# **Before the Oil Conservation Division Examiner Hearing May 5, 2022**

Case No. 22742

Application of Marathon Oil Permian LLC to Amend Order No. R-21165, Lea County, New Mexico.



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

APPLICATION OF MARATHON OIL PERMIAN LLC TO REOPEN ORDER NO. R-21165, LEA COUNTY, NEW MEXICO FOR THE LIMITED PURPOSE OF ADDING ADDITIONAL POOLED PARTIES

> CASE NO. 22742 ORDER NO. R-21165 (RE-OPEN)

#### **TABLE OF CONTENTS**

Tab A: Declaration of Jeff Broussard, Land Professional for Case No. 22742:

- Exhibit 1: Application
- Exhibit 2: List of additional parties to be pooled.
- Exhibit 3: Summary of contacts and example proposal letter.
- Exhibit 4: Notice Declaration

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

APPLICATION OF MARATHON OIL PERMIAN LLC TO REOPEN ORDER NO. R-21165, LEA COUNTY, NEW MEXICO FOR THE LIMITED PURPOSE OF ADDING ADDITIONAL POOLED PARTIES

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#### SELF AFFIRMED DECLARATION OF JEFF BROUSSARD

Jeff Broussard, being duly sworn, deposes and states:

- 1. I am over the age of 18, I am a landman for Marathon Oil Permian LLC and have personal knowledge of the matters stated herein. I have been qualified by the Oil Conservation Division ("Division") as an expert petroleum landman.
- 2. I submit the following information pursuant to NMAC 19.15.4.12.A(1) in support of the above application.
  - 3. My area of responsibility at Marathon includes the area Lea County in New Mexico.
  - 4. I am familiar with the application filed by Marathon in this case.
  - 5. I am familiar with the status of the lands that are subject to this application.
  - 6. Attached as Exhibit 1 is the application for Case No. 22742.
- 7. In this case, Marathon seeks to reopen Order No. R-21165 (the "Order") for the limited purpose of adding additional pooled parties under the terms of the Order.
- 8. No opposition is expected because the interest owners being pooled have been contacted regarding the proposed wells, but have failed or refused to voluntarily commit their interests in the wells.

1

- 9. Pursuant to the Order, Marathon is the operator of the Wolfcamp formation underlying the E/2 of Section 11 and NE/4 of Section 14, Township 25 South, Range 34 East, NMPM, Lea County, New Mexico.
- 10. The Order pooled uncommitted interest owners in a 480-acre, more or less, Wolfcamp horizontal spacing unit comprised of the E/2 of Section 11 and NE/4 of Section 14, Township 25 South, Range 34 East, NMPM, Lea County, New Mexico.
- 11. Since the entry of the Order, Marathon has identified additional unleased mineral interest owners that it seeks to pool under the Order and include under Order R-21165's terms.
- 12. Marathon requests that the additional parties Marathon has identified on **Exhibit 2** be included under the Order terms.
- 13. **Exhibit 3** is a summary of contacts with the additional parties Marathon seeks to pool, including an example of the proposal letter that was sent to the additional parties Marathon seeks to pool.
- 14. In my opinion, Marathon made a good faith effort to obtain voluntary joinder in the proposed wells.
  - 15. The parties Marathon is seeking to pool were notified of this hearing.
- 16. Exhibit 4 is an affidavit of notice prepared by counsel for Marathon that shows the parties who were notified of this hearing, the status of whether they received notice, and an affidavit of publication from the Hobbs News-Sun newspaper.
- 17. The attachments to this declaration were prepared by me, or compiled from company business records, or were prepared at my direction.
- 18. In my opinion, the granting of this application is in the interests of conservation and the prevention of waste.

I attest under penalty of perjury under the laws of the State of New Mexico that the information provided herein is correct and complete to the best of my knowledge and belief.

Dated: April  $\sqrt[4]{}$ , 2022

Jeff Broussard

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

APPLICATION OF MARATHON OIL PERMIAN LLC TO REOPEN ORDER NO. R-21165, LEA COUNTY, NEW MEXICO FOR THE LIMITED PURPOSE OF ADDING ADDITIONAL POOLED PARTIES

> CASE NO. 22742 ORDER NO. R-21165 (RE-OPEN)

#### **APPLICATION**

Marathon Oil Permian LLC ("Marathon"), OGRID Number 372098, through its undersigned attorneys, files this application with the Oil Conservation Division (the "Division") for the limited purpose of amending Order No. R-21165 (collectively with its amendments, the "Order") to pool additional parties under the Order. In support of this application, Marathon states as follows:

- 1. Pursuant to Order No. R-21165, Marathon is the operator of the Wolfcamp formation underlying the E/2 of Section 11 and NE/4 of Section 14, Township 25 South, Range 34 East, NMPM, Lea County, New Mexico.
- 2. The Order pooled uncommitted interest owners in a 480-acre, more or less, Wolfcamp horizontal spacing unit comprised of the E/2 of Section 11 and NE/4 of Section 14, Township 25 South, Range 34 East, NMPM, Lea County, New Mexico.
- 3. Since the entry of the Order, Marathon has identified additional mineral interest owners that it seeks to pool under the Order and include under Order R-21165's terms.

- 4. Marathon sought, but has been unable to obtain, a voluntary agreement from the additional interest owners Marathon seeks to pool in this case to participate in the drilling of the wells or to otherwise commit their interests to the wells.
- 5. The pooling of all interests in the Wolfcamp formation underlying the unit will prevent the drilling of unnecessary wells, prevent waste and protect correlative rights.

WHEREFORE, Marathon requests this application be set for hearing before an Examiner of the Oil Conservation Division on May 5, 2022 and after notice and hearing as required by law, the Division enter its order:

- A. Amend Order No. R-21165 to include additional pooled parties under Order R-21165's terms; and
  - B. Incorporate all of the provisions of Order Nos. R-21165 and its amendments.

