

**BEFORE THE OIL CONSERVATION DIVISION
EXAMINER HEARING MARCH 8, 2018
(CONTINUED TO MARCH 22, 2018 - SUPPLEMENT)**

CASE NOS. 16009, 16010, 16011, & 16012

*NIMITZ MDP1 "12" FEDERAL COM No. 1H WELL AND THE
PROPOSED NIMITZ MDP1 "12" FEDERAL COM No. 2H WELL*

*NIMITZ MDP1 "12" FEDERAL COM No. 6H WELL AND THE
PROPOSED NIMITZ MDP1 "12" FEDERAL COM No. 7H WELL*

NIMITZ MDP1 "12" FEDERAL COM No. 8H WELL

~AND~

NIMITZ MDP1 "12" FEDERAL COM No. 9H WELL

EDDY COUNTY, NEW MEXICO



MIKE

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

**APPLICATION OF OXY USA INC.
FOR A NON-STANDARD SPACING AND
PRORATION UNIT, AND COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.**

CASE NOS. 16009 - 16012

AFFIDAVIT


STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

Adam G. Rankin, attorney in fact and authorized representative of OXY USA, Inc. the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Applications have been provided under the notice letters and proof of receipts attached hereto.



Adam G. Rankin

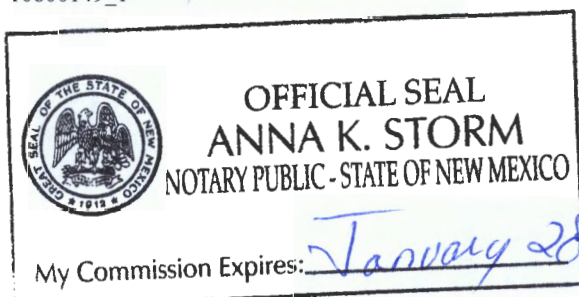
SUBSCRIBED AND SWORN to before me this 22nd day of March, 2018 by Adam G. Rankin.



Notary Public

My Commission Expires:

January 28, 2019
10800149_1



BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Exhibit No. 9
OCD Case Nos: 16009 - 16012
Submitted by: OXY USA, INC.
Hearing Date: March 8, 2018 Cont'd 3-22-18



Adam G. Rankin
Associate
Phone (505) 988-4421
Fax (505) 983-6043
AGRankin@hollandhart.com

February 27, 2018

VIA CERTIFIED MAIL
CERTIFIED RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS

**Re: Application of OXY USA Inc. for a non-standard spacing and proration unit
and compulsory pooling, Eddy County, New Mexico**
Nimitz MDP1 "12" Federal Com No. 1H Well
Nimitz MDP1 "12" Federal Com No. 2H Well

Ladies & Gentlemen:

This letter is to advise you that OXY USA Inc. has filed the enclosed application with the New Mexico Oil Conservation Division. This application will be set for hearing before a Division Examiner at 8:15 a.m. on March 8, 2018. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. 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.

Parties appearing in cases are required by Division Rule 19.15.4.13.B to file a Pre-hearing Statement four business days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address 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.

If you have any questions about this matter please contact Stacy Rojas, at (713) 215-7541 or stacy_rojas@oxy.com.

Sincerely,

Adam G. Rankin
ATTORNEY FOR OXY USA INC.



February 27, 2018

VIA CERTIFIED MAIL
CERTIFIED RECEIPT REQUESTED**TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS**

**Re: Application of OXY USA Inc. for a non-standard spacing and proration unit
and compulsory pooling, Eddy County, New Mexico**
Nimitz MDP1 "12" Federal Com No. 6H Well
Nimitz MDP1 "12" Federal Com No. 7H Well

Ladies & Gentlemen:

This letter is to advise you that OXY USA Inc. has filed the enclosed application with the New Mexico Oil Conservation Division. This application will be set for hearing before a Division Examiner at 8:15 a.m. on March 8, 2018. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. 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.

Parties appearing in cases are required by Division Rule 19.15.4.13.B to file a Pre-hearing Statement four business days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address 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.

