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

# APPLICATION OF STEWARD ENERGY II, LLC FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO

Case No. 21758

# STEWARD ENERGY II, LLC'S HEARING EXHIBITS

### Compulsory Pooling Checklist

Exhibit A	Self-Affirmed Statement of Taylor Warren
A-1	Application & Proposed Notice of Hearing
A-2	C-102(s)
A-3	Plat of Tracts, Tract Ownership,
A-4	Pooled Party, Unit Recapitulation
A-5	Sample Well Proposal Letter & AFE(s)
A-6	Summary of Communications
A-7	Hearing Notice Letter and Return Receipts
A-8	Affidavit of Publication
Exhibit B	Self-Affirmed Statement of C.J. Lipinski
B-1	Location Map, Structure Map, Gunbarrel Schematic
B-2	Cross Section

# COMPULSORY POOLING APPLICATION CHECKLIST

# ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS

Case: 21758	APPLICANT'S RESPONSE
Date	April 8, 2021
Applicant	Steward Energy II, LLC
Designated Operator & OGRID (affiliation if applicable)	OGRID # 371682
Applicant's Counsel:	Hinkle Shanor LLP
Case Title:	Application of Steward Energy II, LLC for Compulsory Pooling, Lea County, New Mexico
Entries of Appearance/Intervenors:	N/A
Well Family	Babineaux
Formation/Pool	
Formation Name(s) or Vertical Extent:	San Andres
Primary Product (Oil or Gas):	Oil
Pooling this vertical extent:	San Andres
Pool Name and Pool Code:	Bronco; San Andres, South Pool (7500)
Well Location Setback Rules:	Statewide
Spacing Unit Size:	~320 acres
Spacing Unit	
Type (Horizontal/Vertical)	Horizontal
Size (Acres)	~320 acres
Building Blocks:	Quarter-quarter
Orientation:	Standup
Description: TRS/County	E/2 of Section 15, Township 13 South, Range 38 East in Lea County, New Mexico.
Standard Horizontal Well Spacing Unit (Y/N), If No, describe	Yes
Other Situations	
Depth Severance: Y/N. If yes, description	No
Proximity Tracts: If yes, description	The completed interval for the proposed well will be within 330' of the quarter-quarter line separating the E/2E/2 from the W/2E/2 of Section 15.
Proximity Defining Well: if yes, description	Babineaux Fee #2H well
Applicant's Ownership in Each Tract	Exhibit A-3
Well(s)	
Name (API [if assigned]); Surface hole location; Bottom hole location; Completion target (TVD); Orientation, Completion status (standard or non-standard).	
Well #1	Babineaux Fee #2H (API # Pending)
	SHL: 341' FNL, 146' FEL, Unit A, 22-13S-38E
	BHL: 100' FNL & 1,310' FEL, Unit A, 15-13S-38E
	Completion Target: San Andres formation (Approx. 5500' TVD)

