

# Percussion Petroleum LLC

Weezer 1H and 2H

3/7/2019

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

APPLICATION OF PERCUSSION PETROLEUM OPERATING, LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

**CASE NO. 20234** 

AFFIDAVIT OF JOE DICHIARA

Joe Dichiara, of lawful age and being first duly sworn, declares as follows:

My name is Joe Dichiara. I work for Percussion Petroleum Operating, LLC 1.

("Percussion") as a Landman.

2. I have previously testified before the Oil Conservation Division by affidavit.

3. I am familiar with the application filed by Percussion in this matter and with the

status of the lands in the subject area.

In Case No. 20234, Percussion seeks an order pooling all uncommitted 4.

interests from the top of from the top of the Atoka; Glorieta Yeso Pool (Pool Code 3250) to a

depth of 3000 feet in the 160-acre horizontal spacing unit comprised of the S/2 N/2 of Section 28,

Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico.

5. The proposed horizontal spacing unit is to be dedicated to applicant's

proposed Weezer No. 1H Well, to be drilled from a surface location in the be SW/4 NW/4 (Unit

E) of Section 27 to a standard bottom-hole location in the SW/4 NW/4 (Unit E) of Section 28.

The completed interval for this well is at an orthodox well location pursuant to the

Statewide rules for oil wells.

BEFORE THE OIL CONSERVATION DIVISION

Santa Fe. New Mexico

Exhibit No. 1

Hearing Date: March 7, 2019

Case Nos. 20234

- 6. **Percussion Exhibit No. 1A** contains a draft Form C-102 for the proposed well. All lands in the proposed spacing units is fee acreage.
- 7. A depth severance exists in the Yeso formation in the horizontal spacing unit. Accordingly, Percussion seeks to pool only a portion of the Atoka; Glorieta Yeso Pool from the top of the pool at a stratigraphic equivalent of 2,279 feet measured depth, as defined in the Gamma Ray-Neutron Log of the Len Mayer 1 Well (API No. 30-015-05926), to a depth of 3,000 feet.
- 8. The depth severance was created by virtue of an assignment between two predecessors in interest. This document defines the depth severance as 3,000 feet.
- 9. Ownership is different above and below the depth severance line. **Percussion Exhibit 1B** identifies ownership by tract in the proposed spacing unit from the top of the pool to a depth of 3,000 feet. Percussion seeks to pool those interest owners highlighted in green. All interests that Percussion seeks to pool are working interest owners, overriding royalty interest owners, and unleased mineral interest owners.
- 10. Percussion has proposed to drill and complete horizontal wells and has filed an application to force pool all uncommitted interests within the Atoka; Glorieta Yeso Pool below the depth severance in this acreage.
- 11. No interest owner that Percussion seeks to pool has indicated opposition to Percussion presenting this case by affidavit.
- 12. **Percussion Exhibit 1C** contains a sample of the well proposal letters and offers to lease along with an AFE that was sent to working interest owners.
- 13. In addition to sending well proposal letters, AFEs, and offers to lease, I have called or emailed each of the interest owners Percussion seeks to pool and attempted to reach an

agreement with them. In my opinion, I have made a good faith effort to reach an agreement with each of the parties that Percussion seeks to pool.

- 14. The costs reflected in the AFE are consistent with what other operators have incurred for drilling similar horizontal wells in the area in each of these formations.
- 15. In compiling these notice lists, Percussion conducted a diligent search of all public records in the county where the proposed wells are located and of phone directories, including computer searches. All interest owners were locatable.
- 16. In addition to parties Percussion seeks to compulsory pool, I provided notice of these applications to the vertical offsets who would be excluded from the spacing unit Percussion seek to create. All parties received notice and did not object to Percussion's plan to pool only a portion of the pool in each of the cases.
- 17. Percussion has estimated the overhead and administrative costs for drilling and producing the proposed wells at \$7,000 per month while drilling and \$700 per month while producing. These costs are consistent with what other operators are charging in this area for similar wells.
- 18. Percussion Exhibit Nos. 1A through 1C were either prepared by me or compiled under my direction and supervision.

FURTHER AFFIANT SAYETH NOT.

Joe Dichiara

STATE	OF	TEXAS	

COUNTY OF HARRIS

SUBSCRIBED and SWORN to before

me this 6th day of March 2019 by Joe Dichiara.

NOTARY PUBLIC

My Commission Expires:

6/24/2021

(\*)

CHRISTINE M. KOPASZ My Notary ID # 812623 Expires June 24, 2021

12098172\_1

District 1
1625 N. French Dr., Hobbs, NM 88240
Phone: (575) 393-6161 Fax: (575) 393-0720
District 11
811 S. First St., Artesia, NM 88210
Phone: (575) 748-1283 Fax: (575) 748-9720
District III
1000 Rio Brazos Road, Aztec, NM 87410
Phone: (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, NM 87505

Form C-102 Revised August 1, 2011 Submit one copy to appropriate District Office

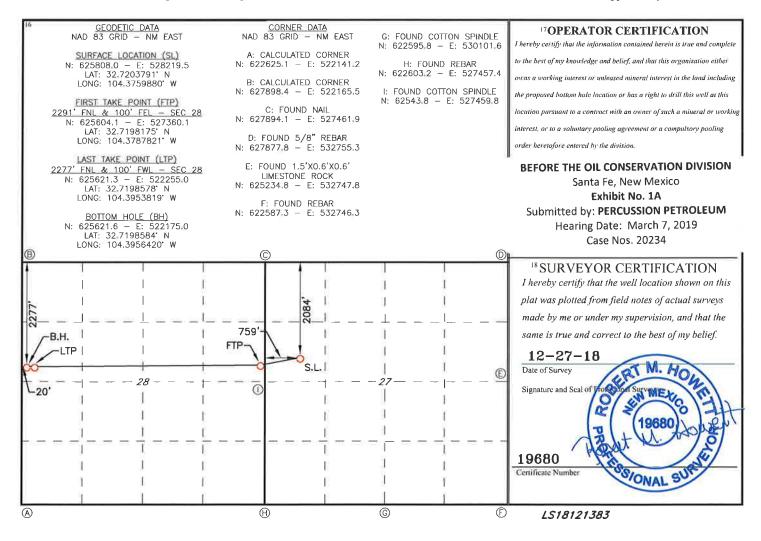
☐ AMENDED REPORT

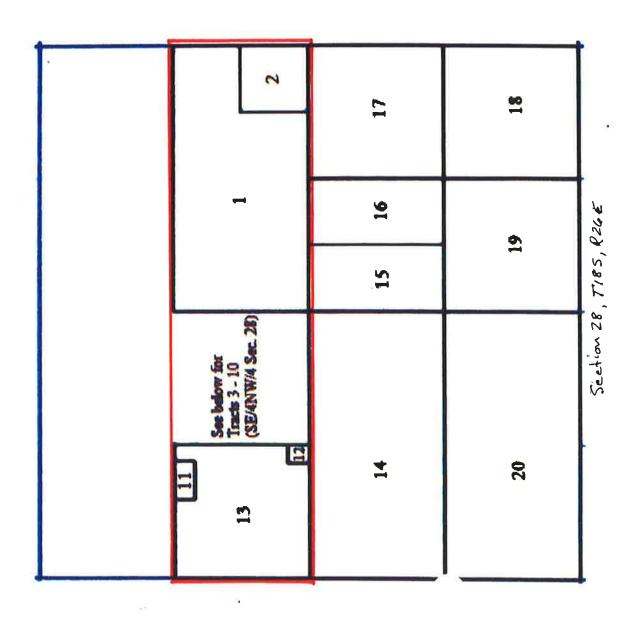
		V	VELL L	OCATIO	N AND A	.CR	EAGE DEDIC	CATION PLA	T				
	API Numbe	ì'		<sup>2</sup> Pool Code				<sup>3</sup> Pool Na	me				
4Property Co	ode				5 Proper						6 Well Number 1 H		
7 OGRID	NO.			PERCU	SOperator Name USSION PETROLEUM, LLC  9 Elevation 3341'								
				o =7	10 Surfac	ce I	Location						
UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	ıc	North/South line	Feet From the	East/W	est line	County		
E	27	18S	26E		2084		NORTH	759	WE	ST	EDDY		

Lot Idn Feet from the North/South line UL or lot no. Township Range Feet from the Section East/West line County 26E 2277 NORTH 20 WEST **EDDY** E 28 18**S** 12 Dedicated Acres 13 Joint or Infill 14 Consolidation Code 15 Order No.

"Bottom Hole Location If Different From Surface

No allowable will be assigned to this completion until all interest have been consolidated or a non-standard unit has been approved by the division.