If you have any questions about this matter please contact Stacy Rojas, at (713) 215-7541 or stacy_rojas@oxy.com.

Sincerely,

Adam G. Rankin

ATTORNEY FOR OXY USA INC.

HOLLAND & HART^{LLP}



Adam G. Rankin
Associate
Phone (505) 988-4421
Fax (505) 983-6043
AGRankin@hollandhart.com

February 27, 2018

VIA CERTIFIED MAIL
CERTIFIED RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS

**Re: Application of OXY USA Inc. for a non-standard spacing and proration unit
and compulsory pooling, Eddy County, New Mexico
Nimitz MDP1 "12" Federal Com No. 8H Well**

Ladies & Gentlemen:

This letter is to advise you that OXY USA Inc. has filed the enclosed application with the New Mexico Oil Conservation Division. This application will be set for hearing before a Division Examiner at 8:15 a.m. on March 8, 2018. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. 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.

Parties appearing in cases are required by Division Rule 19.15.4.13.B to file a Pre-hearing Statement four business days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address 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.

If you have any questions about this matter please contact Stacy Rojas, at (713) 215-7541 or stacy_rojas@oxy.com.

Sincerely,

Adam G. Rankin

ATTORNEY FOR OXY USA INC.

Holland & Hart LLP

Phone [505] 988-4421 Fax [505] 983-6043 www.hollandhart.com

110 North Guadalupe Suite 1 Santa Fe, New Mexico 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Boulder Carson City Colorado Springs Denver Denver Tech Center Billings Boise Cheyenne Jackson Hole Las Vegas Reno Salt Lake City Santa Fe Washington, D.C. ☎

HOLLAND & HART ^{LLP}



Adam G. Rankin

Associate

Phone (505) 988-4421

Fax (505) 983-6043

AGRankin@hollandhart.com

February 27, 2018

VIA CERTIFIED MAIL
CERTIFIED RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS

**Re: Application of OXY USA Inc. for a non-standard spacing and proration unit
and compulsory pooling, Eddy County, New Mexico
Nimitz MDP1 "12" Federal Com No. 9H Well**

Ladies & Gentlemen:

This letter is to advise you that OXY USA Inc. has filed the enclosed application with the New Mexico Oil Conservation Division. This application will be set for hearing before a Division Examiner at 8:15 a.m. on March 8, 2018. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. 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.

Parties appearing in cases are required by Division Rule 19.15.4.13.B to file a Pre-hearing Statement four business days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address 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.

If you have any questions about this matter please contact Stacy Rojas, at (713) 215-7541 or stacy_rojas@oxy.com.

Sincerely,

Adam G. Rankin

ATTORNEY FOR OXY USA INC.

Holland & Hart LLP

Phone (505) 988-4421 **Fax** (505) 983-6043 **www.hollandhart.com**

110 North Guadalupe Suite 1 Santa Fe, New Mexico 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Boulder Carson City Colorado Springs Denver Denver Tech Center Billings Boise Cheyenne Jackson Hole Las Vegas Reno Salt Lake City Santa Fe Washington, D.C. ☎

Nimitz MDP1 "12" Federal Com 1H & 2H Wells
Nimitz MDP1 "12" Federal Com 6H & 7H Wells
Nimitz MDP1 "12" Federal Com 8H Well
Nimitz MDP1 "12" Federal Com 9H Well
Case Nos. 16009-16012
ORRI (6) Second Notice

Paul R. Barwis
c/o Dutton Harris & Co.
P.O. Box 230
Midland, TX 79702

Jareed Partners Ltd.
A TX Limited Partnership
P.O. Box 51451
Midland, TX 79710

The Cornerstone Family Trust
John Lawrence Thoma Trustee
P.O. Box 17656
Golden, CO 80402

C. Mark Wheeler
719 W. Kansas Avenue
Midland, TX 79701

Kimbell Royalty Holdings, LLC
Taylor Companies Min. Mgmt. LLC Agnt
P.O. Box 671099
Dallas, TX 75367

