

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

**APPLICATION FOR SURFACE COMMINGLING
SUBMITTED BY OXY USA, INC.**

ORDER NO. PLC-602-C

ORDER

The Director of the New Mexico Oil Conservation Division (“OCD”), having considered the application and the recommendation of the OCD Engineering Bureau, issues the following Order.

FINDINGS OF FACT

1. Oxy USA, Inc. (“Applicant”) submitted a complete application to surface commingle the oil production from the pools, leases, and wells identified in Exhibit A (“Application”).
2. Applicant proposed a method to allocate the oil production to the pools, leases, and wells to be commingled.
3. Applicant stated that it intends to keep the oil production from one or more group(s) of wells identified in Exhibit C segregated from the oil production from all other wells prior to measuring that production with an allocation meter.
4. To the extent that ownership is identical, Applicant submitted a certification by a licensed attorney or qualified petroleum landman that the ownership in the pools, leases, and wells to be commingled is identical as defined in 19.15.12.7.B. NMAC.
5. To the extent that ownership is diverse, Applicant provided notice of the Application to all persons owning an interest in the oil production to be commingled, including the owners of royalty and overriding royalty interests, regardless of whether they have a right or option to take their interests in kind, and those persons either submitted a written waiver or did not file an objection to the Application.
6. Applicant provided notice of the Application to the Bureau of Land Management (“BLM”) or New Mexico State Land Office (“NMSLO”), as applicable.
7. Applicant certified the commingling of oil production from the pools, leases, and wells will not in reasonable probability reduce the value of the oil production to less than if it had remained segregated.
8. Applicant in the notice for the Application stated that it sought authorization to add additional pools, leases, and wells and identified the parameters to make such additions.
9. Applicant submitted or intends to submit one or more proposed communitization agreement(s) (“Proposed Agreement(s)”) to the BLM or NMSLO, as applicable, identifying the acreage of each lease to be consolidated into a single pooled area (“Pooled Area”), as described in Exhibit B.

CONCLUSIONS OF LAW

10. OCD has jurisdiction to issue this Order pursuant to the Oil and Gas Act, NMSA 1978, §§ 70-2-6, 70-2-11, 70-2-12, 70-2-16, and 70-2-17, 19.15.12. NMAC, and 19.15.23. NMAC.
11. Applicant satisfied the notice requirements for the Application in accordance with 19.15.12.10.A.(2) NMAC, 19.15.12.10.C.(4)(c) NMAC, and 19.15.12.10.C.(4)(e) NMAC, as applicable.
12. Applicant satisfied the notice requirements for the Application in accordance with 19.15.23.9.A.(5) NMAC and 19.15.23.9.A.(6) NMAC, as applicable.
13. Applicant's proposed method of allocation, as modified herein, complies with 19.15.12.10.B.(1) NMAC or 19.15.12.10.C.(1) NMAC, as applicable.
14. Commingling of oil production from state, federal, or tribal leases shall not commence until approved by the BLM or NMSLO, as applicable, in accordance with 19.15.12.10.B.(3) NMAC and 19.15.12.10.C.(4)(h) NMAC.
15. Applicant did not give adequate notice that it sought authorization to add pools, leases, or wells as required by 19.15.12.10.C.(4)(g) NMAC.
16. By granting the Application with the conditions specified below, this Order prevents waste and protects correlative rights, public health, and the environment.

ORDER

1. Applicant is authorized to surface commingle oil production from the pools, leases, and wells identified in Exhibit A.

Applicant is authorized to store and measure oil production off-lease from the pools, leases, and wells identified in Exhibit A at a central tank battery described in Exhibit A.

2. This Order supersedes Order PLC-602-B.
3. For each Pooled Area described in Exhibit B, Applicant shall submit a Proposed Agreement to the BLM or NMSLO, as applicable, prior to commencing oil production. If Applicant fails to submit the Proposed Agreement, this Order shall terminate on the following day.

No later than sixty (60) days after the BLM or NMSLO approves or denies a Proposed Agreement, Applicant shall submit Form C-103 to OCD with a copy of the decision and a description of the approved lands, as applicable. If Applicant withdraws or the BLM or NMSLO denies a Proposed Agreement, this Order shall terminate on the date of such action, and Applicant shall cease commingling the production from the Pooled Area. If the BLM or NMSLO approves but modifies the Proposed Agreement(s), Applicant shall comply with the approved Agreement(s), and no later than sixty (60) days after such decision, Applicant shall submit a new surface commingle application to OCD to conform this Order with the approved Agreement(s). If OCD denies the new surface commingle application, this Order shall terminate on the date of such action.