Weezer Prospect
160 Acres
5/2 N/2 Section 28
7/85, R26E
Eddy County, NM
Tracts 1,2,11-13

### BEFORE THE OIL CONSERVATION DIVISION

Santa Fe, New Mexico
Exhibit No. 1B

Submitted by: PERCUSSION PETROLEUM

Hearing Date: March 7, 2019 Case Nos. 20234



Weezer Prospect 40 Acres 5E/4 NW/4 Section 28 7/85, RZGE Eddy County, NM Tracts 3-10

Ownership to be Force Pooled Proposed Yeso Formation Spacing Unit S/2N/2 Sec. 28-185-266, Eddy County, NM Weezer 1H Well

NOT TO SCALE

160.0 acres more or less NOTE: INTERESTS TO BE FORCED POOLED ARE HIGHLIGHTED IN GREEN

Eddy County, NM

Tracts 3 through

Eddy County, NM		Tracts 3 through 10							
	See attache	See attached plat for descriptions		Tract 1b	Tract 1a				
Tract 13	Tract 11		SW/4NE/4		N/2SE/4NE/4, SW/4SE/4NE/4	VE/4		Tract 2: SE/4SE/4NE/4	
			All Depths	Interest Type	All Depths Int	Interest Type		All Depths	Interest Type
			St. Devote LLC	80.729167% WI	St. Devote LLC 97	97.395834% WI	1	St. Devote LLC	47.395834% UMI
		See Worksheet Tracts 3-10	(Participating)		(Participating)		/	(Participating)	
			The Runyon Family Tr.	16.666667% LSD	••••			Brenda Kay Christie	50.000000% UMI
•			Carolyn Harmon	0.868056% LSD	14	Tract 2		Carolyn Harmon	0.868056% LSD
•			Sandra S. Batteman	0/868635% UMI				Sandra S. Bateman	0.858055% UMI
			Richard H. Coats	0.260417% LSD	4			Richard H. Coats	0.260417% LSD
			Wendell W. Iverson, Jr.	GLEOSESS UMI				Wenterl Wilverson, fr.	
	Tr. 12 See Worksheet		Morgan Capital Group, inc.	GLISOZGESE UMI				Mergan Capital Group; Inc.	OABOZOSES UMI
	Tr.		Sapphire Regalities, Inc.	ODSESSESS UNI				Sapplifie Rophits, Inc.	6.055806% UMI
	12		J. M. Mineral & Land Co., Inc.	OLEGESTERS, UNII				J. M. Mitterni & Land Co., fine	O GECTORES UNI
			Magnolia Royalty Company, Inc.	0,0868885%. UMI				Megacija dezaky čempany, Inc.	OURESESS UMI
TRACT 11: Beginning	FRACT 11: Beginning at a point East 775.00 feet from the Northwest corner of the	rthwest corner of the	James W. Essman	0.043403% LSD				James W. Essman	0.043403% LSD
Southwest quarter of the	Southwest quarter of the Northwest quarter, Section 28. Thence South 200.0 feet; Thence Feet 380 00 feet: Thence North 200 0 feet: Thence West 380 00 feet to the	e South 200.0 feet;	Angela Essman Spencer	0.043403% LSD	All Depths	Interest	Type	Angela Essman Spencer	0.043403% LSD
place of beginning (For	place of beginning (Formerly known as Lots 1, 2, 3, 4, 5, and 6 in Block 2 of the	in Block 2 of the							
Chisholm Nursery and Mexico including to the	Chisholm Nursery and Orchard Company Addition to the Town of Dayton, New Mexico, including to the centerline of adjacent errests and allows (1.75 acres, more or	m of Dayton, New			Carolyn Harmon	0.868056%			
less) (as to all the Yeso formation)	formation)						ası		
All Depths	Interest Type	Legend		1	Sandra S. Bateman	0,268855% UM	GINE		
EOG MiResources, Inc.	E. 25,0990% WIT	IW	Leasehold Working Interest, No JOA	NOI O	Richard H. Coats	0.260417% LSD	SD		
EOGY RESolutore, Inc.	25,000053 WII	IWI	Unleased Mineral Interest		Wendell W. Welter, Jr.	(M)(130205)% (M)(1	DWI.		
Oxy Y-1 Gempany	25,040,0% WI			-	Morgan Capital Group, Inc.	0.126268% UM	HAIR		
EOG Nescourges Assorb ILIC	5 LLC 12 5100% - LMI	Note			Sauphire Royaldes, Inc.	0.086806% UMI	TENT		
Vladin, LLC	12,5000% WI		WI		II M. Winerall & Land Co., Inc.	INC. CORFEORS UNI	TIME		
		St. Devot	St. Devote is participating, Informational.		Magnolia Foyalty Company, Inc.	14, fre. 0,086805% UMI	UMI		
					James W. Essman	0.043403% LSD	SD		
TRACT 13: SW/2NW!	TRACT 13: SW/NW% of Section 28, except Tracts 11 and 12 described above	described above			Angela Essman Spencer	0.043403%	osı		

TRACT 13: SW/ANW% of Section 28, except Tracts 11 and 12 described above (Fformerly known as the SW/ANW% of Section 28, being the Chisholm Nursery and Orchard Company Addition to the Town of Dayton, New Mexico, except Lots 1-6 in Block 2 of said Addition and except Lots 4,5, and 6 in Block 16 of said Addition, including to the centerline of adjacent streets and alleys) (37.36 acres, more or less)

Type	100	to.	IAN	TOTAL STATE OF THE PARTY.	I/M		- Abe	×	ī,	īM	M	MI	SD	UMI	UMI	IMO	IMI	UMI
Interest	25,000,005	25000000	25,000,005	12 seeting 1	12 5000%			19.7626%	19.7626%	19 7626%	9.8813%	6 8813%	7.8561%	7 4633%	1 7458%	1.7458%	1,7458%	0.3928%
From Top of the Yeso to 3,000'	EGS At Pescurces, Inc.	BOGN Resources, Inc.	Cxy Yest Company	ECG Resources Acrets LLC	Vladin, LLC	2 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	בייים איסטד ומ ווופ ופיס פסונטווו	EOG M Resources, Inc.	EOG Y Resources, Inc.	Oxy Y-1 Company	EOG Resources Assets LLC	Vladin, LLC	Tex Zia Properties, Ltd.	COG Operating LLC	Beatrice V. Cook	Carolyn S. Curtis	Michael S. Curtis	Concho Oil & Gas LLC

		1000	
EGG Wifesources, Inc.	250000% Wil	>	Leasehold Working Interest, No JOA
ENGY secondes, Inc.	25,000/85/11/WI	OMI	Unleased Mineral Interest
Oxy Y-1 Gempany	2.5 5000% WI		
EOG Herourges Assorts (LC	12 3100% 1881	Note	
Viadin, LLC	12,5000% WI	_	WI
		St. Devo	St. Devote is participating, Informational.

## Ownership to be Force Pooled. Tract 12 from the SW/4NW/4 Weezer 1H S/2N/2 Sec. 28-18S-26E, Eddy Co., NM

beginning. (Formerly known as Lots 4, 5, and 6 in Block 16 of the Chisholm Nursery and Orchard Company Addition to the Town of Dayton, New Mexico, including to the centerline of adjacent streets and alleys) (0.89 acre, more or less) TRACT 12: Beginning at the Southeast corner of the Southwest quarter of the Northwest quarter of Section 28. Thence North 210.00 feet; Thence West 185 feet; Thence South 210 feet; Thence East 185 feet to the place of

### From Top of the Yeso Formation to 3,000'

Company	Interest	Туре		
EOG M Resources, Inc.	25,0000009%	IW		
EOG Y Resources, Inc.	25,000000%	IW		
Oxy Y-1 Company	25,000000%	IW		
EOG Resources Assets LLC	12.500000%	VVII		
Vladin, LLC	12.500000%	M		
From 3,001' to 3,100'			Legend	
Company	Interest	Туре	×	Leasehold V
EOG M Resources, Inc.	25.000000%	M	ORRI	Overrding R
EOG Y Resources, Inc.	25.000000%	M		
Oxy Y-1 Company	25.000000%	M		
EOG Resources Assets LLC	12.500000%	M		
Vladin, LLC	12.500000%	IM		
From 3,101' to 3,200'				
Company	Interest	Туре		
EOG Y Resources, Inc.	100.00000%	M		

Working Interest, No JOA

Royalty Interest

### From the Top of the Yeso Formation to 3,000' Devon Energy Production Company, L.P.

**Type** WI

100.000000%

Interest

From 3,201' to Base of the Yeso Formation

Devon Energy Production Company, L.P.

Company

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0
7
rom 3001' to 3,200'
<u>w</u>
O
Ē

ORRI

12.500000%

Devon Energy Production Company, L.P.

ORRI

12,500000%

TRACT 3: Lots 7, 8, 9, 10, 11, and 12 of Block 32 of West Dayton, and Lots 7, 9, and 11 of Block 16, Lots 2, 4, 6, 8, 10, and 12 of Block 23, and all of Blocks 20, 21, 22, and 24 of the Second Addition to West Dayton, including to the centerline of adjacent streets and alleys (collectively, 15.36 acres, more or less) (as to all the Yeso formation)

All Depths	Interest	Type	
ECS Y Resources, Inc.	58,328383% WI	IMA	
EOG A Resources, Inc.	18,8258297/, WI	IN	
EOG M Researces, Inc.	13,8538897. WI	1000	
Day Y-1 Company	13:852285% WI	IWI	
March II Mannals, LLC	4.168567% ORRI	CREA	
Arason Resources, Inc.	ZOPESSEN, ORR	ORR	
Hiz Oil magantes, Lad	2.5000009% ORRU	ORR	
George H. Biz. M.	1,250,000%, 0,130	CRRI	
Benjamin Cole Etc	1,250 money, ORR	ORRI	
Many To Inguint	0.4166677% DRM	DRM	
Virginia Lypo Monte	0.416565% ORR	ORR	
Ultrabath begam Wrogitald (titer	0,4105559%, ORR	OFW	
Magnel			

7.8, and 11 of Block 31 of West Dayton, and Lots 2, 4, 6, 8, 10, and 12 of Block 14, Lots 1.3, and 5 of Block 16, Lots 2, 4, 5, 6, 7, 8, 10, and 12 of Block 18, and Lots 1, 3, 5, 7, 9, and 11 of Block 23 of the Second Addition to West Dayton, including to the centerline of adjacent streets and alleys (collectively, 9.2 acres, more or less) (as to all the Yeso TRACT 4: Lots 7, 9, and 11 of Block 29, Lots 7, 9, 10, 11, and 12 of Block 30, and Lots formation)

All Depths	Interest	Type
EOSIV Resources, Inc.	BRIBBBBBBBWW	WA
EDE A Resources, (nc.,	13.588989% WI	TO S
EQS M Resources, Inc.	13,838959% WI	I.W
Oxy Y-1 Company	13.588589% WI	E.
Etz Oll Properties, Ltd.	2.5000000% ORRI	ORRI
Creogett, byg. III	1.2500007/; OPRI	OPRI
Renjimin Cole Bp	1/250000% ORB	ORRI
Many 3p Augmans,	0.416557% ORR	ORRI
Vinginia ligan Moone	0:416655% DRRI	ORRI
Elizabeth Ingram Winglish IIIN	0.42.6555% ONR	OBR
Montes.		

