CASE NO. 21705

APPLICATION OF MATADOR PRODUCTION COMPANY TO AMEND POOLING ORDER NO. R 21219, EDDY COUNTY, NEW MEXICO

EXHIBITS

- 1. Application and Proposed Ad
- 2 Landman's Affidavit
- 3. Affidavit of Notice
- 4. Publication Notice

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF MATADOR PRODUCTION COMPANY TO AMEND ORDER NO. R-21219, EDDY COUNTY, NEW MEXICO.

Case No.	
C465 110.	

APPLICATION

Matador Production Company applies for an order amending Order No. R-21219, and in support thereof states:

- 1. Order No. R-21219 pooled all mineral interest owners in the Bone Spring formation underlying a horizontal spacing unit comprised of the W/2W/2 of Section 9 and the W/2W/2 of Section 16, Township 23 South, Range 28 East, N.M.P.M., Eddy County, New Mexico.
- 2. Applicant proposes to drill the following wells to a depth sufficient to test the Bone Spring formation: (a) The Jack Sleeper Com. Well No. 111H; and (b) The Jack Sleeper Com. Well No. 121H. Both wells have first take points in the NW/4NW/4 of Section 9 and final take points in the SW/4SW/4 of Section 16. Order No. R-21219 designates Applicant as operator of the wells.
- 3. This matter was heard on August 8, 2019, and Order No. R-21219 was entered on April 2, 2020 using the "interim form of order." A newer, amended order template was described in a letter of the Division Director date April 9, 2020 (the "Amended Order Template").
- 4. Applicant requests that Order No. R-21219 be amended to conform to the Amended Order Template.
- 5. Paragraph 19 of Order No. R-21219 requires the operator to commence the well within one year of the date of issuance. Paragraph 20 of Order No. R-21219 provides that the

EXHIBIT

order will terminate if the well is not timely commenced, unless the operator "obtains an extension by an amendment of this Order for good cause shown."

- 6. Applicant requests an extension of the drilling deadline due to market conditions which have altered drilling schedules until commodity prices improve. Applicant still intends to drill the subject wells. Thus good cause exists for Applicant's request for an extension.
- 7. Applicant requests an extension of the well commencement deadline to April 2, 2022.

WHEREFORE, Applicant requests that, after notice and hearing, the Division enter its order amending Order No. R-21219 (i) to conform to the Amended Order Template, and (ii) to extend the well commencement deadline to April 2, 2022.

Respectfully submitted,

James Bruce Post Office Box 1056 Santa Fe, New Mexico 87504 (505) 982-2043

Attorney for Matador Production Company

PROPOSED ADVERTISEMENT

Case	No	
Cuse	IVU.	•

Application of Matador Production Company to Amend Order No. R-21219, Eddy County, New Mexico. Matador Production Company seeks an order amending Order No. R-21219, issued on April 2, 2020, to conform to the Amended Order Template currently in use, and to extend the well commencement deadline one year, to April 2, 2022. Order No. R-21219 pooled all mineral interests in the Bone Spring formation in a horizontal spacing unit comprised of the W/2W/2 of Section 9 and the W/2W/2 of Section 16, Township 23 South, Range 28 East, N.M.P.M., Eddy County, New Mexico, and requires the commencement of drilling within one year of the date of the order unless the operator obtains an extension by amendment of the order for good cause shown. The unit is centered approximately 1-1/2 miles north of Loving, New Mexico.

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

APPLICATION OF MATADOR PRODUCTION COMPANY TO AMEND ORDER NO. R-21219, EDDY COUNTY, NEW MEXICO.

CASE NO. 20678 (Order R-21219)

AFFIDAVIT OF SARA HARTSFIELD

Sara Hartsfield, of lawful age and being first duly sworn, declares as follows:

- My name is Sara Hartsfield. I work for MRC Energy Company, an affiliate of Matador Production Company ("Matador"), as a Senior Landman.
- 2. I have previously testified before the New Mexico Oil Conservation Division as an expert witness in petroleum land matters. My credentials as a petroleum landman have been accepted by the Division and made a matter of public record.
- 3. Under Case No. 20678, the Division entered Order R-21219 on April 2, 2020. This Order created a standard 320-acre horizontal well spacing unit in the Bone Spring formation (Culebra Bluff; Bone Spring, South [15011]) underlying the W/2 W/2 of Sections 9 and 16, Township 23 South, Range 28 East, NMPM, Eddy County, New Mexico. The Order further dedicated the **Jack Sleeper Com #111H** well (API No. 30-015-46379) and **Jack Sleeper Com #121H** well (API No. 30-015-46380) to the unit and required drilling to commence within a year.
- 4. I am the landman that submitted an affidavit in Case No. 20678 that resulted in the issuance of pooling order R-21219. I am familiar with the application filed by Matador in this case and the status of the development efforts for the pooled spacing unit.
 - 5. The subject order is attached as Attachment 1.

