

**APPLICATION OF NOVO OIL & GAS NORTHERN DELAWARE, LLC
FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO**

CASE NO. 22957

Mr. Rankin counter claims are misleading, repetitive, overreaching, with no competent evidence to uphold such opposition or to deny my requests and his opposition should be ignored.

Mr. Rankin is using unethical tactics to sway the Division.

- 1) Mr. Rankin has submitted misleading counter claims, him raising a host of nonfactual counter claims with no proof and production of evidence to back his statements.**

Mr. Rankin sending 8 pages to my 5 pages is undermining the Rules of the Hearing Examiner set for both parties to follow in this post hearing order.

I request the pages and attachment after the fifth page be dismissed for not following the Hearing Examiners order of the post hearing order.

- 2) Mr. Rankin using Statute 19.15.4.13 B(1) has no standing and for him to be using adjudicatory hearing Statute is over reaching and should be ignored.**

This is a post hearing order to a hearing that has not had a determination of the final order.

- 3) Mr. Rankin personal opinion to determine that an APD is finalized approval to commence drilling a horizontal well is incorrect and misleading.**

Mr. Rankin intentions to undermine the Division and Hearing Examiners position, obligations and duties. An APD is a single part of many and a Notice to the Division of an intention of a well, that requires further actions such as a Hearing and further approvals of a Horizontal well, Compulsory Pooling, Spacing unit, and further obligations, all before granted approval of the Compulsory pooling order.

All Approvals come before commencing the drilling of a Horizontal well.

Drilling a horizontal well before a Compulsory Pooling Order has been granted approval will have damaging future consequences to an effected party.

The Hearing Examiner Position and Compulsory Pooling Hearings very purpose of having them is then Defeated.

- 4) Mr. Rankin statements on Novo having a 98% gas capture plan is irrelevant evidence, misleading to the division, and should be ignored.**

Mr. Rankin personal opinion to make such statements that the amounts of Gas Leaked by Novo is wrong. Is belittling and undermining to the Division and personnel time and effort used into perfecting the NMOCD Website to be usable to those who choose to use it.

All evidence of the Novo Gas Leaks can be found on NMOCD Website. Novo selectively reports the Gas Leaks to the Division. The Division then puts the reported Gas Leak amounts in the NMOCD Website. The Division is aware of all Gas Leak amounts reported.

- 5) Mr. Rankin is not a landman and is incorrect and misleading the Division.**

Novo has previously mislead both their attorneys on the record.

Mr. Rankin signed an Sworn Affidavit in false pretenses for Novo.

Mr. Rankin statements of Novo interests being correct is irrelevant with no proof and production and is hearsay and should be ignored.

Title and interest is public record, researched at the County Clerks office where all is recorded.

Everyone's interest needs to be protected not just Novo for personal gain.

Protection for Everyone and protection from Novo unethical tactics.

A Trustee is Necessary for Accountability of the proceeds going to proper heirs, interests, and Novo, upon proof and production.

A third party Expert in Interests and Ownership is also appropriate to assist the Trustee with the Interests

and distribution to heirs, interests, and Novo with proof and production.

All remaining proceeds to be held in an Escro account in Eddy County, N.M. For heirs and interest owners to have the ability to come fourth to receive any money their entitled to.

The Division to Allow Novo to all proceeds with no proof and production is over compensating Novo for bad faith efforts, reckless, and will have damaging future gross negative consequences.

A Trustee and Assistant is very Necessary To prevent gross negative consequences to an effected party.

I Request the Trustee and Assistant to the Trustee, be paid out of the Proceeds of Novo.

6) Mr. Rankin production of (attachment A) as evidence is misleading the Division.

The email in attachment A is negotiations between me and Novo back in May, about a possible package purchase of my interests in many locations in the area.

After showing Mr. Patrick my interests, Mr. Patrick stated he was not interested in my interests.