TRACT 5: Lot 9 of Block 31 of West Dayton, including to the centerline of adjacent streets and alleys (0.22 acre, more or less) (as to all the Yeso

All Depths	Interest	Type
EOG-Y Resources, Inc.	58(33333	[5W) 197
SOE A Resources, Inc.	13,0358890	18W %
BOSHM Resources, Inc.	13,588333924	25 VWI
Oxy Y-1 Company	18.888389% W/	W. 98

01 Popieries, Ltd. 2 Sydentys, ORR 12 Sydentys, Weightskipping, 0,09383332 ORR 12 Sydentys, Winghisk (iffe 0,09383332 ORR 12 Sydentys)	> 40000056 2.50400406 2.5040046 0.00362828 0.00368334 0.00368334	COST RESOURCES, Inc.  FOR A RESOURCES, Inc.  FOR W PRESOURCES, Inc.  Ovy Y-1 Company	13.63636397.W/I	
2.50400000 2.50400000 0.003533884 0.003533884 0.00353388	George H. Dr., [H.   2.5040000 c. 0083    Respective. 0083    Respective. 0083    Respective. 0083    Respective. 000333333 c. 0083    Respective. Units Meant   Respective.	BEE Off Properties, Ltd.		
		angariff Ebz. (III)		
		njamin Cole Etz.		
	(e	oy In Ingition	DIOGESSESA ORRI	
	e	genia Lyrin Moone	OLODBRESSA DRRI	
	ata, remainder to Vinginia Lypin	zabath ingone Wingfield (life	OLOGOSSESS ORRU	

centerline of adjacent streets and alleys (0.61 acre, more or less) (as to all TRACT 6: Lots 10 and 12 of Block 31 of West Dayton, including to the the Yeso formation)

All Depths	Interest	Type
OG Y Reportrees, Inc.	25777	W
OS A Resources, Inc.	62666	W
OG M Repoundes, Inc.	2222	IM
DRY V-1 Company	BROW	W

Title issues exist which bring into question the actual leasehold ownership for this tract. However, these are the parties who would own the leasehold. Numerous leases have been taken here.

TRACT 7: Lot 8 of Block 30 of West Dayton, including to the centerline of adjacent streets and alleys (0.22 acre, more or less) (as to all the Yeso formation)

All Depths	Interest T)	ype
16 Y Resources, Inc.	58,3535557, W	=
35 A Recources, Inc.	115/8583839% W	=
36 M Resources, Inc.	13,895989 W	÷
су Уч.1 Сотпряту	118,89898924 W	

Hrg. Old Properties, Ltd	8/600000038	ORBIT
Goorge H. Biz, III	2.500000% ORR	ORR
Benjamin Cole Etz	2 Stadions ORRU	ORRU
Mary to Ingram	0.00923334 ORBI	ORRI
Vinginiallynn/Moore	0,00833834 ORR	DARK
Hizabeth Ingram Wingshold (life	OLOGRASASS OUR	CARI
estate, remainder to Vanima Lynn		
Modrei		

including to the centerline of adjacent streets and alleys (collectively, 10.47 acres, more or less) (as to all the Yeso formation) TRACT 8: All of Blocks 13, 17, and 19; Lots 1, 3, 5, 7, 9, and 11 of Block 14; and Lots 1 and 3 of Block 18 of the Second Addition to West Dayton,

All Depths	Interest	Type
EOS Y Resources, Inc.	58,5885337, W	100
HOS Alkebourges, Inc.	13,8885,4974	Z twi
EOG IVI Recognoses, Inc.	19,8888899%	Z WA
Oxy V-1 Company	W MRESSERVE	Wi

Chorne H 177 III	1.2500000 0851
Bertjamie Cole Etc.	1,7500007. ORRI
May Jo Ingram	0,416357% ORPH
Vingital Lyma Mösse	0.4160667% ORBI
Elizabeth Ingram Wingfield (life	0.40,666,692,000
estate, remainder to Vinginio Lynn.	
Moorel	

Leasehold Working Interest, No JOA	Unleased Mineral Interest	Overriding Royalty Interest
×	W	ORRI

TRACT 9: All of Block 15 of the Second Addition to West Dayton, including to the centerline of adjacent streets and alleys (3.31 acres, more or less) (as to all the Yeso formation)

All Depths	Interest	Type	
EOS Y Resources, Inc.	58,53555574 WI	WA	
EDS A Resources, Inc.	13.88588951 W	IM	
EOS M Resources, Inc.	13,6888889%	IWI	
Oxy V-1 Company	13.288E3995 WI	Will	96
Biz Oil Properties, Ltd	2.5000000 CRR	CRRI	
George H. Erz, III	1,25000014 ORRI	DERN	
Benjamin Cale Ex	1.250000% ORBI	OFRI	
Mrry lo logram	0,42666774 ORR	DRIN	
Voginia Lyan Moore	0,416655% ORRI	ORRI	
Elizabeth ingram Wingfield (life	0,416655% ORRI	ORRI	
estrite, remainster to Virginio Lynn			

TRACT 10: Lots 9 and 11 of Block 18 of the Second Addition to West Dayton, including to the centerline of adjacent streets and alleys (0.61 acre, more or less) (as to all the Yeso formation)

All Depths	Interest	Lype
EOS:Y Resources, Inc.	22222	W
EOS A Resources, Inc.	46566	W
EDG M Resources, Inc.	27777	W
Oxy Y-1 Company	77977	IM

A lease was taken from Beatrice Crum, 10/3/1960, 111/355 and is subject to pooling for the SE/4NW/4 of Sec. 28. Title issues exist which bring into question the actual leasehold ownership for this tract. However, these are the parties who would own the leasehold.

M SE/4NW4 only (aka Tracts 3-10) Q Section 28 10 4 00





919 Milam Street Suite 2475 Houston, TX 77002

Direct Telephone: 713.300.1852 Fax: 713.255.0261

Sent Certified Mail, Return Receipt Requested

November 20, 2018

EOG A Resources, Inc. Attn: Janet Richardson 104 4th Street Artesia, NM 88210

RE: Well Proposal & Letter Agreement Weezer 1H well Eddy County, New Mexico

Gentlemen/Ladies:

Percussion Petroleum Operating, LLC ("Percussion") hereby proposes to drill and complete the Weezer 1H, to an approximate total vertical depth of 2,700' as a horizontal well in the upper portion of the Yeso formation (the "Subject Well"), with an estimated spud date in January, 2019, at the following proposed location (subject to change upon staking and survey).

### Weezer 1H well - Horizontal Yeso Well, Eddy County, NM

- Proposed Surface Hole Location 1,680' FSL & 650' FWL, Section 27, T18S-R26E
- Proposed Bottom Hole Location 1,680' FSL & 20' FWL, Section 28, T18S-R26E

Attached, in duplicate, is the AFE which specifies total drilling and completed costs to be estimated at \$4,020,500.00.

In support of this well and future development, Percussion proposes to form a Working Interest Unit covering the S/2N/2 of Section 28 in Township 18 South, Range 26 East, Eddy County, New Mexico, containing 160 acres of land, more or less, insofar, and only insofar, as the same covers rights from the top of the Yeso formation to the base of the Yeso formation (the "WIU"). For purposes herein, top of the Yeso formation shall be 2,279' MD and the base of the Yeso formation shall be 4,460' MD based on the Len Mayer 1 (30-015-05926) RDL\_Neutron\_Porosity\_21N log from Section 28-T18S-R26E, Eddy County, NM; and the term "horizontal well" shall be defined as a directional well bore with one or more laterals that extend a minimum of one hundred feet (100') horizontally in the target zone. Devon Energy Production Company, L.P. owns below the proposed depth, but is included in this proposal for future development.

Part of the proposed WIU, the S/2NW/4 of Section 28, is likely governed by operating agreements also covering the Yeso Formation which pertains to many of the same parties within this proposal and which would administer operations for vertical wells. For the mutually exclusive development within the WIU as to horizontal wells, and any concept wells (ie. micro seismic wells, pilot hole wells), Percussion hereby submits, a new operating agreement ("NOA") dated November 20, 2018, a 1982 AAPL form, to govern proposals and operations within the WIU, and which shall supersede any existing operations only as to said horizontal well development and operations. The

BEFORE THE OIL CONSERVATION DIVISION

Weezer 1H Well Proposal November 20, 2018 Page 2

Exhibit "A" to the NOA will be completed in the near term pending transactional decisions of the working interest parties.