MODRALL, SPERLING, ROEHL, HARRIS & SISK, P.A.

Bv:

Deana M. Bennett

Bryce H. Smith

Post Office Box 2168

500 Fourth Street NW, Suite 1000

Albuquerque, New Mexico 87103-2168

Telephone: 505.848.1800 Attorneys for Applicant

CASE NO. \_\_\_\_\_\_: (Re-Open) Application of Marathon Oil Permian LLC to Amend Order No. R-21165, Lea County, New Mexico for the Limited Purpose of Adding Additional Pooled Parties. Applicant seeks an order from the Division for the limited purpose of amending Order No. R-21165 to pool additional parties under Order R-21165 and its amendments. The Order pooled uncommitted interest owners in a 480-acre, more or less, Wolfcamp horizontal spacing unit comprised of the E/2 of Section 11 and NE/4 of Section 14, Township 25 South, Range 34 East, NMPM, Lea County, New Mexico.

#### Parties to Be Pooled

Name	Approx. Acres in 480 Acre Unit	Approx. Interest in Unit
Pegasus Resources II, LLC	0.35	0.06%
TD Minerals LLC	0.9	0.15%
Fortis Minerals II, LLC	1.037037	0.17%

#### **Summary of Contacts: Ender Wiggins**

- Marathon identified certain unleased mineral interest owners.
- Marathon sent proposal letters to the unleased mineral interest owners on February 1, 2022.
- Marathon has had discussions with the unleased mineral owners, including discussions regarding the form of a lease, but has not been able to reach voluntary agreement on the form of leases.
- Marathon has since reached agreement with certain of the unleased mineral owners it identified and is not seeking to pool the interest owners with which Marathon has reached an agreement.
- If Marathon reaches agreement with any of the other unleased mineral owners, it will notify the Division.
- Marathon filed an application to force pool parties who had not entered in to an agreement.
- Marathon, through its counsel, sent notices of the force pooling application to the addresses of record at the time of the filing of the application.
- It is my understanding that Marathon's counsel submitted notice to the newspaper of general circulation in the county where the wells will be located.

Blake D. Williams
Senior Land Professional



Marathon Oil Permian LLC

990 Town and Country Blvd. Houston, TX 77024

Telephone: 713.296.3376 Mobile: 210.241.9317

Fax: 713.513.4006

bdwilliams@marathonoil.com

February 1, 2022

VIA CERTIFIED RETURN RECEIPT MAIL

Fortis Minerals II, LLC 1111 Bagby St. Suite 2150 Houston, TX 77002

Re:

Ender Wiggins 14 Fed Com 19H & 20H Well Proposals

Sections 11 & 14, T25S-R34E Lea County, New Mexico

Dear Fortis Minerals II, LLC,

Marathon Oil Permian LLC ("Marathon") shows you with 1.037037 unleased net mineral acres in the SW/4NE/4 of Section 14, 25S-34E. As an unleased mineral owner, Marathon would like to offer you the opportunity to lease your minerals to Marathon at the below lease terms:

This offer to lease terminates April 1, 2022 and is subject to due diligence and title verification satisfactory to Marathon. Should you be agreeable to this offer to lease, please sign the lease in the presence of a notary and complete the IRS Form W-9 form included in this proposal and return to my attention at the address listed above.

Marathon proposes the drilling of the following wells located in the Section 11 and the N/2 of Section 14, 25S-34E, Lea County, New Mexico all to be drilled from the same surface pad location. Should you not elect to lease, Marathon would also like to offer you the opportunity to participate in the drilling of the wells as a working interest owner.

Well Name	FTP (Sec. 14, 25S-34E)	LTP (Sec. 11, 25S-34E)	TVD	MD	AFE Cost
Ender Wiggins 14 WA Fed Com 19H	1,254' FEL/2,540' FNL	1,254' FEL/100' FNL	12,729'	20,230'	\$ 8,492,934
Ender Wiggins 14 WXY Fed Com 20H	330' FEL/2,540' FNL	330' FEL/100' FNL	12,635'	20,135'	\$ 8,255,509

These proposed locations and target depths are subject to change depending on any surface or subsurface concerns encountered. The AFEs represent an estimate of the costs that will be incurred to drill and complete the wells, but those electing to participate in the wells are responsible for their proportionate share of the actual costs incurred.

MRO proposes drilling the well under the terms of the 1989 AAPL JOA and a form of this JOA will be sent to you following this proposal. The JOA will have these general provisions:

- 100%/300%/300% non-consent penalty
- \$7,500/\$750 drilling and producing rates
- Contract area of E/2 Section 11 & NE/4 Section 14, 25S-34E, covering the Bone Spring and Wolfcamp Formations

Your unleased interest is estimated to be 0.216049% WI.

If your election is to participate in the drilling and completion of the wells please sign and return a copy of this letter along with the enclosed AFE within thirty (30) days of receipt of this proposal.

Should you have any questions regarding this or other matters, please don't hesitate to contact me at the above listed numbers.

Sincerely,

Blake D. Williams Senior Land Professional

Fed Com 20H well.

elects to participate in the drilling, completing, and equipping of the Ender Wiggins 14 WA Fed Com 19H well.
elects NOT to participate in the drilling, completing, and equipping of the Ender Wiggins 14 WA Fed Com 19H well.
elects to participate in the drilling, completing, and equipping of the Ender Wiggins 14 WXY Fed Com 20H well.
elects NOT to participate in the drilling, completing, and equipping of the Ender Wiggins 14 WXY

#### Fortis Minerals II, LLC

By:	
Print Name:	
Γitle:	
Date:	

10

MARATHON OIL PERMIAN LLC AUTHORITY FOR EXPENDITURE DETAIL OF ESTIMATED WELL COSTS DATE 1/24/2022
DRILLING & LOCATION PREPARED BY COURT NELSON
COMPLETION PREPARED BY KRISTEN DRAIN
FACILITIES PREPARED BY HARSHA DISSAND

