

# Additional Information

Notice of extension  
Correspondence 5/3/21

## Lamkin, Baylen, EMNRD

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**From:** ben sosconsulting.us <ben@sosconsulting.us>  
**Sent:** Monday, May 3, 2021 9:15 AM  
**To:** Engineer, OCD, EMNRD; Lamkin, Baylen, EMNRD  
**Cc:** Rene Hope; Donnie Mathews; nmoil@aol.com  
**Subject:** [EXT] Notice for Ray Westall's Saguaro SWD - old SWD permit extension request...  
**Attachments:** Ray Westall-Notice-Saguaro-WPX-Devon\_20210503.pdf

Good morning,

Recently, I've been trying to update information regarding 3 of Ray Westall's extension requests that have become quite old. The DHY A and DHY B were done and you guys acknowledged that those are back in progress.

This one is regarding the Saguaro SWD and the AOR review revealed that the lease for the surface location had changed to WPX. Subsequent to that acquisition, WPX merged (to include this lease) with Devon. I began communicating w/ WPX on March 23<sup>rd</sup>. My initial contact, Lorri Kline got me in touch with Tanner Tepe. Several emails were exchanged in the process with the last contact from Tanner on April 19<sup>th</sup> – to which I replied on April 23<sup>rd</sup>. As of today, I haven't heard back however; I believe OCD's mandate for notification has been fulfilled. I would note that all the operators have been notified including Mewbourne which gave its consent to the extension a few weeks prior to this email.

I've attached a document that effectively captures the exchange between myself and WPX/ Devon. As they are the lessee and have now been aware of this permit extension request for several weeks, I would request that the extension be granted as soon as possible. (I excerpted several pages that were voluminous redundancies!! Still, I believe it fully discloses my attempts to get WPX/ Devon consent.)

Ray Westall Operating is waiting for OCD approval so that we may then notify the State Land Office so that the applicable SWD easements may also be issued.

Please let me know if you have other questions OR that you are in receipt of all that is needed for processing to continue.

Thank you,  
Ben



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**From:** Tepe, Tanner <Tanner.Tepe@dvn.com>  
**Sent:** Friday, April 23, 2021 1:46 PM  
**To:** ben sosconsulting.us  
**Subject:** Read: [EXTERNAL] SWD waiver question, Eddy County, NM  
**Attachments:** Read: [EXTERNAL] SWD waiver question, Eddy County, NM

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**From:** ben sosconsulting.us  
**Sent:** Friday, April 23, 2021 1:41 PM  
**To:** Tepe, Tanner  
**Cc:** Bennett, Andy  
**Subject:** RE: [EXTERNAL] SWD waiver question, Eddy County, NM  
**Attachments:** 013b\_List-InterestParties\_Saguaro\_20170420.pdf

Hi Tanner,

I've [attached a list of affected parties](#) that were notified as part of the original application.

Yes, this is an odd situation – the permit was issued and all notice is complete. I believe it still is – the only reason I made contact at all was because of the change in lessees. But again, technically, unless WPX or Devon was/ is operating out there, we would not have been required to either entity as the notice to operators suffices for the effort as required by NMOCD rules and regs.

So, unless WPX or Devon has some concern that would cause them to protest the existing permit, I would like to advise OCD that notice is complete.

Just hoping to have everyone's consent per OCD's request to reach out and advise you of the request to extend the permit date.

Thanks again for your attention to the matter,

Ben



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---

**From:** Tepe, Tanner <Tanner.Tepe@dvn.com>  
**Sent:** Monday, April 19, 2021 9:48 AM  
**To:** ben sosconsulting.us <ben@sosconsulting.us>  
**Cc:** Bennett, Andy <Andy.Bennett@dvn.com>  
**Subject:** RE: [EXTERNAL] SWD waiver question, Eddy County, NM

Do you know if Devon was historically noticed on this? They very well could have been, but just wanted to confirm.

This is kind of an unique situation with both WPX (record title interest) and DVN (~150 NA in N/2) having interest within section 28.

