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

APPLICATION OF BACK NINE PROPERTIES LLC FOR A NON-STANDARD SPACING AND PRORATION UNIT, CHAVES COUNTY, NEW MEXICO

Case No. 15903

SELF-AFFIRMED STATEMENT OF DIANA MILLSAP

- 1. I am over 18 years of age and am competent to provide this Self-Affirmed Statement. I have personal knowledge of the matters addressed herein.
- 2. I am a Registered Professional Landman, and am employed as a landman at Back Nine Properties LLC ("Back Nine") in Dallas, Texas. My responsibilities include all land issues that pertain to Back Nine's New Mexico assets.
- 3. I've had direct involvement with Back Nine's development of the proposed 320-acre, non-standard spacing and proration unit (project area) comprising the W/2 of Section 32, Township 10 South, Range 28 East in Chaves County.
- 4. Back Nine seeks to develop the San Andres formation in the proposed project area.

 There are no depth exceptions in the San Andres within the project area.
- 5. Back Nine has 93.75% of the acreage in the proposed project area under lease. Chisos, Ltd. is the mineral interest owner of the remaining 6.25% of the acreage in the project area, and has elected to join the Oakmount #5H well that Back Nine intends to drill.

OCD Case No. 15903

BACK NINE PROPERTIES

Exhibit #1

6. I identified twelve (12) offset interests entitled to receive notice of the hearing on Back Nine's application. Under my direction, Back Nine's counsel timely sent hearing notice letters to each of the offset interests and has received return cards for all of the offset interests except Dwight A. Tipton. Attached as Exhibit A are a listing of the offset interests and true and correct copies of an example of the identical hearing notice letters sent to the offset interests and the return green cards that Back Nine's counsel has received.

7. I made a good faith effort to obtain a current address for Mr. Tipton. Back Nine's counsel sent a hearing notice letter to that address, but the USPS's records indicate that Mr. Tipton moved without leaving a forwarding address.

8. A notice of the hearing on Back Nine's application, which individually identifies each of the twelve (12) offset interests, was published in the Roswell Daily Record on November 21, 2017. Attached hereto as Exhibit B is a true and correct copy of the newspaper's Affidavit of Publication.

9. I understand that this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in Paragraphs 1-8 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.

Diana Millsap

12/20/17 Date

offset / adjoining 40-acre spacing (320-acre project area) W2 Sec 32-10S-28E, Chaves County, NM OAKMOUNT 5H

Name	<u>Attention:</u>	Address 1	City	State	<u>diZ</u>
34T Holding LLC		P O Box 11351	Midland	ĭ	79702
Black Shale Minerals, LLC	Mr. Andy Scott	P O Box 2243	Longview	¥	75606-2243
DK Boyd		P.O. Box 11351	Midland	¥	79702
Chisos, Ltd.	Mr. Roland Sledge	1331 Lamar Street, Suite 1075	Houston	¥	77010
Samedan Royalty LLC	Mr. Jim DeGraffenreid	1001 Noble Energy Way	Houston	ĭ	77070
Selma Andrews Perpetual Charitable Trust	Ms. Brenda Olsen	P O Box 830308	Dallas	ĭ	75283
Selma E Andrews Trust fbo Peggy Barrett	Ms. Brenda Olsen	P O Box 830308	Dallas	ĭ	75283
Spool Holding LLC		P O Box 11351	Midland	ĭ	79702
White Ranch Minerals, Ltd		601 Carlson Parkway, Suite 800	Minnetonka	Z S	55305
Winston Family LP, Elizabeth M.		601 Carlson Parkway, Suite 800	Minnetonka	Z S	55305
Winston Trust, U/W, Francisca S		601 Carlson Parkway, Suite 800	Minnetonka	Z	55305
Dwight A Tipton		P O Box 1025	Lovington	Σ	88260

Back Nine Properties, LLC
Antelope Prospect
Prepared by: D Millsap 11/14/2017

Exhibit **A**



HINKLE SHANOR LLP

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

November 16, 2017

WRITER

Gary W. Larson, Partner glarson@hinklelawfirm.com

VIA CERTIFIED MAIL

34T Holding LLC P.O. Box 11351 Midland, TX 79702

Re:

Back Nine Properties LLC NMOCD Application

Dear Sir or Madam:

Enclosed is a copy of an application for approval of a 320-acre, more or less, non-standard spacing and proration unit that Back Nine Properties LLC ("Back Nine") has filed with the New Mexico Oil Conservation Division ("the Division").