EXHIBIT Z

- 6. Good cause exists for Matador's request to extend its time to commence drilling. Specifically, the decline in commodity prices in 2020 caused by the global COVID pandemic and other economic factors led Matador to reduce its rig count, thereby causing Matador to delay its intended plans to develop the acreage subject to these pooling Orders.
- 7. Matador anticipates being able to drill one or both of the initial wells under Order 21219 within the next year. Accordingly, Matador asks that the deadline to commence drilling under each pooling order be extended for a year, to April 2, 2022.
- 8. Matador requests that each of the above orders be amended to conform to the Amended Order Template. (Attach west 2)
- 9. None of the working interest owners that remain subject to these pooling orders have been asked at this time to make an election on the applicable well, or to pay their estimated share of the costs to drill, complete and equip the applicable well.
 - 10. The granting of this application will prevent waste and protect correlative rights.

FURTHER AFFIANT SAYETH NOT.

Sara Hartsfield

STATE OF TEXAS)	
COUNTY OF Pallas	
SUBSCRIBED and SWORN to before	e me this 15th day of March 2021 by
Sara Hartsfield.	ame Hainger
My Commission Expires:	JAIME GRAINGER Notary Public, State of Texas Comm. Expires 08-24-2021 Notary ID 131259323

EXHIBIT 1

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

IN THE MATTER OF APPLICATION FOR COMPULSORY POOLING SUBMITTED BY [MATADOR PRODUCTION COMPANY]

CASE NO. 20678 ORDER NO. R-21219

ORDER

The Director of the New Mexico Oil Conservation Division ("OCD"), having heard this matter through a Hearing Examiner on [August 8, 2019], and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

FINDINGS OF FACT

- 1. [Matador Production Company] ("Operator") submitted an application ("Application") to compulsory pool the uncommitted oil and gas interests within the spacing unit ("Unit") described in Exhibit A. The Unit is expected to be a standard horizontal spacing unit. 19.15.16.15(B) NMAC. Operator seeks to be designated the operator of the Unit.
- 2. Operator will dedicate the well(s) described in Exhibit A ("Well(s)") to the Unit.
- 3. Operator proposes the supervision and risk charges for the Well(s) described in Exhibit A.
- 4. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice was given.
- 5. The Application was heard by the Hearing Examiner on the date specified above, during which Operator presented evidence through affidavits in support of the Application. No other party presented evidence at the hearing.

CONCLUSIONS OF LAW

- 6. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
- 7. Operator is the owner of an oil and gas working interest within the Unit.
- 8. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.
- 9. OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.

ATTACHMENT |

- 10. Operator has the right to drill the Well(s) to a common source of supply at the depth(s) and location(s) in the Unit described in Exhibit A.
- 11. The Unit contains separately owned uncommitted interests in oil and gas minerals.
- 12. Some of the owners of the uncommitted interests have not agreed to commit their interests to the Unit.
- 13. The pooling of uncommitted interests in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.
- 14. This Order affords to the owner of an uncommitted interest the opportunity to produce his just and equitable share of the oil or gas in the pool.

ORDER

- 15. The uncommitted interests in the Unit are pooled as set forth in Exhibit A.
- 16. The Unit shall be dedicated to the Well(s) set forth in Exhibit A.
- 17. Operator is designated as operator of the Unit and the Well(s).
- 18. If the location of a well will be unorthodox under the spacing rules in effect at the time of completion, Operator shall obtain the OCD's approval for a non-standard location in accordance with 19.15.16.15(C) NMAC.
- 19. The Operator shall commence drilling the Well(s) within one year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well.
- 20. This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown.
- 21. The infill well requirements in 19.15.13.9 NMAC through 19.15.13.12 NMAC shall be applicable.
- 22. Operator shall submit to each owner of an uncommitted working interest in the pool ("Pooled Working Interest") an itemized schedule of estimated costs to drill, complete, and equip the well ("Estimated Well Costs").
- 23. No later than thirty (30) days after Operator submits the Estimated Well Costs, the owner of a Pooled Working Interest shall elect whether to pay its share of the Estimated Well Costs or its share of the actual costs to drill, complete and equip the well ("Actual Well Costs") out of production from the well. An owner of a Pooled

Working Interest who elects to pay its share of the Estimated Well Costs shall render payment to Operator no later than thirty (30) days after the expiration of the election period, and shall be liable for operating costs, but not risk charges, for the well. An owner of a Pooled Working Interest who fails to pay its share of the Estimated Well Costs or who elects to pay its share of the Actual Well Costs out of production from the well shall be considered to be a "Non-Consenting Pooled Working Interest."