As an alternative to participation, Percussion offers to acquire a party's leasehold rights as to the Yeso formation, only. Percussion will pay \$1,500/acre for said leasehold rights. The selling party will deliver its leasehold interest effective September 1, 2018, exclusive of existing wellbores and production from said wellbores. The acquisition of the leasehold will be subject to a mutually acceptable sales agreement and assignment warranting title by the seller, by through and under, but not otherwise.

Please indicate your election as to the Subject Well by marking any single item 1) or 2) below in the space provided and returning a copy of this letter agreement to the undersigned within thirty (30) days of receipt, otherwise you may be subject to the compulsory pooling provisions of the State of New Mexico. If you mark any item that pertains to AFEs and/or the NOA, then please execute and return copies of the same together with your executed copy of this letter agreement to Percussion within said thirty (30) day period. Exhibit "A" to the NOA shall be provided at a later date after all of the working interest percentages of the non-operators have been determined.

If you have any questions regarding this proposal, please do not hesitate to contact the undersigned by e-mail at brettw@percussionpetroleum.com or by phone at 713-300-1852. Thank you very much for your assistance and cooperation. We look forward to working with you on this matter.

Yours very truly, Percussion Petroleum Operating, LLC

Brett Woody, CPL Sr. Consulting Landman

enclosures

Weezer 1H Well Proposal November 20, 2018 Page 3

### **Weezer 1H Well Election**

1) Elect to participate in the drilling and completing of the Weezer 1H well, and agrees to the terms and conditions of this letter agreement and NOA 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 WIU.
2) Elect to sell all of its leasehold interest, including all right, title and interest in the Yeso formation, effective September 1, 2018, exclusive of existing wellbores, based upon a price of \$1,500.00 per net leasehold acre, delivering an assignment with special warranty on mutually agreed forms.
Agreed to and Accepted this day of, 2018, by:
Company:
By:
Name:
Title

ON PETROLEL	JM, LLC					Acct Code 22223	
N. Seven Rivers; Glori Weezer #1H Arlesia (2) 2084' FNL, 759' FWL 2 HOR OIL				AFE #.: TARGET RES: CO/ST: START DATE: DATE:		1540 Yeso Eddy Co, NM 6/7/2019 2/6/2019	
and complete horizontal nps. Install electricity to					roduction		
DRILLING		COMPLETION		FACILITY			TOTAL
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STATE OF NEW MEXICO
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES
OIL CONSERVATION DIVISION

APPLICATION OF PERCUSSION PETROLEUM OPERATING, LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

**CASE NO. 20234** 

<u>AFFIDAVIT OF C.J. LIPINSKI</u>

CJ Lipinski, of lawful age and being first duly sworn, declares as follows:

1. My name is CJ Lipinski. I work for Percussion Petroleum Operating, LLC.

2. I have previously testified before the New Mexico Oil Conservation Division as an

expert witness in petroleum geology. My credentials as a petroleum geologist have been accepted

by the Division and made a matter of record.

3. I am familiar with the application filed by Percussion in this case and I have

conducted a geologic study of the Glorieta and Yeso formations underlying the subject acreage.

4. The Len Mayer 1 (30-015-05926) log shows the top of the pool at 2,279 feet

measured depth and the bottom of the pool/base of the Yeso at 4,460 feet measured depth.

5. Percussion Exhibit 2A is a location map that I prepared for the subject spacing

unit. This map shows the proposed spacing unit in Section 28 in red, and the proposed well in

orange. Offset Glorieta/Yeso producers are shown in green. Also depicted in blue is an anticipated

infill well, the Weezer 2H Well.

Percussion Exhibit 2B is a structure map that I prepared for the top of the Glorieta.

The contour interval is 100 feet. The structure map shows that the area is gently dipping to the

southeast. I do not observe any faulting, pinchouts, or other geologic impediments to developing

this targeted interval with a horizontal well.

BEFORE THE OIL CONSERVATION DIVISION

Santa Fe, New Mexico

Exhibit No. 2

Submitted by: PERCUSSION PETROLEUM

Hearing Date: March 7, 2019

Case Nos. 20234

- 7. **Percussion Exhibit 2C** is a cross section location map showing the five wells penetrating the Yeso formation that I used to construct the cross-section from A to A'. I consider these wells to be representative of the geology of the area.
- 8. **Percussion Exhibit 2D** is a cross section using the representative wells depicted on Exhibit 2C. Each well in the cross-section contains gamma ray, resistivity, and or porosity logs. The proposed target interval for the proposed well is labeled with an orange line at approximately 2,700 feet. The cross-section demonstrates that the targeted interval extends across the proposed spacing unit. Also depicted in blue is the target interval for the anticipated infill well, the Weezer 2H Well.
- 9. This exhibit also shows a depth severance in a red line at 3,000 feet. Both the initial proposed well and the anticipated infill well are located more than 300 feet from the depth severance line. Accordingly, neither well will produce hydrocarbons from across the depth severance line. Moreover, Percussion has proposed to drill and complete horizontal wells and has filed a separate application to force pool all uncommitted interests within the Atoka; Glorieta Yeso Pool below the depth severance in this acreage.
- 10. Percussion agrees to appear before the Division in the event that it proposes to drill any infill well closer to the depth severance line than the current initial proposed well, the Weezer 1H Well.
- 11. In my opinion, the east to west well orientation in the Yeso formation is appropriate for proper exploitation because of the consistent rock properties throughout the spacing unit and the lack of preferred fracture orientation in this portion of the trend.
- Based on my geologic study of the area, the Yeso formation underlying the subject area and subject spacing units is suitable for development by horizontal wells and the tracts comprising the proposed spacing units will contribute more-or-less equally to the production in the well.

13. In my opinion, the granting of Percussion's application will be in the best interest of conservation, the prevention of waste, and protection of correlative rights.

FURTHER AFFIANT SAYETH NOT.

CJ Lipinski

STATE OF TEXAS

COUNTY OF HARRIS

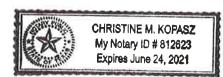
SUBSCRIBED and SWORN to before me this 6th day of March 2019 by CJ

Lipinski.

NOTARY PUBLIC

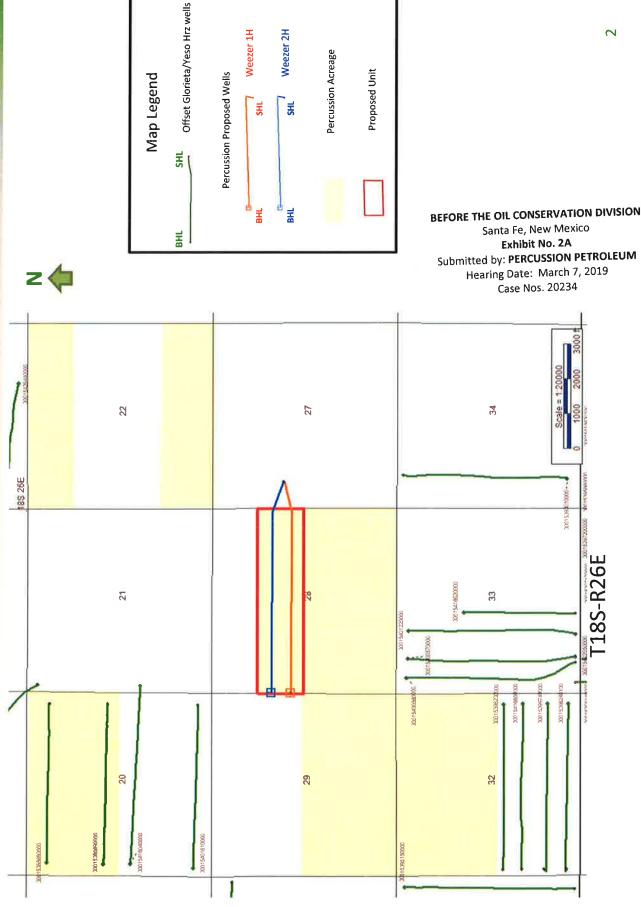
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6/24/2021