The proposed non-standard spacing and proration unit is comprised of the W/2 of Section 32 Township 10 South, Range 28 East, NMPM, Chaves County, New Mexico. The location of the proposed project area is orthodox. 34T Holding LLC's ("34T") interests are not being pooled, but as the owner of an interest in an offsetting tract, it is entitled to receive notice of Back Nine's application.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, December 21, 2017 in Porter Hall at the Division's offices located at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. 34T is not required to attend this hearing, but as an owner of an interest in an offset tract, it has the right to appear at the hearing and present testimony. If 34T does not appear at the hearing, it will be precluded from contesting the matter at a later date.

A party appearing in the case is required by the Division's Rules to file a Pre-Hearing Statement, which in this matter must be filed no later than Thursday, December 14, 2017. The Pre-Hearing Statement must be filed with the Division's Santa Fe office at the address above, and should include: the name of the party and the party's attorney; a concise statement of the case; the name(s) of the witness(es) the party will call to testify at the hearing; the approximate amount of time the party will need to present the party's case; and an identification of any procedural matters that need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to me.

Thank you for your attention to this matter.

Very truly yours,

Gary W. Larson

GWL:sm Enclosure

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3.	A. Signature
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so that we can return the card to you.	B. Received by (Printed Name) C. Date of Delivery
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Midland, TX 79702	
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AFFIDAVIT OF PUBLICATION STATE OF NEW MEXICO

I, Jenny Martinez Legals Clerk

Of the Roswell Daily Record, a daily newspaper published at Roswell, New Mexico do solemnly swear that the clipping hereto attached was published in the regular and entire issue of said paper and not in a supplement thereof for a period of:

One time with the issue dated

November 21st, 2017

Clerk

Sworn and subscribed to before me

this 21st day of November, 2017

Notary Public

My Commission expires

June 13th, 2018

Publication Notice...

Publish November 21, 2017

PUBLICATION NOTICE

This is to notify all interested parties, including 34T Holding LLC, Black Shale Minerals, LLC, Chisos, Ltd, Samedan Royalty LLC, the Selma Andrews Perpetual Charitable Trust, the Selma E. Andrews Trust fbo Peggy Barrett, Spool Holding LLC, D.K. Boyd, White Ranch Minerals, Ltd., the Winston Family LP, Elizabeth M, the Winston Family Trust, U/W, Francisca S., Dwight A. Tipton and their successors and assigns, that the New Mexico Oil Conservation Division will conduct a hearing on an application submitted by Back Nine Properties LLC at 8:15 a.m. on December 21, 2017 in Porter Hall at 1220 South St. Francis Drive, Santa Fe, New Mexico. Back Nine Properties LLC seeks an order approving a 320-acre, non-standard oil spacing and proration unit (project area) comprised of the W/2 of Section 32, Township 10 South, Range 28 East, NMPM, in Chaves County. The project area is to be dedicated to the Oakmount #5H well, which will be horizontally drilled from a surface location in Unit C to a bottom hole location in Unit M of Section 32, Township 10 South, Range 28 East. Also to be considered will be the designation of Hadaway Consulting and Engineering, LLC as the operator of the well. The proposed project area is located approximately twentyfour (24) miles east of Roswell, New Mexico.

Exhibit

B

DISTRICTI 1625 N. French Dr., Hobbs, NM 88240 Phone: (575) 393-6161 Fax: (575) 393-0720 DISTRICT II 811 S. First St., Artesia, NM 88210 Phone: (575) 748-1283 Fax: (575) 748-9720 DISTRICT IN 00 Rio Brazos Road, Aztec, NM 87410 one: (505) 334-6178 Fax: (505) 334-6170 DISTRICT IV 1220 S. St. Francis Dr., Santa Fe, NM 87505 Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico Energy, Minerals & Natural Resources Department OIL CONSERVATION DIVISION 1220 South St. Francis Dr. Santa Fe, New Mexico 87505