I	Completion status: Standard
Horizontal Well First and Last Take	Exhibit A-2
Points	DAMOR IL Z
Completion Target (Formation,	Exhibit A-5
TVD and MD)	
AFE Capex and Operating Costs	
Drilling Supervision/Month \$	6,500
Production Supervision/Month \$	650
Justification for Supervision Costs	Exhibit A
Requested Risk Charge	200%
Notice of Hearing	20070
Proposed Notice of Hearing	Exhibit A-1
Proof of Mailed Notice of Hearing	Exhibit A-1
(20 days before hearing)	Exhibit A-7
Proof of Published Notice of	Exhibit A-7
Hearing (10 days before hearing)	Exhibit A-8
Ownership Determination	LAMOR 17-0
Land Ownership Schematic of the	
Spacing Unit	Exhibit A-3
Tract List (including lease numbers	Dimoit 11 J
and owners)	Exhibit A-3
Pooled Parties (including ownership	Exhibit A-5
type)	Exhibit A-4
Unlocatable Parties to be Pooled	N/A
Ownership Depth Severance	11/11
(including percentage above &	
below)	N/A
Joinder	
Sample Copy of Proposal Letter	Exhibit A-5
List of Interest Owners (ie Exhibit A	
of JOA)	Exhibit A-4
Chronology of Contact with Non-	
Cincilology of Collect With Non-	
Joined Working Interests	Exhibit A-6
	Exhibit A-6 N/A
Joined Working Interests	
Joined Working Interests Overhead Rates in Proposal Letter	N/A
Joined Working Interests  Overhead Rates in Proposal Letter  Cost Estimate to Drill and Complete	N/A Exhibit A-5
Joined Working Interests  Overhead Rates in Proposal Letter  Cost Estimate to Drill and Complete  Cost Estimate to Equip Well	N/A Exhibit A-5
Joined Working Interests Overhead Rates in Proposal Letter Cost Estimate to Drill and Complete Cost Estimate to Equip Well Cost Estimate for Production	N/A Exhibit A-5 Exhibit A-5
Joined Working Interests Overhead Rates in Proposal Letter Cost Estimate to Drill and Complete Cost Estimate to Equip Well Cost Estimate for Production Facilities Geology Summary (including special	N/A Exhibit A-5 Exhibit A-5
Joined Working Interests Overhead Rates in Proposal Letter Cost Estimate to Drill and Complete Cost Estimate to Equip Well Cost Estimate for Production Facilities Geology Summary (including special considerations)	N/A Exhibit A-5 Exhibit A-5
Joined Working Interests Overhead Rates in Proposal Letter Cost Estimate to Drill and Complete Cost Estimate to Equip Well Cost Estimate for Production Facilities Geology Summary (including special considerations) Spacing Unit Schematic	N/A Exhibit A-5 Exhibit A-5 Exhibit A-5
Joined Working Interests Overhead Rates in Proposal Letter Cost Estimate to Drill and Complete Cost Estimate to Equip Well Cost Estimate for Production Facilities Geology Summary (including special considerations) Spacing Unit Schematic Gunbarrel/Lateral Trajectory	N/A Exhibit A-5 Exhibit A-5 Exhibit A-5 Exhibit B
Joined Working Interests Overhead Rates in Proposal Letter Cost Estimate to Drill and Complete Cost Estimate to Equip Well Cost Estimate for Production Facilities Geology Summary (including special considerations) Spacing Unit Schematic Gunbarrel/Lateral Trajectory Schematic	N/A Exhibit A-5 Exhibit A-5 Exhibit A-5 Exhibit B
Joined Working Interests Overhead Rates in Proposal Letter Cost Estimate to Drill and Complete Cost Estimate to Equip Well Cost Estimate for Production Facilities Geology Summary (including special considerations) Spacing Unit Schematic Gunbarrel/Lateral Trajectory Schematic Well Orientation (with rationale)	N/A Exhibit A-5 Exhibit A-5 Exhibit A-5  Exhibit B Exhibit B-1
Joined Working Interests  Overhead Rates in Proposal Letter  Cost Estimate to Drill and Complete  Cost Estimate to Equip Well  Cost Estimate for Production  Facilities  Geology  Summary (including special considerations)  Spacing Unit Schematic  Gunbarrel/Lateral Trajectory  Schematic  Well Orientation (with rationale)  Target Formation	N/A Exhibit A-5 Exhibit A-5 Exhibit A-5  Exhibit B Exhibit B-1  Exhibit B-1
Joined Working Interests Overhead Rates in Proposal Letter Cost Estimate to Drill and Complete Cost Estimate to Equip Well Cost Estimate for Production Facilities  Geology Summary (including special considerations) Spacing Unit Schematic Gunbarrel/Lateral Trajectory Schematic Well Orientation (with rationale) Target Formation HSU Cross Section	N/A Exhibit A-5 Exhibit A-5 Exhibit A-5  Exhibit B Exhibit B-1 Exhibit B-1 Exhibit B
Joined Working Interests  Overhead Rates in Proposal Letter  Cost Estimate to Drill and Complete  Cost Estimate to Equip Well  Cost Estimate for Production  Facilities  Geology  Summary (including special considerations)  Spacing Unit Schematic  Gunbarrel/Lateral Trajectory  Schematic  Well Orientation (with rationale)  Target Formation  HSU Cross Section  Depth Severance Discussion	N/A Exhibit A-5 Exhibit A-5 Exhibit A-5  Exhibit B Exhibit B-1 Exhibit B-1 Exhibit B San Andres
Joined Working Interests  Overhead Rates in Proposal Letter  Cost Estimate to Drill and Complete  Cost Estimate to Equip Well  Cost Estimate for Production  Facilities  Geology  Summary (including special considerations)  Spacing Unit Schematic  Gunbarrel/Lateral Trajectory  Schematic  Well Orientation (with rationale)  Target Formation  HSU Cross Section  Depth Severance Discussion  Forms, Figures and Tables	N/A Exhibit A-5 Exhibit A-5 Exhibit A-5  Exhibit B Exhibit B-1 Exhibit B-1 Exhibit B San Andres Exhibit B-2
Joined Working Interests Overhead Rates in Proposal Letter Cost Estimate to Drill and Complete Cost Estimate to Equip Well Cost Estimate for Production Facilities  Geology Summary (including special considerations) Spacing Unit Schematic Gunbarrel/Lateral Trajectory Schematic Well Orientation (with rationale) Target Formation HSU Cross Section Depth Severance Discussion Forms, Figures and Tables C-102	N/A Exhibit A-5 Exhibit A-5 Exhibit A-5  Exhibit B Exhibit B-1 Exhibit B-1 Exhibit B San Andres Exhibit B-2
Joined Working Interests  Overhead Rates in Proposal Letter  Cost Estimate to Drill and Complete  Cost Estimate to Equip Well  Cost Estimate for Production  Facilities  Geology  Summary (including special considerations)  Spacing Unit Schematic  Gunbarrel/Lateral Trajectory Schematic  Well Orientation (with rationale)  Target Formation  HSU Cross Section  Depth Severance Discussion  Forms, Figures and Tables  C-102  Tracts	N/A Exhibit A-5 Exhibit A-5  Exhibit B Exhibit B-1 Exhibit B-1 Exhibit B Exhibit B-1 Exhibit B San Andres Exhibit B-2 N/A
Joined Working Interests  Overhead Rates in Proposal Letter  Cost Estimate to Drill and Complete  Cost Estimate to Equip Well  Cost Estimate for Production  Facilities  Geology  Summary (including special considerations)  Spacing Unit Schematic  Gunbarrel/Lateral Trajectory Schematic  Well Orientation (with rationale)  Target Formation  HSU Cross Section  Depth Severance Discussion  Forms, Figures and Tables  C-102  Tracts  Summary of Interests, Unit	N/A Exhibit A-5 Exhibit A-5  Exhibit B Exhibit B-1 Exhibit B Exhibit B San Andres Exhibit B-2 N/A  Exhibit A-2
Joined Working Interests Overhead Rates in Proposal Letter Cost Estimate to Drill and Complete Cost Estimate to Equip Well Cost Estimate for Production Facilities  Geology Summary (including special considerations) Spacing Unit Schematic Gunbarrel/Lateral Trajectory Schematic Well Orientation (with rationale) Target Formation HSU Cross Section Depth Severance Discussion Forms, Figures and Tables C-102 Tracts	N/A Exhibit A-5 Exhibit A-5  Exhibit B Exhibit B-1 Exhibit B Exhibit B San Andres Exhibit B-2 N/A  Exhibit A-2

General Location Map (including	
basin)	Exhibit B-1
Well Bore Location Map	Exhibit B-1
Structure Contour Map - Subsea	
Depth	Exhibit B-1
Cross Section Location Map	
(including wells)	Exhibit B-1
Cross Section (including Landing	
Zone)	Exhibit B-2
Additional Information	
CERTIFICATION: I hereby	
certify that the information	
provided in this checklist is	
complete and accurate.	
Printed Name (Attorney or Party	
Representative):	Dana S. Hardy
Signed Name (Attorney or Party	Maria Mila - 1
Representative):	MUNU N. HOWY M
Date:	04/02/2021

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

APPLICATION OF STEWARD ENERGY II, LLC FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO

Case No. 21758

# SELF-AFFIRMED STATEMENT OF TAYLOR WARREN

- 1. I am over 18 years of age and am competent to provide this Self-Affirmed Statement. I have personal knowledge of the matters addressed herein.
- 2. I am the Land Manager at Steward Energy II, LLC ("Steward"). I had direct involvement with Steward's development of the acreage that is the subject of Steward's application in this case. A copy of the application and proposed notice are attached as **Exhibit A-1**.
- 3. I have previously testified before the Division, and my qualifications as an expert in petroleum land matters were accepted.
- 4. None of the parties proposed to be pooled in these cases indicated opposition to this proceeding, therefore I do not expect any opposition at hearing.

