

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

RECEIVED OOD  
2017 OCT -4 P 4: 03

**APPLICATION OF DELAWARE ENERGY LLC TO REVOKE THE INJECTION  
AUTHORITY GRANTED UNDER SWD-1680 FOR THE ALPHA SWD NO. 1 WELL  
OPERATED BY ALPHA SWD OPERATING LLC, EDDY COUNTY, NEW MEXICO.**

**Case No. 15855**

**ALPHA SWD OPERATING LLC'S RESPONSE IN OPPOSITION  
TO DELAWARE ENERGY LLC'S MOTION TO STAY  
ADMINISTRATIVE ORDER SWD-1680**

Alpha SWD Operating LLC ("Alpha") submits its response in opposition to applicant Delaware Energy LLC's ("Delaware's") Motion to Stay Administrative Order SWD-1680 ("Motion"). In support of its response, Alpha states:

1. On June 12, 2017, the Division received a C-108 from Alpha requesting injection approval for the Alpha SWD Well No. 1 (API No. 30-015-44237). On June 28, 2017 – sixteen days after it received the C-108 – the Division issued Administrative Order SWD-1680, which authorizes Alpha to inject produced water into the Alpha SWD Well No. 1 and requires Alpha to commence injection within two years after the effective date of the order. The Division's issuance of Administrative Order SWD-1860 issuance fully complied with its applicable rules.

2. Ten weeks after Division issued the order, Delaware filed an Application, which asks the Division to revoke the injection authority it had granted to Alpha, and also filed its Motion. Delaware's claims in the Application are factually and legally deficient, as are the substantially similar claims asserted in its Motion.

3. Delaware's claims are premised entirely on its assumption that its administrative application for injection authority submitted in October 2016 was active and pending as of the date

Alpha filed its C-108 for the Alpha SWD Well No. 1. Because Delaware's belief is mistaken, its arguments regarding the alleged acts and omissions of Alpha and the Division are made in a factual vacuum.

4. The Division's records reveal that the Division received a C-108 from Delaware on October 24, 2016. The Division assigned application no. pMAM1630053276 to Delaware's submission. *10/26/16 Administrative Application, attached hereto as Exhibit ("Ex.") A, at 1.*<sup>1</sup> The C-108 identifies the location of Delaware's proposed Ruiz SWD No. 1 well as 2,577' FSL and 2,584' FWL, Unit Letter K, Section 10, Township 24 South, Range 28E. *Id. at 5.*

5. The Division's records further reveal that, as of April 19, 2017, the Division's listing of unapproved administrative applications shows that Delaware's October 2016 submission had been cancelled. *April 19, 2017 listing of Administrative Applications Not Approved, attached hereto as Ex. B, at 5.* The following month's listing of unapproved administrative applications does not include the Delaware application submitted in October 2016. *May 16, 2017 listing of Administrative Applications Not Approved, attached hereto as Ex. C.*

6. On July 3, 2017, Delaware submitted another C-108 to the Division. *See 7/3/17 Administrative Application, attached hereto as Ex. D.*<sup>2</sup> The Division assigned a different application number (pKSC1718735697) to Delaware's July 2017 submission. *Id. at 1; see July 14, 2017 listing of Administrative Applications Not Approved, attached hereto as Ex. E, at 3.* That C-108 identifies a different well location, 2,565' FSL and 2,360' FWL, Unit Letter K, Section 10, Township 24 South, Range 28E, for the proposed Ruiz SWD No. 1. *Ex. D at 4.*

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<sup>1</sup> In the interests of saving paper, this exhibit consists of the first five pages of the application only.

<sup>2</sup> Alpha's exhibit consists of only the first four pages of the C-108, again for purposes of conserving paper.

7. The Division's records conclusively demonstrate that Division deemed Delaware's October 2016 application to have been cancelled, at least as of April 2017, and that the Division treated Delaware's July 2017 submission as a new application. Consequently, Delaware's underlying premise that its October 2016 submission was still pending when Alpha submitted its administrative application on June 2, 2017 is mistaken.

8. Even if that premise were factually supportable, Delaware's claims would be unavailing. Delaware first faults Alpha for not providing it with notice of Alpha's administrative application, based on (i) its belief about Alpha's prior knowledge of Delaware's October 2016 submission, and (ii) its conjecture about Alpha's intent to monetize its permit rather than drill the Alpha SWD No. 1 well and commence injection. *Application at 2, 4; Motion at 1*. Delaware's belief and conjecture are just that, and have no basis in reality.

9. When Alpha submitted its administrative application on June 2, 2017, it was unaware of Delaware's October 2016 submission. *Self-Affirmed Statement of Kurt Knewitz ("Knewitz Affidavit")*, attached hereto as *Ex. F*, at 1. Alpha did not learn of Delaware's intention to permit an SWD well in close proximity to the Alpha SWD Well No. 1 until the day after the Division issued Administrative Order SWD-1680, when the surface owner of the Alpha SWD Well No. 1 called Alpha to inform it that a surveyor working for Delaware was on her property. *Id. at 1 – 2*. With this knowledge of Delaware's plans, Alpha timely submitted a protest to the C-108 that Delaware submitted to the Division on July 3, 2017. *Id. at 2*. Obviously, if Alpha did not know about the administrative application that Delaware submitted in October 2016, it would have been unable to notify Delaware about its own application when it filed it. And even if it did have prior knowledge of the Delaware submission in October 2016, the Division's rules did not require it to notify Delaware. *See 19.15.26.8 (B)(2); 19.15.26.7(A)*.

10. Delaware's conjecture about Alpha's intentions with regard to its Alpha SWD No. 1 well is equally misguided. Alpha's intent always has been - and - continues to be - that the well will be drilled and injection will be commenced. *Knewitz Affidavit, Ex. F, at 2*

11. With no factual or legal basis to establish an obligation owed by Alpha to notify it of Alpha's June 2, 2017 administrative application, Delaware must, in order to prevail on its Application, establish that the Division failed to follow its own rules. In both its Application and Motion, Delaware claims that the Division violated its rules by

- Failing to require Alpha to notify Delaware of the submission of its administrative application;
- Failing to itself notify Delaware that Alpha's application had been submitted; and
- Violating the fifteen-day suspense period set out in 19.15.26.8 (C)(2).

*Application at 2-4; Motion at 1 - 3.*

12. Delaware's notification claims beg the question of why the Division would even consider requiring Alpha to notify Delaware, or notifying Delaware itself, when the Division's records show that Delaware's October 2016 submission had been canceled? The claims also beg the question why the Division would acknowledge a protest submitted by Alpha almost eight months after Delaware submitted its initial C-108 in October 2016? Those obvious questions aside, Delaware's strained and self-serving interpretations of 19.15.26.7(A) and 19.15.26.8 (3)(2) cannot serve to establish a legal obligation of the Division to require Alpha to provide notice to Delaware or to itself notify Delaware.

13. Similarly, Delaware provides no justification for its claim that the Division violated its fifteen-day suspense rule. The rule plainly authorizes the Division to administratively approve an application if (i) the Division does not receive an objection within the fifteen-day period, and

(ii) a hearing is not otherwise required. 19.15.26.8(C)(2). Contrary to Delaware's claim, nothing in the suspension rule provides that a Division request for additional information extends the suspension period. And Delaware provides no order or other authority that might indicate otherwise.


14. Finally, Delaware's Application and Motion fail to acknowledge its actual knowledge of Alpha's plan to request injection authority for the Alpha SWD Well No. 1. During May of 2017, the month preceding Alpha's submission of its administrative application, Alpha communicated with Delaware, via telephone and e-mail and during a meeting in Dallas, about various matters relating to the Alpha SWD Well No. 1, including the well location, the facility design schematics and AFE for the well, and Alpha's application for a DOT permit. *Knewitz Affidavit, Ex. F, at 2*. Delaware was fully aware of Alpha's plans for the Alpha SWD Well No. 1, knew that Alpha would be applying for injection authority, and requested to become partners with Alpha in the Alpha SWD Well No. 1. *Id.* Yet during these May 2017 discussions Delaware never indicated that it would oppose an Alpha application for injection authority for the Alpha SWD Well No. 1. *Id.*

15. Alpha would be prejudiced if the Motion is granted. It already has lost a scheduled rig, has had to postpone a closing on acreage that includes the site of the Alpha SWD Well No. 1, and is in danger of losing contracts it has been negotiating with operators seeking to dispose of produced water. *Knewitz affidavit, Ex. F, at 2-3*.

16. For the reasons set forth above, Alpha submits that Delaware's Motion should be summarily denied.

Respectfully submitted,

HINKLE SHANOR LLP



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*Counsel for Alpha SWD Operating LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4<sup>th</sup> day of October, 2017 I served a true and correct copy of the foregoing *Alpha SWD Operating LLC's Response in Opposition to Delaware Energy LLC's Motion to Stay Administrative Order SWD-1680* via email to:

Michael H. Feldewert, Esq.

Adam G. Rankin, Esq.

Jordan L. Kessler, Esq.

Holland & Hart LLP

Post Office Box 2208

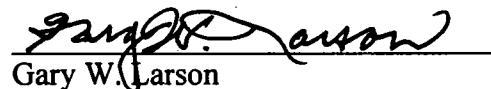
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*Counsel for Delaware Energy LLC*



Gary W. Larson

DATE IN 10/24/2016	SUSPENSE	ENGINEER	LOGGED IN N/24/24	TYPE SWI	APP NO. PAM-1630053276
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ABOVE THIS LINE FOR DIVISION USE ONLY

## NEW MEXICO OIL CONSERVATION DIVISION

- Engineering Bureau -

1220 South St. Francis Drive, Santa Fe, NM 87505



### ADMINISTRATIVE APPLICATION CHECKLIST

THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE

#### Application Acronyms:

[NSL-Non-Standard Location] [NSP-Non-Standard Proration Unit] [SD-Simultaneous Dedication]  
 [DHC-Downhole Commingling] [CTB-Lease Commingling] [PLC-Pool/Lease Commingling]  
 [PC-Pool Commingling] [OLS - Off-Lease Storage] [OLM-Off-Lease Measurement]  
 [WFX-Waterflood Expansion] [PMX-Pressure Maintenance Expansion]  
 [SWD-Salt Water Disposal] [IPI-Injection Pressure Increase]  
 [EOR-Qualified Enhanced Oil Recovery Certification] [PPR-Positive Production Response]

#### [1] TYPE OF APPLICATION - Check Those Which Apply for [A]

[A] Location - Spacing Unit - Simultaneous Dedication  
☐ NSL ☐ NSP ☐ SD

Check One Only for [B] or [C]

[B] Commingling - Storage - Measurement

☐ DHC ☐ CTB ☐ PLC ☐ PC ☐ OLS ☐ OLM UL K-910-24S-28E

[C] Injection - Disposal - Pressure Increase - Enhanced Oil Recovery

☐ WFX ☐ PMX ☒ SWD ☐ IPI ☐ EOR ☐ PPR

[D] Other: Specify \_\_\_\_\_

#### [2] NOTIFICATION REQUIRED TO: - Check Those Which Apply, or ☐ Does Not Apply

[A] ☐ Working, Royalty or Overriding Royalty Interest Owners

[B] ☒ Offset Operators, Leaseholders or Surface Owner

[C] ☒ Application is One Which Requires Published Legal Notice

[D] ☒ Notification and/or Concurrent Approval by BLM or SLO  
 U.S. Bureau of Land Management - Commissioner of Public Lands, State Land Office

[E] ☒ For all of the above, Proof of Notification or Publication is Attached, and/or,

[F] ☒ Waivers are Attached

#### [3] SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED ABOVE.

[4] **CERTIFICATION:** I hereby certify that the information submitted with this application for administrative approval is accurate and complete to the best of my knowledge. I also understand that no action will be taken on this application until the required information and notifications are submitted to the Division.