Robin Oil & Gas Corporation
P.O. Box 720420
Oklahoma City, OK 73172



Shipment Confirmation Acceptance Notice

A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Nimitz MDP1 "12" Federal Com 1H & 2H Wells
Nimitz MDP1 "12" Federal Com 6H & 7H Wells
Nimitz MDP1 "12" Federal Com 8H Well
Nimitz MDP1 "12" Federal Com 9H Well
Case Nos. 16009-16012
ORRI (6) Second Notice

Shipment Date: 02/26/2018

Shipped From:

Name: HOLLAND & HART LLP

Address: 110 N GUADALUPE ST # 1

City: SANTA FE

State: NM ZIP+4® 87501

| Type of Mail | Volume |
|------------------------------|--------|
| Priority Mail Express® | |
| Priority Mail® | 0 |
| First-Class Package Service® | |
| Returns | |
| International* | |
| Other | 6 |
| Total | 6 |

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.



USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0007 3327 83



Firm Mailing Book For Accountable Mail

| Name and Address of Sender | | Check type of mail or service | | Affix Stamp Here (if issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt. | | | | | | | | | | | | | |
|--|-----------------------------|--|--|--|---------------------|-----------------|----------------------------|---------------|-------------------|---------|----------|--------|--------|--------|----------|--------|--|
| USPS Tracking/Article Number | | Addressee (Name, Street, City, State, & ZIP Code™) | | Postage | (Extra Service) Fee | Handling Charge | Actual Value if Registered | Insured Value | Due Sender if COD | ASR Fee | ASRD Fee | RD Fee | RR Fee | SC Fee | SCRD Fee | SH Fee | |
| 1. | 9214 8901 9403 8304 5834 78 | C MARK WHEELER 719 W KANSAS AVENUE MIDLAND TX 79701 | | 0.89 | 3.45 | | | | | | | | 1.50 | | | | |
| 2. | 9214 8901 9403 8304 5835 39 | CORNERSTONE FAMILY TRUST JOHN LAWRENCE PO Box 17656 GOLDEN CO 80402-6027 | | 0.89 | 3.45 | | | | | | | | 1.50 | | | | |
| 3. | 9214 8901 9403 8304 5835 53 | JAREED PARTNERS LTD A TX LIMITED PARTNERSHIP PO Box 51451 MIDLAND TX 79710-1451 | | 0.89 | 3.45 | | | | | | | | 1.50 | | | | |
| 4. | 9214 8901 9403 8304 5835 84 | KIMBELL ROYALTY HOLDINGS LLC TAYLOR COMPANIES MIN MGMT LLC AGNT PO Box 671099 DALLAS TX 75367-1099 | | 0.89 | 3.45 | | | | | | | | 1.50 | | | | |
| 5. | 9214 8901 9403 8304 5835 91 | PAUL R BARWIS DUTTON HARRIS & CO C/O: DUTTON HARRIS & CO PO Box 230 MIDLAND TX 76702-0230 | | 0.89 | 3.45 | | | | | | | | 1.50 | | | | |
| 6. | 9214 8901 9403 8304 5836 14 | ROBIN OIL & GAS CORPORATION PO Box 720420 OKLAHOMA CITY OK 73172-0420 | | 0.89 | 3.45 | | | | | | | | 1.50 | | | | |
| Total Number of Pieces Listed by Sender 6 | | Total Number of Pieces Received at Post Office | | Postmaster, Per (Name of receiving employee) | | | | | | | | | | | | | |

PS Form 3877, April 2015 (Page 1 of 1)

PSN 7530-02-000-9098

Privacy Notice: For more information on USPS privacy policies, visit usps.com/privacypolicy.



