

Protested

NSL

Correspondence

**From:** [Lowe, Leonard, EMNRD](#)  
**To:** ["Kyle Perkins"](#)  
**Subject:** RE: [EXTERNAL] RE: Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22  
**Date:** Wednesday, August 24, 2022 3:27:00 PM

---

Mr. Perkins,

Thank you for the updated information. The OCD will remove this application from any further processing and will keep for record.

**Leonard R. Lowe**

Engineering Bureau  
OCD - EMNRD  
5200 Oakland Ave. NE  
Albuquerque, N.M. 87113  
C: 505-930-6717  
<http://www.emnrd.state.nm.us/ocd/>

---

**From:** Kyle Perkins <KPerkins@matadorresources.com>  
**Sent:** Wednesday, August 24, 2022 3:16 PM  
**To:** Lowe, Leonard, EMNRD <Leonard.Lowe@state.nm.us>  
**Subject:** RE: [EXTERNAL] RE: Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22

Mr. Lowe,

Thank you for your email. Matador would like to dismiss its application. Based on recent additional technical data received, we think the preferred bottom hole location may move a bit, so we will re-file with the final bottom hole location and then address any protests, if any, to the new application in the future. Thank you again.

---

**From:** Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)>  
**Sent:** Wednesday, August 24, 2022 12:22 PM  
**To:** Kyle Perkins <[KPerkins@matadorresources.com](mailto:KPerkins@matadorresources.com)>  
**Subject:** RE: [EXTERNAL] RE: Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22

**\*\*EXTERNAL EMAIL \*\***

Mr. Kyle Perkins,

Good afternoon,

Is there any update on the NSL application protest?

Please update the OCD.

Thank you,

**Leonard R. Lowe**

Engineering Bureau

OCD - EMNRD

5200 Oakland Ave. NE

Albuquerque, N.M. 87113

C: 505-930-6717

<http://www.emnrd.state.nm.us/oed/>

---

**From:** Kyle Perkins <[kperkins@matadorresources.com](mailto:kperkins@matadorresources.com)>**Sent:** Thursday, July 21, 2022 10:35 AM**To:** Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)>**Cc:** [wjomullins@yahoo.com](mailto:wjomullins@yahoo.com); David Johns <[djohns@matadorresources.com](mailto:djohns@matadorresources.com)>**Subject:** [EXTERNAL] RE: Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Mr. Lowe,

We are still in discussions with Mr. Mullins regarding potentially resolving this protest by agreement. We have not reached an agreement yet, but are hopeful we will be able to do so.

Would we be able to extend our response date another 30 days until 8/22/22 before setting this for hearing to allow more time for discussions? If not, Matador would like to set the protest for hearing and will follow up if we are able to resolve the protest and revert back to proceeding for administrative approval.

Best regards,

**Kyle Perkins**

**Vice President & Assistant General Counsel**

**Regulatory and Operational Matters**

**Matador Resources Company**

**5400 LBJ Freeway, Suite 1500**

**Dallas, TX 75240**

**(972) 371-5202 (office)**

**[kperkins@matadorresources.com](mailto:kperkins@matadorresources.com)**



---

**From:** Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)>

**Sent:** Wednesday, June 22, 2022 5:28 PM

**To:** Kyle Perkins <[KPerkins@matadorresources.com](mailto:KPerkins@matadorresources.com)>

**Cc:** [wjomullins@yahoo.com](mailto:wjomullins@yahoo.com)

**Subject:** Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22

**Importance:** High

**\*\*EXTERNAL EMAIL\*\***

Mr. Kyle Perkins,

Re: Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22

The OCD was notified that **Attorney for Delia S. Crossley** has protested your application for approval of a Non Standard Location request of the above subject well. This party has been identified as an affected person for their specific location.

Therefore, you are being notified that if **Matador Production Company** wishes for this application to be considered, it must either go to hearing or may be reviewed administratively, if the protest is withdrawn as a result of a negotiated resolution with this party.

The NSL applications will be retained by OCD, but suspended from further administrative review.

Please contact the OCD once a decision regarding this application is determined within the next 30 days. **If no update is given by the 30 day date, the applications will be canceled.**

06/22/22, notice date

07/22/22, 30 day concludes

Protestant contact information:

W.J.O. Mullins  
Attorney-In-Fact for Delia S. Crossley  
P.O. Box 170  
Luling, TX 78648  
Phone: 214-526-8600  
e-mail: [wjomullins@yahoo.com](mailto:wjomullins@yahoo.com)

Please call/e-mail me with any questions regarding this matter.

