

**BEFORE THE OIL CONSERVATION DIVISION
EXAMINER HEARING JANUARY 23, 2020**

CASE No. 13987 (RE-OPEN)

SAN JUAN UNIT 28-4

RIO ARRIBA, NEW MEXICO



**APPLICATION TO AMEND REFERENCE
CASE ORDER R-12865 TO INCLUDE THE
PICTURED CLIFFS AND FRUITLAND COAL
GAS POOLS FOR PRE-APPROVAL OF
DOWNHOLE COMMINGLING AS TO ALL
CRITERIA FOR ITS SAN JUAN 28-4 UNIT
AND TO ELIMINATE THE NOTICE
REQUIREMENT, RIO ARriba COUNTY,
NEW MEXICO.**

[illegible]


Adam G. Rankin


Notary Public

 **OFFICIAL SEAL**
Carla Garcia
NOTARY PUBLIC - STATE OF NEW MEXICO
My Commission Expires: Nov. 12, 2023

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Exhibit No. 8
Submitted by: **Hilcorp Energy Company**
Hearing Date: January 23, 2020
Case #13987



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

December 19, 2019

VIA CERTIFIED MAIL
CERTIFIED RECEIPT REQUESTED

TO: INTEREST OWNERS IN THE SAN JUAN 28-4 UNIT

Re: Application of Hilcorp Energy Company to Amend Reference Case Order R-12865 to Include the Pictured Cliffs and Fruitland Coal Gas Pools for Pre-Approval of Downhole Commingling as to all Criteria for its San Juan 28-4 Unit and to Eliminate the Notice Requirement, Rio Arriba County, New Mexico.

Ladies & Gentlemen:

This letter is to advise you that Hilcorp Energy Company has filed the enclosed application with the New Mexico Oil Conservation Division. A hearing has been requested before a Division Examiner on January 23, 2020 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 Chuck Creekmore at (832) 839-4601.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam G. Rankin", with a long horizontal flourish extending to the right.

Adam G. Rankin

ATTORNEY FOR HILCORP ENERGY COMPANY

Tracking Number	Recipient	Status
9214890194038302781166	Cross Timbers Energy LLC C/O Drilling Info Mail PO BOX 161987 Austin TX 78716	In-Transit
9214890194038302781173	Critchfield Santa Fe Llc 5600 Wyoming Blvd NE Suite 260 Albuquerque NM 87109	Delivered Signature Received
9214890194038302781180	Office Of Natural Resources Revenue Lakewood Acctg Cent Onshore PO BOX 25627 Denver CO 80225-0627	Delivered Signature Received
9214890194038302781197	Mar Oil & Gas Corporation PO BOX 5155 Santa Fe NM 87502	Delivered Signature Received
9214890194038302781203	Romero Family Limited Partnership PO BOX 840845 Dallas TX 75284	Delivered Signature Received
9214890194038302781210	David Keith Roberts PO BOX 2203 Ruidoso NM 88355	Delivered Signature Received
9214890194038302781227	William Mahlon Roberts 2614 Oak Hills Trail San Angelo TX 76904	Delivered Signature Received
9214890194038302781234	James Lewis Roberts 307 W Mulberry Ave San Antonio TX 78212	Delivered Signature Received
9214890194038302781241	Tatum Living Trust Leslie C Tatum Trustee PO BOX 840738 Dallas TX 75284-0738	Delivered Signature Received
9214890194038302781258	Romero Family LP 70-01-100-0485268 PO BOX 840845 Dallas TX 75283	Delivered Signature Received
9214890194038302781265	LMA Royalties Ltd PO BOX 1449 Castle Rock CO 80104-1449	Delivered Signature Received
9214890194038302781272	Leslie Tatum PO BOX 7392 Kansas City MO 64116	Delivered Signature Received
9214890194038302781289	Alvin Dewey Baker Jr PO BOX 12992 El Paso TX 79913-0992	Delivered Signature Received
9214890194038302781296	Kristin Dawn Baker Ashton PO BOX 371 East Helena MT 59635-0371	Delivered Signature Received
9214890194038302781302	Belmont Sisters LP PO BOX 840738 Dallas TX 75284-0738	Delivered Signature Received
9214890194038302781319	Bureau Of Land Management 6251 College Blvd Suite A Farmington NM 87402	Delivered Signature Received
9214890194038302781326	State Land Office Commissioner 310 Old Santa Fe Trail Santa Fe NM 87504	Delivered Signature Received
9214890194038302781333	Bureau Of Land Management 301 Dinosaur Trail Santa Fe NM 87508	Delivered Signature Received



5.75 X 18 = \$103.50

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.