Novo then used compulsory pooling and even drilled a well before granted approval of a compulsory pooling order to guarantee a pooled unit as a hostile take over and land grab.

Mr. Patrick mislead me and took advantage of me in bad faith efforts and the conversation ended.

Mr. Rankin is misleading the Division and over reaching.

I never stated what attorney I would use to close on such possible purchase.

Hobbs has many attorney all for the hiring.

No purchase took place and there for I had No need to be represented and I still am unrepresented.

Novo using an old dismissed case #22987 as grounds in case #22957 is irrelevant and misleading to the Division. I was not notified in either cases of a compulsory pooling hearing.

Brandon Patrick never mentioned in the email needing to send me a notice of a Compulsory Pooling order hearing, Mr. Patrick states a well proposal package for case #22987 Caicos well.

It was Novo responsibility to make contact again in opening a new case in #22957.

A new case requires Restarting the Efforts of the operator in their obligations and duties in a new application to compulsory pooling and drilling.

I was not notified.

Novo and Adam Rankin misleading evidence shows the lack of efforts Novo put into their obligations and efforts in the new case #22957.

I was not notified of the Compulsory Pooling Hearing and a violation of The Oil and Gas act and the Fifth Amendment.

7) Mr. Rankin statements to a lease that is about to terminate or expire is misleading the Division and should be ignored as hearsay. Novo has presented no such evidence of a lease that is about to terminate or expire and should not be upheld above the Statutes and Rules of getting granted approval of a compulsory pooling order before commencing drilling of a Horizontal well.

8) I further request to Respect the good Integrity and Better Judgment of the Permit Regulator. The Division must deny the 200% penalty costs and all costs of the well, the well was already drilled before applying with the division for compulsory pooling order and before approval being granted.

To enable the opportunity for interest and royalty owners to recover or receive with out any expense what so ever in their just and fair share or both oil and gas.

9) Mr. Rankin statements he made contact with Division Compliance Officer, Robert Jackson and was told Novo is in compliance.

Novo is operating 61 active wells with only a \$75,000 surety bond.

Novo has a well out of compliance with no Inactive well financial assurances.

30-015-23389 12,120 ft. Deep gas well No production in over 4 years.

19.15.8.9 NMOCD Statutes on well financial assurances:

19.15.8.9 C. 2 (a)(b)(c)(d)

19.15.8.9 D. 2 (a)

I'm requesting the Division Compliance Officer, Robert Jackson, to make his statement on the record under oath and sworn affidavit.

19.15.5.8 Enforcement of Statutes and Rules

The Division is charged with the duty and obligations of enforcing the States Rules and Statutes

70-2-28 If ANY PERSON violates, threatens to violate, any Statues with respect to the conservation of oil and gas, or both, or any Provision, or any Rule, Regulation or order made, the Division through the Attorney General will bring suit against such person or operator for penalties, if any are applicable, and to RETRAIN SUCH A PERSON FROM CONTINUING SUCH VIOLATION OR FROM CARRYING OUT THE THREAT OF VIOLATION. In such suit the division may obtain injunctions, prohibitory and mandatory, including temporary restraining order and temporary injunctions, as the fact may warrant.

10) 19.15.5.10 Enforcement

The Division has obligations and Duties to enforce.

Novo has numerous Violations, Requires Sanctions, a Stay on All Wells, Termination of Authorization to Transport Oil and Gas, Civil Penalties with Interest, Suspension, Cancellations, Terminations of All Permits, and any other remedy authorized by law.

Until All such Numerous Violations are back into Compliance and All Penalties are paid.

All Penalties and other remedy authorized by law from the Attorney General are to be determined and necessary in this matter. The Division has duties and obligations to bring fourth Novo to the Attorney General for further Invesgigating, with respect to the Statutes, Rules, Policy, and The Oil and Gas Act that were violated and infringed in this matter.

Wherefore, I respectfully request that the Division side with caution and take their time in making a determination that will set future precedence.

**Respectfully,
J R Samaniego**