Note: Statement must be completed by an individual with managerial and/or supervisory capacity.

Preston Stein

Print or Type Name

Signature

Vice-President

Title

10/10/2016

Date

preston@delawareenergyllc.com  
 e-mail Address

EXHIBIT  
A

**Delaware Energy, LLC**  
**Application for Injection/SWD**  
**Ruiz SWD #1**

UL K, Sec. 10, T-24-S, R-28-E, 2577' FSL & 2584' FWL, Eddy Co., NM

October 10, 2016

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**Contents:**

1. Administrative Application Checklist
2. Form C-108: Application for Authority to Inject
3. Form C-108 Additional Questions Answered
4. Form C-102
5. Chemical Analysis of Bone Springs Formation Water Sample from T25S, R28E, Eddy Co., NM
6. Chemical Analysis of Wolfcamp Formation Water Sample from T26S, R29E, Eddy Co., NM
7. Chemical Analysis of Delaware Formation Water Sample from T23S, R28E, Eddy Co., NM
8. Wellbore diagram of Ruiz SWD #1 as planned
9. ~~Tabular Data on All Wells of Public Record within the Area of Review which Penetrate the Proposed Injection Zone~~ (No applicable wells)
10. Average depth to fresh water per State Engineers Website
11. Water Well Samples:
  - a. Sec. 11, T24S, R28E
  - b. Sec. 10, T24S, R28E
12. Map Identifying all Wells and Leases within Two Miles of Any Proposed Injection Well with a One-half Mile Radius Circle Drawn Around Each Proposed Injection Well
13. Sample of Letter Sent with This Application Packet to Owner of Surface of the Land on Which the Well is to be Located and to each Leasehold Operator within One-half Mile of the Well Location
14. Legal Notice that will be run as required in the Carlsbad Current-Argus
15. Formation Tops



**APPLICATION FOR AUTHORIZATION TO INJECT**

- I. PURPOSE: Secondary Recovery Pressure Maintenance xxx Disposal Storage  
Application qualifies for administrative approval? xxx Yes No
- II. OPERATOR: Delaware Energy LLC  
ADDRESS: 3001 W. Loop 250 N. Suite C-105-318, Midland TX 79705  
CONTACT PARTY: Preston Stein PHONE: 214-558-1371
- III. WELL DATA: Complete the data required on the reverse side of this form for each well proposed for injection.  
Additional sheets may be attached if necessary.
- IV. Is this an expansion of an existing project? Yes XXX No  
If yes, give the Division order number authorizing the project: \_\_\_\_\_
- V. Attach a map that identifies all wells and leases within two miles of any proposed injection well with a one-half mile radius circle drawn around each proposed injection well. This circle identifies the well's area of review.
- VI. Attach a tabulation of data on all wells of public record within the area of review which penetrate the proposed injection zone. Such data shall include a description of each well's type, construction, date drilled, location, depth, record of completion, and a schematic of any plugged well illustrating all plugging detail.
- VII. Attach data on the proposed operation, including:
1. Proposed average and maximum daily rate and volume of fluids to be injected;
  2. Whether the system is open or closed;
  3. Proposed average and maximum injection pressure;
  4. Sources and an appropriate analysis of injection fluid and compatibility with the receiving formation if other than re-injected produced water, and,
  5. If injection is for disposal purposes into a zone not productive of oil or gas at or within one mile of the proposed well, attach a chemical analysis of the disposal zone formation water (may be measured or inferred from existing literature, studies, nearby wells, etc.).
- \*VIII. Attach appropriate geologic data on the injection zone including appropriate lithologic detail, geologic name, thickness, and depth. Give the geologic name, and depth to bottom of all underground sources of drinking water (aquifers containing waters with total dissolved solids concentrations of 10,000 mg/l or less) overlying the proposed injection zone as well as any such sources known to be immediately underlying the injection interval.
- IX. Describe the proposed stimulation program, if any.
- \*X. Attach appropriate logging and test data on the well. (If well logs have been filed with the Division, they need not be resubmitted).
- \*XI. Attach a chemical analysis of fresh water from two or more fresh water wells (if available and producing) within one mile of any injection or disposal well showing location of wells and dates samples were taken.
- XII. Applicants for disposal wells must make an affirmative statement that they have examined available geologic and engineering data and find no evidence of open faults or any other hydrologic connection between the disposal zone and any underground sources of drinking water.
- XIII. Applicants must complete the "Proof of Notice" section on the reverse side of this form.
- XIV. Certification: I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

NAME: Preston Stein TITLE: Vice-President

SIGNATURE: Preston Stein DATE: 10/10/2016

E-MAIL ADDRESS: Prestonms@delawareenergyllc.com

- \* If the information required under Sections VI, VIII, X, and XI above has been previously submitted, it need not be resubmitted. Please show the date and circumstances of the earlier submittal: \_\_\_\_\_

DISTRIBUTION: Original and one copy to Santa Fe with one copy to the appropriate District Office

### III. WELL DATA

A. The following well data must be submitted for each injection well covered by this application. The data must be both in tabular and schematic form and shall include:

- (1) Lease name; Well No.; Location by Section, Township and Range; and footage location within the section.
- (2) Each casing string used with its size, setting depth, sacks of cement used, hole size, top of cement, and how such top was determined.
- (3) A description of the tubing to be used including its size, lining material, and setting depth.
- (4) The name, model, and setting depth of the packer used or a description of any other seal system or assembly used.

Division District Offices have supplies of Well Data Sheets which may be used or which may be used as models for this purpose. Applicants for several identical wells may submit a "typical data sheet" rather than submitting the data for each well.

B. The following must be submitted for each injection well covered by this application. All items must be addressed for the initial well. Responses for additional wells need be shown only when different. Information shown on schematics need not be repeated.

- (1) The name of the injection formation and, if applicable, the field or pool name.
- (2) The injection interval and whether it is perforated or open-hole.
- (3) State if the well was drilled for injection or, if not, the original purpose of the well.
- (4) Give the depths of any other perforated intervals and detail on the sacks of cement or bridge plugs used to seal off such perforations.
- (5) Give the depth to and the name of the next higher and next lower oil or gas zone in the area of the well, if any.

### XIV. PROOF OF NOTICE

All applicants must furnish proof that a copy of the application has been furnished, by certified or registered mail, to the owner of the surface of the land on which the well is to be located and to each leasehold operator within one-half mile of the well location.

Where an application is subject to administrative approval, a proof of publication must be submitted. Such proof shall consist of a copy of the legal advertisement which was published in the county in which the well is located. The contents of such advertisement must include:

- (1) The name, address, phone number, and contact party for the applicant;
- (2) The intended purpose of the injection well; with the exact location of single wells or the Section, Township, and Range location of multiple wells;
- (3) The formation name and depth with expected maximum injection rates and pressures; and,
- (4) A notation that interested parties must file objections or requests for hearing with the Oil Conservation Division, 1220 South St. Francis Dr., Santa Fe, New Mexico 87505, within 15 days.

**NO ACTION WILL BE TAKEN ON THE APPLICATION UNTIL PROPER PROOF OF NOTICE HAS BEEN SUBMITTED.**

**NOTICE:** Surface owners or offset operators must file any objections or requests for hearing of administrative applications within 15 days from the date this application was mailed to them.

WELL NAME & NUMBER: Ruiz SWD No1

WELL LOCATION: 2577' FSL, 2584' FWL      K      10      24S      28E  
FOOTAGE LOCATION      UNIT LETTER      SECTION      TOWNSHIP      RANGE

**WELLBORE SCHEMATIC**

**Surface Casing**

Hole Size: 17-1/2"      Casing Size: 13-3/8"

Cemented with: 550 sx.      or                      ft<sup>3</sup>

Top of Cement: SURFACE      Method Determined: Circulated  
Total Depth: 400'

**Intermediate Casing (N/A)**

Hole Size: 12-1/4"      Casing Size: 9-5/8"

Cemented with: 1000 sx.      or                      ft<sup>3</sup>

Top of Cement: Surface      Method Determined: Circulated  
Total Depth: 2600'

**Production Casing\***

Hole Size: 8.75"      Casing Size: 7"

Cemented with: 2200 sx.      or                      ft<sup>3</sup>

Top of Cement: surface      Method Determined: Circulated

Total Depth: 13,650'

**Injection Interval**

13,650' feet to 14,650' Open hole

# Administrative Applications Not Approved (see OCD Online for approved permits)

Pending = waiting on OCD review or end of notice suspense period.  
Suspended = waiting on factors outside the OCD, see comments.  
Canceled = timed out, denied or withdrawn, see comments.

APPLICATION TYPES  
CTB, PLC, PC = Surface Commingling  
OLM = Off Lease Measurement  
NSL = Non Standard Location  
SD = Simultaneous Dedication  
NSP = Non Standard Proration Unit  
SWD = Salt Water Disposal  
IPI = Injection Pressure Increase  
WFX, PMX = Waterflood/Pressure Maintenance Expansion

Wednesday, April 19, 2017 9:16:14 AM

All Pending Applications and  
All Suspended/Canceled within past 180 days  
Sorted by Received Date

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Eddy	MAM	SWD	4/17/2017	0	pMAM1710746033	4/17/2017	Susp	ROCKCLIFF OPERATING NFW M	Brian Wood; Agent	30-015-23339	Protested Chevron
Lea	MAM	SWD	4/17/2017	2	pMAM1710757523		Pend	RAZ OIL AND GAS L.L.C.	Danny Holcomb; Agent	30-025-38162	
Eddy	MAM	SWD	4/17/2017	0	pMAM1710744638	4/17/2017	Susp	ROCKCLIFF OPERATING NFW M	Brian Wood; Agent	30-015-22931	Protested Chevron USA
Lea	MAM	WFX	4/17/2017	2	pMAM1710847578		Pend	APACHE CORP	Brian Wood; Agent	30-025-06643	
Eddy	MAM	DHC	4/17/2017	2	pMAM1710830639		Pend	CIMAREX ENERGY CO. OF CO	Amithy Crawford; Regulator	30-015-34199	
Eddy	MAM	SWD	4/17/2017	0	pMAM1710749639	4/17/2017	Canc	TACTICAL OIL & GAS, LLC	Brian Wood; Agent	30-015-25003	
Eddy	LEL	NSP	4/14/2017	5	pKSC1710737187		Pend	OXY USA INC	David Stewart david_stew	30-015-44074	Pending 20 day period Well Cedar Canyon 23 Federal Com #33H; API 30-015-44074
	LEL	NSL	4/10/2017	9	pKSC1710158072		Pend	COG OPERATING LLC	Debora L. Wilbourn dwill	30-025-43299	Pending 20 day period Well Skull Cap Federal Com #22H; API # 30-025-43299
Lea	PRG	SWD	4/10/2017	9	pMAM1710058162		Pend	BTA OIL PRODUCERS, LLC	Kayla McConnell; Regulator	30-025-26692	
Lea	MAM	SWD	4/6/2017	13	pMAM1709735973		Pend	STEARNS	Danny Holcomb; Agent	30-025-23833	
Lea	LEL	NSL	4/6/2017	13	pKSC1709730771		Pend	DEVON ENERGY PRODUCTION C	Carol Glass (405) 522-6	30-025-43012	Pending 20 day period Well Blue Krait 23-14 Fed #5H; API 30-025-43012
Lea	LEL	NSL	4/6/2017	13	pKSC1709731879		Pend	DEVON ENERGY PRODUCTION C	Justin Porter Justin.Po	30-025-43237	Pending 20 day period Well Blue Krait 23 Fed #3H; API 30-025-43237
Eddy	LEL	NSL	4/5/2017	14	pKSC1709558173		Pend	CIMAREX ENERGY CO. OF CO	Jennifer L. Bradfute (E-m	30-015-39891	To Process as timely allowed, 04.05.17 Irwin 23-14 Federal #1; API 30-015-39891