Asset Team	PERMIAN	
ield	Pitchfork Ranch; Wolfcamp, South [96994] WILDCAT	EXPLORATION
ORMATION:	WOLFCAMP ADEVELOPMENT	RECOMPLETION
ease/Facility	Ender Wiggins 14 WA Fed Com 19H X EXPLOITATION	_WORKOVER
ocation Prospect	LEA COUNTY RED HILLS	
rospect	RED TILES	
st TMD st TVD	20,230 Est Drilling Days 24 Est Completion Day 12,729	s 5.5
OCATION COS	- INTANGIBLE	
GL CODE	DESCRIPTION	ESTIMATED CO
7001270	Location and Access	100,50
7001250	Land Broker Fees and Services	67,500
	TOTAL LOCATION COST - INTANGIBLE	168,00
RILLING COST	-TANGIBLE	
7004070	O and the same of	35.00
7001270	Conductor Pipe	25,000
7012050 7012050	Surface Casing	59,000
7012050	Intermediate Casing 1 Intermediate Casing 2	502,00
7012050	Production Casing	536,00
7012050	Drig Liner Hanger, Tieback Eq & Csg Accessories	330,000
7012550	Drilling Wellhead Equipment	65,000
7012040	Casing & Tubing Access	24,000
7290003	Miscellaneous MRO Materials	5,000
	TOTAL DRILLING - TANGIBLE	1,216,000
RILLING COST	- INTANGIBLE	
7290002	Drilling Rig Mob/Demob	100,00
7290002	Drilling Rig - day work/footage	643,20
7019040	Directional Drilling Services	188,600
7019020	Cement and Cementing Service Surface	25,000
7019020	Cement and Cementing Service Intermediate 1	
7019020	Cement and Cementing Service Intermediate 2	45,000
7019020	Cement and Cementing Service Production	85,000
7019140	Mud Fluids & Services	124,30
7012310	Solids Control equipment	48,24
7012020	Bits	135,000
7019010	Casing Crew and Services	45,000
7016350	Fuel (Rig)	147,400
7019140	Fuel (Mud)	72,000
7001460	Water (non potable)	25,000
7012350	Water (potable)	5,000
7019000	Well Logging Services	
7019150	Mud Logging+geosteering	16,279
7019250	Stabilizers, Hole Openers, Underreamers (DH rentals)	15,000
7019110	Casing inspection/cleaning	15,000
7019110	Drill pipe/collar inspection services	10,000
7016180	Freight - truck	25,000
7001460	Water hauling and disposal (includes soil farming)	180,000
7001160	Contract Services - Disposal/Non-Hazardous Waste	80,000
7001440	Vacuum Trucks	10,000
7000030	Contract Labor - general	30,000
7000010	Contract Labor - Operations	3,000
7001200	Contract Services - Facilities	10,000
7019300	Well Services - Well Control Services	22,650
7019350	Well Services - Well/Wellhead Services	10,000
7290003	Rental Tools and Equipment (surface rentals)	13,400
7260001	Rig Equipment and Misc.	107,200
7001110	Telecommunications Services	5,000
7001120	Consulting Services	112,560
7001400	Safety and Environmental	37,520
7330002	Rental Buildings (trailers)	13,400
	Coring (sidewalls & analysis)	-
7019310		
	8% Contingency & Taxes  TOTAL DRILLING - INTANGIBLE	\$2,694,40

MARATHON OIL PERMIAN LLC DATE 1/24/2022 AUTHORITY FOR EXPENDITURE DETAIL OF ESTIMATED WELL COSTS Asset Team PERMIAN Pitchfork Ranch; Wolfcamp, South [96994] WOLFCAMP A Field FORMATION: Lease/Facility Ender Wiggins 14 WA Fed Com 19H COMPLETION - TANGIBLE GL CODE DESCRIPTION ESTIMATED COST 7012580 Tubing Accessories (nipple, wireline entry)
Wellhead Equip
Packers - Completion Equipment 7012040 15,000 7012550 TOTAL COMPLETION - TANGIBLE 15,000 COMPLETION - INTANGIBLE

7001270	Location and Access (dress location after rig move, set anchors)	7,000
7290002	Drilling Rig During Completion	
7019140	Mud Fluids & Services	
019030	Coiled Tubing Services (3 runs)	75,200
019240	Snubbing Services	2
7019270	Pullin /Swab Units	
016350	Fuel (from drlg)	
7019010	Casing Crew and Services	
019020	Cement and Cementing Services	*
019080	Well Testing Services (flow hand & equip)	351,600
390002	Fracturing Services	2,008,279
019330	Perforating	112,000
019360	Wireline Services	
001460	Water Hauling & Disposal (frac fluids)	255,000
016180	Freight - Truck (haul pipe; drlg & compl)	
290003	BOP Rental & Testing	*
290003	Rental Tools and Equipment (incl drlg; lightplant,hydra-walk)	
290003	CT Downhole Rental Equipment (ie. Bit, BHA)	19,000
290003	Contract Labor - general	
000030	Telecommunications Services	25,000
001110	Safety and Environmental	
001400	Consulting Services	25,000
001120	Zipper Manifold	132,000
019300	Frack Stack Rentals	80,000
016180	Freight (Transportation Services)	4,800
260001	Equipment Rental ( w/o operator, frac tanks, lightplants)	154,500
330002	Rental Buildings (trailers)	
0000030	Contract Labor - Pumping (pump-down pumps)	10,000
7011010	8% Contingency & Taxes	
1	FOTAL COMPLETION - INTANGIBLE	\$3,259,375