- 24. No later than one hundred eighty (180) days after Operator submits a Form C-105 for a well, Operator shall submit to OCD and each owner of a Pooled Working Interest an itemized schedule of the Actual Well Costs. The Actual Well Costs shall be considered to be the Reasonable Well Costs unless OCD or an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If OCD or an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Reasonable Well Costs after public notice and hearing.
- 25. No later than sixty (60) days after the expiration of the period to file a written objection to the Actual Well Costs or OCD's order determining the Reasonable Well Costs, whichever is later, each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs shall pay to Operator its share of the Reasonable Well Costs that exceed the Estimated Well Costs, or Operator shall pay to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs its share of the Estimated Well Costs that exceed the Reasonable Well Costs.
- 26. The reasonable charges for supervision to drill and produce a well ("Supervision Charges") shall not exceed the rates specified in Exhibit A, provided however that the rates shall be adjusted annually pursuant to the COPAS form entitled "Accounting Procedure-Joint Operations."
- 27. No later than within ninety (90) days after Operator submits a Form C-105 for a well, Operator shall submit to OCD and each owner of a Pooled Working Interest an itemized schedule of the reasonable charges for operating and maintaining the well ("Operating Charges"), provided however that Operating Charges shall not include the Reasonable Well Costs or Supervision Charges. The Operating Charges shall be considered final unless OCD or an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If OCD or an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Operating Charges after public notice and hearing.
- 28. Operator may withhold the following costs and charges from the share of production due to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs: (a) the proportionate share of the Supervision Charges; and (b) the proportionate share of the Operating Charges.

- 29. Operator may withhold the following costs and charges from the share of production due to each owner of a Non-Consenting Pooled Working Interest: (a) the proportionate share of the Reasonable Well Costs; (b) the proportionate share of the Supervision and Operating Charges; and (c) the percentage of the Reasonable Well Costs specified as the charge for risk described in Exhibit A.
- 30. Operator shall distribute a proportionate share of the costs and charges withheld pursuant to paragraph 29 to each Pooled Working Interest that paid its share of the Estimated Well Costs.
- 31. Each year on the anniversary of this Order, and no later than ninety (90) days after each payout, Operator shall provide to OCD and each owner of a Non-Consenting Pooled Working Interest a schedule of the revenue attributable to a well and the Supervision and Operating Costs charged against that revenue.
- 32. Any cost or charge that is paid out of production shall be withheld only from the share due to an owner of a Pooled Working Interest. No cost or charge shall be withheld from the share due to an owner of a royalty interests. For the purpose of this Order, an unleased mineral interest shall consist of a seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest.
- 33. Except as provided above, Operator shall hold the revenue attributable to a well that is not disbursed for any reason for the account of the person(s) entitled to the revenue as provided in the Oil and Gas Proceeds Payment Act, NMSA 1978, Sections 70-10-1 et seq., and relinquish such revenue as provided in the Uniform Unclaimed Property Act, NMSA 1978, Sections 7-8A-1 et seq.
- 34. The Unit shall terminate if (a) the owners of all Pooled Working Interests reach a voluntary agreement; or (b) the well(s) drilled on the Unit are plugged and abandoned in accordance with the applicable rules. Operator shall inform OCD no later than thirty (30) days after such occurrence.
- 35. OCD retains jurisdiction of this matter for the entry of such orders as may be deemed necessary.

STATE OF NEW MEXICO OIL CONSERVATION DIVISION

ADRIENNE SANDOVAL DIRECTOR

AES/jag

Date: 4/02/2020

CASE NO. _20678_____ ORDER NO. __R-21219____

Exhibit "A"

Applicant: Matador Production Company

Operator: Matador Production Company (OGRID 228937)

Spacing Unit: Horizontal Oil

Building Blocks: quarter-quarter sections
Spacing Unit Size: 320 acres, more or less

Orientation of Unit: North to Southth

Spacing Unit Description:

W/2W/2 of Section 9 and W/2W/2 of Section 16,

Township 23 South, Range 28 East, NMPM, Eddy County, New Mexico

Pooling this Vertical Extent: Bone Spring Formation

Depth Severance? (Yes/No): No

Pool: Culebra Bluff; Bone Spring, South (Pool code 15011)

Pool Spacing Unit Size: Quarter-Quarter Sections
Governing Well Setbacks: Horizontal Oil Well Rules

Pool Rules: Latest Horizontal Rules Apply

Proximity Tracts: None Included

Monthly charge for supervision: While drilling: \$8000, While producing: \$800 As the charge for risk, 200 percent of reasonable well costs

Proposed Wells:

Jack SleeperCom. Well No. 111H, API No. 30-015-46379

SHL: 227 feet from the South line and 235 feet from the West line (Unit M) of Section 4, Township 23 South, Range 28 East, NMPM BHL: 60 feet from the South line and 660 feet from the West line (Unit M) of Section 16, Township 23 South, Range 28 East, NMPM

Completion Target: First Bone Spring Sand at approx 7050 feet TVD

Well Orientation: North to South

Completion Location expected to be: standard

Jack SleeperCom. Well No. 121H, API No. 30-015-46379

SHL: 197 feet from the South line and 236 feet from the West line (Unit M) of Section 4, Township 23 South, Range 28 East, NMPM BHL: 60 feet from the South line and 660 feet from the West line (Unit M) of Section 16, Township 23 South, Range 28 East, NMPM

Completion Target: Second Bone Spring Sand at approx 8040 feet TVD

CASE NO. _20678____ ORDER NO. _R-21219 Well Orientation: North to South

Completion Location expected to be: standard

CASE NO. _20678____ ORDER NO. _R-21219___

State of New Mexico Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham Governor

Sarah Cottrell Propst Cabinet Secretary

Todd E. Leahy, JD, PhD Deputy Cabinet Secretary Adrienne E. Sandoval Director, Oll Conservation Division



BY ELECTRONIC MAIL ONLY

April 9, 2020

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ATTACHMENT 2

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RE: Amendments to Compulsory Pooling Order Template

Dear Counsel:

The Oil Conservation Division ("OCD") has amended the compulsory pooling order template effective on April 1, 2020. The amended template is attached as Exhibit 1.