HEC - SJ Unit 28-4
Case No. 13987
CM# 93904.0003

Shipment Date: 12/18/2019

Shipped From:

Name: HOLLAND & HART LLP (1)

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	18
Total	18

*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 0019 0920 33





Firm Mailing Book For Accountable Mail

Name and Address of Sender Holland & Hart LLP (1) 110 N Guadalupe St # 1 Santa Fe NM 87501		Check type of mail or service ☐ Adult Signature Required ☐ Adult Signature Restricted Delivery ☒ Certified Mail ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery (COD) ☐ Insured Mail ☐ Priority Mail		Priority Mail Express ☐ Registered Mail ☐ Return Receipt for Merchandise ☐ Signature Confirmation ☐ Signature Confirmation Restricted Delivery									
USPS Tracking/Article Number		Addressee (Name, Street, City, State, & ZIP Code™)		Affix Stamp Here (if issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt.									
1. 9214 8901 9403 8302 7811 66		Cross Timbers Energy LLC C/O Drilling Info Mail PO BOX 161987 Austin TX 78716											
2. 9214 8901 9403 8302 7811 73		Criticfield Santa Fe Llc 5600 Wyoming Blvd NE Suite 260 Albuquerque NM 87109											
3. 9214 8901 9403 8302 7811 80		Office Of Natural Resources Revenue Lakewood Acctg Cent Onshore PO BOX 25627 Denver CO 80225-0627											
4. 9214 8901 9403 8302 7811 97		Mar Oil & Gas Corporation PO BOX 5155 Santa Fe NM 87502											
5. 9214 8901 9403 8302 7812 03		Romero Family Limited Partnership PO BOX 840845 Dallas TX 75284											
6. 9214 8901 9403 8302 7812 10		David Keith Roberts PO BOX 2203 Ruidoso NM 88355											
7. 9214 8901 9403 8302 7812 27		William Mahlon Roberts 2614 Oak Hills Trail San Angelo TX 76904											
8. 9214 8901 9403 8302 7812 34		James Lewis Roberts 307 W Mulberry Ave San Antonio TX 78212											
Total Number of Pieces Listed by Sender 18		Total Number of Pieces Received at Post Office		Postmaster, Per (Name of receiving employee)									



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Name and Address of Sender Holland & Hart LLP (1) 110 N Guadalupe St # 1 Santa Fe NM 87501		Check type of mail or service ☐ Adult Signature Required ☐ Adult Signature Restricted Delivery ☒ Certified Mail ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery (COD) ☐ Insured Mail ☐ Priority Mail ☐ Priority Mail Express ☐ Registered Mail ☐ Return Receipt for Merchandise ☐ Signature Confirmation ☐ Signature Confirmation Restricted Delivery		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
9. 9214 8901 9403 8302 7812 41	Tatum Living Trust, Leslie C Tatum Trustee PO BOX 940738 Dallas TX 75284-0738	0.65	3.50								1.60			
10. 9214 8901 9403 8302 7812 58	Romero Family LP 70-01-100-0485268 PO BOX 840845 Dallas TX 75283	0.65	3.50								1.60			
11. 9214 8901 9403 8302 7812 65	LMA Royalties Ltd PO BOX 1449 Castle Rock CO 80104-1449	0.65	3.50								1.60			
12. 9214 8901 9403 8302 7812 72	Leslie Tatum PO BOX 7392 Kansas City MO 64116	0.65	3.50								1.60			
13. 9214 8901 9403 8302 7812 89	Alvin Dewey Baker Jr PO BOX 12992 El Paso TX 79913-0992	0.65	3.50								1.60			
14. 9214 8901 9403 8302 7812 96	Kristin Dawn Baker Ashton PO BOX 371 East Helena MT 59635-0371	0.65	3.50								1.60			
15. 9214 8901 9403 8302 7813 02	Belmont Sisters LP PO BOX 840738 Dallas TX 75284-0738	0.65	3.50								1.60			
16. 9214 8901 9403 8302 7813 19	Bureau Of Land Management 6251 College Blvd Suite A Farmington NM 87402	0.65	3.50								1.60			
Total Number of Pieces Listed by Sender 18		Total Number of Pieces Received at Post Office		Postmaster, Per (Name of receiving employee)										



Name and Address of Sender
Holland & Hart LLP (1)
110 N Guadalupe St # 1
Santa Fe NM 87501

☐ Adult Signature Required	☐ Priority Mail Express
☐ Adult Signature Restricted Delivery	☐ Registered Mail
☒ Certified Mail	☐ Return Receipt for Merchandise
☐ Certified Mail Restricted Delivery	☐ Signature Confirmation
☐ Collect on Delivery (COD)	☐ Signature Confirmation Restricted Delivery
☐ Insured Mail	
☐ Priority Mail	

Affix Stamp Here
*(if issued as an international
certificate of mailing or for
additional copies of this receipt).*
Postmark with Date of Receipt.