#### A. Proposed Well(s) and HSU

5. Steward seeks an order pooling all uncommitted interests in the San Andres formation underlying a standard 320-acre, more or less, horizontal spacing unit ("HSU") comprised of the E/2 of Section 15, Township 13 South, Range 38 East in Lea County, New Mexico.

Steward Energy II, LLC Case No. 21758

- 6. The HSU will be dedicated to the Babineaux Fee #2H well, which will be horizontally drilled from a surface location in Unit A of Section 22 to a bottom hole location in Unit A of Section 15, Township 13 South, Range 38 East..
- 7. The proposed well is located in the Bronco; San Andres, South Pool, Code 7500. The primary product in the pool is oil.
- 8. The completed interval for the proposed well will be within 330' of the quarter-quarter line separating the E/2E/2 from the W/2E/2 of Section 15 to allow inclusion of this acreage into a standard 320-acre HSU.
  - 9. The C-102 for the proposed well is attached as Exhibit A-2.

#### B. Ownership Determination

- 10. **Exhibit A-3** includes a plat of the tracts included in the HSU and identifies Steward's ownership interest in each tract. The leases are fee leases.
- 11. **Exhibit A-4** identifies the ownership interests and pooled parties in each tract and includes a recapitulation.
  - 12. There are no unlocatable parties to be pooled.
  - 13. There are no depth severances in the San Andres formation in the proposed HSU.
  - 14. Steward has the right to pool any overriding royalty owners in the HSU.

#### C. Joinder

- 15. A sample well proposal letter and AFE for the proposed well is attached as **Exhibit** A-5.
- 16. In my opinion, Steward made a diligent effort to reach agreement with the non-joined parties as indicated by the <u>Chronology of Contact</u> in **Exhibit A-6**.

- 17. Steward has conducted a diligent search of all public records in Lea County, including phone directories and computer databases.
  - 18. All interest owners Steward seeks to pool are locatable.
- 19. In my opinion, Steward has made a good faith effort to obtain the voluntary joinder of uncommitted interests in the proposed well.

#### D. Notice of Hearing

- 21. Notice of Steward's application and the Division hearing was provided to the uncommitted interests by certified mail more than 20 days prior to the hearing date. A sample of the notice letter and the associated green cards are attached as **Exhibit A-7**.
- 22. Notice of Steward's application and the Division hearing was published more than ten business days prior to the hearing date. The affidavit of publication is attached as **Exhibit A-8**.

#### E. Drilling and Operating Costs

- 23. The AFEs for the proposed well are included in **Exhibit A-5**. The estimated cost of the well is fair and reasonable and is comparable to the cost of other wells of similar depth and length drilled in Lea County.
- 24. Steward requests overhead and administrative rates of \$6,500 per month while the well is being drilled and \$650 per month while the well is producing. These rates are fair and are comparable to the rates charged by Steward and by other operators in the vicinity. Steward further requests that the rates be adjusted periodically in accordance with the COPAS Accounting Procedure.
  - 25. Steward requests that it be designated the operator of the well.

- 26. Steward also requests that a 200% risk charge be assessed against the uncommitted interests if they are non-consenting working interest owners.
- 27. The exhibits attached hereto were either prepared by me or under my supervision or were compiled from company business records.
- 28. In my opinion, the granting of Steward's application would serve the interests of conservation, the protection of correlative rights, and the prevention of waste.
- 29. 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 28 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.

M. C.	•	04/01/2021	98
Taylor Warren		Date	

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

APPLICATION OF STEWARD ENERGY II, LLC FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO

Case No. 21758

#### **APPLICATION**

Pursuant to NMSA § 70-2-17, Steward Energy II, LLC ("Steward") applies for an order pooling all uncommitted mineral interests in the San Andres formation in a 320-acre, more or less, standard (proximity tract) horizontal spacing unit comprised of the E/2 of Section 15, Township 13 South, Range 38 East in Lea County, New Mexico. In support of its Application, Steward states the following.

- 1. Steward (OGRID No. 371682) is a working interest owner in the proposed spacing unit and has the right to drill thereon.
- 2. The horizontal spacing unit will be dedicated to the Babineaux Fee #2H well, which will be horizontally drilled from a surface location in Unit A of Section 22 to a bottom hole location in Unit A of Section 15, Township 13 South, Range 38 East.
  - 3. The completed interval of the well will be orthodox.
- 4. Steward has undertaken diligent, good-faith efforts to obtain voluntary agreements from all mineral interest owners within the horizontal spacing unit to participate in the drilling of the well but has been unable to obtain voluntary agreements from all of the mineral interest owners.
- 5. The pooling of all uncommitted mineral interests in the San Andres formation underlying the proposed horizontal spacing unit will prevent the drilling of unnecessary wells, prevent waste, and protect correlative rights.

Steward Energy II, LLC Case No. 21758

6. In order to allow Steward to obtain its just and fair share of the oil and gas underlying the subject lands, all uncommitted interests in the subject spacing unit should be pooled and Steward should be designated the operator of the proposed horizontal well and spacing unit.

WHEREFORE, Steward requests that this Application be set for hearing on April 8, 2021 and that, after notice and hearing, the Division enter an order:

- A. Pooling all uncommitted mineral interests in the proposed horizontal spacing unit;
- B. Designating Steward as the operator of the well;
- C. Authorizing Steward to recover its costs of drilling, equipping, and completing the well and allocating the costs among the well's working interest owners;
- D. Approving the actual operating charges and costs of supervision during drilling and after completion, together with a provision for adjusting the rates pursuant to the COPAS accounting procedure; and
- E. Imposing a 200% penalty for the risk assumed by Steward in drilling and completing the well against any working interest owner who does not voluntarily participate in the drilling of the well.

Respectfully submitted,

HINKLE SHANOR LLP

/s/ Dana S. Hardy

Dana S. Hardy P.O. Box 2068

Santa Fe, NM 87504-2068

Phone: (505) 982-4554

Facsimile: (505) 982-8623

dhardy@hinklelawfirm.com

Counsel for Steward Energy II, LLC

Application of Steward Energy II, LLC for compulsory pooling, Lea County, New Mexico. Applicant seeks an order pooling all uncommitted mineral interests in the San Andres formation in a 320-acre, more or less, standard (proximity tract) horizontal spacing unit comprised of the E/2 of Section 15, Township 13 South, Range 38 East in Lea County, New Mexico. The horizontal spacing unit will be dedicated to the Babineaux Fee #2H well, which will be horizontally drilled from a surface location in Unit A of Section 22 to a bottom hole location in Unit A of Section 15, Township 13 South, Range 38 East. The completed interval of the well will be orthodox. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost, the designation of Steward Energy II, LLC as the operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The well location is approximately fourteen (14) miles east of McDonald, New Mexico.