Prior to April 1, 2020, OCD issued compulsory pooling orders for the cases identified in Exhibit 2. To conform an order with the amended template, please file an application for a hearing.

If you have any questions about this letter, please call Eric Ames, Office of General Counsel, at (505) 476-3463.

Respectfully,

Adriente Sandoval

Director

cc: Gabriel Wade, Deputy Director

Eric Ames, OGC-EMNRD

Scott Cox, OCD Engineering Bureau

EXHIBIT 1

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

IN	THE	MAT	TER	OF	APPI	LICA	TION	FO	R
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0	PERA	TOR	.}						

CASE	NO.	
ORDE	R NO.	R-

ORDER

The Director of the New Mexico Oil Conservation Division ("OCD"), having heard this matter through a Hearing Examiner on [DATE], and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

FINDINGS OF FACT

- 1. [NAME] ("Operator") submitted an application ("Application") to compulsory pool the uncommitted oil and gas interests within the spacing unit ("Unit") described in Exhibit A. The Unit is expected to be a standard horizontal spacing unit. 19.15.16.15(B) NMAC. Operator seeks to be designated the operator of the Unit.
- 2. Operator will dedicate the well(s) described in Exhibit A ("Well(s)") to the Unit.
- Operator proposes the supervision and risk charges for the Well(s) described in Exhibit A.
- 4. Operator identified the owners of uncommitted interests in oil and gas minerals in the Unit and provided evidence that notice was given.
- The Application was heard by the Hearing Examiner on the date specified above, during which Operator presented evidence through affidavits in support of the Application. No other party presented evidence at the hearing.

CONCLUSIONS OF LAW

- OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
- 7. Operator is the owner of an oil and gas working interest within the Unit.

- Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.
- OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.
- 10. Operator has the right to drill the Well(s) to a common source of supply at the described depth(s) and location(s) in the Unit described in Exhibit A.
- 11. The Unit contains separately owned uncommitted interests in oil and gas minerals.
- 12. Some of the owners of the uncommitted interests have not agreed to commit their interests to the Unit.
- 13. The pooling of uncommitted interests in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.
- 14. This Order affords to the owner of an uncommitted interest the opportunity to produce his just and equitable share of the oil or gas in the pool.

ORDER

- 15. The uncommitted interests in the Unit are pooled as set forth in Exhibit A.
- 16. The Unit shall be dedicated to the Well(s) set forth in Exhibit A.
- 17. Operator is designated as operator of the Unit and the Well(s).
- If the Surface Location or Bottom Hole Location of a well is changed from the location described in Exhibit A, Operator shall submit an amended Exhibit A, which the Division shall append to this Order.
- If the location of a well will be unorthodox under the spacing rules in effect at the time of completion, Operator shall obtain the OCD's approval for a non-standard location before commencing production of the wellin accordance with 19.15.16.15(C) NMAC.
- 1920. The Operator shall commence drilling the Winttal well(s) within one year one (1) year after the date of this Order, and complete each Well no later than one (1) year after the commencement of drilling the Well; and (b) for an infill well, no later than thirty (30) days after completion of the well.
- This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by amending this Order for good cause shown.

CASE NO.	
ORDER NO). R-

- 214. Operator shall comply with th The infill well requirements in 19.15.13.9 NMAC through 19.15.13.12 NMAC shall be applicable.
- 22. This Order shall terminate automatically if Operator fails to comply with Paragraphs 20 or 21.
- 223. Operator shall submit to OCD and each owner of an uncommitted working interest in the pool ("Pooled Working Interest") an itemized schedule of estimated costs to drill, complete, and equip the well ("Estimated Well Costs") no later than: (a) for an initial well, no later than thirty (30) days after the date of this Order; (b) for an initial well proposed by Operator, no later than (40) they after the Interest of the initial notice period pursuant to 19.15.13.10(B) NMAC or the extension granted by the (X-D Director pursuant 19.15.13.10(B) NMAC, or (e) for an infill well proposed by in inverse of an initial well, not the last action required by 19.15.13.11 NMAC.
- 234. No later than thirty (30) days after Operator submits the Estimate I Well Costs, the owner of a Pooled Working Interest shall elect whether to pay its share of the Estimated Well Costs or its share of the actual costs to drill, complete and equip the well ("Actual Well Costs") out of production from the well. An owner of a Pooled Working Interest who elects to pay its share of the Estimated Well Costs shall render payment to Operator no later than thirty (30) days after the expiration of the election period, and shall be liable for operating costs, but not risk charges, for the well. An owner of a Pooled Working Interest who fails to pay its share of the Estimated Well Costs or who elects to pay its share of the Actual Nell Costs out of production from the well shall be considered to be a "Non-Consenting Pooled Working Interest."
- No later than within one hundred eighty (180) days after Operator submits a Form C-105 for a well, Operator shall submit to OCD and each owner of a Pooled Working Interest an itemized schedule of the Actual Well Costs. The Actual Well Costs shall be considered to be the Reasonable Well Costs unless (CD or an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If OCD or an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Reasonable Well Costs after public notice and hearing.
- No later than sixty (60) days after the later of the expiration of the period to file a written objection to the Actual Well Costs or OCD's order determining the Reasonable Well Costs, whichever is later, each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs shall pay to Operator its share of the Reasonable Well Costs that exceed the Estimated Well Costs, or Operator shall pay to each owner of a Pooled Working Interest who paid its share