[illegible]

STATE OF
NEW MEXICO

TO: ALL PARTIES AND
PERSONS HAVING ANY
RIGHT, TITLE, INTEREST
OR CLAIM IN THE FOLLOWING
CASE AND NOTICE TO THE
PUBLIC

Case No. 13987 (Re-
Open): Application of
Hilcorp Energy Com-
pany to Amend Refer-
ence Case Order R-
12665 to Include the
Pictured Cliffs and
Fruitland Coal Gas
Pools as to all Criteria
for the Pictured Cliffs
and to Eliminate the No-
tice Requirement, Rio
Arriba County, New
Mexico. Pursuant to
19.15.12.11(C) NMAC,
applicant seeks to re-
amend downhole com-
ingling reference case
Order R-12665 to include
pre-approval to downhole
comingling production
from the Pictured Cliffs
and Fruitland Coal Gas
Pools as to all criteria un-
der 19.15.12.11(A) and to
eliminate the notification
requirement on an area-
wide basis for all existing
and future wells drilled
anywhere within its San
Juan 28-4 Unit, Rio Ar-
riba County, New Mexico.
Said area is approxi-
mately 4 miles east, south-
east, and south, N.M.
(Published on: December
26, 2019)

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

The State of New Mexico,
Energy, Minerals and Nat-
ural Resources Depart-
ment, Oil Conservation
Division ("Division")
hereby gives notice that
the Division will hold a
public hearing before a
hearing examiner on
January 23, 2020, 8:15
a.m., in Porter Hall, 1st
Floor, Wendell Chino
Building, 1220 South St.
Francis, Santa Fe, New
Mexico. The docket may
be viewed electronically
on the Division's website,
http://ocd.hearings.him-
mus/OCD/hearings.htm
or obtained from Florene
Davidson, OCD Clerk, at
(505) 476-3458. Docu-
ments filed in the case
may be viewed at
http://ocdimage.emrd.state-
nm.us/imaging/Case-
FileCriteria.aspx. If you
are an individual with a
disability who needs a
reader, amplifier, qual-
ified sign language inter-
preter, or other type of
auxiliary aid or service to
attend or participate in the
hearing, contact Florene
Davidson, OCD Clerk, at
(505) 476-3458, or at the
New Mexico Relay Net-
work, 1-800-669-1778, no
later than January 13,
2020.

TO: ALL OPERATORS
IN THE PICTURED
CLIFFS AND FRUIT-
LAND COAL GAS
POOLS AND ALL OTHER
PARTIES, INCLUDING:
CROSS TIMBERS
L.L.C., C/O
DRILLINGFIELD, SANTA
FE LLC; OFFICE OF
NATURAL RE-
SOURCE REVENUE,
LAKESWOOD ACCTG
CENT ONSHORE; MAR
OIL & GAS CORPORA-
TION; ROMERO FAM-
ILY LIMITED PARTNER-
SHIP; DAVID KEITH
ROBERTS; HIS HEIRS
AND DEVEISEES; WILLI-
AM R. BAKER; HIS HEIRS
AND DEVEISEES; JAMES
LEWIS ROBERTS; HIS
HEIRS AND DEVEISEES;
TATUM LIVING TRUST;
LESLIE C. TATUM
TRUSTEE; ROMERO
FAMILY LP 70-01-100-
0483288; LMA ROYAL-
TIES, LTD; LESLIE
TATUM, HISHER HEIRS
AND DEVEISEES; ALVIN
NEWELL BAKER, JR.;
HIS HEIRS AND DE-
VEISEES; GUSTIN DAWN
BAKER; ASHTON, HER
HEIRS AND DEVEISEES;
BELMONT SISTERS LP;
BUREAU OF LAND
MANAGEMENT; STATE
LAND OFFICE COMMISSIONER.