MAM = Michael McMillan, PRG = Philip Goetze, LEL = Leonard Lowe, WVJ = Will Jones

EXHIBIT  
B

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
San Miguel	MAM	PLC	4/4/2017	15	pMAM1709451021		Pend	XTO ENERGY, INC	Cherylene Watson; Senior	30-045-10759	
San Juan	MAM	PLC	4/4/2017	15	pMAM1709450740		Pend	XTO ENERGY, INC	Cherylene Weston; Senior	30-045-25252	
San Juan	MAM	PLC	3/30/2017	20	pKSC1708948025		Pend	XTO ENERGY, INC	Cherylene L. Weston che	30-045-09569	Well Gem #1; API 30-045-29515
Eddy	MAM	DHC	3/30/2017	20	pMAM1708959225		Pend	CIMAREX ENERGY CO. OF COI		30-015-32672	
Eddy	MAM	DHC	3/30/2017	20	pMAM1708956202		Pend	CIMAREX ENERGY CO. OF COI		30-015-33457	
Eddy	MAM	DHC	3/30/2017	20	pMAM1708939214		Pend	CIMAREX ENERGY CO. OF COI	Terri Stathem; Regulatory	30-015-36571	
Eddy	MAM	CTB	3/30/2017	20	pKSC1709032521		Pend	COG OPERATING LLC	Kanicia Castillo kcastil	30-015-39781	Well Pinto 36 State Com #1H; API 30-015-39781
Eddy	MAM	DHC	3/29/2017	21	pMAM1708852227		Pend	RKI EXPLORATION & PRODUCTION		30-015-42019	
Eddy	MAM	CTB	3/29/2017	16	pMAM1708847579	4/14/2017	Susp	MATADOR PRODUCTION COMPANY	Jordan Kessler; Attorney	30-015-44058	Protested Thomas R. Hagerman, et. al.
Eddy	MAM	CTB	3/29/2017	16	pMAM1708847351	4/14/2017	Susp	MATADOR PRODUCTION COMPANY	Jordan Kessler; Attorney	30-015-44057	Protested Thomas R. Hagerman et.al.
Lea	MAM	WFX	3/27/2017	11	pMAM1708660174	4/7/2017	Susp	SUNDOWN ENERGY LP	Ben Stone; Agent	30-025-03978	Out of compliance. Four inactive wells, only two allowed
Eddy	MAM	PLC	3/27/2017	0	pKSC1708640965	3/27/2017	Canc	DEVON ENERGY PRODUCTION C	Erin Workman Erin.workm	30-015-42126	Well Cotton Draw 10 Fed Com #1H; API 30-015-39229
Lea	MAM	SWD	3/22/2017	0	pMAM1708159866	3/22/2017	Susp	OCCIDENTAL PERMIAN LTD	April Hood; Regulatory sp	30-025-43703	Hobbs GuzzlerSWD#1;15-day clock starts 3-31-2017
Lea	LEL	NSL	3/21/2017	24	pMAM1708059942	4/14/2017	Canc	STEWART ENERGY II, LLC	Melanie Wilson; Agent	30-025-43592	Cancelled insufficient notice
Eddy	LEL	NSL	3/17/2017	33	pKSC1707658219		Pend	OXY USA INC	David Stewart david_ste	30-015-41343	Pending 20 day period Well Patton 18 Federal #8H; API 30-015-41343
Eddy	MAM	SWD	3/17/2017	33	pMAM1710151386		Pend	EOG Y RESOURCES, INC.	Brice Letcher; Engineer	30-015-29123	

MAM = Michael McMillan, PRG = Philip Goetze, LEL = Leonard Lowe, WVJ = Will Jones

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Eddy	LEL	NSL	3/17/2017	33	pKSC1707657890		Pend	OXY USA INC	David Stewart david_ste	pKSC1707657890	Pending 20 day period Well Patton MDP1 18 Federal #3H; API 30-015-
Eddy	LEL	NSL	3/17/2017	33	pKSC1707657485		Pend	OXY USA INC	David Stewart david_stew	pKSC1707657485	20 day PN Pending, 03.17.2017 Well Patton Draw MDP1 18 Federal #2H; API 30-015-PENDING
Eddy	MAM	NSL	3/13/2017	37	pKSC1707339736		Pend	APACHE CORP	Btlan Wood Brian@permit	30-015-44040	Pending 20 day period Well: Palmillo 14-15 State 301H; API # 30-015-44040
Lea	LEL	NSL	3/13/2017	37	pKSC1707341969		Pend	CHEVRON U S A INC	Jordan L. Kessler jikes	30-025-43594	Pending 20 day period Well SD WE Fed P12 #2H: API # 30-025-43594
Eddy	MAM	SWD	3/13/2017	4	pMAM1707530767	3/17/2017	Canc	ROCKCLIFF OPERATING NEW M	Brian Wood; Agent	30-015-22320	Discrepancies between application and subsequent drawing and well file. Concerns about tubing and liner size
Lea	LEL	NSL	3/13/2017	37	pKSC1707342510		Pend	CHEVRON U S A INC	Ms. Jordan L. Kessler (E-	30-025-43641	Application in review, 04.17.17 WELL: SD WE Fed P9 #6H; API # 30-025-43641
Eddy	MAM	CTB	3/10/2017	21	pMAM1706958060	3/31/2017	Canc	CIMAREX ENERGY CO. OF CO	Amithy Crawford; Regulato	30-015-25716	No surface commingle required, identidcal ownership
Lea	LEL	NSL	3/9/2017	34	pKSC1706850518	4/12/2017	Susp	COG OPERATING LLC	Debora L. Wilbourn (dwil	30-025-43697	Return receipts, vliad reason for NSL Well White Falcon State Com # H; API 30-025-PENDING
San Juan	MAM	PLC	3/8/2017	8	pMAM1706756292	3/16/2017	Canc	XTO ENERGY, INC	Cherylene Weston; Senior	30-045-25349	Identical to PLC-409
San Juan	LEL	NSL	3/7/2017	43	pKSC1706659230		Pend	BP AMERICA PRODUCTION COM	Toya Colvin (E-mail: Toya	pKSC1706659230	Application in review, 04.118.17 Well: Northeast Blanco Unit Com #; API # 30-045-35829
San Juan	LEL	NSL	3/7/2017	43	pKSC1706659392		Pend	BP AMERICA PRODUCTION COM	Toya Colvin Toya.Colvin@b	pKSC1706659392	Pending 20 day period Well: Northeast Blanco Unit 604 Com # 3H; API # 30-045-35829
Lea	LEL	NSL	3/3/2017	24	pLEL1706254143	3/27/2017	Canc	COG OPERATING LLC	Debora Wilbourn (dwilbour	pLEL1706254143	Debora W. requested to with draw the application. WELL: Windward Federal No. 11H; API 30-025- PENDING
Lea	LEL	NSL	3/3/2017	47	pLEL1706635636		Pend	CIMAREX ENERGY CO.	Zoe Lees (zel@modrall.com	30-025-43070	M.M. requested additional information 04.03.17 WELL: Southern California 29 Fed. 29-19S-32E RB 19H; API # 30-025-43070
Lea	LEL	NSL	3/3/2017	47	pKSC1706259063		Pend	CIMAREX ENERGY CO. OF CO	Zoe Lees	30-025-43070	Pending 20 day period Well: Southern California 29 Federal #19H
Lea	LEL	NSP	3/2/2017	48	pLEL1707558630		Pend	EOG RESOURCES INC	Jordan Kessler 505- 954-72	pLEL1707558630	Application in review. WELL: Neptune 10 State Com Well No. 701H; API # 30-025-PENDING (03.16.17)

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Lea	PRG	SWD	2/28/2017	3	pMAM1705955027	3/3/2017	Canc	OWL SWD OPERATING, LLC	Ben Stone; Agent	pMAM1705955027	DinwiddleSWD#1;C-11-T26SR33E;Devonian;17500'-18800';API 30-025-pending;cancelled by Applicant
Lea	WVJ	IPI	2/28/2017	3	pMAM1705958735	3/3/2017	Canc	LEGACY RESERVES OPERATING	Brian Wood; Agent	30-025-31601	They will rerun test if needed - not denied, not approved
Eddy	PRG	SWD	2/21/2017	57	pMAM1705258615		Pend	RAY WESTALL OPERATING, IN	Ben Stone; Agent	30-015-25142	
Lea	MAM	PMX	2/16/2017	7	pMAM1704828815	2/23/2017	Canc	CML EXPLORATION, LLC	Jordan Owens; Area Engine	30-025-39246	This is an application to expand a project. Must create Pressure Maintenance Project at examiner hearing
Eddy	LEL	NSL	2/16/2017	48	pKSC1709554919	4/5/2017	Susp	CIMAREX ENERGY CO.	Zoe Lees zel@modrall.co	30-015-42172	20 day period pending Well Medwick 32 Federal Com; API 30-015-42172
Eddy	MAM	NSP	2/15/2017	49	pKSC1709555338	4/5/2017	Susp	CIMAREX ENERGY CO.	Zoe Lees zel@modrall.co	30-015-42172	Pending 20 day period Well Medwick 32 Federal Com #7H; API 30-015-42172
Lea	PRG	SWD	2/15/2017	63	pMAM1704655210		Pend	JUDAH SWD, LLC	Danny Holcomb; Agent	30-025-30677	
Eddy	MAM	SWD	2/15/2017	0	pMAM1704640834	2/15/2017	Canc	MESQUITE SWD, INC	Melanie Wilson; Regulator	30-015-44054	Tubing size increase. Cancelled due to concerns about tubing/liner size problems. Mesquite plan hearing about this issue
Eddy	MAM	SWD	2/13/2017	11	pMAM1704449021	2/24/2017	Canc	MESQUITE SWD, INC	Kay Havenor; Agent	pMAM1704449021	Sand Dunes SWD#1; 30-015-pending;N-Sec.5 T24SR31E;Cancelled because 5-1/2" tubing inside 7-5/8"Liner
Eddy	MAM	NSL	2/5/2017	59	pKSC1709556079	4/5/2017	Canc	CIMAREX ENERGY CO.	Zoe Lees zel@modrall.co	30-015-42173	NO NSL required within 330' of project area Well Medwick 32 Federal Com #8H; API 30-015-42173
Chaves	MAM	SWD	2/1/2017	0	pMAM1703255824	2/1/2017	Canc	JALAPENO CORPORATION	H. Emmons Yates III; Vice	30-005-64153	Injection into hydrocarbon strata within AOR
Lea	PRG	SWD	1/30/2017	2	pMAM1703059268	2/1/2017	Susp	XOG OPERATING LLC	Amy Crawford; Production	30-025-34664	Protested by Chevron USA Inc. and surface owner (legal: Maddox, Holloman & Moran)
Eddy	MAM	CTB	1/27/2017	19	pMAM1702745806	2/15/2017	Canc	OXY USA INC	Taylor Stillman; Producti	30-025-41851	Cancelled applicant did not supply required information based on Hearing R-14299
Eddy	PRG	SWD	1/25/2017	13	pMAM1702552135	2/7/2017	Susp	RKI EXPLORATION & PRODUCTION	Ashlee Fehino; Regulator	30-015-42463	Protested by Chevron
Eddy	MAM	CTB	1/17/2017	0	pMAM1701747611	1/17/2017	Canc	OXY USA INC	Taylor Stillman; Producti	30-015-42362	Application was premature - Case 15540 was pending