District I
1625 N. French Dr., Hobbs, NM 88240
Phone: (575) 393-6161 Fax: (575) 393-0720
District III
811 S. First St., Artesia, NM 88210
Phone: (575) 748-1283 Fax: (575) 748-9720
District III
1000 Rio Brazos Road, Aztec, NM 87410
Phone: (505) 334-6178 Fax: (505) 334-6170
District IIY
1220 S. St. Francis Dr., Santa Fe. NM 87505

Phone: (505) 476-3460 Fax: (505) 476-3462

# State of New Mexico Energy, Minerals & Natural Resources Department OIL CONSERVATION DIVISION 1220 South St. Francis Dr. Santa Fe, NM 87505

Form C-102 Revised August 1, 2011 Submit one copy to appropriate District Office

☐ AMENDED REPORT

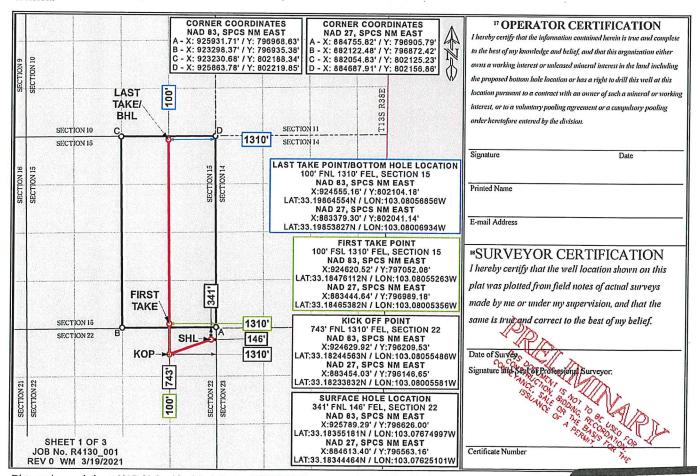
#### WELL LOCATION AND ACREAGE DEDICATION PLAT

<sup>2</sup> Pool Code	<sup>3</sup> Pool N	ame
7500	BRONCO; SAN AT	NDRES, SOUTH
		<sup>6</sup> Well Number 2H
600 <b>-</b>		<sup>9</sup> Elevation 3802'
	7500  8 Opi	100/11

Surface Location

					Darracor	Joodilon			
UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
Α	22	13S	38E		341	NORTH	146	EAST	LEA
	" Bottom Hole Location If Different From Surface								
UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	Enst/West line	County
A	15	13S	38E		100	NORTH	1310	EAST	LEA
12 Dedicated Acres	13 Joint or	r Infill	Consolidation (	Code 15 Or	der No.				
320.0	-								

No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.



Distances/areas relative to NAD 83 Combined Scale Factor: 0.99990013 Convergence Angle: 00°41'16.54001"

Steward Energy II, LLC Case No. 21758

SENE (D)	SWNW (G)	SENW <b>EXHIBIT</b>	A-3 (C)	SENE (D)	SWNWoung (G)
NESE (M)	NWSW (J)	NESW (I)	NWSE (N)	NESE (M)	NWSW (J)
SESE (P) 009	swsw (K)	SESW (L)	SWSE (O)	SESE (P)	swsw (K)
NENE (A)	NWNW (F)	NENW (E)	nwne (B) Tract A	NENE (A)	NWNW (F)
SENE (D)	SWNW . (G)	senw (H) <b>013S - 0</b>	SWNE	SENE (D)	. SWNW (G)
NESE (M)	NWSW (J)	NESW (I)	iwwse (n) Tract B	nese (m) N2SE4)	NWSW (J)
SESE (P)	SWSW (K)	SESW (L)	swse (o) <u>Tract C</u>	sese (P) (S2SE4)	swsw (K)
NENE STEWARD	NWNW ENERGY II, LLC TO HORIZANTAL SPA		NWNE (B)	NENE (A)	023 NWNW (F)
PROPOSED W			SWNE (C)	SENE (D)	SWNW (G)

### **EXHIBIT A-3**

Tract A - (NE/4 of Sec. 15, T13S-R38E, being 160.0 Acres, more or less)

Steward Energy II, LLC

WI

65.000000%

Tract B - (N2SE/4 of Sec. 15, T13S-R38E, being 80.0 Acres, more or less)

Steward Energy II, LLC

WI

56.081250%

Tract C - (S2SE/4 of Sec. 15, T13S-R38E, being 80.0 Acres, more or less)

Steward Energy II, LLC

WI

63.927500%

Steward Energy II, LLC Case No. 21758

## **EXHIBIT A-4**

#### **Ownership**

### Tract A

(NE/4 of Sec. 15, T13S-R38E, being 160.0 Acres)

#### **Committed**

<u>Owner</u>	<u>Type</u>	<b>Ownership</b>	<u>Status</u>
Steward Energy II, LLC	WI	65.000000%	Committed
G.O. Basic Energy I, LLC	WI	35.000000%	JOA executed Committed JOA executed

#### **Uncommitted**

None	Mineral Interest	0.000000%	No ULMI

#### **Tract B**

(N2SE/4 of Sec. 15, T13S-R38E, being 80.0 Acres)

#### **Committed**

Owner	<u>Type</u>	Ownership	Status
Steward Energy II, LLC	WI	56.081250%	Committed
G.O. Basic Energy I, LLC	WI	28.481250%	JOA executed Committed
Thomas Wyndham Tubbs	Mineral Interest	3.125000%	JOA executed Executed AFE

#### **Uncommitted**

Owner	Type	<u>Ownership</u>	Status
Francis Ann Dalmasso Christmann, Individually, Exec., & Trustee of the Estate of Charles Edward Christmann	Mineral Interest	5.000000%	Pool
Hawaii Public Radio	Mineral Interest	0.062500%	Pool
Sekou Kelsey	Mineral Interest	0.750000%	Pool
Brian Douglas Sands	Mineral Interest	0.125000%	Pool
Teryl Daniele Sands	Mineral Interest	0.125000%	Pool
David Stalcup	Mineral Interest	3.125000%	Pool
Waikiki Partners, L.P.	Mineral Interest	3.125000%	Pool

Steward Energy II, LLC Case No. 21758

## Tract C

(S2SE/4 of Sec. 15, T13S-R38E, being 80.0 Acres)

#### **Committed**

<u>Owner</u>	Type	<b>Ownership</b>	Status
Steward Energy II, LLC	Working Int.	63.927500%	Committed
G.O. Basic Energy I, LLC	Working Int.	34.422500%	JOA executed Committed JOA executed

#### **Uncommitted**

Owner	<u>Type</u>	<b>Ownership</b>	<u>Status</u>
Billy Glen Spradlin	Mineral Interest	1.650000%	Pool



#### \*\*\*\*\*\*VIA CERTIFIED U.S.P.S. MAIL #\*\*\*\*\*\*

January 27, 2020

Re:

Steward Energy II, LLC

Well Proposal - BABINEAUX FEE #2H

E/2 Section 15, Township 13 South, Range 38 East, N.M.P.M.