of the Estimated Well Costs its share of the Estimated Well Costs that exceed the Reasonable Well Costs.

- The reasonable charges for supervision to drill and produce a well ("Supervision Charges") shall not exceed the rates specified in Exhibit A, provided however that the rates shall be adjusted annually pursuant to the COPAS form entitled "Accounting Procedure-Joint Operations."
- No later than within ninety (90) days after Operator submits a Form C-105 for a well, Operator shall submit to OCD and each owner of a Pooled Working Interest an itemized schedule of the reasonable charges for operating and maintaining the well ("Operating Charges"), provided however that Operating Charges shall not include the Reasonable Well Costs or Supervision Charges. The Operating Charges shall be considered final unless OCD or an owner of a Pooled Working Interest files a written objection no later than forty-five (45) days after receipt of the schedule. If OCD or an owner of a Pooled Working Interest files a timely written objection, OCD shall determine the Operating Charges after public notice and hearing.
- 289. Operator may withhold the following costs and charges from the share of production due to each owner of a Pooled Working Interest who paid its share of the Estimated Well Costs: (a) the proportionate share of the Supervision Charges; and (b) the proportionate share of the Operating Charges.
- Operator may withhold the following costs and charges from the share of production due to each owner of a Non-Consenting Pooled Working Interest: (a) the proportionate share of the Reasonable Well Costs; (b) the proportionate share of the Supervision and Operating Charges; and (c) the percentage of the Reasonable Well Costs specified as the charge for risk described in Exhibit A.
- Operator shall distribute a proportionate share of the costs and charges withheld
 pursuant to paragraph 29 to each Pooled Working Interest that paid its share of the
 Estimated Well Costs.
- 31. Each year on the anniversary of this Order, and no later than ninety (90) days after each payout, Operator shall provide to OCD and each owner of a Non-Consenting Pooled Working Interest a schedule of the revenue attributable to a well and the Supervision and Operating Costs charged against that revenue.
- 323. Any cost or charge that is paid out of production shall be withheld only from the share due to an owner of a Pooled Working Interest. No cost or charge shall be withheld from the share due to an owner of a royalty interests. For the purpose of this Order, an unleased mineral interest shall consist of a seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest.

CASE N	O.	
ORDER	NO.	R-

- Except as provided above, Operator shall hold the revenue attributable to a well that is not disbursed for any reason for the account of the person(s) entitled to the revenue as provided in the Oil and Gas Proceeds Payment Act, NMSA 1978, Sections 70-10-1 et seq., and relinquish such revenue as provided in the Uniform Unclaimed Property Act, NMSA 1978, Sections 7-8A-1 et seq.
- The Unit shall terminate if (a) the owners of all Pooled Working Interests reach a voluntary agreement; or (b) the well(s) drilled on the Unit are plugged and abandoned in accordance with the applicable rules. Operator shall inform OCD no later than thirty (30) days after such occurrence.
- OCD retains jurisdiction of this matter for the entry of such orders as may be deemed necessary.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

Date:

ADRIENNE SANDOVAL DIRECTOR AES/xxx

EXHIBIT 2

ORDER	CASE	APPLICANT
R-21168	21002	MEWBOURNE
R-21167	21001	MEWBOURNE
R-21166	21000	MEWBOURNE
R-21165	20869	MARATHON
R-21164	20811	MEWBOURNE
R-21162	21036	DEVON
R-21161	21035	DEVON
R-21160	21021	CIMAREX
R-21159	20997	DEVON
R-21158	20996	DEVON
R-21157	20995	DEVON
R-21156	20994	DEVON
R-21155	20990	DEVON
R-21154	20987	DEVON
R-21153	20986	DEVON
R-21152	20968	KAISER-FRANCIS
R-21151	20966	KAISER-FRANCIS
R-21150	20960	BTA
R-21149	20959	BTA
R-21148	20872	DEVON
R-21141	21030	MARATHON
R-21140	21028	APACHE
R-21139	21027	APACHE
R-21138	21026	APACHE
R-21137	20981	COG
R-21136	20980	COG
R-21135	20979	COG
R-21134	20597	TAP ROCK
R-21133	20596	TAP ROCK
R-21132	20468	MARATHON
R-21131	20993	CIMAREX
R-21130	20915	BTA
R-21129	20914	BTA
R-21128	20938	CHISHOLM
R-21127	20871	MARATHON
R-21136	20870	MARATHON
R-20924-A	20809	MEWBOURNE
R-21125	20946	MARATHON
R-21124	20936	MATADOR
R-21123	20858	SPC RESOURCES
R-21122	20708	MARATHON
R-21113	20864	MARATHON
R-21112	20822	MARATHON
R-21111	16210	MATADOR