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Eddy	MAM	SWD	1/9/2017	22	pMAM1701032155	1/31/2017	Canc	DELAWARE ENERGY, LLC	Preston Stein; Vice-Presi	pMAM1701032155	Lot 2 Sec. 32 T26S R29E; Catfish SWD#1; 30-015-pending. Cancelled by applicant May resubmit application in the future
Lea	PRG	SWD	12/12/2016	128	pMAM1634939548		Pend	TARGA MIDSTREAM SERVICES	Alberto Gutierrez, Agent	pMAM1634939548	Targa Monument AGI#3;30-025-pending; Sec.36 T19 R36E; Pool AGI;Devonian
Eddy	LEL	NSL	11/18/2016	0	pSD1631548268	11/18/2016	Canc	OXY USA INC	David Stewart - Oxy	pSD1631548268	Corral Fly 35-26 Federal Com No. 22H
Eddy	MAM	NSL	11/18/2016	30	pMAM1632343064	12/18/2016	Susp	MEWBOURNE OIL CO	Jim Bruce; Attorney	30-015-41309	See hearing docket Yardbirds 34 W2NC Fee Well No. 1H 30-015-41309
Eddy	MAM	NSL	11/18/2016	30	pMAM1632336511	12/18/2016	Canc	MEWBOURNE OIL CO	Jim Bruce; Attorney	30-015-43464	See R-14240 and NSL-7435 Timed out, See Hearing Docket 30-015-43464 Yardbirds 34 W2OB Fee #1H
Eddy	MAM	NSL	11/16/2016	16	pMAM1632157462	12/2/2016	Canc	CAZA OPERATING, LLC	Scott Hall; Attorney	30-015-43898	No NSL required because within 50' of projected path
Eddy	MAM	SWD	11/7/2016	21	pMAM1631260141	11/28/2016	Canc	RAY WESTALL OPERATING, IN	Ben Stone; Agent	30-015-22601	Applicant agreed to submit revised SWD application
Eddy	PRG	SWD	10/31/2016	3	pPRG1630829712	11/3/2016	Canc	DELAWARE ENERGY, LLC		pPRG1630829712	Enciso Fed. SWD #1; D-35-21S-27E; 1095 FNL/2090 FEL Protested by Finley; application not complete.
San Juan	PRG	PMX	10/24/2016	0	pMAM1630556943	10/24/2016	Susp	ROBERT L BAYLESS	John Thomas; Production a	30-045-35300	Proposed Casing Head Gas Reinjection - no way to gather gas Also see pending hearing Case 15622 for this Unit and Gas Injection
Eddy	PRG	SWD	10/24/2016	2	pMAM1630053276	10/26/2016	Canc	DELAWARE ENERGY, LLC	Preston Stein; Vice Presi	pMAM1630053276	RuizSWD#1;suspdended/; no Aff.pub;no return receipt;no wellbore diagram
Eddy	LEL	NSP	10/14/2016	31	pKSC1629257169	11/14/2016	Susp	CIMAREX ENERGY CO. OF COL	Jennifer L. Bradfute (505	30-015-43847	Application in review... suspended based on time WELL: Crescent Hale 10 Federal Com 4H; API # 30-015-43847
Eddy	MAM	SWD	10/3/2016	37	pMAM1627852869	11/9/2016	Canc	SOLARIS WATER MIDSTREAM,	Brian Wood; Agent	30-015-42813	Original Operator cancelled existing permit. New applicant must submit new application
Lea	MAM	CTB	9/30/2016	27	pMAM1627451309	10/27/2016	Canc	MATADOR PRODUCTION COMPANY	Sherri Gore; Regulatory t	30-025-42352	Cancelled; Operator resubmitted application with preliminary correct notice
Lea	PRG	SWD	9/26/2016	32	pMAM1627054773	10/28/2016	Canc	STEARNS	Danny Holcomb; agent	30-025-34070	Application cancelled; Improper notice
Lea	PRG	SWD	9/15/2016	216	pMAM1626333518		Pend	LYNX PETROLEUM CONSULTANT	Larry R. Scott; President	30-025-37943	

MAM = Michael McMillan, PRG = Philip Goetze, LEL = Leonard Lowe, WVJ = Will Jones



County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Lea	PRG	SWD	5/20/2016	225	pMAM1614549758	12/31/2016	Canc	SIANA OPERATING LLC	Josh Goates; Engineer	30-025-24003	Suspended May 24, 2016 waiting on compliance order case; application incomplete. Application cancelled for non-response to deficiencies.

**Administrative Applications Not Approved**  
(see OCD Online for approved permits)

Pending = waiting on OCD review or end of notice suspense period.  
Suspended = waiting on factors outside the OCD, see comments.  
Canceled = timed out, denied or withdrawn, see comments.

APPLICATION TYPES  
CTB, PLC, PC = Surface Commingling  
OLM = Off Lease Measurement  
NSL = Non Standard Location  
SD = Simultaneous Dedication  
NSP = Non Standard Proration Unit  
SWD = Salt Water Disposal  
IPI = Injection Pressure Increase  
WFX, PMX = Waterflood/Pressure Maintenance Expansion

Tuesday, May 16, 2017 2:50:03 PM

All Pending Applications and  
All Suspended/Canceled within past 180 days  
Sorted by Received Date

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Eddy	MAM	CTB	5/11/2017	5	pKSC1713236351		Pend	MCELVAIN ENERGY, INC	Tony Cooper TonyC@McElv	30-025-43687	
Eddy	MAM	CTB	4/27/2017	19	pMAM1711750692		Pend	MATADOR PRODUCTION COMPAN	Jordan Kessler; Attorney	30-015-43463	
Eddy	MAM	CTB	4/26/2017	20	pKSC1711639950		Pend	DEVON ENERGY PRODUCTION C	Chance Bland Chance.blm	30-015-42091	Well Cotton Draw 14 Fed Com #1H; API # 30-015-42091
Eddy	MAM	CTB	3/29/2017	16	pMAM1708847351	4/14/2017	Susp	MATADOR PRODUCTION COMPAN	Jordan Kessler; Attorney	30-015-44057	Protested Thomas R. Hagerman et.al. May 25, 2017 hearing
Eddy	MAM	CTB	3/29/2017	16	pMAM1708847579	4/14/2017	Susp	MATADOR PRODUCTION COMPAN	Jordan Kessler; Attorney	30-015-44058	Protested Thomas R. Hagerman, et. Al. May 25, 2017 hearing
Eddy	MAM	CTB	3/10/2017	21	pMAM1706958060	3/31/2017	Canc	CIMAREX ENERGY CO. OF COI	Amithy Crawford; Regulato	30-015-25716	No surface commingle required, identical ownership
Eddy	MAM	CTB	1/27/2017	19	pMAM1702745806	2/15/2017	Canc	OXY USA INC	Taylor Stillman; Producti	30-025-36593	Cancelled applicant did not supply required information based on Hearing R-14299
Eddy	MAM	CTB	1/17/2017	0	pMAM1701747611	1/17/2017	Canc	OXY USA INC	Taylor Stillman; Producti	30-015-40250	Application was premature - Case 15540 was pending
Rio Arriba	MAM	DHC	4/26/2017	20	pKSC1711639225		Pend	BP AMERICA PRODUCTION COM	Toya Colvin Toya.Colvin@	30-039-24163	Well Northeast Blanco Unit #304; API # 30-039-24163
Eddy	PRG	IPI	5/11/2017	5	pMAM1713255697		Pend	LIME ROCK RESOURCES II-A,	Mike Pippin; Agent	30-015-26404	
Lea	WVJ	IPI	2/28/2017	3	pMAM1705958735	3/3/2017	Canc	LEGACY RESERVES OPERATING	Brian Wood; Agent	30-025-31601	They will rerun test if needed - not denied, not approved
Lea	LEL	NSL	5/12/2017	4	pKSC1713550506	5/16/2017	Susp	COG OPERATING LLC	Robyn Fussell (Russell@co	30-015-44149	Application incomplete, requested additional info 05.16.17, pending. Well Burch Keely Unit #964H; API 30-015-44149
Eddy	LEL	NSL	5/12/2017	4	pKSC1713542979		Pend	OXY USA INC	Sarah Mitchel sarah_mit	pKSC1713542979	Pending 20 day period Well Patton MDP1 17 Federal #2H; API 30-015

MAM = Michael McMillan, PRG = Philip Goetze, LEL = Leonard Lowe, WVJ = Will Jones