ENT - TANGIBLE	
Misc. Piping, Fittings & Valves	17,993
Company Labor & Burden	
Contract Labor - General	62,005
Telecommunication equip (Telemetry)	
Line Pipe & Accessories	
Miscellaneous Materials (containment system)	35,847
SCADA	,
Freight - truck	
Contract Engineering	7,264
Metering and Instrumentation	5,823
I&E Materials	105,326
Gas Treating	
Dehydration	
Compressor	
Power	-
Vapor Recovery Unit	
Separator & other pressure vessels	336,771
Tanks	235,346
Heater Treater	
Flare & Accessories	23,293
Electrical Labor	10,482
Mechanical Labor	=2
Rod Pumping unit & Pad	
Pumping Unit Engine	
Electrical Power (electrical cooperative construction costs)	
	Company Labor & Burden Contract Labor - General Telecommunication equip (Telemetry) Line Pipe & Accessories Miscellaneous Materials (containment system) SCADA Freight - truck Contract Engineering Metering and Instrumentation I&E Materials Gas Treating Dehydration Compressor Power Vapor Recovery Unit Separator & other pressure vessels Tanks Heater Treater Flare & Accessories Electrical Labor Mechanical Labor Rod Pumping unit & Pad Pumping Unit Engine

TOTAL SURFACE EQUIPMENT COST

840,150

MARATHON OF	L PERMIAN LLC	DATE	1/24/2022
AUTHORITY FO	R EXPENDITURE		
DETAIL OF ESTI	MATED WELL COSTS		
Asset Team	PERMIAN		
Field	Pitchfork Ranch; Wolfcamp, South [96994]		
FORMATION:			
Lease/Facility	Ender Wiggins 14 WA Fed Com 19H		
ARTIFICIAL LIFT			
7000030	Contract Labor		2,000
7001120	Consultant		3,000
7008230	Time Writing/Overhead		1,000
7012180	Artificial Lift Equipment		200,000
7012350	Materials & Supplies		2,000
7012550	Production Tree		5,000
7012580	Tubing		50,000
7016190	Freight		5,000
7018150	Rentals		6,000
7019130	Kill Fluid		2,000
7019220	Well Services & Rig		24,000
	TOTAL ARTIFICIAL LIFT	-	300,000
	TOTAL ARTIFICIAL LIFT COST	\$	300,000
	SUMMARY OF ESTIMATED DRILLING WELL COSTS	Т	OTAL COST
	TOTAL LOCATION COST	\$	168,000
	TOTAL DRILLING COST	\$	3,910,405
	TOTAL COMPLETIONS COST	\$	3,274,379
	TOTAL SURFACE EQUIPMENT COST	\$	840,150
	TOTAL ARTIFICIAL LIFT COST	\$	300,000
	GRAND TOTAL COST	_	\$8,492,934

Participant's Approval

\_\_\_\_ Date: \_\_\_

Name of Company:\_ Signature:\_

> 5/5/22 OCD Examiner Hearing No. 22742

13

MARATHON OIL PERMIAN LLC AUTHORITY FOR EXPENDITURE DETAIL OF ESTIMATED WELL COSTS DATE 1/24/2022

DRILLING & LOCATION PREPARED BY COURT NELSON
COMPLETION PREPARED BY KRISTEN DRAIN
FACILITIES PREPARED BY HARSHA DISSAN
ARTIFICIAL LIFT PREPARED BY CRAIG PI ANTE