OCD Case No. 15903 102 **BACK NINE PROPERTIES** 2011 Exhibit #2 oriate

DAMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

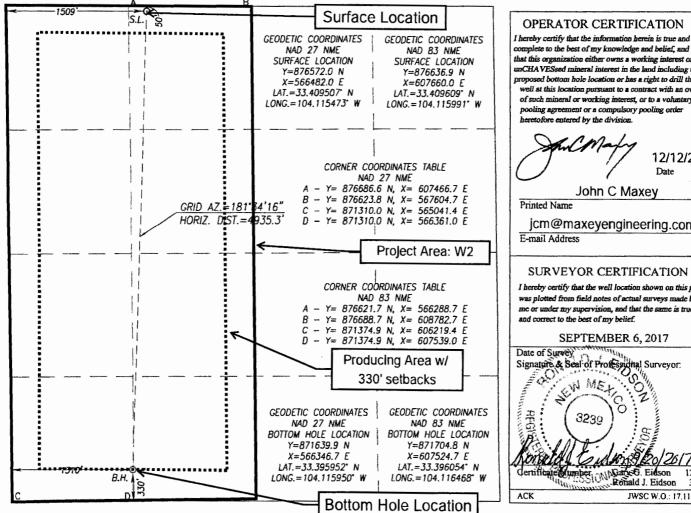
API Number	Pool Code	Pool Name				
Property Code	,	rty Name Well Number MOUNT 5H				
OGRID No.	· ·	tor Name Elevation NG & ENGINEERING, LLC 3755'				
	Surfac	Location				
L or lot No. Section	Township Range Lot Idn Feet fro	from the North/South line Feet from the East/West line Cou				

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
C	32	10-S	28-E		50	NORTH	1509	WEST	CHAVES

Bottom Hole Location If Different From Surface

UL or lot No.	Section	Townshi	p Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
M	32	10-S	28-E		330	SOUTH	1310	WEST	CHAVES
Dedicated Acres	Joint or	Infill	Consolidation C	ode Ord	er No.				
320									

NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION



OPERATOR CERTIFICATION

complete to the best of my knowledge and belief, and that this organization either owns a working interest or unCHAVESsed mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.

> 12/12/2017 Date

John C Maxey

jcm@maxeyengineering.com

SURVEYOR CERTIFICATION

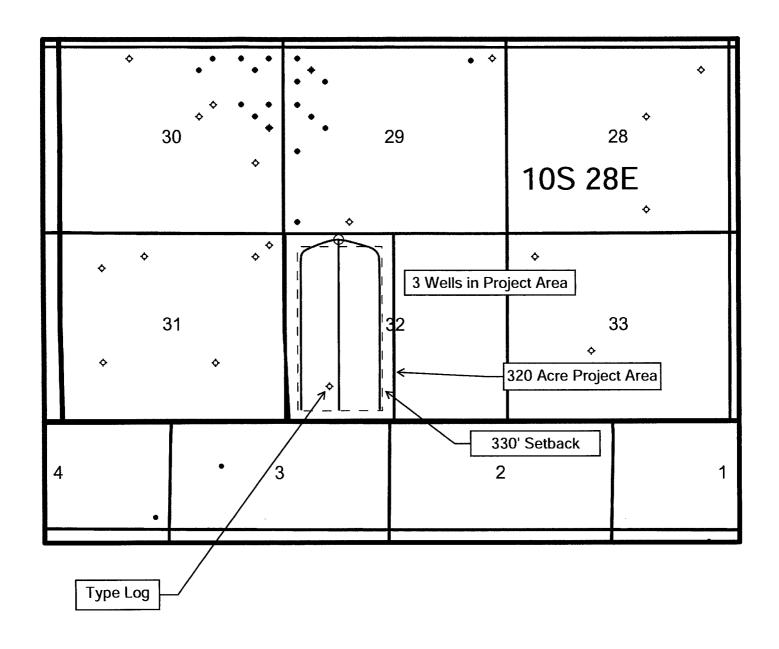
I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

SEPTEMBER 6, 2017

Date of Survey.
Signature & Seal of Professional Surveyor. SEN MET

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JWSC W.O.: 17,11,0767



OCD Case No. 15903

BACK NINE PROPERTIES

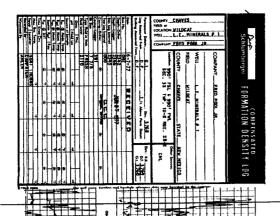
Exhibit *3

Back Nine Properties LLC

Application for NSP
Oakmount 5H
SHL 50' FNL & 1509' FWL
Sec 32 T10S R28E
Chaves Co., NM

12/12/2017

JCM



Type Log L.E. Minerals #1 990' FS & 990' FWL Sec 32 T10S R28E

Log Depths
T/ Yates 481'

OCD Case No. 15903

BACK NINE PROPERTIES

Exhibit #4

T/San Andres 1,646'

Back Nine Properties LLC
Application for NSP
Oakmount 5H
SHL 50' FNL & 1509' FWL
Sec 32 T10S R28E
Chaves Co., NM

12/12/2017

JCM

San Andres Target