**EXHIBIT**  
**C**

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Lea	LEL	NSL	5/12/2017	4	pKSC1713548452		Pend	OXY USA INC	Sarah Mitchell sara_mit	pKSC1713548452	Pending 20 day period Well Patton MDP1 17 Federal #5H; API 30-015
Lea	LEL	NSL	5/12/2017	4	pKSC1713548678		Pend	EOG RESOURCES INC	Jordan Kessler jkessle	pKSC1713548678	Pending 20 PN period Well Antietam 9 Fed Com #704H; API # 30-025-PENDING
Lea	LEL	NSL	5/10/2017	6	pLEL1713052361		Pend	MEWBOURNE OIL CO	Tyler Jolly (432) 682-371	pLEL1713052361	20 PN Pending, 05/10/2017 WELL: Salado Draw 10 WOPA Federal Com No. 3H; API 30-025-PENDING
Lea	LEL	NSL	5/10/2017	6	pLEL1713051828		Pend	MEWBOURNE OIL CO	Tyler Jolly (432) 682-371	pLEL1713051828	20 day PN pending. WELL: Salado Draw 10 W1PA Fed Com No. 2H; API 30-025-PENDING
Lea	LEL	NSL	5/10/2017	0	pLEL1713054808	5/10/2017	Susp	EOG RESOURCES INC	Jordan Kessler 505- 988-44	pLEL1713054808	20 day PN pending. Sent Jordan an e-mail on lacking C-102. WELL: Hound 30 Fed. No. 702H; API # 30-025-PENDING.
Eddy	LEL	NSL	5/8/2017	0	pLEL1712855246	5/8/2017	Susp	COG OPERATING LLC	Robyn Russell (432) 685-4	30-015-44128	Application SUSPENDED. Sent e-mail 05.08.17 WELL: Dodd Federal Unit no. 917H; API # 30-015- 44128
Eddy	LEL	NSL	5/8/2017	0	pLEL1712855711	5/8/2017	Susp	COG OPERATING LLC	Robyn Russell (432) 685-4	30-015-44101	Application SUSPENDED. Sent e-mail 05.08.17 WELL: Burch Keely Unit No. 962H; API # 30-015- 44101
Eddy	LEL	NSL	5/1/2017	15	pKSC1712240484		Pend	DEVON ENERGY PRODUCTION C	James Bruce (jamesbruce@a	30-015-44116	Pending 20 day period WELL: Agate PWU 21-22 #9H; API # 30-015-44116
Lea	LEL	NSL	5/1/2017	15	pKSC1712241253		Pend	OXY USA INC	David Stewart (david_ste	pKSC1712241253	Pending 20 day period, 05.01.17 Well Palladium MDPI 7-6 Federal Com #2H; API # 30-015-PENDING
Lea	LEL	NSL	5/1/2017	15	pKSC1712240807		Pend	OXY USA INC	David Stewart david_stew	pKSC1712240807	Pending 20 day period Well Palladium MDPI 7-6 Federal Com #5H; API # 30-015-PENDING
Rio Arriba	LEL	NSL	4/21/2017	25	pLEL1711141588		Pend	LOGOS OPERATING, LLC	Christopher Jeffus (505-3	30-039-31231	20 day PN pending, 04.21.2017 WELL: Escrito D14- 2407 Com Well No. 1H; API 30-039-PENDING
Eddy	MAM	NSL	4/5/2017	41	pKSC1709558173		Pend	CIMAREX ENERGY CO. OF COI	Jennifer L. Bradfute (jlb	30-015-39891	WELL: Irwin 23-14 Federal #1; API 30-015-39891
Lea	LEL	NSL	3/21/2017	24	pMAM1708059942	4/14/2017	Canc	STEWART ENERGY II, LLC	Melanie Wilson; Agent	30-025-43592	Cancelled insufficient notice
San Juan	LEL	NSL	3/7/2017	70	pKSC1706659392		Pend	BP AMERICA PRODUCTION COM	Toya Colvin (Toya.Colvin@	pKSC1706659392	Pending 20 day period WELL: Northeast Blanco Unit 604 Com # 3H; API # 30-045-35829
Lea	LEL	NSL	3/3/2017	24	pLEL1706254143	3/27/2017	Canc	COG OPERATING LLC	Debora Wilbourn (dwilbour	pLEL1706254143	Debora W. requested to with draw the application. WELL: Windward Federal No. 11H; API 30-025- PENDING



County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Lea	LEL	NSL	3/3/2017	74	pLEL1706635636		Pend	CIMAREX ENERGY CO.	Zoe Lees (zel@modrall.com)	30-025-43070	M.M. requested additional information 04.03.17 WELL: Southern California 29 Fed. 29-19S-32E RB 19H; API # 30-025-43070
Lea	LEL	NSL	3/3/2017	74	pKSC1706259063		Pend	CIMAREX ENERGY CO. OF CO	Zoe Lees (505-848-1859)	30-025-43070	Pending 20 day period WELL: Southern California 29 Federal #19H
Lea	LEL	NSL	3/1/2017	75	pKSC1713158935	5/15/2017	Susp	COG OPERATING LLC	Debora L Wilbourn dwilb	30-025-43068	Application in review. Suspended 05/15/2017 additional information requested. Well Smalls Federal #7H; API # 30-025-43068
Eddy	MAM	NSL	2/5/2017	59	pKSC1709556079	4/5/2017	Canc	CIMAREX ENERGY CO.	Zoe Lees (zel@modrall.co)	30-015-42173	NO NSL required within 330` of project area WELL: Medwick 32 Federal Com #8H; API # 30-015-42173
Eddy	LEL	NSL	11/18/2016	0	pSD1631548268	11/18/2016	Canc	OXY USA INC	David Stewart - Oxy	pSD1631548268	Corral Fly 35-26 Federal Com No. 22H
Eddy	MAM	NSL	11/18/2016	30	pMAM1632343064	12/18/2016	Susp	MEWBOURNE OIL CO	Jim Bruce; Attorney	30-015-41309	See hearing docket Yardbirds 34 W2NC Fee Well No. 1H 30-015-41309
Eddy	MAM	NSL	11/18/2016	30	pMAM1632336511	12/18/2016	Canc	MEWBOURNE OIL CO	Jim Bruce; Attorney	30-015-43464	See R-14240 and NSL-7435 Timed out, See Hearing Docket 30-015-43464 Yardbirds 34 W2OB Fee #1H
Eddy	MAM	NSL	11/16/2016	16	pMAM1632157462	12/2/2016	Canc	CAZA OPERATING, LLC	Scott Hall; Attorney	30-015-43898	No NSL required because within 50` of projected path
Eddy	MAM	NSP	4/25/2017	21	pMAM1711631185		Pend	COG PRODUCTION, LLC	Deborah Wilbourn; Regulat	30-015-44118	
Eddy	LEL	NSP	4/11/2017	23	pMAM1710958453	5/4/2017	Susp	RKI EXPLORATION & PRODUCT	Jordan Kessler 505-954-72	30-015-42290	Application in work, 05.12.17. Suspended further inquiry saught WELL: North Bushy Draw Federal Com 35 No. 4H & 5H_ API 30-015-42290 (& -42291)
Lea	LEL	NSP	3/2/2017	75	pLEL1707558630		Pend	EOG RESOURCES INC	Jordan Kessler 505-954-72	pLEL1707558630	Application in review. WELL: Neptune 10 State Com Well No. 701H; API # 30-025-PENDING (03.16.17)
Lea	MAM	PLC	4/26/2017	20	pKSC1711647610		Pend	FASKEN OIL & RANCH LTD	Addison Long addisonl@f	30-025-39121	ammend CTB 598 Well Ling Federal 3, 4, 5 and 6; API #30-025-38608, 38748, 39121, 39122
Eddy	MAM	PLC	3/27/2017	0	pKSC1708640965	3/27/2017	Canc	DEVON ENERGY PRODUCTION C	Erin Workman Erin.workm	30-015-39229	Well Cotton Draw 10 Fed Com #1H; API 30-015-39229
San Juan	MAM	PLC	3/8/2017	8	pMAM1706756292	3/16/2017	Canc	XTO ENERGY, INC	Cherylene Weston; Senior	30-045-25349	Identical to PLC-409

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Lea	MAM	PMX	2/16/2017	7	pMAM1704828815	2/23/2017	Canc	CML EXPLORATION, LLC	Jordan Owens; Area Engine	30-025-39246	This is an application to expand a project. Must create Pressure Maintenance Project at examiner hearing
Eddy	PRG	SWD	5/12/2017	0	pMAM1713256483	5/12/2017	Susp	COG OPERATING LLC	Kanicia Castillo; Lead Re	pMAM1713256483	Need return receipts affected parties, surface owner
Lea	PRG	SWD	5/12/2017	4	pMAM1713256939		Pend	MESQUITE SWD, INC	Kay Havenor; Agent	pMAM1713256939	Deep Purple SWD#1; 4-30-T22S R32E; 30-025-pending
Eddy	MAM	SWD	5/12/2017	0	pMAM1713255815	5/12/2017	Susp	OWL SWD OPERATING, LLC	Steve Pattee; Engineer	pMAM1713255815	Scrute Farms SWD#1; M-4 T26SR28E; No return receipts affected parties, affidavit of publication, not clear of surface owner
Lea	PRG	SWD	5/8/2017	0	pMAM1712856748	5/8/2017	Susp	OWL SWD OPERATING, LLC	Stephen Pattee, Engineer	pMAM1712856748	Suspended return receipts for affected parties
Eddy	MAM	SWD	5/8/2017	0	pMAM1712835977	5/8/2017	Susp	ROCKCLIFF OPERATING NFW M	Brian Wood; Agent	30-015-26368	Protested Chevron
Lea	MAM	SWD	5/5/2017	0	pMAM1712534121	5/5/2017	Canc	PERMIAN TDS, LLC	Eddie Seay; Agent	30-025-32750	well bore diagram does not match well file
Lea	PRG	SWD	5/1/2017	15	pMAM1712152783		Pend	OWL SWD OPERATING, LLC	Steve Pattee; Agent	pMAM1712152783	
Lea	PRG	SWD	5/1/2017	2	pMAM1712229015	5/3/2017	Susp	BTA OIL PRODUCERS, LLC	Kay McConnell; Regulatory	30-025-34628	Protested Devon Energy Corporation
Lea	PRG	SWD	5/1/2017	0	pMAM1712152379	5/1/2017	Susp	MESQUITE SWD, INC	Kay Havenor; Agent	pMAM1712152379	Red Hills SWD Well No. 1; 30-025-pending; E5/26S/25E; suspended 05/01/2017 pending hearing about tubing/liner Waiting on Information
Eddy	PRG	SWD	4/26/2017	0	pMAM1711646237	4/26/2017	Susp	RAY WESTALL OPERATING, IN	Ben Stone; Agent	30-015-34001	Need return receipts, verificaton of surface owner
Lea	MAM	SWD	4/26/2017	1	pKSC1711658014	4/27/2017	Canc	COBALT OPERATING, LLC	Mark Burkett mark@cobal	30-025-21230	Out of 5.9.compliance. Wellbore diagram problems Well State A #001; API 30-025-21230
Eddy	MAM	SWD	4/17/2017	0	pMAM1710749639	4/17/2017	Canc	TACTICAL OIL & GAS, LLC	Brian Wood; Agent	30-015-25003	
Eddy	MAM	SWD	4/17/2017	0	pMAM1710746033	4/17/2017	Susp	ROCKCLIFF OPERATING NFW M	Brian Wood; Agent	30-015-23339	Protested Chevron
Eddy	MAM	SWD	4/17/2017	0	pMAM1710744638	4/17/2017	Susp	ROCKCLIFF OPERATING NFW M	Brian Wood; Agent	30-015-22931	Protested Chevron USA