Field FORMATION:		EXPLORATION
Ommarion.	Pitchfork Ranch; Wolfcamp, South [96994] WILDCAT WOLFCAMP XY DEVELOPMENT	RECOMPLETIO
Lease/Facility	Ender Wiggins 14 WXY Fed Com 20H X EXPLOITATION	WORKOVER
Location	LEA COUNTY	
Prospect	RED HILLS	
Est TMD	20,135 Est Drilling Days 24 Est Completion Day	ays 5.5
Est TVD	20,135 Est Drilling Days 24 Est Completion Da 12,635	ays
LOCATION COS	T - INTANGIBLE	
GL CODE	DESCRIPTION	ESTIMATED CO
7001270	Location and Access	100,5
7001250	Land Broker Fees and Services	67,5
	TOTAL LOCATION COST - INTANGIBLE	168,0
DRILLING COST	- TANGIBLE	
7001270	Conductor Pipe	25,0
7012050	Surface Casing	59,0
7012050	Intermediate Casing 1	E03.0
7012050 7012050	Intermediate Casing 2	502,0 536,0
7012050	Production Casing Drlg Liner Hanger, Tieback Eq & Csg Accessories	0,00,0
7012550	Drilling Wellhead Equipment	65,0
7012040	Casing & Tubing Access	24,0
7290003	Miscellaneous MRO Materials	5,0
	TOTAL DRILLING - TANGIBLE	1,216,0
DRILLING COST	- INTANGIBLE	
7290002	Drilling Rig Mob/Demob	100,0
7290002	Drilling Rig - day work/footage	643,2
7019040	Directional Drilling Services  Cement and Cementing Service Surface	188,6
7019020 7019020	Cement and Cementing Service Surface Cement and Cementing Service Intermediate 1	25,0
7019020	Cement and Cementing Service Intermediate 2	45,0
7019020	Cement and Cementing Service Production	85,0
	Centent and Cententing Service   Floadcoom	05,0
	Mud Fluids & Services	124.3
7019140	Mud Fluids & Services Solids Control equipment	
7019140 7012310	Solids Control equipment	48,2
7019140 7012310 7012020	Solids Control equipment Bits	48,2 135,0
7019140 7012310 7012020 7019010	Solids Control equipment Bits Casing Crew and Services	48,2 135,0 45,0
7019140 7012310 7012020	Solids Control equipment Bits Casing Crew and Services Fuel (Rig)	48,2 135,0 45,0 147,4
7019140 7012310 7012020 7019010 7016350	Solids Control equipment Bits Casing Crew and Services	48,2 135,0 45,0 147,4 72,0
7019140 7012310 7012020 7019010 7016350 7019140	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud)	48,2 135,0 45,0 147,4 72,0 25,0
7019140 7012310 7012020 7019010 7016350 7019140 7001460	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable)	48,2 135,0 45,0 147,4 72,0 25,0
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable) Well Logging Services	48,2 135,0 45,0 147,4 72,0 25,0
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350 7019000	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable)	48,2 135,0 45,0 147,4 72,0 25,0 5,0
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350 7019000 7019150	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable) Wall Logging Services Mud Logging-geosteering Stabilizers, Hole Openers, Underreamers (DH rentals) Casing inspection/cleaning	48,2 135,0 45,0 147,4 72,0 25,0 5,0
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350 7019000 7019150 7019250 7019110	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (non potable) Well Logging Services Mud Logging+geosteering Stabilizers, Mole Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar inspection services	48,2 135,0 45,0 147,4 72,0 25,0 5,0 16,2 15,0 15,0
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350 7019000 7019150 7019250 7019110 7019110 7016180	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable) Well Logging Services Mud Logging-seosteering Stabilizers, Hole Openers, Underreamers (DH rentals) Casing Inspection/cleaning Drill pipe/collar inspection services Freight - truck	48,2 135,0 45,0 147,4 72,0 25,0 5,0 16,2 15,0 10,0
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350 7019100 7019150 7019150 7019110 7019110 7016180 7001460	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable) Wall Logging Services Mud Logging-geosteering Stabilizers, Hole Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar inspection services Freight - truck Water hauling and disposal (includes soil farming)	48,2 135,0 45,0 147,4 72,0 25,0 5,0 16,2 15,0 10,0 25,0 180,0
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350 7019000 7019150 7019150 7019110 7016180 7001460 7001160	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable) Walt Logging Services Mud Logging Services Mud Logging-tecosteering Stabilizers, Hole Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar inspection services Freight - truck Water hauling and disposal (includes soil farming) Contract Services - Disposal/Non-Hazardous Waste	48,2 135,0 45,0 147,4 72,0 25,0 5,0 16,2 15,0 10,0 25,0 180,0
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350 7019000 7019150 7019100 7019110 7016180 7001460 7001460 7001460	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (non potable) Well Logging Services Mud Logging Services Mud Logging+geosteering Stabilizers, Hole Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar inspection services Freight - truck Water hauling and disposal (includes soil farming) Contract Services - Disposal/Non-Hazardous Waste Vacuum Trucks	48,2 135,0 45,0 147,4 72,0 25,0 5,0 16,2 15,0 10,0 25,0 80,0
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350 7019100 7019150 7019110 7019110 7016180 7001460 7001440 7000030	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable) Walter (potable) Well Logging Services Mud Logging Services Mud Logging+geosteering Stabilizers, Hole Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar Inspection services Freight - truck Water hauling and disposal (includes soil farming) Contract Services - Disposal/Non-Hazardous Waste Vacuum Trucks Contract Labor - general	48,2 135,0 45,0 147,4 72,0 5,0 16,2 15,0 10,0 25,0 180,0 80,0 30,0
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7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350 7019150 7019150 7019150 7019110 7016180 7001460 7001460 7001400 7000030 7000010 7001200	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable) Well Logging Services Mud Logging Services Mud Logging-geosteering Stabilizers, Hole Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar inspection services Freight - truck Water hauling and disposal (includes soil farming) Contract Services - Disposal/Non-Hazardous Waste Vacuum Trucks Contract Labor - general Contract Labor - Operations Contract Services - Facilities	48,2 135,0 45,0 147,4 72,0 25,0 5,0 16,2 15,0 10,0 25,0 180,0 30,0 30,0 3,0
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7019140 7012310 7012020 7019010 7016350 7019140 7001460 7019150 7019150 7019110 7019110 7016180 7001460 7001400 7000100 7001200 7019100 7019100 7019100 7019100 7019100 7019100 7019100 7019100 7019100 7019100 7019100 7019100 7019100 7019100 7019100	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable) Walt Logging Services Mud Logging Services Mud Logging-geosteering Stabilizers, Hole Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar inspection services Freight - truck Water hauling and disposal (includes soil farming) Contract Services - Disposal/Non-Hazardous Waste Vacuum Trucks Contract Labor - general Contract Labor - General Contract Services - Facilities Well Services - Well Control Services Well Services - Well Control Services Well Services - Well Control Services	48,2 135,0 45,0 147,4 72,0 25,0 16,2 15,0 10,0 25,0 180,0 30,0 30,0 10,0 22,6 6
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7019140 7012310 7012020 7019010 7016350 7019140 7001450 7019150 7019150 7019150 7019110 7016180 7001460 7001400 700100 700100 700100 7019100 701910	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable) Walter (potable) Well Logging Services Mud Logging Services Mud Logging Services Stabilizers, Hole Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar inspection services Freight - truck Water hauling and disposal (includes soil farming) Contract Services - Disposal/Non-Hazardous Waste Vacuum Trucks Contract Labor - Operations Contract Services - Facilities Well Services - Well Control Services Well Services - Well Control Services Rental Tools and Equipment (surface rentals) Rig Equipment and Misc.	48,2 135,0 45,0 147,4 72,0 5,0 16,2 15,0 10,0 25,0 180,0 30,0 30,0 10,0 10,0 10,0 10,0 10,0 1
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350 7019100 7019150 7019110 7016180 7001460 7001400 700100 700100 700100 701910 701910 701910 701910 701910 701910 701910 701910 701910 701910 701910 701910 701910 701910 701910 701910 701910 701910 701910	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable) Water (potable) Wall Logging Services Mud Logging Services Mud Logging-geosteering Stabilizers, Hole Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar inspection services Freight - truck Water hauling and disposal (includes soil farming) Contract Services - Disposal/Non-Hazardous Waste Vacuum Trucks Contract Labor - operations Contract Labor - Operations Contract Services - Facilities Well Services - Well Control Services Well Services - Well/Wellhead Services Rental Tools and Equipment (surface rentals) Rig Equipment and Misc. Telecommunications Services	48,2 135,0 45,0 147,4 72,0 5,0 16,2 15,0 10,0 25,0 180,0 30,0 30,0 10,0 22,6 110,0 13,4 107,2 5,0
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7019250 7019150 7019150 701910 7016180 7001460 7001460 7001400 70019250 7019110 7016180 7001400 70019300 7019300 7019300 7019300 7260001 7260001 7001110	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable) Wall Logging Services Mud Logging Services Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar inspection services Freight - truck Water hauling and disposal (includes soil farming) Contract Services - Disposal/Non-Hazardous Waste Vacuum Trucks Contract Labor - general Contract Labor - Gervices Contract Services - Facilities Well Services - Well Control Services Well Services - Well/Wellhead Services Rental Tools and Equipment (surface rentals) Rig Equipment and Misc. Telecommunications Services Consulting Services	124,3 48,2 135,0 45,0 147,4 72,0,0 5,0 16,2 15,0 10,0 25,0 180,0 30,0 30,0 10,0 22,6 10,0 13,4 107,2 5,0 112,5 5,0
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350 7019100 7019150 7019150 7019100 7019100 7019100 7019100 7019100 7019100 7001400 700100 7001200 7019350 7250001 7250001 7250001 7250001 7250001 7250001 7250001 7250001 7250001	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (non potable) Water (potable) Well Logging Services Mud Logging Services Mud Logging services Mud Logging services Mud Logging services Disperson (Demains Stabilizers, Hole Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar inspection services Freight - truck Water hauling and disposal (includes soil farming) Contract Services - Disposal/Non-Hazardous Waste Vacuum Trucks Contract Labor - Operations Contract Services - Facilities Well Services - Well Control Services Well Services - Well Control Services Rental Tools and Equipment (surface rentals) Rig Equipment and Misc. Telecommunications Services Consulting Services Safety and Environmental	48,2 135,0 45,0 147,4 72,0, 5,0 16,2 15,0 10,0 25,0 180,0 80,0 10,0 30,0 3,0 10,0 10,0 10,0 10,0 10
7019140 7012310 7012310 7012020 7019010 7016350 7019140 7001450 7019250 7019110 7019110 7016180 7001460 7001460 7001200 7019300	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Rig) Fuel (Mud) Water (non potable) Water (potable) Walter (potable) Walter (potable) Walter (potable) Stabilizers, Hole Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar inspection services Freight - truck Water hauling and disposal (includes soil farming) Contract Services - Disposal/Non-Hazardous Waste Vacuum Trucks Contract Labor - Operations Contract Labor - Services Contract Services - Facilities Well Services - Well Control Services Well Services - Well Control Services Rental Tools and Equipment (surface rentals) Rig Equipment and Misc. Telecommunications Services Consulting Services Consulting Services Safety and Environmental Rental Bulldings (trailers)	48,2 135,0 45,0 147,4 72,0 5,0 16,2 15,0 10,0 25,0 180,0 30,0 10,0 22,6 10,0 11,0 11,0 11,0 11,0 11,0 11,0 11
7019140 7012310 7012020 7019010 7016350 7019140 7001460 7012350 7019100 7019150 7019150 7019100 7019100 7019100 7019100 7019100 7019100 7001400 700100 7001200 7019350 7250001 7250001 7250001 7250001 7250001 7250001 7250001 7250001 7250001	Solids Control equipment Bits Casing Crew and Services Fuel (Rig) Fuel (Mud) Water (non potable) Water (non potable) Water (potable) Well Logging Services Mud Logging Services Mud Logging services Mud Logging services Mud Logging services Disperson (Demains Stabilizers, Hole Openers, Underreamers (DH rentals) Casing inspection/cleaning Drill pipe/collar inspection services Freight - truck Water hauling and disposal (includes soil farming) Contract Services - Disposal/Non-Hazardous Waste Vacuum Trucks Contract Labor - Operations Contract Services - Facilities Well Services - Well Control Services Well Services - Well Control Services Rental Tools and Equipment (surface rentals) Rig Equipment and Misc. Telecommunications Services Consulting Services Safety and Environmental	88,2 135,0 45,0 147,4 72,0 5,0 16,2 15,0 10,0 25,0 10,0 30,0 30,0 10,0 10,0 10,0 10,0 10