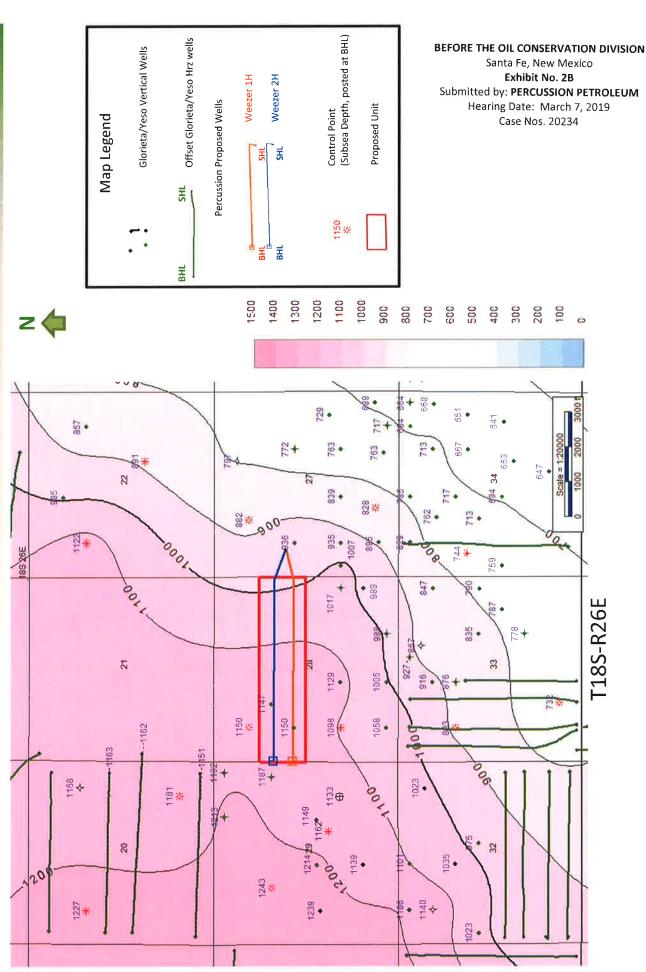
### Weezer 1H and 2H with Offset Horizontal Producers Exhibit 2A Location Map





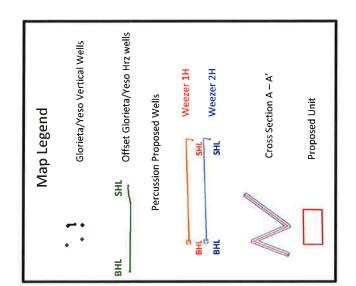
## Exhibit 2B Structure Map

Glorieta Structure Map (Subsea Depth)



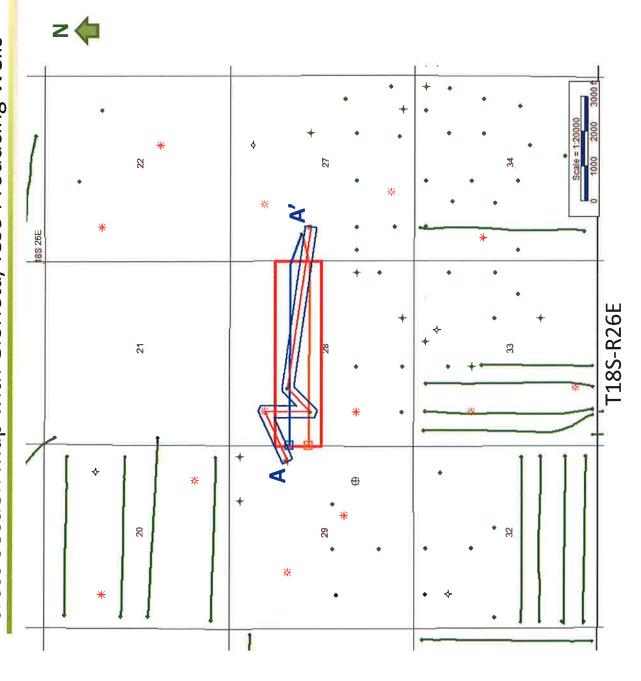


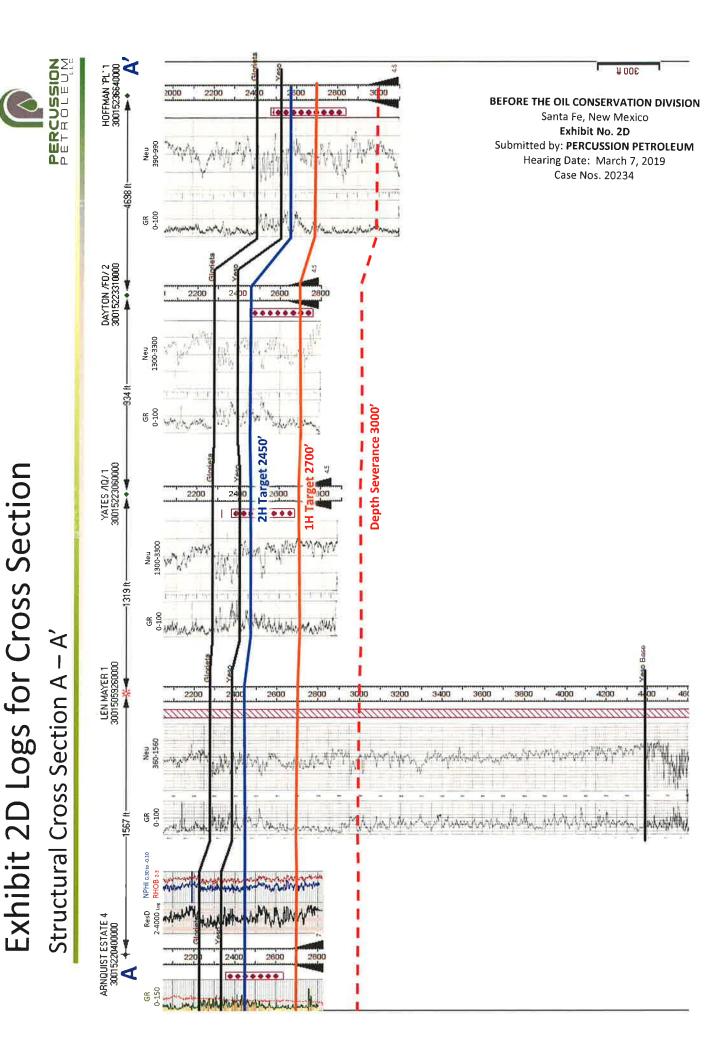
### Cross Section Map with Glorieta/Yeso Producing Wells Exhibit 2C Cross Section Location Map



BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico Exhibit No. 2C Submitted by: PERCUSSION PETROLEUM Hearing Date: March 7, 2019

Case Nos. 20234





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

APPLICATION OF PERCUSSION PETROLEUM OPERATING LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

**CASE NO. 20234** 

### **AFFIDAVIT**

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

Adam G. Rankin, attorney for **Percussion Petroleum Operating**, **LLC** 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 6th day of March 2019 by Adam G. Rankin.

OFFICIAL SEAL

CLARINDA L. WETZSTEON

NOTARY PUBLIC

STATE OF NEW MEXICO

My Commission Expires:

Story Dublic

BEFORE THE OIL CONSERVATION DIVISION

Santa Fe, New Mexico
Exhibit No. 3

Submitted by: PERCUSSION PETROLEUM

Hearing Date: March 7, 2019 Case Nos. 20234



Michael H. Feldewert
Recognized Specialist in the
Area of Natural Resources –
Oil and Gas Law – New Mexico Board
of Legal Specification
mfeldewert@hollandhart.com

February 15, 2019

### VIA CERTIFIED MAIL CERTIFIED RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS

Re:

Amended application of Percussion Petroleum Operating, LLC for

compulsory pooling, Eddy County, New Mexico.

Weezer No. 1H Well

### Ladies & Gentlemen:

This letter is to advise you that Percussion Petroleum Operating, LLC has filed the enclosed application with the New Mexico Oil Conservation Division. A hearing has been requested before a Division Examiner on March 7, 2019, and the status of the hearing can be monitored through the Division's website at http://www.emnrd.state.nm.us/ocd/. Division hearings will commence at 8:15 a.m. in Porter Hall at 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 Josh Grisham at (713) 589-2337 or josh@percussionpetroleum.com.

Sincerely

1 rusalla

Michael H. Feldewert

ATTORNEY FOR PERCUSSION PETROLEUM

OPERATING, LLC



### **Shipment Confirmation Acceptance Notice**

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.

Percussion Weezer 1H Case No 20234 CM# 100391.0001 20190307 Docket WI UMO Notice List

Shipment Date:	02/14/2019
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Address:	110 N GUADALUPE ST # 1
City:	SANTA FE
State:	NM ZIP+4® 87501

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<sup>\*</sup>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.

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### Pieces • Search for: Go Advanced 02/14/2019 Between 02/14/2019 And Clear Job Filter: 92750901193562000012750169 Location / Department Job ID User / Profile Barcode Recipient Status Custom EOG M Resources Inc Attn Janet Delivered Ref#: clwetzsteon@hollandhart.com 1220756 C1220756.6980999 Signature 9214890194038378795623 Richardson Label 4 x 2.5 (flat) 104 South Received RetRef#: 4th Street Artesia NM 88210 EOG A Resources Inc Attn Ref#: Delivered Janet clwetzsteon@hollandhart.com 1220756 9214890194038378795630 Signature C1220756.6981000 Richardson Label 4 x 2.5 (flat) 104 South Received RetRef#: 4th Street Artesia NM 88210 EOG Y Resources Inc Attn Delivered Ref#: Janet clwetzsteon@hollandhart.com 1220756 C1220756.6981001 9214890194038378795647 Richardson Signature Label 4 x 2.5 (flat) Received RetRef#: 104 South 4th Street Artesia NM 88210

Barcode	Recipient	Status	Custom	User / Profile	Location / Department	Job ID
9214890194038378795654	EOG Resources Inc Attn Janet Richardson 104 South 4th Street Artesia NM 88210	Delivered Signature Received	Ref#: C1220756.6981002 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		122075€
9214890194038378795661	OXY Y-1 Company Attn: Lauren Guest 5 Greenway Plaza #110 Houston TX 77046	Delivered Signature Received	Ref#: C1220756.6981003 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220756
9214890194038378795678	Devon Energy Production Company LP Attn: Cari Allen 333 W Sheridan Avenue Oklahoma City OK 73102	Delivered Signature Received	Ref#: C1220756.6981004 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220756
9214890194038378795685	COG Operating LLC 600 W Illinois Ave Midland TX 79701	Delivered Signature Received	Ref#: C1220756.6981005 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220756