County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Lea	MAM	SWD	4/6/2017	15	pMAM1709735973	4/21/2017	Susp	STEARNS	Danny Holcomb; Agent	30-025-23833	15-day clock starts 05/01/2017
Eddy	MAM	SWD	3/13/2017	4	pMAM1707530767	3/17/2017	Canc	ROCKCLIFF OPERATING NEW M	Brian Wood; Agent	30-015-22320	Discrepancies between application and subsequent drawing and well file. Concerns about tubing and liner size
Lea	PRG	SWD	2/28/2017	3	pMAM1705955027	3/3/2017	Canc	OWL SWD OPERATING, LLC	Ben Stone; Agent	pMAM1705955027	DinwiddieSWD#1;C-11-T26SR33E;Devnonian;17500'-18800';API 30-025-pending;cancelled by Applicant
Eddy	PRG	SWD	2/21/2017	28	pMAM1705258615	3/21/2017	Susp	RAY WESTALL OPERATING, IN	Ben Stone; Agent	30-015-25142	Not allowed to exceed 30 days Suspended until issues resolved
Lea	PRG	SWD	2/15/2017	28	pMAM1704655210	3/15/2017	Susp	JUDAH SWD, LLC	Danny Holcomb; Agent	30-025-30677	Not allowed to exceed 30 days Suspended until issues resolved
Eddy	MAM	SWD	2/15/2017	0	pMAM1704640834	2/15/2017	Canc	MESQUITE SWD, INC	Melanie Wilson; Regulator	30-015-44054	Tubing size increase. Cancelled due to concerns about tubing/liner size problems. Mesquite plan hearing about this issue
Eddy	MAM	SWD	2/13/2017	11	pMAM1704449021	2/24/2017	Canc	MESQUITE SWD, INC	Kay Havenor; Agent	pMAM1704449021	Sand Dunes SWD#1; 30-015-pending;N-Sec.5 T24SR31E;Cancelled because 5-1/2" tubing inside 7-5/8" Liner
Chaves	MAM	SWD	2/1/2017	0	pMAM1703255824	2/1/2017	Canc	JALAPENO CORPORATION	H. Emmons Yates III; Vice	30-005-64153	Injection into hydrocarbon strata within AOR
Lea	PRG	SWD	1/30/2017	2	pMAM1703059268	2/1/2017	Susp	XOG OPERATING LLC	Amy Crawford; Production	30-025-34664	Protested by Chevron USA Inc. and surface owner (legal: Maddox, Holloman & Moran)
Eddy	PRG	SWD	1/25/2017	13	pMAM1702552135	2/7/2017	Susp	RKI EXPLORATION & PRODUCT	Ashlee Fechino; Regulator	30-015-42463	Protested by Chevron
Eddy	MAM	SWD	1/9/2017	22	pMAM1701032155	1/31/2017	Canc	DELAWARE ENERGY, LLC	Preston Stein; Vice-Presi	pMAM1701032155	Lot 2 Sec. 32 T26S R29E; Catfish SWD#1; 30-015-pending. Cancelled by applicant May resubmit application in the future
Lea	PRG	SWD	12/12/2016	8	pPRG1711440875	12/20/2016	Susp	TARGA MIDSTREAM SERVICES	Alberto Gutierrez, Geolex	pPRG1711440875	Third AGI well; backup for Monument AGI No. 2; 905' FSL/2362' FEL/ UL O, Sec 36, T19S, R36E See SWD order [includes specific requirements for AGI wells]
Eddy	MAM	SWD	11/7/2016	21	pMAM1631260141	11/28/2016	Canc	RAY WESTALL OPERATING, IN	Ben Stone; Agent	30-015-22601	Applicant agreed to submit revised SWD application
Lea	MAM	WFX	5/3/2017	13	pMAM1712350614		Pend	APACHE CORP	Brian Wood; Agent	30-025-43528	
Lea	MAM	WFX	3/27/2017	11	pMAM1708660174	4/7/2017	Susp	SUNDOWN ENERGY LP	Ben Stone; Agent	30-025-03978	Out of compliance. Four inactive wells, only two allowed

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
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ABOVE THIS LINE FOR DIVISION USE ONLY

**NEW MEXICO OIL CONSERVATION DIVISION**  
 - Engineering Bureau -  
 1220 South St. Francis Drive, Santa Fe, NM 87505



**ADMINISTRATIVE APPLICATION CHECKLIST**

THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE

**Application Acronyms:**

[NSL-Non-Standard Location] [NSP-Non-Standard Proration Unit] [SD-Simultaneous Dedication]  
 [DHC-Downhole Commingling] [CTB-Lease Commingling] [PLC-Pool/Lease Commingling]  
 [PC-Pool Commingling] [OLS - Off-Lease Storage] [OLM-Off-Lease Measurement]  
 [WFX-Waterflood Expansion] [PMX-Pressure Maintenance Expansion]  
 [SWD-Salt Water Disposal] [IPI-Injection Pressure Increase]  
 [EOR-Qualified Enhanced Oil Recovery Certification] [PPR-Positive Production Response]

[1] **TYPE OF APPLICATION** - Check Those Which Apply for [A]

[A] Location - Spacing Unit - Simultaneous Dedication  
☐ NSL ☐ NSP ☐ SD

Check One Only for [B] or [C]

[B] Commingling - Storage - Measurement  
☐ DHC ☐ CTB ☐ PLC ☐ PC ☐ OLS ☐ OLM

[C] Injection - Disposal - Pressure Increase - Enhanced Oil Recovery  
☐ WFX ☐ PMX ☒ SWD ☐ IPI ☐ EOR ☐ PPR

[D] Other: Specify \_\_\_\_\_

[2] **NOTIFICATION REQUIRED TO:** - Check Those Which Apply, or ☐ Does Not Apply

[A] ☐ Working, Royalty or Overriding Royalty Interest Owners

[B] ☒ Offset Operators, Leaseholders or Surface Owner

[C] ☒ Application is One Which Requires Published Legal Notice

[D] ☐ Notification and/or Concurrent Approval by BLM or SLO  
 U.S. Bureau of Land Management - Commissioner of Public Lands, State Land Office

[E] ☒ For all of the above, Proof of Notification or Publication is Attached, and/or,

[F] ☒ Waivers are Attached

[3] **SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED ABOVE.**

[4] **CERTIFICATION:** I hereby certify that the information submitted with this application for administrative approval is accurate and complete to the best of my knowledge. I also understand that no action will be taken on this application until the required information and notifications are submitted to the Division.

**Note:** Statement must be completed by an individual with managerial and/or supervisory capacity.

Mike McCurdy

Print or Type Name

Signature

Operations Engineer

Title

7/02/2017

Date

mmccurdy@delawareenergyllc.com  
 e-mail Address

**EXHIBIT  
D**



STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL  
RESOURCES DEPARTMENT

Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, New Mexico 87505

FORM C-108  
Revised June 10, 2003

**APPLICATION FOR AUTHORIZATION TO INJECT**

I. PURPOSE: \_\_\_\_\_ Secondary Recovery \_\_\_\_\_ Pressure Maintenance \_\_\_\_\_ xxx Disposal \_\_\_\_\_ Storage  
Application qualifies for administrative approval? \_\_\_\_\_ xxx Yes \_\_\_\_\_ No

II. OPERATOR: Delaware Energy LLC

ADDRESS: 3001 W. Loop 250 N. Suite C-105-318, Midland TX 79705

CONTACT PARTY: Mike McCurdy PHONE: 432-312-5251

III. WELL DATA: Complete the data required on the reverse side of this form for each well proposed for injection.  
Additional sheets may be attached if necessary.

IV. Is this an expansion of an existing project? \_\_\_\_\_ Yes \_\_\_\_\_ xxx No  
If yes, give the Division order number authorizing the project: \_\_\_\_\_

V. Attach a map that identifies all wells and leases within two miles of any proposed injection well with a one-half mile radius circle drawn around each proposed injection well. This circle identifies the well's area of review.

VI. Attach a tabulation of data on all wells of public record within the area of review which penetrate the proposed injection zone. Such data shall include a description of each well's type, construction, date drilled, location, depth, record of completion, and a schematic of any plugged well illustrating all plugging detail.

VII. Attach data on the proposed operation, including:

1. Proposed average and maximum daily rate and volume of fluids to be injected;
2. Whether the system is open or closed;
3. Proposed average and maximum injection pressure;
  4. Sources and an appropriate analysis of injection fluid and compatibility with the receiving formation if other than re-injected produced water; and,
  5. If injection is for disposal purposes into a zone not productive of oil or gas at or within one mile of the proposed well, attach a chemical analysis of the disposal zone formation water (may be measured or inferred from existing literature, studies, nearby wells, etc.).

\*VIII. Attach appropriate geologic data on the injection zone including appropriate lithologic detail, geologic name, thickness, and depth. Give the geologic name, and depth to bottom of all underground sources of drinking water (aquifers containing waters with total dissolved solids concentrations of 10,000 mg/l or less) overlying the proposed injection zone as well as any such sources known to be immediately underlying the injection interval.

IX. Describe the proposed stimulation program, if any.

\*X. Attach appropriate logging and test data on the well. (If well logs have been filed with the Division, they need not be resubmitted).

\*XI. Attach a chemical analysis of fresh water from two or more fresh water wells (if available and producing) within one mile of any injection or disposal well showing location of wells and dates samples were taken.

XII. Applicants for disposal wells must make an affirmative statement that they have examined available geologic and engineering data and find no evidence of open faults or any other hydrologic connection between the disposal zone and any underground sources of drinking water.

XIII. Applicants must complete the "Proof of Notice" section on the reverse side of this form.

XIV. Certification: I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

NAME: Mike McCurdy TITLE: Operations Engineer

SIGNATURE:  DATE: 7/02/2017

E-MAIL ADDRESS: Mmccurdy@delawareenergyllc.com

\* If the information required under Sections VI, VIII, X, and XI above has been previously submitted, it need not be resubmitted. Please show the date and circumstances of the earlier submittal: \_\_\_\_\_

DISTRIBUTION: Original and one copy to Santa Fe with one copy to the appropriate District Office

Side 2

### III. WELL DATA

A. The following well data must be submitted for each injection well covered by this application. The data must be both in tabular and schematic form and shall include:

(1) Lease name; Well No.; Location by Section, Township and Range; and footage location within the section.

(2) Each casing string used with its size, setting depth, sacks of cement used, hole size, top of cement, and how such top was determined.

(3) A description of the tubing to be used including its size, lining material, and setting depth.

(4) The name, model, and setting depth of the packer used or a description of any other seal system or assembly used.

Division District Offices have supplies of Well Data Sheets which may be used or which may be used as models for this purpose. Applicants for several identical wells may submit a "typical data sheet" rather than submitting the data for each well.

B. The following must be submitted for each injection well covered by this application. All items must be addressed for the initial well. Responses for additional wells need be shown only when different. Information shown on schematics need not be repeated.

(1) The name of the injection formation and, if applicable, the field or pool name.

(2) The injection interval and whether it is perforated or open-hole.

(3) State if the well was drilled for injection or, if not, the original purpose of the well.

(4) Give the depths of any other perforated intervals and detail on the sacks of cement or bridge plugs used to seal off such perforations.

(5) Give the depth to and the name of the next higher and next lower oil or gas zone in the area of the well, if any.

### XIV. PROOF OF NOTICE

All applicants must furnish proof that a copy of the application has been furnished, by certified or registered mail, to the owner of the surface of the land on which the well is to be located and to each leasehold operator within one-half mile of the well location.

Where an application is subject to administrative approval, a proof of publication must be submitted. Such proof shall consist of a copy of the legal advertisement which was published in the county in which the well is located. The contents of such advertisement must include:

(1) The name, address, phone number, and contact party for the applicant;

(2) The intended purpose of the injection well; with the exact location of single wells or the Section, Township, and Range location of multiple wells;

(3) The formation name and depth with expected maximum injection rates and pressures; and,

(4) A notation that interested parties must file objections or requests for hearing with the Oil Conservation Division, 1220 South St. Francis Dr., Santa Fe, New Mexico 87505, within 15 days.

NO ACTION WILL BE TAKEN ON THE APPLICATION UNTIL PROPER PROOF OF NOTICE HAS BEEN SUBMITTED.

NOTICE: Surface owners or offset operators must file any objections or requests for hearing of administrative applications within 15 days from the date this application was mailed to them.

Side 1

OPERATOR: Delaware Energy LLC

WELL NAME & NUMBER: Ruiz SWD No1

WELL LOCATION: 2565' FSL, 2,360'

<u>FWL</u>	<u>K</u>	<u>10</u>	<u>24S</u>	<u>28E</u>
FOOTAGE LOCATION	UNIT LETTER	SECTION	TOWNSHIP	RANGE

WELLBORE SCHEMATIC

WELL CONSTRUCTION DATA  
(See attached wellbore diagram)

Surface Casing

Hole Size: 24"

Casing Size: 20"

Cemented with: 1400 sx.

or                      ft<sup>3</sup>

Top of Cement: SURFACE

Method Determined: Circulated

Total Depth: 400'

# Administrative Applications Not Approved (see OCD Online for approved permits)

Pending = waiting on OCD review or end of notice suspense period.  
Suspended = waiting on factors outside the OCD, see comments.  
Canceled = timed out, denied or withdrawn, see comments.