Lea County, New Mexico

Douglas A Denton 1501 Princeton Avenue Midland, TX 79701

Dear Mineral Owner.

This letter will serve as notice regarding the plans of Steward Energy II, LLC ("Steward") to drill the BABINEAUX FEE #2H ("Well") as a horizontal well, targeting the San Andres Formation with an approximate total depth drilled of 10,880 feet. The producing intervals of the Well will be located within a standard horizontal spacing unit described as being the East Half of Section 15, Township 13 South, Range 38 East, Lea County New Mexico ("Spacing Unit"). The Well's first take point will be located approximately 100 feet from the south boundary line and 1,320 feet from the east boundary line of Section 15. The Well's last take point will be located approximately 100 feet from the north boundary line and 1,320 feet from the east boundary line of Section 15.

Steward's ownership records indicate that you own an unleased mineral interest located within the Spacing Unit, and as an unleased mineral owner you are offered participation in the Well based upon your proportionate mineral interest in the Spacing Unit. Your proportionate interest and share of cost in the Well are noted at the bottom of the attached Authorization for Expenditure ("AFE"). The itemized cost of the Well is listed on the AFE, and the total cost for drilling is \$998,460.00, with an additional \$2,074,144.00 to complete the well. This AFE is an estimate only and an unleased mineral owner, by execution of same, commits to pay its proportionate share of actual cost incurred.

Please indicate your election as to your participation in the Well by checking the appropriate box in the space provided below and returning the second page of this letter to Steward using the enclosed envelope. In the event you elect to participate in the well, please also sign the bottom of the attached AFE, and include it within the envelope as well.

Please be advised that Steward has requested a risk penalty in accordance with New Mexico law. In the event you elect NOT to participate, but do desire to lease your mineral interest, please contact Steward's Land Department and request to speak with a Landman regarding your unleased interest.

Steward Energy II, LLC Case No. 21758 Well Proposal BABINEAUX FEE #2H January 15, 2021

Your election must be received by Steward within 30 days of the date this proposal was received by you. Failure to respond within 30 days shall be deemed an election NOT to participate. Please send your election to:

Steward Energy II, LLC Land Department 2600 N. Dallas Parkway, Suite 400 Frisco, Texas 75094

For questions regarding this well proposal please contact the Land Department via email <a href="mailto:land@stewardenergy.net">land@stewardenergy.net</a> or call (214) 297-0500.

Respectfully,						
Cooper Newlan Landman						
Attachment					,	
Proportionate Intere The undersigned ele well with their propo	ects to not to	participa	te in the	BABINE	AUX FEE	#2H
Douglas A Denton						
Ву:		Date:				



### **AUTHORIZATION FOR EXPENDITURE**

Well Name: Babineaux Fee #2H

Operator: Steward Energy II, LLC

AFE Number: 2104014DR

Well Type: Horizontal Oil AFE Type: New Drill

S/T/R: Sec 15 T13S-R38E Prop. Depth: Approx. 5,500 TVD; 10,880 County, State: Lea, NM

Field: Bronco, San Andres, South Prep. By: Tim Hilton

AFE Date: 1/28/2021

First Take Point: 100' FSL & 1,320' FEL (Sec. 15, T13N-R38W)

Last Take Point: 100' FNL & 1,320' FEL (Sec. 15, T13N-R38W)

Project Description: Drill & Complete Horizontal Oil Well with the San Andres as the Target Formation

Account #	Cost Breakdown	Drilling	Dry Hole	Completion Cost	Workover	Tota
8200.100	Land, Surveying & Legal	\$5,500	\$5,500			\$5,500
8200.101	Abstract, Title & Permit	\$75,000	\$75,000	APPENDED OF EACH OF THE REAL PROPERTY CONTRACTOR OF THE REAL PROPERTY AND ARRANGED		\$75,000
8200.102	ROW & Surface Damages	\$15,000	\$15,000			\$15,000
8200.103	Road, Pad Location & Pit Building	\$58,500	\$58,500	от при на принцип пости на вод в подот на труго на труго на принцип на принцип на на пред на удин менята на принцип на на принцип на на принцип на принци		\$58,500
8200.104	Environ, Reg & Safety	\$2,500	\$2,500			\$2,500
8200.105	Well Insurance	\$2,200	\$2,200			\$2,200
8200.113	Contract Labor	\$3,850	\$3,850			\$3,850
8200.114	Consulting Services & Contract	\$42,500	\$42,500			\$42,500
8200.120	Vacuum & Pump Truck	\$4,500	\$4,500			\$4,500
8200.122	Material Transportation	\$10,400	\$10,400			\$10,400
8200.126	Fuel	\$30,600	\$30,600			\$30,600
8200.131	Chemical-Downhole Treating	\$8,160	\$8,160			\$8,160
8200.132	Mud & Additives	\$25,000	\$25,000			\$25,000
8200.140	Mob/Demob	\$55,000	\$55,000			\$55,000
8200.141	Mud Disposal/Pit Closure	\$155,000	\$155,000			\$155,000
8200.142	Trailer Rental, Camp & Catering	\$18,700	\$18,700			\$18,700
8200.144	Drilling Rig - Daywork or Footage	\$143,000	\$143,000			\$143,000
8200.149	Bits, Mills & Reamers	\$19,500	\$19,500			\$19,500
8200.151	Directional Services	\$95,000	\$95,000			\$95,000
8200.160	Casing Crews & Services	\$18,700	\$18,700			\$18,700
8200.161	Cementing Services	\$68,000	\$68,000			\$68,000
8200.169	Water Transfer	\$4,000		\$4,000	\$4,000	\$4,000
8200.170	Water Purchase	\$18,000	\$18,000			\$18,000
8200.175	Surface Equipment Rental & Services	\$60,800	\$60,800			\$60,800
8200.176	Downhole Equipment Rental &	\$26,400	\$26,400			\$26,400
8200.193	Downhole Inspection/Testing -	\$22,650	\$22,650			\$22,650
8200.301	Overhead	\$10,000	\$10,000			\$10,000
	IDC Total:	\$994,460	\$994,460	\$4,000	\$4,000	\$998,460
8250.200	Conductor/Drive Pipe	\$13,600	\$13,600			\$13,600
8250.201	Surface Casing	\$50,784	\$50,784			\$50,784
8250.203	Production Casing	\$190,080	\$190,080			\$190,080
8250.205	Wellhead Equipment, Flow Tee &	\$13,880	\$13,880			\$13,880
8250.214	Other Downhole Equipment	\$28,800	\$28,800			\$28,800
	TDC Total:	\$297,144	\$297,144			\$297,144
3300.114	Consulting Services & Contract	A CONTRACTOR OF THE PARTY OF TH	AND STREET, ST	\$50,000	\$50,000	\$50,000
3300.120	Vacuum & Pump Truck			\$6,000	\$6,000	\$6,000
3300.122	Material Transportation			\$13,000	\$13,000	\$13,000
3300.126	Fuel			\$48,000	\$48,000	\$48,000