Company:

Welcome Joanna Garcia, (Not Joanna Garcia?)
Holland & Hart LLP[Home](#) [My Queue](#) [Piece Search](#) [Support](#) [Logout](#)[History](#) > [Mail Jobs](#) > [Mail Job Details](#)

My Tools

[Mail Jobs](#)[Mail Pieces](#)[Manual Mailings](#)[Reports](#)[Setup](#)[Account](#)[Tools](#)

Mail Pieces

Filter:

< No Filter >

| Barcode | Recipient | Status | DL | Custom |
|-----------------------------|--|------------------------------------|----|--------|
| 9214 8901 9403 8304 5836 14 | ROBIN OIL & GAS CORPORATION PO Box 720420 OKLAHOMA CITY OK 73172-0420 | Delivered Signature Received | No | |
| 9214 8901 9403 8304 5835 91 | PAUL R BARWIS DUTTON HARRIS & CO C/O: DUTTON HARRIS & CO PO Box 230 MIDLAND TX 79702-0230 | Delivered Signature Received | No | |
| 9214 8901 9403 8304 5835 84 | KIMBELL ROYALTY HOLDINGS LLC TAYLOR COMPANIES MIN MGMT LLC AGNT PO Box 671099 DALLAS TX 75367-1099 | Delivered Signature Received | No | |
| 9214 8901 9403 8304 5835 53 | JAREED PARTNERS LTD A TX LIMITED PARTNERSHIP PO Box 51451 MIDLAND TX 79710-1451 | In-Transit | No | |
| 9214 8901 9403 8304 5835 39 | CORNERSTONE FAMILY TRUST JOHN LAWRENCE PO Box 17656 GOLDEN CO 80402-6027 | Delivered Signature Received | No | |
| 9214 8901 9403 8304 5834 78 | C MARK WHEELER 719 W KANSAS AVENUE MIDLAND TX 79701 | Delivered Signature Received | No | |



20 items per page

ConnectSuite e-Certify
Holland & Hart LLP



Welcome Joanna Garcia, (Not Joanna Garcia?)
Company:
Holland & Hart LLP

[Home](#) [My Queue](#) [Piece Search](#) [Support](#) [Logout](#)

[History](#) > [Mail Jobs](#) > [Mail Job Details](#) > [Piece Tracking](#)



My Tools

[Mail Jobs](#)

[Mail Pieces](#)

[Manual Mailings](#)

[Reports](#)

[Setup](#)

[Account](#)

[Tools](#)

Mail Piece Tracking Number: **9214 8901 9403 8304 5835 53**

Recipient

JAREED PARTNERS LTD
A TX LIMITED PARTNERSHIP
PO Box 51451
MIDLAND TX 79710-1451

However, TX is party was a Named Party in the Newspaper for the month of 2018

| Date & Time | Event | Event Location |
|------------------|---|------------------------|
| 03/17/2018 03:43 | PACKAGE RETURN NOTICE GENERATED | MIDLAND, TX, 79710 |
| 03/07/2018 03:46 | REMINDER TO SCHEDULE REDELIVERY | MIDLAND, TX, 79710 |
| 03/02/2018 12:10 | AVAILABLE FOR PICKUP | MIDLAND, TX, 79710 |
| 03/02/2018 12:09 | ARRIVAL AT UNIT | MIDLAND, TX, 79705 |
| 03/02/2018 01:52 | PROCESSED THROUGH USPS FACILITY | MIDLAND, TX, 79711 |
| 03/02/2018 00:33 | DEPART USPS FACILITY | MIDLAND, TX, 79711 |
| 03/01/2018 20:05 | PROCESSED THROUGH USPS FACILITY | MIDLAND, TX, 79711 |
| 02/28/2018 04:16 | DEPART USPS FACILITY | ALBUQUERQUE, NM, 87101 |
| 02/27/2018 20:33 | PROCESSED THROUGH USPS FACILITY | ALBUQUERQUE, NM, 87101 |
| 02/27/2018 19:18 | ORIGIN ACCEPTANCE | SANTA FE, NM, 87501 |
| 02/27/2018 16:30 | SHIPMENT ACCEPTANCE | SANTA FE, NM, 87501 |
| 02/26/2018 12:54 | PRE-SHIPMENT INFO SENT USPS AWAITS ITEM | SANTA FE, NM, 87501 |