APPLICATION TYPES  
CTB, PLC, PC = Surface Commingling  
OLM = Off Lease Measurement  
NSL = Non Standard Location  
SD = Simultaneous Dedication  
NSP = Non Standard Proration Unit  
SWD = Salt Water Disposal  
IPI = Injection Pressure Increase  
WFX, PMX = Waterflood/Pressure Maintenance Expansion

Friday, July 14, 2017 4:37:17 PM

All Pending Applications and  
All Suspended/Canceled within past 180 days  
Sorted by App Type then Received Date

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Eddy	MAM	CTB	3/10/2017	21	pMAM1706958060	3/31/2017	Canc	CIMAREX ENERGY CO. OF COI	Amithy Crawford; Regulator	30-015-25716	No surface commingle required, identical ownership
Eddy	MAM	CTB	1/27/2017	19	pMAM1702745806	2/15/2017	Canc	OXY USA INC	Taylor Stillman; Producti	30-025-36593	Cancelled applicant did not supply required information based on Hearing R-14299
Eddy	MAM	CTB	1/17/2017	0	pMAM1701747611	1/17/2017	Canc	OXY USA INC	Taylor Stillman; Producti	30-015-40250	Application was premature - Case 15540 was pending
Rio Arriba	MAM	DHC	4/26/2017	21	pKSC1711639225	5/17/2017	Canc	BP AMERICA PRODUCTION COM	Toya Colvin Toya.Colvin@	30-039-24163	Insufficient supporting data.
Lea	WVJ	IPI	6/22/2017	22	pKSC1717357161		Pend	BC OPERATING, INC.	Nicolas Klopp nklopp@gm	30-025-41073	Well Berry SWD #1; API 30-025-41703
Eddy	PRG	IPI	5/11/2017	64	pMAM1713255697		Pend	LIME ROCK RESOURCES II-A,	Mike Pippin; Agent	30-015-26404	
Lea	WVJ	IPI	2/28/2017	3	pMAM1705958735	3/3/2017	Canc	LEGACY RESERVES OPERATING	Brian Wood; Agent	30-025-31601	They will rerun test if needed - not denied, not approved
Eddy	LEL	NSL	7/13/2017	1	pKSC1719538570		Pend	OXY USA INC	Sarah Mitchell sarah_mi	pKSC1719538570	Pending 20 day period Well Patton MDP1 18 Federal #33H; API 30-015-pending
Eddy	LEL	NSL	7/6/2017	8	pLEL1718763202		Pend	COG OPERATING LLC	Robyn Russell (Russell@c	30-015-44271	20 day PN Pending. WELL: Carmen 3 Federal Com No. 91H; API # 30-015-44271
Eddy	LEL	NSL	7/6/2017	8	pLEL1718763673		Pend	COG OPERATING LLC	Robyn Russell (Russell@c	30-015-43999	20 day PN penind, 07/06/2017 WELL: Bone Yard 11 Fee Well No. 16H; API # 30-015-43999
Lea	LEL	NSL	7/3/2017	11	pLEL1718457695		Pend	COG OPERATING LLC	Robyn Russell (Russell@c	30-025-43743	20 day PN pending, 07/03/2017
Eddy	MAM	NSL	6/30/2017	14	pKSC1718155773		Pend	CIMAREX ENERGY CO.	Jennifer Bradfute JLB@m	30-015-42168	Well Hornsby 35 Federal Com #7H; API 30-015-42168
Eddy	LEL	NSL	6/30/2017	14	pKSC1719235890		Pend	OXY USA INC	Sarah Mitchell sarah_mi	pKSC1719235890	Pending 20 day period Well Sunrise MDP1 8/5 Federal #5H; API 30-015-pending

MAM = Michael McMillan, PRG = Philip Goetze, LEL = Leonard Lowe, WVJ = Will Jones

EXHIBIT  
E

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Eddy	LEL	NSL	6/30/2017	14	pKSC1719235552		Pend	OXY USA INC	Sarah Mitchell sara_mit	pKSC1719235552	Pending 20 day period Well Sunrise MDP1 8-5 Federal #2H; API 30-015-pending
Sandoval	LEL	NSL	6/29/2017	15	pKSC1718055767		Pend	WPX ENERGY PRODUCTION, LL	Thomas E. Black, JR. (Tom	30-043-21308	Application in review, 07/13/2017 Well: State 2207-360 #193H; API # 30-043-21308
Lea	MAM	NSL	3/21/2017	62	pMAM1708059942	5/22/2017	Canc	STEWART ENERGY II, LLC	Melanie Wilson; Agent	30-025-43592	Cancelled iby Applicant
Lea	LEL	NSL	3/3/2017	24	pLEL1706254143	3/27/2017	Canc	COG OPERATING LLC	Debora Wilbourn (dwilbour	pLEL1706254143	Debora W. requested to with draw the application. WELL: Windward Federal No. 11H; API 30-025- PENDING
Lea	LEL	NSL	3/3/2017	133	pKSC1706259063		Pend	CIMAREX ENERGY CO. OF CO	Zoe Lees (505-848- 1859)	30-025-43070	Pending 20 day period WELL: Southern California 29 Federal #19H
Eddy	MAM	NSL	2/5/2017	59	pKSC1709556079	4/5/2017	Canc	CIMAREX ENERGY CO.	Zoe Lees (zel@modrall.co	30-015-42173	NO NSL required within 330' of project area WELL: Medwick 32 Federal Com #8H; API # 30-015-42173
Eddy	MAM	NSP	6/30/2017	14	pKSC1718156122		Pend	CIMAREX ENERGY CO.	Jennifer Bradfute JLB@m	30-015-42168	Well Hornsby 35 Federal Com. #7H; API 30-015- 42168
Eddy	LEL	NSP	6/19/2017	25	pLEL1717062330		Pend	RKI EXPLORATION & PRODUCT	Jordan Kessler 505- 954-72	pLEL1717062330	Application in review, 07/13/2017 SEC. 35, TWN 25 S, RNG 29 E
Eddy	LEL	NSP	6/5/2017	39	pKSC1715653894		Pend	CAZA OPERATING, LLC	James Bruce (jamesbruce@a	30-015-44063	07/13/2017, Application in FINAL review. WELL: 7H, 8H, 9H; NW/4 Sec. 22
Eddy	LEL	NSP	6/5/2017	39	pLEL1719133916		Pend	CAZA OPERATING, LLC	Jim Bruce (jamesbruc@aol.	30-015-43720	Application in FINAL review, 07/13/2017. WELL: Forehand Ranch 22 State No. 6H; Purple Sage: SEC 22 23 S 27E
Eddy	LEL	NSP	4/11/2017	55	pMAM1710958453	6/5/2017	Canc	RKI EXPLORATION & PRODUCT	Jordan Kessler 505- 954-72	30-015-42290	Not NSP, infomration placed inwell file WELL: North Bushy Draw Federal Com 35 No. 4H & 5H_ API 30-015-42290 (& -42291)
Lea	LEL	NSP	3/2/2017	134	pLEL1707558630		Pend	EOG RESOURCES INC	Jordan Kessler 505- 954-72	pLEL1707558630	Application in review. WELL: Neptune 10 State Com Well No. 701H; API # 30-025-PENDING (03.16.17)
Lea	MAM	PLC	7/11/2017	3	pMAM1719229494		Pend	OXY USA WTP LIMITED PARTN	Sandra Musallam: regulato	30-025-36299	
San Juan	MAM	PLC	7/7/2017	7	pMAM1718845574		Pend	XTO ENERGY, INC	Cherylene Weston; Senior	30-045-30144	
Lea	MAM	PLC	6/30/2017	14	pMAM1718657597		Pend	CHEVRON U S A INC	Denise Pinkerton; Regulat	30-025-43270	

MAM = Michael McMillan, PRG = Philip Goetze, LEL = Leonard Lowe, WVJ = Will Jones



County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Lea	MAM	PLC	6/12/2017	1	pMAM1716356325	6/13/2017	Canc	CHEVRON U S A INC	Cindy Herrera-Murillo; Pe	30-025-34080	Incorrect administrative application checklist, no production, E-permitting production for Tubb pool is inactive
Eddy	MAM	PLC	3/27/2017	0	pKSC1708640965	3/27/2017	Canc	DEVON ENERGY PRODUCTION C	Erin Workman Erin.workm	30-015-39229	Well Cotton Draw 10 Fed Com #1H; API 30-015-39229
San Juan	MAM	PLC	3/8/2017	8	pMAM1706756292	3/16/2017	Canc	XTO ENERGY, INC	Cherylene Weston; Senior	30-045-25349	Identical to PLC-409
Lea	MAM	PMX	2/16/2017	7	pMAM1704828815	2/23/2017	Canc	CML EXPLORATION, LLC	Jordan Owens; Area Engine	30-025-39246	This is an application to expand a project. Must create Pressure Maintenance Project at examiner hearing
Lea	PRG	SWD	7/6/2017	0	pMAM1718757682	7/6/2017	Susp	SOLARIS WATER MIDSTREAM,	Ben Stone; Agent	pMAM1718757682	Need affidavit of publication
Eddy	PRG	SWD	7/5/2017	9	pMAM1718746761		Pend	JUDAH OIL LLC	Danny Holcomb; Agent	pMAM1718746761	Ross Draw Fed#1; N- T26S R30E; Dev 16000' - 174000' Ross Draw Fed#1; N- T26S R30E; Dev 16000' - 174000'
Eddy	MAM	SWD	7/3/2017	10	pKSC1718735697	7/13/2017	Susp	DELAWARE ENERGY, LLC	Mike McCurdy mmccurdy@d	pKSC1718735697	RUIZ SWD #1 RUIZ SWD #1; API 30-015-; Protested Alpha SWD Operating LLC Well RUIZ SWD #1; API 30-015-; Protested Alpha SWD Operating LLC
Lea	MAM	SWD	7/3/2017	3	pMAM1718754184	7/6/2017	Susp	CIMAREX ENERGY CO. OF CAN	Amithy Crawford; Regulator	30-025-33633	NMSLO requests injection from 5338' - 7425' NMSLO requests injection from 5338' - 7425'
Eddy	MAM	SWD	7/3/2017	9	pKSC1718727107	7/12/2017	Canc	ROCKCLIFF OPERATING NFW M	Brian Wood brian@permit	30-015-22320	Protested Kaiser-Francis Cancelled-injection into known producing formation
Lea	MAM	SWD	6/29/2017	15	pMAM1718146953		Pend	JUDAH OIL LLC	Danny Holcomb; Agent	30-025-37160	Protested Mewbourne Oil Company
Eddy	MAM	SWD	6/28/2017	0	pKSC1717933012	6/28/2017	Susp	OWL SWD OPERATING, LLC	Stephen L. Pattee, P.G.	pKSC1717933012	O-1-26S-26E; Protested COG Well Threat Level Midnight SWD #1; API
Eddy	PRG	SWD	6/28/2017	15	pKSC1717936409	7/13/2017	Susp	OWL SWD OPERATING, LLC	Stephen L. Pattee, P.G.	pKSC1717936409	Well Goodbye Toby SWD #1; API; 15-day clock start 07/07/2017. Del+WC water sample
Lea	PRG	SWD	6/20/2017	8	pMAM1717136579	6/28/2017	Susp	SANTO OPERATING LLC	Loren Diede; Agent	pMAM1717136579	Ocotillo SWD#1; J-15-25S-34E; 30-025-pending; Suspended EOG Resources protest EOG Resources protest
Lea	MAM	SWD	6/20/2017	0	pMAM1717140969	6/20/2017	Canc	CHEROKEE DISPOSAL, LLC	Eddie Seay; Agent	30-025-21673	Sallie Anderson#1; C-25-9S-34E; Bough injection; cancelled receipts surface owner, affected parties, and swab test of interval had oil, and pumped 8 BOPD