MARATHON OIL PERMIAN LLC DATE 1/24/2022 **AUTHORITY FOR EXPENDITURE DETAIL OF ESTIMATED WELL COSTS** PERMIAN Pitchfork Ranch; Wolfcamp, South [96994] WOLFCAMP XY Field FORMATION: Lease/Facility Ender Wiggins 14 WXY Fed Com 20H COMPLETION - TANGIBLE GL CODE DESCRIPTION ESTIMATED COST 7012580 Tubing Tubing Accessories (nipple, wireline entry)
Wellhead Equip 7012040 7012550 15,000 7012560 TOTAL COMPLETION - TANGIBLE 15,000 COMPLETION - INTANGIBLE

7001270	Location and Access (dress location after rig move, set anchors)	7,000
7290002	Drilling Rig During Completion	
7019140	Mud Fluids & Services	
7019030	Coiled Tubing Services (3 runs)	75,200
019240	Snubbing Services	
019270	Pulling/Swab Units	
016350	Fuel (from drlg)	
019010	Casing Crew and Services	
019020	Cement and Cementing Services	
019080	Well Testing Services (flow hand & equip)	348,750
390002	Fracturing Services	1,790,704
019330	Perforating	111,500
019360	Wireline Services	
001460	Water Hauling & Disposal (frac fluids)	255,000
016180	Freight - Truck (haul pipe; drlg & compl)	
290003	BOP Rental & Testing	
90003	Rental Tools and Equipment (incl drlg; lightplant,hydra-walk)	
290003	CT Downhole Rental Equipment (ie. Bit, BHA)	19,000
90003	Contract Labor - general	
000030	Telecommunications Services	25,000
001110	Safety and Environmental	1.0
001400	Consulting Services	25,000
001120	Zipper Manifold	122,500
019300	Frack Stack Rentals	80,000
016180	Freight (Transportation Services)	4,800
260001	Equipment Rental ( w/o operator, frac tanks, lightplants)	147,500
330002	Rental Buildings (trailers)	
000030	Contract Labor - Pumping (pump-down pumps)	10,000
7011010	8% Contingency & Taxes	) •
Т	OTAL COMPLETION - INTANGIBLE	\$3,021,954

