

**From:** [Felicia Orth](#)  
**To:** [McClure, Dean, EMNRD](#)  
**Subject:** [EXT] Fwd: Allar Development Case No. 21346  
**Date:** Monday, August 24, 2020 1:35:05 PM

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----- Forwarded message -----

**From:** **Felicia Orth** <[felicia.l.orth@gmail.com](mailto:felicia.l.orth@gmail.com)>  
**Date:** Mon, Aug 24, 2020, 1:33 PM  
**Subject:** Re: Allar Development Case No. 21346  
**To:** Darin Savage <[darin@abadieschill.com](mailto:darin@abadieschill.com)>  
**Cc:** <[dean.mclure@state.nm.us](mailto:dean.mclure@state.nm.us)>, Cox, Scott, EMNRD <[Scott.Cox@state.nm.us](mailto:Scott.Cox@state.nm.us)>, Hearings, OCD, EMNRD <[ocd.hearings@state.nm.us](mailto:ocd.hearings@state.nm.us)>, Ernest Padilla <[padillalawnm@outlook.com](mailto:padillalawnm@outlook.com)>, Bill Zimsky <[bill@abadieschill.com](mailto:bill@abadieschill.com)>, Andrew Schill <[andrew@abadieschill.com](mailto:andrew@abadieschill.com)>

Thank you for the clarification. We will wait for your email response. Felicia Orth

On Mon, Aug 24, 2020, 1:14 PM Darin Savage <[darin@abadieschill.com](mailto:darin@abadieschill.com)> wrote:  
Ms. Orth and Mr. McClure,

We thank Mr. Padilla for providing the additional information which we believe will help clarify the distinctions in this case. During the hearing, we understood Mr. Padilla to have referenced a 1935 JOA, which we thought Mr. McClure was requesting, but this is an executed 1973 JOA that covers the Lime Rock unit involved. There may have been some misunderstanding about the 1935 JOA and the Lime Rock case, as these appear to be two separate cases. Mr. Padilla also provided additional commentary in his email about the OCD's position in the Lime Rock case and an additional Title Opinion, along with an additional Motion and Response, all of which were not included in the initial proceedings. Given this additional info, we ask for permission to provide a brief email response explaining the difference between the current case, involving Sections 23 and 26, and the Lime Rock case.

We also ask that if Mr. Padilla has a copy of a JOA for Sections 23 and 26 for the current case, that it be provided as well, as this information would also help provide a better understanding and clarification. The expired Exploration Agreement referenced in the OXY-Devon assignment did not include a copy of the form JOA, and the Division or the parties have yet to see the terms of that form.

Thank you for your consideration in this matter,

Darin



DARIN SAVAGE

*Abadie | Schill P.C.*

*214 McKenzie Street, Santa Fe, New Mexico 87501*

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On Aug 24, 2020, at 11:50 AM, Ernest Padilla <[PadillaLawNM@outlook.com](mailto:PadillaLawNM@outlook.com)> wrote:

<Exhibit 1 Supplemental Title Opinion .pdf>