Thanks,

Tanner

---

**From:** ben sosconsulting.us <[ben@sosconsulting.us](mailto:ben@sosconsulting.us)>  
**Sent:** Friday, April 16, 2021 11:33 AM

**Subject:** RE: [EXTERNAL] SWD waiver question, Eddy County, NM

Any response on this? As I mentioned, technically Ray Westall has complied w/ notification but, without knowing what tracts WPX holds operating rights, I just thought it would be helpful if OCD understood that WPX/ Devon has been notified as well. I would note that all the small operators have been notified including Finney, Sandlott and Robert Forrest. As stated earlier, Mewbourne has indicated their consent via email to OCD.

[illegible]

Ben

  
  
**SOS Consulting, LLC**  
Ph. 903.488.9850 Fax 866.400.7628  
P.O. Box 300 - Como, TX 75431

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In NM, within one-half mile radius of a proposed SWD, an applicant is required to notify the 1) surface owner, 2) operator of record and 3) the lessee in the absence of an operator.

So, technically, we're probably covered. This one is a little odd as the permit had already been issued in 2017. All my client was doing was requesting an extension for the expiration date back in 2018. That request was made however; NM got a little crazy for a while with the huge influx of SWD applications, state gov administration changing and new and changing personnel at the Oil Conservation Division. Through all that, OCD apparently misplaced the request (I furnished proof to them) AND, it was taking them 2 years or more to get new permits out. Anyway, I inquired recently about the status of the original request and that's how we got here – trying to get a ONE year extension on a permit that technically expired over 2 years ago! OCD accepted that it was their administrative process that bogged down and asked me to conduct a new review of the 'Area-of-Review', AOR. I did that and saw that WPX acquired the subject lease some time during those years.

Mewbourne has already given me their consent so I'm probably covered. **But, since I've pulled you in and taken this much of your time (!)** it would probably help expedite my client's extension if you quickly emailed your consent to OCD OR, that you have been notified of the project and extension request and do not have an issue with it – or something to that effect. That would help verify to OCD that I've done due diligence on my end to 'refresh' the request of extension of the SWD permit.

OCD can be notified via email at [ocd.engineer@state.nm.us](mailto:ocd.engineer@state.nm.us) Attn: Baylen Lamkin and Dylan Rose-Coss. Re: Ray Westall Operating's Saguaro SWD #1 (SWD-1674) extension request.

Whatever short statement you can offer (consent and/or notification acceptance) is fine – actually great with me!

Thanks so much for everyone's time! (And apologies for the goofiness of the whole thing!) Please let me know if you have any other questions or comments.

Best regards,  
Ben



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**From:** Tepe, Tanner <[Tanner.Tepe@dvn.com](mailto:Tanner.Tepe@dvn.com)>  
**Sent:** Tuesday, April 13, 2021 12:28 PM  
**To:** ben sosconsulting.us <[ben@sosconsulting.us](mailto:ben@sosconsulting.us)>  
**Cc:** Kline, Lorri <[Lorri.Kline@dvn.com](mailto:Lorri.Kline@dvn.com)>; Bennett, Andy <[Andy.Bennett@dvn.com](mailto:Andy.Bennett@dvn.com)>  
**Subject:** RE: [EXTERNAL] SWD waiver question, Eddy County, NM

Ben,

Apologies on the late response here. I did do some research on this item yesterday and I see what appears to be that WPX assigned their operating rights to Mewbourne in 28-18S-R28E on 5/1/2017. I did double check the state website and it appears WPX is still a record title owner on the Martin Yates lease for certain tracts within section 28, as well as a couple of surrounding sections.

I'm fairly unfamiliar with the NM SWD permitting process admittedly – What parties do you need a waiver from? Both record title owners and operating rights owners in the section that you're permitting the SWD?

Thanks, and feel free to give me a call on my cell at (918) 240-7832.

Tanner Tepe

**From:** ben sosconsulting.us  
**Sent:** Monday, April 19, 2021 12:10 PM  
**To:** Tepe, Tanner  
**Cc:** Bennett, Andy  
**Subject:** Re: [EXTERNAL] SWD waiver question, Eddy County, NM

Hi Tanner,

I don't believe Decon was noticed, just the operators. The only reason this came up is that it was the only significant change in the AOR.