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Lea	MAM	SWD	6/1/2017	1	pMAM1715338760	6/2/2017	Susp	CROWNQUEST OPERATING, LLC	Ann Ritchie; Permitting t	30-025-22932	Injection zone same as producing interval within 1/2 mille AOR
Lea	MAM	SWD	5/24/2017	1	pKSC1714532510	5/25/2017	Susp	MESQUITE SWD, INC	Kay Havenor Kay.Havenor@	pKSC1714532510	Red Hills SWD #1; API 30-025-pending; H-5-26S R-33E Well Red Hills SWD #1; API 30-025-
Eddy	MAM	SWD	5/22/2017	8	pMAM1714233624	5/30/2017	Canc	ROCKCLIFF OPERATING NFW M	Brian Wood; Agent	30-015-33783	Protested BTA,Chevron, Kaiser-Francis. Applicant withdrew application
Eddy	MAM	SWD	5/12/2017	11	pMAM1713255815	5/23/2017	Canc	OWL SWD OPERATING, LLC	Steve Pattee; Engineer	pMAM1713255815	Scrute Farms SWD#1; M-4 T26SR28E; Protested COG. Cancelled by Applicant
Lea	MAM	SWD	5/12/2017	10	pMAM1713256939	5/22/2017	Susp	MESQUITE SWD, INC	Kay Havenor; Agent	pMAM1713256939	Deep Purple SWD#1; 4-30-T22S R32E; 30-025-pending. 15-day clock start 05/22//2017
Eddy	MAM	SWD	5/8/2017	22	pMAM1712835977	5/30/2017	Canc	ROCKCLIFF OPERATING NFW M	Brian Wood; Agent	30-015-26368	Protested Chevron. Applicant withdrew application
Lea	MAM	SWD	5/8/2017	11	pMAM1712856748	5/19/2017	Susp	OWL SWD OPERATING, LLC	Stephen Pattee, Engineer	pMAM1712856748	Brininstool SWD#4; O-26-23S R33E; Protested Kaiser-Francis
Lea	MAM	SWD	5/5/2017	0	pMAM1712534121	5/5/2017	Canc	PERMIAN TDS, LLC	Eddie Seay; Agent	30-025-32750	well bore diagram does not match well file
Lea	PRG	SWD	5/1/2017	74	pMAM1712152783		Pend	OWL SWD OPERATING, LLC	Steve Pattee; Agent	pMAM1712152783	
Lea	PRG	SWD	5/1/2017	0	pMAM1712152379	5/1/2017	Susp	MESQUITE SWD, INC	Kay Havenor; Agent	pMAM1712152379	Red Hills SWD Well No. 1;30-025-pending; ES/26S/25E;suspended 05/01/2017 pending hearing about tubing/liner Waiting on information
Lea	MAM	SWD	5/1/2017	2	pMAM1712229015	5/3/2017	Susp	BTA OIL PRODUCERS, LLC	Kay McConnell; Regulatory	30-025-34628	Protested Devon Energy Corporation and NMSLO
Lea	MAM	SWD	4/26/2017	1	pKSC1711658014	4/27/2017	Canc	COBALT OPERATING, LLC	Mark Burkett mark@cobal	30-025-21230	Out of 5.9.commplance. Wellbore diagram problems Well State A #001; API 30-025-21230
Eddy	MAM	SWD	4/17/2017	0	pMAM1710749639	4/17/2017	Canc	TACTICAL OIL & GAS, LLC	Brian Wood; Agent	30-015-25003	
Eddy	MAM	SWD	4/17/2017	43	pMAM1710744638	5/30/2017	Canc	ROCKCLIFF OPERATING NFW M	Brian Wood; Agent	30-015-22931	Protested Chevron USA. Applicant withdrew application
Eddy	MAM	SWD	4/17/2017	43	pMAM1710746033	5/30/2017	Canc	ROCKCLIFF OPERATING NFW M	Brian Wood; Agent	30-015-23339	Protested Chevron. Applicant withdrew application

MAM = Michael McMillan, PRG = Philip Goetze, LEL = Leonard Lowe, WVI = Will Jones

County	Engr	App	Received	Days	Permit/Application	Resolved	Status	Applicant	Contct	First_API	All Comments
Eddy	MAM	SWD	3/13/2017	4	pMAM1707530767	3/17/2017	Canc	ROCKCLIFF OPERATING NEW M	Brian Wood; Agent	30-015-22320	Discrepancies between application and subsequent drawing and well file. Concerns about tubing and liner size
Lea	PRG	SWD	2/28/2017	3	pMAM1705955027	3/3/2017	Canc	OWL SWD OPERATING, LLC	Ben Stone; Agent	pMAM1705955027	DinwiddieSWD#1;C-11-T26SR33E;Devnonian;17500'-18800';API 30-025-pending;cancelled by Applicant
Eddy	MAM	SWD	2/15/2017	0	pMAM1704640834	2/15/2017	Canc	MESQUITE SWD, INC	Melanie Wilson; Regulator	30-015-44054	Tubing size increase. Cancelled due to concerns about tubing/liner size problems. Mesquite plan hearing about this issue
Lea	PRG	SWD	2/15/2017	28	pMAM1704655210	3/15/2017	Susp	JUDAH SWD, LLC	Danny Holcomb; Agent	30-025-30677	Not allowed to exceed 30 days Suspended until issues resolved
Eddy	MAM	SWD	2/13/2017	11	pMAM1704449021	2/24/2017	Canc	MESQUITE SWD, INC	Kay Havenor; Agent	pMAM1704449021	Sand Dunes SWD#1; 30-015-pending;N-Sec.5 T24SR31E;Cancelled because 5-1/2" tubing inside 7-5/8"Liner
Chaves	MAM	SWD	2/1/2017	0	pMAM1703255824	2/1/2017	Canc	JALAPENO CORPORATION	H. Emmons Yates III; Vice	30-005-64153	Injection into hydrocarbon strata within AOR
Lea	PRG	SWD	1/30/2017	2	pMAM1703059268	2/1/2017	Susp	XOG OPERATING LLC	Amy Crawford; Production	30-025-34664	Protested by Chevron USA Inc. and surface owner (legal: Maddox, Holloman & Moran)
Eddy	PRG	SWD	1/25/2017	13	pMAM1702552135	2/7/2017	Susp	RKI EXPLORATION & PRODUCTION	Ashlee Fechino; Regulator	30-015-42463	Protested by Chevron
Eddy	MAM	SWD	1/9/2017	22	pMAM1701032155	1/31/2017	Canc	DELAWARE ENERGY, LLC	Preston Stein; Vice-Presi	pMAM1701032155	Lot 2 Sec. 32 T26S R29E; Catfish SWD#1; 30-015-pending. Cancelled by applicant May resubmit application in the future
Eddy	MAM	SWD	10/24/2016	100	pMAM1630056805	2/1/2017	Canc	DAKOTA RESOURCES INC III	Pam Morpew; Vice Preside	30-015-25006	Cancelled injection zone same interval as producing zone in AOR
Lea	PRG	SWD	12/3/2013	1315	pPRG1333754483	7/10/2017	Canc	OASIS WATER SOLUTIONS LLC	Eddie Seay, Consultant	30-025-28247	All protests withdrawn; change in ownership during C-108 review; reviewed for second time following 5.9 completion



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

**APPLICATION OF DELAWARE ENERGY LLC TO REVOKE THE INJECTION  
AUTHORITY GRANTED UNDER SWD-1680 FOR THE ALPHA SWD NO. 1 WELL  
OPERATED BY ALPHA SWD OPERATING LLC, EDDY COUNTY, NEW MEXICO.**

**Case No. 15855**

**SELF-AFFIRMED STATEMENT  
OF KURT KNEWITZ**

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 member of Alpha SWD Operating LLC ("Alpha"), and have been authorized to provide this Self-Affirmed Statement on Alpha's behalf.
3. I have reviewed Delaware Energy LLC's ("Delaware's") application and motion to stay in the above-referenced case, and I am aware of Delaware's assertions regarding Alpha's alleged knowledge of Delaware's submission to the OCD in October 2016 and Alpha's plans for the Alpha SWD Well No. 1.
4. Delaware's assertion regarding Alpha's knowledge about Delaware's October 2016 submission is incorrect. When Alpha's consultant submitted the C-108 for the Alpha SWD Well No. 1 to the OCD on June 2, 2017, Alpha had no knowledge whatsoever about Delaware's previously-submitted C-108. Alpha did not learn about Delaware's plans to seek Division approval of an SWD well in proximity to the Alpha SWD Well No. 1 until the day after the Division issued Administrative Order SWD-1680, when the surface owner of the Alpha SWD Well

**EXHIBIT  
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No. 1 location called Alpha to inform us that a surveyor working for Delaware was on her property. Alpha then timely submitted a protest of the C-108 that Delaware submitted to the OCD on July 3, 2017.

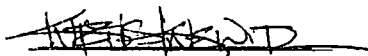
5. I find it ironic that Delaware claims that it didn't have an opportunity to protest Alpha's administrative application submitted on June 2, 2017 because it didn't know about the application. During the previous month, Alpha communicated with Delaware, via telephone and email and during a meeting in Dallas, about various matters relating to the Alpha SWD Well No. 1, including the well location, the facility design schematics and AFE for the well, and Alpha's application for a DOT permit. Delaware was fully aware of Alpha's plans for the Alpha SWD Well No. 1, knew that Alpha would be applying for injection authority, and requested to become partners with Alpha in the Alpha SWD Well No. 1. At no time during the parties' discussions in May 2017 did Delaware indicate that it would protest an application for injection authority submitted by Alpha for the Alpha SWD Well No. 1.

6. Delaware's conjecture about Alpha's plans for its permitted SWD well also is erroneous. Alpha's intent always has been - and continues to be - that the Alpha SWD Well No. 1 will be drilled and completed, and that injection will commence within the two-year time frame established in Administrative Order No. SWD-1680. Alpha had a rig scheduled to commence drilling the Alpha SWD Well No. 1 on September 14, 2017. However, Alpha was constrained to release the rig because of Delaware's application and motion to stay.

7. Contrary to Delaware's additional conjecture about Alpha's alleged plan to monetize its permit and injection authority, Alpha did not contact Delaware about selling the well. Rather, the converse is true – Delaware reached out to Alpha to propose becoming a partner in the well.

8. Alpha has been prejudiced by the postponement of the drilling of the Alpha SWD Well No. 1, as well as the postponement of the closing on its purchase of acreage that includes the Alpha SWD No. 1 well location. Moreover, for the past several months Alpha has been negotiating contracts with operators who are seeking produced water disposal, and is in danger of losing those contracts.

9. I understand that this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in Paragraph 1 – 8 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.

  
Kurt Knewitz

10/4/17  
Date