Affidavit of Publication

State of New Mexico
County of Rio Arriba

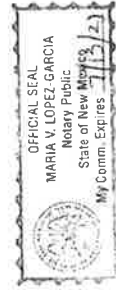
I, Robert Trapp, being first duly sworn, declare and say I am the publisher of the Rio Grande SUN, a weekly newspaper published in the English language and having a general circulation in the County of Rio Arriba, State of New Mexico, and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 of the Session Laws of 1937. The publication, a copy of which is hereto attached, was published in said paper once each week for

1 consecutive weeks and on the same day of each week in the regular issue of the paper during the time of publication and the notice was published in the newspaper proper, and not in any supplement. The first publication being on the 26TH day of DECEMBER 2019 and the last publication on the 26TH day of DECEMBER 2019 payment for said advertisement has been duly made, or assessed as court costs. The undersigned has personal knowledge of the matters and things set forth in this affidavit.

Robert Trapp Publisher

Subscribed and sworn to before me this 26TH day of DEC A.D. 2019

Maria V. Lopez-Garcia
Maria V. Lopez-Garcia/Notary Public
My commission expires 13 July 2021



Publisher's Bill

150 lines one time at 120.00
lines times at

Affidavit 5.00

Subtotal 125.00

Tax 11.17

Total 136.17

Payment received at Rio Grande SUN

Date DECEMBER 19, 2019

By LUPITA TRUJILLO

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

**APPLICATION TO AMEND REFERENCE
CASE ORDER R-12865 TO INCLUDE THE
PICTURED CLIFFS AND FRUITLAND COAL
GAS POOLS FOR PRE-APPROVAL OF
DOWNHOLE COMMINGLING AS TO ALL
CRITERIA FOR ITS SAN JUAN 28-4 UNIT
AND TO ELIMINATE THE NOTICE
REQUIREMENT, RIO ARriba COUNTY,
NEW MEXICO.**

**CASE NO. 13987 (Re-Open)
ORDER NO. R-12865**

AFFIDAVIT OF CHARLES CREEKMORE IN SUPPORT OF CASE NO. 13987

I, Charles Creekmore, being of lawful age and duly sworn, declare as follows:

1. My name is Charles Creekmore. I work for Hilcorp Energy Company ("Hilcorp") as a landman.
2. I have previously testified before the New Mexico Oil Conservation Division as an expert witness in petroleum land matters, and previously testified in this case before a Division Examiner. My credentials as a petroleum landman have been accepted by the Division and made a matter of record in this case.
3. I am familiar with the application filed by Hilcorp in this case, and I am familiar with the status of the lands in the subject areas.
4. None of the affected parties in this case has indicated opposition, and therefore I do not expect opposition at the hearing.
5. While preparing to present this case at the Division hearing on September 19, 2019, I identified a potential discrepancy with the parties entitled to notice, but was unable to

resolve that issue in advance of the hearing. Accordingly, Exhibit 8 was not presented at hearing and we requested that this case be continued to the October 17, 2019 so Hilcorp could confirm that all parties entitled to notice were properly identified.

6. To confirm the parties entitled to notice under Division regulations were correctly identified, I first identified and confirmed the leases that comprise the San Juan 28-4 Unit. There are nine (9) federal leases that comprise this Unit. Accordingly, U.S. Bureau of Land Management and the U.S. Office of Natural Resource Revenue are identified as parties entitled to notice as royalty owners. Hilcorp is Unit Operator and there are two other working interest owners in the unit that were identified and given required notice.

7. I then reviewed Hilcorp's owner records to identify overriding riding royalty interest owners and confirmed to the best of my knowledge that all of them had been correctly identified as being entitled to notice of the application and of the hearing.

8. Finally, Hilcorp also provided notice to the New Mexico State Land Office as a matter of courtesy.

9. All parties entitled to notice were locatable and all addresses, to the best of my knowledge, are correct and valid. I have therefore satisfied myself to the best of my knowledge that Hilcorp has correctly identified all mineral owners within the pools to be commingled in this application and located within the geographic area of the San Juan 28-4 Unit entitled to notice of the application and of the hearing as required by Division regulations.

10. I provided a list of parties entitled to notice to Holland & Hart LLP. **EXHIBIT 8**, attached hereto, contains a full and complete list of the parties entitled notice and reflects that each party identified received notice of the application and hearing.

FURTHER AFFIANT SAYETH NAUGHT.

Charles Creekmore
Charles Creekmore

STATE OF TEXAS)
)
COUNTY OF Harris)

SUBSCRIBED and SWORN to before me this 21st day of January, 2020 by
Charles Creekmore.

Andrea Stautberg
NOTARY PUBLIC

My Commission Expires:

May 7, 2022