8300.131	Chemicals - Downhole Treating			\$3,500	\$3,500	\$3,50
8300.142	Trailer Rental, Camp & Catering			\$3,000	\$3,000	\$3,000
8300.143	Well Control - BOP, Isolation Assy	The first section of the first section of the secti		\$55,000	\$55,000	\$55,000
8300.146	Completion/Workover Rig			\$28,450	\$28,450	\$28,450
8300.148	Reverse Unit			\$20,000	\$20,000	\$20,000
8300.149	Bits, Mills & Reamers	West of the state		\$3,500	\$3,500	\$3,500
8300.164	Wireline & Perforating		William Control and Art Charles and Charle	\$52,000	\$52,000	\$52,000
8300.169	Water Transfer	\$45,000		\$45,000	\$45,000	\$45,000
8300.170	Water Purchase			\$108,250	\$108,250	\$108,250
8300.171	Stimulation - Frac, Acid, Gravel Pack		THE CONTRACTOR OF THE CONTRACT	\$720,000	\$720,000	\$720,000
8300.175	Surface Equipment Rental & Services	the state of the s		\$45,000	\$45,000	\$45,000
8300.176	Downhole Equipment Rental &			\$21,000	\$21,000	\$21,000
8300.179	Elect & Generator R&M			\$35,000	\$35,000	\$35,000
	ICC Total:			\$1,256,700	\$1,256,700	\$1,256,700
8350.205	Wellhead Equipment, Flow Tee &	\$12,000		\$12,000	\$12,000	\$12,000
8350.206	Tubing			\$30,000	\$30,000	\$30,000
8350.211	Electric Submersible Pumps			\$235,500	\$235,500	\$235,500
8350.213	Frac Plugs, Bridge Plus, Packers,			\$22,000	\$22,000	\$22,000
8350.221	Surface VSD, Transformer, POC &			\$22,000	\$22,000	\$22,000
8350.234	Surface Pump & LACT's			\$1,500	\$1,500	\$1,500
	TCC Total:			\$323,000	\$323,000	\$323,000
8600.100	Land, Surveying, & Legal	\$2,000		\$2,000		\$2,000
8600.102	ROW & Surface Damages	\$6,000		\$6,000		\$6,000
8600.111	Company Supervision	\$8,500		\$8,500		\$8,500
8600.120	Vaccum & Pump Truck	\$1,500		\$1,500		\$1,500
8600.122	Material Transportation	\$3,800		\$3,800		\$3,800
8600.175	Surface Equipment Rental & Services	\$3,500		\$3,500		\$3,500
	IFC Total:			\$25,300		\$25,300
8650.222	Instrumentation & Meters	\$11,000		\$11,000		\$11,000
8650.224	Electrial Installation & Power	\$10,000		\$10,000		\$10,000
8650.229	Prod & SWD Facility Inst.	\$42,000		\$42,000		\$42,000
8650.231	Separator, Heater Treater, FWKO	\$59,000		\$59,000		\$59,000
8650.233	Flowline & Gethering Lines	\$15,000		\$15,000		\$15,000
8650.235	Miscellaneous Non-Controllable -	\$35,000		\$35,000		\$35,000
	TFC Total:			\$172,000		\$172,000
				Totals:		\$3,072,604
			Owner Cost %:	0.015625%	Owner Net Cost:	\$480
Approved by:		Signature		511		
	P. O. P.					
Hawaii Pul	DIIC Kadio:				Date:	
					Date:	
					Date.	

This AFE is an estimate only and non-operator, by execution of same, commits to pay its proportionate share of actual cost incurred.

## **EXHIBIT A-6**

#### Chronology of contact with locatable uncommitted interest

- January 2019 Steward Energy II, LLC begins acquiring oil and gas leases from the original 41 mineral owners located in Tracts A, B and C. To date Steward Energy II, LLC has acquired 30 oil and gas leases and 2 mineral deeds within Tracts A, B and C.
- January 19, 2021 Steward Energy II, LLC sends the Babineaux Fee #2H well proposals to the uncommitted unleased minerals owners via certified U.S. Mail.
- February 9, 2021 Steward Energy II, LLC received an executed election letter and AFE by Thomas Wyndham Tubbs.

Steward Energy II, LLC Case No. 21758



#### HINKLE SHANOR LLP

ATTORNEYS AT LAW
PO BOX 2068
SANTA FE, NEW MEXICO 87504
505-982-4554 (FAX) 505-982-8623

WRITER:

Dana S. Hardy, Partner dhardy@hinklelawfirm.com

March 9, 2021

<u>VIA CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

#### TO ALL INTERESTS SUBJECT TO POOLING PROCEEDINGS

Re: Case No. 21758: Application of Steward Energy II, LLC for Compulsory

Pooling, Lea County, New Mexico

Sir/Madam:

Enclosed is a copy of an application that Steward Energy II, LLC ("Steward") has filed with the New Mexico Oil Conservation Division ("the Division").

Steward seeks an order pooling all uncommitted mineral interests in the San Andres formation in a 320-acre, more or less, standard (proximity tract) horizontal spacing unit comprised of the E/2 of Section 15, Township 13 South, Range 38 East in 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 April 8, 2021 beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: http://www.emnrd.state.nm.us/OCD/hearings.html. You are not required to attend the hearing, but as an owner of an interest that may be affected by Steward's application, you may appear at the hearing and present testimony. If you do not appear at that time and become a party of record, you will be precluded from contesting the matter at a later date.