Applicant shall allocate the oil production to each lease within a Pooled Area in proportion to the acreage that each lease bears to the entire acreage of the Pooled Area described in Exhibit B until the Proposed Agreement which includes the Pooled Area is approved. After the Proposed Agreement is approved, the oil production from the Pooled Area shall be allocated as required by the BLM's or NMSLO's, as applicable, approval of the Agreement, including any production that had been allocated previously in accordance with this Order.

4. The allocation of oil production to each group of wells identified in Exhibit C shall be determined by separating and metering the production from each group as described by Train in Exhibit C prior to commingling that production with production from any other well.
5. The allocation of oil production shall be based on the production life of each well as measured for three periods: (a) the initial production period shall be measured from the first production until the earlier of either the peak production rate or thirty (30) days after the first production; (b) the plateau period shall be measured from the end of the initial production period to the peak decline rate; and (c) the decline period shall be measured from the end of the plateau period until the well is plugged and abandoned.

During the initial production period, the oil production for each well identified in Exhibit A shall be allocated using a production curve calculated from a minimum of ten (10) well tests per month, except that any day in which a well test cannot achieve an accurate result due to a temporary change in oil production shall not be included in the computation of time determining the well test schedule. The production curve shall be calculated by interpolating daily production for each day using the known daily production obtained by well tests and shall use a method of interpolation that is at minimum as accurate as maintaining a constant rate of change for each day's production between the known daily production values.

During the plateau period, the oil production for each well identified in Exhibit A shall be allocated using a minimum of three (3) well tests per month.

During the decline period, the oil production for each well identified in Exhibit A shall be allocated as follows: (a) a minimum of three (3) well tests per month when the decline rate is greater than twenty-two percent (22%) per month; (b) a minimum of two (2) well tests per month when the decline rate is between twenty-two percent (22%) and ten percent (10%) per month; and (c) a minimum of one (1) well test per month when the decline rate is less than ten percent (10%) per month.

Upon OCD's request, Applicant shall submit a Form C-103 to the OCD Engineering Bureau that contains the decline rate curve and other relevant information demonstrating the production life of a well.

Applicant shall conduct a well test by separating and metering the oil production from that well for either (a) a minimum of twenty-four (24) consecutive hours; or (b) a combination of nonconsecutive periods that meet the following conditions: (i) each period shall be a minimum of six (6) hours; and (ii) the total duration of the nonconsecutive periods shall be a minimum of eighteen (18) hours.

The well test requirements of this Order shall be suspended for any well shut-in for a period that continues for more than fifteen (15) days until the well commences production.

6. Applicant shall measure and market the commingled oil at a central tank battery described in Exhibit A in accordance with this Order and 19.15.18.15. NMAC or 19.15.23.8. NMAC.
7. Applicant shall calibrate the meters used to measure or allocate oil production in accordance with 19.15.12.10.C.(2) NMAC.
8. If the commingling of oil production from any pool, lease, or well reduces the value of the commingled oil production to less than if it had remained segregated, no later than sixty (60) days after the decrease in value has occurred Applicant shall submit a new surface commingling application to OCD to amend this Order to remove the pool, lease, or well whose oil production caused the decrease in value. If Applicant fails to submit a new application, this Order shall terminate on the following day, and if OCD denies the application, this Order shall terminate on the date of such action.
9. Applicant's request for authorization to add pools, leases, and wells prospectively pursuant to 19.15.12.10.C.(4)(g) NMAC is denied.
10. Applicant shall not commence commingling oil or gas production from state, federal, or tribal leases until approved by the BLM or NMSLO, as applicable.
11. If OCD determines that Applicant has failed to comply with any provision of this Order, OCD may take any action authorized by the Oil and Gas Act or the New Mexico Administrative Code (NMAC).
12. OCD retains jurisdiction of this matter and reserves the right to modify or revoke this Order as it deems necessary.

**STATE OF NEW MEXICO
OIL CONSERVATION DIVISION**



**ADRIENNE SANDOVAL
DIRECTOR**

DATE: 3/01/2022

State of New Mexico
Energy, Minerals and Natural Resources Department

Exhibit A

Order: **PLC-602-C**

Operator: **Oxy USA, Inc. (16696)**

Central Tank Battery: **Platinum Central Tank Battery**

Central Tank Battery Location: **G H I J, Section 34, Township 23 South, Range 31 East**

Gas Title Transfer Meter Location:

Pools

Pool Name	Pool Code
COTTON DRAW; BONE SPRING	13367
PURPLE SAGE; WOLFCAMP (GAS)	98220
WC-015 G-08 S233135D; WOLFCAMP	98236