R-21110	16209	MATADOR
R-21107	20903	COG
R-21106	20868	MARATHON
R-21105	20867	MARATHON
R-21104	20860	SPC RESOURCES
R-21103	20823	MARATHON
R-21102	20935	COG
R-21101	20934	COG
R-21100	20859	SPC RESOURCES
R-21099	20820	MARATHON
R-21098	20819	SEP PERMIAN
R-21097	20818	SEP PERMIAN
R-21096	20762	SPC RESOURCES
R-21095	20889	NOVO
R-21094	20888	NOVO
R-21093	20887	NOVO
R-21092	20886	NOVO
R-21091	20855	COG
R-21090	20854	COG
R-21089	20836	COG
R-21088	20826	XTO
R-21087	20813	OXY
R-21086	20789	OXY
R-21085	20788	OXY
R-21084	20786	OXY
R-21083	20863	COG
R-21082	20794	DEVON
R-21081	20793	DEVON
R-21080	20791	IMPETRO
R-21079	20790	IMPETRO
R-21078	20767	MATADOR
R-21077	20999	COG
R-21076	20998	COG
R-21075	20950	MARATHON
R-21074	20948	MARATHON
R-21073	20932	COG
R-21072	20931	COG
R-21071	20839	B.C. OPERATING
R-21070	20838	B.C. OPERATING
R-21069	20837	B.C. OPERATING
R-21066	20943	CENTENNIAL

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

APPLICATIONS OF MATADOR PRODSUCTION COMPANY TO AMEND POOLING ORDER NO. R-21219, EDDY COUNTY, NEW MEXICO.

Case No. 21705

SELF-AFFIRMED STATEMENT OF NOTICE

COUNTY OF SANTA FE)
) ss.
STATE OF NEW MEXICO)

James Bruce deposes and states:

- 1. I am over the age of 18, and have personal knowledge of the matters stated herein.
- 2. I am an attorney for Matador Production Company.
- 3. Matador Production Company has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the applications filed herein.
- 4. Notice of the applications was provided to the interest owners, at their last known addresses, by certified mail. Copies of the notice letters and certified return receipts are attached hereto as Attachment A.
 - 5. Matador Production has complied with the notice provisions of Division Rules.
- 6. I understand that this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in paragraphs 1 through 5 above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date handwritten next to my signature below.

Date: 3/16/21

James Bruce

EXHIBIT 3

JAMES BRUCE ATTORNEY AT LAW

POST OFFICE BOX 1056 SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213 SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone) (505) 660-6612 (Cell) (505) 982-2151 (Fax)

jamesbruc@aol.com

February 11, 2021

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

To: Persons on Exhibit A

Ladies and gentlemen:

Enclosed is an application, filed with the New Mexico Oil Conservation Division by Matador Production Company (Case No. 21705), seeking an order to amend pooling Order No. R-21219, pertaining to Bone Spring wells in the W/2W/2 of Section 9 and the W/2W/2 of Section 16, Township 23 South, Range 28 East, N.M.P.M., Eddy County, New Mexico.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, March 4, 2021. During the COVID-19 Public Health Emergency, state buildings are closed to the public and the hearing will be conducted remotely. To determine the location of the hearing or to participate in an electronic hearing, go to emnrd.state.nm.us/OCD/hearings or see the instructions posted on the Division's website, http://emnrd.state.nm.us/OCD/announcements.html.

You are not required to attend this hearing, but as an owner of an interest who may be affected by the application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting this matter at a later date.

A party appearing in a Division case is required by Division Rules to file a Pre-Hearing Statement no later than Thursday, February 25, 2021. This statement may be filed online with the Division at <u>ocd.hearings@state.nm.us</u>, and should include: The name of the party and his or her attorney; a concise statement of the case; the name(s) of the witness(es) the party will call to testify at the hearing; the approximate time the party will need to present his or her case; and identification of any procedural matters that need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned.