RFACE EQUIPN	IENT - TANGIBLE	
7012350	Misc. Piping, Fittings & Valves	17,993
7006640	Company Labor & Burden	
7000030	Contract Labor - General	62,005
7001110	Telecommunication equip (Telemetry)	
7012410	Line Pipe & Accessories	
7012270	Miscellaneous Materials (containment system)	35,847
7008060	SCADA	7.
7016180	Freight - truck	
7001190	Contract Engineering	7,264
7012290	Metering and Instrumentation	5,823
7012290	I&E Materials	105,326
7012200	Gas Treating	10
7012200	Dehydration	
7012010	Compressor	
7012350	Power	
7012610	Vapor Recovery Unit	
7012440	Separator & other pressure vessels	336,771
7012500	Tanks	235,346
7012100	Heater Treater	1/2
7012640	Flare & Accessories	23,293
7000010	Electrical Labor	10,482
7000010	Mechanical Labor	
7012480	Rod Pumping unit & Pad	
7012180	Pumping Unit Engine	
7012350	Electrical Power (electrical cooperative construction costs)	

TOTAL SURFACE EQUIPMENT COST

840,150

AUTHORITY FO	L PERMIAN LLC R EXPENDITURE	DATE	1/24/2022
DETAIL OF ESTI	MATED WELL COSTS		
Asset Team	PERMIAN		
Field	Pitchfork Ranch; Wolfcamp, South [96994]		
FORMATION:	WOLFCAMP XY		
Lease/Facility	Ender Wiggins 14 WXY Fed Com 20H		
ARTIFICIAL LIFT			
7000030	Contract Labor		2,000
7001120	Consultant		3,000
7008230	Time Writing/Overhead		1,000
7012180	Artificial Lift Equipment		200,000
7012350	Materials & Supplies		2,000
7012550	Production Tree		5,000
7012580	Tubing		50,000
7016190	Freight		5,000
7018150	Rentals		6,000
7019130	Kill Fluid		2,000
7019220	Well Services & Rig		24,000
	TOTAL ARTIFICIAL LIFT	-	300,000
	TOTAL ARTIFICIAL LIFT COST	\$	300,000
	SUMMARY OF ESTIMATED DRILLING WELL COSTS	1	OTAL COST
	TOTAL LOCATION COST	\$	168,000
	TOTAL DRILLING COST	\$	3,910,405
	TOTAL COMPLETIONS COST	\$	3,036,954
	TOTAL SURFACE EQUIPMENT COST	\$	840,150
	TOTAL ARTIFICIAL LIFT COST	\$	300,000
	GRAND TOTAL COST		\$8,255,509

	Participant's Approval	
Name of Company:		
Signature:		
Title:		Date:

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

APPLICATION OF MARATHON OIL PERMIAN LLC TO REOPEN ORDER NO. R-21165, LEA COUNTY, NEW MEXICO FOR THE LIMITED PURPOSE OF ADDING ADDITIONAL POOLED PARTIES

> CASE NO. 22742 ORDER NO. R-21165 (RE-OPEN)

#### SELF-AFFIRMED DECLARATION OF DEANA M. BENNETT

Deana M. Bennett, attorney in fact and authorized representative of Marathon Oil Permian LLC, the Applicant herein, declares as follows:

- 1) The above-referenced Application was provided under a notice letter, dated April 15, 2022, and attached hereto, as Exhibit D.
- 2) Exhibit A is the mailing list, which shows the notice letter was delivered to the USPS for mailing on April 15, 2022.
- 3) Exhibit B is the certified mailing tracking information, which is automatically complied by CertifiedPro, the software Modrall uses to track the mailings. This spreadsheet shows the names and addresses of the parties to whom notice was sent and the status of the mailing.
- 4) Exhibit C is the Affidavit of Publication from the Hobbs News-Sun, confirming that notice of the May 5, 2022 hearing was published on April 22, 2022.
- 5) I attest under penalty of perjury under the laws of the State of New Mexico that the information provided herein is correct and complete to the best of my knowledge and belief.

Dated: May 2, 2022

/s/Deana M. Bennett
Deana M. Bennett

Received by OCD: 5/4/2022 7:40:05 AM

Karlene Schuman Modrall Sperling Rochl Harris & Sisk P.A. 100 Fourth Street, Suite 1000 Albuquerque NM 87102		PS Form 3877  Type of Mailing: CERTIFIED MAIL  04/15/2022				Firm Mailing Book ID: 22615		
Line	USPS Article Number	Name, Street, City, State, Zip	Postage	Service Fee	RR Fee	Rest.Del.Fee	Reference Contents	
1	9314 8699 0430 0094 3289 16	Pegasus Resources II, LLC P.O. Box 470698 Fort Worth TX 76147	\$1.36	\$3.75	\$1.85	\$0.00	81363-0151 EW Notice	
2	9314 8699 0430 0094 3289 23	TD Minerals LLC 8111 Westchester Dr., Suite 900 Dallas TX 75225	\$1.36	\$3.75	\$1.85	\$0.00	81363-0151 EW Notice	
3	9314 8699 0430 0094 3289 30	Duard B. Thomas, as Personal Representative of the Estate of Warren J. Bates P.O. Box 1357 Ada OK 74820	\$1.36	\$3.75	\$1.85	\$0.00	81363-0151 EW Notice	
4	9314 8699 0430 0094 3289 47	Fortis Minerals II, LLC 1111 Bagby St. Suite 2150 Houston TX 77002  APR 15 2622	\$1.36	\$3.75	\$1.85	\$0.00	81363-0151 EW Notice	
5	9314 8699 0430 0094 3289 54	Del Rey Holdings, LLC P.O. Box 470981 Fort Worth TX 76147	\$1.36	\$3.75	\$1.85	\$0.00	81363-0151 EW Notice	
		MAIN OFFICE Totals:	\$6.80	\$18.75 Grand	\$9.25	\$0.00 \$34.80		