Barcode	Recipient	Status	Custom	User / Profile	Location / Department	! Job ID
9214890194038378795692	Concho Oil & Gas LLC 600 W Illinois Ave Midland TX 79701	Delivered Signature Received	Ref#: C1220756.6981006 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		122075
9214890194038378795708	Brenda Kay Christie f/k/a Brenda Kay Shell 3154 Vickers Dr Colorado Springs CO 80919	Delivered Signature Received	Ref#: C1220756.6981007 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220756
9214890194038378795715	Sandra S Bateman 1181 Summit View Dr Rock Hill SC 29732	In-Transit	Ref#: C1220756.6981008 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220756
9214890194038378795722	Wendell W Iverson Jr PO BOX 205 Midland TX 79702	In-Transit	Ref#: C1220756.6981009 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220756
9214890194038378795739	Sapphire Royalties Inc PO BOX 682 Midland TX 79702	In-Transit	Ref#: C1220756.6981010 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220756

Barcode	Recipient	Status	Custom	User / Profile	Location / Department	Job ID
9214890194038378795746	Morgan Capital Group Inc PO BOX 989 Mabank TX 75147	In-Transit	Ref#: C1220756.6981011 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220756
9214890194038378795753	J M Mineral & Land Co Inc PO BOX 1015 Midland TX 79702	In-Transit	Ref#: C1220756.6981012 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220756
9214890194038378795760	Beatrice V Cook PO BOX 1076 Roswell NM 88202	Delivered Signature Received	Ref#: C1220756.6981013 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		122075€
9214890194038378795777	Carolyn S Curtis 141 State Highway 224 #57 Commerce TX 75428	In-Transit	Ref#: C1220756.6981014 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220756
9214890194038378795784	Michael Curtis 12 Sweet Clover Lane Glorietta NM 87535	Delivered Signature Received	Ref#: C1220756.6981015 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220756

100 items per page 1 - 17 of 17 items



### Return address:

HOLLAND & HART LLP P.O. BOX 2208 SANTA FE, NM 87504-2208

### Recipient address:

SANDRA S BATEMAN 1181 SUMMIT VIEW DR ROCK HILL SC 29732

**USPS CERTIFIED MAIL** 



9214 8901 9403 8378 7957 15

USPS Tracking Label Number: 9214 8901 9403 8378 7957 15

<b>USPS Tracking History</b>	<b>Postal Facility</b>	ZIP	Date	Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM		SANTA FE,NM 875	01	02/14/2019 13:25
SHIPMENT RECEIVED ACCEPTANCE PENDING		SANTA FE,NM 875	01	02/15/2019 10:49
ORIGIN ACCEPTANCE		SANTA FE,NM 875	01	02/15/2019 19:52
PROCESSED THROUGH USPS FACILITY		ALBUQUERQUE,N	M 87101	02/15/2019 21:07
DEPART USPS FACILITY		ALBUQUERQUE,N	M 87101	02/15/2019 22:04
PROCESSED THROUGH USPS FACILITY		CHARLOTTE,NC 2	8228	02/17/2019 07:51
PROCESSED THROUGH USPS FACILITY		CHARLOTTE,NC 2	8228	02/18/2019 04:15
ARRIVAL AT UNIT		ROCK HILL,SC 297	732	02/19/2019 10:08
NO SUCH NUMBER		ROCK HILL,SC 297	32	02/19/2019 13:10
PROCESSED THROUGH USPS FACILITY		CHARLOTTE,NC 2	8228	02/20/2019 11:24
PROCESSED THROUGH USPS FACILITY		ALBUQUERQUE,N	M 87101	02/23/2019 23:30
PROCESSED THROUGH USPS FACILITY		ALBUQUERQUE,N	M 87101	02/24/2019 13:51
ARRIVAL AT UNIT		SANTA FE,NM 875	01	02/25/2019 11:13
AVAILABLE FOR PICKUP		SANTA FE,NM 875	01	02/25/2019 11:53

**ORIGIN ACCEPTANCE:** 



### Return address:

HOLLAND & HART LLP P.O. BOX 2208 SANTA FE, NM 87504-2208

### Recipient address:

WENDELL W IVERSON JR PO BOX 205 MIDLAND TX 79702

USPS CERTIFIED MAIL



9214 8901 9403 8378 7957 22

USPS Tracking Label Number: 9214 8901 9403 8378 7957 22

USPS Tracking History	<b>Postal Facility</b>	ZIP	Date	Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM		SANTA FE,NM 875	01	02/14/2019 13:25
SHIPMENT RECEIVED ACCEPTANCE PENDING		SANTA FE,NM 875	01	02/15/2019 10:49
ORIGIN ACCEPTANCE		SANTA FE,NM 875	01	02/15/2019 19:52
PROCESSED THROUGH USPS FACILITY		ALBUQUERQUE,N	M 87101	02/15/2019 21:07
DEPART USPS FACILITY		ALBUQUERQUE,N	M 87101	02/15/2019 22:04
PROCESSED THROUGH USPS FACILITY		MIDLAND,TX 7971	1	02/17/2019 15:40
PROCESSED THROUGH USPS FACILITY		MIDLAND,TX 7971	1	02/18/2019 03:22
DEPART USPS FACILITY		MIDLAND,TX 7971	1	02/18/2019 06:05
ARRIVAL AT UNIT		MIDLAND,TX 7970	1	03/05/2019 16:18
AVAILABLE FOR PICKUP		MIDLAND,TX 7970	1	03/05/2019 16:20

ORIGIN ACCEPTANCE:



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#### Recipient address:

SAPPHIRE ROYALTIES INC PO BOX 682 MIDLAND TX 79702

USPS CERTIFIED MAIL



9214 8901 9403 8378 7957 39

USPS Tracking Label Number: 9214 8901 9403 8378 7957 39

USPS Tracking History	<b>Postal Facility</b>	ZIP	Date	Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM		SANTA FE,NM 875	501	02/14/2019 13:25
SHIPMENT RECEIVED ACCEPTANCE PENDING		SANTA FE,NM 875	501	02/15/2019 10:49
ORIGIN ACCEPTANCE		SANTA FE,NM 875	501	02/15/2019 19:52
PROCESSED THROUGH USPS FACILITY		ALBUQUERQUE,N	IM 87101	02/15/2019 21:07
DEPART USPS FACILITY		ALBUQUERQUE,N	IM 87101	02/15/2019 22:04
PROCESSED THROUGH USPS FACILITY		MIDLAND,TX 7971	1	02/17/2019 15:40
PROCESSED THROUGH USPS FACILITY		MIDLAND,TX 7971	1	02/18/2019 03:22
DEPART USPS FACILITY		MIDLAND,TX 7971	1	02/18/2019 06:05
ARRIVAL AT UNIT		MIDLAND,TX 7970	1	03/05/2019 16:18
AVAILABLE FOR PICKUP		MIDLAND,TX 7970	1	03/05/2019 16:20



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#### Recipient address:

MORGAN CAPITAL GROUP INC PO BOX 989 MABANK TX 75147

USPS CERTIFIED MAIL



9214 8901 9403 8378 7957 46

USPS Tracking Label Number: 9214 8901 9403 8378 7957 46

USPS Tracking History	<b>Postal Facility</b>	ZIP	Date	Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM		SANTA FE,NM 875	501	02/14/2019 13:25
SHIPMENT RECEIVED ACCEPTANCE PENDING		SANTA FE,NM 875	501	02/15/2019 10:49
ORIGIN ACCEPTANCE		SANTA FE,NM 875	501	02/15/2019 19:52
PROCESSED THROUGH USPS FACILITY		ALBUQUERQUE,N	IM 87101	02/15/2019 21:07
DEPART USPS FACILITY		ALBUQUERQUE,N	IM 87101	02/15/2019 22:04
PROCESSED THROUGH USPS FACILITY		DALLAS,TX 75260		02/17/2019 07:30
DEPART USPS FACILITY		DALLAS,TX 75260		02/18/2019 05:51
ARRIVAL AT UNIT		MABANK,TX 75147	7	02/19/2019 08:55
SORTING/PROCESSING COMPLETE		MABANK,TX 75147	7	02/20/2019 07:19
FORWARDED		MABANK,TX 75147	7	02/20/2019 11:13



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#### Recipient address:

J M MINERAL & LAND CO INC PO BOX 1015 MIDLAND TX 79702

USPS CERTIFIED MAIL



9214 8901 9403 8378 7957 53

USPS Tracking Label Number: 9214 8901 9403 8378 7957 53

USPS Tracking History	<b>Postal Facility</b>	ZIP	Date	Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM		SANTA FE,NM 875	01	02/14/2019 13:25
SHIPMENT RECEIVED ACCEPTANCE PENDING		SANTA FE,NM 875	01	02/15/2019 10:49
ORIGIN ACCEPTANCE		SANTA FE,NM 875	01	02/15/2019 19:52
PROCESSED THROUGH USPS FACILITY		ALBUQUERQUE,N	M 87101	02/15/2019 21:07
DEPART USPS FACILITY		ALBUQUERQUE,N	M 87101	02/15/2019 22:04
PROCESSED THROUGH USPS FACILITY		MIDLAND,TX 7971	1	02/17/2019 15:40
PROCESSED THROUGH USPS FACILITY		MIDLAND,TX 7971	1	02/18/2019 03:22
DEPART USPS FACILITY		MIDLAND,TX 7971	1	02/18/2019 06:05
ARRIVAL AT UNIT		MIDLAND,TX 7970	1	03/05/2019 16:18
AVAILABLE FOR PICKUP		MIDLAND,TX 7970	1	03/05/2019 16:20