**Leonard R. Lowe**

Engineering Bureau  
OCD - EMNRD  
5200 Oakland Ave. NE  
Albuquerque, N.M. 87113  
C: 505-930-6717  
<http://www.emnrd.state.nm.us/ocd/>

---

**From:** Wendell Mullins <[wjomullins@yahoo.com](mailto:wjomullins@yahoo.com)>

**Sent:** Wednesday, June 22, 2022 3:49 PM

**To:** Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)>

**Subject:** [EXTERNAL] Protest - Non-Standard Location Application for B. Byerly 08-17s-38E #1

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Mr. Lowe,

Please see attached.

Wendell

**This message is strictly confidential and is for the sole use of the intended recipient. If you are not the intended recipient of this message, you may not disclose, print, copy, disseminate or otherwise use this message or the information included herein. If you are not the intended recipient, please reply and notify the sender (only) and promptly delete the message.**

**From:** [Wendell Mullins](#)  
**To:** [Lowe, Leonard, EMNRD](#); [Kyle Perkins](#)  
**Cc:** [David Johns](#)  
**Subject:** [EXTERNAL] Re: Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22  
**Date:** Thursday, July 21, 2022 10:44:20 AM

---

**CAUTION:** This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Mr. Perkins,

We agree with Mr. Perkins' request for an extension. It has been difficult to communicate effectively as I have been in Pecos on location and have had limited cell and data coverage.

Wendell

On Thursday, July 21, 2022 at 11:34:55 AM CDT, Kyle Perkins <kperkins@matadorresources.com> wrote:

Mr. Lowe,

We are still in discussions with Mr. Mullins regarding potentially resolving this protest by agreement. We have not reached an agreement yet, but are hopeful we will be able to do so.

Would we be able to extend our response date another 30 days until 8/22/22 before setting this for hearing to allow more time for discussions? If not, Matador would like to set the protest for hearing and will follow up if we are able to resolve the protest and revert back to proceeding for administrative approval.

Best regards,

**Kyle Perkins**

**Vice President & Assistant General Counsel**

**Regulatory and Operational Matters**

**Matador Resources Company**

**5400 LBJ Freeway, Suite 1500**

**Dallas, TX 75240**

(972) 371-5202 (office)

[kperkins@matadorresources.com](mailto:kperkins@matadorresources.com)



---

**From:** Lowe, Leonard, EMNRD <Leonard.Lowe@state.nm.us>  
**Sent:** Wednesday, June 22, 2022 5:28 PM  
**To:** Kyle Perkins <KPerkins@matadorresources.com>  
**Cc:** wjomullins@yahoo.com  
**Subject:** Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22  
**Importance:** High

**\*\*EXTERNAL EMAIL\*\***

Mr. Kyle Perkins,

Re: Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22

The OCD was notified that **Attorney for Delia S. Crossley** has protested your application for approval of a Non Standard Location request of the above subject well. This party has been identified as an affected person for their specific location.

Therefore, you are being notified that if **Matador Production Company** wishes for this application to be considered, it must either go to hearing or may be reviewed administratively, if the protest is withdrawn as a result of a negotiated resolution with this party.

The NSL applications will be retained by OCD, but suspended from further administrative review.

Please contact the OCD once a decision regarding this application is determined within the next 30 days. **If no update is given by the 30 day date, the applications will be canceled.**



06/22/22, notice date

07/22/22, 30 day concludes

Protestant contact information:

W.J.O. Mullins

Attorney-In-Fact for Delia S. Crossley

P.O. Box 170

Luling, TX 78648

Phone: 214-526-8600

e-mail: [wjomullins@yahoo.com](mailto:wjomullins@yahoo.com)

Please call/e-mail me with any questions regarding this matter.

**Leonard R. Lowe**

Engineering Bureau

OCD - EMNRD

5200 Oakland Ave. NE

Albuquerque, N.M. 87113

C: 505-930-6717

<http://www.emnrd.state.nm.us/oed/>

---

**From:** Wendell Mullins <[wjomullins@yahoo.com](mailto:wjomullins@yahoo.com)>

**Sent:** Wednesday, June 22, 2022 3:49 PM

**To:** Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)>

**Subject:** [EXTERNAL] Protest - Non-Standard Location Application for B. Byerly 08-17s-38E #1

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Mr. Lowe,



**From:** [Kyle Perkins](#)  
**To:** [Lowe, Leonard, EMNRD](#)  
**Cc:** [wjomullins@yahoo.com](mailto:wjomullins@yahoo.com); [David Johns](#)  
**Subject:** [EXTERNAL] RE: Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22  
**Date:** Thursday, July 21, 2022 10:34:59 AM

---

**CAUTION:** This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Mr. Lowe,

We are still in discussions with Mr. Mullins regarding potentially resolving this protest by agreement. We have not reached an agreement yet, but are hopeful we will be able to do so.