List Number of Pieces	Total Number of Pieces	Postmaster:	Dated:
Listed by Sender	Received at Post Office	Name of receiving employee	

5

5/5/22 OCD Examiner Hearing No. 22742

Page 20 of 24

Received by OCD: 5/4/2022 7:40:05 AM

			Firm Mail E	Details - CertifiedPro.net book ID= 276151 2/2022 8:11:14 AM					A PROPERTY.	
USPS Article Number	Date Created	Reference Number	Name 1	Name 2	City		Zip	Mailing Status	Service Options	Mall Delivery Date
9314869904300094328954	2022-04-15 10:31 AM	81363-0151 EW	Del Rey Holdings, LLC		Fort Worth	TX	76147	Delivered	Return Receipt - Electronic, Certified Mail	2022-04-19 9:14 AM
9314869904300094328947	2022-04-15 10:31 AM	81363-0151 EW	Fortis Minerals II, LLC		Houston	TX	77002	Delivered	Return Receipt - Electronic, Certified Mail	2022-04-19 12:00 PM
9314869904300094328930	2022-04-15 10:31 AM	81363-0151 EW	Duard B. Thomas, as Personal Representative of the	Estate of Warren J. Bates	Ada	OK	74820	To be Returned	Return Receipt - Electronic, Certified Mail	
9314869904300094328923	2022-04-15 10:31 AM	81363-0151 EW	TD Minerals LLC		Dallas	TX	75225	Delivered	Return Receipt - Electronic, Certified Mail	2022-04-18 12:29 PM
9314869904300094328916	2022-04-15 10:31 AM	81363-0151 EW	Pegasus Resources II, LLC		Fort Worth	TX	76147	Delivered	Return Receipt - Electronic, Certified Mail	20./2-04-19 9:13 AM

#### Affidavit of Publication

STATE OF NEW MEXICO **COUNTY OF LEA** 

I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 1 issue(s).

> Beginning with the issue dated April 22, 2022 and ending with the issue dated April 22, 2022.

**Publisher** 

Sworn and subscribed to before me this 22nd day of April 2022.

My commission expires October 29, 2022

(Seal)

AMITY E. HIPP Notary Public - State of New Mexico Commission # 1123569 My Comm. Expires Oct 29, 2022

This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said

LEGAL

LEGAL

LEGAL NOTICE April 22, 2022

CASE NO. 22742: Notice to all affected parties, as well as the heirs and devisees of Pegasus Resources II, LLC; TD Minerals LLC; Duard B. Thomas, as Personal Representative of the Estate of Warren J. Bates; Fortis Minerals II, LLC; Del Rey Holdings, LLC of Application of Marathon Oil Permian LLC to Amend Order No. R-21165, Lea County, New Mexico for the Limited Purpose of Adding Additional Pooled Parties. The State of New Mexico, through its Oil Conservation Division, hereby gives notice that the Division will conduct a public hearing at 8:15 a.m. on May 5, 2022. Applicant seeks an order from the Division for the limited purpose of amending Order No. R-21165 to pool additional parties under Order R-21165 and its amendments. The Order pooled uncommitted interest owners in a 480-acre, more or less, Walfcamp horizontal spacing unit comprised of the E/2 of Section 11 and NE/4 of Section 14, Township 25 South, Range 34 East, NMPM, Lea County, New Mexico.

01104570

00266014

**DOLORES SERNA** MODRALL, SPERLING, ROEHL, HARRIS & P. O. BOX 2168 ALBUQUERQUE, NM 87103-2168



April 15, 2022

Deana M. Bennett 505.848.1834 Deana.Bennett@modrail.com

### VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

Re: APPLICATION OF MARATHON OIL PERMIAN LLC TO REOPEN ORDER NO. R-21165, LEA COUNTY, NEW MEXICO FOR THE LIMITED PURPOSE OF ADING ADDITIONAL POOLED PARTIES.

**CASE NO. 22742** 

TO: AFFECTED PARTIES

This letter is to advise you that Marathon Oil Permian LLC ("Marathon") has filed the above-listed application.

In Case No. 22742, Marathon seeks an order from the Division for the limited purpose of amending Order No. R-21165 to pool additional parties under Order R-21165 and its amendments. The Order pooled uncommitted interest owners in a 480-acre, more or less, Wolfcamp horizontal spacing unit comprised of the E/2 of Section 11 and NE/4 of Section 14, Township 25 South, Range 34 East, NMPM, Lea County, New Mexico

During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. The hearing will be conducted on May 5, 2022 beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <a href="http://www.emnrd.state.nm.us/OCD/hearings.html">http://www.emnrd.state.nm.us/OCD/hearings.html</a>.

As a party who may be affected by this application, we are notifying you of your right to appear at the hearing and participate in this case, including the right to present evidence either in support of or in opposition to the application. Failure to appear at the hearing may preclude you from any involvement in this case at a later date.

You are further notified that if you desire to appear in this case, then you are requested to file a Pre-Hearing Statement with the Division at least four business days in advance of a scheduled hearing before the Division or the

Modrall Sperling Roehl Harris & Sisk P.A.

500 Fourth Street NW Suite 1000 Albuquerque, New Mexico 87102

PO Box 2168 Albuquerque, New Mexico 87103-2168

Tei: 505.848.1800 www.modrall.com Page 2

Commission, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date, with a copy delivered to the undersigned.

Sincerely,

Deana M. Bennett

Attorney for Applicant