Out of town for a few days so will verify back to you by end of week.

Thanks  
Ben

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone  
Get [Outlook for Android](#)

---

**From:** Tepe, Tanner <Tanner.Tepe@dvn.com>  
**Sent:** Monday, April 19, 2021 9:48:09 AM  
**To:** ben sosconsulting.us <ben@sosconsulting.us>  
**Cc:** Bennett, Andy <Andy.Bennett@dvn.com>  
**Subject:** RE: [EXTERNAL] SWD waiver question, Eddy County, NM



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Thanks,

Tanner

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**Sent:** Friday, April 16, 2021 11:33 AM



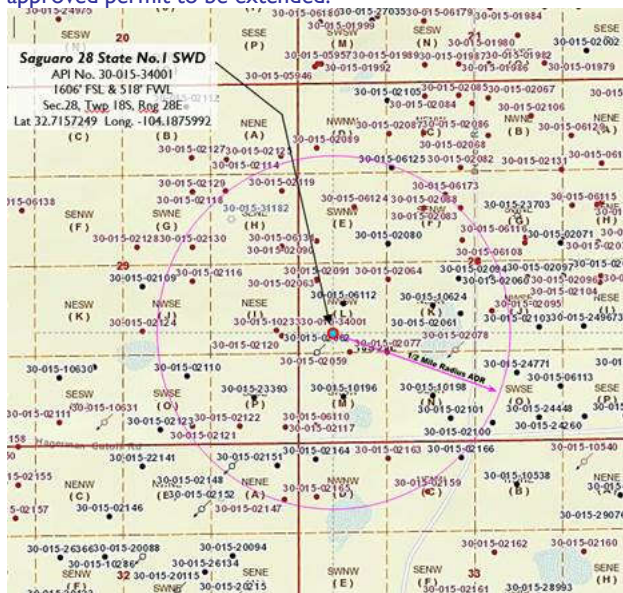


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**Subject:** RE: [EXTERNAL] SWD waiver question, Eddy County, NM

Tanner,

Any response on this? As I mentioned, technically Ray Westall has complied w/ notification but, without knowing what tracts WPX holds operating rights, I just thought it would be helpful if OCD understood that WPX/ Devon has been notified as well. I would note that all the small operators have been notified including Finney, Sandlott and Robert Forrest. As stated earlier, Mewbourne has indicated their consent via email to OCD.

If WPX has operating rights within the illustrated AOR below, and I assume they do, I need to get your approval/ consent to OCD for the subject approved permit to be extended.



Have a good weekend and,  
Thanks for your time!  
Ben



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**From:** ben sosconsulting.us  
**Sent:** Tuesday, April 13, 2021 1:24 PM  
**To:** Tepe, Tanner <Tanner.Tepe@dv.com>  
**Cc:** Kline, Lorri <Lorri.Kline@dv.com>; Bennett, Andy <Andy.Bennett@dv.com>  
**Subject:** RE: [EXTERNAL] SWD waiver question, Eddy County, NM

Hello Tanner,

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**Sent:** Tuesday, April 13, 2021 12:28 PM  
**To:** ben sosconsulting.us <ben@sosconsulting.us>

**Cc:** Kline, Lorri <Lorri.Kline@dvn.com>; Bennett, Andy <Andy.Bennett@dvn.com>

**Subject:** RE: [EXTERNAL] SWD waiver question, Eddy County, NM

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I'm fairly unfamiliar with the NM SWD permitting process admittedly – What parties do you need a waiver from? Both record title owners and operating rights owners in the section that you're permitting the SWD?

Thanks, and feel free to give me a call on my cell at (918) 240-7832.

Tanner Tepe  
Land Analysis Professional  
Cell: (918) 240-7832  
[Tanner.Tepe@dvn.com](mailto:Tanner.Tepe@dvn.com)



Devon - General

---

**From:** ben sosconsulting.us <[ben@sosconsulting.us](mailto:ben@sosconsulting.us)>  
**Sent:** Tuesday, April 13, 2021 11:24 AM  
**To:** Tepe, Tanner <[Tanner.Tepe@dvn.com](mailto:Tanner.Tepe@dvn.com)>  
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**Subject:** RE: [EXTERNAL] SWD waiver question, Eddy County, NM

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Any update on this request?