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#### Recipient address:

CAROLYN S CURTIS 141 STATE HIGHWAY 224 #57 COMMERCE TX 75428

**USPS CERTIFIED MAIL** 



9214 8901 9403 8378 7957 77

USPS Tracking Label Number: 9214 8901 9403 8378 7957 77

USPS Tracking History	<b>Postal Facility</b>	ZIP	Date	Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM		SANTA FE,NM 875	501	02/14/2019 13:25
SHIPMENT RECEIVED ACCEPTANCE PENDING		SANTA FE,NM 875	501	02/15/2019 10:49
ORIGIN ACCEPTANCE		SANTA FE,NM 875	501	02/15/2019 19:52
PROCESSED THROUGH USPS FACILITY		ALBUQUERQUE,N	IM 87101	02/15/2019 21:07
DEPART USPS FACILITY		ALBUQUERQUE,N	IM 87101	02/15/2019 22:04
PROCESSED THROUGH USPS FACILITY		COPPELL,TX 7509	99	02/17/2019 00:57
PROCESSED THROUGH USPS FACILITY		COPPELL,TX 7509	99	02/18/2019 05:29
ARRIVAL AT UNIT		COMMERCE,TX 7	5428	02/19/2019 08:20
NO AUTHORIZED RECIPIENT AVAILABLE		COMMERCE,TX 7	5428	02/19/2019 10:43
REMINDER TO SCHEDULE REDELIVERY		COMMERCE,TX 7	5428	02/24/2019 03:11
PACKAGE RETURN NOTICE GENERATED		COMMERCE,TX 7	5428	03/06/2019 04:16



## Shipment Confirmation Acceptance Notice

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.

Percussion - Weezer 1H Well Case No 20234 CM# 100391.0001 20190307 Docket **ORRI** Notice

Shipment Date:	02/14/2019
Shipped From:	
Name:	HOLLAND & HART LLP
Address:	110 N GUADALUPE ST # 1
City:	SANTA FE
State:	

Type of Mail	Volume
Priority Mail Express®*	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	8
Total	8

<sup>\*</sup>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
- 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** 

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Check type of mail or service	□ Adult Signature Required    □ Priority Mail Express     □ Adult Signature Restricted Delivery    □ Registered Mail     ☐ Certified Mail     □ Certified Mail Restricted Delivery	Addressee (Name, Street, City, State, & ZIP Code™)	Mitchell Minerals LLC Tr 3 only PO BOX 446 Henryetta OK 74437		Etz Oil Properties Ltd T 3-5 7-9 1307 West Third Roswell NM	88201	Elizabeth Ingram Wingfield 1007 South Kentrucky Roswell NM 88201		Mary Jo ingram Rout 1-5200 Roswell NM 89203		Virginia Lynn Moore 506 South Kentucky Avenue Roswell NM 88203	Philopin Repoulose, Inc Tr 3 anly PO BOX 3025 Oklahoma City OK 73102	George H Etz III 1105 Kantr Erlu McAllen TX 78504	Benjamin Cole Etz 93.54 Park Trail San Antonio TX 78250	Postmaster, Per (Name of receiving employee)	Complete in Ink
Name and Address of Sender	Holland & Hart LLP 110 N Guadalupe St # 1 Santa Fe NM 87501	USPS Tracking/Article Number	1. 9214 8901 9403 8378 7953 26		2. 9214 8901 9403 8378 7953 33		3. 9214 8901 9403 8378 7953 40		4. 9214 8901 9403 8378 7953 57		5. 9214 8901 9403 8378 7953 64	SAN SAN	7. 9214 8901 9403 8378 7953 88	8. 9214 8901 9403 8378 7953 995711 POO	Total Number of Pieces Listed by Sender  Received at Post Office  8	PS Form <b>3877</b> , April 2015 (Page 1 of 1)



Michael H. Feldewert
Recognized Specialist in the
Area of Natural Resources —
Oil and Gas Law — New Mexico Board
of Legal Specification
mfeldewert@hollandhart.com

February 15, 2019

#### <u>VIA CERTIFIED MAIL</u> CERTIFIED RECEIPT REQUESTED

TO: VERTICAL OFFSETS IN POOL

Amended application of Percussion Petroleum Operating, LLC for

compulsory pooling, Eddy County, New Mexico.

Weezer No. 1H Well

#### Ladies & Gentlemen:

Re:

This letter is to advise you that Percussion Petroleum Operating, LLC 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 7, 2019. Your interest is not being pooled by this application. You are receiving this notice because you own an interest in the Atoka; Glorieta Yeso Pool (3250) that is not being included in the horizontal spacing unit. 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 Josh Grisham at (713) 589-2337 or josh@percussionpetroleum.com.

Sincerely,

Michael H. Feldewert

ATTORNEY FOR PERCUSSION PETROLEUM

OPERATING, LLC

### Pieces •

Search for:				Go	Advanced
Between	02/14/2019	And	02/14/2019		
Clear Job I	Filter: 92750901193	562000012	749859		

<b>7</b> 0						
Barcode	Recipient	Status	Custom	User / Profile	Location / Department	Job ID
9214890194038378795326	Mitchell Minerals LLC Tr 3 only PO BOX 448 Henryetta OK 74437	Delivered Signature Received	Ref#: C1220730.6980899 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220730
9214890194038378795333	Etz Oil Properties Ltd T 3-5 7-9 1307 West Third Roswell NM 88201	In-Transit	Ref#: C1220730.6980900 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220730
9214890194038378795340	Elizabeth Ingram Wingfield 1007 South Kentrucky Roswell NM 88201	In-Transit	Ref#: C1220730.6980901 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220730

Barcode	Recipient	Status	Custom	User / Profile	Location / Department	Job ID
9214890194038378795357	Mary Jo Ingram Rout 1-5200 Roswell NM 88203	Delivered Signature Received	Ref#: C1220730.6980902 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220730
9214890194038378795364	Virginia Lynn Moore 506 South Kentucky Avenue Roswell NM 88203	In-Transit	Ref#: C1220730.6980903 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220730
9214890194038378795371	Amcon Resources Inc Tr 3 only PO BOX 3025 Oklahoma City OK 73102	Delivered Signature Received	Ref#: C1220730.6980904 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220730
9214890194038378795388	George H Etz III 1105 Xanthisma McAllen TX 78504	Delivered Signature Received	Ref#: C1220730.6980905 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		1220730

Barcode	Recipient	Status	Custom	User / Profile	Location / Department	Job ID
9214890194038378795395	Benjamin Cole Etz 9134 Park Trail San Antonio TX 78250	In-Transit	Ref#: C1220730.6980906 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		122073
	100	items per	page		1 - 8 of 8	items





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#### Recipient address:

ETZ OIL PROPERTIES LTD T 3-5 7-9 1307 WEST THIRD ROSWELL NM 88201

USPS CERTIFIED MAIL



9214 8901 9403 8378 7953 33

USPS Tracking Label Number: 9214 8901 9403 8378 7953 33

USPS Tracking History	Postal Facility	ZIP	Date	Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM		SANTA FE,NM 875	501	02/14/2019 13:16
SHIPMENT RECEIVED ACCEPTANCE PENDING		SANTA FE,NM 875	501	02/15/2019 10:49
ORIGIN ACCEPTANCE		SANTA FE,NM 875	501	02/15/2019 19:52
PROCESSED THROUGH USPS FACILITY		ALBUQUERQUE,N	IM 87101	02/15/2019 21:07
DEPART USPS FACILITY		ALBUQUERQUE,N	IM 87101	02/15/2019 22:04
PROCESSED THROUGH USPS FACILITY		LUBBOCK,TX 7940	02	02/16/2019 20:14
DEPART USPS FACILITY		LUBBOCK,TX 7940	02	02/16/2019 23:41
PROCESSED THROUGH USPS FACILITY		LUBBOCK,TX 7940	02	02/17/2019 21:38
ARRIVAL AT UNIT		ROSWELL,NM 882	203	02/19/2019 06:40
SORTING/PROCESSING COMPLETE		ROSWELL,NM 882	201	02/19/2019 08:03
OUT FOR DELIVERY		ROSWELL,NM 882	201	02/19/2019 08:13
NO AUTHORIZED RECIPIENT AVAILABLE		ROSWELL,NM 882	201	02/19/2019 15:05
AVAILABLE FOR PICKUP		ROSWELL,NM 882	202	02/22/2019 08:10
REMINDER TO SCHEDULE REDELIVERY		ROSWELL,NM 882	201	02/24/2019 03:46
PACKAGE RETURN NOTICE GENERATED		ROSWELL,NM 882	201	03/06/2019 03:40



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#### Recipient address:

ELIZABETH INGRAM WINGFIELD 1007 SOUTH KENTRUCKY ROSWELL NM 88201

**USPS CERTIFIED MAIL** 



9214 8901 9403 8378 7953 40

USPS Tracking Label Number: 9214 8901 9403 8378 7953 40

USPS Tracking History	<b>Postal Facility</b>	ZIP	Date	Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM		SANTA FE,NM 875	501	02/14/2019 13:16
SHIPMENT RECEIVED ACCEPTANCE PENDING		SANTA FE,NM 875	01	02/15/2019 10:49
ORIGIN ACCEPTANCE		SANTA FE,NM 875	01	02/15/2019 19:52
PROCESSED THROUGH USPS FACILITY		ALBUQUERQUE,N	M 87101	02/15/2019 21:07
DEPART USPS FACILITY		ALBUQUERQUE,N	IM 87101	02/15/2019 22:04
PROCESSED THROUGH USPS FACILITY		LUBBOCK,TX 7940	)2	02/16/2019 20:14
DEPART USPS FACILITY		LUBBOCK,TX 7940	)2	02/16/2019 23:41
PROCESSED THROUGH USPS FACILITY		LUBBOCK,TX 7940	)2	02/17/2019 21:38
ARRIVAL AT UNIT		ROSWELL,NM 882	03	02/19/2019 06:40
SORTING/PROCESSING COMPLETE		ROSWELL,NM 882	01	02/19/2019 08:03
OUT FOR DELIVERY		ROSWELL,NM 882	01	02/19/2019 08:13
DLVRY EXCPT ANIMAL INTERFERENCE		ROSWELL,NM 882	03	02/19/2019 10:47
NO AUTHORIZED RECIPIENT AVAILABLE		ROSWELL,NM 882	01	02/20/2019 11:30
NO AUTHORIZED RECIPIENT AVAILABLE		ROSWELL,NM 882	01	02/21/2019 10:24



HOLLAND & HART LLP P.O. BOX 2208 SANTA FE, NM 87504-2208

#### Recipient address:

VIRGINIA LYNN MOORE 506 SOUTH KENTUCKY AVENUE ROSWELL NM 88203

**USPS CERTIFIED MAIL** 



9214 8901 9403 8378 7953 64

USPS Tracking Label Number: 9214 8901 9403 8378 7953 64

USPS Tracking History	<b>Postal Facility</b>	ZIP	Date	Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM		SANTA FE,NM 875	01	02/14/2019 13:16
SHIPMENT RECEIVED ACCEPTANCE PENDING		SANTA FE,NM 875	01	02/15/2019 10:49
ORIGIN ACCEPTANCE		SANTA FE,NM 875	01	02/15/2019 19:52
PROCESSED THROUGH USPS FACILITY		ALBUQUERQUE,N	M 87101	02/15/2019 21:07
DEPART USPS FACILITY		ALBUQUERQUE,N	M 87101	02/15/2019 22:04
PROCESSED THROUGH USPS FACILITY		LUBBOCK,TX 7940	)2	02/16/2019 20:14
DEPART USPS FACILITY		LUBBOCK,TX 7940	)2	02/16/2019 23:41
PROCESSED THROUGH USPS FACILITY		LUBBOCK,TX 7940	)2	02/17/2019 21:38
ARRIVAL AT UNIT		ROSWELL,NM 882	03	02/19/2019 06:40
SORTING/PROCESSING COMPLETE		ROSWELL,NM 882	03	02/19/2019 08:03
OUT FOR DELIVERY		ROSWELL,NM 882	03	02/19/2019 08:13
ADDRESSEE UNKNOWN		ROSWELL,NM 882	03	02/19/2019 10:43
AVAILABLE FOR PICKUP		ROSWELL,NM 882	02	02/22/2019 08:10
REMINDER TO SCHEDULE REDELIVERY		ROSWELL,NM 882	03	02/27/2019 05:43



HOLLAND & HART LLP P.O. BOX 2208 SANTA FE, NM 87504-2208

#### Recipient address:

BENJAMIN COLE ETZ 9134 PARK TRAIL SAN ANTONIO TX 78250

**USPS CERTIFIED MAIL** 



9214 8901 9403 8378 7953 95

USPS Tracking Label Number: 9214 8901 9403 8378 7953 95

Time
02/14/2019 13:16
02/15/2019 10:49
02/15/2019 19:52
02/15/2019 21:07
02/15/2019 22:04
02/17/2019 14:42
02/18/2019 22:48
02/22/2019 15:13
02/27/2019 07:02



#### **Shipment Confirmation Acceptance Notice**

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.

Shipment Date: 02/14/2019

Shipped From:

Name: HOLLAND & HART LLP

Address: \_\_110 N GUADALUPE ST # 1

City: SANTA FE

State: NM ZIP+4® 87501

Percussion Petroleum Weezer No 1H Case No 20234 CM# 100391.0001 20190307 Docket Vertical Offset List

Type of Mail	Volume
Priority Mail Express®*	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	4
Total	्रभ

<sup>\*</sup>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
- Select Shipment Confirm
   Scan or enter the barcode/label number from PS Form 5630
   Confirm the volume count message by selecting Yes or No
   Select Pay and End Visit to complete transaction

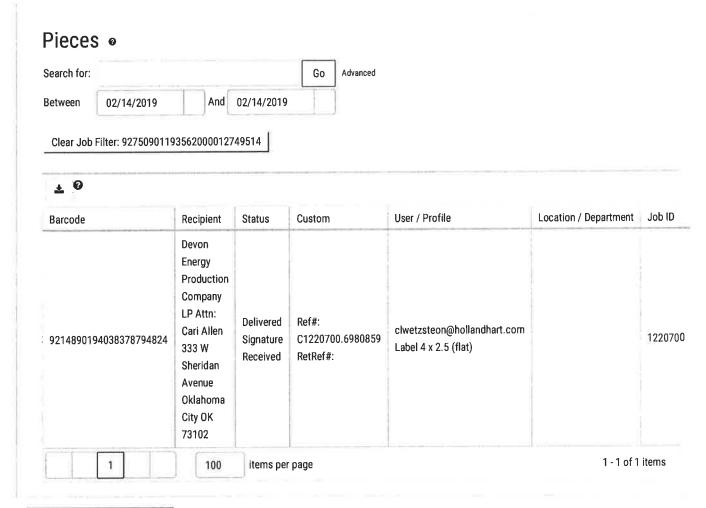
USPS EMPLOYEE: Please scan upon pickup or receipt of mail. Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE

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MINITED STATES POSTAL SERVICE®	Name and Address of Sender Holland & Hart LLP 110 N Guadalupe St # 1 Santa Fe NM 87501	USPS Tracking/Article Number	1. 9214 8901 9403 8378 7948 24						SANTA		Total Number of Pieces Total Number of Pieces Listed by Sender  Received at Post Office



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# CURRENT-ARGUS

#### AFFIDAVIT OF PUBLICATION

Ad No. 0001277456

DAVID WASHINGTON 110 NORTH GUADALUPE, SUITE 1 PO BOX 2208

SANTA FE NM 87504

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 on the date as follows, to wit:

02/16/19

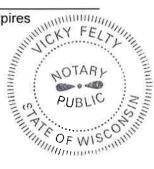
Legal Clerk

Subscribed and sworn before me this 18th of February 2019.

State of WI, County of Brown NOTARY PUBLIC

My Commission Expires

Ad#:0001277456 P O : Weezer # of Affidavits :0.00



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

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on March 7, 2019, in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appoint for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact: Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by February 25, 2019. Public documents, including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed.

STATE OF NEW MEXICO TO: All named parties and persons having any right, title, interest or claim in the following case and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

TO: All overriding royalty interest owners and pooled parties, including: EOG M Resources Inc.; EOG A Resources, Inc.; EOG Y Resources Inc.; EOG Resources, Inc.; Coy Y-1 Company; Devon Energy Production Company, L.P.; COG Operating LLC; Concho Oil & Gas LLC; Brenda Kay Christie, f/k/a Brenda Kay Shell, her heirs and devisees; Sandra S. Bateman, her heirs and devisees; Wendell W. Iverson, Jr., his heirs and devisees; Sapphire Royalties, Inc.; Morgan Capital Group, Inc.; J. M. Mineral & Land Co., Inc.; Beatrice V. Cook, her heirs and devisees; Michael S. Curtis, his heirs and devisees; Michael S. Curtis, his heirs and devisees; Michell Minerals, LLC; Etz Oil Properties, Ltd.; Elizabeth Ingram Wingfield, her heirs and devisees; Mary Jo Ingram, her heirs and devisees; Virginia Lynn Moore, her heirs and devisees; Amcon Resources, Inc.; George H. Etz, Ill, his heirs and devisees; Benjamin Cole Etz, his heirs and devisees;

Case No. 20234:Amended Application of Percussion Petroleum Operating, LLC for compulsory pooling, Eddy County, New Mexico. Applicant in the above-styled cause seeks an order pooling all uncommitted interests from the top of the Atoka; Glorieta Yeso Pool (3250) to a

depth of 3000 Leet in the 160-acre horizontal spacing unit comprised of the S/2 N/2 of Section 28, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. Percussion proposes to dedicate the above-referenced spacing unit to the Weezer No. 1H Well, to be drilled from a surface location in the be SW/4 NW/4 (Unit E) of Section 27 to a standard bottom-hole location in the SW/4 NW/4 (Unit E) of Section 28. Also, to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision, designation of Percussion Petroleum Operating, LLC as operator of the well and a 200% charge for risk involved in drilling said well. Said area is located approximately 3.6 miles southeast of Atoka, New Mexico.