Very truly yours,

Attorney for Matador Production Company

ATTACHMENT

EXHIBIT A

Farris C. Joseph 369 SW 28th Road Miami, FL 33129

Llano Natural Resources, LLC 4920 South Loop 289 Lubbock, TX 79414

OXY USA Inc. 5 Greenway Plaza, Suite 110 Houston, TX 77046-0521

George P. Murphy P. O. Box 167 Odessa, TX 79760

Hugh Richard Braymer 1421 Walnut Street Chillicothe, MO 64601

John R. Wiley 168 Green Valley Drive Blyth, CA 92225

Margaret Hall 820 Howard Street Marina del Rey, CA 90292

Marjorie W. Pfost P. O. Box 1087 Manhattan, KS 66505

Marjorie W. Pfost 1506 E. Grove Street Bloomington, IL 61701

O.W. Coffman c/o Donald Hugh Braymer 401 East Hayward Meadville, MO 64659 O.W. Coffman c/o Richard Braymer 12908 State Route 33 Kearney, MO 64060

Marathon Oil Permian LLC 5555 San Felipe Street Houston, TX 77056

Novo Oil & Gas Northern Delaware, LLC 105 North Hudson Avenue, Suite 500 Oklahoma City, Oklahoma 73102

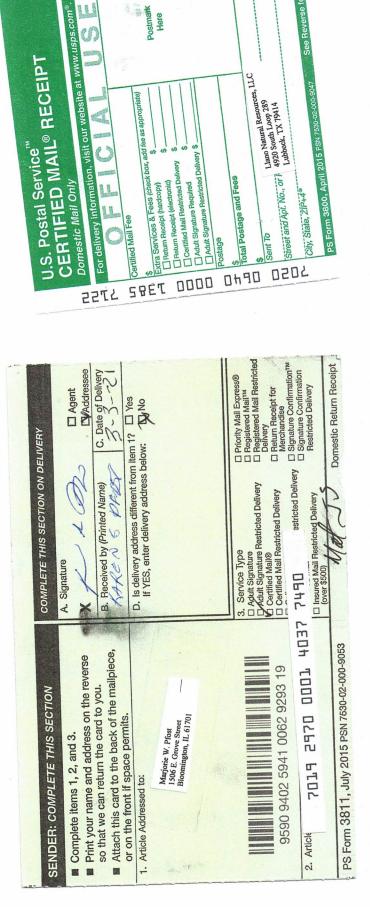
Chief Capital (O&G) II, LLC 8111 Westchester Drive, Suite 900 Dallas, TX 75225

Jetstream Oil and Gas Partners, LP 105 Nursery Lane, Suite 220 Fort Worth, TX 76114

Tilden Capital Minerals, LLC P.O. Box 470857 Fort Worth, TX 76147

GGM Exploration, Inc. P.O. Box 123610 Fort Worth, TX 76121

Chief Capital (O&G) LLC Suite 900 8111 Westchester Dallas, Texas 75225



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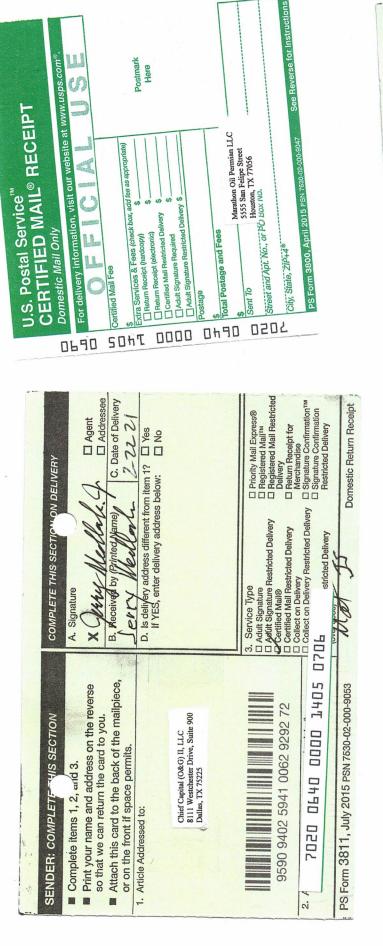
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See Reverse for Instructions