Would we be able to extend our response date another 30 days until 8/22/22 before setting this for hearing to allow more time for discussions? If not, Matador would like to set the protest for hearing and will follow up if we are able to resolve the protest and revert back to proceeding for administrative approval.

Best regards,

**Kyle Perkins**  
**Vice President & Assistant General Counsel**  
**Regulatory and Operational Matters**

**Matador Resources Company**  
**5400 LBJ Freeway, Suite 1500**  
**Dallas, TX 75240**  
**(972) 371-5202 (office)**  
[kperkins@matadorresources.com](mailto:kperkins@matadorresources.com)



---

**From:** Lowe, Leonard, EMNRD <Leonard.Lowe@state.nm.us>  
**Sent:** Wednesday, June 22, 2022 5:28 PM  
**To:** Kyle Perkins <KPerkins@matadorresources.com>  
**Cc:** [wjomullins@yahoo.com](mailto:wjomullins@yahoo.com)  
**Subject:** Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22  
**Importance:** High

**\*\*EXTERNAL EMAIL\*\***

Mr. Kyle Perkins,

Re: Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22

The OCD was notified that **Attorney for Delia S. Crossley** has protested your application for approval of a Non Standard Location request of the above subject well. This party has been identified as an affected person for their specific location.

Therefore, you are being notified that if **Matador Production Company** wishes for this application to be considered, it must either go to hearing or may be reviewed administratively, if the protest is withdrawn as a result of a negotiated resolution with this party.

The NSL applications will be retained by OCD, but suspended from further administrative review.

Please contact the OCD once a decision regarding this application is determined within the next 30 days. **If no update is given by the 30 day date, the applications will be canceled.**

06/22/22, notice date

07/22/22, 30 day concludes

Protestant contact information:

W.J.O. Mullins  
Attorney-In-Fact for Delia S. Crossley  
P.O. Box 170  
Luling, TX 78648  
Phone: 214-526-8600  
e-mail: [wjomullins@yahoo.com](mailto:wjomullins@yahoo.com)

Please call/e-mail me with any questions regarding this matter.

**Leonard R. Lowe**

Engineering Bureau  
OCD - EMNRD  
5200 Oakland Ave. NE  
Albuquerque, N.M. 87113  
C: 505-930-6717  
<http://www.emnrd.state.nm.us/oed/>

---

**From:** Wendell Mullins <[wjomullins@yahoo.com](mailto:wjomullins@yahoo.com)>  
**Sent:** Wednesday, June 22, 2022 3:49 PM  
**To:** Lowe, Leonard, EMNRD <[Leonard.Lowe@state.nm.us](mailto:Leonard.Lowe@state.nm.us)>  
**Subject:** [EXTERNAL] Protest - Non-Standard Location Application for B. Byerley 08-17s-38E #1

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Mr. Lowe,

Please see attached.

Wendell

**From:** [Lowe, Leonard, EMNRD](#)  
**To:** [Kyle Perkins](#)  
**Cc:** [wjomullins@yahoo.com](mailto:wjomullins@yahoo.com)  
**Bcc:** [Wrinkle, Justin, EMNRD](#)  
**Subject:** Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22  
**Date:** Wednesday, June 22, 2022 4:27:00 PM  
**Attachments:** [Protest Letter Matador Byerly well 1 06.22.22.pdf](#)  
**Importance:** High

---

Mr. Kyle Perkins,

Re: Matador Production Company's B. Byerley 08 17S 38E Well No. 1, Non Standard Location Administrative Application, Protest Date: 06/22/22

The OCD was notified that **Attorney for Delia S. Crossley** has protested your application for approval of a Non Standard Location request of the above subject well. This party has been identified as an affected person for their specific location.

Therefore, you are being notified that if **Matador Production Company** wishes for this application to be considered, it must either go to hearing or may be reviewed administratively, if the protest is withdrawn as a result of a negotiated resolution with this party.

The NSL applications will be retained by OCD, but suspended from further administrative review.

Please contact the OCD once a decision regarding this application is determined within the next 30 days. **If no update is given by the 30 day date, the applications will be canceled.**

06/22/22, notice date

07/22/22, 30 day concludes

Protestant contact information:

W.J.O. Mullins  
Attorney-In-Fact for Delia S. Crossley  
P.O. Box 170  
Luling, TX 78648  
Phone: 214-526-8600  
e-mail: [wjomullins@yahoo.com](mailto:wjomullins@yahoo.com)

Please call/e-mail me with any questions regarding this matter.