A party appearing in a Division case is required by the Division's Rules to file a Pre-Hearing Statement at least four business days prior to the hearing, but in no event later than 5:00 p.m. mountain time on the Thursday preceding the hearing. The Pre-Hearing Statement must be filed with the Division and should include: the name of the party and the party's 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 amount of time the party will need to present the party's case; and an identification of any procedural matters that need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to me.

Thank you for your attention to this matter.

Very truly yours,

Dana S. Hardy

Enclosure

PO BOX 10 ROSWELL, NEW MEXICO 88202 575-622-6510 (FAX) 575-623-9332

PO BOX 172 ARTESIA, NEW MEX 575-622-65 (FAX) 575-746Steward Energy II, LLC Case No. 21758

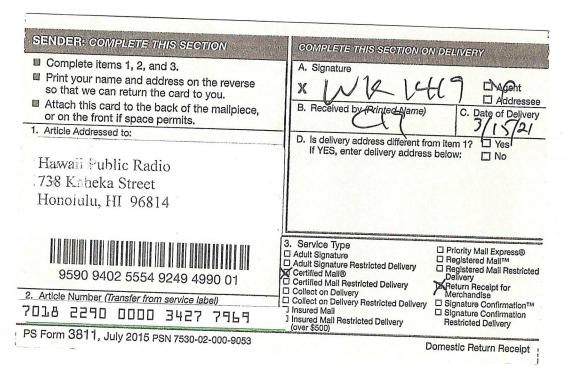
Exhibit A-7

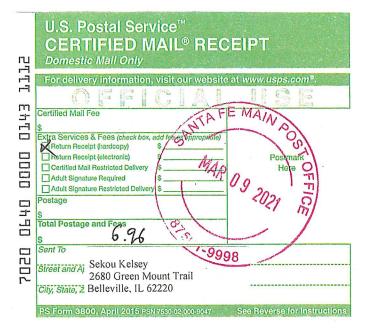
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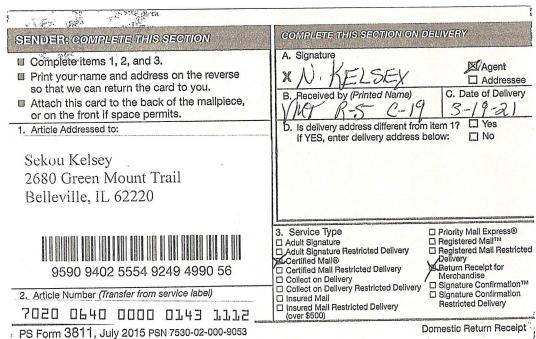


SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2; and 3.  Print your name and address on the reverse so that we can return the card to you.  Attach this card to the back of the mailpiece, or on the front if space permits.  1. Article Addressed to: Estate of Charles Edward Christmann and Francis Ann Daimasso Christmann 4409 14th Street Lubbook TX 79416	A. Signature    Agent   Addressee     Addres
9590 9402 5554 9249 4990 70  2. Article Number Transfer from service labell.  7020 0640 0000 0143 1136	3. Service Type    Adult Signature   Adult Signature Restricted Delivery   Secrified Mail®   Certified Mail Restricted Delivery   Collect on Delivery   Collect on Delivery Restricted Delivery   Insured Mail   Insured Mail Restricted Delivery (over \$500)    Priority Mail Express®   Registered Mail™   Registered Mail Restricted Delivery
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt











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Kilgore, TX 75662	
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PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt



#### CERTIFIED MAIL

HINKLE SHANOR LLP ATTORNEYS AT LAW POST OFFICE BOX 2068 SANTA FE, NEW MEXICO 87504



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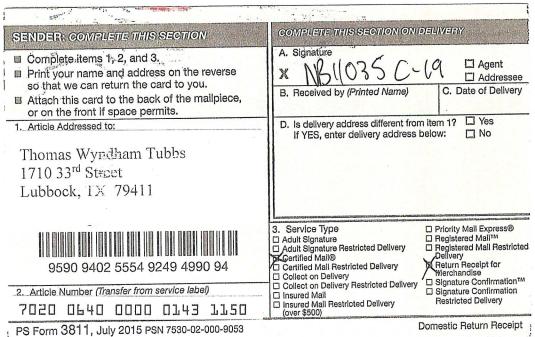
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9590 9402 5554 9249 4990 87  2. Article Number (Transfer from service label)  7020 0640 0000 0343 3343	3. Service Type  ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery ☐ Insured Mail ☐ Insured Mail ☐ Insured Mail Restricted Delivery ☐ cover \$500) ☐ Priority Mail Express® ☐ Registered Mail Festricted ☐ Registered Mail Restricted Delivery ☐ Signature Receipt for Merchandise ☐ Signature Confirmation Restricted Delivery ☐ Restricted Delivery
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### **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 11, 2021 and ending with the issue dated March 11, 2021.

Publisher

Sworn and subscribed to before me this 11th day of March 2021.

**Business Manager** 

My commission expires

January 29: 2023



OFFICIAL GEAL **GUSSIE BLACK** Notary Public State of New Mexico. 

This newspaper is duly qualified to publish a 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** March 11, 2021

This is to notify all interested parties, including the Estate of Charles Edward Christmann, Francis Ann Dalmasso Christmann, Hawaii Public Radio, Sekou Kelsey, Brian Douglas Sands, Teryl Daniele Sands, Billy Glen Spradlin, David Stalcup, Waikiki Partners, L.P., Thomas Wyndham Tubbs, and their successors and assigns, that the New Mexico Oil Conservation Division will conduct a hearing on an application submitted by Steward Energy II, LLC (Case No. 21758). 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 April 8, 2021, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the docket for that d

see the instructions posted on the docket for that d a t e

http://www.emnrd.state.nm.us/OCD/hearings.html.
Applicant seeks an order pooling all uncommitted mineral interests in the San Andres formation in a 320-acre, more or less, standard (proximity tract) horizontal spacing unit comprised of the E/2 of Section 15, Township 13 South, Range 38 East in Lea County, New Mexico. The horizontal spacing unit will be dedicated to the Babineaux Fee #2H well, which will be horizontally drilled from a surface location in Unit A of Section 22 to a bottom hole location in Unit A of Section 15, Township 13 South, Range 38 East. The completed interval of the well will be orthodox. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost, the designation of Steward Energy II, LLC as the operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The well location is approximately fourteen (14) miles east of McDonald, New Mexico.

