliates include: Occidental Petroleum Corporation, Occidental Permian Limited Partnership, Oxy Y-1 Company, OXY USA WTP Limited Partnership, Kerr-McGee Oil & Gas Onshore LP, and Anadarko Petroleum Corporation
- 4.7.2022 Revised the April 1<sup>st</sup> proposals by adding the correct well locations and emailed to Alissa Payne at Occidental Permian Limited Partnership
- 4.7.2022 Mailed out the Halberd B&C proposals to Kerr-McGee Oil & Gas Onshore, LP to the following addresses:  
1201 Lake Robbins Drive, The Woodlands, TX 77380  
5 Greenway Plaza, Ste 110, Houston, TX 77046
- 4.8.2022 Kerr-McGee proposals are delivered to both addresses

Spur Energy Partners, LLC  
Case No. 22737  
Exhibit A-5

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

**APPLICATION OF SPUR ENERGY  
PARTNERS, LLC TO POOL ADDITIONAL  
INTEREST OWNERS UNDER ORDER NO. R-22060,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 22737  
ORDER NO. R-22060  
(Re-Open Case No. 22532)**

**SELF-AFFIRMED STATEMENT  
OF DANA HARDY**

1. I am attorney in fact and authorized representative of Spur Energy Partners, LLC, the Applicant herein, and being first duly sworn, upon oath, state as follows.

2. I am familiar with the Notice Letter attached as **Exhibit B-1** and caused the Notice Letter to be sent to the parties set out in the chart attached as **Exhibit B-2**.

3. The above-referenced Application was provided, along with the Notice Letters, to the recipients listed in Exhibit B-2. Exhibit B-2 also provides the date each Notice Letter was sent and the date each return was received and includes copies of the certified mail receipts and white slips.

4. On April 19, 2022, I caused a notice to be published to all interested parties in the Carlsbad Current Argus. An Affidavit of Publication from the Legal Clerk of the Carlsbad Current Argus, along with a copy of the notice publication, is attached as **Exhibit B-3**.

/s/ Dana S. Hardy  
Dana S. Hardy

5/3/22  
Date

Spur Energy Partners, LLC  
Case No. 22737  
Exhibit B



**HINKLE SHANOR LLP**  
 ATTORNEYS AT LAW  
 PO BOX 2068  
 SANTA FE, NEW MEXICO 87504  
 505-982-4554 (FAX) 505-982-8623

WRITER:

Dana S. Hardy, Partner  
 dhardy@hinklelawfirm.com

April 6, 2022

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**TO ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS**

**Re: Case No. 22737 - Application of Spur Energy Partners, LLC to Pool Additional Interest Owners Under Order No. R-22060, Lea County, New Mexico.**

To whom it may concern:

This letter is to advise you that Spur Energy Partners, LLC filed the enclosed application with the New Mexico Oil Conservation Division. The hearing will be conducted on **May 5, 2022** beginning at 8:15 a.m.

During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website: <http://www.emnrd.state.nm.us/OCD/announcements.html>. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Pursuant to Division Rule 19.15.4.13.B, a party who intends to present evidence at the hearing shall file a pre-hearing statement and serve copies on other parties, or the attorneys of parties who are represented by counsel, at least four business days in advance of a scheduled hearing, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date. The statement must be filed at the Division's Santa Fe office or electronically submitted to [ocd.hearings@state.nm.us](mailto:ocd.hearings@state.nm.us) and should include: the names of the parties and their attorneys, a concise statement of the case, the names of all witnesses the party will call to testify at the hearing, the approximate time the party will need to present its case, and identification of any procedural matters that are to be resolved prior to the hearing.

Please do not hesitate to contact me if you have any questions about this matter.

Sincerely,

/s/ Dana S. Hardy

Dana S. Hardy

Enclosure

Spur Energy Partners, LLC  
 Case No. 22737  
 Exhibit B-1

PO BOX 10  
 ROSWELL, NEW MEXICO 88202  
 575-622-6510  
 (FAX) 575-623-9332

PO BOX 2068  
 SANTA FE, NEW MEXICO 87504  
 505-982-4554  
 (FAX) 505-982-8623

7601 JEFFERSON ST NE • SUITE 180  
 ALBUQUERQUE, NEW MEXICO 87109  
 505-858-8320  
 (FAX) 505-858-8321

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

APPLICATION OF SPUR ENERGY  
PARTNERS, LLC TO POOL ADDITIONAL  
INTEREST OWNERS UNDER ORDER NO.  
R-22049, EDDY COUNTY, NEW MEXICO

Case No. 22737

NOTICE LETTERS

<b>PARTY</b>	<b>NOTICE LETTER SENT</b>	<b>RETURN RECEIVED</b>
Kerr-McGee Oil & Gas Onshore LP 1201 Lake Robbins Dr. The Woodlands, TX 77380	04/07/22	Picked up at facility 4/12/22
Occidental Permian Limited Partnership 5 Greenway Plaza, Ste. 110 Houston, TX 77046	04/06/22	04/18/22
Tinian Oil and Gas, LLC P.O. Box 1000 Artesia, NM 88211	04/06/22	4/26/22 Return to Sender Undeliverable
The Wright Company P.O. Box 752 Stanton, TX 79782	04/06/22	No response

Spur Energy Partners, LLC  
Case No. 22737  
Exhibit B-2

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Certified Mail Fee \$ \_\_\_\_\_

Extra Services & Fees (check box, add fees as appropriate)

Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

Total Postage and Fees \$ \_\_\_\_\_

Sent To  
 Occidental Permian Limited Partnership  
 5 Greenway Plaza, Ste. 110  
 Houston, TX 77046

City, State, & ZIP+4® \_\_\_\_\_

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 0950 0002 0365 6996

SANTA FE MAIN POST OFFICE  
 APR 06 2022  
 875-7-2900

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>[Signature]</i> C. Date of Delivery <i>[Signature]</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes        If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Occidental Permian Limited Partnership          5 Greenway Plaza, Ste. 110          Houston, TX 77046</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>9590 9402 5760 0003 2678 11</p> <p>7021 0950 0002 0365 6996</p>	<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>

7021 0950 0002 0365 7009

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Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

Total Postage and Fees \$ \_\_\_\_\_

Sent To \_\_\_\_\_

Street and Apt \_\_\_\_\_  
 P.O. Box 1000  
 Artesia, NM 88211

City, State, ZIP \_\_\_\_\_

PS Form 3800, April 2019 PSN 7530-02-000-9047 See Reverse for Instructions

SANTA FE MAIL POST OFFICE  
 APR 06 2022  
 87501-9008

**HINKLE SHA... LLP**  
 ATTORNEYS AT LAW  
 POST OFFICE BOX 2068  
 SANTA FE, NEW MEXICO 87504

**CERTIFIED MAIL**

TOP OF ENVELOPE TO BE OPENED FIRST. FOLD AT POSTAGE

7021 0950 0002 0365 7009

2902405 LN

FIRST-CLASS

US POSTAGE IMIPITHEY BOWES

ZIP 87501 \$ 007.33<sup>0</sup>  
 02 7H  
 0006052409 APR 06 2022

Tinian Oil and Gas, LLC  
 P.O. Box 1000  
 Artesia, NM 88211

NIXIE 750 FE 1 0004/11/22

RETURN TO SENDER  
 NOT DELIVERABLE AS ADDRESSEE  
 UNABLE TO FORWARD

BC: 87504206868 \*2182-01932-11-42

7021 0950 0002 0364 5419

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage  
 \$

**Total Postage and Fees**  
 \$

Sent To  
 Street and Apt Kerr-McGee Oil & Gas Onshore L.P.  
 1201 Lake Robbins Dr.  
 The Woodlands, TX 77380  
 City, State, Zip

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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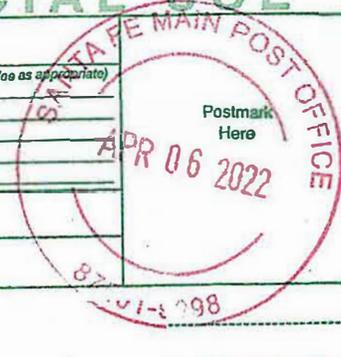
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage  
 \$

**Total Postage and Fees**  
 \$

Sent To  
 Street and Apt The Wright Company  
 P.O. Box 752  
 Stanton, TX 79782  
 City, State, Zip

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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## **Delivered, Individual Picked Up at Postal Facility**

April 12, 2022 at 11:48 am  
SPRING, TX 77387

Feedback

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**Text & Email Updates** 

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**Tracking History** 

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## FAQs

Feedback

# Carlsbad Current Argus.

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## Affidavit of Publication

Ad # 0005219102

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HINKLE SHANOR LLP  
218 MONTEZUMA

SANTA FE, NM 87501

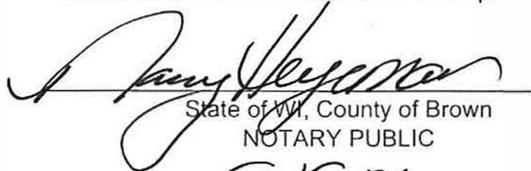
I, a legal clerk of the Carlsbad Current Argus, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements 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:

04/19/2022



Legal Clerk

Subscribed and sworn before me this April 19, 2022:



State of WI, County of Brown  
NOTARY PUBLIC



My commission expires

This is to notify all interested parties, including Kerr-McGee Oil & Gas Onshore LP; Occidental Permian Limited Partnership; Tinian Oil & Gas, LLC; The Wright Company; and their successors and assigns, that the New Mexico Oil Conservation Division will conduct a hearing on an application submitted by Spur Energy Partners, LLC (Case No. 22737). 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 May 5, 2022 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>. Applicant applies for an order pooling additional interest owners under the terms of Division Order No. R-22060. On March 9, 2022, the Division issued Order No. R-22060 in Case No. 22532, which pooled uncommitted interests from a depth of approximately 4,000' to the base of the Yeso formation (Artesia; Glorieta-Yeso Pool, Code 96830) in a 320-acre, more or less, standard horizontal spacing unit ("Unit") comprised of the N/2 S/2 and S/2 N/2 of Section 27, Township 17 South, Range 28 East in Eddy County, New Mexico. The Order dedicated the Unit to the Halberd 27 State Com 50H well, Halberd State Com 51H well, and Halberd 27 State Com 71H well ("Wells") and designated Spur as operator of the Unit and the Wells. Since entry of the Order, Spur has identified additional interest owners in the Unit that should be pooled under the terms of the Order. The Wells are located approximately 10 miles west of Loco Hills, New Mexico. #5219102, Current Argus, April 19, 2022

Ad # 0005219102  
PO #: 5219102  
# of Affidavits 1

This is not an invoice

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

Spur Energy Partners, LLC  
Case No. 22736  
Exhibit B-3