Leases as defined in 19.15.12.7(C) NMAC

Lease	UL or Q/Q	S-T-R
CA Bone Spring NMNM 139720	E/2	34-23S-31E
	E/2	3-24S-31E
CA Bone Spring NMNM 139721	W/2	34-23S-31E
	W/2	3-24S-31E
NMNM 043744	All	34-23S-31E
NMNM 080645	E/2	3-24S-31E
NMNM 055142	W/2	3-24S-31E

Wells

Well API	Well Name	UL or Q/Q	S-T-R	Pool
30-015-46776	Platinum MDPI 34 3 Federal Com #11H	W/2 W/2	34-23S-31E	13367
		W/2 W/2	3-24S-31E	
30-015-46785	Platinum MDPI 34 3 Federal Com #12H	E/2 W/2	34-23S-31E	13367
		E/2 W/2	3-24S-31E	
30-015-46778	Platinum MDPI 34 3 Federal Com #21H	W/2 W/2	34-23S-31E	13367
		W/2 W/2	3-24S-31E	
30-015-46775	Platinum MDPI 34 3 Federal Com #22H	W/2	34-23S-31E	13367
		W/2	3-24S-31E	
30-015-45226	Platinum MDP1 34 3 Federal Com #1H	W/2 W/2	34-23S-31E	13367
		W/2 W/2	3-24S-31E	
30-015-45227	Platinum MDP1 34 3 Federal Com #2H	W/2	34-23S-31E	13367
		W/2	3-24S-31E	
30-015-45228	Platinum MDP1 34 3 Federal Com #3H	E/2 W/2	34-23S-31E	13367
		E/2 W/2	3-24S-31E	
30-015-45250	Platinum MDP1 34 3 Federal Com #7H	E/2 W/2	34-23S-31E	13367
		E/2 W/2	3-24S-31E	
30-015-45230	Platinum MDP1 34 3 Federal Com #171H	W/2	34-23S-31E	98236
		W/2	3-24S-31E	98220
30-015-45231	Platinum MDP1 34 3 Federal Com #172H	W/2	34-23S-31E	13367
		W/2	3-24S-31E	

30-015-46046	Platinum MDP1 34 3 Federal Com #177H	W/2	34-23S-31E	98236
		W/2	3-24S-31E	98220
30-015-46192	Platinum MDP1 34 3 Federal Com #23H	E/2 W/2	34-23S-31E	13367
		E/2 W/2	3-24S-31E	
30-015-46191	Platinum MDP1 34 3 Federal Com #41H	W/2	34-23S-31E	98236
		W/2	3-24S-31E	98220
30-015-46187	Platinum MDP1 34 3 Federal Com #42H	W/2	34-23S-31E	98236
		W/2	3-24S-31E	98220
30-015-46188	Platinum MDP1 34 3 Federal Com #43H	W/2	34-23S-31E	98236
		W/2	3-24S-31E	98220
30-015-45229	Platinum MDP1 34 3 Federal Com #4H	W/2 E/2	34-23S-31E	13367
		W/2 E/2	3-24S-31E	
30-015-45171	Platinum MDP1 34 3 Federal Com #5H	E/2	34-23S-31E	13367
		E/2	3-24S-31E	
30-015-45172	Platinum MDP1 34 3 Federal Com #6H	E/2 E/2	34-23S-31E	13367
		E/2 E/2	3-24S-31E	
30-015-46190	Platinum MDP1 34 3 Federal Com #44H	E/2	34-23S-31E	98236
		E/2	3-24S-31E	98220
30-015-46189	Platinum MDP1 34 3 Federal Com #45H	E/2	34-23S-31E	98236
		E/2	3-24S-31E	98220
30-015-45232	Platinum MDP1 34 3 Federal Com #174H	E/2	34-23S-31E	98236
		E/2	3-24S-31E	98220
30-015-45251	Platinum MDP1 34 3 Federal Com #175H	E/2	34-23S-31E	98236
		E/2	3-24S-31E	98220
30-015-45233	Platinum MDP1 34 3 Federal Com #176H	E/2	34-23S-31E	98236
		E/2	3-24S-31E	98220
30-015-46193	Platinum MDP1 34 3 Federal Com #24H	W/2 E/2	34-23S-31E	13367
		W/2 E/2	3-24S-31E	
30-015-46179	Platinum MDP1 34 3 Federal Com #13H	E/2	34-23S-31E	13367
		E/2	3-24S-31E	
30-015-46180	Platinum MDP1 34 3 Federal Com #14H	E/2	34-23S-31E	13367
		E/2	3-24S-31E	
30-015-46558	Platinum MDPI 34 3 Federal Com #25H	E/2	34-23S-31E	13367
		E/2	3-24S-31E	
30-015-46559	Platinum MDPI 34 3 Federal Com #26H	E/2	34-23S-31E	13367
		E/2	3-24S-31E	
30-015-46787	Platinum MDPI 34 3 Federal Com #46H	E/2	34-23S-31E	98236
		E/2	3-24S-31E	98220