Thanks so much,  
Ben



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---

**From:** Kline, Lorri <[Lorri.Kline@dvn.com](mailto:Lorri.Kline@dvn.com)>  
**Sent:** Monday, April 05, 2021 8:44 AM



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Land Analysis Professional  
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Tanner.Tepe@dvn.com



---

Devon - General

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**Sent:** Tuesday, April 13, 2021 11:24 AM  
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Good morning Tanner,

Any update on this request?

Thanks so much,  
Ben

years, WPX also took over the subject state lease – meaning that now, WPX needs to be notified and approving of the activity AND, I missed that change.

So, you're probably not the person I need to visit with but I'm hoping you can put me in touch with whomever that may be. I've attached the request package and can supply whatever additional info WPX staff may need to review the situation.

As I mentioned, we actually had the SWD permit on this but were delaying by the extensive regulatory processing in NM for whatever reason. IF we can get a waiver from WPX, that would help expedite the situation and RWO can move forward with the recompletion to SWD. If all's good, I can write the waiver up and get it sent.

Please let me know if you can help!

Thanks so much,  
Ben



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**From:** Kline, Lorri <Lorri.Kline@dvn.com>  
**Sent:** Monday, April 05, 2021 8:44 AM  
**To:** ben sosconsulting.us <ben@sosconsulting.us>  
**Cc:** Tepe, Tanner <Tanner.Tepe@dvn.com>  
**Subject:** FW: [EXTERNAL] SWD waiver question, Eddy County, NM

Good morning Ben,

Your contact will be Tanner Tepe (cc'd in this email). He will research and plans to get back to you this week.

Have a great week!

***Please note that my new email address is [lorri.kline@dvn.com](mailto:lorri.kline@dvn.com). All emails sent to the WPX Energy email will be automatically forwarded for a period of time.***

## **Lorri Kline**

Regulatory Compliance Associate  
333 West Sheridan Avenue  
Oklahoma City, OK 73102-5015  
405-228-2806 Office  
918-500-3828 Cell



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**From:** ben sosconsulting.us <[ben@sosconsulting.us](mailto:ben@sosconsulting.us)>  
**Sent:** Wednesday, March 31, 2021 10:19 AM  
**To:** Kline, Lorri <[Lorri.Kline@dvn.com](mailto:Lorri.Kline@dvn.com)>  
**Subject:** RE: [EXTERNAL] SWD waiver question, Eddy County, NM

Good morning Lorri,

Just touching base...

Thank you!  
Ben



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**Sent:** Tuesday, March 23, 2021 4:04 PM  
**To:** ben sosconsulting.us <[ben@sosconsulting.us](mailto:ben@sosconsulting.us)>  
**Subject:** RE: [EXTERNAL] SWD waiver question, Eddy County, NM

Good Day Ben,

I'm making a few inquiries as to the appropriate contact for this situation.

If you don't hear from us within the next 48 hours, please feel free to reach back out to me.

***Please note that my new email address is [lorri.kline@dvn.com](mailto:lorri.kline@dvn.com). All emails sent to the WPX Energy email will be automatically forwarded for a period of time.***

## Lorri Kline

Regulatory Compliance Associate  
333 West Sheridan Avenue  
Oklahoma City, OK 73102-5015  
405-228-2806 Office  
918-500-3828 Cell



If you have received this message in error, please reply to advise the sender of the error and then immediately delete this message.

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**From:** ben sosconsulting.us <[ben@sosconsulting.us](mailto:ben@sosconsulting.us)>  
**Sent:** Tuesday, March 23, 2021 3:10 PM  
**To:** [lorri.kline@wpxenergy.com](mailto:lorri.kline@wpxenergy.com)  
**Subject:** [EXTERNAL] SWD waiver question, Eddy County, NM