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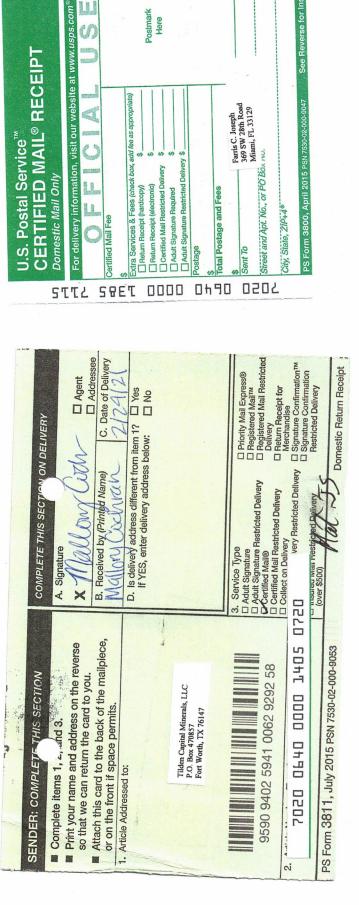
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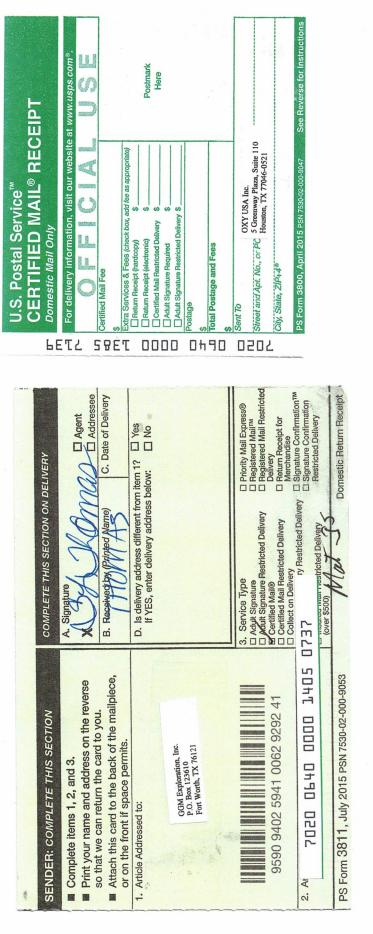
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Street and Apt. No., or PO | Blyth, CA 92225 O.W. Coffman П 297 Total Postage and Fees 2970 Total Postage and Fees Adult Signature Restricted Delivery \$ Definited Flunder Required Here Adult Signature Restricted Delivery \$ Certified Mail Restricted Delive T000 Postmark DeniupeR enutangi2 HubA Return Receipt (electronic) Here Certified Mail Restricted Delivery Return Receipt (hardcopy) -Postmark Extra Services & Fees (check box, ☐ Return Receipt (electronic) Return Receipt (hardcopy) LED! 4037 Certified Mail Fee or delivery information, visit our website at www.usps. com° 752 2452 Domestic Mail Only For delivery information, visit our website at www.usps.com CERTIFIED MAIL® RECEIPT Domestic Mail Only U.S. Postal Service" CERTIFIED MAIL® RECEIPT U.S. Postal Service"

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Manhattan, KS 66505 P. O. Box 1087

Marjorie W. Pfost

Street and Apt. No., or PO Bc.

701

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 March 03, 2021 and ending with the issue dated March 03, 2021.

Publisher

Sworn and subscribed to before me this 3rd day of March 2021.

Business Manager

My commission expires

January 29, 2023

OFFICIAL SEAL
GUSSIE BLACK
Notary Public
State of New Mexico
My Commission Expires

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 NOTICE March 3, 2021

To: Farris C. Joseph, Llano Natural Resources LLC, Marathon Oil Permian LLC, OXY USA Inc., George P. Murphy, John R. Wiley, Margaret Hall, Marjorie P. Murphy, John H. Wiley, Margaret Hall, Marjorie W. Pfost, Marcia Pfost Lewis, O.W. Coffman, Novo Oil & Gas Northern Delaware, LLC, Chief Capital (O&G) II, LLC, Chief Capital (O&G), LLC, Jetstream Oil and Gas Partners, LP, Tilden Capital Minerals, LLC, GGM Exploration, Inc., and Hugh Richard Braymer, or your heirs, devisees, successors, or assigns: Matador Production Company has filed an application with the New Mexico Oil Conservation Division seeking an order amending Order No. R-21219, issued on April 2, 2020, to conform to the Amended Order Template currently in use by the Division, and to extend the well commencement deadline one year, to April 2, 2022. Order No. R-21219 pooled all mineral interests in the Bone Spring formation in a horizontal spacing unit comprised of the W/2W/2 of Section 9 and the W/2W/2 of Section 16, Township 23 South, Range 28 East, N.M.P.M., Eddy County, New Mexico for purposes of drilling the Jack Sleeper Com. Well Nos. 111H and 121H and requires the commencement of drilling within one year of the date of the order unless the operator one year of the date of the order unless the operator obtains an extension by amendment of the order for good cause shown. The unit is centered approximately 1-1/2 miles north of Loving, New Mexico. The application is scheduled to be heard at 8:15 a.m. on March 18, 2021. During the COVID-19 Public Health Emergency, state buildings are closed to the public and the hearing will be conducted remotely. To determine the location of the hearing or remotely. To determine the location of the hearing or to participate in an electronic hearing, go to emnrd.state.nm.us/OCD/hearings or see the instructions posted on the Division's website, http://emnrd.state.nm.us/OCD/announcements.html. As an interest owner in the well unit, you have the right to enter an appearance and participate in the case. Failure to appear will preclude you from contesting this matter at a later date. A party appearing in a Division case is required by Division Rules to file a Pre-Hearing Statement no later than Thursday, March 11, 2021. This statement may be filed online with the Division at ocd.hearings@state.nm.us, and should include: The name of the party and his or her attorney; a concise statement of the case; the name(s) of the witness(es) the party will call to testify at the hearing; the approximate time the party will need to present his or her case; and identification of any procedural matters that need to be resolved prior to the hearing. The attorney for applicant is James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504. The unit is centered approximately 1-1/2 miles north of Loving. New Mexico. #36264

01101711

EXHIBIT 4

JAMES BRUCE JAMES BRUCE, ATTORNEY AT LAW P.O. BOX 1056 SANTA FE, NM 87504