State of New Mexico
Energy, Minerals and Natural Resources Department

Exhibit B

Order: **PLC-602-C**
Operator: **Oxy USA, Inc. (16696)**

Pooled Areas

Pooled Area	UL or Q/Q	S-T-R	Acres	Pooled Area ID
CA Wolfcamp BLM	E/2	34-23S-31E	640.11	A
	E/2	3-24S-31E		
CA Wolfcamp BLM	W/2	34-23S-31E	640.33	B
	W/2	3-24S-31E		

Leases Comprising Pooled Areas

Lease	UL or Q/Q	S-T-R	Acres	Pooled Area ID
NMNM 043744	E/2	34-23S-31E	320	A
NMNM 080645	E/2	3-24S-31E	320.11	A
NMNM 043744	W/2	34-23S-31E	320	B
NMNM 055142	W/2	3-24S-31E	320.33	B

State of New Mexico
Energy, Minerals and Natural Resources Department

Exhibit C

Order: PLC-602-C
Operator: Oxy USA, Inc. (16696)

Wells				
Well API	Well Name	UL or Q/Q	S-T-R	Train
30-015-46776	Platinum MDPI 34 3 Federal Com #11H	W/2 W/2 W/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-46785	Platinum MDPI 34 3 Federal Com #12H	E/2 W/2 E/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-46778	Platinum MDPI 34 3 Federal Com #21H	W/2 W/2 W/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-46775	Platinum MDPI 34 3 Federal Com #22H	W/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-45226	Platinum MDP1 34 3 Federal Com #1H	W/2 W/2 W/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-45227	Platinum MDP1 34 3 Federal Com #2H	W/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-45228	Platinum MDP1 34 3 Federal Com #3H	E/2 W/2 E/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-45250	Platinum MDP1 34 3 Federal Com #7H	E/2 W/2 E/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-45230	Platinum MDP1 34 3 Federal Com #171H	W/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-45231	Platinum MDP1 34 3 Federal Com #172H	W/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-46046	Platinum MDP1 34 3 Federal Com #177H	W/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-46192	Platinum MDP1 34 3 Federal Com #23H	E/2 W/2 E/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-46191	Platinum MDP1 34 3 Federal Com #41H	W/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-46187	Platinum MDP1 34 3 Federal Com #42H	W/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-46188	Platinum MDP1 34 3 Federal Com #43H	W/2 W/2	34-23S-31E 3-24S-31E	A1
30-015-45229	Platinum MDP1 34 3 Federal Com #4H	W/2 E/2 W/2 E/2	34-23S-31E 3-24S-31E	A2
30-015-45171	Platinum MDP1 34 3 Federal Com #5H	E/2 E/2	34-23S-31E 3-24S-31E	A2
30-015-45172	Platinum MDP1 34 3 Federal Com #6H	E/2 E/2 E/2 E/2	34-23S-31E 3-24S-31E	A2
30-015-46190	Platinum MDP1 34 3 Federal Com #44H	E/2 E/2	34-23S-31E 3-24S-31E	A2
30-015-46189	Platinum MDP1 34 3 Federal Com #45H	E/2 E/2	34-23S-31E 3-24S-31E	A2

30-015-45232	Platinum MDP1 34 3 Federal Com #174H	E/2 E/2	34-23S-31E 3-24S-31E	A2
30-015-45251	Platinum MDP1 34 3 Federal Com #175H	E/2 E/2	34-23S-31E 3-24S-31E	A2
30-015-45233	Platinum MDP1 34 3 Federal Com #176H	E/2 E/2	34-23S-31E 3-24S-31E	A2
30-015-46193	Platinum MDP1 34 3 Federal Com #24H	W/2 E/2 W/2 E/2	34-23S-31E 3-24S-31E	A2
30-015-46179	Platinum MDP1 34 3 Federal Com #13H	E/2 E/2	34-23S-31E 3-24S-31E	A2
30-015-46180	Platinum MDP1 34 3 Federal Com #14H	E/2 E/2	34-23S-31E 3-24S-31E	A2
30-015-46558	Platinum MDPI 34 3 Federal Com #25H	E/2 E/2	34-23S-31E 3-24S-31E	A2
30-015-46559	Platinum MDPI 34 3 Federal Com #26H	E/2 E/2	34-23S-31E 3-24S-31E	A2
30-015-46787	Platinum MDPI 34 3 Federal Com #46H	E/2 E/2	34-23S-31E 3-24S-31E	A2