**Leonard R. Lowe**

Engineering Bureau  
OCD - EMNRD  
5200 Oakland Ave. NE  
Albuquerque, N.M. 87113  
C: 505-930-6717  
<http://www.emnrd.state.nm.us/ocd/>

---

**From:** Wendell Mullins <[wjomullins@yahoo.com](mailto:wjomullins@yahoo.com)>  
**Sent:** Wednesday, June 22, 2022 3:49 PM

**To:** Lowe, Leonard, EMNRD <Leonard.Lowe@state.nm.us>

**Subject:** [EXTERNAL] Protest - Non-Standard Location Application for B. Byerly 08-17s-38E #1

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Mr. Lowe,

Please see attached.

Wendell

**W. J. O. Mullins**

P.O. Box 170  
Luling, TX 78648

Tel. - 214.526.8600

Fax - 214.988.5776

wjomullins@yahoo.com

June 6, 2022

**Mr. Leonard Lowe**  
**Engineering Bureau**  
**NEW MEXICO OIL CONSERVATION DIVISION**  
**1220 South St. Francis Drive**  
**Sante Fe, New Mexico 87505**

**Re: B. Byerly 08-17S-38E, Well #1: Request for Variance/  
Admin. Approval - Non-Standard Location**

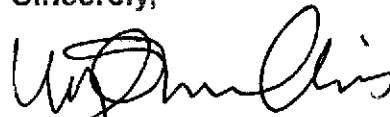
**Dear Mr. Lowe:**

I hold power of attorney for mineral matters for Delia S. Crossley. Mrs. Crossley is an owner of a mineral interest in the mineral adjacent to those upon which Matador wishes to drill the above-referenced well. We are in receipt of the notice of application made by Matador Production on June 16, 2022 as well as the actual application they have submitted.

Mrs. Crossley does not agree with the need or logic supporting this application and is concerned about encroachment on her mineral. Per our conversation today on the above-referenced matter, please accept this letter as our formal protest of application made by Matador in this regard.

Thank you for your attention to and assistance with this matter. Should require any further information to perfect Mrs. Crossley's protest as given above, please let me know.

**Sincerely,**



**W. J. O. Mullins**

*Attorney-In-Fact for Delia S. Crossley*

RECEIVED: 06/16/22	REVIEWER: LRL	TYPE: NSL	APP NO: pLEL2216845028
--------------------	---------------	-----------	------------------------

ABOVE THIS TABLE FOR OCD DIVISION USE ONLY

**NEW MEXICO OIL CONSERVATION DIVISION**  
 - Geological & Engineering Bureau -  
 1220 South St. Francis Drive, Santa Fe, NM 87505

**ADMINISTRATIVE APPLICATION CHECKLIST**

THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE

Applicant: Matador Production Company

OGRID Number: 228937

Well Name: B. Byerley 08-17S-38E #1

API: Pending

Pool: Humble City, drawn, South

Pool Code: 35500

**SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED BELOW**

1) **TYPE OF APPLICATION:** Check those which apply for [A]

A. Location - Spacing Unit - Simultaneous Dedication

☒ SL ☐ NSP (PROTECT AREA) ☐ SP (PRODUCTION UNIT) ☐ SD

Check one only for [I] or [II]

[I] Commingling - Storage - Measurement

☐ DHC ☐ CTB ☐ PLC ☐ PC ☐ OLS ☐ OLM

[II] Injection - Disposal - Pressure Increase - Enhanced Oil Recovery

☐ WFX ☐ PMX ☐ SWD ☐ IPI ☐ EOR ☐ PPR
2) **NOTIFICATION REQUIRED TO:** Check those which apply.A. ☒ Offset operators or lease holdersB. ☐ Royalty, overriding royalty owners, revenue ownersC. ☐ Application requires published noticeD. ☐ Notification and/or concurrent approval by SLOE. ☐ Notification and/or concurrent approval by BLMF. ☐ Surface ownerG. ☐ For all of the above, proof of notification or publication is attached, and/or,H. ☐ No notice required**FOR OCD ONLY**☐ Notice Complete
☐ Application  
 Content  
 Complete

3) **CERTIFICATION:** I hereby certify that the information submitted with this application for administrative approval is **accurate** and **complete** to the best of my knowledge. I also understand that **no action** will be taken on this application until the required information and notifications are submitted to the Division.

**Note:** Statement must be completed by an individual with managerial and/or supervisory capacity.

Kyle Perkins

Print or Type Name

Signature

6/16/22

Date

972-371-5202

Phone Number

Kperkins@matadorresources.com

e-mail Address