02107475

**GILBERT** HINKLE, SHANOR LLP PO BOX 2068 SANTA FE, NM 87504

00251923

**Steward Energy** II, LLC Case No. 21758

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

APPLICATION OF STEWARD ENERGY II, LLC FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO

Case No. 21758

#### SELF-AFFIRMED STATEMENT OF SHANE SEALS

- 1. I am over 18 years of age and am competent to provide this Self-Affirmed Statement. I have personal knowledge of the matters addressed herein.
- 2. I am a geologist at Steward Energy II, LLC ("Steward"). I am familiar with the geological matters that pertain to Steward's application.
- 3. I have previously testified before the New Mexico Oil Conservation Division as an expert in geology, and my qualifications were accepted.
- 4. Steward is targeting the San Andres formation with its proposed Babineaux Fee #2H well ("Well").
- 5. **Exhibit B-1** contains a general location map of the proposed horizontal spacing unit ("HSU") which provides the location of the well bore, a schematic of the proposed spacing unit, and a gun barrel/lateral trajectory schematic along with additional Steward Energy-operated offset horizontal wells in the nearby area.
- 6. **Exhibit B-1** also contains a structure map of the top of the San Andres formation Pi Marker that is representative of the targeted interval. The map demonstrates that the structure generally dips from north to south. I do not observe any faulting, pinch-outs, or other geologic impediments to developing the targeted interval with horizontal wells in this area.

Steward Energy II, LLC Case No. 21758

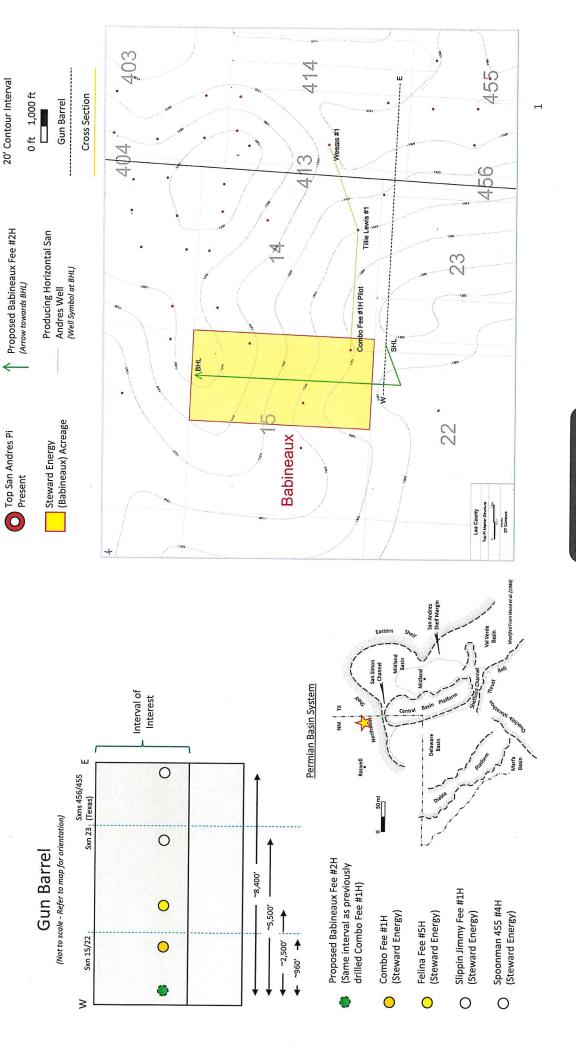
Exhibit B

- 7. **Exhibit B-1** also overlays a cross-section line of three wells penetrating the San Andres formation that I used to construct a stratigraphic cross-section from A to A'. I consider these well logs to be representative of the geology in the area.
- 8. Exhibit B-2 is a stratigraphic cross-section using the representative wells depicted in Exhibit B-1. The well logs on the cross-section provide a representative sample of the San Andres formation in the area. The cross-section demonstrates the target zone for the Well is continuous across the HSU.
- 9. In my opinion, stand-up orientation for the Well is the preferred orientation for horizontal well development in this area and is appropriate to efficiently and effectively develop the subject acreage because there is a slightly dominant stress regime that makes stand-up orientation optimal for completion purposes.
  - 10. Based on the information discussed above, I am able to conclude that:
    - a) The HSU is justified from a geologic standpoint;
    - There is no faulting or other geologic impediment that could adversely affect the drilling of the Well; and
    - c) Each quarter-quarter section in the HSU will contribute more or less equally to production.
- 11. In my opinion, the granting of Steward's application will serve the interests of conservation and the prevention of waste.
- 12. The exhibits attached hereto were either prepared by me or under my supervision or were compiled from company business records.
- 13. I understand this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in paragraphs 1 through 12 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.

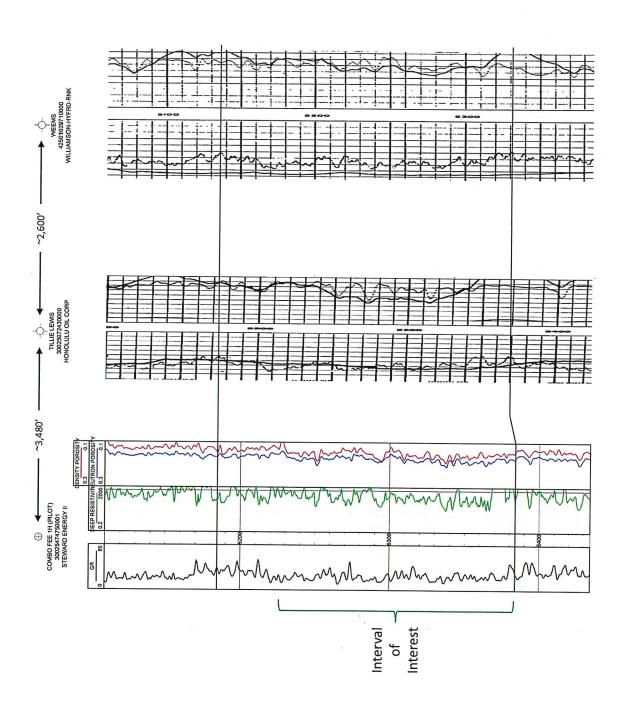
Shane Seals

Date



20' Contour Interval

Steward Energy II, LLC Case No. 21758 Exhibit B-1



Steward Energy II, LLC Case No. 21758

Exhibit B-2