

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

**AMENDED APPLICATION OF MARATHON  
OIL PERMIAN LLC FOR APPROVAL  
OF A NON-STANDARD SPACING AND  
PRORATION UNIT AND COMPULSORY  
POOLING, LEA COUNTY, NEW MEXICO.**

**CASE NO. 16423**

**AMENDED APPLICATION**

Marathon Oil Permian LLC (“Marathon”), OGRID Number 372098, through its undersigned attorneys, hereby makes an application to the Oil Conservation Division pursuant to the provisions of NMSA (1978), Section 70-2-17, for an order: (1) to the extent necessary, approving the creation of a non-standard Bone Spring spacing and proration unit; and (2) pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the E/2 W/2 of Section 26, Township 22 South, Range 33 East, NMPM, Lea County, New Mexico. In support of this application, Marathon states as follows:

1. Marathon is an interest owner in the subject lands and has a right to drill a well thereon.
2. Marathon seeks to dedicate the E/2 W/2 W/2 of Section 26, Township 22 South, Range 33 East, NMPM, Lea County, New Mexico to form a 160-acre, more or less, spacing unit.
3. Marathon plans to drill the **Elizabeth Reed Federal 22-33-26 TB 7H and Elizabeth Reed Federal 22-33-26 SB 8H** wells to a depth sufficient to test the Bone Spring formation. These wells will be horizontally drilled.
4. These wells will comply with the Division’s setback requirements.

5. Marathon sought, but has been unable to obtain a voluntary agreement from all interest owners in the Bone Spring formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells.

6. The creation of a non-standard spacing and proration unit and the pooling of all interests in the Bone Spring formation underlying the proposed unit will prevent the drilling of unnecessary wells, prevent waste and protect correlative rights.

7. Marathon further requests that it be allowed one (1) year between the time the wells are drilled and completion of the wells under the order issued by the Division.

WHEREFORE, Marathon requests this application be set for hearing before an Examiner of the Oil Conservation Division on September 20, 2018, and after notice and hearing as required by law, the Division enter its order:

A. To the extent necessary, approving the creation of a non-standard spacing and proration unit;

B. Pooling all mineral interests in the Bone Spring formation underlying a horizontal spacing unit underlying the E/2 W/2 of Section 26, Township 22 South, Range 33 East, NMPM, Lea County, New Mexico;

C. Designating Marathon as operator of this unit and the wells to be drilled thereon;

D. Authorizing Marathon to recover its costs of drilling, equipping and completing these wells;

E. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedure;

F. Setting a 200% charge for the risk involved in drilling and completing the wells in the event a working interest owner elects not to participate in the wells.

G. Allowing a time period of one (1) year between when the wells are drilled and when the wells are completed under the order.

Respectfully submitted,

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

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**CASE NO. 16423: Amended Application of Marathon Oil Permian LLC for a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico.**

Applicant seeks an order from the Division: (1) to the extent necessary, approving the creation of a non-standard Bone Spring spacing and proration unit; and (2) pooling all uncommitted mineral interests within a Bone Spring horizontal spacing unit underlying the E/2 W/2 of Section 26, Township 22 South, Range 33 East, NMPM, Lea County, New Mexico. This proposed spacing unit will be dedicated to the **Elizabeth Reed Federal 22-33-26 TB 7H and Elizabeth Reed Federal 22-33-26 SB 8H** wells, to be horizontally drilled. The producing area for these wells will be orthodox. Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Marathon as operator of the wells, and a 200% charge for risk involved in drilling said wells, and allowing a one year period between when the wells are drilled and when the wells are completed. Said area is located approximately 23 miles west south west of Eunice, New Mexico.